***NOTICE:* THIS MEETING WILL BE HELD IN ACCORDANCE WITH THE GOVERNOR'S NEW EXECUTIVE ORDER N-29-20, ISSUED ON MARCH 17, 2020, REGARDING THE OPEN MEETING REQUIREMENTS OF THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT IN AN EFFORT TO HELP AVOID THE SPREAD OF COVID-19, TO MAXIMIZE TRANSPARENCY, AND PROVIDE PUBLIC ACCESS TO CITY COUNCIL MEETINGS.**

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

(City Council also serves as the LRA Board)

TUESDAY, OCTOBER 27, 2020 – 6:00 P.M.

VIA TELECONFERENCE OR VIRTUAL PLATFORM ONLY – NO OPEN PUBLIC LOCATION

(CITY HALL IS LOCATED AT 6707 THIRD STREET, RIVERBANK. CA 95367)

A G E N D A

(THE AGENDA PACKET IS AT HTTP://WWW.RIVERBANK.ORG/AGENDACENTER)

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 Luis Uribe (CM-D1)
Council/Authority Member District 2 Cindy Fosi
Council/Authority Member District 3 Cal Campbell
Council/Authority Member District 4 Darlene Barber-Martinez

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

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

1. PRESENTATIONS

There are no presentations.

2. PUBLIC COMMENTS (No Action Can Be Taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the City Council/LRA Board. Individual comments will be limited to a **maximum of 3 minutes or as stated by the presiding Officer.** Under State Law, matters presented during the public comment period cannot be discussed or acted upon.

Refer to the last page of this agenda for the Public Comment Procedures.

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 June 23, 2020, City Council and Local Redevelopment Authority Board Minutes.

Recommendation: Approval of the Consent Calendar items by roll call vote.

4. UNFINISHED BUSINESS

There are no Items to consider.

5. PUBLIC HEARINGS

The public notice for Item 5.1 were published in the Riverbank News on 10/7/2020. The Annual AB 1600 SDF Activity Report was available public review on the City's website for 15 days beginning October 12, 2020.

Item 5.1: **Resolution Accepting the Fiscal Year 2019-20 Annual AB 1600 Report of System Development Fee Activity** – It is recommended that the City Council adopt a Resolution accepting the Fiscal Year 2019-20 Annual AB 1600 Report of System Development Fee Activity.

6. NEW BUSINESS

Item 6.1: **Recycled Water / Wastewater Master Plan Update** – It is recommended that the City Council receive the update by Neal Colwell of KSN Engineering on the City of Riverbank Recycled Water Planning Study and provide direction as deemed necessary to move forward on the next stages of the Plan.

Item 6.2: **Consideration of a Resolution to Approve a Memorandum of Understanding Between the City of Riverbank and Cary Pope (Dba Ammo Plant Management Inc.) Relating to the Ward Villas Affordable Housing Project** – It is recommended that the City Council consider the attached resolution which would approve an MOU between the City of Riverbank and Cary Pope (DBA Ammo Plant Management Inc.) related to the Ward Ave affordable housing project.

Item 6.3: **A Resolution to Amend the Cares Coronavirus Relief Fund (CRF) Allocation Spending Plan and Authorizing the City Manager to Make Re-Allocations Based on Future Needs** – It is recommended that the City Council consider receive an update regarding the CARES Coronavirus Relief Fund (CRF) Allocation Spending Plan and amending the spending plan to include the allocation of additional funds to be received from the County.

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 3 minutes to comment on Closed Session item(s) as set forth on the agenda prior to the City Council/LRA Board adjourning to Closed Session.

Item 8.1: **PUBLIC EMPLOYMENT**
Pursuant to Government Code Section 54957(b) (1)
Title: Public Works Director/Interim LRA Director

Item 8.2: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
pursuant to paragraph (4) of subdivision (d) of Section 54956.9
Number of cases: (3) potential cases

Item 8.3: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to Government Code Section 54956.8
Property: APN: 062-031-005, 062-031-006, 062-031-007
Agency Negotiator: Sean Scully, City Manager
Property Negotiator: Aemetis, Inc.
Under Negotiation: Price, terms of payment, or both

ADJOURNMENT – THE PUBLIC PORTION OF THE MEETING

(The next regular meeting is on Tuesday, November 10th @ 6:00 p.m.; The November 24th regular meeting has been canceled.)

9. REPORT FROM CLOSED SESSION

The Mayor's report on the Closed Session Items will be made to the City Clerk, and the report will be reflected in the Minutes of this meeting. Anyone interested in obtaining the report from Closed Session may contact the City Clerk at cityclerk@riverbank.org or call (209) 863-7198.

ADJOURNMENT OF THE OCTOBER 27TH REGULAR MEETING

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted on an accessible public location, and the City's website 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.
Posted this 22ND day of October, 2020.
/s/*Annabelle H. Aguilar, CMC, City Clerk, City of Riverbank*

ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, and the Governor's Executive Order N-29-20, the City will make every effort to make reasonable modifications or accommodations from individuals with disabilities. Contact the Administration Dept. at (209) 863-7122 or the City Clerk at aaguilar@riverbank.org at least (48) hours prior to the meeting to enable the City to make reasonable arrangements for accessibility.

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.

PUBLIC PARTICIPATION PROCEDURES FOR THE CITY COUNCIL/LRA MEETINGS HELD IN A TELECONFERENCE OR VIRUAL PLATFORM IN CONFORMANCE WITH THE GOVERNOR'S EXECUTIVE ORDER N-29-20

CHANGES TO THIS NOTICE OF PROCEDURES

In accordance with the Governor's Executive Order, should the meeting procedures change, the City may use the most rapid means of communication available at the time including, but not limited to, posting the notice of changes on the City's website.

PUBLIC "LIVE" VIEWING

- Charter Government Channel – 2
- AT&T U-VERSE Government Channel – 99
- YouTube Live https://www.youtube.com/channel/UCq2x8QChEcknBq7uuJLcZow
- Via ZOOM Platform (See instructions below)

SUBMITTING PUBLIC COMMENTS

- ***Via Mail Service:*** Mail comments to City of Riverbank, Attn. City Clerk, 6707 Third Street, Suite A, Riverbank, CA 95367. (Must be received **by 4:00 p.m.** on the day of the meeting.)

Via Email to cityclerk@riverbank.org:

- Written comments via Email *received before* the meeting: (Will be distributed to the City Council)
  - **Submit No later than 4:00 p.m.** on the day of the meeting; and
  - Indicate Agenda Item # in the ***subject line***.

Join via ZOOM Platform:

- Visit https://zoom.us/j/94943925973?status=success for a free account or to download the app.
- Join by accessing website: https://zoom.us/join
- Join by this link: https://us02web.zoom.us/j/89164002538
  - Webinar ID: **891 6400 2538**
- Join by telephone: +1 669 900 9128 or +1 253 215 8782; plus the ID #

HOW DO I COMMENT? The Mayor will announce when public comment may be made for the agenda item being considered, at which time you will:

- Using a Computer – click on the "raise hand" feature in the webinar controls. This will let us know you wish to speak.
  - Once you confirm that you want to be unmuted, your 3 minutes will begin for you to make your comments.

- Using a Phone – Dial ***9**, which will notify us that you have a "raised hand"
  - Once you are told "you may make your comments" you will have 3 minutes to make your comments.

Learn about using ZOOM - **Visit** https://support.zoom.us/hc/en-us/categories/201146643

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

SECTION 3: CONSENT CALENDAR

Meeting Date:	October 27, 2020
Subject:	Waiver of Readings
From:	Sean Scully, City Manager
Submitted by:	Annabelle Aguilar, CMC, City Clerk / LRA Recorder

RECOMMENDATION

It is recommended that the City Council / LRA Board approve the waiver of readings of any proposed ordinances and resolutions for consideration, except by title.

SUMMARY

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

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

FINANCIAL IMPACT

There is no financial impact to this item.

ATTACHMENTS

There are no attachments to this report.

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

SECTION 3: CONSENT CALENDAR

Meeting Date:	October 27, 2020
Subject:	Approval of the June 23, 2020, 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 June 23, 2020, 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. June 23, 2020, City Council and LRA Minutes

(BY VIRTUAL PLATFORM ONLY)
City of Riverbank
REGULAR CITY COUNCIL AND
LOCAL REDEVELOPMENT AUTHORITY BOARD MEETINGS
(The City Council also serves as the LRA Board)
Conducted from various local virtual locations

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

MINUTES OF
TUESDAY, JUNE 23, 2020

<u>Notice:</u> This meeting was held in accordance with the Governor's Executive Order N-29-20, issued on March 12, 2020, in regards to the open meeting requirements of the Ralph M. Brown Act (California Government Code Section 54950, et seq.), and the Federal Americans With Disabilities Act.

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 by virtual platform with Mayor/Chair Richard D. O'Brien presiding and announcing the open meeting process.

FLAG SALUTE Mayor/Chair Richard D. O'Brien

INVOCATION There was no invocation.

ROLL CALL
Present via Virtual platform:
Mayor/Chair Richard D. O'Brien
Vice Mayor/Chair (CM-D1) Luis Uribe
Council/Authority Member District 2 Cindy Fosi
Council/Authority Member District 3 Cal Campbell
Council/Authority Member District 4 Darlene Barber-Martinez

Staff Present: City Manager Sean Scully, Asst. City Manager/ASD Marisela Garcia, City Clerk Annabelle Aguilar, City Attorney Tom Hallinan, Police Chief Ed Ridenour, Planning and Building Manager Donna Kenney, Development Services Administration Manager Kathleen Cleek, and Parks and Recreation Director Sue Fitzpatrick

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.

Councilmember Barber-Martinez declared a conflict with Item 5.1-E.

Mayor O'Brien declared a conflict with Item 5.1-E.

1. PRESENTATIONS **There were no presentations.**

2. PUBLIC COMMENTS (No Action Can Be Taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the City Council/LRA Board. Individual comments will be limited to a **maximum of 3 minutes or as stated by the presiding Officer.** Under State Law, matters presented during the public comment period cannot be discussed or acted upon.

(Public Comment Procedures were provided on the last page of the agenda.)

There were no public comments.

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: A **Resolution [No. 2020-043]** of the City Council Authorizing the Submittal of an Application to the California State Department of Housing and Community Development for Funding Under the SB 2 Permanent Local Housing Allocation Program, and if Selected, the Execution of a Standard Agreement, Any Amendments Thereto, and Any Related Documents Necessary to Participate in the Program.

Item 3.C: A **Resolution [No. 2020-044]** Authorizing an Application for, and Receipt of, Local Government Planning Support Grant Program Funds.

