CITY COUNCIL / LRA BOARD

Mayor/Chair
Richard D. O'Brien
Council/Authority Members
District 1 - Luis Uribe
District 2 - Rachel Hernandez
District 3 - Leanne Jones Cruz
District 4 - Darlene Barber-Martinez

CITY OF RIVERBANK

Regular City Council and Local Redevelopment Authority Board Meetings
Council Chambers, 6707 Third St.
Suite B
Riverbank, CA 95367

choose civility

TUESDAY, MARCH 28, 2023 – 6:00 P.M.

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

1. CALL TO ORDER

2. FLAG SALUTE

3. INVOCATION

4. ROLL CALL

5. AGENDA CHANGES

6. 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.

7. PRESENTATIONS (Informational only)

Item: 7.1 **Presentation by Stanislaus Regional Transit Authority (StanRTA)-** It is recommended that City Council receive a presentation from Mr. Adam Barth, StanRTA CEO.

8. 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)** and time cannot be yielded to another person**.** 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 via ZOOM.

9. 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 9.1 **Waive Readings**. All Readings of ordinances and resolutions, except by title, are waived.

Any documents that are not privileged or part of a Closed Session provided to a majority of the City Council/LRA Board after distribution of the agenda packet, regarding any item on this agenda, will be made available for public inspection at the City Clerk's Office 6707 Third St., Suite A, Riverbank.

Item 9.2 **Approval** of the City Council and Local Redevelopment Authority Board Minutes for March 14, 2023.

Item 9.3 **Resolution** Opposing Initiative No. 21-0042A1, The Taxpayer Protection and Government Accountability Act.

Item 9.4 **Resolution** Awarding a Contract for budgeting and transparency software to ClearGov, Inc. and Authorizing the Assistant City Manager Execute said Contract.

Item 9.5 **Resolution** Authorizing the Addition of the Senior Planner Job Classification and Salary Range; and Amending the City of Riverbank Compensation Plan.

Item 9.6 **Resolution** to Approve and Adopt the 2023 City of Riverbank Measure L Expenditure Plan Project List.

Item 9.7 **Resolution** Adopting a List of Projects for Fiscal Year 2023-2024 Funded by SB 1: The Road Repair and Accountability Act of 2017.

Item 9.8 **Resolution** of the City of Riverbank Declaring Its Intention to Annex Territory to a Community Facilities District and to Authorize the Levy of Special Taxes Therein, the City of Riverbank Community Facilities District No. 2016-1 (Public Services) Annexation No. 2**.**

Item 9.9 **Resolution** to Approve a Subdivision Improvement Agreement for Diamond Bar East with LGI Homes - California LLC and Authorizing the City Manager to Execute the Agreement.

Item 9.10 **Resolution** adopting the Final Map 03-2022 Diamond Bar East – APN: 062-020-010.

Item 9.11 **Resolution** Accepting the Annual Financial Report for Fiscal Year 2020-2021.

Item 9.12 **Authorization** for Out of State Travel Request for Mayor Richard D. O'Brien and City Manager Marisela H. Garcia to Travel to Washington D.C. for Meetings with the U.S. Army and Federal Regulators.

10. PUBLIC HEARING – No Items Scheduled

11. NEW BUSINESS

Item 11.1 **2022 General Plan and Housing Element Annual Progress Reports. A Resolution Adopting the 2022 General Plan and Housing Element**

Annual Progress Reports (APRs) and Authorizing Staff to Submit said Reports to the California Office of Planning and Research and the California Department of Housing and Community Development. - Staff recommends City Council approve the 2022 General Plan and Housing Element Annual Progress Reports (APR) and authorize Staff to submit said reports to the California Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD).

12. 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/LRA Board during this time.

Item 12.1 Staff

Item 12.2 Council/Authority Member

Item 12.3 Mayor/Chair

13. 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 13.1 **CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code § 54957.6)**
Agency Representative: Marisela H. Garcia, City Manager
Unrepresented Employee: Director of Parks & Recreation

14. REPORT FROM CLOSED SESSION

Item 14.1 Report from Clossed Session **Item 13.1**
CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code § 54957.6)
Agency Representative: Marisela H. Garcia, City Manager
Unrepresented Employee: Director of Parks & Recreation

15. ADJOURNMENT

- The next regular City Council meeting will be on April 11th, 2023 at 6:00 p.m.

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted at the meeting location, on the North City Hall public exterior bulletin board, South City Hall public exterior Bulletin, Riverbank Community Center exterior bulletin, and the City's website 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.
Posted this 23rd Day of March, 2023
/s/Gabriela Hernandez, City Clerk

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 cityclerk@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.

TELECONFERENCE/VIRUAL PLATFORM PUBLIC PARTICIPATION COMMENT PROCEDURES FOR CITY COUNCIL MEETING HELD IN CONFORMANCE WITH THE BROWN ACT

PUBLIC "LIVE" VIEWING

- Government Channels: Charter– 2 and AT&T U-VERSE – 99
- YouTube Live – City of Riverbank
- Via ZOOM Platform (See instructions below)

SUBMITTING PUBLIC COMMENTS FOR THE RECORD

Written comments must be received before 4:00 p.m. on the date of the meeting in order for them to be distributed to the Council prior to consideration of the matter. Written comments will not be read aloud at the meeting, but will be reported as received for the record. If you do not receive an acknowledgement of receipt within an hour of submission or by 5:00 pm, please call the City Clerk's Office at (209) 863-7198 or the Administration Dept. at (209) 863-7122.

ACCEPTABLE METHODS OF SUBMITTING COMMENTS BEFORE THE 4:00 PM DEADLINE

- **Via Mail Service:** Mail comments to City of Riverbank, Attn. City Clerk, 6707 Third Street, Suite A, Riverbank, CA 95367. (Call 209-863-7198 / 209-863-7122 to ensure they were received.)
- **Via Email: Mail to cityclerk@riverbank.org** ***(Note: This technology is not a guaranteed method.)***
  - Indicate Agenda Item # in the ***subject line***. (Call 209-863-7198 /209-863-7122 to ensure receipt)

- **Oral Comments In-Person:** The Mayor will ask the public if anyone wishes to comment, at that time you may approach the podium.
- **Oral Comments Via Zoom:** The Mayor will announce when public comments may be made for a limit of 3 minutes on the agenda item being considered, at which time you will:
  (please make sure the volume on your video device or any nearby device is turned down.)
  - Using a computer – click on the "raise hand" feature in the webinar controls. This will alert staff that you wish to speak, and you will be unmuted.
  - Using a Phone – press ***9** to "raise the hand". This will alert staff that you wish to speak, and you will be unmuted.

Teleconference Phone Number (This system is a backup for ZOOM technical difficulties only when providing oral comments.) If there are technical difficulties or disconnection with ZOOM while making oral comments, please immediately call the teleconference phone number (209) 863-7151 so that Council may receive your comments. Council will be waiting for your call. Thank you

JOIN THE MEETING VIA ZOOM PLATFORM

Join by this link: https://us02web.zoom.us/j/89374006966

- Join by accessing website: https://zoom.us/join , enter **Webinar ID: 893 7400 6966**
- Join by telephone:**1 669 444 9171 OR 1 669 900 9128, plus Webinar ID: 893 7400 6966**

Learn about using ZOOM - Visit https://zoom.us/j/94943925973?status=success for a free account or to download the app.

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 7.1

SECTION 7: PRESENTATIONS

Meeting Date:	**March 28, 2023**
Subject:	**Presentation Stanislaus Regional Transit Authority (StanRTA)**
From:	**Marisela H. Garcia, City Manager**
Submitted by:	**Gabriela Hernandez, City Clerk/LRA Recorder**

RECOMMENDATION

It is recommended that the City Council receive a presentation from Adam Barth, CEO with Stanislaus Regional Transit Authority (StanRTA).

SUMMARY:

On January 26, 2021 the Modesto City Council and the Stanislaus County Board of Supervisors each approved the merger of Modesto Area Express (MAX) and Stanislaus Regional Transit (StaRT) forming the new Stanislaus Regional Transit Authority. The merger was recommended after a county-wide Transit Efficiency and Innovations Study was conducted in late 2019. The StanRTA was formed in July 2021 as a result of a joint powers agreement between MAX and StaRT.

StanRTA provides fixed route and demand response (ADA Paratransit, Dial-A-Ride, Shuttle and Medivan) services throughout Stanislaus County, as well as commuter service to the Amtrak station in Modesto, ACE station in Lathrop, Manteca Transit Center, Stockton Transit Center and Dublin/Pleasanton BART station. StanRTA is the primary provider of mass transportation in the suburban, rural and metropolitan areas of Stanislaus County, California. Fixed route service includes 27 routes that serve Ceres, Crows Landing, Escalon, Grayson, Gustine, Hickman, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, Waterford, and Westley.

In November 2021, StanRTA rebranded the combined system to "The S" with the slogan "Ride The S". A new simplified fare structure went into effect January 1, 2022 that streamlined the previous MAX and StaRT fares into uniform fares valid on all StanRTA routes and services.

As part of a Comprehensive Operational Analysis that was performed in 2022, StanRTA launched a systemwide service change as of March 5, 2023, which includes:

- Added Sunday bus service
- Added 60-minute service frequency
- Bidirectional routes to improve on-time performance
- Three new routes (including Route 24 in Riverbank)

FINANCIAL IMPACT

There is no financial impact with the report.

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.1

SECTION 9: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject:	**Waiver of Readings**
From:	**Marisela H. Garcia, City Manager**
Submitted by:	**Gabriela Hernandez, City Clerk/LRA Secretary**

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 REDEVELPOMENT AUTHORITY

AGENDA ITEM NO. 9.2

SECTION 9: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject:	**Approval of the March 14, 2023 City Council and Local Redevelopment Authority Board Minutes.**
From:	**Marisela H. Garcia, City Manager**
Submitted by:	**Gabriela Hernandez, City Clerk/LRA Secretary**

RECOMMENDATION

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

SUMMARY

The Draft Minutes of the City Council and the Local Redevelopment Authority Board meeting have been prepared for review and approval.

FINANCIAL IMPACT

There is no financial impact to this item.

ATTACHMENTS

1. The March 14, 2023 City Council and Local Redevelopment Authority Board Minutes.

CITY COUNCIL / LRA BOARD
Mayor/Chair
Richard D. O'Brien
Vice Mayor/ Chair (CM-D2) Rachel Hernandez
Council/Authority Members:
District 1 -Luis Uribe
District 3- Leanne Jones Cruz
District 4 -Darlene Barber-Martinez

CITY OF RIVERBANK

Regular City Council and Local Redevelopment Authority Board Meetings
Council Chambers, 6707 Third St
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Riverbank, CA 95367

choose civility

MINUTES

TUESDAY, MARCH 14, 2023 – 6:00 P.M.

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

1. CALL TO ORDER - *Mayor / Chair Richard D. O'Brien called the meeting to order at 6:00 P.M.*

2. FLAG SALUTE - *Mayor / Chair Richard D. O'Brien led the pledge of allegiance.*

3. INVOCATION – *Reverend Randy Richardson provided the invocation.*

4. ROLL CALL – *A Roll Call of councilmembers was done by the City Clerk.*

Members of the City Council / Local Redevelopment Authority Board present in the Chamber:
Council Member / Authority Member District 1 Luis Uribe
Council Member / Authority Member District 3 Leanne Jones Cruz
Council Member / Authority Member District 4 Darlene Barber-Martinez
Vice Mayor / Vice Chair (CM-D2) Rachel Hernandez
Mayor / Chair Richard D. O'Brien

5. AGENDA CHANGES

No Changes to the Agenda.

6. 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.

7. PRESENTATIONS (Informational only)

No Presentations Scheduled.

8. 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)** and time cannot be yielded to another person. Under State Law, matters presented during the public comment period cannot be discussed or acted upon.*

Mayor O'Brien Opened Public Comment at 6:05 P.M.

Karen Conrotto, Modesto Resident spoke in opposition of the Riverwalk Project.

Charles Neal (Pastor) Thanked the City for how it is being run.

There being no further public comments, Mayor O'Brien closed the Public Comment period at 6:06 P.M.

9. 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 9.1 Waive Readings. All Readings of ordinances and resolutions, except by title, are waived.

Item 9.2 Approval of the City Council and Local Redevelopment Authority Board Minutes for:

9.2A - February 14, 2023

9.2B - February 28, 2023

Item 9.3 **Adopt a Resolution 2023-015** to Award Bid for the Castleberg Park Trail Project to Consolidated Engineering Inc., Authorize Execution of Future Change Orders, and Authorizing a Budget Amendment for an Additional $102,688 from Fund 156 – Assessment District Fund.

Item 9.4 **A Resolution 2023-016** Authorizing the Execution of a Performance Agreement between the City of Riverbank and SMA Entertainment for the Coordination of the 2023 Cheese & Wine Festival.

Item 9.5 **A Resolution 2023-017** Authorizing the Mayor to Execute a Lease with SMA Entertainment for the Area Associated with the Riverbank Cheese and Wine Festival.

Item 9.6 **A Resolution 2023-018** to Approve a Subdivision Improvement Agreement for Ward Villas with Ammo Plant Management, Inc. and Authorizing the City Manager to Execute the Agreement.

Item 9.7 **A Resolution 2023-019** to approve the Final Map 03-2021 Ward Villas – APN: 132-036-003.

Mayor O'Brien opened up for Public Comment at 6:07 P.M.

Assistant City Manager (Interim Clerk) Alcantor, stated there was a correction to the Draft Minutes for February 14th, Public Comment should reflect Dan Whetstone as the name for the Riverwalk Opposition not Floyd Koebel.

ACTION: *By motion moved and seconded (_Uribe_/_Barber-Martinez_5/0) to approve the consent calendar as amended.*

Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Jones Cruz, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

10. PUBLIC HEARINGS

No Public Hearing Items Scheduled.

11. NEW BUSINESS

Item 11.1 **A Resolution to Nominate a Councilmember from a "Large" City within Stanislaus County that has applied to serve on the San Joaquin Valley Air Pollution District Governing Board, or reject all candidates-** It is recommended that the City council by roll call vote; 1) Consider adoption of the resolution to nominate candidate Councilmember David Wright, City of Modesto, or Councilmember Rosa Escutia-Braaton,City of Modesto to fill the vacant seat on the District Governing Board; or 2) Reject both candidates.

City Manager, Garcia gave a comprehensive staff report on the San Joaquin Valley Air Pollution District Governing Board candidates and the consideration of adopting a resolution to approve or reject the candidate. SJVAPD Staff advised one of the two candidates had decided to withdraw his candidacy. City of Modesto Councilmember David Wright, withdrew, leaving one candidate for consideration or rejection, City of Modesto Councilmember Rosa Escutia-Braaton.

City Council discussed item with Staff.

There being no public comments, Mayor O'Brien brought the item back to the City Council.

ACTION: *By motion moved and seconded (_Barber-Martinez_/_Jones Cruz_5/0) to adopt **Resolution 2023-020 nominating** City of Modesto Councilmember, Rosa Escutia-Braaton to the San Joaquin Valley Air Pollution District Governing Board.*

Motion carried by unanimous vote City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Jones Cruz, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

12. 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/LRA Board during this time.

Item 12.1 Staff

City Manager Garcia advised the City Council and the public on the following items:

- *Shutoff's for the January billing are currently underway, if any residents have questions regarding their bill please contact the finance department for information on how to get your services restored, this is for those who had delinquent January billing.*

- *Founder's Day Carnival is coming up on Saturday, April, 29th the city is looking for volunteers to be able to assist in various games, please contact the Parks & Recreation Department if interested in volunteering.*

- *The City has opened a second round of funding availability for our non-profit support program, the City Council allocated $140,000 from the first round of funding, of applications we received we were able to award $80,000. We do have a remaining $60,000 that we will be able to have additional non-profits to apply. We will be accepting applications through April 13th.*

- *A message from our Building Department they are working with Stanislaus County Health Services Agency on a pool safety program. The program includes sending out information to pool owners, who we have noted via some drone footage and google maps footage of those who may have removed their required pool fencing, that is required by state law for the safety of children. They will be receiving some educational materials they'll also work closely with our planning department when they come in to pull additional permits.*

Item 12.2 Council/Authority Member

Councilmember Jones Cruz reported on the following:

- *Sandbags and sand are still available at our Public Works Yard at 2901 High Street. We do ask residents bring their own shovels.*

- *We have a new business opening this Friday, Black Sheep. Hope to see a lot of you down there.*

Councilmember Uribe reported on the following:

- *Sat in this morning with Marisela on the Emergency Operating Center, gave us some local updates on the winter storm. Very neat to see the organization in emergency cases and how it is all structured and handled. Kudos to the EOC and our city staff, and everyone for how they handled things.*

- *This Friday will be attending the second Revenue & Taxation Subcommittee, receiving legislative updates, hearing from CalPERS Rep Michael Cohan, will be an interesting topic.*

- *Will also be joining for the grand opening of Black Sheep. They will be having a St. Patty's theme from 1pm to 1am.*

- *Sister City Committee will be meeting Thursday, March 22nd at 6:00 p.m. here in the Council Chambers, for those that are interested in reestablishing the relationship with our Sister City in Mexico, Tamazula, and would like to join us.*

Councilmember Barber-Martinez reported on the following:

- *Attended the Stanislaus Homeless Alliance Committee Meeting (SHA) talked about what the county is doing for shelter availability for those that are homeless, trying to reach out the homeless if they want to come to the open shelters, sheriffs are offering rides to shelters for those who want it, there is limited availability but there are shelters.*

- *Looking forward to our Public Safety Policy Committee meeting this coming Thursday.*

- *Everyone try to stay dry with all the rain.*

Vice Mayor Hernandez reported on the following:

- *Is stepping in as the alternate for the Stanislaus Council of Government (StanCOG) it is very fruitful, was able to go to the Capitol and speak to our state legislatures and let them know we are working together with the rest of the county and advocating for the City of Riverbank.*

- *Attended the Riverbank Language Academy Career Day, borrowed the Mayor's gavel and was able to try and impress the students in the fun aspects of public service.*

- *Cal Cities Community Services Committee meeting this Friday, will be going over some policy that we will be advocating on behalf of the city and the state.*

<u>Item 13.3</u> Mayor/Chair

Mayor O'Brien reported on the following:

- *Looking forward to next meeting the Downtown Absentee Landlord Resolution.*

- *Was not pointing out any certain group on nimbyism, it's across the board. Whether it's a tiny home village or any of the others, do believe as a council we should look and discuss how we treat the homeless, drugs, and mental illness. That is one hundred percent of the homeless population dealing with drugs or mental illness, how do we deal with that as a city and how do we deal with other cities and being complacent. How do we want to handle it?*

14. 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.

No Closed Session Items Scheduled.

15. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 6:17 P.M. to the next regular scheduled City Council / LRA Meeting of March 28, 2023 at 6:00 P.M.

ATTEST: (Adopted 3/28/2023)	APPROVED:
______________________________	______________________________
Gabriela Hernandez City Clerk / LRA Recorder	Richard D. O'Brien Mayor/ Chair

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.3

SECTION 9: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject:	**Resolution Opposing Initiative No. 21-0042A1, The Taxpayer Protection and Government Accountability Act**
From:	**Marisela H. Garcia, City Manager**

RECOMMENDATION

It is recommended that the City Council consider adopting a resolution in opposition of Initiative No. 21-0042A1, the Taxpayer Protection and Government Accountability Act.

SUMMARY

On February 22, 2023 the City Council adopted Resolution 2022-018 which opposed this proposed Act which had yet to qualify for the 2024 ballot. The Act has now garnered sufficient signatures to be placed on the ballot and the League of California Cities has requested that cities renew their opposition to this act which will impact local government control over their revenues.

The Taxpayer Protection and Government Accountability Act would amend the California Constitution with provisions that limit voters' authority and input, adopt new and stricter rules for raising taxes and fees, and may make it more difficult to impose fines and penalties for violation of state and local laws.

The measure puts billions of local government tax and fee revenues at risk statewide with related core public service impacts.

The measure would have significant negative impacts on the City of Riverbank operations and core service delivery.

The proposed constitutional initiative is sponsored by the California Business Roundtable.

BACKGROUND

On Jan. 4, 2022, the California Business Roundtable filed the "Taxpayer Protection and Government Accountability Act" or AG# 21-0042A1. On Feb. 1, 2023, the measure qualified for the November 2024 ballot.

The League of California Cities, along with a broad coalition of local governments, labor and public safety leaders, infrastructure advocates, and businesses, strongly opposes this initiative.

Local government revenue-raising authority is currently substantially restricted by state statute and constitutional provisions, including the voter approved provisions of Proposition 13 of 1978, Proposition 218 of 1996, and Proposition 26 of 2010. The Taxpayer Protection and Government Accountability Act adds and expands restrictions on voters and local government tax and fee authority.

MAJOR PROVISIONS OF THE ACT

Fees and Charges:

- Except for licensing and other regulatory fees, fees and charges may not exceed the "actual cost" of providing the product or service for which the fee is charged. "Actual cost" is the "minimum amount necessary." The burden to prove the fee or charge does not exceed "actual cost" is changed to "clear and convincing" evidence.

- Requires fees and charges paid for the use of local and state government property and the amount paid to purchase or rent government property to be "reasonable." These fees and charges are currently allowed to be market-based. Whether the amount is "reasonable" (introducing a new legal standard aiming to force below market fee and charge amounts) must be proved by "clear and convincing evidence." The standard may significantly reduce the amount large companies (e.g., oil, utilities, gas, railroads, garbage/refuse, cable, and other corporations) will pay for the use of local public property.

- Prohibits fees on new development based on vehicle miles traveled.

Taxes:

- Taxes and fees adopted after Jan. 1, 2022, that do not comply with the new rules, are void unless reenacted.
- Invalidates Upland decision that allows a majority of local voters to pass special taxes. The measure specifies that taxes proposed by the initiative are subject to the same rules as taxes placed on the ballot by a city council.
- Expressly prohibits local advisory measures which allow local voters to express a preference for how local general tax dollars should be spent.
- Requires voter approval to expand existing taxes (e.g., Utility, Transient Occupancy) to new territory (e.g., annexations) or to expand the tax base (e.g., new utility service)

- New taxes can only be imposed for a specific time period.
- City charters may not be amended to include a tax or fee.
- All state taxes require majority voter approval.

Fines and Penalties:

- May require voter approval of fines, penalties, and levies for corporations and property owners that violate state and local laws unless a new, undefined adjudicatory process is used to impose the fines and penalties.

ADDITIONAL BACKGROUND

Local governments levy a variety of fees and other charges to provide core public services. Major examples of affected fees and charges are:

- Nuisance abatement charges, such as for weed, rubbish, and general nuisance abatement to fund community safety, code enforcement, and neighborhood cleanup programs.
- Commercial franchise fees.
- Emergency response fees, such as in connection with DUI.
- Advanced Life Support (ALS) transport charges.
- Document processing and duplication fees.
- Transit fees, tolls, parking fees, and public airport and harbor use fees.
- Facility use charges, fees for parks and recreation services, garbage disposal tipping fees.

Virtually every city, county, and special district must regularly (e.g., annually) adopt increases to fee rates and charges and revise rate schedules to accommodate new users and activities. Most of these would be subject to new standards and limitations under threat of legal challenge. Based on the current volume of fees and charges imposed by local agencies, including council-adopted increases to simply accommodate inflation, Cal Cities estimates the amount of local government fee and charge revenue at risk is approximately $2 billion per year including those adopted since Jan. 1, 2022. Over ten years, $20 billion of local government fee and charge revenues will be at heightened legal peril.

Examples of Riverbank's affected fees and charges include:

- Recreation Fees including, but not limited to, program fees and park/facility rental fees, and parking fees at Jacob Myers Park.
- Code Enforcement Administrative Fines, including fines for non-compliance, fireworks citation fees, etc.
- Document processing and duplication fees for records requests.

Hundreds of local tax measures were approved in 2022 that likely do not comply with the provisions of the initiative. Nearly $2 billion of annual revenues from these voter-approved measures will cease a year after the effective date of the measure, reducing the local public services funded by these measures, unless the tax is re-submitted for voter approval.

Reductions on local government tax revenues have impacts on core services and infrastructure including fire and emergency response, law enforcement, streets and roads, drinking water, sewer sanitation, parks, libraries, public schools, affordable housing, homelessness prevention, and mental health services.

Under existing law, cities are required to provide due process before imposing a penalty or fine for violation of its municipal code:

1. A local agency must adopt administrative procedures that govern imposing fines and penalties, including providing a reasonable period of time for a person responsible for a continuing violation to correct or remedy the violation [Gov't Code 53069.4].
2. Notice must be given to the violating party before imposing the penalty; and give the party an opportunity to be heard and present any facts or arguments [Merco Construction Engineers v. Los Angeles Unified School District (1969) 274 CA 2d 154, 166].
3. The fine may not be "excessive" [U.S. Constitution amendments VIII and XIV].

The initiative converts administratively-imposed fines and penalties into taxes unless a new, undefined, and ambiguous “adjudicatory due process” is followed. This provision may put at risk authority to impose fines and penalties for violations of state and local law.

STRATEGIC PLAN

This item is directly related to the City Council’s Strategic Plan goal to “Ensure Financial Stability”. The City’s ability to have local control over the adoption of new fees, within the confines of existing law, directly translates to its ability to provide services to residents.

FINANCIAL IMPACT

There is no financial impact associated with the adoption of this Resolution. Any proposal which limits the City’s ability to have local control over revenues will impact it’s ability to provide local services.

ATTACHMENTS

1. Resolution 2023-
2. Fiscal and Program Effects of Initiative 21-0042A1 on Local Governments

CITY OF RIVERBANK

RESOLUTION 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA OPPOSING INITIATIVE 21-0042A1 THE TAXPAYER PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT

THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:

WHEREAS, an association representing California's wealthiest corporations and developers is spending millions to push a deceptive proposition aimed for the November 2024 statewide ballot; and

WHEREAS, the measure includes undemocratic provisions that would make it more difficult for local voters to pass measures needed to fund local services and infrastructure, and would limit voter input by prohibiting local advisory measures where voters provide direction on how they want their local tax dollars spent**;** and

WHEREAS, the measure creates new constitutional loopholes that allow corporations to pay far less than their fair share for the impacts they have on our communities, including local infrastructure and our environment**;** and

WHEREAS, the measure may make it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods**;** and

WHEREAS, the measure puts billions of dollars currently dedicated to local services at risk and could force cuts to fire and emergency response, law enforcement, public health, parks, libraries, affordable housing, services to support homeless residents, mental health services, and more**.**

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank does hereby oppose Initiative 21-0042A1, and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Riverbank does hereby join the No on Initiative 21-0042A1 coalition, a growing coalition of public safety, education, labor, local government, and infrastructure groups throughout the state.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of March, 2023; motioned by Councilmember __________, seconded by Councilmember __________, and upon roll call was carried by the following City Council vote of ______:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

____

Gabriela Hernandez
City Clerk

APPROVED:

____

Richard D. O'Brien
Mayor

Rev. January 14, 2023

Fiscal and Program Effects of Initiative 21-0042A1 on Local Governments

If Initiative 21-0042A1 is placed on the ballot and passed by voters, it will result in:

- Over $20 billion of local government fee and charge revenues over 10 years placed at heightened ***legal peril***. Related public service reductions across virtually every aspect of city, county, special district, and school services especially for drinking water, sewer sanitation, and public health and safety.
- About $2 billion of revenues each year from fees and charges adopted after January 1, 2021 ***subject to legal peril***.[1]
- Over $2 billion dollars of annual revenues from dozens of tax measures approved by voters between January 1, 2022 and the effective date of the act[2] subject to additional voter approval if not in compliance with the initiative.
- Indeterminable legal and administrative burdens and costs on local government from new and more empowered legal challenges, and bureaucratic cost tracking requirements.
- The delay and deterrence of municipal annexations.
- Substantially higher legal and administrative cost of public infrastructure financing which will delay and deter new residential and commercial development.
- Service and infrastructure declines including in fire and emergency response, law enforcement, public health, drinking water, sewer sanitation, parks, libraries, public schools, affordable housing, homelessness prevention and mental health services.

1. Local Government Taxes and Services Threatened

With regard to taxes, Initiative 21-0042A1:

- Prohibits advisory, non-binding measures as to use of tax proceeds on the same ballot.
  - Voters may be less informed and more likely to vote against measures.
- Eliminates the ability of special tax measures proposed by citizen initiative to be enacted by majority voter approval (*Upland*).[3]
  - Because the case law regarding citizen initiative special taxes approved by majority vote (Upland) is so recent, it is unknown how common these sorts of measures might be in the future. This initiative would prohibit such measures after the effective date of the initiative. Any such measures adopted after January 1, 2022 through the effective date of the Act should it pass would be void a year after the effective date of the initiative.
- Requires that tax measures include a specific duration of time that the tax will be imposed. This seems to require that all tax increases or extensions contain a sunset (end date).
  - This would require additional tax measures to extend previously approved taxes.
- A city charter may not be amended to impose, extend, or increase a tax might interfere with the ability of cities that do not already have such authority in their charters to adopt Property Transfer Taxes.
  - There are no more than a few of these every few years, but it is a valuable tax for those that adopt it.

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[1] Assumes fee increases since January 1, 2022 would be subject to possible legal challenge if not adopted in compliance with the Initiative.

[2] The effective date of the initiative would be sometime in December 2024, the date the California Secretary of State certifies the election results of the November 5, 2024 election.

[3] Unlike the initiative 17-0050, this initiative **<u>does not</u>** eliminate that ability of cities and counties to adopt general taxes by majority voter approval.