Recommendation: Approval of 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, 3.B, and 3.C as presented.***
Motion carried by unanimous City Council and LRA Board roll call vote.
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor/Chair O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

4. UNFINISHED BUSINESS

Item 4.1: **Second Reading by Title Only and Adoption of Proposed Ordinance No. 2020-008 Approving a Development Agreement By and Between the City of Riverbank and Canna Mart, LLC, a California Limited**

Liability Corporation Doing Business as Canna Mart – It is recommended that the City Council review the report, take public comment, and consider the adoption of the Ordinance.

City Manager Sean Scully presented the staff report.

City Council and Staff discussed the Item; Councilmembers Barber-Martinez commented on her concerns with the location and potential traffic impact.

Public Comment was made by Evelyn Halbert, Riverbank, in regards to a records request, inquired whether the business was going to be a cannabis distribution center, and concerns with the lack of information during the public hearings.
City Manager Scully clarified "wholesale" versus "delivery" distribution, and that the business was not in a zoning area for "wholesale/manufacturing"; therefore, further clarifying that the business may conduct retail distribution, however, may not repackage and sell to other retail distributers as a wholesale distributer.
Canna Mart, LLC's Consultant Rod Olsen explained that their State license permits purchase of cannabis in bulk for distribution under their business name.

ACTION: ***By motion moved and seconded (Uribe / Campbell / passed 5-0) to approve the Development Agreement By and Between the City of Riverbank and Canna Mart, LLC, a California Limited Liability Corporation Doing Business as Canna Mart by adoption of Ordinance No. 2020-008 as presented.***
Motion carried by unanimous City Council roll call vote.
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

5. PUBLIC HEARINGS

The public notices for all Public Hearing Items 5.1, 5.2, 5.3, 5.4, 5.5, and 5.6 were published in the Riverbank News on 6/10/2020.

Item 5.1: **Two Resolutions for Each Landscape and Lighting District to: 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2020/2021; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2020/2021.**

It is recommended that the City Council conduct the public hearing for each Landscape and Lighting District as listed, and consider the adoption of each corresponding proposed resolutions by roll call vote.

Development Services Administration Manager Kathleen Cleek presented the staff reports.

<u>5.1-A:</u> Consolidated Landscaping & Lighting District

Mayor O'Brien opened the public hearing at 6:35 p.m.; no one spoke, the hearing was closed.

<u>ACTION:</u> ***By motion moved and seconded (Barber-Martinez / Fosi / passed 5-0) to Order the Levy and Collection of Annual Assessments for Fiscal Year 2020/2021 by adoption of <u>Resolution No. 2020-045</u>, and Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2020/2021 by adoption of <u>Resolution No. 2020-046</u> for the Consolidated L & L District as presented. Motion carried by unanimous City Council roll call vote.***
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

<u>5.1-B:</u> Ridgewood Place Landscaping & Lighting District

Mayor O'Brien opened the public hearing at 6:37 p.m.; no one spoke, the hearing was closed.

<u>ACTION:</u> ***By motion moved and seconded (Campbell / Barber-Martinez / passed 5-0) to Order the Levy and Collection of Annual Assessments for Fiscal Year 2020/2021 by adoption of <u>Resolution No. 2020-047</u>, and Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2020/2021 by adoption of <u>Resolution No. 2020-048</u> for the Ridgewood Place L & L District as presented. Motion carried by unanimous City Council roll call vote.***
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

<u>5.1-C:</u> River Cove Landscaping & Lighting District

Mayor O'Brien opened the public hearing at 6:39 p.m.; no one spoke, the hearing was closed.

<u>ACTION:</u> ***By motion moved and seconded (Fosi / Uribe / passed 5-0) to Order the Levy and Collection of Annual Assessments for Fiscal Year 2020/2021 by adoption of <u>Resolution No. 2020-049</u>, and Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2020/2021 by adoption of <u>Resolution No. 2020-050</u> for the River Cove L & L District as presented. Motion carried by unanimous City Council roll call vote.***
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

<u>5.1-D:</u> Sierra Vista Estates Landscaping & Lighting District

Mayor O'Brien opened the public hearing at 6:41 p.m.; no one spoke, the hearing was closed.

<u>ACTION:</u> ***By motion moved and seconded (Uribe / Campbell / passed 5-0) to Order the Levy and Collection of Annual Assessments for Fiscal Year 2020/2021 by adoption of <u>Resolution No. 2020-051</u>, and Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2020/2021 by adoption of <u>Resolution No. 2020-052</u> for the Sierra Vista Estates L & L District as presented. Motion carried by unanimous City Council roll call vote.***
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

<u>5.1-E:</u> Crossroads Landscaping & Lighting District

Councilmember Barber-Martinez and Mayor O'Brien recused themselves from this Item. Vice Mayor Uribe presided. City Clerk Annabelle Aguilar confirmed that they had been placed in a waiting room during consideration of this Item.

Vice Mayor Uribe opened the public hearing at 6:43 p.m.; no one spoke, the hearing was closed.

<u>ACTION:</u> ***By motion moved and seconded (Campbell / Fosi / passed 3-0) to Order the Levy and Collection of Annual Assessments for Fiscal Year 2020/2021 by adoption of <u>Resolution No. 2020-053</u>, and Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2020/2021 by adoption of <u>Resolution No. 2020-054</u> for the Crossroads L & L District as presented. Motion carried by unanimous City Council roll call vote.***
AYES: Campbell, Fosi, and Vice Mayor Uribe
NAYS: None / ABSENT: None / ABSTAINED: None

Councilmember Barber-Martinez and Mayor O'Brien returned to the meeting. Mayor O'Brien continued to preside over the meeting.

[At this point, the virtual connection with staff member Kathleen Cleek was lost; Mayor O'Brien continued to Item 5.3 and Item 5.4 for consideration.]

<u>Item 5.2:</u> **A Resolution for Each Storm Drain Maintenance District Ordering the Levy and Collection of Assessments for Fiscal Year 2020/2021:** It is recommended that the City Council conduct the public hearing for each

District as listed, and consider the adoption of each corresponding proposed resolution by roll call vote.

Development Services Administration Manager Kathleen Cleek presented the staff reports.

5.2-A: Riverbank Storm Drain Maintenance District No. 2006-01 (Heartlands)

Mayor O'Brien opened the public hearing at 7:13 p.m.; no one spoke, the hearing was closed.

ACTION: ***By motion moved and seconded (Barber-Martinez / Uribe / passed 5-0) to Order the Levy and Collection of Annual Assessments for Fiscal Year 2020/2021 by adoption of Resolution No. 2020-055 for the Riverbank Storm Drain Maintenance District No. 2006-01 (Heartlands) as presented.***
Motion carried by unanimous City Council roll call vote.
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

5.2-B: Riverbank Storm Drain Maintenance District No. 05-01 (Sterling Ridge)

Mayor O'Brien opened the public hearing at 7:15 p.m.; no one spoke, the hearing was closed.

ACTION: ***By motion moved and seconded (Fosi / Uribe / passed 5-0) to Order the Levy and Collection of Annual Assessments for Fiscal Year 2020/2021 by adoption of Resolution No. 2020-056. for the Riverbank Storm Drain Maintenance District No. 05-01 (Sterling Ridge) as presented.***
Motion carried by unanimous City Council roll call vote.
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

[Mayor O'Brien continued to consideration of Item 5.5]

Item 5.3: **First Reading and Introduction of a Proposed Ordinance [No. 2020-009] Amending Section 120.61: Penalties of Chapter 120: Cannabis Regulations of Title XI: Business Regulations by Repealing the Section in its Entirety and Substituting it with a New Section 120.61: Penalties of the Riverbank Municipal Code of Ordinances** – It is recommended that the City Council 1) consider the ordinance, 2) conduct the public hearing, and 3) consider approval of the first reading, which initiates the second reading on July 28, 2020.

Planning and Building Manager Donna Kenney presented the staff report.
City Council spoke in support of the amendment.
Mayor O'Brien opened the public hearing at 6:58 p.m.; no one spoke, the hearing was closed.

ACTION: *By motion moved and seconded (Barber-Martinez / Uribe / passed 5-0) to approve the first reading and introduction of the proposed Ordinance [No. 2020-009] to initiate a second reading by title and consider its adoption on July 28, 2020, as presented. Motion carried by unanimous City Council roll call vote.*
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

Item 5.4: **A Resolution [No. 2020-057] Approving the Final Reports Funded by the Department of Housing and Economic Development (HCD), Community Development Block Grant (CDBG) Over-the-Counter Grant No. 16-CDBG-11211 Accomplishments and Final Grant Close Out** – It is recommended that the City Council 1) receive a summary of the Grant, 2) conduct the public hearing, and 3) authorize staff to submit the final reports and the close out package.

City Manager Sean Scully presented the staff report.

Mayor O'Brien opened the public hearing at 7:06 p.m.; no one spoke, the hearing was closed.

ACTION: *By motion moved and seconded (Uribe / Campbell / passed 5-0) to adopt Resolution No. 2020-057 Approving the Final Reports Funded by the Department of Housing and Economic Development (HCD), Community Development Block Grant (CDBG) Over-the-Counter Grant No. 16-CDBG-11211 Accomplishments and Final Grant Close Out as presented.*
Motion carried by unanimous City Council roll call vote.
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

[Mayor O'Brien returned to consider Item 5.2.]

LRA Item 5.5: **Local Redevelopment Authority Board Resolution No. 2020-001 Adopting the Preliminary Budget for Fiscal Year 2020-21** – It is recommended that the LRA Board of Directors review and approve the Preliminary Fiscal Year 2020-2021 LRA Budget.

City Manager Sean Scully presented the LRA budget.
Chair O'Brien opened the public hearing at 7:25 p.m.; no one spoke, the hearing was closed.

ACTION: *By motion moved and seconded (Campbell / Barber-Martinez / passed 5-0) to adopt LRA Resolution No. 2020-001 Adopting the Preliminary Budget for Fiscal Year 2020-21 as presented.*
Motion carried by unanimous Authority Board roll call vote.
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Chair O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

Item 5.6: **A Resolution [No. 2020-058] of the City Council Adopting the Preliminary Fiscal Year 2020-21 Operating Budget** – It is recommended that the City Council receive a presentation on the Fiscal Year 2020-21 Major Fund Proposed Budgets and provide feedback in anticipation of the adoption of the Preliminary Budget on June 23, 2020. A Final Budget will be presented to Council in September 2020.

Assistant City Manager/ASD Marisela Garcia presented the budget report.
City Council and Staff discussed the budget.

Mayor O'Brien opened the public hearing at 8:05 p.m.; no one spoke, the hearing was closed.