- Requires that a tax measure adopted after January 1, 2022 and before the effective date of the initiative that was not adopted in accordance with the measure be readopted in compliance with the measure or will be void twelve months after the effective date of the initiative.
    - If past election patterns and elections in 2022 are an indication, over 200 tax measures approving more than $2 billion annual revenues to support local public services would not be in compliance and would be subject to reenactment. Most will be taxes without a specific end date and special taxes (including parcel taxes). Because there is no regularly scheduled election within the 12 months following the effective date of the initiative, the measures would each require declaration of emergency and unanimous vote of the governing board to be placed on a special election ballot within a year for approval or the tax will be void after that date. I would expect most to succeed, but some will not, in particular citizen initiative majority vote special taxes which would have to meet a higher voter approval threshold to continue.
- Requires voter approval to expand an existing tax to new territory (annexations). This would require additional tax measures and would deter annexations and land development in cities.
    - If a tax is "extended" to an annexed area without a vote after January 1, 2022, it will be void 12 months later until brought into compliance. Because there is no regularly scheduled election within the 12 months following the effective date of the initiative, such extensions would each require unanimous vote of the agency board to be placed on a special election ballot or would be void a year later.

1.a. Number of Measures and Value of Local Taxes at Risk[4]

Over a hundred local measures were approved in 2022 that likely do not comply with the provisions of Initiative 21-0042A1. Nearly $2 billion of annual revenues from these voter approved measures will cease a year after the effective date of the measure, reducing the local public services funded by these measures. We can expect a similar volume of measures in 2024 and a similar volume of non-compliance. So the combined total of annual local funding directly affected by Initiative 21-0042A1 due to its retroactivity provision is about $4 billion.

Citizen Initiative Special Taxes in 2022.

Special taxes placed on the ballot by citizen initiative and approved after January 1, 2022 by a majority but less than two-thirds of the voters are out of compliance with Initiative 21-0042A1.

On June 7, 2022, there were three local special tax measures placed on the ballot by citizen initiative. Two failed to get majority voter approval. A one percent transactions and use tax (sales tax) for the John C. Fremont Healthcare District in Mariposa County received 69.6 percent approval, over the two thirds needed for any special tax under California Constitution Article XIIIC. So this measure was passed in compliance with Initiative 21-0042A1.

June 2022 Initiative Special Taxes - majority voter approval

Agency Name	County		Tax/Fee	Rate	Estimated Annual Revenue	Use	Sunset	YES%	
John C. Fremont Healthcare District	Mariposa	Measure N	Transactions & Use Tax	1 cent	$ 150,000	hospital	40yrs	**69.6%**	PASS
County of Kings	Kings	Measure F	Transactions & Use Tax	1/2 cent	$ 11,700,000	fire	none	**37.6%**	FAIL
Manhattan Beach USD	Los Angeles	Measure A	School Parcel Tax	$1095/yr	$ 12,000,000	schools	12yrs	**31.2%**	FAIL

On November 8, 2022, there were 14 local special taxes placed on the ballot by citizen initiative. Seven of these

[4] Source: Compilation and summary of data from County elections offices.

measures failed with less than majority voter approval. The other seven measures received majority, but less than two-thirds, voter approval. These measures passed under current law but are out of compliance with Initiative 21-0042A1. Taken together these seven taxes will provide estimated annual revenues of **from $900,000 to $1.4 billion** in support of parks and recreation, zoo, library, affordable housing, transportation, homelessness prevention, and schools in these communities.

November 2022 Initiative Special Taxes - majority voter approval

Agency Name	County		Tax/Fee	Rate	Estimated Annual Revenue	Use	Sunset	YES%	
Crockett Community Services District	Contra Costa	Measure L	Parcel Tax	$50/parcel	$ 60,000	parks/recr	none	**62.8%**	PASS
Oakland	Alameda	Measure Y	Parcel Tax	$68/parcel	$ 12,000,000	zoo	20yrs	**62.5%**	PASS
County of Mendocino		Measure O	Transactions & Use Tax	1/8 cent then 1/4 cent in 2027	$ 4,000,000	library	none	**60.8%**	PASS
Los Angeles	Los Angeles	Measure ULA	Property Transfer Tax	4% if >$5m, 5.5% if >$10m	$600 m to $1.1 b	affordable housing	none	**57.3%**	PASS
County of Sacramento		Measure A	Transactions & Use Tax	same 1/2 cent	$ 212,512,500	transportation	40yrs	**55.3%**	PASS
San Francisco		Proposition M	Business Operations Tax	$2500-$5000/ vacant resid unit	$ 20,000,000	housing	30yrs	**54.5%**	PASS
Santa Monica	Los Angeles	Measure GS	Property Transfer Tax	$56/$1000 if >$8m	$ 50,000,000	schools, homelessness, afford. housing	none	**53.3%**	PASS
					Total $900,000 to $1.4 billion				

Agency Name	County		Tax/Fee	Rate	Estimated Annual Revenue	Use	Sunset	YES%	
County of Calaveras		Measure A	Transactions & Use Tax	1 cent	$ 5,000,000	fire	none	49.4%	FAIL
South San Francisco (for Schools)	San Mateo	Measure DD	School Parcel Tax	$2.50/sf	$ 55,900,000	schools	none	47.2%	FAIL
County of Fresno	(for CSU)	Measure E	Transactions & Use Tax	1/5 ct, 1/40 ct (Reedley)	$ 36,000,000	Calif State Univ	20yrs	46.9%	FAIL
Santa Cruz	Santa Cruz	Measure N	Parcel Tax	$6k/vacant SFU	xxx	vacant property	xxx	44.2%	FAIL
County of Monterey		Measure Q	Parcel Tax	$49/parcel	$ 5,500,000	childcare	10yrs	41.1%	FAIL
San Francisco City College	San Francisco	Measure O	School Parcel Tax	$150/sfu	$ 37,000,000	schools	10yrs	36.7%	FAIL
Morro Bay	San Luis Obispo	Measure B	Parcel Tax	$120+/parcel	$ 680,000	harbor	none	36.0%	FAIL
Inverness Public Utility District	Marin	Measure O	Parcel Tax	$0.20/sf, $150/vacant	$ 276,000	fire	none	27.0%	FAIL

Non-Specific Tax Durations in 2022

Voters approved 106 measures in June 2022 (10) and November 2022 (96) that do not provide a specific duration of time that the tax will be imposed (end date). Typically, the ballot titles for these measures state that the tax would be imposed “until ended by voters.” Four of these measures also did not include any estimate of the annual revenues that the tax would generate, another violation of initiative 21-0042A1. Taken together, these approved local measures generate **$561 million per year** that will expire a year after the effective date of the initiative if Initiative 21-0042A1 passes.

Measures in 2022 with Non-Specific Durations

Agency Name	County		Tax/Fee	Rate	Annual Revenue	Use	Sunset	YES%	
Oakland	Alameda	Measure T	Business Tax General	various	$ 20,900,000		none	**71.4%**	PASS
Culver City	Los Angeles	Measure BL	Business Tax General	various	$ 10,000,000		none	**60.5%**	PASS
El Segundo	Los Angeles	Measure BT	Business Tax General	various	$ 3,000,000		none	**51.2%**	PASS
Pico Rivera	Los Angeles	Measure AB	Business Tax General	various	$ 5,800,000		none	**75.5%**	PASS
Santa Ana	Orange	Measure W	Business Tax General	various	neutral		none	**64.8%**	PASS
Tracy	San Joaquin	Measure B	Business Tax General	various	$ 3,200,000		none	**72.6%**	PASS
Burlingame	San Mateo	Measure X	Business Tax General	various	$ 2,500,000		none	**75.1%**	PASS
Los Gatos	Santa Clara	Measure J	Business Tax General	various	$ 1,100,000		none	**53.4%**	PASS
Santa Clara	Santa Clara	Measure H	Business Tax General	$45/employee, $15/rental unit	$ 6,000,000		none	**59.5%**	PASS
Brisbane	San Mateo	Measure O	Business Tax lodging busn	$2.50/rm/day	$ 250,000		none	**69.2%**	PASS
East Palo Alto	San Mateo	Measure L	Business Tax resid. rentals	2.5% grossRcpts	$ 1,480,000		none	**69.9%**	PASS
County of Santa Cruz	Unincorporated	Measure C	Busn Tax - disp cups	12.5cents/cup	$ 700,000		none	**68.2%**	PASS
South Lake Tahoe	El Dorado	Measure G	Busn Tax Cannabis	6% retail, manufacturing	$ 950,000		none	**62.9%**	PASS
McFarland	Kern	Measure O	Busn Tax Cannabis	8% of gross receipts retail,	$ 1,800,000		none	**63.5%**	PASS
Avenal	Kings	Measure C	Busn Tax Cannabis	$25+/sf or 15% gr rcpts	$ 600,000		none	**61.8%**	PASS
Baldwin Park	Los Angeles	Measure CB	Busn Tax Cannabis	4% grossRcpts	$ 300,000		none	**51.3%**	PASS
Claremont	Los Angeles	Measure CT	Busn Tax Cannabis	4%-7% gr rcpts, $1-	$ 500,000		none	**61.1%**	PASS
County of Los Angeles	Unincorporated	Measure C	Busn Tax Cannabis	4% gross receipts retail,	$ 15,170,000		none	**60.1%**	PASS
Cudahy	Los Angeles	Measure BA	Busn Tax Cannabis	15% grossRcpts	$ 3,600,000		none	**54.0%**	PASS
El Segundo	Los Angeles	Measure Y	Busn Tax Cannabis	10% GrossRcpt,	$ 1,500,000		none	**72.8%**	PASS
Hermosa Beach	Los Angeles	Measure T	Busn Tax Cannabis	10% GrossRcpt,	$ 1,500,000		none	**67.6%**	PASS
Lynwood	Los Angeles	Measure TR	Busn Tax Cannabis	5%to10%	$ 3,000,000		none	**66.4%**	PASS
Santa Monica	Los Angeles	Measure HM	Busn Tax Cannabis	10% gross Rcpts	$ 5,000,000		none	**66.4%**	PASS
South El Monte	Los Angeles	Measure CM	Busn Tax Cannabis	6% special excise tax on	$ 126,000		none	**53.7%**	PASS
Monterey	Monterey	Measure J	Busn Tax Cannabis	6% grossRcpt	$ 1,300,000		none	**65.2%**	PASS
Pacific Grove	Monterey	Measure N	Busn Tax Cannabis	6% grossRcpt	$ 300,000		none	**70.8%**	PASS
Huntington Beach	Orange	Measure O	Busn Tax Cannabis	6% retail, 1% other	$ 600,000		none	**54.7%**	PASS

Measures in 2022 with Non-Specific Durations

Agency Name	County		Tax/Fee	Rate	Annual Revenue	Use	Sunset	YES%	
Laguna Woods	Orange	Measure T	Busn Tax Cannabis	4%-10% of gross receipts	$ 750,000		none	**61.1%**	PASS
Corona	Riverside	Measure G	Busn Tax Cannabis	9% of gross receipts for	$ 5,000,000		none	**61.6%**	PASS
Montclair	San Bernardino	Measure R	Busn Tax Cannabis	7% grossRcpts	$ 3,500,000		none	**70.3%**	PASS
County of San Diego	Unincorporated	Measure A	Busn Tax Cannabis	6% retail, 3% distribution,	$ 5,600,000		none	**57.4%**	PASS
Encinitas	San Diego	Measure L	Busn Tax Cannabis	4% to 7% of gross receipts	$ 1,400,000		none	**65.1%**	PASS
Healdsburg	Sonoma	Measure M	Busn Tax Cannabis	8% grossRcpt	$ 500,000		none	**72.7%**	PASS
Exeter	Tulare	Measure B	Busn Tax Cannabis	10% retail and other, $10/sf	?		none	**66.5%**	PASS
Tulare	Tulare	Measure Y	Busn Tax Cannabis	10% retail and other, $10/sf	?		none	**65.2%**	PASS
Woodland	Yolo	Measure K	Busn Tax Cannabis	10% grossRcpts	?		none	**66.2%**	PASS
Redlands	San Bernardino	Measure J	Busn Tax Distrib centers	from $0.047/sf to $0.105/sf	$ 530,000		none	**53.5%**	PASS
Arcadia	Los Angeles	Measure SW	Busn Tax Sports Betting	5% grossRcpts	n/a*		none	**63.9%**	PASS
Albany	Alameda	Measure K	ParcelTax	$0.074+/sf	$ 1,950,000	fire/EMS	none	**76.0%**	PASS
Cameron Park Airport District	El Dorado	Measure J	ParcelTax	by $600 to $900/parcel	$ 117,900	airport/ streets	none	**78.2%**	PASS
Highlands Village Lighting Benefit Zone	El Dorado	Measure L	ParcelTax	$140+/parcel	$ 10,920	streets	none	**86.3%**	PASS
Knolls Property Owners CSD	El Dorado	Measure P	ParcelTax	by $300+ to $600+/parcel	$ 8,400	streets	none	**75.5%**	PASS
Sundance Trail Zone of Benefit	El Dorado	Measure C	ParcelTax	$600+/yr	$ 24,000	roads	none	**73.2%**	PASS
South Pasadena	Los Angeles	Measure LL	ParcelTax	xxx	?	library	none	**86.2%**	PASS
River Delta Fire District	Sacramento	Measure H	ParcelTax	$90/yr	$ 130,000	fire	none	**72.1%**	PASS
Emeryville	Alameda	Measure O	PropTransfTax	$15/$1000 if $1m-$2m,	$ 5,000,000		none	**71.6%**	PASS
San Mateo	San Mateo	Measure CC	PropTransfTax	by 1% to 1.5% if>$10m	$ 4,800,000		none	**71.8%**	PASS
Alameda	Alameda	Measure F	TOT	by 4% to 14%	$ 910,000		none	**59.2%**	PASS
Clovis	Fresno	Measure B	TOT	by 2% to 12%	$ 500,000		none	**69.7%**	PASS
Kerman	Fresno	Measure G	TOT	10%	$ 40,000		none	**62.3%**	PASS
Trinidad	Humboldt	Measure P	TOT	by 4% to 12%	$ 65,000		none	**77.6%**	PASS
Imperial	Imperial	Measure G	TOT	by 4% to 12%	$ 600,000		none	**56.2%**	PASS
Arcadia	Los Angeles	Measure HT	TOT	by 2% to 12%	$ 730,000		none	**54.1%**	PASS
Santa Monica	Los Angeles	Measure CS	TOT	by 1%, 3% home shares	$ 4,100,000		none	**73.7%**	PASS

Notes
?= Ballot measure title did not include an estimate of annual revenues, also not in compliance with Initiative 21-0042A1.
n/a*= Arcadia Measure SW passed but sports betting remains illegal after the failure of Propositions 26 and 27 on the November statewide ballot.

Measures in 2022 with Non-Specific Durations

Agency Name	County		Tax/Fee	Rate	Annual Revenue	Use	Sunset	YES%	
Anaheim	Orange	Measure J	TOT	online travel companies	$ 3,000,000		none	**59.2%**	PASS
La Palma	Orange	Measure P	TOT	by 4% to 12%	$ 200,000		none	**71.1%**	PASS
Colfax	Placer	Measure B	TOT	by 2% to10%	$ 29,000		none	**73.5%**	PASS
Rocklin	Placer	Measure F	TOT	by 2% to 10%	$ 300,000		none	**59.8%**	PASS
Roseville	Placer	Measure C	TOT	by 4% to 10%	$ 3,000,000		none	**73.0%**	PASS
Big Bear Lake	San Bernardino	Measure P	TOT	by 2% to 10%	$ 1,300,000		none	**54.4%**	PASS
Grand Terrace	San Bernardino	Measure M	TOT	new 10%	$ 250,000		none	**51.9%**	PASS
Yucca Valley	San Bernardino	Measure K	TOT	by 5% to 12%	$ 1,300,000		none	**71.9%**	PASS
Imperial Beach	San Diego	Measure R	TOT	by 4% to 14%	$ 400,000		none	**67.4%**	PASS
El Paso de Robles	San Luis Obisp	Measure F	TOT	by 1% to 11%	$ 750,000		none	**61.2%**	PASS
Belmont	San Mateo	Measure K	TOT	by 2% to 14%	$ 600,000		none	**79.3%**	PASS
Millbrae	San Mateo	Measure N	TOT	by 2% to 14%	$ 1,500,000		none	**75.8%**	PASS
County of Humboldt Unincorporated		Measure J	TOT	by 2% to 12%	$ 3,080,000		none	**63.3%**	PASS
County of Placer - North Tahoe TOT Area		Measure A	TOT	by 2% to 10%	$ 4,000,000		none	**90.0%**	PASS
County of Santa Cruz Unincorporated		Measure B	TOT	by 1% to 12%	$ 2,300,000		none	**69.2%**	PASS
County of El Dorado - East Slope Tahoe		Measure S	TOT 2/3	by 4% to 14%	$ 2,500,000		none	**81.8%**	PASS
Chico	Butte	Measure H	TrUT	1 cent	$ 24,000,000		none	**52.4%**	PASS
Mendota	Fresno	Measure H	TrUT	1.25 cent	$ 493,498		none	**57.2%**	PASS
Blue Lake	Humboldt	Measure R	TrUT	1 cent	$ 30,000		none	**55.4%**	PASS
Rio Dell	Humboldt	Measure O	TrUT	3/4cent	$ 400,000		none	**53.3%**	PASS
County of Kern unincorporated areas		Measure K	TrUT	1 cent	$ 54,000,000		none	**50.8%**	PASS
McFarland	Kern	Measure M	TrUT	1 cent	$ 579,662		none	**62.2%**	PASS
Tehachapi	Kern	Measure S	TrUT	1 cent	$ 4,000,000		none	**57.2%**	PASS
Avenal	Kings	Measure A	TrUT	1 cent	$ 500,000		none	**72.5%**	PASS
Susanville	Lassen	Measure P	TrUT	1 cent	$ 1,750,000		none	**54.7%**	PASS
Baldwin Park	Los Angeles	Measure BP	TrUT	3/4 cent	$ 6,000,000		none	**58.1%**	PASS
Malibu	Los Angeles	Measure MC	TrUT	1/2 cent	$ 3,000,000		none	**52.6%**	PASS
Monterey Park	Los Angeles	Measure MP	TrUT	3/4 cent	$ 6,000,000		none	**58.5%**	PASS
Torrance	Los Angeles	Measure SST	TrUT	1/2 cent	$ 18,000,000		none	**55.0%**	PASS
Larkspur	Marin	Measure G	TrUT	1/4 cent	$ 700,000		none	**59.4%**	PASS
Sand City	Monterey	Measure L	TrUT	by 1/2cent to 1.5cents	$ 1,400,000		none	**68.7%**	PASS
Hemet	Riverside	Measure H	TrUT	same 1 cent	$ 15,000,000		none	**58.0%**	PASS
Elk Grove	Sacramento	Measure E	TrUT	1 cent	$ 21,000,000		none	**54.1%**	PASS
Galt	Sacramento	Measure Q	TrUT	1 cent	$ 3,600,000		none	**52.4%**	PASS
Colton	San Bernardino	Measure S	TrUT	1 cent	$ 9,500,000		none	**66.8%**	PASS
Ontario	San Bernardino	Measure Q	TrUT	1 cent	$ 95,000,000		none	**53.2%**	PASS
Solana Beach	San Diego	Measure S	TrUT	1 cent	$ 3,000,000		none	**66.7%**	PASS
Brisbane	San Mateo	Measure U	TrUT	1/2 cent	$ 2,000,000		none	**63.9%**	PASS
Goleta	Santa Barbara	Measure B	TrUT	1 cent	$ 10,600,000		none	**64.7%**	PASS
Solvang	Santa Barbara	Measure U	TrUT	1 cent	$ 1,600,000		none	**63.1%**	PASS

Measures in 2022 with Non-Specific Durations

Agency Name	County		Tax/Fee	Rate	Annual Revenue	Use	Sunset	YES%	
Watsonville	Santa Cruz	Measure R	TrUT	1/2 cent	$ 5,000,000		none	**64.4%**	PASS
Vallejo	Solano	Measure P	TrUT	7/8 cent	$ 18,000,000		none	**54.7%**	PASS
Modesto	Stanislaus	Measure H	TrUT	1 cent	$ 39,000,000		none	**62.8%**	PASS
County of Colusa		Measure A	TrUT 2/3	1/2 cent	$ 2,400,000	EMS	none	**69.4%**	PASS
Atwater	Merced	Measure B	TrUT 2/3	same 1 cent	$ 4,000,000	police/fire	none	**73.7%**	PASS
Truckee	Nevada	Measure U	TrUT 2/3	by 1/4 cent to 1/2 cent	$ 3,000,000	open space / trails	none	**76.4%**	PASS
Palo Alto	Santa Clara	Measure L	UtilityTransfer	18% gas	$ 7,000,000		none	**77.7%**	PASS
Santa Clara	Santa Clara	Measure G	UtilityTransfer	5 %	$ 30,000,000		none	**84.2%**	PASS
Hercules	Contra Costa	Measure N	UUT	8%	$ 3,600,000		none	**69.3%**	PASS
Carson	Los Angeles	Measure UU	UUT	2% electr, gas	$ 8,000,000		none	**78.4%**	PASS
Sebastopol	Sonoma	Measure N	UUT	3.75% (same)	$ 700,000		none	**83.5%**	PASS

Co-temporal Advisory Measures in 2022

At the November 2022 election, there was just one local general tax measure that was accompanied by an advisory measure as to the use of funds. The City of Santa Monica's Measure DT property transfer tax failed with just 34 percent approval as voters instead chose the citizen initiative Measure GS.

There was also just one such tax use advisory measure on the June 2022 election. Susanville's voters passed Measure P, a 1 percent transactions and use (sales) tax that generates $1.75 million per year[5] for general city services. The measure was accompanied by advisory Measure Q, accompanied the city's It asked, "If Measure P passes, should the revenues be used to balance the budget to maintain and enhance existing public safety services (police and fire), and provide funding to support street infrastructure improvements and provide funding to support economic development efforts designed to increase businesses, jobs and visitors to Susanville?" Both measures passed. Under Initiative 21-0042A1, the tax will expire a year after the effective date of the initiative (i.e., in December 2025).

1.b. Additional Costs and Public Service Effects of the Tax Provisions

Assuming a similar volume of local measures through 2024 as we saw in 2022, there will be over 200 local measures that will need to be redrafted to comply with the Initiative and placed back on the ballot for the taxes to continue after December 2025. The costs of re-drafting, re-placing and re-voting on these measures, previously legally approved by voters, will be in the tens of millions in total statewide.

2. "Exempt Charges" (fees and charges that are not taxes) and Services Threatened

With regard to fees and charges adopted after January 1, 2022, Initiative 21-0042A1:

- Subjects new fees and charges for a product or service to a new "actual and reasonable test."
- Subjects fees and charges for entrance to local government property; and rental and sale of local government property to a new, undefined, "reasonable" test.
- Allows legal challenge to any tax adopted before the effective date of the initiative and after January 1,

[5] The Susanville measure also did not include a specific end date and so is included in the list and totals of those measures.

2022. Such a lawsuit could enjoin (stop) the enactment of the tax pending the outcome of the legal challenge.

- Subjects a challenged fee to new, higher burdens of proof if legally challenged.

2.a. Value on New Local Government Fees and Charges at Risk[6]

Virtually every city, county, and special district must regularly (e.g., annually) adopt increases to fee rates and charges and revise rate schedules to accommodate new users and activities. Most of these would be subject to new standards and limitations under threat of legal challenge. Based on the current volume of fees and charges imposed by local agencies and increases in those fees simply to accommodate inflation, the amount of local government fee and charge revenue placed at risk is about **$2 billion per year including those adopted since January 1, 2022. Of $2 billion, about $900 million (45 percent) is for special districts, $800 million (40 percent) is cities, and $300 million (15 percent) is counties.**[7]

Major examples of affected fees and charges are:

1. Certain water, sanitary sewer, wastewater, garbage, electric, gas service fees.
2. Nuisance abatement charges - such as for weed, rubbish and general nuisance abatement to fund community safety, code enforcement, and neighborhood cleanup programs.
3. Emergency response fees - such as in connection with DUI.
4. Advanced Life Support (ALS) transport charges.
5. Business improvement district charges.
6. Fees for processing of land use and development applications such as plan check fees, use permits, design review, environmental assessment, plan amendment, subdivision map changes.
7. Document processing and duplication fees.
8. Facility use charges, parking fees, tolls.
9. Fines, penalties.
10. Fees for parks and recreation services.

2.b. Additional Costs and Public Service Effects of the Fee/Charge Provisions

In addition to service delays and disruptions due to fee and charge revenues placed at greater legal risk, there would be substantial additional costs for legal defense. The risk to fees and charges will make infrastructure financing more difficult and will deter new residential and commercial development.

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mc

[6] Source: California State Controller Annual Reports of Financial Transactions concerning cities, counties and special districts, summarized with an assumed growth due to fee rate increases (not population) of 2 percent annually.
[7] School fees are also affected but the amount is negligible by comparison.

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.4

SECTION 9: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject:	**Resolution Awarding a Contract for Budgeting and Transparency Software to ClearGov, Inc. and Authorizing the Assistant City Manager Execute said Contract.**
From:	**Marisela H. Garcia, City Manager**
Submitted By:	**Tammy Alcantor, Assistant City Manager / Administrative Services Director**

RECOMMENDATION

It is recommended that the City Council consider adopting a resolution that authorizes the following:

1. Award a contract for budgeting and transparency software to ClearGov, Inc., and
2. Authorize the Assistant City Manager to finalize & execute said contract.

SUMMARY

The 2022-23 Budget includes the allocation of $30,000 for budgeting software. Staff solicited demonstrations from four different software companies over the last several months. After evaluation of the demonstrations, the cost of each software, and input from users of each of the software staff feels that ClearGov Inc. will meet the City's current and future needs.

BACKGROUND

Accurate and timely preparation of the Budget and other financial reports and analysis of related non-financial data is critical to successful City operations. Currently, the budget preparation and financial reporting process are cumbersome and time-consuming for staff. The largely manual budget process requires the Finance Department to spend several hundred hours each year on preparing, formatting, reviewing, re-formatting, and re-working related to the budget and other various reports.

Currently, the staff relies on using a combination of Microsoft Excel and other products from the Microsoft Office Suite to tell the full story of the City's finances. These tools have limitations in their ability to work collaboratively and dynamically with other departments and team members. The current setup does not easily compare or link financial data to performance metrics; the current process lacks quick & flexible filtering; it is sometimes difficult to aggregate data from different sources; and staff spends multiple hours formatting and reformatting data instead of using the time to analyze the data.

After participating in multiple demonstrations, staff has determined ClearGov best meets the City's current and future needs in the areas of operating budget preparation, capital improvement program planning, personnel budgeting & negotiations, financial forecasting, and financial reporting with transparency. ClearGov also has a partnership with our current financial software, Caselle.

The ClearGov platform will allow staff to interact simultaneously by entering and modifying data in one centralized location, rather than the utilization of Excel spreadsheets. The platform will be linked directly to the City's financial management system, providing timely and accurate access to critical financial data. Most importantly, this streamlined process minimizes the potential for human error.

STRATEGIC PLAN

This item is directly related to the City Council's Mission "… provide transparency in all activities related to municipal finance and ensure that financial records are accurate, reliable and timely."

FINANCIAL IMPACT

The software will be funded through the General Fund. For fiscal year 22-23 the cost for the software and implementation will be $12,000 with an annual cost of $26,400 for fiscal year 23-24. Future years will have a rate increase of 3% then 6%. The contract allows for cancelation in advance of a renewal period should funds not be appropriated. An allocation of $30,000 from the General Fund Reserves was appropriated in the 2022-23 Budget.

ATTACHMENTS

1. Draft City Council Resolution 2023-
2. Service Agreement

CITY OF RIVERBANK

RESOLUTION 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA AWARDING A CONTRACT FOR BUDGETING AND TRANSPARENCY SOFTWARE SERVICES TO CLEARGOV INC., AUTHORIZING THE ASSISTANT CITY MANAGER TO FINALIZE & EXECUTE SAID CONTRACT

THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:

WHEREAS, the City of Riverbank desires to purchase annual support and license services for its budget process and presentation**;** and

WHEREAS, the Assistant City Manager has determined that the services require personal confidence**;** and

WHEREAS, the Assistant City Manager has solicited a proposal for the services from four providers: Clear Gov Inc., Open Gov, Questica and Caselle Advantage**;** and

WHEREAS, the Assistant City Manager has reviewed and received demonstrations from each of the software companies; and

WHEREAS, city staff evaluated the proposals received and has selected ClearGov Inc. as the software most qualified to assist the City in budgeting and transparency financial reports**;** and

WHEREAS, it is the City Council's desire to award a contract to ClearGov Inc., with cost for the current fiscal year 2022-23 of $12,000, the next fiscal year 2023-24 with an annual cost of $26,400 and inflator for future years.

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

1) Award a contract to ClearGov Inc. budgeting and transparency services,
2) Authorize the Assistant City Manager to finalize & execute a contract for these services.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of March, 2023; motioned by Councilmember , seconded by Councilmember , and upon roll call was carried by the following City Council vote of :

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:	**APPROVED:**
______________________________	______________________________
Gabriela Hernandez **City Clerk**	**Richard D. O'Brien** **Mayor**

Attachment: Service Agreement

ATTACHMENT 2

ClearGov® Service Order

2 Mill & Main; Suite 630; Maynard, MA 01754

Created by	Ryan Wilson
Contact Phone	(901) 937-9735
Contact Email	rwilson@cleargov.com

Order Date	Mar 3, 2023
Order valid if signed by	**Mar 31, 2023**

Customer Information

Customer	City of Riverbank	**Contact**	Tammy Alcantor	**Billing Contact**	Tammy Alcantor
Address	6707 3rd Street	**Title**	Assistant City Manager	**Title**	Assistant City Manager
City, St, Zip	Riverbank, CA 95357	**Email**	talcantor@riverbank.org	**Email**	talcantor@riverbank.org
Phone	209-869-7101			**PO # (If any)**	

The Services you will receive and the Fees for those Services are...