ACTION: *By motion moved and seconded (O'Brien / Uribe / passed 5-0) to adopt Resolution No. 2020-058 Adopting the Preliminary Fiscal Year 2020-21 Operating Budget as presented. Motion carried by unanimous City Council roll call vote.*
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

6. NEW BUSINESS

Item 6.1: **A Resolution [No. 2020-059] of the City Council Approving a Law Enforcement Services Agreement with Stanislaus County for July 1, 2020– June 30, 2024** – It is recommended that the City Council adopt the resolution approving the updated Law Enforcement Services Agreement with Stanislaus County and authorizing its execution.

City Manager Sean Scully presented the staff report.
City Council and Staff discussed the Item.

ACTION: *By motion moved and seconded (Campbell / Fosi / passed 5-0) to adopt Resolution No. 2020-059 Approving a Law Enforcement Services Agreement with Stanislaus County for July 1, 2020– June 30, 2024 and its execution as presented.*
Motion carried by unanimous City Council roll call vote.
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayo O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

Item 6.2: **Electronic Sign Update – Discussion Direction** – It is recommended that the City Council consider an update on the electronic sign update.

City Manager Sean Scully reported that Valley Outdoor Sign Co. encountered many obstacles and delays in attempting to place the electronic sign up that was agreed to. The company has resolved many issues and proposed another 120 days be given for project completion, and they would also provide an electronic sign at a reasonable cost to be placed on the City's monument sign located at the West entrance on Patterson Road.

City Council and Staff discussed the Item; Council directed to have staff inform the Company that they wish to explore other options for electronic signs, however, they were welcome to submit a bid .

Item 6.3: **Review and Discuss the Local and Regional Black Lives Matter Protest Events and Consider a Resolution Affirming the City Council and City of Riverbank Organization's Commitment to a Community of Equality That Will Not Tolerate Violence or Disrespect for Human Life** - It is recommended that the City Council discuss the recent events summarized in this staff report and consider the attached resolution.

City Manager Sean Scully read the staff report and Resolution.
City Council spoke in support of the peaceful protesters, the support of recognizing racial injustice and inequality, recognizing the BLM movement and the need for support of equality for all with the passage of a resolution.

ACTION: ***By motion moved and seconded (Uribe / Barber-Martinez / passed 5-0) to adopt Resolution No. 2020-078 Affirming the City Council and City of Riverbank Organization's Commitment to a Community of Equality That Will Not Tolerate Violence or Disrespect for Human Life as presented.***
Motion carried by unanimous City Council roll call vote.
AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayo 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 – ***There were no reports.***
Item 7.2: Council/Authority Member

- ***Council/Authority Member Campbell thanked Police Services for the great job addressing the River Cove [river bank entrance and patronage problems] and handling of illegal fireworks.***

- ***Council/Authority Member Barber-Martinez reported on the Stanislaus County CARES Act Committee and funding for small businesses; and reminded people of the required permit for any block part, fines will be issued for illegal fireworks, and wear a mask and social distance.***
- ***Vice Mayor/Chair Uribe encouraged wearing a face covering; reported on the Stanislaus Homeless Alliance, and his attendance of the Mayors and Council Members Executive Forum.***

Item 7.3: Mayor/Chair

Mayor/Chair O'Brien spoke in regards a violent incident at the City's City Hall South building and the lack of security, which needs to be addressed in the near future.

8. CLOSED SESSION

The public will have a limit of 3 minutes to comment on Closed Session item(s) as set forth on the agenda prior to the City Council/LRA Board recessing to Closed Session.

Item 8.1: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to Government Code Section 54956.8
Property APN: 062-031-005, 062-031-006, 062-031-007
Agency Negotiator: Sean Scully, City Manager
Property Negotiator: Aemetis, Inc.
Under Negotiation: Price, terms of payment, or both

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 (Others) DOES 1-20
Stanislaus County Superior Court Case No. CV-19-004402

Item 8.3: **Threat to Public Services or Facilities**
Pursuant to Government Code § 54957
Consultation with: City of Riverbank Director of Emergency Services

Mayor/Chair O'Brien announced the Closed Session Item(s) and opened the Item(s) for public comment; no one spoke.

ADJOURNMENT – THE PUBLIC PORTION OF THE MEETING

The Mayor announced that the report on the Closed Session Items would be made to the City Clerk, and the report would be reflected in the Minutes of this meeting. Anyone interested in obtaining the report could contact the City Clerk at cityclerk@riverbank.org or call (209) 863-7198. The meeting on July 14th was canceled. The next regular meeting was scheduled on July 28th at 6:00 pm.

There being no further open public business, Mayor/Chair O'Brien adjourned the public portion of the meetings at 9:00 p.m.

9. REPORT FROM CLOSED SESSION

Mayor/Chair O'Brien reported that direction was provided to staff for Item 8.1.

Mayor O'Brien reported that direction was provided to staff for Items 8.2 and 8.3.

ADJOURNMENT OF THE MEETING

There being no further business, Mayor/Chair O'Brien adjourned the meeting at 9:21 p.m.

ATTEST: (*Adopted 10/27/2020*)	**APPROVED:**
______________________________	______________________________
Annabelle H. Aguilar, CMC **City Clerk / LRA Recorder**	**Richard D. O'Brien** **Mayor / Chair**

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 5.1

SECTION 5: PUBLIC HEARING

Meeting Date:	October 27, 2020
Subject:	**Resolution** Accepting the Fiscal Year 2019-20 Annual AB 1600 Report of System Development Fee Activity
From:	Sean Scully, City Manager
Submitted by:	Marisela H. Garcia, Assistant City Manager/Admin. Services Director

RECOMMENDATION

It is recommended that the City Council adopt a Resolution accepting the Fiscal Year 2019-20 Annual AB 1600 Report of System Development Fee Activity.

SUMMARY

In accordance with the provisions of the State of California Government Code Section 66001 and 66006, the City is required to publish an annual report to provide an accounting of System Development Fees (also known as public facilities fees or development impact fees).

BACKGROUND

The purpose of a System Development Fee is to provide a rational and equitable basis for the expansion of capital facilities to accommodate the impacts created by new development. For many years, traditional sources of infrastructure funding have been inadequate to maintain the existing systems and this has left no revenue available to expand the system to meet growing needs. Development fees provide a mechanism where new development cumulatively mitigates their total impact on the city's systems on a proportionate basis to their individual impact by paying fees to expand the systems based on the relative size of the development.

In 1987, the Governor signed AB 1600 thereby setting forth specific requirements as to how local government imposed, collected and reported various aspects of the System Development Fee program. These requirements went into effect on January 1, 1989. AB 1600 was subsequently codified as Section 66001 of the California Government Code.

The reporting requirements were subsequently developed and codified as Section 66006 of the Government Code. Pursuant to Subdivision (b) (1) of Section 66006, the following information must be made available to the public within 180 days after the last day of each fiscal year:

(A) A brief description of the type of fee in the account or fund.
(B) The amount of the fee.
(C) The beginning and ending balance of the account or fund.
(D) The amount of the fees collected and the interest earned.
(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.
(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.
(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an intrafund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.
(H) The amount of refunds made pursuant to subdivision (e) of Section 66001 and any allocations pursuant to subdivision (f) of Section 66001.

This information is formally documented and provided in the attached FY 2019-20 Annual AB 1600 Report of System Development Fee Activity. Pursuant to legislation, the report was made available to the public via the City's website on October 12, 2020.

The following funds are considered **inactive** accounts due to the fact that they are no longer receiving development fee revenue:

1. System Development Bridges/Roads Fund 140
2. System Development Overpasses Fund 145
3. System Development Railroad Crossing Fund 146
4. System Development Crossroads Streets/Public Works Fund 214
5. System Development Crossroads Storm Drainage Fund 217
6. System Development Crossroads Police & General Government Fund 219

The following **active** accounts are being presented:

1. System Development Streets/Public Works Fund 205
2. System Development Water Fund 206
3. System Development Waste Water Fund 207
4. System Development Storm Drainage Fund 208
5. System Development Parks & Recreation Fund 209
6. System Development Police & General Government Fund 210

STRATEGIC PLAN

This report has been prepared to accomplish the Strategic Plan Goal to "Ensure Financial Stability"

FINANCIAL IMPACT

There is no financial impact associated with the approval and acceptance of this report.

ATTACHMENT

1. Resolution
2. Exhibit A: FY 2019-20 Annual AB 1600 Report of System Development Fee Activity

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK ACCEPTING THE FISCAL YEAR 2019-20 ANNUAL AB 1600 REPORT OF SYSTEM DEVELOPMENT FEE ACTIVITY

WHEREAS, the City of Riverbank imposes fees to mitigate the impact of development pursuant to Government Code Section 66000 et seq.; and

WHEREAS, said fees collected are deposited into special and separate capital funds for each type of improvement funded by development fees; and

WHEREAS, the City maintains separate funds for Streets/Public Works development, Water, Waste Water, Storm Drainage, Recreation & Parks, and Police & General Government fees; and

WHEREAS, the City is required within 180 days after the last day of each fiscal year to make available to the public information for the fiscal year regarding these fees under Government Code Section 66006; and

WHEREAS, the Finance Department has prepared a report (“AB 1600 Report”) that contains the information required by Government Code Section 66006, a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, there were no refunds of development impact fees collected pursuant to Government Code Section 66001(e), nor were there any allocations of unexpended revenues collected pursuant to Government Code Section 66001(f); and

WHEREAS the AB 1600 Report was made available for review on October 12, 2020 which is at least fifteen (15) days prior to the date that the Council considered the AB 1600 Report; and

WHEREAS, interested persons have requested notice of the AB 1600 Report; consequently notices of the availability of the AB 1600 Report were mailed.

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

Section 1:

A. In accordance with Government Code Section 66006, the City has conducted an annual review of its development impact fees and capital infrastructure programs and the City Council has reviewed the AB 1600 Report attached hereto as Exhibit "A" and incorporated herein by this reference.
B. The City Council hereby approves, accepts, and adopts its AB 1600 Report for Fiscal Year 2019-20.
C. The AB 1600 report is available for public review on the City's internet website, and upon request.

Section 2: Effective Date. The resolution shall take effect immediately upon adoption.

Section 3: Severability. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution.

Section 4: The City Council hereby authorizes the Finance Department to continue maintaining separate funds for Streets/Public Works, Water, Waste Water, Storm Drainage, Recreation & Parks, and Police & General Government System Development Fees.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of October, 2020; motioned by Councilmember , seconded by Councilmember , and upon roll call was carried by the following City Council vote of :

AYES:
NAYS:
ABSENT:
ABSTAINED:

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

Attachment: Exhibit A – FY 2019-2020 Annual AB 1600 Report of System Development Fee Activity

CITY OF RIVERBANK

FY 2019-2020

ANNUAL AB 1600 REPORT OF SYSTEM DEVELOPMENT FEE ACTIVITY

8th Street Overlay - Before

8th Street Overlay - After

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LETTER OF TRANSMITTAL

October 2020

The Honorable Mayor, Members of the City Council, and Residents of the City Riverbank
City of Riverbank
Riverbank, CA 95367

Dear Mayor, Members of the City Council, and Residents of the City of Riverbank:

California Government Code requires reporting of the usage of Development Fees (also known as System Development Fees). Therefore, in accordance with the provisions of the State of California and Government Code Section 66006(b) and 66001(d), as amended by AB 518 and SB 1693, I hereby submit the Annual AB 1600 System Development Fee Report for the City of Riverbank, CA for the fiscal year ended June 30, 2020.