Set up Services	Tier/Rate	Service Fees
ClearGov Setup: Includes activation, onboarding and training for ClearGov solutions	Tier 2	$ 9,000.00
ClearGov Setup Bundle Discount: Discount for bundled solutions	Tier 2	$ (3,600.00)
Total ClearGov Setup Service Fee - Billed ONE-TIME		**$ 5,400.00**
Subscription Services	**Tier**	**Service Fees**
ClearGov Operational Budgeting - Civic Edition	Tier 2	$ 12,700.00
ClearGov Personnel Budgeting - Civic Edition	Tier 2	$ 12,100.00
ClearGov Capital Budgeting - Civic Edition	Tier 2	$ 8,500.00
ClearGov Digital Budget Book - Civic Edition	Tier 2	$ 7,750.00
ClearGov Transparency - Civic Edition	Tier 2	$ 6,950.00
ClearGov Budget Cycle Management Bundle Discount: Discount for bundled solutions	Tier 2	$ (21,600.00)
Total ClearGov Subscription Service Fee - Billed ANNUALLY IN ADVANCE		**$ 26,400.00**

ClearGov will provide your Services according to this schedule...

Period	Start Date	End Date	Description
Setup	Apr 1, 2023	Apr 1, 2023	ClearGov Setup Services
Pro-Rata	Apr 1, 2023	Jun 30, 2023	ClearGov Subscription Services
Initial	Jul 1, 2023	Jun 30, 2026	ClearGov Subscription Services

To be clear, you will be billed as follows...

Billing Date(s)	Amount(s)	Notes
Apr 1, 2023	$ 5,400.00	One Time Setup Fee
Apr 1, 2023	$ 6,600.00	3 Month Pro-Rata Subscription Fee
Jul 1, 2023	$ 26,400.00	Annual Subscription Fee

Additional subscription years and/or renewals will be billed annually in accordance with pricing and terms set forth herein

Billing Terms and Conditions

Valid Until	**Mar 31, 2023**	Pricing set forth herein is valid only if ClearGov Service Order is executed on or before this date.
Payment	**Net 30**	All invoices are due Net 30 days from the date of invoice.
Initial Period Rate Increase	3% per annum	During the Initial Service Period, the Annual Subscription Service Fee shall automatically increase by this amount.
Rate Increase	6% per annum	After the Initial Service Period, the Annual Subscription Service Fee shall automatically increase by this amount.

General Terms & Conditions	
Cancellation Option	This ClearGov Service Order is subject to the approval of the Riverbank City Council (the "Board") as set forth herein. In the event that the Board does not approve this Service Order at its March 28, 2023 meeting, Customer shall have the option to terminate this Service Order immediately by providing written notice. In the event that Customer exercises this option, Customer shall have no payment obligation under this Service Order.
Appropriations	Customer shall have the option to terminate this ClearGov Service Order in advance of any annual renewal in the event that the applicable appropriating body does not appropriate funds for such upcoming renewal period.
Customer Satisfaction Guarantee	During the first thirty (30) days of the Service, Customer shall have the option to terminate the Service, by providing written notice. In the event that Customer exercises this customer satisfaction guarantee option, such termination shall become effective immediately and Customer shall be eligible for a full refund of the applicable Service Fees.
Statement of Work	ClearGov and Customer mutually agree to the ClearGov Service activation and onboarding process set forth in the attached Statement of Work.
Taxes	The Service Fees and Billing amounts set forth above in this ClearGov Service Order **DO NOT** include applicable taxes. In accordance with the laws of the applicable state, in the event that sales, use or other taxes apply to this transaction, ClearGov shall include such taxes on applicable invoices and Customer is solely responsible for such taxes, unless documentation is provided to ClearGov demonstrating Customer's exemption from such taxes.
Term & Termination	Subject to the termination rights and obligations set forth in the ClearGov Service Agreement, this ClearGov Service Order commences upon the Order Date set forth herein and shall continue until the completion of the Service Period (s) for the Service(s) set forth herein. Each Service shall commence upon the Start Date set forth herein and shall continue until the completion of the applicable Service Period. To be clear, Customer shall have the option to Terminate this Service Order on an annual basis by providing notice at least sixty (60) days prior to the end of the then current Annual Term.
Auto-Renewal	After the Initial Period, the Service Period for any ClearGov Annual Subscription Services shall automatically renew for successive annual periods (each an ***"Annual Term"***), unless either Party provides written notice of its desire not to renew at least sixty (60) days prior to the end of the then current Annual Term.
Agreement	This ClearGov Service Order shall become binding upon execution by both Parties. The signature herein affirms your commitment to pay for the Service(s) ordered in accordance with the terms set forth in this ClearGov Service Order and also acknowledges that you have read and agree to the terms and conditions set forth in the ClearGov BCM Service Agreement found at the following URL: http://www.ClearGov.com/terms-and-conditions. This Service Order incorporates by reference the terms of such ClearGov BCM Service Agreement.

Customer	
Signature	Tammy Alcantor
Name	Tammy Alcantor
Title	Assistant City Manager

ClearGov, Inc.	
Signature	Bryan A. Burdick
Name	Bryan A. Burdick
Title	President

Please e-mail signed Service Order to Orders@ClearGov.com or Fax to (774) 759-3045

Customer Upgrades (ClearGov internal use only)			
This Service Order is a Customer Upgrade	No	**If Yes: Original Service Order Date**	

Statement of Work

This Statement of Work outlines the roles and responsibilities by both ClearGov and Customer required for the activation and onboarding of the ClearGov Service. ClearGov will begin this onboarding process upon execution of this Service Order. All onboarding services and communications will be provided through remote methods - email, phone, and web conferencing.

ClearGov Responsibilities
- ClearGov will activate ClearGov Service subscription(s) as of the applicable Start Date(s). ClearGov will create the initial Admin User account, and the Customer Admin User will be responsible for creating additional User accounts. - ClearGov will assign an Implementation Manager (IM) responsible for managing the activation and onboarding process. ClearGov IM will coordinate with other ClearGov resources, as necessary. - ClearGov IM will provide a Kickoff Call scheduling link to the Customer’s Primary Contact. Customer should schedule Kickoff Call within two weeks after the Service Order has been executed. - ClearGov IM will provide a Data Discovery Call scheduling link to the Customer’s Primary Contact. Customer should schedule Data Discovery Call based on the availability of Customer’s staff. - ClearGov will provide Customer with financial data requirements and instructions, based on the ClearGov Service subscription(s). - ClearGov will review financial data files and confirm that data is complete, or request additional information, if necessary. Once complete financial data files have been received, ClearGov will format the data, upload it to the ClearGov platform and complete an initial mapping of the data. - After initial mapping, ClearGov will schedule a Data Review call with a ClearGov Data Onboarding Consultant (DOC), who will present how the data was mapped, ask for feedback, and address open questions. Depending upon Customer feedback and the complexity of data mapping requests, there may be additional follow-up calls or emails required to complete the data onboarding process. - ClearGov will inform Customer of all training, learning, and support options. ClearGov recommends all Users attend ClearGov Academy training sessions and/or read Support Center articles before using the ClearGov Service to ensure a quick ramp and success. As needed, ClearGov will design and deliver customized remote training and configuration workshops for Admins and one for End Users - via video conference - and these sessions will be recorded for future reference. - ClearGov will make commercially reasonable efforts to complete the onboarding process in a timely fashion, provided Customer submits financial data files and responds to review and approval requests by ClearGov in a similarly timely fashion. Any delay by Customer in meeting these deliverable requirements may result in a delayed data onboarding process. Any such delay shall not affect or change the Service Period(s) as set forth in the applicable Service Order.

Customer Responsibilities
- Customer's Primary Contact will coordinate the necessary personnel to attend the Kickoff and Data Discovery Calls within two weeks after the Service Order has been executed. If Customer needs to change the date/time of either of these calls, the Primary Contact will notify the ClearGov IM at least one business day in advance. - Customer will provide a complete set of requested financial data files (revenue, expense, chart of accounts, etc.) to ClearGov in accordance with the requirements provided by ClearGov. - Customer's Primary Contact will coordinate the necessary personnel to attend the Data Discovery and Data Review calls. It is recommended that all stakeholders with input on how data should be mapped should attend. Based on these calls and any subsequent internal review, Customer shall provide a detailed list of data mapping requirements and requested changes to data mapping drafts in a timely manner, and Customer will approve the final data mapping, once completed to Customer’s satisfaction. - Customer will complete recommended on-demand training modules in advance of customized training & configuration workshops. - Customer shall be solely responsible for importing and/or inputting applicable text narrative, custom graphics, performance metrics, capital requests, personnel data, and other such information for capital budget, personnel budget, budget books, projects, dashboards, etc.

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.5

SECTION 9: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject:	**Resolution Authorizing the Addition of the Senior Planner Job Classification and Salary Range; and Amending the City of Riverbank Compensation Plan**
From:	**Marisela H. Garcia, City Manager**
Submitted by:	**Cheryl Stefani, Human Resources Analyst**

RECOMMENDATION

It is recommended the City Council consider adopting a Resolution to authorize the Senior Planner Classification and Salary Range; and consider amending the City of Riverbank Compensation Plan for the addition of the classification and salary range.

SUMMARY

With continued development and growth in the City of Riverbank, the workload of the Planning and Building Department is near exceeding the amount of personnel available to address it. The new Senior Planner classification in the Mid-Management bargaining group is a strategic effort to: 1) provide succession planning in the Planning and Building Department in Development Services; 2) remain competitive in the recruitment of qualified planning personnel and 3) provide responsible staff assistance to the Planning and Building Manager.

BACKGROUND

In April 2022, the City ran an employment recruitment for an open Assistant-Associate Planner position in the Planning and Building Department, Development Services Department. After a 4-week open recruitment period, a total of five applications were received. Three applicants met the minimum qualifications for the position while one of the applicants possessed a strong background with extensive experience. However, after further review of the compensation range for the position, that applicant decided to withdraw their application to seek a higher salary.

Due to the demands of the department, coupled with the lack of time available to train a new employee with less experience, the recruitment was cancelled with no interviews held, and it was determined the work in the Planning and Building Department would be temporarily contracted out. It was also realized that other municipalities and private agencies in the Planning field were experiencing a deficit of interested applicants for planning positions.

In order to remain competitive against other agencies in the recruiting of experienced planning personnel, the City of Riverbank has created the new position of Senior Planner. This classification is between the Associate Planner position and the Planning and Building Manager position. The Senior Planner will be a mid-management exempt position responsible for exercising limited responsibility for planning, organizing, and directing the work activities of the City's Planning and Building Department.

STRATEGIC PLAN

The approval of the Senior Planner job classification coincides with the City Council's Strategic Plan Goal to: 1) Attract, Develop, and Retain Quality Staff.

FINANCIAL IMPACT

The proposed compensation salary range for the Senior Planner is Range 141 as follows:

Senior Planner					
Salary Range	Step A	Step B	Step C	Step D	Step E
141 - Monthly	$6,571.97	$6,900.57	$7,245.60	$7,607.88	$7,988.27

ATTACHMENTS

1. Resolution 2023-
2. Senior Planner Job Description

CITY OF RIVERBANK

RESOLUTION 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA AUTHORIZING THE ADDITION OF THE SENIOR PLANNER JOB CLASSIFICATION AND SALARY RANGE; AND AMENDING THE CITY OF RIVERBANK COMPENSATION PLAN

THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:

WHEREAS, due to the continued development and growth in the City of Riverbank, the workload of the Planning and Building Department is near exceeding the amount of personnel available to complete it; and

WHEREAS, the new Senior Planner classification in the Mid-Management bargaining group is a strategic effort to: 1) provide succession planning in the Planning and Building Department in Development Services; 2) remain competitive in the recruitment of qualified planning personnel and 3) provide responsible staff assistance to the Planning and Building Manager**;** and

WHEREAS, in order to remain competitive against other agencies in the recruiting of experienced planning personnel, the City of Riverbank has created the new position of Senior Planner**;** and

WHEREAS, the proposed compensation salary range for the Senior Planner is Range 141 as follows:

Senior Planner					
Salary Range	Step A	Step B	Step C	Step D	Step E
141 - Monthly	$6,571.97	$6,900.57	$7,245.60	$7,607.88	$7,988.27

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank does hereby authorize the addition of the Senior Planner job classification and salary range to the City's compensation plan.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of March, 2023; motioned by Councilmember __________, seconded by Councilmember __________, and upon roll call was carried by the following City Council vote of ______:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:	**APPROVED:**
______________________________	______________________________
Gabriela Hernandez **City Clerk**	**Richard D. O'Brien** **Mayor**

CITY OF RIVERBANK

SENIOR PLANNER

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

DEFINITION:

To organize, assign, and review the work of assigned personnel engaged in professional planning; to perform advanced level professional work pertinent to current and/or advance planning; and to provide responsible staff assistance to the Planning and Building Manager.

DISTINGUISHING CHARACTERISTICS:

The **Senior Planner** is the mid-management level position that exercises limited responsibility for planning, organizing, and directing the work activities of the City's Planning and Building Division. This classification is distinguished from the next higher classification of Planning and Building Manager in that the latter has limited management responsibility for the City's Community Development Department.

SUPERVISION RECEIVED/EXERCISED:

Receives direction from the Planning and Building Manager. May exercise direct supervision over assigned technical and administrative support staff.

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

- Plan, prioritize, and review the work of staff assigned to a variety of technical and professional planning duties.

- Develop schedules and methods to accomplish assignments, ensuring that work is completed in a timely and efficient manner.

- Participate in evaluating the activities of staff, recommending improvements and modifications.

- Provide and coordinate staff training; work with employees to correct deficiencies.

- Develop and present recommendations on various development proposals and applications; prepare appropriate planning, statistical, financial, and narrative reports. Prepare state-required yearly reports on topics such as MWELO and the General Plan and Housing Element.

- May act as project manager or program leader for general plan amendments, CEQA documents, specific plans, and other special planning studies involving utilization of planning disciplines such as transportation, urban design, capital facilities, environmental analysis, growth management, zoning, and land use regulation.

- Research, review, and analyze economic, social, and physical data affecting land use and community development. Maintain vacant land inventory.

- Confer with engineers, developers, architects, a variety of agencies, and the general public in acquiring information and coordinating planning and zoning matters; provide information regarding City development requirements.

- Interpret and apply environmental quality laws and regulations to ensure that development proposals, City projects, and municipal code amendments comply with federal and state laws.

- Prepare general plan amendments; make recommendations concerning long-range planning projects, including annexations, specific plans, specific plan amendments, development plans, or complex subdivision projects.

- Perform extensive research regarding implementation of policies established by the general plan, zoning ordinance, or other land use and development ordinances.

- Provide staff support to a variety of boards and commissions; attend and participate in professional groups and committees such as a downtown business group or an economic development group.

- Provide information to the public regarding zoning, land use, and the general plan; monitor the plan check activities of Department staff; participate in public meetings and make presentations, as necessary.

- Provide direction, assistance, and/or supervision to assigned planning staff; participate in the selection of staff.

- Assist in preparing request for proposals; coordinate consultant selection and contract preparation/administration activities. Assist in grant writing opportunities.

- May assist in preparing the departmental budget; participate in the forecast of additional funds needed for staffing, equipment, materials, and supplies; monitor and track project fees, deposits, and refunds.

- Build and maintain positive working relationships with co-workers, other City employees, and the public using principles of good customer service.

- Observe and maintain a safe working environment in compliance with established safety programs and procedures.

- Perform related duties as assigned.

PHYSICAL, MENTAL, AND ENVIRONMENTAL WORKING CONDITIONS:

Mobility: frequent use of keyboard; frequent sitting for long periods of time; occasional bending or squatting. **Lifting**: frequently up to 10 pounds; occasionally up to 25 pounds. **Vision**: constant use of overall vision; frequent reading and close-up work; occasional color and depth vision. **Dexterity**: frequent repetitive motion; frequent writing; frequent grasping, holding, and reaching. **Hearing/Talking**:

frequent hearing and talking, in person and on the phone. **Emotional/Psychological**: frequent decision-making and
concentration; frequent public and/or coworker contact; occasional working alone. **Environmental**: frequent exposure to noise.
Work is performed in a typical temperature-controlled office environment subject to typical office noise and environment. Some positions may be assigned to remote locations. Occasional holiday/weekend work or travel is rare and normally limited to conferences and trainings.

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

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

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for a **Senior Planner**. A typical way of obtaining the required qualifications is to possess two years of experience comparable to that of an Associate Planner with the City of Riverbank to include:

The equivalent of a bachelor's degree from an accredited college or university with major course work in urban or regional planning, geography, or a related field; one year of professional planning experience; and supervisory experience.

License/Certificate:

Possession of, or the ability to obtain, a valid California driver's license.

Possession of Certification from the American Institute of Certified Planners (AICP) is desirable.

KNOWLEDGE/ABILITIES/SKILLS: *(The following are a representative sample of the KAS's necessary to perform essential duties of the position. The level and scope of the knowledge and abilities listed below vary between the Assistant and Associate levels.)*

Knowledge of:

Principles and practices of technical and functional supervision and training. Advanced principles and practices of urban planning and development. Advanced methods and techniques of technical report preparation and presentation. Advanced research methods and sources of information related to urban growth and development. Recent developments, current literature, and sources of information related to municipal planning and administration. Pertinent federal, state, and local laws, codes, and regulations, including the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), State Planning and Zoning Law, State Subdivision Map Act, and Cortese-Knox-Hertzberg Local Government Reorganization Act. Office procedures, methods, and equipment including computers and applicable software applications such as word processing, spreadsheets, and databases. Update the Planning web page.

Ability to:

Provide technical and functional supervision over assigned staff; effectively train staff. Perform complex duties related to current and/or advance planning. Intermittently analyze work papers, reports, and special projects; identify and interpret technical and numerical information. Observe and problem solve operational and technical policy and procedure issues. Analyze complex site design, terrain constraints, circulation, land use compatibility, utilities, and other urban services. Ensure project compliance with federal, state and local laws, codes, rules, and regulations. Interpret, explain, and apply City and department policies, procedures, rules, and regulations. Collect, analyze, interpret, and apply data to various planning projects. Coordinate, organize, and conduct research studies such as parking surveys and illegal sign surveys; prepare concise technical reports; prepare maps, charts, and other graphic material for effective presentations; present items to the Planning Commission and City Council. Prepare and analyze complex technical and administrative reports, statements, and correspondence. Establish and maintain effective working relationships with those contacted in the course of work. Communicate clearly and concisely, both orally and in writing.

Skill to:

Operate office equipment including computers and supporting word processing, spreadsheet, and database applications.

RIVERBANK CITY COUNCIL/ LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.6

SECTION 9: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject:	**Resolution to Approve and Adopt the 2023 City of Riverbank Measure L Expenditure Plan Project List**
From:	**Marisela H. Garcia, City Manager**
Submitted By:	**Kathleen Cleek, Development Services Administration Manager**

RECOMMENDATION

It is recommended that the City Council consider adopting the proposed 2023 City of Riverbank Measure L Expenditure Plan Project List for local streets and roads, traffic management, and bike and pedestrian improvement projects.

SUMMARY

On November 8, 2016 the Stanislaus County voters approved a ½ cent sales tax measure to fund local and regional transportation projects and programs. The tax is expected to generate approximately $39 million dollars a year over a 25-year period for Stanislaus County.

The City of Riverbank entered into a Master Funding Agreement with the Stanislaus Council of Governments (StanCOG) and within that agreement the City agrees to provide StanCOG with a detailed project list for local streets and roads, traffic management and bicycle/pedestrian projects that are scheduled to be constructed with Measure L Funding. The projects identified on the Expenditure Plan Project List detail a comprehensive list of infrastructure improvements that the City has identified as priority projects. The last update to the list was approved by the City Council at the April 12, 2022 meeting. At that meeting it was stated that the project list would be reviewed annually and any changes or adjustments to the List would be brought before the City Council for approval. Also, all improvements or projects on this List will require City Council review and approval prior to construction.

LOCAL STREETS AND ROADS

Recognizing that streets are the backbone of our transportation system, the Plan provides funds to local cities and Stanislaus County, distributed primarily based on 2015 population to support local roads. These funds are used exclusively for repair and maintenance – no new road construction will be funded. These funds must be used to augment current transportation spending and cannot be used to replace a local agency's general fund expenditures.

The City currently has approximately $1,937,980 in Measure L funding and an additional $1.2 Million expected through the end of the year for a total of $3,137,980.

Projects slated for this year utilizing these funds:

Overlay Project – Patterson Road – Claus to Eighth Street & First Street – Santa Fe Bridge to Atchison	$ 839,566
Roselle Avenue Sidewalk – Match Monies	$ 100,000
Signal at Patterson & Roselle – Revise Plans per BNSF	$ 60,000
Pavement Restoration 2023 – Construction	$ 740,000
Signal at Patterson & Snedigar – PE	$ 60,000
Claribel Road Overlay – PE	$ 30,000
Claribel Road Overlay – Construction	$ 470,000
Riverside Drive between 3rd Street & 4th Street - PE	$ 35,000
Oakdale Road Overlay – Patterson Road to Silver Rock	$ 550,000
Howard Avenue Widening & Overlay – Patterson Road to Ward Ave.	$ 45,000
TOTAL:	**$2,929,566**

This will leave a reserve of approximately $208,414.

TRAFFIC MANAGEMENT

Traffic management projects can include upgrades to local intersections, road widening, signalization, bridge replacements and/or traffic calming methods.

The City currently has approximately $702,631 in Measure L funding and an additional $192,000 expected through the end of the year for a total of $894,631. The project slated for this year utilizing these funds are as follows:

Callendar Avenue Pedestrian Project (Phase I)	$ 430,217
Roselle & S. Rosebrook Intersection Improvements - PE	$ 35,000
Roselle & S. Rosebrook Intersection Improvements – Construction	$ 350,000
TOTAL:	**$ 815,217**

This will leave a reserve of approximately $79,414

BIKE AND PEDESTRIAN IMPROVEMENTS

Bike and pedestrian improvements can include connectivity between communities, local schools, trails and recreation facilities.

The City currently has approximately $184,663 in Measure L funding and an additional $90,000 expected through the end of the year for a total of $274,663. The projects slated for this year utilizing these funds are as follows:

Claus Road Sidewalk Project	$ 180,587
Patterson Road Sidewalks between Hwy 108 & Roselle Avenue – PE	$ 42,500
Squire Wells & Homewood – Street Light	$ 15,000
Roselle Avenue Sidewalk (Westgate to Rosebrook over MID Canal)	$ 35,000
TOTAL:	**$ 273,087**

This will leave a reserve of approximately $1,576.

FISCAL IMPACT THROUGH THE END OF 2023:

Measure L – Streets & Roads:	$2,929,566
Measure L – Traffic Management	$ 815,217
Measure L – Bike & Pedestrian	$ 273,087

ATTACHMENTS

1. Resolution 2023
2. 2023 City of Riverbank Expenditure Plan Project List

CITY OF RIVERBANK

RESOLUTION 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK APPROVING AND ADOPTING THE 2023 CITY OF RIVERBANK MEASURE L EXPENDITURE PLAN PROJECT LIST

THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:

WHEREAS, The Riverbank City Council has reviewed the 2023 City of Riverbank Measure L Expenditure Plan Project List presented by staff; and

WHEREAS, the ½ cent sales tax measure approved by the voters to fund local and regional transportation projects and programs is expected to generate approximately $1,200,000 for the City of Riverbank's local streets and roads; and

WHEREAS, the ½ cent sales tax measure approved by the voters to fund local and regional transportation projects and programs is expected to generate approximately $192,000 for the City of Riverbank's traffic management projects; and

WHEREAS, the ½ cent sales tax measure approved by the voters to fund local and regional transportation projects and programs is expected to generate approximately $90,000 for the City of Riverbank's bicycle/pedestrian projects; and

WHEREAS, each project on the 2023 City of Riverbank Measure L Expenditure Plan Project List attached, will require City Council review and approval prior to construction; and

WHEREAS, each year a comprehensive review of the proposed Measure L Project List will be conducted, and any changes presented to Council.

NOW, THEREFORE, BE IT RESOLVBED that the City Council of the City of Riverbank hereby approves the City of Riverbank's 2023 City of Riverbank Measure L Expenditure Plan Project List.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of March, 2023; motioned by Councilmember , seconded by Councilmember , and upon roll call was carried by the following City Council vote of :

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:	**APPROVED:**
______________________________	______________________________
Gabriela Hernandez **City Clerk**	**Richard D. O'Brien** **Mayor**

Attachment: Exhibit A – 2023 City of Riverbank Measure L Expenditure Plan Project List

ATTACHMENT 2

2023 City of Riverbank Measure L Expenditure Plan Project List

Type	Projects	Description	Shared Cost	Measure L Funds	Planned Start	Planned Completion
Local Streets and Roads (50%)						
Overlay (PE & Construction)	Patterson Road Overlay & First Street Overlay	Patterson Road Overlay (Eighth to Claus) First Street Overlay (Atchison to bridge)	Full Design & Construction Cost	$839,566	FY 2021	FY 2023
Sidewalk Project	Roselle Avenue Sidewalks	Roselle Avenue Sidewalks	Match Monies	$100,000	FY 2021	FY 2023
Signal Project	Signal At Patterson & Roselle	Revised Plans Per BNSF	Design Costs	$60,000	FY 2022	FY 2023
Pavement Restoration 2023 (CON)	Micro Slurry Seal Various Streets	Micro Slurry Seal Various Streets	Full Design Cost	$740,000	FY 2023	FY 2023
Signal Project	Signal at Patterson & Snedigar	Signal design	Full Design Cost	$60,000	FY 2023	FY 2023
Overlay (PE)	Claribel Road Overlay - PE	Claribel Road Overlay Roselle to Squire Wells	Full Design Cost	$30,000	FY 2023	FY 2023
Overlay (CON)	Claribel Road Overlay - CON	Claribel Road Overlay Roselle to Squire Wells	Constructon Cost	$470,000	FY 2023	FY 2023
Overlay (PE)	Riverside Drive Overlay - PE	Riverside Drive Overlay 3rd to 4th St. - PE	Full Design Cost	$35,000	FY 2023	FY 2023
Overlay (PE)	Oakdale Road Overlay - PE	Oakdale Road Overlay - Patterson to Silver Rock - PE	Full Design Cost	$50,000	FY 2023	FY 2023
Overlay (CON)	Oakdale Road Overlay - CON	Oakdale Road Overlay - Patterson to Silver Rock - CON	Constructon Cost	$500,000	FY 2023	FY 2024
Overlay & Widening (PE)	Howard Avenue Widening & Overlay - PE	Howard Avenue Widening & Overlay - Patterson Road to Ward Ave. - PE	Full Design Cost	$45,000	FY 2023	FY 2023
Traffic Management (10%)						
Pedestrian & Road Improvements (Matching Funds)	Callander Avenue Pedestrian Project (Phase I)	Improvements - Calendar Avenue between Topeka & Santa Fe Streets	Shared Cost	$430,217	FY 2021	FY 2024
Intersection Improvements	Roselle & S. Rosebrook Intersection Improvements - PE	Roselle & S. Rosebrook Intersection Improvements - PE	Full Design Cost	$35,000	FY 2023	FY 2023
Intersection Improvements	Roselle & S. Rosebrook Intersection Improvements - CON	Roselle & S. Rosebrook Intersection Improvements - CON	Constructon Cost	$350,000	FY 2023	FY 2023
Bike/Ped (5%)						
Pedestrian Sidewalk Project	Claus Road Sidewalk Project	Claus Road (RR Tracks to Sierra Street)	Full Design & Construction Cost	$180,587	FY 2022	FY 2023
Pedestrian Sidewalk Project	Patterson Road Sidewalk Project	Patterson Road Sidewalks - Hwy 108 to Roselle Avenue - PE	Full Design Cost	$42,500	FY 2022	FY 2023
Street Lighting	Squire Wells & Homewood	Squire Wells & Homewood Street Light		$15,000	FY 2023	FY 2023
Pedestrian Sidewalk Project	Roselle Avenue Sidewalk Project	Roselle Avenue Sidewalks - Westgate to Rosebrook over MID Canal	Full Design Cost	$35,000	FY 2023	FY 2023

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.7

SECTION 9: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject:	**Resolution Adopting a List of Projects for Fiscal Year 2023-2024 Funded by SB 1: The Road Repair and Accountability Act of 2017**
From:	**Marisela H. Garcia, City Manager**
Submitted by:	**Kathleen Cleek, Development Services Administration Manager**

RECOMMENDATION

It is recommended that the City Council approve a Resolution adopting a list of projects for fiscal Year 2023-2024 funded by SB 1: The Road Repair and Accountability Act of 2017.

SUMMARY

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

The City is projected to receive $550,000 in RMRA funding for Fiscal Year 2023-2024 from SB 1. The City’s approximate balance at the end of Fiscal Year 2022-2023 will be $824,389 of which $520,694 is set aside for the Topeka Street Overlay Project (Callander – Jackson Avenue) and $157,180 for the Valley Gutter/ADA Improvements at Stanislaus and Seventh Street. The total amount the City will have available for projects is $1,374,389.

For Fiscal Year 2023-2024 we are purchasing some equipment that will allow Public Works City staff to crack seal and maintain our own roads instead of going out to bid and hiring a contractor. This will allow us to better utilize our funds and assist with our maintenance of effort requirements.

The projects and equipment the City has scheduled for this year are as follows:

Topeka Street Overlay – Callander to Jackson	FY 2022-23	$ 520,694
Valley Gutter/ADA Improvements – Stanislaus & Seventh	FY 2022-23	$ 157,180
Crack Seal Machine - FY 2023-2024		$ 100,000
Bobcat Attachments for Planer, Drum & Sweeper Bucket	FY 2023-24	$ 30,000
Road & Storm Improvements – Palmer & Patterson and Sierra	FY 2023-24	$ 300,000
Road & Storm Improvements – Patterson @ Ross Alley	FY 2023-24	$ 160,000
Total		**$1,267,874**

FINANCIAL IMPACT

SB-1 Streets & Roads funded projects totaling approximately $1,267,874.

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

STRATEGIC PLAN

Recommendation for approval of the Fiscal Year 2023-2024 list of roads to be maintained is in line with the 2020-2025 Riverbank Strategic Plan goal to Improve Public Safety by maintaining safe and well-lit streets and roads.

RECOMMENDATION

It is recommended that the City Council approve a Resolution accepting the Fiscal Year 2023-2024 list of projects to be funded with Senate Bill (SB) 1 “The Road Repair and Accounting Act of 2017”.

ATTACHMENT

1. Resolution 2023-
2. Exhibit “A” – SB-1 Project List FY 2023/2024 Funding

CITY OF RIVERBANK

RESOLUTION 2023-

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIVERBANK, CALIFORNIA
ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2023-24 FUNDED BY SB 1:
THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:

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

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

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

WHEREAS, the City of Riverbank, will receive an estimated $550,000 in RMRA funding in Fiscal Year 2023-2024 from SB 1; and

WHEREAS, this is the 5th year in which the City of Riverbank is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

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

WHEREAS, the funding from SB 1 will help the City rehabilitate two roads and improve a valley gutter and ADA corners at an intersection this year and continue to crack seal and slurry seal roads into the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in good condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into excellent condition; and

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

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND that the City Council of the City of Riverbank, State of California, hereby orders and declares as follows:

1. The foregoing recitals are true and correct.

2. The following list of newly proposed projects will be funded in-part or solely with Fiscal Year 2023-2024 Road Maintenance and Rehabilitation Account revenues:

   Crack Seal Machine – FY 2023-2024 Funds $100,000, Start FY 2023, Complete FY 2023, Estimated Useful Life Minimum 7 Years, Estimated Useful Life Maximum 10 Years.

   Bobcat Attachments for Planer, Drum & Sweeper Bucket – FY 2023-2024 Funds $30,000, Start FY 2023, Complete FY 2023, Estimated Useful Life Minimum 7 Years, Estimated Useful Life Maximum 10 Years.

   Road & Storm Improvements – Palmer & Patterson and Palmer & Sierra – FY 2023-2024 Funds $300,000, Start FY 2023, Complete FY 2024, Estimated Useful Life Minimum 15 Years, Estimated Useful Life Maximum 20 Years.

Road & Storm Improvements – Patterson & Ross Alley – FY 2023-2024 Funds $160,000, Start FY 2023, Complete FY 2024, Estimated Useful Life Minimum 15 Years, Estimated Useful Life Maximum 20 Years.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of March 2023; motioned by Councilmember District________, seconded by Councilmember District ________, and upon roll call was carried by the following City Council vote of _____.

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:	**APPROVED:**
___________________________	____________________________
Gabriela Hernandez	**Richard D. O'Brien**
City Clerk	**Mayor**

Attachment: Exhibit A – City of Riverbank SB-1 Project List FY 2023/2024 Funding

ATTACHMENT 2

Exhibit "A" City of Riverbank SB-1 Project List FY 2023/2024 Funding

Type	Projects	Description	Budget	Started	Completed	Estimated Useful Life Minimum	Estimated Useful Life Maximum
Local Streets and Roads							
Overlay	Topeka Street Overlay (Callander to Jackson)	Overlay/Sidewalk/ADA Improvements	$157,180	FY2022	FY2023	15 Years	20 Years
Valley Gutter/ADA Improvements	Stanislaus Street @ Seventh Street	Valley Gutter/ADA Improvements	$96,820	FY2022	FY2022	15 Years	20 Years
Equipment	Equipment for Road Repairs & Maintenance	Crack Seal Machine	$100,000	FY2023	FY2023	7 Years	10 Years
Equipment	Equipment for Road Repairs & Maintenance	Bobcat Attachments for Planer, Drum & Sweeper Bucket	$30,000	FY2023	FY2023	7 Years	10 Years
Road & Storm Improvements	Improvements at Intersections of Palmer Road & Patterson and Palmer Road & Sierra	Improvements to Road and Storm Drain Systems	$300,000	FY2023	FY2024	15 years	20 Years
Road & Storm Improvements	Improvements at Intersection of Patterson Road & Ross Alley	Improvements to Road and Storm Drain System	$160,000	FY2023	FY2024	15 Years	20 Years

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.8

SECTION 9: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject/ Title:	**Resolution of the City Council of the City of Riverbank Declaring Its Intention to Annex Territory to a Community Facilities District and to Authorize the Levy of Special Taxes Therein, the City of Riverbank Community Facilities District No. 2016-1 (Public Services) Annexation No. 2**
From:	**Marisela H. Garcia, City Manager**
Submitted by:	**Kathleen Cleek, Development Services Administration Manager**

RECOMMENDATION:

It is recommended that the City Council adopt a Resolution declaring its intention to annex territory to a City of Riverbank Community Facilities District 2016-1 (Public Services) and to authorize the levy of a special tax therein to finance certain City services.

STRATEGIC GOAL:

The attached resolution will begin the proceedings for the annexation into Community Facilities District 2016-1 (Public Services) ("CFD 2016-1"). The conditions of approval for this project require it to annex into CFD 2016-1, which was established as an annexable district to provide financing for police services, street maintenance, parks, storm drainage, and landscaping.

SUMMARY:

By Resolution No. 2016-028, the City Council established CFD 2016-1, a Mello-Roos Community Facilities District with the intention that future development within the City of Riverbank (the "City") would annex into this district. The special taxes collected from the property owners within the district are to be used for the funding of police services, landscape maintenance, park maintenance, drainage maintenance, and street maintenance.

The parcels proposed for annexation are generally located west of Central Avenue, east of Claus Road, and north of Patterson Road as well as generally located west of Central Avenue, east of Claus Road, and north of Kentucky Avenue. The boundary of the annexation includes the area within assessor's parcel numbers 062-020-033-000, 062-020-034-000, 062-022-026-000, and 062-022-027-000 as depicted on **Exhibit A**. Development of these properties change the characteristics of undeveloped land. Once developed, this project will have intensified the use of the property, creating a need for more services under this CFD.

As part of the annexation process, the City contracts with Willdan Financial Services for the preparation of the necessary resolutions and balloting procedures for the annexation.

The Resolution of Intention is the first step in the process of annexing new developments into CFD 2016-1. This will be the 2nd annexation into the district. The resolution also establishes May 9, 2023 as the public hearing date for the final consideration of the annexation of the property into CFD 2016-1. Once the annexation is complete, the property owners of the annexed parcels will be required to pay annual special taxes for CFD 2016-1, beginning in Fiscal Year 2023/2024 as itemized on their property tax bill in accordance with the rate set forth in the Rate and Method of Apportionment of Special Tax.

The CFD 2016-1 Rate and Method of Apportionment was established as part of the formation of the district and fixed Fiscal Year 2016-2017 as the base year for the annual special tax rate as shown in Exhibit B. Since the formation, assessments have increased based on a cost inflator allowed in the original formation documents. The current special tax rate for the district is as shown in Exhibit C.

FISCAL IMPACT:

All costs associated with the annexation shall be paid by the party or parties requesting to be annexed into CFD 2016-1.

ATTACHMENTS:

1) Resolution 2023-
2) Exhibit A - City of Riverbank Community Facilities District No. 2016-1 (Public Services) Boundary Map – Annexation No. 2
3) Exhibit B - City of Riverbank Community Facilities District No. 2016-1 (Public Services) Rate and Method of Apportionment
4) Exhibit C - City of Riverbank Community Facilities District No. 2016-1 (Public Services) FY 23-24 Maximum Special Tax Rates

CITY OF RIVERBANK

RESOLUTION 2023 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK DECLARING ITS INTENTION TO ANNEX TERRITORY TO A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN, THE CITY OF RIVERBANK COMMUNITY FACILITIES DISTRICT NO. 2016-1 (PUBLIC SERVICES) ANNEXATION NO. 2

THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:

WHEREAS, the CITY COUNCIL of the CITY OF RIVERBANK, CALIFORNIA (the "City Council") has conducted proceedings to establish Community Facilities District No. 2016-1 (Public Safety Services) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code; and

WHEREAS, under the Act, the City Council, as the legislative body for the CFD, is empowered with the authority to annex territory to the CFD, and now desires to undertake proceedings to annex territory to the CFD.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIVERBANK, HEREBY RESOLVES:

SECTION 1. The City Council hereby finds and determines that public convenience and necessity require that territory be added to the CFD.

SECTION 2. The name of the existing CFD is "Community Facilities District No. 2016-1 (Public Services)".

SECTION 3. The territory included in the existing CFD is as shown on the map thereof filed in Book 5 of Maps of Assessment and Community Facilities Districts at Page 45, as well as the map for Annexation No. 1 filed in Book 6 of Maps and Assessment and Community Facilities Districts at Page 30, in the office of the County Recorder for the County of Stanislaus, State of California, to which maps reference is hereby made.

The territory now proposed to be annexed to the CFD is as shown on the Annexation Map No. 2 to the CFD, on file with the City Clerk, a copy of which is attached hereto as Exhibit A and made a part hereof, the boundaries of which territory are hereby preliminarily approved. The City Clerk is hereby directed to cause the recordation of said Annexation Map No. 2 to the CFD, showing the territory to be annexed, in the Office of the County Recorder of the County of Stanislaus within fifteen days of the date of adoption of this resolution.

SECTION 4. The types of public services financed by the CFD and pursuant to the Act consist of those services (the "Services") described in Exhibit A to Resolution No. 2016-028 adopted by the Council on the 24th day of May, 2016, (the "Resolution of Formation"). It is presently intended that the Services will be shared, without preference or priority, by the existing territory in the CFD and the territory proposed to be annexed to the CFD. It has been determined that this project will intensify the use of the property, creating a need for more services under this CFD.

SECTION 5. Except to the extent that funds are otherwise available to the CFD to pay for the Services and/or the principal and interest as it becomes due on bonds of the CFD issued to finance the Services, a special tax sufficient to pay the costs thereof is intended to be levied annually within the CFD and collected in the same manner as ordinary ad valorem property taxes. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, as now in existence and following the annexation proposed herein, and in sufficient detail to allow each landowner within the territory proposed to be annexed to the CFD to estimate the maximum amount such owner will have to pay, is described in Exhibit B, which is hereby incorporated by this reference.

SECTION 6. Notice is given that on May 9, 2023, at 6:00 p.m., in the regular meeting place of this Council, being the City Council Chambers, located at 6707 3rd Street Suite B, Riverbank, California, the City Council, as legislative body for the CFD, will conduct a public hearing on the annexation of territory to the CFD and consider and finally determine whether the public interest, convenience and necessity require said annexation of territory to the CFD and the levy of said special tax therein.

SECTION 7. The City Clerk is hereby directed to cause notice of said public hearing to be given by publication one time in a newspaper of general circulation in the area of the CFD. The publication of said notice shall be completed at least seven days before the date herein set for said hearing. Said notice shall be substantially in the form specified in Section 53339.4 of the Act. The City Clerk shall also cause a copy of the Resolution of Annexation, or a notice thereof, to be mailed to each landowner (and to each registered voter, if any) within the territory proposed to be annexed, which resolution or notice shall be mailed at least fifteen days before the date of said hearing.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of March, 2023; motioned by _______________, seconded by ____________________, and upon roll call was carried by the following City Council vote of ____:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST: **APPROVED:**

____________________________ ______________________________

Gabriela Hernandez	**Richard D. O'Brien**
City Clerk	**Mayor**

Attachments*:*

***EXHIBIT A* – City of Riverbank Community Facilities District No. 2016-1 Boundary Map-Annexation No. 2**

***EXHIBIT B* - City of Riverbank- Community Facilities District No. 2016-1(Public Services) Rate and Method of Apportionment**

***EXHIBIT C*- Maximum Special Tax for Developed Property Community Facilities District No. 2016-1 Fiscal Year 2023-24**

EXHIBIT A

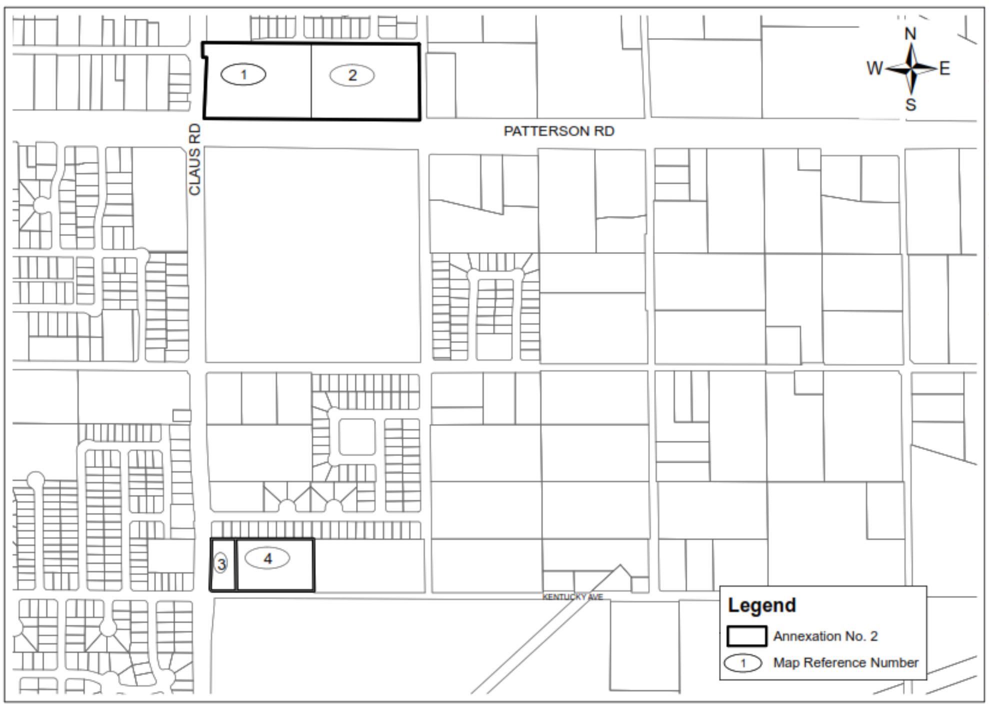
City of Riverbank Community Facilities District No. 2016-1 (Public Services)

Boundary Map-Annexation No. 2

SHEET 1 OF 1

PROPOSED ANNEXATION NO. 2 TO COMMUNITY FACILITIES DISTRICT NO. 2016-1 (PUBLIC SERVICES)
CITY OF RIVERBANK

COUNTY OF STANISLAUS
STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CITY CLERK THIS _____ DAY OF _____, 20___

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 2 TO COMMUNITY FACILITIES DISTRICT NO. 2016-1 (PUBLIC SERVICES) OF THE CITY OF RIVERBANK, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF RIVERBANK AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF______, 20____, BY ITS RESOLUTION NO. 20__-__.

____
CITY CLERK
CITY OF RIVERBANK

REFERENCE IS MADE TO THE BOUNDARY MAP OF THE DISTRICT RECORDED AT BOOK 5, PAGE 45, DOCUMENT NO. 2016-0029064-00 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA.

FILED THIS ___________ DAY OF _____________, 20__, AT THE HOUR OF _____________ O'CLOCK ___.M. IN BOOK ______ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE(S) ______, IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF STANISLAUS, STATE OF CALIFORNIA.

____
DONNA LINDER
COUNTY CLERK-RECORDER

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER	SHEET
1	062-020-033-000	1
2	062-020-034-000	1
3	062-022-026-000	1
4	062-022-027-000	1

WILLDAN

EXHIBIT B

City of Riverbank
Community Facilities District No. 2016-1
(Public Services)
Rate and Method of Apportionment

A Special Tax of City of Riverbank Community Facilities District No. 2016-1 (Public Services) ("CFD") shall be levied on all Assessor's Parcels within the CFD and collected each Fiscal Year commencing in Fiscal Year 2016-17 in an amount determined by the Special Tax Administrator through the application of the rate and method of apportionment of the Special Tax set forth below. All of the real property in the CFD, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

A. *DEFINITIONS*

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Community Facilities Act of 1982, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California, as amended.

"Administrative Expenses" means the following actual or reasonably estimated costs incurred by the City as administrator of the CFD, provided that such costs are directly related to administration of the CFD: costs to determine, levy and collect the Special Taxes, including an allocable share of the salaries and benefits of City employees, the fees of consultants, and legal counsel; the costs of collecting installments of the Special Taxes upon the general tax rolls, including any charges levied by County departments; and the preparation of required reports and any other costs required to administer the CFD in accordance with the Act, as determined by the City.

"Annual Escalation Factor" means the greater of (i) two percent (2%) or (ii) the annual percentage increase in the Consumer Price Index for All Urban Consumers for the San Francisco-Oakland-San Jose area as determined by the Bureau of Labor Statistics for the twelve months ending the previous December.

"Assessor's Parcel" means a parcel of land shown on an Assessor's Parcel Map with a parcel number assigned by the Assessor of the County that corresponds to a number shown on the County Assessor's roll.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel number.

“Attached Residential” means an Assessor’s Parcel within the CFD for which a Building Permit has been issued for purposes of constructing a residential structure or structures sharing common walls consisting of two or more Dwelling Units, including, but not limited to duplexes, triplexes, and apartment units, as of April 1st preceding the Fiscal Year in which the Special Tax is being levied.

“Base Year” means Fiscal Year ending June 30, 2017.

"Building Floor Area" means the sum of the gross horizontal areas of several floors of the building, excluding areas used for accessory garage purposes, and such basement and cellar areas as are devoted exclusively to uses accessory to the operations of the building. All horizontal dimensions shall be taken from the exterior faces of walls including walls or other enclosures or enclosed porches, as obtained from the applicable Building Permit.

“Building Permit” means a permit issued for new construction of a residential or non-residential structure. For purposes of this definition, “Building Permit” shall not include permits issued solely for grading, utility improvements, or other such improvements that are constructed and installed and are not intended for human occupancy.

“CFD” means City of Riverbank Community Facilities District No. 2016-1 (Public Services).

“City” means the City of Riverbank.

“City Clerk” means the City Clerk for the City or his or her designee.

“City Engineer” means the City Engineer for the City or his or her designee.

“Commercial Property” means an Assessor's Parcel of Developed Property for which a building permit(s) has been issued for purposes of constructing non-residential property for any non-residential use located in a commercial zoning district and all other property considered commercial, including hotels, motels, and private schools, as coded by the County’s assessor or as determined by the City, as of April 1st preceding the Fiscal Year in which the Special Tax is being levied.

“Council” means the City Council of the City, acting as the legislative body of the CFD.

“County” means the County of Stanislaus, California.

“Detached Residential” means an Assessors’ Parcel within the CFD for which a Building Permit has been issued for purposes of constructing a residential structure consisting of one single-family detached Dwelling Unit, including Mobile Homes, as of April 1st preceding the Fiscal Year in which the Special Tax is being levied.

"Developed Property" means an Assessor's Parcel within the CFD for which a Building Permit was issued on or prior to April 1st preceding the Fiscal Year in which the Special Tax is being levied, based on the number of Dwelling Units or the amount of Office, Commercial, or Industrial/Agricultural Building Floor Area in each Building Permit for that Assessor's Parcel.

"Drainage Maintenance" means the labor, material, testing, reporting, remediation, permitting, general administration, personnel, equipment and utilities necessary to maintain drainage improvements for the CFD, including drain inlets, filters, detention basin, storm drain pipeline, and associated appurtenant facilities located within, or associated with, the CFD.

"Drainage Maintenance Requirement" means, for any Fiscal Year in which Special Taxes are levied, the amount equal to the budgeted costs for Drainage Maintenance applicable to the CFD for such Fiscal Year.

"Dwelling Unit" means each separate residential unit that comprises an independent facility capable of conveyance or rental separate from adjacent residential units, in which a person or persons may live, which comprises an independent facility and is not considered to be for non-residential use only, and as defined in the City of Riverbank's Municipal Code.

"Exempt Property" means for each Fiscal Year, an Assessor's Parcel within the CFD not subject to the Special Tax. Exempt Property includes: (i) Public Property, (ii) Property Owner Association Property, (iii) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement such as railroad parcels, roads and landscape lots, (iv) Undeveloped Property and (v) property reasonably designated by the City or Special Tax Administrator as Exempt Property due to deed restrictions, conservation easement, or similar factors that may make development of such property impractical for human occupancy.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Industrial/Business Park/Agricultural Processing Property" means an Assessor's Parcel of Developed Property for which a building permit(s) has been issued for purposes of constructing non-residential property for any allowable use in an industrial or agricultural zoning district, which is not an office or financial institution, and all other property considered industrial or agricultural as coded by the County's assessor or as determined by the City, as of April 1st preceding the Fiscal Year in which the Special Tax is being levied.

“Landscaping Maintenance” means the labor, material, administration, personnel, equipment and utilities (i.e., water and power) necessary to maintain landscaping improvements within the CFD, including trees, turf, ground cover, shrubs, weed removal, irrigation systems, sidewalk, drainage facilities, lighting, signs, monuments, graffiti removal, walkways, and associated appurtenant facilities located within, or associated with, the CFD.

“Landscaping Maintenance Requirement” means, for any Fiscal Year in which Special Taxes are levied, the amount equal to the budgeted costs for Landscaping Maintenance applicable to the CFD for such Fiscal Year.

“Land Use Class” means any of the classes listed in Table 1 and defined herein.

“Maximum Special Tax” means the maximum Special Tax, determined in accordance with Section C below, that can be levied by the CFD in any Fiscal Year on any Assessor’s Parcel.

“Mixed-Use Property” means an Assessor’s Parcel of Developed Property containing or planned for containing a structure or structures that consists of one or more Dwelling Units, but also has dedicated space for Non-Residential use.

"Mobile Home" means a vehicle designed and equipped for human habitation as defined by the California Health & Safety Code § 18008.

“Non-Residential” means an Assessors’ Parcel of Taxable Property within the CFD for which a Building Permit has been issued for a non-residential use, including Office Property, Commercial Property, and Industrial/Business Park/Agricultural Processing Property.

“Office Property” means an Assessor's Parcel of Developed Property for which a building permit(s) has been issued for purposes of constructing non-residential property for any non-residential use located in an industrial, office, or commercial zoning district and all other property considered office property, including hospitals and convalescent homes, savings and loans property, medical and dental property, and other office buildings, as determined by the City, as of April 1st preceding the Fiscal Year in which the Special Tax is being levied.

“Park” means a public park, open space, trail, dog park dedicated to and/or managed by the City of Riverbank.

“Park Maintenance” means the estimated and reasonable costs of providing park maintenance, including but not limited to (i) the costs of contracting for park maintenance services, including trees, plant material, restrooms, irrigation systems, sidewalks, drainage facilities, weed control, lighting, and parking lot maintenance, (ii) the salaries and benefits of City staff, including maintenance staff, that directly provide park maintenance services, (iii) the expense related to equipment, apparatus, and supplies related to these services and authorized by the Act, (iv) utility costs such as water, sewer, lighting and power and (v) City overhead costs associated with providing such services within the CFD.

"Park Maintenance Requirement" means, for any Fiscal Year in which Special Taxes are levied, the amount equal to the budgeted costs for Park Maintenance applicable to the CFD for such Fiscal Year.

"Police Services" means the estimated and reasonable costs of providing police services, including but not limited to (i) the costs of contracting for police, (ii) the salaries and benefits of City staff, if the City directly provides police services, (iii) the expense related to equipment, apparatus, and supplies related to these services and authorized by the Act, and (iv) City overhead costs associated with providing such services within the CFD.

"Police Services Requirement" means, for any Fiscal Year in which Special Taxes are levied, the amount equal to the budgeted costs for Police Services applicable to the CFD for such Fiscal Year.

"Property Owner Association Property" means for each Fiscal Year any property within the CFD that is owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder, to a property owner association, including any master or sub-association, which consists of property owned in common by owners of surrounding properties and it is intended for use for community purposes.

"Proportionately" means, for Taxable Property, that the ratio of the actual Special Tax levied per Assessor's Parcel of Taxable Property to the Maximum Special Tax per Assessor's Parcel of Taxable Property is equal for all Assessor's Parcels of Taxable Property.

"Public Property" means for each Fiscal Year any property within the CFD that is, or is expected to be, used for rights-of-way, parks, public schools or any other public purpose determined by the Special Tax Administrator or is owned by or irrevocably offered for dedication to the federal government, the State, the County, the City or any other public agency.

"Reserve Fund" means a fund that shall be created and maintained for the CFD for each Fiscal Year to provide necessary cash flow to cover maintenance and repair cost overruns, and delinquencies in the payment of Special Taxes.

“Special Tax” means the Special Tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Special Tax Requirement, and shall include Special Taxes levied or to be levied under Sections C and D, below.

“Special Tax Administrator” means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

“Special Tax Requirement” means that amount required in any Fiscal Year for the CFD to pay for: (i) the Police Services Requirement; (ii) the Drainage Maintenance Requirement; (iii) the Landscaping Maintenance Requirement, (iv) the Park Maintenance Requirement; (v) the Street Maintenance Requirement, (vi) reasonable Administrative Expenses; and (vii) and any amounts required to establish or replenish a reserve fund for that Fiscal Year; less any surplus of funds available from the previous Fiscal Year’s Special Tax levy.

“State” means the State of California.

“Street Maintenance” means the labor, material, administration, personnel, equipment and utilities necessary to maintain streets, streetlights and associated appurtenant facilities within, and associated with, the CFD, including City overhead costs associated with providing such services within the CFD.

“Street Maintenance Requirement” means, for any Fiscal Year in which Special Taxes are levied, the amount equal to the budgeted costs for Street Maintenance applicable to the CFD for such Fiscal Year.

“Taxable Property” means all Assessor's Parcels of Developed Property within the CFD that are not Exempt from the Special Tax pursuant to law or as defined herein.

“Undeveloped Property” means, for each Fiscal Year, an Assessor’s Parcel within the CFD for which a Building Permit has not been issued on or prior to April 1st preceding the Fiscal Year in which the Special Tax is being levied and is not classified as Property Owner Association Property or Public Property, including an Assessor’s Parcel that is designated as a remainder parcel by any final documents and/or maps available to the Special Tax Administrator.

B. *ASSIGNMENT TO LAND USE CATEGORIES*

Each Fiscal Year, commencing with Fiscal Year 2016-17, using the definitions above, each Assessor’s Parcel within the CFD shall be classified as Taxable Property or Exempt Property. In addition, each Fiscal Year, beginning with Fiscal Year 2016-17, Taxable Property shall be further classified as Attached Residential, Detached Residential, Mixed-Use Property, Office Property, Commercial Property, or Industrial/Business Park/Agricultural Processing Property.

C. MAXIMUM SPECIAL TAX RATE

1. Developed Property

Table 1
Maximum Special Tax for Developed Property
Community Facilities District No. 2016-1
Fiscal Year 2016-17

Land Use Class	Description	Maximum Special Tax
1	Detached Residential	$580.00 per Dwelling Unit
2	Attached Residential	$348.00 per Dwelling Unit
3	Mixed-Use Property	Sum of Maximum Special Tax for each applicable Land Use Class
4	Office	$0.369 per square foot of Building Floor Area
5	Commercial	$0.211 per square foot of Building Floor Area
6	Industrial/Business Park/Agricultural Processing	$0.148 per square foot of Building Floor Area

On each July 1st following the Base Year, the Maximum Special Tax rates in Table 1 shall be increased by the Annual Escalation Factor. A different Maximum Special Tax may be added to the CFD as a result of future annexations or if future annexations involve a new Land Use Class.

2. Exempt Property

No Special Tax shall be levied on Exempt Property as defined in Section A.

For each Fiscal Year, if the use or ownership of an Assessor's Parcel of Exempt Property changes so that such Assessor's Parcel is no longer classified as one of the uses set forth in Section A, therefore making such Assessor's Parcel no longer eligible to be classified as Exempt Property, such Assessor's Parcel shall be deemed to be Taxable Property and shall be taxed pursuant to the provisions of Section C.1.

D. *METHOD OF APPORTIONMENT OF THE SPECIAL TAX*

Commencing with Fiscal Year 2016-17, and for each subsequent Fiscal Year, the Special Tax Administrator shall calculate the Special Tax Requirement based on the definitions in Section A and levy the Special Tax as follows until the amount of the Special Tax levied equals the Special Tax Requirement:

The Special Tax shall be Proportionately levied each Fiscal Year on each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax. The applicable Maximum Special Tax shall be based on the

Developed Property's classification as Detached Residential, Attached Residential, Mixed-Use Property, Office, Commercial, or Industrial/Business Park/Agricultural Processing Property.

E. *APPEALS*

Any landowner who pays the Special Tax and believes that the amount of the Special Tax levied on their Assessor's Parcel is in error shall first consult with the Special Tax Administrator regarding such error. If following such consultation, the Special Tax Administrator determines that an error has occurred, the Special Tax Administrator may amend the amount of the Special Tax levied on such Assessor's Parcel. If following such consultation and action, if any, the landowner believes such error still exists, such person may file a written notice with the City Clerk of the City appealing the amount of the Special Tax levied on such Assessor's Parcel. Upon the receipt of any such written notice, the City Clerk shall forward a copy of such notice to the City Engineer, who shall either (1) refer the matter to the City's existing hearing board for administrative appeals; or (2) establish as part of the proceedings and administration of the CFD, a special three-member Review/Appeal Committee. The Review/Appeal Committee may establish such procedures, as it deems necessary to undertake the review of any such appeal. The hearing board or Review/Appeal Committee shall interpret this Rate and Method of Apportionment and make determinations relative to the annual administration of the Special Tax and any landowner appeals, as herein specified. The decision of the hearing board or Review/Appeal Committee shall be final and binding as to all persons.

F. *MANNER OF COLLECTION*

Special Taxes levied pursuant to Section D above shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided however that (i) the CFD may directly bill the Special Tax, and (ii) the CFD may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of the CFD or as otherwise determined appropriate by the City Council.

G. *TERM OF SPECIAL TAX*

Taxable Property in the CFD shall remain subject to the Special Tax in perpetuity or until the City Council takes appropriate actions to terminate the Special Tax pursuant to the Act.