Development Fees, otherwise known as System Development Fees (SDF), are a monetary exaction, other than a tax or special assessment, which is charged by a local governmental agency to an applicant in connection with approval of a development project. The purpose of these fees is to defray all or a portion of the cost of public facilities related to the development project. The legal requirements for enactment of a system development fee program are set forth in Government Code section's 66000-66025 (the "Mitigation Fee Act"), the bulk of which was adopted as 1987's Assembly Bill (AB) 1600 and those are commonly referred to as "AB 1600" requirements.

The System Development Fee program has been in effect in Riverbank since 1967. Riverbank Municipal Code §150.30, titled "System Development Fees", establishes the authority for imposing and charging system development fees. §150.31 (b) of the Municipal Code states the following as reasons for adopting said fee:

1) To provide an adequate and constant method for the financing of the unfunded portion of needed 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 insure 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.

Fees are collected at the time a building permit is issued; unless a developer, through a development agreement, is allowed to defer payment until a certificate of occupancy is granted, for the purpose of mitigating the impacts caused by new development on certain public facilities. They are used to finance the acquisition, construction and improvement of public facilities needed as a result of this new development. A separate fund has been established to account for the impact of new development on each of the following types of public facilities: Streets/Public Works, Water, Waste Water, Storm Drainage, Parks/Recreation, and Police/General Government.

State law requires the City prepare and make available to the public an annual report for each fund established to account for System Development fees. The report must include the beginning and ending balances by system development type for the fiscal year as well as any changes. The report must also present the amount of fees, interest, and other income, expenditures and the amount of any required refunds made during the fiscal year.

The City Council must review the annual report at a regularly scheduled public meeting not less than fifteen days after the information is made available to the public. This report was filed with the City Clerk's office and available for public review on October 12, 2020.

Respectfully submitted,

Marisela H. Garcia

Marisela H. Garcia
Assistant City Manager/Administrative Services Director

LEGAL REQUIREMENTS

A. REQUIREMENTS FOR SYSTEM DEVELOPMENT FEES

State law (California Government Code Section 66006) requires each local agency that imposes AB 1600 system development fees to prepare an annual report providing specific information about those fees. Within the AB 1600 legal requirements, it stipulates that fees imposed on new development have the proper nexus to any project on which they are imposed. In addition, AB 1600 imposes certain accounting and reporting requirements with respect to the fees collected. The fees, for accounting purposes, must be segregated from the general funds of the city and from other funds or accounts containing fees collected for other improvements. Interest on each development fee fund or account must be credited to that fund or account and used only for the purposes for which the fees were collected.

Current California Government Code Section 66006(b) requires that for each separate fund the local agency shall, within 180 days after the last day of each fiscal year, make available to the public the following information for the fiscal year:

- A brief description of the type of fee in the account or fund.
- The amount of the fee.
- The beginning and ending balance of the account or fund.
- The amount of the fees collected and interest earned.
- An identification of each public improvement on which fees were expended and the amount of expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.
- An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement.
- A description of each inter-fund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an inter-fund loan, the date on which the loan will be repaid and the rate of interest that the account or fund will receive on the loan.
- The amount of refunds made due to sufficient funds being collected to complete financing on incomplete public improvements, and the amount of reallocation of funds made due to administrative costs of refunding unexpended revenues exceeded the amount to be refunded.

LEGAL REQUIREMENTS

California Government Code Section 66001(d) requires the local agency make all of the following findings every fifth year with respect to that portion of the account remaining unexpended, whether committed or uncommitted:

- Identify the purpose to which the fee is to be put.
- Demonstrate a reasonable relationship between the fee and the purpose for which it is charged.
- Identify all sources and amounts of funding anticipated to complete financing on incomplete improvements.
- Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.
- In any action imposing a fee as a condition of approval of a development project by a local agency, the local agency shall determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

B. Additional Notes

The State of California Government Code Section 66002 requires local agencies that have developed a fee program to adopt a Capital Improvement Plan (CIP) indicating the approximate location, size and timing of projects, plus an estimate for the cost of all facilities or improvements to be financed by fees. A formal CIP is recommended, at a minimum, as a five-year plan. The City annually produces a five-year CIP which helps to maintain and update the City's General Plan. The CIP serves to identify situations where infrastructure is needed to accommodate the planned development.

The CIP relates the City's annual capital expenditures to a long-range plan for public improvements. By relating the plan for public improvements to the City's capacity for funding, and scheduling expenditures over a period of years, the CIP helps to maximize the funds available. This type of fiscal management is important during periods, such as the current one, that are typified by budgetary demands exceeding financial resources.

C. Establishing a Reasonable Relationship Between the Fee and the Purpose for Which it is Charged

The City of Riverbank's current program, the City of Riverbank Nexus Fee Study, was adopted March 24, 2015. The program sets forth the relationship between contemplated future development, facilities needed to serve future development and the estimated costs of those improvements based on the current General Plan for build-out.

LEGAL REQUIREMENTS

The City's CIP projects are financed in part by the capital improvement fees outlined in the System Development fee program. The City's capital improvements provide infrastructure to the residents and businesses in Riverbank in order to keep pace with ongoing development in, and adjacent to, the community. Estimated project costs and, the summary of fee apportionment to each development fee type, are detailed within Section 4 of the Nexus Fee Study.

D. FUNDING OF INFRASTRUCTURE

The 2017-2022 CIP identifies all funding sources and amounts for individual projects through 2022. The CIP is updated annually to reflect the current infrastructure & equipment needs of the City. As a CIP project is identified, the project is evaluated to determine the portion of the project that will service existing residents and businesses versus new development. Once the determination of use is made, the percentage of use attributable to new development is then funded by the appropriate development fee, based on the type of project. The percentage of use associated with existing residents or business are funded from other appropriate sources as identified on the CIP. All future planned infrastructure needs are outlined in the System Development Fee program. The funding and commencement dates for projects are adjusted, as needed, to reflect the needs of the community.

DESCRIPTION OF ACTIVE SYSTEM DEVELOPMENT FEES

Transportation Improvement Fee – Formerly known as Streets/Public Works. The purpose of this fee is to finance the improvements needed for the street and traffic safety needs of the citizens.

Water Fee - The purpose of this fee is to finance the water improvements needed for the citizens.

Waste Water Fee - The purpose of this fee is to finance the waste water improvements needed for the citizens.

Storm Drainage Fee - The purpose of this fee is to finance the storm drain improvements needed for the citizens.

Parks & Recreation Fee - The purpose of this fee is to finance the park improvements needed for the citizens.

Police & General Government - The purpose of this fee is to finance the public safety and general government improvements needed for the citizens.

SYSTEM DEVELOPMENT FEE REPORTS

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Fund 140
System Development Bridges/Roads Fund

For Purposes of compliance with Government Code Section 66006 (b) (1), the following information regarding AB 1600 fees is presented:

(A) A brief description of the type of fee in the account or fund:

System Development Bridges/Roads Fund - The purpose of this fee was to finance the construction of bridges and roads and improvements needed to maintain traffic movement and safety on City streets. These fees provide the above described project funding to accommodate traffic generated by future development within the City.

(B) The Amount of the current System Development Fee:

This System Development Fee is no longer actively collecting revenue.

(C) The Beginning & Ending Balance of the account or Fund.

See Attached Financial Report

(D) The amount of the fees collected and interest earned.

See Attached Financial Report

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

See Attached Financial Report

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

This Fund is now inactive and no new revenues are anticipated. Existing funds will be allocated towards future ADA Projects.

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on whch the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

No interfund transfers or loans were made during the 2019-20 fiscal year.

(H) The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds were made during the fiscal year.

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Fund 140
System Development Bridges/Roads Fund

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Beginning Fund Balance	33,722.40	33,836.06	34,036.31	34,422.59	35,090.76
Adjust Beg. Balance					
Per Auditors	0.00	0.00	0.00	0.00	0.00
Revenues					
Developer Fees	0.00	0.00	0.00	0.00	0.00
Interest	113.66	200.25	386.28	668.17	582.90
Total Revenues	113.66	200.25	386.28	668.17	582.90
Expenditures					
Projects	0.00	0.00	0.00	0.00	0.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Administration	0.00	0.00	0.00	0.00	0.00
Total Expenditures	0.00	0.00	0.00	0.00	0.00
Transfers In/(Out)	0.00	0.00	0.00	0.00	0.00
Ending Fund Balance	33,836.06	34,036.31	34,422.59	35,090.76	35,673.66

Total Activity Cost	% Funded with Fee	Fund 140 Total

No Activity Noted.

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Fund 145
System Development Overpasses Fund

For Purposes of compliance with Government Code Section 66006 (b) (1), the following information regarding AB 1600 fees is presented:

(A) A brief description of the type of fee in the account or fund:

System Development Overpasses Fund - The purpose of this fee was to finance the construction and improvements needed to provide a second crossing over the railroad tracks at Kentucky Ave. These fees provide the above described project funding to accommodate the needs generated by future development within the City. Council has determined that a second crossing at Kentucky is no longer feasible, therefore the funds have been re-allocated to a second crossing at Santa Fe Street.

(B) The Amount of the current System Development Fee:

This System Development Fee is no longer actively collecting revenue.

(C) The Beginning & Ending Balance of the account or Fund.

See Attached Financial Report

(D) The amount of the fees collected and interest earned.

See Attached Financial Report

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

See Attached Financial Report

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

No Projects are anticipated at this time. Additional funding for the second crossing is being collected via the Streets/Public Works System Development Fee.

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on whch the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

No interfund transfers or loans were made during the 2019-20 fiscal year.

(H) The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds were made during the fiscal year.

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Fund 145
System Development Overpasses Fund

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Beginning Fund Balance	175,780.92	176,527.70	177,843.30	180,381.14	184,771.04
Adjust Beg. Balance					
Per Auditors	0.00	0.00	0.00	0.00	0.00
Revenues					
Developer Fees	0.00	0.00	0.00	0.00	0.00
Interest	746.78	1,315.60	2,537.84	4,389.90	3,829.55
Total Revenues	746.78	1,315.60	2,537.84	4,389.90	3,829.55
Expenditures					
Projects	0.00	0.00	0.00	0.00	0.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Administration	0.00	0.00	0.00	0.00	0.00
Total Expenditures	0.00	0.00	0.00	0.00	0.00
Transfers In/(Out)	0.00	0.00	0.00	0.00	0.00
Ending Fund Balance	176,527.70	177,843.30	180,381.14	184,771.04	188,600.59

Activity Cost	% Funded with Fee	Fund 145 Total

No Activity Noted.