EXHIBIT C

Maximum Special Tax for Developed Property
Community Facilities District No. 2016-1
Fiscal Year 2023-24

Land Use Class	Description	Maximum Special Tax
1	Detached Residential	$738.06 per Dwelling Unit
2	Attached Residential	$442.84 per Dwelling Unit
3	Mixed-Use Property	Sum of Maximum Special Tax for each applicable Land Use Class
4	Office	$0.470 per square foot of Building Floor Area
5	Commercial	$0.269 per square foot of Building Floor Area
6	Industrial/Business Park/Agricultural Processing	$0.188 per square foot of Building Floor Area

On each July 1st following the Base Year, the Maximum Special Tax rates in Table 1 shall be increased by the Annual Escalation Factor. A different Maximum Special Tax may be added to the CFD as a result of future annexations or if future annexations involve a new Land Use Class.

1. Exempt Property

No Special Tax shall be levied on Exempt Property as defined in Section A.

For each Fiscal Year, if the use or ownership of an Assessor's Parcel of Exempt Property changes so that such Assessor's Parcel is no longer classified as one of the uses set forth in Section A, therefore making such Assessor's Parcel no longer eligible to be classified as Exempt Property, such Assessor's Parcel shall be deemed to be Taxable Property and shall be taxed pursuant to the provisions of Section C.1.

RIVERBANK CITY COUNCIL/ LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.9

SECTION 9: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject:	**Resolution of the City Council of the City of Riverbank, California, to Approve a Subdivision Improvement Agreement for Diamond Bar East with LGI Homes - California LLC and Authorizing the City Manager to Execute the Agreement**
From:	**Marisela H. Garcia, City Manager**
Submitted by:	**Donna M. Kenney, Planning and Building Manager**

RECOMMENDATION

It is recommended that the City Council consider the attached resolution approving the Subdivision Improvement Agreement with LGI Homes – California LLC for Diamond Bar East and directing the City Manager to execute the agreement.

SUMMARY

On March 24, 2015, the City Council adopted Resolution No. 2015-017, approving a general plan amendment to redesignate the 17.9 acres of Diamond Bar East to low density residential (LDR), which allows for a net density of zero to eight (0-8) dwelling units per acre.

On March 24, 2015, the City Council adopted Resolution No. 2015-018 which approved tentative subdivision map 02-2014 (the “Diamond Bar East Tentative Map”) and related conditions of approval, which sets forth the infrastructure obligations and conditions related to the development and build out of approximately 17.9 acres.

On March 24, 2015, the City Council adopted Ordinance No. 2015-007 to approve a rezone of 17.9 acres to Planned Development (PD), allowing for a net density of zero to eight (0-8) dwelling units per acre.

On March 24, 2015, the City Council approved an Initial Study/Mitigated Negative Declaration in connection with its adoption of Ordinance No. 2015-017, which approved the Rezone for Diamond Bar East.

On April 28, 2020, the City Council with Ordinance No. 2020-007 adopted a Development Agreement with McRoy Wilbur Communities, Inc. to list and memorialize the developer's and the City's rights and responsibilities.

On January 26, 2022, LGI Homes – California, LLC entered into an Assumption and Assignment Agreement with McRoy Wilbur Communities, Inc. to assume the Diamond Bar East Development Agreement.

One of the last steps in the subdivision map process is the approval of a final map which subdivides the parcel into the individual lots planned for homes, streets, utilities, and parkland or other public areas. Commonly, there are two ways to achieve a final map. The first way is for the developer to install all required infrastructure improvements (roads, street lighting, water/sewer lines, etc.) in advance of requesting the final map. The second way is to enter into a Subdivision Improvement Agreement ("SIA") and submit bonds, which provide security for the City that the improvements will be completed as required by the tentative map conditions of approval. In the past, the City has used both methods depending on the individual needs and timelines of each project.

LGI Homes - California LLC has been working to install infrastructure improvements but they are not complete. They have requested that Council consider approving their final map (also agendized for this Council meeting). As such, the Riverbank Municipal Code ("RMC") requires that a Subdivision Improvement Agreement be approved in advance of the approval of a final map.

Exhibit A is a standard Subdivision Improvement Agreement that lays out many of the bonding and insurance requirements set forth in the Riverbank Municipal Code. Specific items in the agreement have been tailored to fit the circumstances of Diamond Bar East. Approval of this document will allow the developer to request final map consideration by Council.

The estimated cost of the required infrastructure improvements for Diamond Bar East are approximately **$2,235,285.00**. This estimate has been reviewed and approved by the City Engineer. RMC §152.076 requires that two specific improvement securities be filed with the City: the first security (bond) shall secure faithful performance of the agreement in an amount equal to 100% of the estimated cost of the improvements and the second security shall secure the obligations set forth in Cal Govt. Code §66499.3(b) of payment of the contractor, his subcontractors and to persons renting equipment or furnishing labor or materials to them for the improvements, and shall be in an amount equal to 50% of the total estimated cost of the improvements. The Municipal Code provides a variety of options for developers to provide these securities, including the provision of bonds to the City Clerk. The City Attorney reviews these documents as to form. On March 6, 2023, the developer submitted both bonds to the City.

FINANCIAL IMPACT

There is no direct financial impact as a result of the Subdivision Improvement Agreement. However, approval of the SIA will allow the review and approval of the Final Map and facilitate the development of single-family residential units and associated amenities.

ATTACHMENTS

1. Draft City Council Resolution 2023 -xxx
   (A) Exhibit A - Subdivision Improvement Agreement between the City of Riverbank and LGI Homes - California LLC for Diamond Bar East
      a. Exhibit A to the Subdivision Improvement Agreement
      b. Exhibit B to the Subdivision Improvement Agreement

CITY OF RIVERBANK

RESOLUTION 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK APPROVING A SUBDIVISION IMPROVEMENT AGREEMENT FOR DIAMOND BAR EAST WITH LGI HOMES – CALIFORNIA LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:

WHEREAS, LGI Homes – California LLC is the property owner of Diamond Bar East, a proposed 83 lot subdivision on approximately 17.9 acres; and

WHEREAS, on March 24, 2015, the City Council adopted Resolution No. 2015-018 which approved tentative subdivision map 02-2014 (the "Diamond Bar East Tentative Map") and related conditions of approval, which sets forth the infrastructure obligations and conditions related to the development and build out of approximately 17.9 acres; and

WHEREAS, significant infrastructure improvements are needed in order to serve the area for future growth; and

WHEREAS, LGI Homes – California LLC is working on the infrastructure for Diamond Bar East but has not yet completed it; and

WHEREAS, LGI Homes – California LLC will be requesting that Council consider approval of a final map for Diamond Bar East at tonight's City Council meeting; and

WHEREAS, the Riverbank Municipal Code requires that if improvements are not complete when the final map is considered for approval, a subdivision improvement agreement be entered into; and

WHEREAS, the Subdivision Improvement Agreement has been developed in cooperation with LGI Homes – California LLC and City of Riverbank staff.

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

1. The City Council approves the Subdivision Improvement Agreement as presented (**Exhibit A**); and

2. The City Council directs the City Manager to execute the attached Subdivision Improvement Agreement subject to verification and receipt of the securities

required within the agreement and any other requirements as set forth by the agreement.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of March 2023; motioned by Councilmember ______, seconded by Councilmember ______, and upon roll call was carried by the following vote of ___:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:	**APPROVED:**
______________________________	______________________________
Gabriela Hernandez **City Clerk**	**Richard D. O'Brien** **Mayor**

Attachment: Exhibit A – Subdivision Improvement Agreement

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

City of Riverbank
6707 Third Street
Riverbank, CA 95367
Attn: City Clerk

Exempt from recording fees
(Gov. Code §§ 6103 and 27383)

(Space above this line for Recorder's use)

SUBDIVISION IMPROVEMENT AGREEMENT
FOR THE DIAMOND BAR EAST SUBDIVISION (APNs 062-020-010 and 062-020-025)

This **SUBDIVISION IMPROVEMENT AGREEMENT** ("Agreement") is made and entered into this ______ day of ____________, 20__, by and between the City of Riverbank, a California municipal corporation ("City") and LGI Homes – California, LLC ("Subdivider"). City and Subdivider may herein be referred to individually as a "Party" and collectively as the "Parties". There are no other parties to this Agreement. This Agreement is made with reference to the following:

RECITALS

A. Subdivider is possessed of a tract of land consisting of approximately 17.9 gross acres, lying in the City of Riverbank, County of Stanislaus, California, known as "Diamond Bar East" (the "Subdivision").

B. On March 24, 2015, the City Council adopted Resolution No. 2015-017, approving a general plan amendment to redesignate the 17.9 acres of Diamond Bar East to low density residential (LDR), which allows for a net density of zero to eight (0-8) dwelling units per acre.

C. On March 24, 2015, the City Council adopted Resolution No. 2015-018 which approved tentative subdivision map 02-2014 (the "Diamond Bar East Tentative Map") and related conditions of approval, which sets forth the infrastructure obligations and conditions related to the development and build out of approximately 17.9 acres. Resolution No. 2015-018 and Tentative Map 02-2014 are attached hereto as **Exhibit A** and incorporated herein by this reference (the "Resolution of Approval"). Final Map 03-2022 is attached as **Exhibit B**.

D. On March 24, 2015, the City Council adopted Ordinance No. 2015-007 to approve a rezone of 17.9 acres to Planned Development (PD), allowing for a net density of zero to eight (0-8) dwelling units per acre.

E. On March 24, 2015, the City Council approved an Initial Study/Mitigated Negative Declaration in connection with its adoption of Ordinance No. 2015-017, which approved the Rezone for Diamond Bar East.

F. On April 28, 2020, the City Council with Ordinance No. 2020-007 adopted a Development Agreement with McRoy Wilbur Communities, Inc. to list and memorialize the developer and City's rights and responsibilities.

G. On January 26, 2022, LGI Homes – California, LLC entered into an Assumption and Assignment Agreement with McRoy Wilbur Communities, Inc. to assume the Diamond Bar East Development Agreement.

H. The Vesting Tentative Map is subject to the Subdivision Map Act (Gov. Code § 66410 *et seq.*) and the City's ordinances and regulations related to the filing, approval, and recordation of subdivision maps (together, the "<u>Subdivision Laws</u>") and the requirements and conditions contained in the Resolution of Approval.

I. Complete improvement plans for the construction, installation, and completion of the improvements ("<u>Improvement Plans</u>") have been prepared by Subdivider and approved by the City of Riverbank City Engineer ("Engineer") and Community Development Director or their designee ("<u>Director</u>").

J. Subdivider will present to the City a proposed final map ("<u>Final Map</u>") for the Subdivision, pursuant to the provisions of the Subdivision Laws for approval and recordation.

K. In order for the City to approve and record a Final Map for the Subdivision, the Subdivider must either complete all of the improvements required by the Subdivision Laws, Resolution of Approval, Improvement Plans and Vesting Tentative Map ("<u>Improvements</u>"), or execute an agreement with the City to complete the Improvements within a specified period of time.

L. In order for the City to approve and record a Final Map for the Subdivision, Subdivider desires to enter into this Agreement, whereby Subdivider promises to install and complete, at Subdivider's sole cost, expense and risk, all of the Improvements required in connection with the Subdivision, including but not limited to grading work, constructing and installing the Improvements, and all labor that is required to complete these tasks to the satisfaction of the City ("<u>Improvement Work</u>").

M. Subdivider has secured this Agreement by depositing security with the City consisting of a cash deposit, bond, or letter of credit in form acceptable to the City to secure a one-year warranty of workmanship in accordance with the terms provided herein (the "<u>Securities</u>").

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the Parties agree as follows:

AGREEMENT

1. Recitals. The recitals above ("<u>Recitals</u>") are true and correct and are hereby incorporated into and made part of this Agreement. In the event of any inconsistency between the Recitals and Sections 1 through 23 of this Agreement, Sections 1 through 23 shall prevail.

2. Effective Date and Term. This Agreement shall only become effective on the date that both Subdivider and the City have executed this Agreement (the "Effective Date"), and shall terminate only after the release of all Securities, unless this Agreement is terminated in writing signed by both Parties.

3. Dedication. Except as otherwise provided in this Agreement or in the action of the City Council approving the Final Map, the City hereby rejects all lands, rights-of-way and easements offered for dedication on the Subdivision Map or by separate instrument. Such offers, however, shall remain open and constitute irrevocable offers of dedication in accordance with Government Code section 66477.2. All such offers of dedication may be accepted by the City in its sole discretion at any later date without any further notice to the Subdivider.

4. Installation of Required Improvements. Subdivider agrees to furnish, construct and install at Subdivider's own expense the Improvements, as shown on the Improvement Plans, which are to be installed to the sole satisfaction of the Director and will be on file in the Development Services Department. The Improvement Plans may only be modified by the Subdivider subject to prior written approval by the Director.

5. Subdivider's Obligations. Subdivider shall perform each of the following, at all times, throughout the term of this Agreement:

A. Complete, at Subdivider's sole cost and expense in a good and workmanlike manner, all of the Improvements in conformance with the Resolution of Approval (and any amendments thereto), the Subdivision Laws, and all applicable standards under City codes and ordinances and the City's general plan related to the Improvements (collectively, the "Improvement Standards").

B. Commence construction of the Improvements within three (3) months from the Effective Date of this Agreement. Subdivider shall notify the Director in writing three days before the commencement of construction of the Improvements.

C. Complete all Improvements within twelve (12) months from the Effective Date of this Agreement, unless otherwise approved or extended in writing by the City Manager for good cause, after written application by Subdivider. Such application shall state fully the grounds and facts showing good cause for such extension to be grated. In granting any extension of time, the City may require a new or amended subdivision improvement agreement to reflect increases in the costs of constructing the Improvements or other conditions related to the extension of time.

D. Furnish and pay for all necessary equipment, labor and materials to complete the Improvements in conformity with the Improvement Standards.

E. Replace or repair all public improvements, private property, public utility facilities, and surveying or subdivision monuments that are destroyed or damaged in the performance of any work related to this Agreement. Subdivider shall bear the entire cost of replacement or repairs of any and all public or private property damaged or destroyed in the performance of any work related to this Agreement. Any repair or replacement work shall be to the satisfaction, and subject to the approval, of the Director.

F. Provide safe access for inspection by the City to the Improvements.

G. Give good and adequate warning to the public of each and every dangerous condition existing on or near the Improvements, and take reasonable action to protect the public from any such dangerous condition.

H. Perform all construction work related to installing the Improvements between 6:00 a.m. and 6:30 p.m. on weekdays and between 8:00 a.m. and 5:00 p.m. on weekends and legal holidays, unless otherwise approved in writing by the Director.

I. Require each contractor and subcontractor to have a competent foreman on the job at all times when that contractor or subcontractor, or any employee or agent thereof, is performing any work related to the Improvements. Subdivider shall maintain an office with a telephone and Subdivider or a person authorized to make decisions and act for Subdivider in Subdivider's absence shall be available at the site of any Improvements within three (3) hours of being called at such office by the City at any time when construction work is being performed on the Improvements.

J. Assume all costs for utility and cable television undergrounding or relocation which is not the responsibility of the cable television, gas, electric, telephone or other utility company under the terms of any franchises with the City or otherwise imposed upon the utility companies by law.

K. Obtain and comply with all necessary permits and licenses for the construction and installation of the Improvements, give all necessary notices, and pay all fees and taxes required by law.

6. Estimated Cost of Improvements. The total estimated cost of the Improvements, as provided by Subdivider and reviewed and confirmed by the Engineer and Director, is two million two hundred thirty-five thousand two hundred and eighty-five dollars ($**2,235,285.00**).

7. Title to Improvements. The City shall not accept any property to be dedicated or the Improvements unless they are constructed in conformity with the Improvement Plans and Improvement Standards, to the satisfaction of the Engineer and Director. Subdivider shall retain title to, shall be responsible for, and shall bear the risk of loss to, any of the Improvements constructed or installed, until such time as the Improvements are accepted by the City. Title to and ownership of the Improvements and any real property to be dedicated shall vest absolutely in the City upon completion and acceptance of such Improvements by the City Council. The City shall not accept the Improvements unless title to the Improvements is entirely free from all liens. Prior to acceptance, at City's request, Subdivider shall supply the City with appropriate lien releases, at no cost to and in a form acceptable to the City.

8. Acquisition and Dedication of Easements or Rights-of-Way. If any of the Improvements are to be constructed or installed on land not within the Subdivision or an already existing public right-of-way, no construction or installation shall commence before:

A. The irrevocable offer of dedication or conveyance to City of appropriate rights-of-way, easements or other interests in real property, and appropriate authorization from the property owner to allow construction or installation of the Improvements; or

B. The issuance of an order of possession by a court of competent jurisdiction pursuant to the State Eminent Domain Law (Cal. Code Civ. Proc. § 1230.010 *et seq.*). Subdivider shall comply in all respects with any such order of possession.

9. Final Acceptance of Work. Acceptance of the Improvement Work on behalf of the City shall be made by the City Council upon recommendation of the Engineer and Director, after satisfactory completion and inspection of all Improvements. Such acceptance shall not constitute a waiver by the City of any defects or deficiencies in the Improvements.

10. Repair of Defective Work. If, however, within a period of one (1) year after final acceptance by the City Council of the Improvements, any portion of the Improvements or any work done under this Agreement fails to fulfill any of the requirements of this Agreement, the Improvement Plans or the Improvement Standards, Subdivider shall without delay and without any cost to City, repair, replace or reconstruct any defective or otherwise unsatisfactory part or parts of the Improvements or work. If the Subdivider fails to act promptly in accordance with this requirement, or if the exigencies of the situation require repairs or replacements to be made before Subdivider can be notified or correct the situation, then the City may, at its option, make the necessary repairs or replacements or perform the necessary work, and Subdivider shall pay to City the actual cost of such repairs plus fifteen percent (15%) within thirty (30) days of the date of billing for such work by City.

11. Securities. Prior to approval by City of the Final Map, Subdivider shall furnish to the City the following improvement Securities in the amounts set forth in Exhibit C. Improvement security shall be of the type as provided for in Government Code Section 66499. Bonds shall be by one or more duly authorized corporate sureties licensed to do business in California:

A. **Performance Security**. The total amount of performance security ("Performance Security") shall equal 100% of the final Cost Estimate. The Performance Security shall be in the form of a bond naming the City as oblige, or a certificate of deposit made payable only to the City, or cash.

B. **Payment Security**. The total amount of payment security ("Payment Security") shall equal 50% of the final Cost Estimate to secure payment to all contractors and subcontractors performing work on said Improvements and all persons furnishing labor, materials, or equipment to them for said Improvements. Payment Security shall be in the form of a bond naming the City as oblige, or a certificate of deposit made payable only to the City, or cash.

C. **Partial Acceptance and Reduction of Performance Security.** Performance Security may be reduced as work progresses only for the work satisfactorily completed and accepted by the City Engineer. Upon written request from the Subdivider, the City Engineer with the concurrence of the Director of Public Works shall determine the value of work completed satisfactorily and may authorize release of a portion of the security. In no event shall such security be reduced by more than 90% of the value of the work completed. Upon final completion and acceptance of work as determined by the City Engineer and Director of Public Works, a notice of acceptance shall be filed with the Stanislaus County Recorder. 10% of such security shall be retained for 35 days after the filing of such notice or longer period if required by law.

D. **Guarantee and Warranty Security**. Securities to guarantee workmanship shall be in the amount of ten percent (10%) of the estimated cost of the Improvements, as stated in Section 6 above, to guarantee and warrant the Improvements for a period of one (1) year following their completion and acceptance against any defective work or labor done, or defective materials.

E. **Bonds**. Any bonds submitted as Securities shall be executed by a surety company authorized to conduct a surety business in California and shall be in a form as specified by the Subdivision Laws and approved by the City. All Securities deposited as bonds under this Agreement shall be irrevocable, shall not be limited as to time (except as to the guarantee and warranty period), and shall provide that they may be released, in whole or part, only upon the written approval of the Director, as provided under the Subdivision Laws and in Section 12 below. All Securities shall expressly obligate the surety for any extension of time authorized by the City for Subdivider's completion of the Improvements, whether or not the surety is given notice of such an extension by the City. No change, alteration or addition to the terms of this Agreement or the plans and specifications incorporated herein shall in any manner affect the obligation of the sureties, except as required by the Subdivision Laws.

F. **Records**. Evidence of the Securities required by this Agreement shall be kept on file with the City Clerk. If the City Council gives specific, written approval to replace the Securities by another approved security, such replacement Securities shall be filed with the City Clerk and, upon filing, shall be deemed to be incorporated into this Agreement. Upon filing of replacement Securities with the City Clerk, the replaced Securities may be released.

12. Release of Securities. The Securities required by this Agreement shall be released in accordance with the Subdivision Laws and the following provisions:

A. **Faithful Performance Securities**. Performance Securities may be reduced as work progresses only for the work satisfactorily completed and accepted by the City Engineer. Upon written request from the Subdivider, the City Engineer, with the concurrence of the Director of Public Works shall determine the value of the work completed satisfactorily and may authorize release of a portion of the value of the work completed. In no event shall such security be reduced by more than 90% of the value of the work completes. Upon final completion, and acceptance of the work as determined by the City Engineer and Director of Public Works, a notice of acceptance shall be files with the Stanislaus County Recorder.

B. **Payment Security**. Payment Security shall be released upon City's final acceptance of the improvements.

C. **Guarantee and Warranty Securities**. The Securities provided for guarantee and warranty of workmanship shall be released after one (1) year following the completion and acceptance of the Improvements, and inspection thereof by the City's Construction Inspector and approved by the Engineer. If, however, the Engineer and Director determine there are defects in the Improvements that require correction pursuant to Section 10 above, the Director shall utilize the Securities to make all necessary corrections, including payment of reasonable expenses and fees and attorney's fees.

13. Inspections.

A. The City reserves the right to inspect all Improvements at any time. Subdivider shall at all times maintain safe access for inspection of the Improvements.

B. Upon completion of the Improvements the Subdivider may request a final inspection by the City's Construction Inspector. If the Construction Inspector determines that the Improvements have been completed in accordance with all Improvement Standards and Subdivision Laws, then the Director shall certify the completion of the Improvements to the City Council, to accept or reject in their sole discretion. The City bears no liability for any costs or expenses resulting from delays in inspections.

C. Subdivider shall bear all costs of inspection and certification, including but not limited to the direct costs of all third-party inspection agencies and City inspection consultants.

14. Default of Subdivider.

A. *Default of Subdivider*. Events of default by ("Default") by Subdivider may include, but shall not be limited to, any of the following:

i. Subdivider's failure to timely complete construction of the Improvements;

ii. Subdivider's failure to timely cure any defect in the Improvements to the satisfaction of the Director;

iii. Subdivider's failure to timely deposit additional Securities as may be required by this Agreement;

iv. Subdivider's insolvency, appointment of a receiver, or the filing of any petition in bankruptcy either voluntary or involuntary which Subdivider fails to discharge within thirty (30) days;

v. the commencement of a foreclosure action against the Subdivision or a portion thereof, or any conveyance in-lieu or in avoidance of foreclosure; or

vi. Subdivider's failure to perform any material obligation under this Agreement.

B. *Notice of Default.* In the event of Subdivider's default, Subdivider shall be deemed to be in breach of this Agreement and the City may serve written notice upon Subdivider and Subdivider's surety, if any, of the breach of this Agreement. Subdivider shall have fifteen (15) days from receipt of written notice by City to cure any default.

C. *Remedies; Performance by City*.

i. In the event of Subdivider's default under this Agreement, and the applicable cure period set forth in this Paragraph has expired without such default having been cured, the City may thereafter deliver a notice of breach to Subdivider and Subdivider's surety, if any. If the default remains uncured within fifteen (15) days from receipt of the written notice of breach, Subdivider authorizes the City to complete all work on the Improvements at the sole expense of Subdivider, and Subdivider authorizes to utilize the Securities to complete all work on the Improvements and to pay all labor costs of contractors, subcontractors and workers related to the Improvements. The City may take over the Improvements and prosecute the same to completion, by contract or by any other method the City may deem advisable, for the account and at the expense of Subdivider, and Subdivider shall be liable to City for any excess cost or damages incurred by the City thereby. In the event the City takes over the Improvements or prosecutes the same to completion, the City, without liability for so doing, may take possession of, and utilize such materials, appliances, equipment, plant and other property belonging to Subdivider as may be necessary for completion of the Improvements.

ii. The City reserves to itself all remedies available to it at law or in equity for breach of Subdivider's obligations under this Agreement. The right of the City to draw upon or utilize the Securities is additional to and not in lieu of any other remedy available to the City.

iii. Failure of Subdivider to comply with the terms of this Agreement shall constitute consent to the filing by the City of a notice of violation against all the lots in the Subdivision, or to rescind the approval or otherwise revert the Subdivision to acreage. The remedy provided by this Subsection is in addition to and not in lieu of other remedies available to the City, and is not required to implement other available remedies. Subdivider agrees that the choice of remedy or remedies for Subdivider's default shall be at the discretion of the City.

iv. In the event that Subdivider fails to perform any obligation hereunder, Subdivider agrees to pay all costs and expenses incurred by the City in securing performance of such obligations, including but not limited to costs of suit and attorney's fees, costs of Improvements in the event of failure of performance, and all administrative costs. Such costs and fees shall be a proper charge against the Securities of Subdivider.

v. The failure of the City to take an enforcement action with respect to a default or breach, or to declare a default or breach, shall not be construed as a waiver of that default or breach or any subsequent default or breach of Subdivider.

D. *Lien*. In accordance with the Subdivision Laws (Gov. Code § 66499), the recordation of this Agreement creates a lien attached to the property underlying the Subdivision and has the priority of a judgment lien in the amount necessary to complete the Improvements.

15. Environmental Warranty.

A. For purposes of this Agreement, the terms below have the following meanings:

i. "Environmental Laws" shall mean any federal, state, or local law, rule, regulation administrative or court order, ordinance, regulatory guidance document, standard, or requirements of any government authority regulating, relating to, or imposing liability standards of conduct concerning Hazardous Substances, or that pertains to the protection of human health or the environment, including, but not limited to, the Comprehensive Environmental Response, Conservation and Liability Act of 1980 (42 U.S.C. §§ 9601 *et seq*.); the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §§6901 *et seq*.); the Clean Water Act (33 U.S.C. §§1251 *et seq*.); the Toxic Substances Control Act (15 U.S.C. §§ 2601 *et seq.)*; the Hazardous Materials Transportation Act (29049 U.S.C. §§ 1801 *et seq*.); the Insecticide, Fungicide and Rodenticide Act (7 U.S.C. §§ 136 *et seq*.); the Superfund Amendments and Reauthorization Act (42 U.S.C. §§ 6901 *et seq*.); the Clean Air Act (42 U.S.C. §§ 7401 *et seq*.); the Safe Drinking Water Act (42 U.S.C. §§ 300f *et seq*.); the Solid Waste Disposal Act (42 U.S.C. §§ 6901 *et seq*.); the Surface Mining Control and Reclamation Act (30 U.S.C. §§ 1201 *et seq*.); the Occupational Safety and Health Act (29 U.S.C. §§ 655, 657); the California Underground Storage of Hazardous Substances Act (Health and Safety Code §§ 25280 *et seq*.); the California Hazardous Waste Control Act (Health and Safety Code §§ 25100 *et seq*.); the California Safe Drinking Water and Toxic Enforcement Act (Health and Safety Code §§ 24249.5 *et seq*.); and the Porter-Cologne Water Quality Control Act (Water Code §§ 13000 *et seq*.); together with any amendments of or regulations promulgated under the statutes cited above.

ii. "Hazardous Substances" or "Hazardous Substance" shall include any hazardous, toxic or dangerous waste, substance or material, pollutant or contaminant, as so defined under any Environmental Laws or any substance which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic or otherwise hazardous, or any substance which contains gasoline, diesel fuel or other petroleum hydrocarbons, polychlorinated biphenyls (PCBs), radon gas, urea formaldehyde, asbestos, lead, or electromagnetic waves. Hazardous Substances include any hazardous or toxic substance, material or waste which is regulated by the State of California, the United States government, or any other governmental authority with jurisdiction over the Property. Hazardous Materials include asbestos and any other hazardous waste or substance which has, as of the date hereof, been determined to be hazardous or a pollutant by the U.S. Environmental Protection Agency, the U.S. Department of Transportation, or any instrumentality authorized to regulate substances in the environment which has jurisdiction over the Property which substance causes the Property (or any part thereof) to be in material violation of Environmental Laws.

B. Prior to acceptance of any Improvements by the City, Subdivider shall provide the City with a written warranty that:

i. Subdivider and the property being dedicated are in compliance with all Environmental Laws and are not subject to any existing, pending or threatened investigation by a federal, state, or local governmental authority regarding violations of Environmental Laws.

ii. Subdivider and its third party agents, contractors and subcontractors have not used, generated, manufactured, produced, discharged, or released on, under, or about the property to be dedicated, any Hazardous Substance except in accordance with all applicable Environmental Laws.

iii. Subdivider has not caused or permitted the release or discharge of, and has no knowledge of the release, discharge, or presence of Hazardous Substances on the property to be dedicated or the migration of any Hazardous Substances from or to any other property adjacent to, or in the vicinity of, the property to be dedicated.

C. Throughout the term of this Agreement, Subdivider shall give written notice within fifteen (15) days to the City of:

i. Any proceeding or investigation by any federal, California, or local governmental authority regarding the presence of Hazardous Substances on the property to be dedicated or the migration thereof from or to any other property adjacent to, or in the vicinity of, the property to be dedicated;

ii. Any claims made or threatened by any third party against the City or property to be dedicated regarding any loss or injury resulting from any Hazardous Substances; and

iii. Subdivider's discovery of any occurrence or condition on any property to be dedicated or any property adjacent to, or in the vicinity of the property to be dedicated that could cause the property to be dedicated or any part thereof to be subject to any restrictions on its ownership, occupancy, use for the purpose for which it is intended, transferability, or suit under any Environmental Law.