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Fund 146
System Development Railroad Crossing Fund

For Purposes of compliance with Government Code Section 66006 (b) (1), the following information regarding AB 1600 fees is presented:

(A) A brief description of the type of fee in the account or fund:

System Development Railroad Crossing Fund - The purpose of this fee was to finance the improvements needed for the railroad crossing safety needs of the citizens. These fees provide the above described project funding to accommodate needs generated by future development within the City.

(B) The Amount of the current System Development Fee:

This System Development Fee is no longer actively collecting revenue.

(C) The Beginning & Ending Balance of the account or Fund.

See Attached Financial Report

(D) The amount of the fees collected and interest earned.

See Attached Financial Report

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

See Attached Financial Report

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

Funds have been appropriated towards the Patterson/Roselle Traffic Signal Project.

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on whch the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

No interfund transfers or loans were made during the 2019-20 fiscal year.

(H) The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds were made during the fiscal year.

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Fund 146
System Development Railroad Crossing Fund

	FY 2014-15	FY 2015-16	FY 2016-17	FY 2018-19	FY 2019-20
Beginning Fund Balance	398.89	398.89	398.89	398.89	398.89
Adjust Beg. Balance					
Per Auditors	0.00	0.00	0.00	0.00	0.00
Revenues					
Developer Fees	0.00	0.00	0.00	0.00	0.00
Interest	0.00	0.00	0.00	0.00	0.00
Total Revenues	0.00	0.00	0.00	0.00	0.00
Expenditures					
Projects	0.00	0.00	0.00	0.00	0.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Administration	0.00	0.00	0.00	0.00	0.00
Total Expenditures	0.00	0.00	0.00	0.00	0.00
Transfers In/(Out)	0.00	0.00	0.00	0.00	0.00
Ending Fund Balance	398.89	398.89	398.89	398.89	398.89

Total Activity Cost	% Funded with Fee	Fund 146 Total

No Activity Noted.

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Fund 205
System Development Streets/Public Works
Transportation Improvements

For Purposes of compliance with Government Code Section 66006 (b) (1), the following information regarding AB 1600 fees is presented:

(A) A brief description of the type of fee in the account or fund:

System Development Streets/Public Works Fund - The purpose of this fee is to finance the improvements needed for the traffic safety needs of the citizens. These fees provide the above described project funding to accommodate needs generated by future development within the City.

(B) The Amount of the current System Development Fee:

Land Use	Dev. Unit*	Fee Per Unit
Clustered Rural (RR)	DW	$3,675
Lower Density (LDR)	DW	$3,087
Medium Density (MDR)	DW	$2,720
Highter Density (HDR)	DW	$2,315
Mixed Use (MU)	DW	$3,675
Community Commercial (CC)	Sq. Ft	$5.76
Mixed Use Commercial (MU)	Sq. Ft	$5.99
Industrial/Business Park	Sq. Ft	$5.96
Office	Sq. Ft	$3.63

* DW = Dwelling Unit; Sq. Ft. = Square Foot

(C) The Beginning & Ending Balance of the account or Fund.

See Attached Financial Report

(D) The amount of the fees collected and interest earned.

See Attached Financial Report

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

See Attached Financial Report

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

Project	Est. Date
RR Xing - 1st & Patterson Rd	1/1/2021
Roselle & Morrill Intersection Improvements	1/1/2021
RR Xing - Patterson Rd. near Terminal Ave.	1/1/2021

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on whch the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

The Sewer Fund borrowed $608,542.57 from the Streets/PW System Development Fee Fund in accordance with Resolution 2011-021. The Sewer Fund paid $73,000 FY 2019-20 towards this loan.

An interfund transfer of $29,227.92 was made to the General Fund for Management Fee expenses.

(H) The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds were made during the fiscal year.

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Fund 205
System Development Streets/Public Works

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Beginning Fund Balance	3,161,125.95	3,187,007.97	3,224,249.22	3,141,362.39	3,262,224.33
Adjust Beg. Balance					
Per Auditors	0.00	0.00	-9,458.41	-47,590.92	37,435.84
Revenues					
Developer Fees	332,155.31	14,901.72	27,175.56	65,779.77	35,810.53
Interest	38,641.69	43,048.01	54,137.90	55,950.42	49,189.00
Loan Repayment	0.00	0.00	73,140.25	73,140.24	71,319.99
Miscellaneous	3,546.09	0.00	-988.00	0.00	0.00
Total Revenues	374,343.09	57,949.73	153,465.71	194,870.43	156,319.52
Expenditures					
Projects	323,607.23	5,449.57	206,610.22	0.00	30,022.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Administration	22.60	0.00	11.30	0.00	0.00
Total Expenditures	323,629.83	5,449.57	206,621.52	0.00	30,022.00
Transfers In/(Out)	-24,831.24	-15,258.91	-20,272.61	-26,417.57	-29,227.92
Ending Fund Balance	3,187,007.97	3,224,249.22	3,141,362.39	3,262,224.33	3,396,729.77

*Revised

	Total Activity Cost	% Funded with Fee	Fund 205 Total
FY 2015-16 Activity			
Oakdale & Morrill Traffic Signal	1,110,714.27	29.1%	323,607.23
FY 2016-17 Activity			
Patterson & Roselle Traffic Signal	1,849,541.00	0.3%	5,449.57
FY 2017-18 Activity			
Patterson & Roselle Traffic Signal	1,849,541.00	0.4%	7,758.58
Claribel & Roselle Traffic Signal	2,387,815.00	8.3%	198,851.64
FY 2019-20 Activity			
Patterson & Roselle Traffic Signal	1,849,541.00	1.6%	30,022.00

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Fund 206
System Development Water

For Purposes of compliance with Government Code Section 66006 (b) (1), the following information regarding AB 1600 fees is presented:

(A) A brief description of the type of fee in the account or fund:

System Development Water Fund - The purpose of this fee is to finance the water improvements needed for the citizens. These fees provide the above described project funding to accommodate needs generated by future development within the City.

(B) The Amount of the current System Development Fee:

Land Use	Dev. Unit*	Fee Per Unit
Clustered Rural (RR)	DW	$13,958
Lower Density (LDR)	DW	$7,270
Medium Density (MDR)	DW	$6,979
Highter Density (HDR)	DW	$5,060
Mixed Use (MU)	DW	$5,060
Community Commercial (CC)	Sq. Ft	$2.14
Mixed Use Commercial (MU)	Sq. Ft	$2.15
Industrial/Business Park	Sq. Ft	$2.13
Office	Sq. Ft	$2.10

* DW = Dwelling Unit; Sq. Ft. = Square Foot

(C) The Beginning & Ending Balance of the account or Fund.

See Attached Financial Report

(D) The amount of the fees collected and interest earned.

See Attached Financial Report

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

See Attached Financial Report

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

Project	Est. Date
No Projects currently projected	

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on whch the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

No interfund transfers or loans were made during the 2019-20 fiscal year.

(H) The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds were made during the fiscal year.

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Fund 206
System Development Water

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Beginning Fund Balance	592,834.78	532,711.80	549,809.88	555,974.31	598,413.61
Adjust Beg. Balance Per Auditors	0.00	0.00	-1,539.75	0.00	0.00
Revenues					
Developer Fees	47,425.59	15,549.60	17,900.28	37,327.88	69,676.84
Interest	903.22	1,548.48	2,959.30	5,111.42	4,458.58
Miscellaneous	0.00	0.00	195,902.88	0.00	0.00
Total Revenues	48,328.81	17,098.08	216,762.46	42,439.30	74,135.42
Expenditures					
Projects	108,451.79	0.00	209,058.28	0.00	479,218.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Administration	0.00	0.00	0.00	0.00	0.00
Total Expenditures	108,451.79	0.00	209,058.28	0.00	479,218.00
Transfers In/(Out)	0.00	0.00	0.00	0.00	0.00
Ending Fund Balance	532,711.80	549,809.88	555,974.31	598,413.61	193,331.03

	Total Activity Cost	% Funded with Fee	Fund 206 Total
FY 2015-16 Activity			
Central Ave. Rehab Project (California to Kentucky)	409,227.86	26.5%	108,451.79
FY 2017-18 Activity			
Well #11 Land Purchase	172,737.00	100.0%	172,737.00
FY 2019-20 Activity			
Well #12 Developer Reimbursement	2,175,000.00	22.0%	479,218.00

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Fund 207
System Development Waste Water

For purposes of compliance with Government Code Section 66006 (b) (1), the following information regarding AB 1600 fees is presented:

(A) A brief description of the type of fee in the account or fund:

System Development Waste Water Fund - The purpose of this fee is to finance the waste water improvements needed for the citizens. These fees provide the above described project funding to accommodate needs generated by future development within the City.

(B) The amount of the current System Development Fee:

Land Use	Dev. Unit*	Fee Per Unit
Clustered Rural (RR)	DW	$5,199
Lower Density (LDR)	DW	$3,170
Medium Density (MDR)	DW	$2,648
Highter Density (HDR)	DW	$3,251
Mixed Use (MU)	DW	$984
Community Commercial (CC)	Sq. Ft	$1.71
Mixed Use Commercial (MU)	Sq. Ft	$1.72
Industrial/Business Park	Sq. Ft	$1.45
Office	Sq. Ft	$1.34

* DW = Dwelling Unit; Sq. Ft. = Square Foot

(C) The Beginning & Ending Balance of the account or Fund.

See Attached Financial Report

(D) The amount of the fees collected and interest earned.

See Attached Financial Report

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

See Attached Financial Report

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

There are currently no projects anticipated.

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on whch the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

No interfund transfers or loans were made during the 2019-20 fiscal year.

(H) The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds were made during the fiscal year.