16. Design or Construction Defect.

A. After acceptance of the Improvements, the Subdivider shall remain obligated to eliminate any defect in design or dangerous condition caused by a latent design or construction defect.

B. Provisions of this section shall remain in full force and effect for ten (10) years following the acceptance of the Improvements by the City.

C. It is the intent of this section that Subdivider shall be responsible for all liability for design and construction of the Improvements and that the City shall not be liable for any negligence, nonfeasance, misfeasance, or malfeasance in approving, reviewing, checking, or correcting any plans or specifications or in approving, reviewing or inspecting any Improvement Work. The Securities shall not be required to cover the provisions of this paragraph.

17. No Agency Relationship. Neither Subdivider nor any of Subdivider's agents or contractors are or shall be considered to be agents of the City in connection with the performance of Subdivider's obligations under this Agreement. City elected and appointed councils, commissions, officers, agents, employees and representatives ("City Agents") shall not, be liable or responsible for any accident, loss or damage, regardless of the cause, happening or occurring to the Improvement Work or Improvements specified in this Agreement prior to the completion and acceptance of the Improvement Work or Improvements. All such risks shall be the responsibility of and are hereby expressly assumed by Subdivider.

18. Other Agreements. Nothing contained in this Agreement shall preclude the City from expending monies pursuant to agreements concurrently or previously executed between the Parties, or from entering into agreements with other subdividers for the apportionment of costs of water and sewer mains, or other improvements, pursuant to the provisions of the City ordinances providing therefore, nor shall anything in this Agreement commit the City to any such apportionment.

19. Indemnity/Hold Harmless.

A. The City and City Agents shall not be liable and Developer agrees to indemnify, hold harmless and defend the City and City Agents from any and all claims, costs, and liability for claims of damage, for any property damage or personal injury, including death, which may arise as a result of any negligent acts or omissions by Developer or Developer's contractors, subcontractors, agents, or employees in connection with the construction, improvement, or operation, of the Improvements, including all claims, demands, causes of action, liability, or loss because of, or arising out of, in whole or in part, the design or construction of the Improvements. This indemnification and agreement to hold harmless shall extend to injuries to persons and damages or taking of property resulting from the design or construction of the Subdivision and the Improvements as provided herein, and in addition, to injuries to adjacent property owners as a consequence of the diversion of waters from the design or construction of public drainage systems, streets and other Improvements.

B. Acceptance by the City of the Improvements shall not constitute an assumption by the City of any responsibility for any damage or taking covered by this Section.

C. Provisions of this paragraph shall remain in full force and effect for ten (10) years following the acceptance by the City of the Improvements. It is the intent of this section that Subdivider shall be responsible for all liability for design and construction of the Improvements installed or Improvement Work done pursuant to this Agreement and that City shall not be liable for any negligence, nonfeasance, misfeasance, or malfeasance in approving, reviewing, checking, or correcting any plans or specifications or in approving, reviewing or inspecting any Improvement Work. The Security shall not be required to cover the provisions of this section.

D. City shall not be liable for approving, reviewing, checking, or correcting any plans or specifications or for approving, reviewing or inspecting any Improvement Work. Nothing contained in this section is intended to, or shall be deemed to, limit or waive any protections or immunities afforded by law to the City or City Agents for the approval of the plan or design of the Improvements, including but not limited to the protections and immunities afforded by Government Code section 830.6. Subdivider shall defend, indemnify, and hold harmless the City and City's Agents from any claim, action, or proceeding against City or City Agents to attack, set aside, void, or annul an approval of the City or City Agents concerning the Subdivision.

20. Insurance. Without limiting Subdivider's duty to indemnify the City, Subdivider shall maintain in effect throughout this Agreement a policy or policies of insurance with the specifications and limits of liability specified herein.

A. *Proof of Insurance.*

i. Subdivider shall provide to the City a properly executed certificate of insurance, in a form satisfactory to the City Attorney for commercial general liability coverage; automobile liability, worker's compensation insurance, professional liability insurance, and course of construction coverage from an insurance provider approved by the City and licensed by the California Department of Insurance ("<u>Certificates</u>").

ii. Each Certificate shall provide that such insurance will not be cancelled, reduced in coverage, or allowed to expire without thirty (30) days' prior written notice to the City.

B. *Minimum insurance limits*. Contractor shall maintain limits no less than:

i. <u>General Liability</u>. Subdivider shall maintain such commercial general liability insurance with an insurance company admitted in California with an AM Best Rating of not less than A+, as shall protect the City, the City's Agents, Subdivider, contractors, and subcontractors from claims for damages for personal injury, including death, as well as from claims of property damage which may arise from acts or omissions from Subdivider, contractors, or subcontractors for in relation to this Agreement. The amount of such insurance shall not be less than two million dollars ($2,000,000.00) per occurrence with umbrella liability coverage of not less than two million dollars ($2,000,000.00). Such insurance shall also:

1. Name the City and the City Agents as insured by endorsement with respect to performance of this Agreement. The coverage shall contain no special limitation on the scope of its protection afforded to the above-listed additional insured; and

2. Be primary with respect to any insurance or self-insurance programs covering the City and City Agents.

ii. <u>Automotive Liability Insurance.</u> Subdivider shall maintain automotive liability insurance covering all motor vehicles, including owned, leased, non-owned, and hired vehicles, used in providing services or performing work under this Agreement for bodily injury and property damage with a limit of not less than one million dollars ($1,000,000.00) for each occurrence. Such insurance shall also:

1. Name City and City Agents as insured by endorsement with respect to performance of this Agreement. The coverage shall contain no special limitation on the scope of its protection afforded to the above-listed additional insured; and

2. Be primary with respect to any insurance or self-insurance programs covering the City and City Agents.

iii. Worker's Compensation Insurance.

1. Subdivider shall maintain worker's compensation insurance in accordance with California Labor Code Section 3700, and with a limit of not less than one million dollars ($1,000,000.00) per occurrence for employer's liability.

2. In the event any work is sublet, Subdivider shall require any contractor or subcontractor to provide worker's compensation insurance for all contractor's employees or subcontractor's employees, unless such employees are covered by the protection afforded by Subdivider.

C. *Course of Construction*. Subdivider shall maintain course of construction insurance for a value of not less than the completed value of the Subdivision and the Improvements.

D. *Professional Liability Insurance*. Subdivider shall maintain professional liability insurance, as applicable, in the amount of not less than two million dollars ($2,000,000.00) per claim and three million dollars ($3,000,000.00) in the aggregate, to cover liability for malpractice or errors or omissions made in the course of rendering professional services.

21. No Vesting of Rights. Performance of this Agreement shall not be construed to vest Subdivider's rights with respect to any change in any zoning or building law or ordinance.

22. Notices. Any notice or communication required hereunder between City and Subdivider must be in writing, and may be given either personally, by registered or certified mail (return receipt requested), or by Federal Express, UPS or other similar couriers providing overnight delivery. If personally delivered, a notice shall be deemed to have been given when delivered to the Party to whom it is addressed. If given by registered or certified mail, such notice or communication shall be deemed to have been given and received on the first to occur of (a) actual receipt by any of the addressees designated below as the Party to whom notices are to be sent, or (b) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail. If given by Federal Express or similar courier, a notice or communication shall be deemed to have been given and received on the date delivered as shown on a receipt issued by the courier. Any Party may at any time, by giving ten (10) days written notice to the other Party, designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at their addresses set forth below:

If to City: City of Riverbank
6707 Third Street
Riverbank, CA 95367
Attn: Marisela H. Garcia, City Manager

With copies to: City of Riverbank
6707 Third Street

Riverbank, CA 95367
Attn: Community Development Director

and | Brenner White, LLP
1414 K Street, 3rd Floor
Sacramento, California 95814
Attn: Douglas L. White, Esq.

If to Subdivider: | LGI Homes – California, LLC
2251 Douglas Blvd. Ste 12A
Roseville, CA 95661
Attn: President

and | ________________________
____
____

23. General Provisions:

A. *Governing Law*. The validity, interpretation and performance of this Agreement shall be controlled by and construed pursuant to the laws of the State of California.

B. *Compliance with Laws*. Subdivider, its agents, employees, contractors, and subcontractors shall comply with all federal, state and local laws in the performance of the work required by this Agreement, including but not limited to all Improvement Standards or any other applicable land use approvals. Subdivider shall be responsible for obtaining all applicable licenses and permits.

C. *Venue*. Venue for any legal proceedings initiated in connection with this Agreement shall be in the Superior Court for the County of Stanislaus.

D. *Severability*. The provisions of this Agreement are severable. If any provision of this Agreement is held invalid by a court of competent jurisdiction, or if any provision of this Agreement is rendered invalid or unenforceable according to the terms of any federal or state statute, which becomes effective after the Effective Date of this Agreement, the remaining provisions shall continue in full force and effect and shall be construed to give effect to the intent of this Agreement.

E. *Waiver*. The waiver by either Party of a breach by the other of any provision of this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of the same or a different provision of this Agreement. No Party shall be deemed to have made any such waiver unless it is in writing and signed by the Party so waiving.

F. *Approvals by the City*. Any approval or consent that is to be given by the City under this Agreement shall be in writing, and any approval or consent that is not in writing shall not be binding on the City.

G. *Integration*. This Agreement, together with its specific references, attachments and Exhibits, constitute all of the agreements, understandings, representations, conditions, warranties and covenants made by and between the Parties with respect to the subject matter of this Agreement. Neither Party shall be liable for any representations made, express or implied, not specifically set forth herein. It is the intention of the Parties that this Agreement shall supersede any prior agreements, discussions, commitments, representations or agreements, written, electronic or oral, between the Parties with respect to the subject matter of this Agreement.

H. *Captions*. The captions of this Agreement are for convenience and reference only and the words contained therein shall in no way be held to explain, modify, amplify or aid in the interpretation, construction or meaning of the provisions of this Agreement.

I. *Mandatory and Permissive*. "Shall" and "will" and "agrees" are mandatory. "May" or "can" are permissive.

J. *Successors and Assigns – Covenant Running with the Land*. Subdivider shall not assign any of its obligations under this Agreement without the prior written consent of the City. Notwithstanding the above, all representations, covenants and warranties specifically set forth in this Agreement, by or on behalf of or for the benefit of any or all of the Parties, shall be binding upon and inure to the benefit of such Party, its successors and assigns. This Agreement, however, shall not be binding on any lot that has been conveyed to an individual homebuyer and for which a Certificate of Occupancy has been issued by the City.

K. *Counterparts*. This Agreement may be executed simultaneously or in several counterparts, each of which shall be deemed an original, but which together shall constitute one and the same instrument.

L. *Other Documents*. Parties agree that they shall cooperate in good faith to accomplish the objectives of this Agreement and to that end, agree to execute and deliver such other instruments or documents as may be necessary and convenient to fulfill the purposes and intentions of this Agreement.

M. *Time is of the Essence*. Time is of the essence in this Agreement in each covenant and term and condition herein.

N. *Authority*. The Parties warrant and represent that they have the power and authority to enter into this Agreement and the names, titles and capacities herein stated on behalf of any entities, persons, states or firms represented or purported to be represented by such entities, persons, states or firms and that all former requirements necessary or required by the state or federal law in order to enter into this Agreement have been fully complied with.

O. *Construction and Interpretation*. It is agreed and acknowledged by Subdivider that the provisions of this Agreement have been arrived at through negotiation, and that Subdivider has had a full and fair opportunity to revise the provisions of this Agreement and to have such provisions reviewed by legal counsel. Therefore, the normal rule of construction that any ambiguities are to be resolved against the drafting Party shall not apply in construing or interpreting this Agreement.

P. *Advice of Legal Counsel*. Each Party acknowledges that it has reviewed this Agreement with its own legal counsel, and based upon the advice of that counsel, freely entered into this Agreement.

Q. *Attorney Fees and Costs*. If any action at law or in equity, including action for declaratory relief, is brought to enforce or interpret any provision of this Agreement, the prevailing Party shall be entitled to an award of reasonable attorney fees and costs, which may be set by the court in the same action or in a separate action brought for that purpose, in addition to any other relief to which such Party may be entitled.

R. *No Monetary Damages Against the City*. In the event of the City's default under this Agreement, Subdivider agrees that Subdivider may not seek, and shall forever waive any right to, monetary damages against the City.

S. *Modification*. This Agreement may be amended only by a written instrument signed by the Parties. Subdivider shall bear all costs of amendments to this Agreement that are requested by Subdivider.

T. *Exhibits.* All exhibits attached hereto are incorporated into this Agreement:
Exhibit A - Resolution No. 2015-018 and Tentative Map 02-2014
Exhibit B - Final Map 03-2022

[Signatures on following page]

IN WITNESS WHEREOF, this Agreement has been entered into by and between Subdivider and City as of the day and year first above written.

SUBDIVIDER:	**CITY:**
LGI Homes – California, LLC	CITY OF RIVERBANK, a California municipal corporation:
By: ________________________________ ____________________, President	By: ________________________________ Marisela H. Garcia, City Manager
Date: ________________________________	Date: ________________________________
	ATTEST:
	By: ________________________________ Gabriela Hernandez, City Clerk
	APPROVED AS TO FORM:
	By: ________________________________ Tom Hallinan, City Attorney

California All-Purpose Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
)
County of ______Stanislaus______)

On______________________, before me _________________________________, a Notary Public, personally appeared ______________________________ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

____
(Signature)

(Seal)

California All-Purpose Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
)
County of ______Stanislaus______)

On_____________________, before me ________________________________, a Notary Public, personally appeared ________________ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

____
(Signature)

(Seal)

EXHIBIT A

Tentative Map Resolution of Approval
Tentative Map 02-2014

EXHIBIT B
Final Map 03-2022

CITY OF RIVERBANK

RESOLUTION NO. 2015-018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, APPROVING THE REQUEST OF CARY POPE FOR A TENTATIVE SUBDIVISION MAP 02-2014 TO SUBDIVIDE 17.90-ACRES INTO 96 PLANNED DEVELOPMENT SINGLE FAMILY RESIDENTIAL LOTS, LOCATED SOUTH OF SANTA FE DRIVE BETWEEN CENTRAL AVENUE AND SNEDIGAR ROAD APN: 062-020-010 AND 062-020-025

WHEREAS, a development application has been received from Cary Pope representing the real property owners: Ty Angle and Shane and Kim Parsons for a Tentative Subdivision Map to divide 17.90 acres into 96 single family residential lots and 2 drainage lots of lands more particularly described as:

Parcel A: All of Lots 267, 268 and 272 of RIVERBANK IRRIGATION FARMS, as per Map filed January 15, 1913 in Book 7 of Maps, at Page 23 Stanislaus County Records.

Parcel B: Parcel 2 as shown on that certain Parcel Map filed for record on January 27, 2006, in book 56 of Parcel Maps, at Page 29, Stanislaus County Records.

Stanislaus County Assessor Parcel Number's 062-020-010 and 025.

WHEREAS, The City Subdivision Ordinance, Section 152.037, states that as condition of approval of a tentative map, the subdivider shall dedicate and develop parkland, pay a fee in lieu thereof, or both, at the option of the City. In this case the City has chosen to accept the payment of an in-lieu fee for parkland dedication based on values of land at the time the Final map is recorded. The obligation for this project is 1.488 acres of park land pursuant to the General Plan Policy PUBLIC - 11.1 which requires a dedication obligation of five acres of parkland per 1,000 residents; and

WHEREAS, public facilities represent the public's investment in the development of the complex, urban infrastructure that is necessary to support the physical operation of the city; and

WHEREAS, the proposed tentative map is consistent with General Plan Goal LAND -3 which states that the City promotes "Development Patterns that Encourage Alternatives to Vehicular Travel"; and

WHEREAS, the proposed tentative map is consistent with General Plan Goal DESIGN -1 which states that the City promotes "Street and circulation patterns that that encourage bicycling, transit use, and reduce traffic congestion"; and

WHEREAS, the proposed tentative map is consistent with General Plan Goal DESIGN – 2 which states that the City promotes "Amenities and Features along Neighborhood Residential Streets that Accommodate All Travel Modes"; and

WHEREAS, the proposed tentative map is consistent with General Plan Goal DESIGN – 3 which states that the City promotes "Neighborhoods which are Oriented to the Pedestrian and Foster a Sense of Community"; and

WHEREAS, the proposed tentative map is consistent with General Plan Goal DESIGN – 4 which states that the City promotes "High Quality Residential Site Design and Architecture"; and

WHEREAS, the City Council finds that the proposed subdivision, together with the provisions for its design and improvements, is consistent with the general plan and applicable specific plans of the City, based on the following:

(1) In connection with their review of a tentative map, the Planning Commission determined the discharge of waste from the proposed subdivision into the existing sewer system would not result in violation of existing requirements prescribed.

(2) The Planning Commission has considered the effect of its actions on the housing needs of the region in which the local jurisdiction is situated and balance those needs against the public service needs of the City's residents and available fiscal and environmental resources.

(3) The proposed tentative map is consistent with applicable general and specific plans.

(4) The site is physically suitable for the type of development.

(5) The site is physically suitable for the proposed density of the development.

(6) The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

(7) The design of the subdivision or the type of improvements will not cause serious public health problems.

(8) The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision.

WHEREAS, the location, size, timing, and financing of major streets, water, sewer, and drainage systems, parks and playgrounds, police and fire stations, and libraries must be planned well in advance of their construction. This advance planning is an essential to minimizing project costs, optimizing project need and usefulness, and maximizing the public benefits and private sector support; and

WHEREAS, Riverbank's investments in public facilities are designed to respond to the identified needs of the forecasted population and how these improvements relate to other existing public facilities; and

WHEREAS, newly developed properties must be adequately serviced with parks, sewerage, water, electricity, gas, street lighting and telecommunications in a timely, cost-effective coordinated and efficient manner; and

WHEREAS, the project will comply with all final findings and recommendation of the North Bruinville Basin Master Utility Design Memorandum that will ensure that public infrastructure is properly planned and implemented; and

WHEREAS, the applicant will incorporate natural drainage system techniques such as underground storage and percolation of storm water, until facilities called for under the North Bruinville Basin Master Utility Design Memorandum are constructed; and

WHEREAS, Tentative Map 02-2014 was reviewed by the Riverbank Planning Commission at a regular meeting held on February 17, 2015 in the manner prescribed by law; and.

WHEREAS, the proposed subdivision is located on a vacant pasture land that is within the City limits of the City of Riverbank and is within an area anticipated for urban land uses; and

WHEREAS, the City Council did consider a proposed Negative Declaration with mitigation measures pursuant to the California Environmental Quality Act and considers this to be the appropriate level of environmental review in this case. The Planning Commission finds that the amended and new mitigation measures, as discussed in the staff report and revised Mitigation Monitoring Plan, are equivalent to or more effective than the previous Mitigation Measures circulated with the Initial Study and that they, themselves, will not cause any potentially significant effect on the environment pursuant to CEQA guidelines section 15074.1.; and

WHEREAS, The Riverbank City Council approves the requested Tentative Map as prepared by VVH Engineers and dated December 17, 2014 presented by Cary Pope as depicted in attached **Exhibit "A"**, incorporated herein as a part of this City Council Resolution; and

WHEREAS, The City Council of the City of Riverbank hereby finds and adopts the following findings:

A. The project, as conditioned, is consistent with the General Plan in that the project directly implements adopted policies of the General Plan Land Use and Housing Elements.

B. Notice to the general public and adjoining neighbors in the time and in the manner required by State Law and City Code.

C. Based on the project's Initial Study, a Mitigated Negative Declaration has been prepared for the project and it has been determined to adequately address potential impacts created by the project and mitigation measures contained therein are hereby recommended for adoption in accordance with all applicable provisions of the California Environmental Quality Act. The Community Development Department is directed to file a Notice of Intent to Adopt with the Stanislaus County Clerk Recorder's Office.

D. The site is physically suitable for the proposed type and intensity of development in that the site is generally flat with no unique geologic characteristics visible and construction of the project will result in adequate infrastructure available to the site to handle the anticipated development.

E. The circulation of the Tentative Subdivision Map to all responsible and trustee agencies has provided sufficient opportunity to review the proposed development plan and ensure minimal impacts on surrounding properties in that the hearing was held in the manner prescribed by law and surrounding properties are not expected to be impacted by the additional residential housing units.

F. The approval of the Tentative Map 02-2014 for the establishment of 96 new single family dwelling units will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood in that proposed are similar to, and compatible with, neighboring uses in the area.

WHEREAS, the request and plans of Cary Pope are hereby approved by the City Council of the City of Riverbank, subject to the following conditions:

1. Applicant shall comply with the City of Riverbank Standard Conditions as contained in the Planning Commission Resolution 2013-013 and/or receive confirmation from the Community Development Director that a specific condition or conditions does not apply to the subject project.

2. The project is subject to the recommendations of the Bruinville Public Facilities Master Plan pursuant to City Council Resolutions 2006-115 and 2006-116. Including the requirement to form and annex into a Public Services Community Facilities District for Police Protection services; maintenance of storm drainage and street lighting systems; and long term maintenance of public roads.

3. Applicant shall work with the City Engineer and the Riverbank Unified School District to design, fund and construct improvements to adequately address the issue of safe routes to schools as documented by the Riverbank Unified School District in their letter of August 18, 2014.

4. Applicant shall address the concerns expressed by the Oakdale Irrigation District (OID) with the Marrs and Santa Fe Pipelines to the satisfaction of OID. This condition is based on the OID letter dated July 24, 2014.

5. The project is required to comply with all Special Conditions discussed by the Stanislaus County Consolidated Fire District in their letter dated July 17, 2014.

6. If a final map reflecting these conditions of approval is not approved by the City Council within two years of the approval of this Tentative Map, this Tentative Map shall lapse and the applicant shall reapply to the City of Riverbank for a new Map. Applicant may not rely on this approval to begin construction of structures on parcels illustrated on the submitted map until all public improvements are inspected and accepted by the City. Notwithstanding, the Applicant may commence all on and off site work upon issuance of a grading and construction permit Reapplications for a tentative map shall state the reasons why the applicant was unable to gain approval of a final map and why within two years from the approval of a new tentative map the project is expected to be able to file a final map, if so granted. Reapplications for tentative maps may include information submitted in the initial application by reference. The zoning will not expire, nor will any associated applications (except tentative maps and vacation and abandonment applications), unless otherwise stated in the conditions of approval. The application(s) will expire in two years at 5:00 p.m. on the expiration date (holidays and weekends will not extend the expiration day). Any extension of time must be applied for prior to 5:00 p.m. on the expiration date

7. If a final map reflecting the conditions of the approved tentative map is not completed within the timeframe provided by state law from the date of the granting of this approval, the City may reexamine its approval and impose additional terms or conditions to respond to significant changes in circumstances which may have occurred during that time period.

8. That a Mitigated Negative Declaration with mitigation measures has been prepared for this project in accordance with the California Environmental Quality Act and the applicant hereby agrees to incorporate all mitigation measures into the design and construction of the project. The Owners have executed a Mitigation Agreement for the project which will be recorded against the subject property to memorialize the mitigation commitments.

9. All improvements including future homes will be required to comply with the Design Guidelines for Diamond Bar Estates East and West dated February 2015 and attached to this Resolution as **Exhibit "B"**.

10. Riverbank General Plan Policy CONS-5.7 states: A mitigation plan shall be prepared and reviewed and approved by the appropriate regulatory agencies for the projects where avoidance of adverse effects to special-status species is not feasible, and authorization for take of listed species shall be obtained, if necessary. The mitigation plan shall include measures to minimize potential for effects during project construction (e.g., pre-construction surveys and timing of construction) and measures to compensate for loss of special-status species habitat. Loss of Swainson's hawk foraging habitat shall be compensated for by preservation and management of foraging habitat of at least a similar quality at an appropriate location. Mitigation plans shall identify an appropriate mitigation site, compensation acreage, performance criteria, and monitoring and management of foraging habitat of at least a similar quality at an appropriate location. Mitigation plans shall identify an appropriate mitigation site, compensation acreage, performance criteria, and monitoring and management requirements to ensure the site provides suitable habitat for the applicable species. Long-term protection of mitigation lands shall be ensured through fee title acquisition, conservation easement, or other suitable mechanisms. Long-term management of mitigation lands shall be ensured by establishing a management endowment or other suitable funding source. Alternatively, it may be appropriate to contribute funds to existing mitigation programs. Use of such a program shall be approved by the appropriate regulatory agencies.

11. Lots 76 and 77 as illustrated on the tentative map will be considered non-buildable lots until "C" Street is designed, funded, constructed and accepted by the City Council westerly to its intersection with Central Ave. These are future street improvements contemplated by the development of the property to the west of the subject property. Lots 76 and 77 shall have a temporary cul-de-sac constructed on the front portion of the parcels for emergency turn-a-round purposes.

12. Special Conditions as expressed by the City Engineer.

Streets

a. The streets shall be designed to conform to the dimensions shown on the approved tentative map.

b. A safe route to the Riverbank elementary and Riverbank High School is required. A plan indicating safe access, including ADA compliance, sidewalks, ramps, striping and signage is to be designed and constructed.

c. When half streets are constructed the design needs to include a half street section and a 12 foot paved lane.

d. A slurry seal and traffic striping shall be applied to all public streets after the Notice of Completion and prior to the release of the one year maintenance bonds at the discretion of the City.

e. All concrete, asphalt, signs, striping or utility system damaged during construction must be replaced prior to acceptance by the City of the one year warranty and prior to any building final inspection.

f. Formation and annexation into a Community Facilities District is required to finance the maintenance, repair and replacement of all of the streets.

g. The street frontage including drainage adjacent to APN 062-020-011 (about 367 linear feet) shall be fully improved to the street section suggested for Snedigar. This includes the 12 foot wide half street on the east side of Snedigar adjacent to the subject property. The City will consider the formation of an Area of Benefit to reimburse the subdivider for these off-site improvement obligations.

h. The project proponent shall be required to fully improve the rail crossing of Snedigar near Patterson Road and pay a fair share of the intersection improvements and signalization of said intersection. All costs associated with compliance with this item are reimbursable as this item is an identified improvement as part of the Riverbank System Development Fees.

Water

i. The water system shall be installed, tested, approved and operational prior to any residential construction.

j. The entire water system shall be looped with no dead end water lines.

k. A water system analysis is required to determine when the water well #11, including well site improvements, emergency back-up power supply and associated water system improvements shall be installed.

l. The water well site #11 needs to be acquired and granted to the City prior to the recording of the final map.

Sanitary Sewer

m. A sewer study is required to verify that the sewer trunk lines will be designed at a sufficient size and depth to serve the entire plan area.

Storm Drainage

n. A storm drainage system study is required to verify that the proposed storm drainage improvements will interconnect with future development and regional systems.

o. Formation and annexation into a Community Facilities District is required to finance the maintenance, repair and replacement of storm drainage pipes, basins, inlets, filters, facility landscaping and other storm drainage features.

p. Basins shall be designed to have a maximum depth of 10 feet with side slopes not to exceed 4:1 (H:V).

q. All basin areas proposed lack specific designs of the areas in the after project condition. These basins and water filtration areas shall at a minimum be landscaped including irrigation meeting the RMC's standards related to drought tolerant landscape as approved by the City. The Applicant shall be under obligation to pay for all third party Landscape Architect Consultant charges associated with the review and inspection of the proposed landscape improvements associated with areas intending to be dedicated to the public.

r. The storm drain basins shall be designed to handle water from the 50 year storm (2.8 inches) with the maximum basin water elevation to be one foot below the lowest gutter elevation in the tributary area being served by the he basin. Two feet of freeboard is required in the basin at all times.

s. Park Fee credits are not available for the proposed project basins unless it can be proven the drainage areas proposed meet several recreational goals of the City. This means that the basin are designed with one or more primary recreational amenities as the driving force behind the design, rather than creating a hole in the ground that serves as storm drainage basin filtering technique and secondarily as open space.

<u>Miscellaneous</u>

t. All existing irrigation lines, wells, septic systems and structures shall be removed from the site. All wells shall be destroyed as per the requirements of the City of Riverbank and the Stanislaus County Department of Environmental Resources according to the Stanislaus County Well Ordinance 443, Section 3-301. All existing septic systems shall be shall be pumped and then have the box punched and broken and back filled with soil in accordance with the requirements of the Stanislaus County Department of Environmental Resources and the City.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank herby approves Tentative Map Application No. 02-2014, subject to those conditions established by this Resolution and to be built as illustrated in **Exhibit "A and B"** to this Resolution entitled TM dated March 24, 2015 and Design Guidelines dated February 2015.

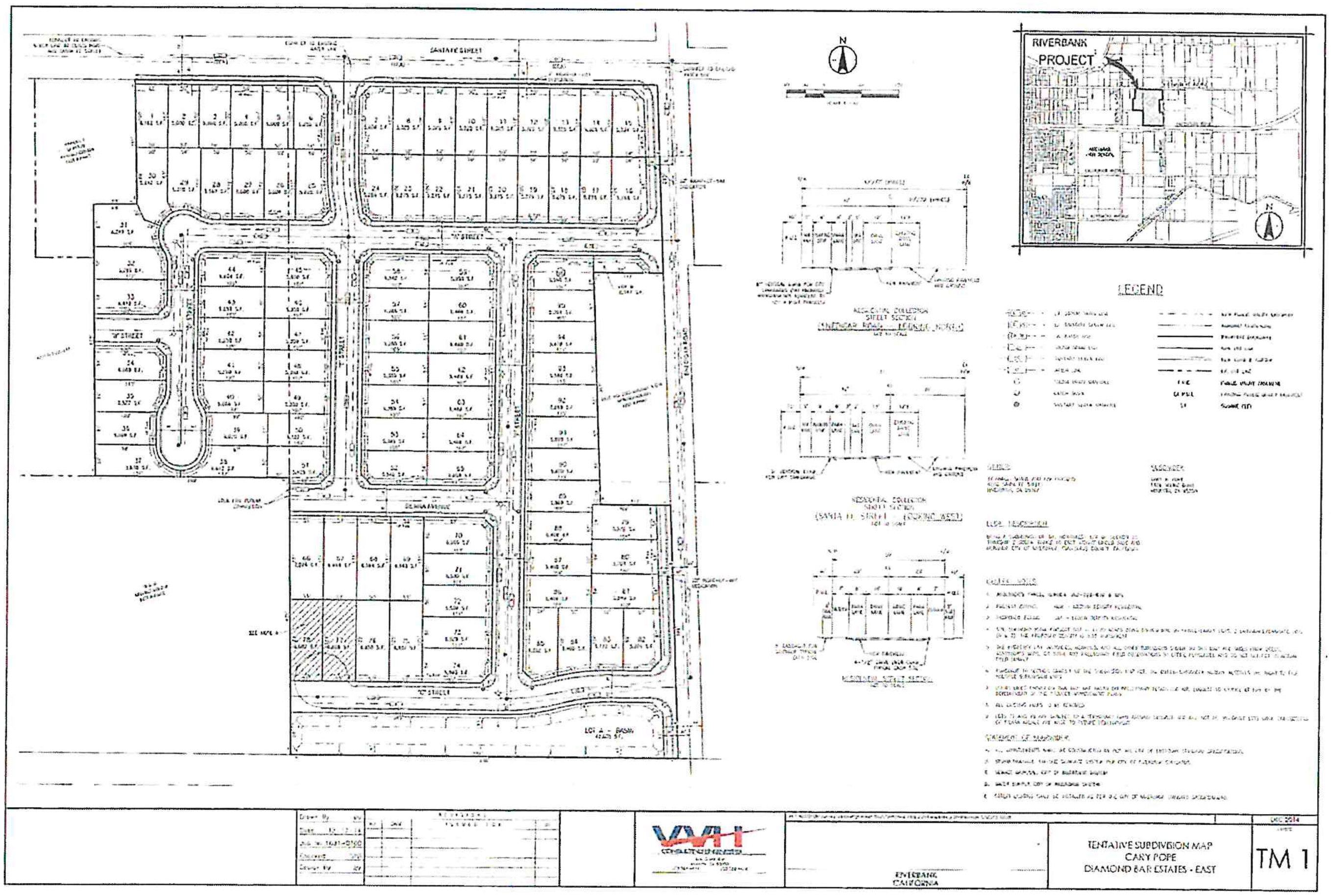
PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 24th day of March, 2015; motioned by Councilmember Leanne Jones Cruz, seconded by Vice Mayor Darlene Barber-Martinez, and upon roll call was carried by the following City Council vote of 4-0:

AYES:	**Jones Cruz, Tucker, Barber-Martinez, and Mayor O'Brien**
NAYS:	**None**
ABSENT:	**Campbell**
ABSTAINED:	**None**

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

Attachments: Exhibit A – Tentative Map prepared by VVH Engineering and dated 12-17-14
Exhibit B – Design Guidelines for Diamond Bar Estates East dated February 2015

EXHIBIT - A



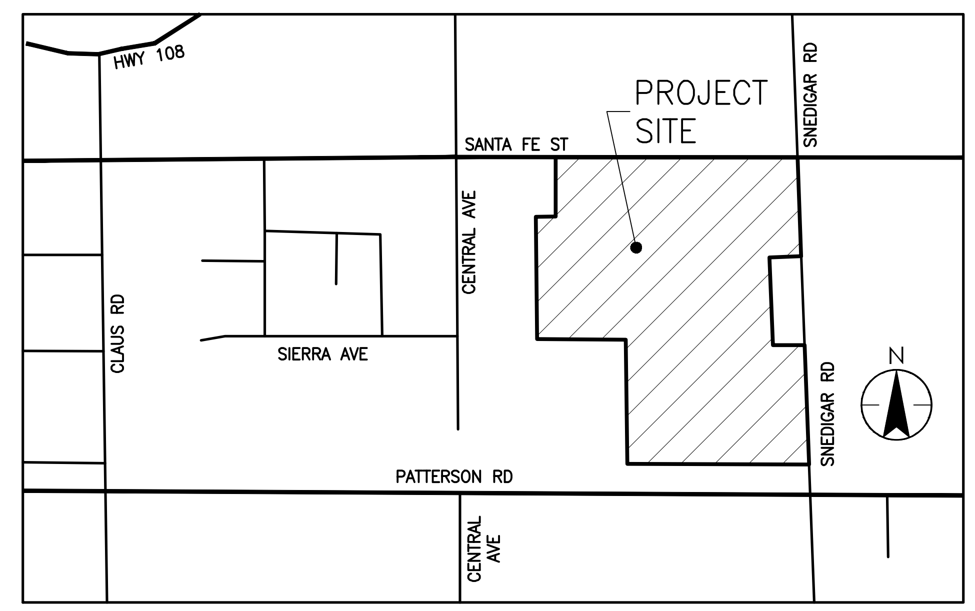
CC/LRA - 03/24/15
Attachment to CC Resolution No. 2015-018

DIAMOND BAR EAST

VTSM MAP APPLICATION #01-2014

BEING A SUBDIVISION OF PORTIONS OF LOTS 267, 268, AND 272 OF RIVERBANK IRRIGATED FARMS, AS SHOWN IN VOLUME 7, PAGE 23 OF MAPS, AND PARCEL 2 AS SHOWN IN BOOK 54, PAGE 29 OF PARCEL MAPS, STANISLAUS COUNTY RECORDS, LYING IN A PORTION OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 10 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF RIVERBANK, STANISLAUS COUNTY, CALIFORNIA
JUNE 2022

VVH
CONSULTING ENGINEERS
430 10TH STREET
MODESTO, CA 95354
TEL: 209.568.4477 FAX: 209.568.4478



VICINITY MAP
NOT TO SCALE

OWNERS' STATEMENT:

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE, OR INTEREST OF RECORD IN THE LAND SHOWN ON THIS MAP, AND WE CONSENT TO THE MAKING AND THE FILING OF THIS MAP IN THE OFFICE OF THE COUNTY RECORDER. WE ALSO OFFER FOR DEDICATION TO THE PUBLIC FOR PUBLIC USE ALL STREETS, AVENUES, ROADS, EASEMENTS, AND OTHER PUBLIC PLACES AND DEDICATIONS AS SHOWN WITHIN THE EXTERIOR BOUNDARY OF THE LAND BEING DIVIDED.

DATED THIS ______ DAY OF ______________ , 20___ .

OWNER: LGI HOMES – CALIFORNIA, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

____

NOTARY STATEMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF ______________

ON ______________________ , 20____ , BEFORE ME, ______________________________ ,

A NOTARY PUBLIC, PERSONALLY APPEARED ______________________________________

____ ,

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE: ______________________________ COMMISSION NUMBER: __________________

PRINCIPAL COUNTY OF BUSINESS: __________________ MY COMMISSION EXPIRES: __________________

PLANNING COMMISSION STATEMENT:

THIS IS TO CERTIFY THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE TENTATIVE MAP RECOMMENDED BY THE PLANNING COMMISSION AT A DULY AUTHORIZED MEETING HELD ON THE ______ DAY OF ______________ , 20___ , AND APPROVED BY THE CITY COUNCIL AT A DULY AUTHORIZED MEETING HELD ON THE ______ DAY OF ______________ , 20___ , AND THE ZONING ORDINANCE OF THE CITY OF RIVERBANK.

DATED THIS ______ DAY OF ______________ , 20___ .

BY: ______________________________________
DONNA M. KENNEY, SECRETARY OF PLANNING COMMISSION
CITY OF RIVERBANK

W:\12130300\survey\DRAWING\SHEET FILES\FM\1-CERT SHT.dwg nstammer 8/1/22 8:43

CLERK OF THE BOARD OF SUPERVISOR'S CERTIFICATE:

THIS IS TO STATE THAT THE OWNERS OF THE PROPERTY SHOWN ON THE ACCOMPANYING MAP HAVE FILED WITH THE BOARD OF SUPERVISOR'S:

(CHECK ONE)

- ☐ A. A BOND OR DEPOSIT APPROVED BY SAID BOARD TO SECURE THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES, WHICH ARE AT THE TIME OF FILING THIS MAP, A LIEN AGAINST SAID PROPERTY OR ANY PART THEREOF.
- ☐ B. RECEIPTED TAX BILL OR BILLS OR SUCH OTHER EVIDENCE AS MAY BE REQUIRED BY SAID BOARD SHOWING FULL PAYMENT OF ALL APPLICABLE TAXES.

DATED THIS ______ DAY OF ______________ , 20___ .

ELIZABETH A. KING
CLERK OF THE BOARD OF SUPERVISORS
STANISLAUS COUNTY, CALIFORNIA

BY: ______________________________________ , DEPUTY
PRINT NAME

CLERK OF THE BOARD OF SUPERVISOR'S STATEMENT:

I, ELIZABETH A. KING, CLERK OF THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY DO HEREBY STATE THIS MAP WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS ON THE ______ DAY OF ______________, 20__ AND ACCEPTED ON THE BEHALF OF THE PUBLIC FOR PUBLIC USE, SUBJECT TO SATISFACTORY COMPLETION OF ALL IMPROVEMENTS, THE OFFER FOR DEDICATION OF THE FOLLOWING EASEMENTS: ALL PUBLIC UTILITY EASEMENTS (PUE) ALONG XX, ALL AS SHOWN ON THIS FINAL MAP.

IN WITNESS THEREOF, I HERETO SET MY HAND DATED THIS ______ DAY OF ______________________ , 20__.

______________________________________ BY: ____________________________, DEPUTY
ELIZABETH A. KING, CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

SURVEYOR'S STATEMENT:

I, RYAN VANCE, HEREBY STATE THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF CALIFORNIA, AND THAT THIS MAP, CONSISTING OF 6 SHEETS, CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION DURING THE MONTH OF NOVEMBER 2021, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL THE MONUMENTS ARE OF THE CHARACTER SHOWN HEREON AND SHALL BE SET ON OR BEFORE DECEMBER 2023 IN THE POSITIONS INDICATED AND THAT SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED.

DATED THIS ______ DAY OF ______________________ , 20____ .

PRELIMINARY – FOR REVIEW ONLY
RYAN VANCE, L.S. 8225

LICENSED LAND SURVEYOR
RYAN VANCE
No. 8225
STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT:

THIS IS TO STATE THAT I HAVE EXAMINED THE ACCOMPANYING FINAL MAP, THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL PROVISIONS OF THE STATE SUBDIVISION MAP ACT, AND THE MUNICIPAL CODE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND THE MAP IS TECHNICALLY CORRECT.

DATED THIS ______ DAY OF ______________________ , 20____ .

____
WILLIAM F. KULL, CITY ENGINEER, LS 5792

CITY CLERK'S STATEMENT:

THIS IS TO CERTIFY THAT AT ITS REGULAR MEETING HELD ON THE ______ DAY OF __________________ , 20____ , THE CITY COUNCIL OF THE CITY OF RIVERBANK, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, APPROVED THIS FINAL MAP AND ACCEPTED ON BEHALF OF THE PUBLIC FOR PUBLIC USE, THE STREETS, AVENUES, ROADS, EASEMENTS, AND OTHER PUBLIC PLACES AND DEDICATIONS AS SHOWN ON THIS FINAL MAP. SAID APPROVAL IS NOT TO BE CONSTRUED AS ACCEPTANCE OF THE REMAINING STREETS SHOWN THEREON.

DATED THIS ______ DAY OF ______________________ , 20____ .

BY: ______________________________
ANNABELLE AGUILAR, CITY CLERK

TAX COLLECTOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THERE ARE NO LIENS AGAINST THIS SUBDIVISION OR ANY PART THEREOF FOR ANY UNPAID STATE, COUNTY, SCHOOLS, MUNICIPAL OR LOCAL TAXES, OR SPECIAL ASSESSMENTS OR TAXES NOT YET PAYABLE AGAINST THE LAND SHOWN ON THIS MAP.

APN 062-020-010, 062-020-025

DATED THIS _____ DAY OF ______________ , 20___ .

DONNA RILEY
STANISLAUS COUNTY TAX COLLECTOR

BY: ______________________________________ , DEPUTY
PRINT NAME

COUNTY RECORDER'S STATEMENT:

FILED THIS ________ DAY OF ______________________ , 20_____ , AT ______ .M. IN BOOK _____ OF

MAPS, AT PAGE ______ , AT THE REQUEST OF VVH CONSULTING ENGINEERS.

INSTRUMENT NO. ____________________________

FEE $ _________

DONNA LINDER
COUNTY RECORDER OF
STANISLAUS COUNTY, CALIFORNIA

BY: ______________________________
DEPUTY RECORDER

____
PRINT NAME

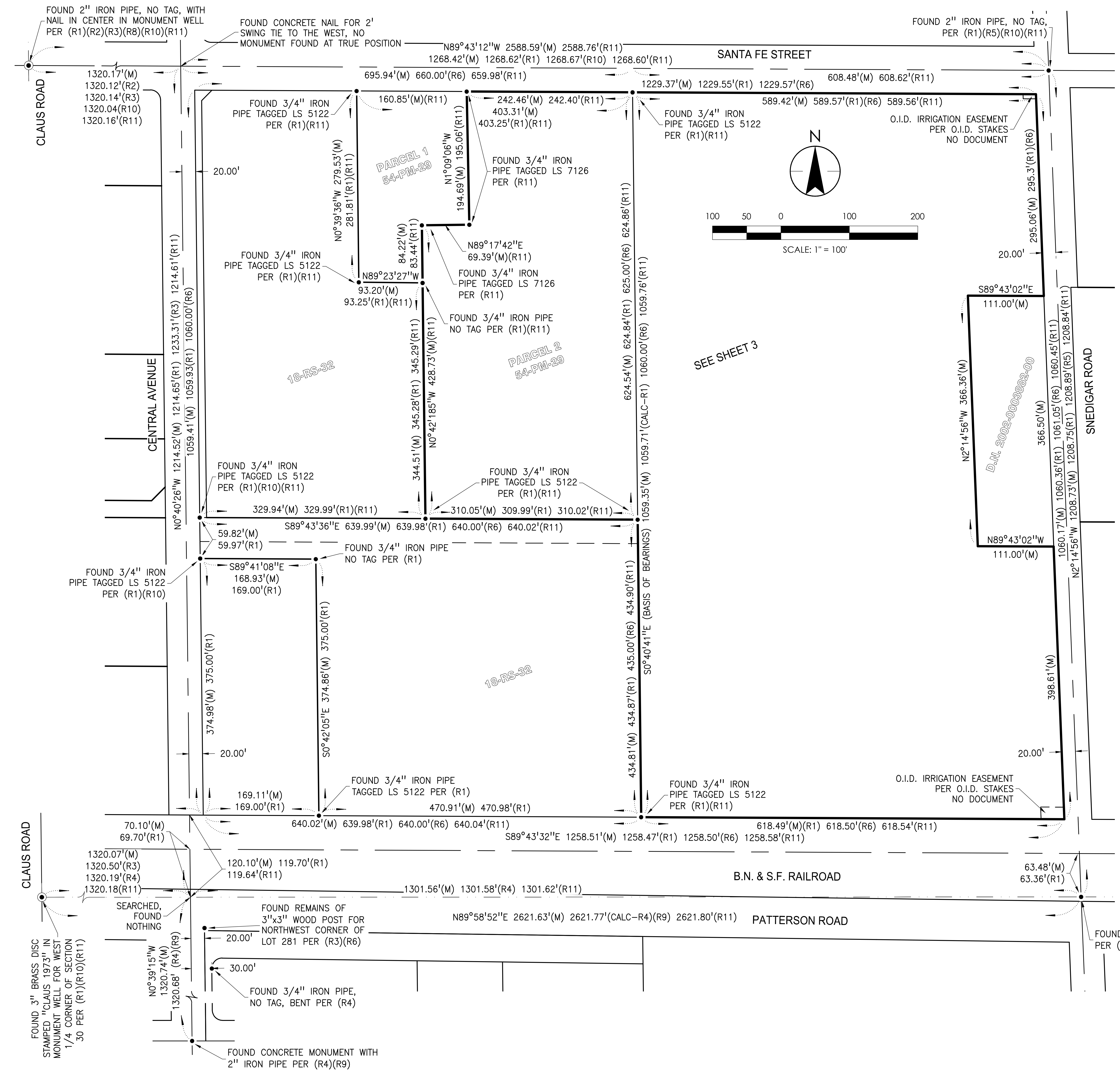
STANISLAUS COUNTY FILE NO. ___________

DIAMOND BAR EAST

VTSM MAP APPLICATION #01-2014

BEING A SUBDIVISION OF PORTIONS OF LOTS 267, 268, AND 272 OF RIVERBANK IRRIGATED FARMS, AS SHOWN IN VOLUME 7, PAGE 23 OF MAPS, AND PARCEL 2 AS SHOWN IN BOOK 54, PAGE 29 OF PARCEL MAPS, STANISLAUS COUNTY RECORDS, LYING IN A PORTION OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 10 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF RIVERBANK, STANISLAUS COUNTY, CALIFORNIA
JUNE 2022

VVH CONSULTING ENGINEERS
430 10TH STREET
MODESTO, CA 95354
TEL: 209.568.4477 FAX: 209.568.4478



LEGEND:

	FOUND AND ACCEPTED MONUMENT AS NOTED
	FOUND AND ACCEPTED MONUMENT IN MONUMENT WELL AS NOTED
	SET 3/4" x 30" LONG IRON PIPE TAGGED L.S. 8225
	SET 3/4" X 30" LONG IRON PIPE TAGGED L.S. 8225 IN MONUMENT WELL
S.C.R.	STANISLAUS COUNTY RECORDS
RS	RECORD OF SURVEY
PM	PARCEL MAP
D.N.	DOCUMENT NUMBER
(M)	MEASURED ON THIS SURVEY

BASIS OF BEARINGS:

THE BEARING OF N0°40'41"W FOR THE EAST BOUNDARY OF THE SURVEYED PROPERTY SHOWN IN BOOK 18 OF SURVEYS, PAGE 32, STANISLAUS COUNTY RECORDS WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

REFERENCES:

(R1) RECORD OF SURVEY, BOOK 18, PAGE 32
(R2) PARCEL MAP, BOOK 26, PAGE 33
(R3) PARCEL MAP, BOOK 21, PAGE 13
(R4) PARCEL MAP, BOOK 29, PAGE 32
(R5) PARCEL MAP, BOOK 12, PAGE 59
(R6) MAPS, BOOK 7, PAGE 23
(R7) RECORD OF SURVEY, BOOK 25, PAGE 53
(R8) PARCEL MAP, BOOK 22, PAGE 52
(R9) PARCEL MAP, BOOK 24, PAGE 87
(R10) PARCEL MAP, BOOK 54, PAGE 40
(R11) PARCEL MAP, BOOK 54, PAGE 29

NOTES:

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DIAMOND BAR EAST

VTSM MAP APPLICATION #01-2014

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CITY OF RIVERBANK, STANISLAUS COUNTY, CALIFORNIA
JUNE 2022

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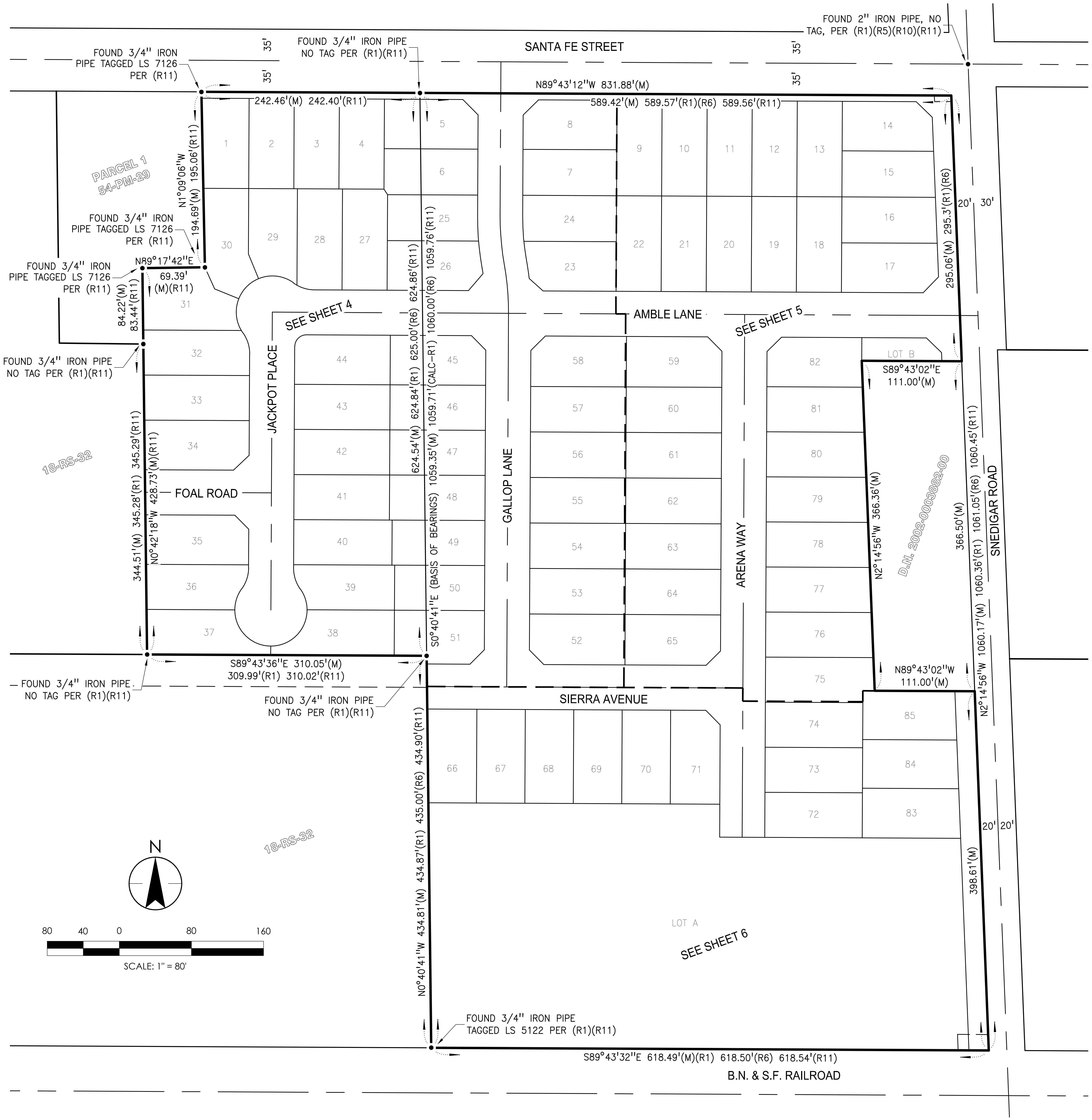
MODESTO, CA 95354
TEL: 209.568.4477 FAX: 209.568.4478



LEGEND:

—•—	FOUND AND ACCEPTED MONUMENT AS NOTED
—⦿—	FOUND AND ACCEPTED MONUMENT IN MONUMENT WELL AS NOTED
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S.C.R.	STANISLAUS COUNTY RECORDS
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BASIS OF BEARINGS:

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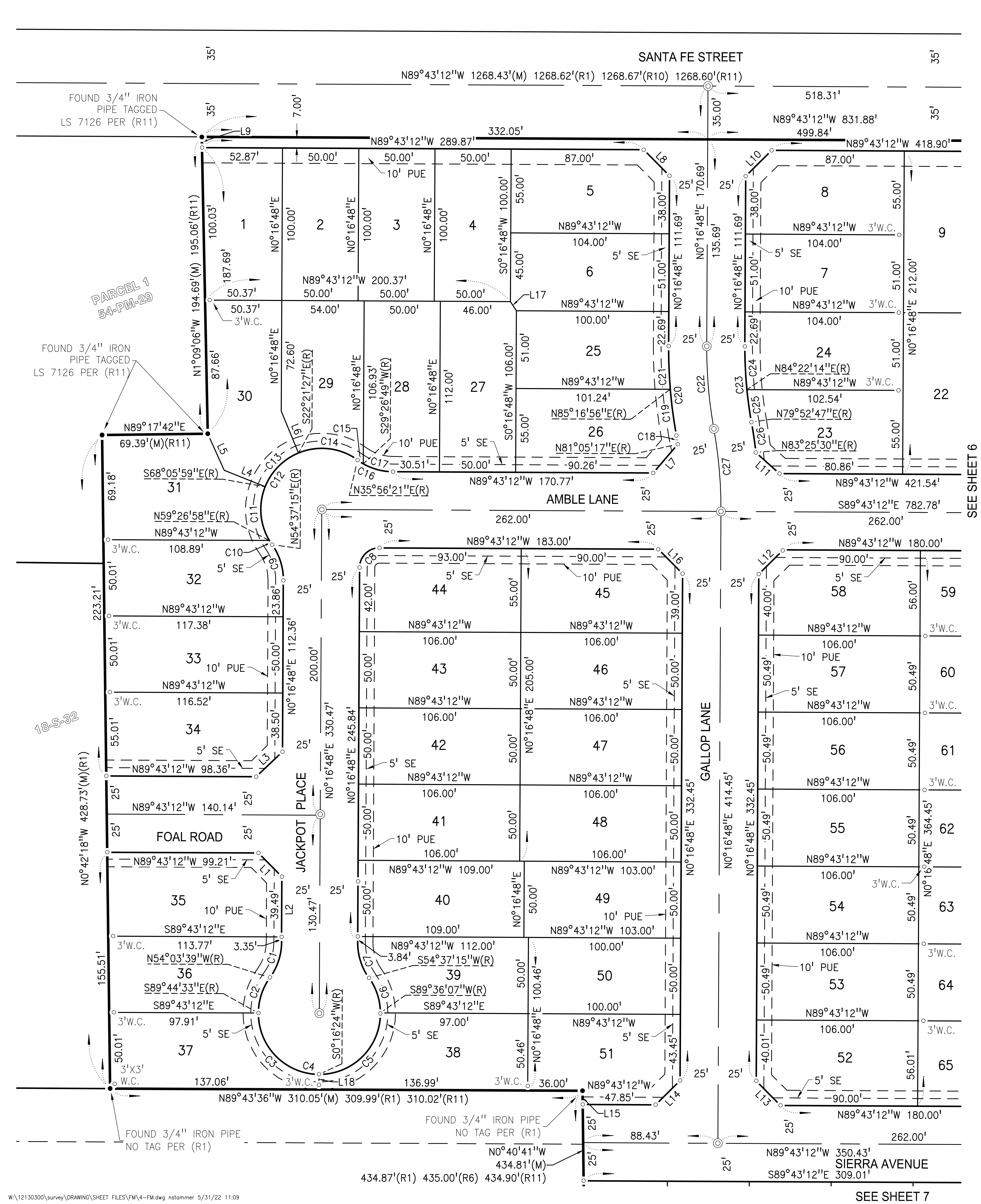

LINE DATA TABLE

LINE	BEARING	DISTANCE
L1	N44°43'12"W	21.92'
L2	S0°16'48"W	42.84'
L3	S46°29'02"W	23.84'
L4	N68°05'59"W	29.00'
L5	N24°10'53"W	26.31'
L6	N22°21'27"W	29.78'
L7	S40°35'44"W	24.83'
L8	S44°43'12"E	24.04'
L9	N1°09'06"W	7.00'
L10	N45°16'48"E	24.04'
L11	N48°14'50"W	20.82'
L12	N45°16'48"E	22.63'
L13	N44°43'12"W	22.63'
L14	S45°16'48"W	22.63'
L15	N0°40'41"W	9.00'
L16	S44°43'12"E	22.63'
L17	S33°24'36"E	7.21'
L18	S0°16'24"W	10.00'

CURVE DATA TABLE

CURVE	DELTA	RADIUS	LENGTH
C1	35°39'33"	40.00'	24.89'
C2	35°40'54"	40.00'	24.91'
C3	89°59'03"	40.00'	62.82'
C4	251°19'05"	40.00'	175.45'
C5	90°40'17"	40.00'	63.30'
C6	34°58'52"	40.00'	24.42'
C7	35°39'33"	40.00'	24.89'
C8	90°00'00"	13.00'	20.42'
C9	35°39'33"	40.00'	24.89'
C10	4°49'43"	40.00'	3.37'
C11	52°27'03"	40.00'	36.62'
C12	161°19'05"	40.00'	112.62'
C13	45°44'32"	40.00'	31.93'
C14	58°17'47"	40.00'	40.70'
C15	6°29'32"	40.00'	4.53'
C16	35°39'33"	40.00'	24.89'
C17	29°10'01"	40.00'	20.36'
C18	1°12'30"	275.00'	5.80'
C19	5°13'32"	336.00'	30.64'
C20	10°24'00"	325.00'	58.99'
C21	5°10'29"	313.89'	28.35'
C22	10°24'00"	300.00'	54.45'
C23	10°24'00"	275.00'	49.92'
C24	5°54'34"	275.00'	28.36'
C25	4°29'27"	275.00'	21.55'
C26	3°32'42"	325.00'	20.11'
C27	10°24'00"	300.00'	54.45'

LOT AREA TABLE

LOT	SF
1	5162
2	5000
3	5000
4	5000
5	5576
6	5292
7	5304
8	5575
23	5326
24	5290
25	5111
26	5594
27	5588
28	5568
29	5221
30	5700
31	6442
32	5811
33	5847
34	6241
35	6162
36	5317
37	5617
39	5257
40	5450
41	5300
42	5300
43	5300
44	5794
45	5702

LOT AREA TABLE

LOT	SF
46	5300
47	5300
48	5300
49	5150
50	5000
51	5493
52	5809
53	5352
54	5352
55	5352
56	5352
57	5352
58	5808

SCALE: 1" = 50'