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Fund 207
System Development Waste Water

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Beginning Fund Balance	312,345.27	783,815.23	796,291.80	808,976.57	851,301.98
Adjust Beg. Balance Per Auditors	0.00	0.00	0.00	0.00	0.00
Revenues					
Developer Fees	493,547.85	11,183.54	10,190.47	38,010.85	31,392.79
Interest	653.51	1,293.03	2,494.30	4,314.56	3,763.84
Total Revenues	494,201.36	12,476.57	12,684.77	42,325.41	35,156.63
Expenditures					
Projects	22,731.40	0.00	0.00	0.00	200,621.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Loan Payment	0.00	0.00	0.00	0.00	0.00
Total Expenditures	22,731.40	0.00	0.00	0.00	200,621.00
Transfers In/(Out)	0.00	0.00	0.00	0.00	0.00
Ending Fund Balance	783,815.23	796,291.80	808,976.57	851,301.98	685,837.61

	Total Activity Cost	% Funded with Fee	Fund 207 Total
FY 2015-16 Activity			
California Sewer Line Extension	22,731.40	100.0%	22,731.40
FY 2019-20 Activity			
California Sewer Line Extension	200,621.00	100.0%	200,621.00

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Fund 208
System Development Storm Drainage

For purposes of compliance with Government Code Section 66006 (b) (1), the following information regarding AB 1600 fees is presented:

(A) A brief description of the type of fee in the account or fund:

System Development Storm Drainage Fund - The purpose of this fee is to finance the storm drain improvements needed for the citizens. These fees provide the above described project funding to accommodate needs generated by future development within the City.

(B) The amount of the current System Development Fee:

Land Use	Dev. Unit*	Fee Per Unit
Clustered Rural (RR)	DW	$7,899
Lower Density (LDR)	DW	$7,164
Medium Density (MDR)	DW	$2,892
Highter Density (HDR)	DW	$3,264
Mixed Use (MU)	DW	$2,112
Community Commercial (CC)	Sq. Ft	$4.40
Mixed Use Commercial (MU)	Sq. Ft	$4.37
Industrial/Business Park	Sq. Ft	$4.31
Office	Sq. Ft	$4.22

* DW = Dwelling Unit; Sq. Ft. = Square Foot

(C) The Beginning & Ending Balance of the account or Fund.

See Attached Financial Report

(D) The amount of the fees collected and interest earned.

See Attached Financial Report

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

See Attached Financial Report

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

Project	Est. Date
Analysis - 8th St. Storm Drain	1/1/2021
Analysis - Candlewood Storm Drain	1/1/2021

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on whch the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

No interfund transfers or loans were made during the 2019-20 fiscal year.

(H) The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds were made during the fiscal year.

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Fund 208
System Development Storm Drainage

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Beginning Fund Balance	289,408.65	499,669.49	508,427.59	595,434.24	852,668.47
Adjust Beg. Balance Per Auditors	0.00	0.00	0.00	0.00	0.00
Revenues					
Developer Fees	288,636.01	6,891.32	83,407.08	251,008.24	129,578.89
Interest	1,061.83	1,866.78	3,599.57	6,225.99	5,431.26
Total Revenues	289,697.84	8,758.10	87,006.65	257,234.23	135,010.15
Expenditures					
Projects	79,437.00	0.00	0.00	0.00	0.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Total Expenditures	79,437.00	0.00	0.00	0.00	0.00
Transfers In/(Out)	0.00	0.00	0.00	0.00	0.00
Ending Fund Balance	499,669.49	508,427.59	595,434.24	852,668.47	987,678.62

	Total Activity Cost	% Funded with Fee	Fund 208 Total
FY 2015-16 Activity			
Central Ave. Rehab Project (California to Kentucky)	409,227.86	19.4%	79,437.00

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Fund 209
System Development Parks & Recreation

For purposes of compliance with Government Code Section 66006 (b) (1), the following information regarding AB 1600 fees is presented:

(A) A brief description of the type of fee in the account or fund:

System Development Parks & Recreation Fund - The purpose of this fee is to finance the park improvements needed for the citizens. These fees provide the above described project funding to accommodate needs generated by future development within the City.

(B) The amount of the current System Development Fee:

Land Use	Dev. Unit*	Fee Per Unit
Clustered Rural (RR)	DW	$3,562
Lower Density (LDR)	DW	$4,049
Medium Density (MDR)	DW	$3,470
Highter Density (HDR)	DW	$2,892
Mixed Use (MU)	DW	$2,524

* DW = Dwelling Unit; Sq. Ft. = Square Foot

(C) The Beginning & Ending Balance of the account or Fund.

See Attached Financial Report

(D) The amount of the fees collected and interest earned.

See Attached Financial Report

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

See Attached Financial Report

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

Project	Est. Date
Parks Master Plan	In Progress

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on whch the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

No interfund transfers or loans were made during the 2019-20 fiscal year.

(H) The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds were made during the fiscal year.

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Fund 209
System Development Parks & Recreation

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Beginning Fund Balance	363,422.50	761,262.13	619,923.34	672,873.65	824,795.77
Adjust Beg. Balance					
Per Auditors	0.00	0.00	0.00	0.00	0.00
Revenues					
Developer Fees	397,482.94	8,246.00	52,232.68	150,703.30	81,419.96
Interest	356.69	415.21	717.63	1,218.82	1,062.09
Grant	0.00	0.00	0.00	0.00	0.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Total Revenues	397,839.63	8,661.21	52,950.31	151,922.12	82,482.05
Expenditures					
Projects	0.00	150,000.00	0.00	0.00	103,130.26
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Total Expenditures	0.00	150,000.00	0.00	0.00	103,130.26
Transfers In/(Out)	0.00	0.00	0.00	0.00	0.00
Ending Fund Balance	761,262.13	619,923.34	672,873.65	824,795.77	804,147.56

	Total Activity Cost	% Funded with Fee	Fund 209 Total
FY 2016-17 Activity			
Skate Park Project Legal Settlement	150,000.00	100.0%	150,000.00
FY 2019-20 Activity			
Park Master Plan	116,000.00	74.7%	86,671.26
Dog Park Improvements	30,000.00	54.9%	16,459.00

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Fund 210
System Development Police & General Government

For purposes of compliance with Government Code Section 66006 (b) (1), the following information regarding AB 1600 fees is presented:

(A) A brief description of the type of fee in the account or fund:

System Development Police & General Government Fund - The purpose of this fee is to finance the public safety and general government improvements needed for the citizens. These fees provide the above described project funding to accommodate needs generated by future development within the City.

(B) The amount of the current System Development Fee:

Land Use	Dev. Unit*	Fee Per Unit
Clustered Rural (RR)	DW	$1,290
Lower Density (LDR)	DW	$1,466
Medium Density (MDR)	DW	$1,255
Highter Density (HDR)	DW	$1,046
Mixed Use (MU)	DW	$914
Community Commercial (CC)	Sq. Ft	$0.38
Mixed Use Commercial (MU)	Sq. Ft	$0.38
Industrial/Business Park	Sq. Ft	$0.28
Office	Sq. Ft	$0.53

* DW = Dwelling Unit; Sq. Ft. = Square Foot

(C) The Beginning & Ending Balance of the account or Fund.

See Attached Financial Report

(D) The amount of the fees collected and interest earned.

See Attached Financial Report

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

See Attached Financial Report

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

Project	Est. Date
Animal Control Vehicle	6/30/2021
Spatial Analysis - City Hall	In Progress

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on whch the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

No interfund transfers or loans were made during the 2019-20 fiscal year.

(H) The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds were made during the fiscal year.

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Fund 210
System Development Police & General Government

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Beginning Fund Balance	261,331.53	494,601.64	470,920.04	471,422.30	454,190.97
Adjust Beg. Balance					
Per Auditors	0.00	0.00	0.00	0.00	0.00
Revenues					
Developer Fees	233,881.06	5,183.20	19,455.21	59,504.43	31,123.18
Interest	65.22	24.98	13.05	13.05	10.88
Miscellaneous	102.43	0.00	0.00	0.00	0.00
Total Revenues	234,048.71	5,208.18	19,468.26	59,517.48	31,134.06
Expenditures					
Projects	778.60	28,889.78	18,966.00	76,748.81	112,049.81
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Total Expenditures	778.60	28,889.78	18,966.00	76,748.81	112,049.81
Transfers In/(Out)	0.00	0.00	0.00	0.00	0.00
Ending Fund Balance	494,601.64	470,920.04	471,422.30	454,190.97	373,275.22

	Total Activity Cost	% Funded with Fee	Fund 210 Total
FY 2015-16 Activity			
Riverbank Museum Annex Land Improvements	534.60	100.0%	534.60
Riverbank Museum Annex Conceptual Design	244.00	100.0%	244.00
FY 2016-17 Activity			
City Hall Vehicle	28,889.78	100.0%	28,889.78
FY 2017-18 Activity			
Animal Control Transportation Unit	18,966.00	100.0%	18,966.00
FY 2018-19 Activity			
Spatial Analysis	110,000.00	21.3%	23,448.68
Vehicle - Parks Department	33,025.12	100.0%	33,025.12
Animal Control Vehicle - Payment #1	20,000.00	100.0%	20,000.00
FY 2019-20 Activity			
Spatial Analysis	110,000.00	84.3%	92,755.02
Animal Control Vehicle - Payment #2	20,000.00	96.5%	19,294.79

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Fund 214
System Development Crossroads Streets/Public Works

For purposes of compliance with Government Code Section 66006 (b) (1), the following information regarding AB 1600 fees is presented:

(A) A brief description of the type of fee in the account or fund:

System Development Crossroads Streets/Public Works Fund - The purpose of this fee was to finance the Streets and Public Works improvements needed for the Crossroads Subdivision. These fees provide the above described project funding to accommodate needs generated by the future development within this area.

(B) The amount of the current System Development Fee:

	Dev. Unit*	Fee Per Unit
Residential - Single Family	DW	$1,899
Residential - Multi Family	DW	$1,899

* DW = Dwelling Unit; Sq. Ft. = Square Foot

(C) The Beginning & Ending Balance of the account or Fund.

See Attached Financial Report

(D) The amount of the fees collected and interest earned.

See Attached Financial Report

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

See Attached Financial Report

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

There are currently no projects anticipated.

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on whch the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

No interfund transfers or loans were made during the 2019-20 fiscal year.

(H) The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds were made during the fiscal year.

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Fund 214
System Development Crossroads Streets/Public Works

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Beginning Fund Balance	3,546.09	0.00	0.00	0.00	0.00
Adjust Beg. Balance Per Auditors	0.00	0.00	0.00	0.00	0.00
Revenues					
Developer Fees	0.00	0.00	0.00	0.00	0.00
Interest	0.00	0.00	0.00	0.00	0.00
Total Revenues	0.00	0.00	0.00	0.00	0.00
Expenditures					
Projects	0.00	0.00	0.00	0.00	0.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Total Expenditures	0.00	0.00	0.00	0.00	0.00
Transfers In/(Out)	-3,546.09	0.00	0.00	0.00	0.00
Ending Fund Balance	0.00	0.00	0.00	0.00	0.00

	Total Activity Cost	% Funded with Fee	Fund 214 Total
FY 2015-16 Activity			
Transfer out to System Dev. Fund	3,546.09		

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Fund 217
System Development Crossroads Storm Drain

For purposes of compliance with Government Code Section 66006 (b) (1), the following information regarding AB 1600 fees is presented:

(A) A brief description of the type of fee in the account or fund:

System Development Crossroads Storm Drainage Fund - The purpose of this fee was to finance the Storm Drain infrastructure improvements needed for the Crossroads Subdivision. These fees provide the above described project funding to accommodate needs generated by the future development within this area.

(B) The amount of the current System Development Fee:

	Dev. Unit*	Fee Per Unit
Residential - Single Family	DW	$2,970
Residential - Multi Family	DW	$2,121

* DW = Dwelling Unit; Sq. Ft. = Square Foot

(C) The Beginning & Ending Balance of the account or Fund.

See Attached Financial Report

(D) The amount of the fees collected and interest earned.

See Attached Financial Report

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

See Attached Financial Report

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

There are currently no projects anticipated.

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on whch the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

No interfund transfers or loans were made during the 2019-20 fiscal year.

(H) The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds were made during the fiscal year.

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Fund 217
System Development Crossroads Storm Drainage

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Beginning Fund Balance	102.43	0.00	0.00	0.00	0.00
Adjust Beg. Balance					
Per Auditors	0.00	0.00	0.00	0.00	0.00
Revenues					
Developer Fees	0.00	0.00	0.00	0.00	0.00
Interest	0.00	0.00	0.00	0.00	0.00
Total Revenues	0.00	0.00	0.00	0.00	0.00
Expenditures					
Projects	0.00	0.00	0.00	0.00	0.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Total Expenditures	0.00	0.00	0.00	0.00	0.00
Transfers In/(Out)	-102.43	0.00	0.00	0.00	0.00
Ending Fund Balance	0.00	0.00	0.00	0.00	0.00

	Total Activity Cost	% Funded with Fee	Fund 217 Total
FY 2015-16 Activity			
Transfer out to System Dev. Fund	102.43		

Table of Contents

Fund 219
System Development Crossroads Police & General Government

For purposes of compliance with Government Code Section 66006 (b) (1), the following information regarding AB 1600 fees is presented:

(A) A brief description of the type of fee in the account or fund:

System Development Crossroads Police & General Government Fund - The purpose of this fee was to finance the public safety & general government improvements needed for the Crossroads Subdivision. These fees provide the above described project funding to accommodate needs generated by the future development within this area.

(B) The amount of the current System Development Fee:

	Dev. Unit*	Fee Per Unit
Residential - Single Family	DW	$2,232
Residential - Multi Family	DW	$2,297

* DW = Dwelling Unit; Sq. Ft. = Square Foot

(C) The Beginning & Ending Balance of the account or Fund.

See Attached Financial Report

(D) The amount of the fees collected and interest earned.

See Attached Financial Report

(E) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

See Attached Financial Report

(F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.

There are currently no projects anticipated.

(G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an interfund loan, the date on whch the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

No interfund transfers or loans were made during the 2019-20 fiscal year.

(H) The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds were made during the fiscal year.

Table of Contents

Fund 219
System Development Crossroads Police & General Government

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Beginning Fund Balance	102.43	0.00	0.00	0.00	0.00
Adjust Beg. Balance					
Per Auditors	0.00	0.00	0.00	0.00	0.00
Revenues					
Developer Fees	0.00	0.00	0.00	0.00	0.00
Interest	0.00	0.00	0.00	0.00	0.00
Total Revenues	0.00	0.00	0.00	0.00	0.00
Expenditures					
Projects	0.00	0.00	0.00	0.00	0.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Total Expenditures	0.00	0.00	0.00	0.00	0.00
Transfers In/(Out)	-102.43	0.00	0.00	0.00	0.00
Ending Fund Balance	0.00	0.00	0.00	0.00	0.00

	Total Activity Cost	% Funded with Fee	Fund 219 Total
FY 2015-16 Activity			
Transfer out to System Dev. Fund	102.43		

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.1

SECTION 6: NEW BUSINESS

Meeting Date:	October 27, 2020
Subject:	Recycled Water / Wastewater Master Plan Update
From:	Sean Scully, City Manager

RECOMMENDATION

It is recommended that the City Council receive the update by Neal Colwell of KSN Engineering on the City of Riverbank Recycled Water Planning Study and provide direction as deemed necessary to move forward on the next stages of the Plan.

SUMMARY

On August 25, 2020, Neal Colwell of KSN Engineering presented the Recycled Water / Wastewater Master Plan Update and reported that additional information on the Master Plan would be provided to the Council on October 27th to receive any input in moving to the next stages of the Plan's development.

BACKGROUND

In 2018 the City of Riverbank was awarded two planning grants through the State Water Resources Control Board. The planning grants funded a master plan study to evaluate plant upgrades needed to produce recycled water at the Wastewater Treatment Plant and to create a plan for the possible sale of that water. The combination of these analysis work toward a Wastewater Master Plan for the treatment facility and could provide a roadmap for eventual upgrade of the plant. In 2019 the City Council authorized matching funds to move forward with the study. Since that time Neal Colwell and his team at KSN Engineering have been developing the study with cooperation with City staff. Mr. Colwell will provide Council an informational update. The presentation will primarily focus on the conceptual treatment system and associated estimated costs of the project.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.2

SECTION 6: NEW BUSINESS

Meeting Date:	October 27, 2020
Subject:	Consideration of a **Resolution** to Approve a Memorandum of Understanding Between the City of Riverbank and Cary Pope (Dba Ammo Plant Management Inc.) Relating to the Ward Villas Affordable Housing Project
From:	Sean Scully, City Manager
Submitted by:	Donna M. Kenney, Planning and Building Manager

RECOMMENDATION

It is recommended that the City Council consider the attached resolution which would approve an MOU between the City of Riverbank and Cary Pope (DBA Ammo Plant Management Inc.) related to the Ward Ave affordable housing project.

SUMMARY

At the last regularly scheduled Council meeting the City Council approved a Development Agreement with Cary Pope for the development of an approved twenty-eight (28) lot single-family residential subdivision located at 2912 Ward Ave (APN 132-036-003). The project site is located in Riverbank and bound by Ward Avenue to the north; Roselle Avenue to the east; Fern Court to the south; and Don Ramon Avenue to the west. The project site is vacant land except for an older residence to be removed. The site is surrounded by developed subdivisions.

Additionally, the City Council during their authorization and spending plan for Permanent Local Housing Assistance (PLHA) funds prioritized the Ward Ave affordable housing project as an eligible project that would qualify for that funding. Given that direction, staff began negotiating a Memorandum of Understanding (MOU) with Cary Pope to detail the specifics of City assistance on the project and the commitment to affordability within the project. The financial (grant related) assistance to the project provided by the City is intended to lower the overall cost for development thereby facilitating the affordability of the for purchase single family homes.

The memorandum specifics are proposed as follows:

1. In order to qualify for City assistance, the developer shall commit to selling the homes to applicants at 80% low to medium income levels as defined by the California Department of Housing and Community Development (HCD). If this criteria is not followed the City may revoke (and if required request repayment of) any of the assistance listed below.

2. If awarded by the State of California, the City will commit to funding $110,000 per year for a three-year period from Permanent Local Housing Allocation funds to assist with offsite infrastructure improvements needed to serve the project. These funds will only be expended on offsite infrastructure improvements in support of affordable housing.

3. The City will commit approximately $100,000 of leftover housing funds from the former Riverbank Redevelopment Agency to assist with offsite infrastructure improvements needed to service the project.

4. If other affordable housing funds are available for this project (for example HOME funds) the City Council in its sole discretion may allocate additional funding for infrastructure improvements.

5. The City will agree to defer system development fees on the project. The fees will be placed as a "cloud" on the title of the property and if sufficient equity exists when the homes are sold by the initial purchaser those funds will be remitted to the City of Riverbank and deposited into the appropriate system development fee account. The City Attorney will approve any and all final real estate documents related to deferral.

6. To the extent that funding exists and the applicants qualify the homebuyers may apply to be considered under the City of Riverbank First Time Homebuyers or Down Payment Assistance programs.

7. The City of Riverbank in its sole discretion may amend this MOU if market conditions or funding availability changes in the future.

8. The Developer shall execute a document to be provided by the City Attorney holding harmless and indemnifying the City related to any actions in connection with this project.

The grant funding for this project will be contingent upon the commitment by the developer to sell only to only certified applicants who meet the income requirements under section 1 of the MOU. Notably, Section 5 allows City Council deferral of the fees which are placed as a cloud on the title of the property (similar to a lien). There is some risk associated with this action, specifically, if the initial purchaser sells the home at a loss or with insufficient equity it is possible that all or some portion of the system development fees may not be repaid. However, this model has been used in other communities on similar types of projects and absent a market crash it is reasonable to assume that most of the System Development Fees will be repaid (though no specific timeline can be forecast due to the unknowns of when the properties may be sold by the initial purchaser). The total deferred fees for all 28 lots would be approximately $732,424 (this number may be higher depending on updated fees currently under review).

The MOU also provides protection for the City with regard to changes in market condition or grant fund availability. In addition, the City Attorney will provide a standard indemnification and hold harmless agreement to ensure the City is protected with regard to this project. The City Attorney has done an initial review of the MOU and may provide additional proposed language to the final agreement if necessary.

FISCAL IMPACT

The MOU would allow the City to allocate three years of PLHA grant funding ($110,000 a year) in addition to another $100,000 in leftover housing funds from the former Riverbank Redevelopment Agency. In addition, possible exposure of $730,000-$780,000 in fee deferrals however some of those funds may be recouped through the cloud placed on the title of the property.

ATTACHMENTS

Attachment 1 – Resolution 2020-XXXX
Attachment 2 – Draft MOU

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF RIVERBANK AND CARY POPE (DBA AMMO PLANT MANAGEMENT INC.) RELATING TO THE WARD VILLAS AFFORDABLE HOUSING PROJECT

WHEREAS, the City of Riverbank has a long history of encouraging affordable housing development within the City of Riverbank; and

WHEREAS, Council has considered new and innovative ways to encourage and facilitate affordable housing projects within Riverbank; and

WHEREAS, the City Council has recently approved a Development Agreement with Cary Pope for the Ward Villas project; and

WHEREAS, when the City Council approved the PLHA spending plan it included and prioritized the Ward Villas project as eligible for funding; and

WHEREAS, the project developer Cary Pope (DBA Ammo Plant Management, Inc.) has requested that Council also consider use of leftover housing funds from the former Riverbank Redevelopment Agency and deferral of system development fees; and

WHEREAS, the City Attorney will review the final document and will suggest any changes to the legal language of the document, prior to execution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank does hereby declare as follows:

1. The draft MOU, that is subject to any suggested changes by the City Attorney and the City Manager, herein referred to as **Attachment A**, is approved and authorized to be executed upon final review of the City Attorney; said final MOU will be herein incorporated as **Exhibit A** to this Resolution.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of October, 2020; motioned by Councilmember , seconded by Councilmember , and upon roll call was carried by the following City Council vote of :

AYES:
NAYS:
ABSENT:
ABSTAINED:

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

Attachment: **Attachment A: Copy of Draft MOU**
Exhibit A: Copy of Final MOU

ATTACHMENT A

Draft MOU Agreement - Ward Villas Affordable Housing Project

Purpose - The purpose of this agreement is to establish the terms of a cooperative agreement between the City of Riverbank and Developer Cary Pope (DBA Ammo Plant Management Inc.) related to the development of a 28 single family unit for purchase affordable housing project located at 2912 Ward Avenue (APN 132-036-003). The City of Riverbank is providing incentives to this project to ensure that the development is sold as affordable to assist in diversifying the housing stock within Riverbank. The following outline City and Developer agreements with regard to this project:

1. In order to qualify for City assistance, the developer shall commit to selling the homes to applicants at 80% low to medium income levels as defined by the California Department of Housing and Community Development (HCD). If this criteria is not followed the City may revoke (and if required request repayment of) any of the assistance listed below.

2. If awarded by the State of California, the City will commit to funding $110,000 per year for a three-year period from Permanent Local Housing Allocation funds to assist with offsite infrastructure improvements needed to serve the project. These funds will only be expended on offsite infrastructure improvements in support of affordable housing.

3. The City will commit approximately $100,000 of leftover housing funds from the former Riverbank Redevelopment Agency to assist with offsite infrastructure improvements needed to service the project.

4. If other affordable housing funds are available for this project (for example HOME funds) the City Council in its sole discretion may allocate additional funding for infrastructure improvements.

5. The City will agree to defer system development fees on the project. The fees will be placed as a “cloud” on the title of the property and if sufficient equity exists when the homes are sold by the initial purchaser those funds will be remitted to the City of Riverbank and deposited into the appropriate system development fee account. The City Attorney will approve any and all final real estate documents related to deferral.

6. To the extent that funding exists and the applicants qualify the homebuyers may apply to be considered under the City of Riverbank First Time Homebuyers or Down Payment Assistance programs.

7. The City of Riverbank in its sole discretion may amend this MOU if market conditions or funding availability changes in the future.

8. The Developer shall execute a document to be provided by the City Attorney holding harmless and indemnifying the City related to any actions in connection with this project.

IN WITNESS WHEREOF, the Parties have entered into this Memorandum of Understanding as of the Effective Date, _______

CITY	**DEVELOPER**
The City of Riverbank, a California Municipal Corporation	**Cary Pope (DBA Ammo Plant Management Inc),**
By: ______________________________	By: ________________________________
Sean Scully, City Manager	President
Date: ______________________________	
ATTEST:	
By: ____	
Annabelle H. Aguilar, City Clerk	
(CC Resolution No. 2020-XXX)	
APPROVED AS TO FORM:	
By: ______________________________	
Tom Hallinan, City Attorney	

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.3

SECTION 6: NEW BUSINESS

Meeting Date:	October 27, 2020
Subject:	A **Resolution** to Amend the Cares Coronavirus Relief Fund (CRF) Allocation Spending Plan and Authorizing the City Manager to Make Re-Allocations Based on Future Needs
From:	Sean Scully, City Manager
Submitted by:	Marisela H. Garcia, Assistant City Manager/Administrative Services Director

RECOMMENDATION

It is recommended that the City Council consider receive an update regarding the CARES Coronavirus Relief Fund (CRF) Allocation Spending Plan and amending the spending plan to include the allocation of additional funds to be received from the County.

SUMMARY

On June 9, 2020 the Stanislaus County Board of Supervisors allocated $15 million, to be distributed based on population, for eligible expenditures related to COVID-19. Riverbank will be receiving approximately $536,015 from the County. In addition, the City is entitled to a direct allocation of $309,049 in CRF funding from the State. On August 25, 2020 the City Council approved the spending plan for these funds. The County has advised us that they will be allocating an additional $309,085 in CARES funding to be used for COVID-19 related purposes.

BACKGROUND

On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law by the federal government. This economic relief package is intended to provide funding for the costs incurred to protect residents from the public health and economic impacts of COVID-19. Stanislaus County qualified for direct funding and received $96.1 million from the U.S. Treasury to provide much needed financial relief.

The City received a direct allocation of CRF funding from the State of California in the amount of $ 309,049 which has been used towards the Sheriff's Contract to offset costs of public safety dedicated to COVID response. In addition, on June 9, 2020 the Stanislaus

County Board of Supervisors approved their spending plan for CARES Act funds and allocated $15 million to local cities in Stanislaus County. Of this share, Riverbank received $536,015. The County asked all agencies to provide a spending plan for the use of these funds which was approved by Council on August 25, 2020.

On October 13, 2020 the Stanislaus County Board of Supervisors approved additional CARES funding allocations to all of the nine cities within the County. The County will be remitting an additional $309,085 for the City of Riverbank.

The U.S. Department of the Treasury issued guidance for allowable spending of CRF funds. Although the guidance continues to evolve and be clarified, it generally provides that direct and indirect expenses incurred after March 1, 2020 in response to the COVID-19 pandemic are an allowable use of the funds. The funds can be used for actual payments issued between March 1, 2020 and December 30, 2020 and expire after December 30, 2020.

CURRENT SPENDING PLAN STATUS

On August 25, 2020 the City Council authorized the initial allocation of funds a status of which is provided below:

Activity	Allocation	Spent/Obligated to Date	Balance	Program Description
Business Assistance Program	$250,000	$262,784	-$12,784	Small Business Assistance Grants/Loans to mitigate impacts of COVID-19 closures.
PPE/Mask Program	$110,000	$30,387	$79,613	Purchase of PPE for staff and for the general public. Currently being distributed to food banks, non-profits, faith-based organizations for their clients.
COVID Payroll Cost Offset	$75,000	$45,245	$29,755	Costs associated with providing employees with the Emergency Paid Sick Leave and Expanded FMLA authorized by the FFCRA.
Telework	$40,000	$20,150	$19,850	Costs associated with upgrading capabilities for employees to telework, including purchase of laptops, online meeting capabilities for City Council & Planning Commission.
Disinfection Costs	$60,000	$33,136	$26,864	Costs to disinfect public areas including parks & park restrooms.
Total	**$535,000**	**$391,701**	**$143,299**	

ADDITIONAL FUND ALLOCATION OR REALLOCATION OF CURRENT FUNDING

With a funding deadline of December 30, 2020 it is requested that Council review the current Spending Plan in order to determine if any funds may be re-allocated to other COVID-related expenses. In addition, it is requested that the City Council provide feedback on the allocation of the additional $309,085 to be received from the County.

Staff provides the following suggestions on allocation of **current** funds:

1. ***Reallocate $12,800*** *from the PPE/Mask Program to the Business Assistance Program for Administration Costs related to the work performed by Opportunity Stanislaus & the application website design.*

Staff is recommending the following allocation of **new** funding:

2. ***Small Business Loan Allocation****:*
   - *The City received a total of 31 applications*
   - *Total Funding Requested: $390,000*
   - *2 applications denied due to incomplete applications and/or compliance issues*
   - *8 applications to be fully funded for a total of $100,000*
   - *21 applications to be partially funded for a total of $176,000*

Under the City Manager's authority, an ***additional amount of $25,000*** *was approved to provide partial funding of the 21 applications. If the City Council wishes to fully fund the balance of the partially funded applications, an* ***additional allocation of $85,000*** *would be necessary for a total allocation of $360,000, excluding Administration costs.*

3. *Public Safety Costs for staff deemed "substantially dedicated" to the mitigation or response to the COVID-19 Pandemic.* ***Allocate $95,000*** *for offsets to the Sheriff's Department Law Enforcement Contract for costs through December 30, 2020.*

4. *Expenses for part-time staff dedicated to disinfecting public parks:* ***Allocate $5,000***

5. *Funding for local non-profits to assist residents impacted by COVID-19 via the provision of basic necessities such as food, rental/mortgage assistance, utility payment assistance.* ***Allocation of $100,000.***

After funding these activities, City staff requests authorization to the City Manager to re-allocate funding within these designated expense types based on future needs of the City. This will facilitate the spending of the funds in authorized manner prior to the established deadlines.

STRATEGIC PLAN

This report directly relates to the City's Strategic Plan goal to "Ensure Financial Stability".

FINANCIAL IMPACT

There is no direct financial impact to the City's funds associated with this report. Spending plan will allow for reimbursement via the CARES CRF Allocation.

ATTACHMENT

1. Resolution

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, TO AMEND THE CARES CORONAVIRUS RELIEF FUND (CRF) ALLOCATION SPENDING PLAN AND AUTHORIZING THE CITY MANAGER TO MAKE RE-ALLOCATIONS BASED ON FUTURE NEEDS

WHEREAS, on March 27, 2020 the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law by the federal government; and

WHEREAS, this economic relief package is intended to provide funding for the costs incurred to protect residents from the public health and economic impacts of COVID-19; and

WHEREAS, Stanislaus County qualified for direct funding and received $96.1 million from the U.S. Treasury to provide much needed financial relief; and

WHEREAS, on June 9, 2020 the Stanislaus County Board of Supervisors approved their spending plan for CARES Act funds and allocated $15 million to local cities in Stanislaus County, of this share Riverbank is eligible to receive $536,015; and

WHEREAS, on August 25, 2020 the City Council adopted a Resolution authorizing the Spending Plan of CARES funding to be received from the State of California and Stanislaus County; and

WHEREAS, on October 13, 2020 the Stanislaus County Board of Supervisors authorized an additional allocation of $309,085 in CARES funding to the City of Riverbank; and

WHEREAS, the City Council wishes to amend the County CRF County Spending Plan as follows:

Activity	**Original Allocation**	**Updated Allocation**
Business Assistance Program	$250,000	$372,800 (includes $12,800 in Admin Costs)
PPE/Mask Program	$110,000	$97,200
COVID Payroll Cost Offset	$75,000	$75,000
Telework	$40,000	$40,000
Disinfection Costs	$60,000	$60,000
Law Enforcement Contract Offset	$0	$95,000
Parks Disinfection – Staff	$0	$5,000
Non-Profit Grant Program	$0	$100,000

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank approves the amendment to the CARES Coronavirus Relief Fund (CRF) Allocation Spending Plan.

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Riverbank hereby authorizes the City Manager to re-allocate funding within these designated expense types based on the future needs of the City and in the best interest of the citizens of Riverbank.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of October, 2020; motioned by Councilmember , seconded by Councilmember , and upon roll call was carried by the following City Council vote of :

AYES:
NAYS:
ABSENT:
ABSTAINED:

ATTEST:

____
Annabelle H. Aguilar, CMC
City Clerk

APPROVED:

____
Richard D. O'Brien
Mayor