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PUE	PUBLIC UTILITY EASEMENT

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LINE DATA TABLE		
LINE	BEARING	DISTANCE
L19	S45°59'04"E	24.89'
L20	S44°00'56"W	24.63'
L21	S89°43'12"E	20.02'
L22	S89°43'02"E	22.02'
L23	S2°14'56"E	9.57'
L24	S45°59'04"E	23.44'
L25	N45°16'48"E	22.63'
L26	S44°43'12"E	22.63'
L27	S45°16'48"W	22.63'
L28	N89°43'02"W	13.01'
L29	S0°16'48"W	13.23'
L30	S89°43'02"E	22.02'
L31	N0°16'48"E	25.77'

LOT AREA TABLE	
LOT	SF
9	5300
10	5300
11	5300
12	5300
13	5300
14	5371
15	5237
16	5352
17	5742
18	5300
19	5300
20	5300
21	5300
22	5300
59	5808
60	5352
61	5352
62	5352
63	5352
64	5352
65	5808
75	5856
76	5922
77	5811
78	5701
79	5591
80	5480
81	5370
82	5666

DIAMOND BAR EAST

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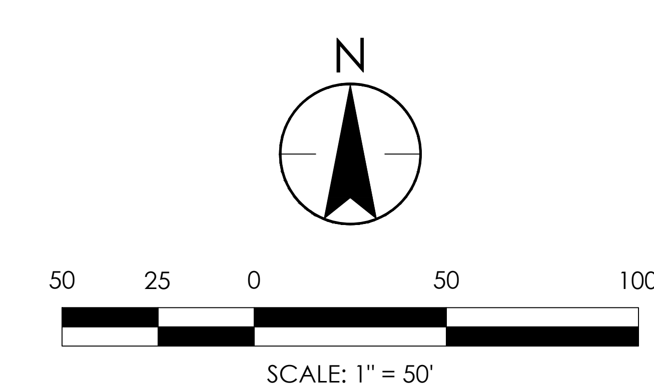

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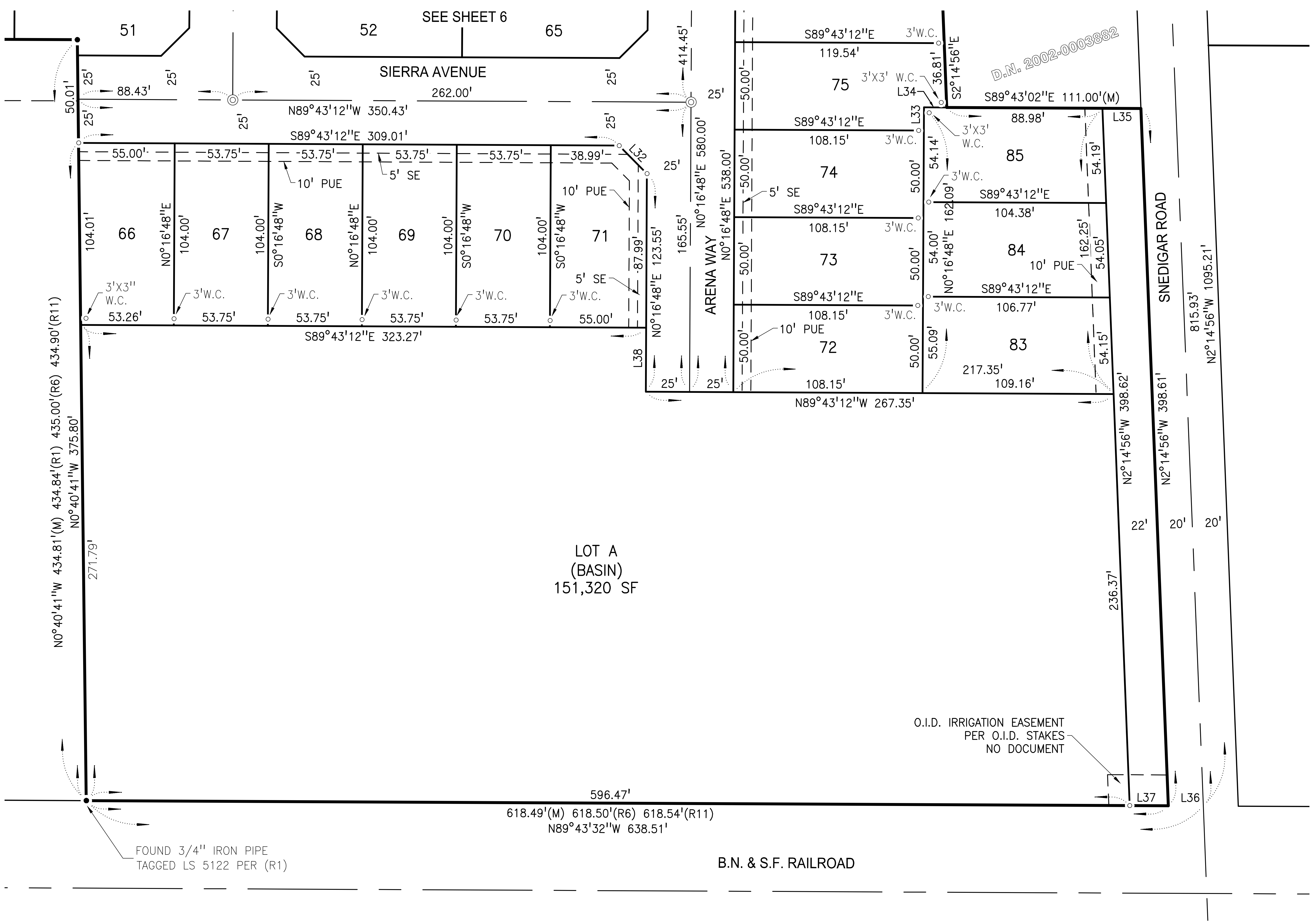
L35	S89°43'02"E	22.02'
L36	S89°43'32"E	20.02'
L37	S89°43'32"E	22.02'
L38	N0°16'48"E	36.42'

LOT AREA TABLE

LOT	SF
66	5630
67	5590
68	5590
69	5590
70	5590
71	5592
72	5408
73	5408
74	5408
75	5856
83	5949
84	5701
85	5586

N

50 25 0 50 100
SCALE: 1" = 50'



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RIVERBANK CITY COUNCIL/ LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.10

SECTION 9: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject/ Title:	**Resolution adopting the Final Map 03-2022 Diamond Bar East – APNs: 062-020-010 and 062-020-025**
From:	**Marisela H. Garcia, City Manager**
Submitted by:	**Donna M. Kenney, Planning and Building Manager**

RECOMMENDATION

Approve the Final Map ("FM") for LGI Homes - California LLC and Diamond Bar East based on the required finding that the map is in conformity with the provisions of subdivision law and city code.

BACKGROUND

On March 24, 2015, the City Council adopted Resolution No. 2015-017, approving a general plan amendment to redesignate the 17.9 acres of Diamond Bar East to low density residential (LDR), which allows for a net density of zero to eight (0-8) dwelling units per acre.

On March 24, 2015, the City Council adopted Resolution No. 2015-018 which approved tentative subdivision map 02-2014 (the "Diamond Bar East Tentative Map") and related conditions of approval, which sets forth the infrastructure obligations and conditions related to the development and build out of approximately 17.9 acres.

On March 24, 2015, the City Council adopted Ordinance No. 2015-007 to approve a rezone of 17.9 acres to Planned Development (PD), allowing for a net density of zero to eight (0-8) dwelling units per acre.

On March 24, 2015, the City Council approved an Initial Study/Mitigated Negative Declaration in connection with its adoption of Ordinance No. 2015-017, which approved the Rezone for Diamond Bar East.

On April 28, 2020, the City Council with Ordinance No. 2020-007 adopted a Development Agreement with McRoy Wilbur Communities, Inc. to list and memorialize the developer's and the City's rights and responsibilities.

On January 26, 2022, LGI Homes – California, LLC entered into an Assumption and Assignment Agreement with McRoy Wilbur Communities, Inc. to assume the Diamond Bar East Development Agreement.

Pursuant to Riverbank Municipal Code Section §152.074 (C)(2), the City Council shall, at the meeting at which it receives the map or at its next regular meeting after the meeting at which it receives the map, approve the map if it is determined to be in conformity with the provisions of law and of this chapter. The Council shall disapprove the map if it is determined not to be in conformity with the provisions of law and of this chapter and shall advise the subdivider of its disapproval, and the reason or reasons thereof.

The City Engineer and Planning and Building Manager have reviewed the final map (**Exhibit A**) and have determined that the plans are in substantial compliance with city standards and with the conditions placed upon the tentative map.

FISCAL IMPACT

None.

ATTACHMENTS

1. Draft City Council Resolution 2023-xxx
   Exhibit A - Final Map
2. Tentative Map

CITY OF RIVERBANK

RESOLUTION 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA APPROVING FINAL MAP 03-2022 FOR LGI HOMES – CALIFORNIA LLC FOR DIAMOND BAR EAST (APNS 062-020-010 and 062-020-025)

THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:

WHEREAS, LGI Homes – California LLC is the property owner and applicant for the Diamond Bar East Final Map 03-2022; and

WHEREAS, on March 24, 2015, the City Council adopted Resolution No. 2015-017, approving a general plan amendment to redesignate the 17.9 acres of Diamond Bar East to low density residential (LDR); and

WHEREAS, on March 24, 2015, the City Council adopted Resolution No. 2015-018 which approved tentative subdivision map 02-2014 (the "Diamond Bar East Tentative Map") and related conditions of approval, which sets forth the infrastructure obligations and conditions related to the development and build out of approximately 17.9 acres; and

WHEREAS, on February 23, 2016, the City Council adopted Ordinance No. 2016-010 approving Rezone 01-2015. This action rezoned the property to Planned Development (PD) and allows for a density of eight to sixteen (8-16) dwelling units per net acre; and

WHEREAS, on March 24, 2015, the City Council adopted Ordinance No. 2015-007 to approve a rezone of 17.9 acres to Planned Development (PD), allowing for a net density of zero to eight (0-8) dwelling units per acre; and

WHEREAS, on March 24, 2015, the City Council approved an Initial Study/Mitigated Negative Declaration in connection with its adoption of Ordinance No. 2015-017, which approved the Rezone for Diamond Bar East; and

WHEREAS, on April 28, 2020, the City Council with Ordinance No. 2020-007 adopted a Development Agreement with McRoy Wilbur Communities, Inc. to list and memorialize the developer's and the City's rights and responsibilities; and

WHEREAS, on January 26, 2022, LGI Homes – California, LLC entered into an Assumption and Assignment Agreement with McRoy Wilbur Communities, Inc. to assume the Diamond Bar East Development Agreement; and

WHEREAS, the City has now received a Final Map application to subdivide the approximately 17.9 acre site into eighty-five (85) lots at APNs 062-020-010 and 062-020-025; and

WHEREAS, the City Engineer and Planning and Building Manager have reviewed the final map and have determined that the plans are in substantial compliance with city standards and with the conditions placed upon the tentative parcel map; and

WHEREAS, pursuant to Riverbank Municipal Code Section §152.074 (C)(2), the City Council shall, at the meeting at which it receives the map or at its next regular meeting after the meeting at which it receives the map, approve the map if it is determined to be in conformity with the provisions of law and of this chapter.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby authorizes the City Engineer to record Final Map 03-2022 (**Exhibit A**) for Diamond Bar East and LGI Homes – California LLC upon determination that the map is in conformity with the provisions of state law.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of March 2023; motioned by Councilmember ______, seconded by Councilmember ______, and upon roll call was carried by the following vote of ___:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:	**APPROVED:**
______________________	______________________
Gabriela Hernandez **City Clerk**	**Richard D. O'Brien** **Mayor**

EXHIBIT A

DIAMOND BAR EAST

VTSM MAP APPLICATION #01-2014

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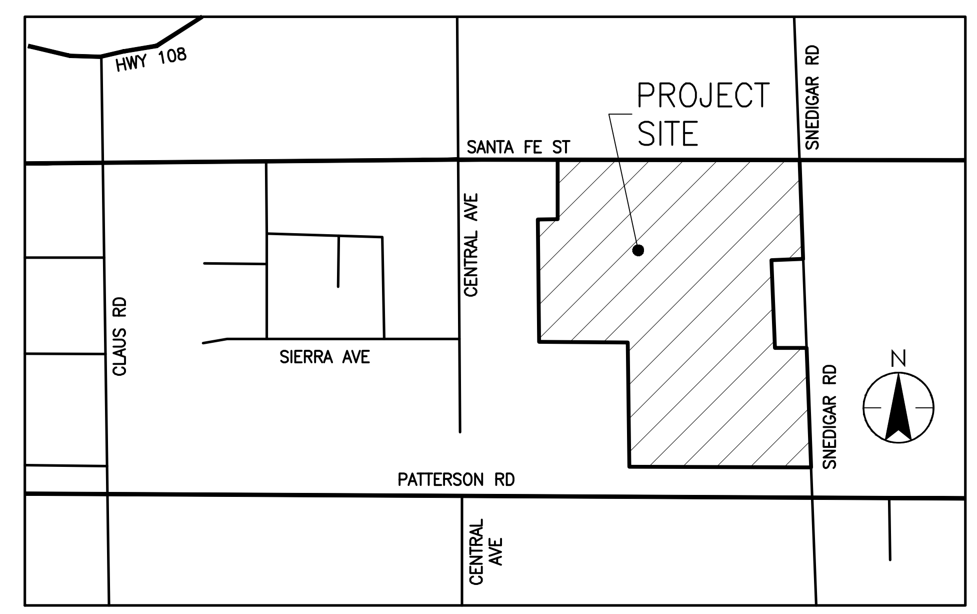


VICINITY MAP
NOT TO SCALE

OWNERS' STATEMENT:

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE, OR INTEREST OF RECORD IN THE LAND SHOWN ON THIS MAP, AND WE CONSENT TO THE MAKING AND THE FILING OF THIS MAP IN THE OFFICE OF THE COUNTY RECORDER. WE ALSO OFFER FOR DEDICATION TO THE PUBLIC FOR PUBLIC USE ALL STREETS, AVENUES, ROADS, EASEMENTS, AND OTHER PUBLIC PLACES AND DEDICATIONS AS SHOWN WITHIN THE EXTERIOR BOUNDARY OF THE LAND BEING DIVIDED.

DATED THIS ______ DAY OF ______________ , 20___ .

OWNER: LGI HOMES – CALIFORNIA, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

____

NOTARY STATEMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF ________________

ON ______________________ , 20____ , BEFORE ME, ______________________________ ,

A NOTARY PUBLIC, PERSONALLY APPEARED ______________________________________

____ ,

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE: ______________________ COMMISSION NUMBER: ________________

PRINCIPAL COUNTY OF BUSINESS: ________________ MY COMMISSION EXPIRES: ________________

PLANNING COMMISSION STATEMENT:

THIS IS TO CERTIFY THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE TENTATIVE MAP RECOMMENDED BY THE PLANNING COMMISSION AT A DULY AUTHORIZED MEETING HELD ON THE ______ DAY OF ______________ , 20___ , AND APPROVED BY THE CITY COUNCIL AT A DULY AUTHORIZED MEETING HELD ON THE ______ DAY OF ______________ , 20___ , AND THE ZONING ORDINANCE OF THE CITY OF RIVERBANK.

DATED THIS ______ DAY OF ______________ , 20___ .

BY: ______________________________
DONNA M. KENNEY, SECRETARY OF PLANNING COMMISSION
CITY OF RIVERBANK

CLERK OF THE BOARD OF SUPERVISOR'S CERTIFICATE:

THIS IS TO STATE THAT THE OWNERS OF THE PROPERTY SHOWN ON THE ACCOMPANYING MAP HAVE FILED WITH THE BOARD OF SUPERVISOR'S:

(CHECK ONE)

☐ A. A BOND OR DEPOSIT APPROVED BY SAID BOARD TO SECURE THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES, WHICH ARE AT THE TIME OF FILING THIS MAP, A LIEN AGAINST SAID PROPERTY OR ANY PART THEREOF.

☐ B. RECEIPTED TAX BILL OR BILLS OR SUCH OTHER EVIDENCE AS MAY BE REQUIRED BY SAID BOARD SHOWING FULL PAYMENT OF ALL APPLICABLE TAXES.

DATED THIS ______ DAY OF ______________ , 20___ .

ELIZABETH A. KING
CLERK OF THE BOARD OF SUPERVISORS
STANISLAUS COUNTY, CALIFORNIA

BY: ______________________________ , DEPUTY
PRINT NAME

CLERK OF THE BOARD OF SUPERVISOR'S STATEMENT:

I, ELIZABETH A. KING, CLERK OF THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY DO HEREBY STATE THIS MAP WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS ON THE ______ DAY OF ______________, 20__ AND ACCEPTED ON THE BEHALF OF THE PUBLIC FOR PUBLIC USE, SUBJECT TO SATISFACTORY COMPLETION OF ALL IMPROVEMENTS, THE OFFER FOR DEDICATION OF THE FOLLOWING EASEMENTS: ALL PUBLIC UTILITY EASEMENTS (PUE) ALONG XX, ALL AS SHOWN ON THIS FINAL MAP.

IN WITNESS THEREOF, I HERETO SET MY HAND DATED THIS ______ DAY OF ______________________ , 20__.

______________________________ BY: ______________________, DEPUTY
ELIZABETH A. KING, CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

SURVEYOR'S STATEMENT:

I, RYAN VANCE, HEREBY STATE THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF CALIFORNIA, AND THAT THIS MAP, CONSISTING OF 6 SHEETS, CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION DURING THE MONTH OF NOVEMBER 2021, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL THE MONUMENTS ARE OF THE CHARACTER SHOWN HEREON AND SHALL BE SET ON OR BEFORE DECEMBER 2023 IN THE POSITIONS INDICATED AND THAT SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED.

DATED THIS ______ DAY OF ______________________ , 20____ .

PRELIMINARY – FOR REVIEW ONLY
RYAN VANCE, L.S. 8225

LICENSED LAND SURVEYOR
RYAN VANCE
No. 8225
STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT:

THIS IS TO STATE THAT I HAVE EXAMINED THE ACCOMPANYING FINAL MAP, THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL PROVISIONS OF THE STATE SUBDIVISION MAP ACT, AND THE MUNICIPAL CODE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND THE MAP IS TECHNICALLY CORRECT.

DATED THIS ______ DAY OF ______________________ , 20____ .

____
WILLIAM F. KULL, CITY ENGINEER, LS 5792

CITY CLERK'S STATEMENT:

THIS IS TO CERTIFY THAT AT ITS REGULAR MEETING HELD ON THE ______ DAY OF ______________________ , 20____ , THE CITY COUNCIL OF THE CITY OF RIVERBANK, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, APPROVED THIS FINAL MAP AND ACCEPTED ON BEHALF OF THE PUBLIC FOR PUBLIC USE, THE STREETS, AVENUES, ROADS, EASEMENTS, AND OTHER PUBLIC PLACES AND DEDICATIONS AS SHOWN ON THIS FINAL MAP. SAID APPROVAL IS NOT TO BE CONSTRUED AS ACCEPTANCE OF THE REMAINING STREETS SHOWN THEREON.

DATED THIS ______ DAY OF ______________________ , 20____ .

BY: ______________________________
ANNABELLE AGUILAR, CITY CLERK

TAX COLLECTOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THERE ARE NO LIENS AGAINST THIS SUBDIVISION OR ANY PART THEREOF FOR ANY UNPAID STATE, COUNTY, SCHOOLS, MUNICIPAL OR LOCAL TAXES, OR SPECIAL ASSESSMENTS OR TAXES NOT YET PAYABLE AGAINST THE LAND SHOWN ON THIS MAP.

APN 062-020-010, 062-020-025

DATED THIS ______ DAY OF ______________ , 20___ .

DONNA RILEY
STANISLAUS COUNTY TAX COLLECTOR

BY: ______________________________ , DEPUTY
PRINT NAME

COUNTY RECORDER'S STATEMENT:

FILED THIS ________ DAY OF ______________________ , 20______ , AT ______ .M. IN BOOK _____ OF

MAPS, AT PAGE ______ , AT THE REQUEST OF VVH CONSULTING ENGINEERS.

INSTRUMENT NO. ______________________

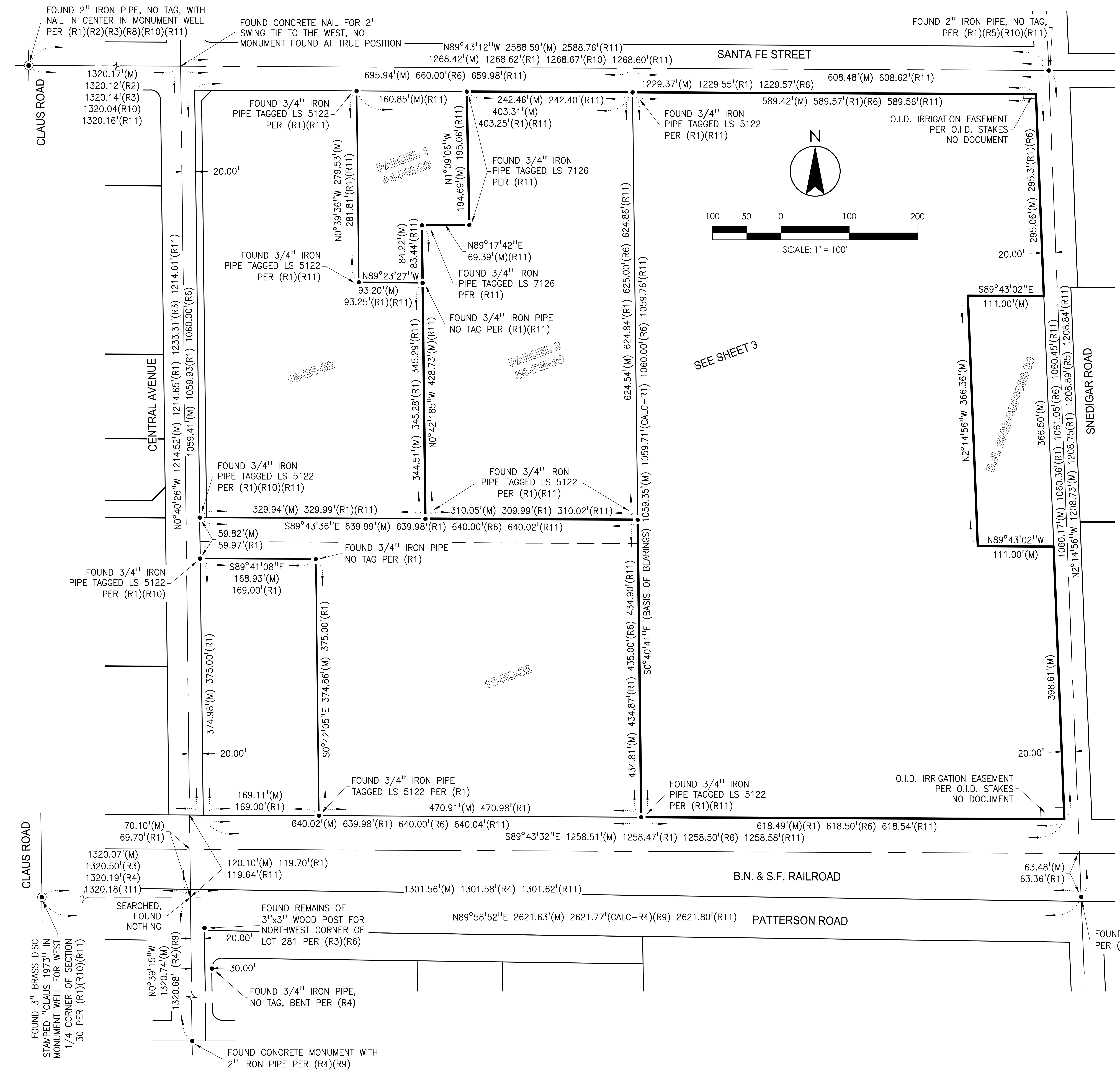
FEE $ _________

DONNA LINDER
COUNTY RECORDER OF
STANISLAUS COUNTY, CALIFORNIA

BY: ______________________________
DEPUTY RECORDER

____
PRINT NAME

STANISLAUS COUNTY FILE NO. ___________



DIAMOND BAR EAST

VTSM MAP APPLICATION #01-2014

BEING A SUBDIVISION OF PORTIONS OF LOTS 267, 268, AND 272 OF RIVERBANK IRRIGATED FARMS, AS SHOWN IN VOLUME 7, PAGE 23 OF MAPS, AND PARCEL 2 AS SHOWN IN BOOK 54, PAGE 29 OF PARCEL MAPS, STANISLAUS COUNTY RECORDS, LYING IN A PORTION OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 10 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF RIVERBANK, STANISLAUS COUNTY, CALIFORNIA
JUNE 2022

VVH CONSULTING ENGINEERS
430 10TH STREET
MODESTO, CA 95354
TEL: 209.568.4477 FAX: 209.568.4478

LEGEND:

	FOUND AND ACCEPTED MONUMENT AS NOTED
	FOUND AND ACCEPTED MONUMENT IN MONUMENT WELL AS NOTED
	SET 3/4" x 30" LONG IRON PIPE TAGGED L.S. 8225
	SET 3/4" X 30" LONG IRON PIPE TAGGED L.S. 8225 IN MONUMENT WELL
S.C.R.	STANISLAUS COUNTY RECORDS
RS	RECORD OF SURVEY
PM	PARCEL MAP
D.N.	DOCUMENT NUMBER
(M)	MEASURED ON THIS SURVEY

BASIS OF BEARINGS:

THE BEARING OF N0°40'41"W FOR THE EAST BOUNDARY OF THE SURVEYED PROPERTY SHOWN IN BOOK 18 OF SURVEYS, PAGE 32, STANISLAUS COUNTY RECORDS WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

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(R5) PARCEL MAP, BOOK 12, PAGE 59
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(R7) RECORD OF SURVEY, BOOK 25, PAGE 53
(R8) PARCEL MAP, BOOK 22, PAGE 52
(R9) PARCEL MAP, BOOK 24, PAGE 87
(R10) PARCEL MAP, BOOK 54, PAGE 40
(R11) PARCEL MAP, BOOK 54, PAGE 29

NOTES:

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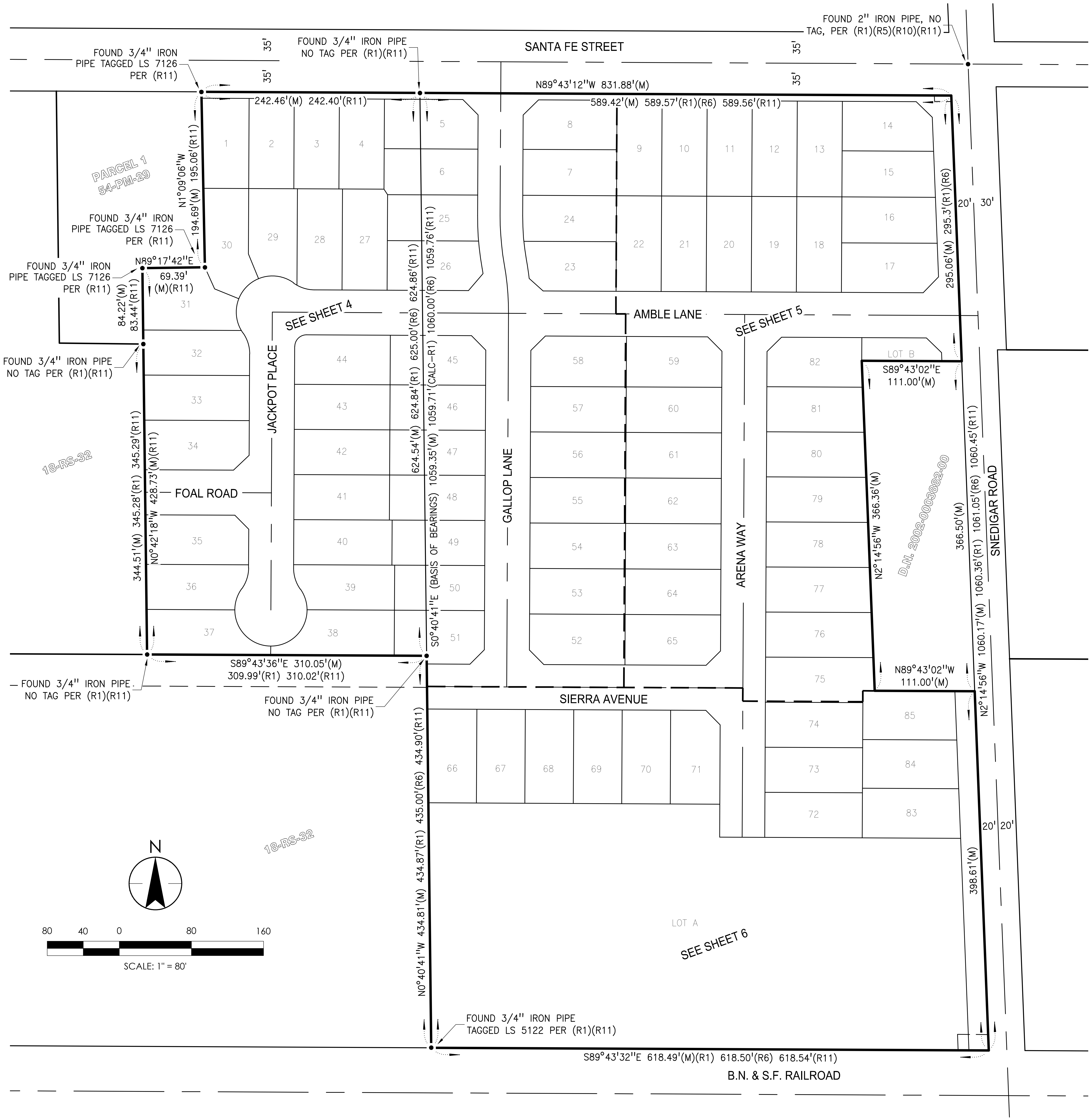
W:\12130300\survey\DRAWING\SHEET FILES\FM\2-BNDY.dwg nstommer 5/31/22 10:49



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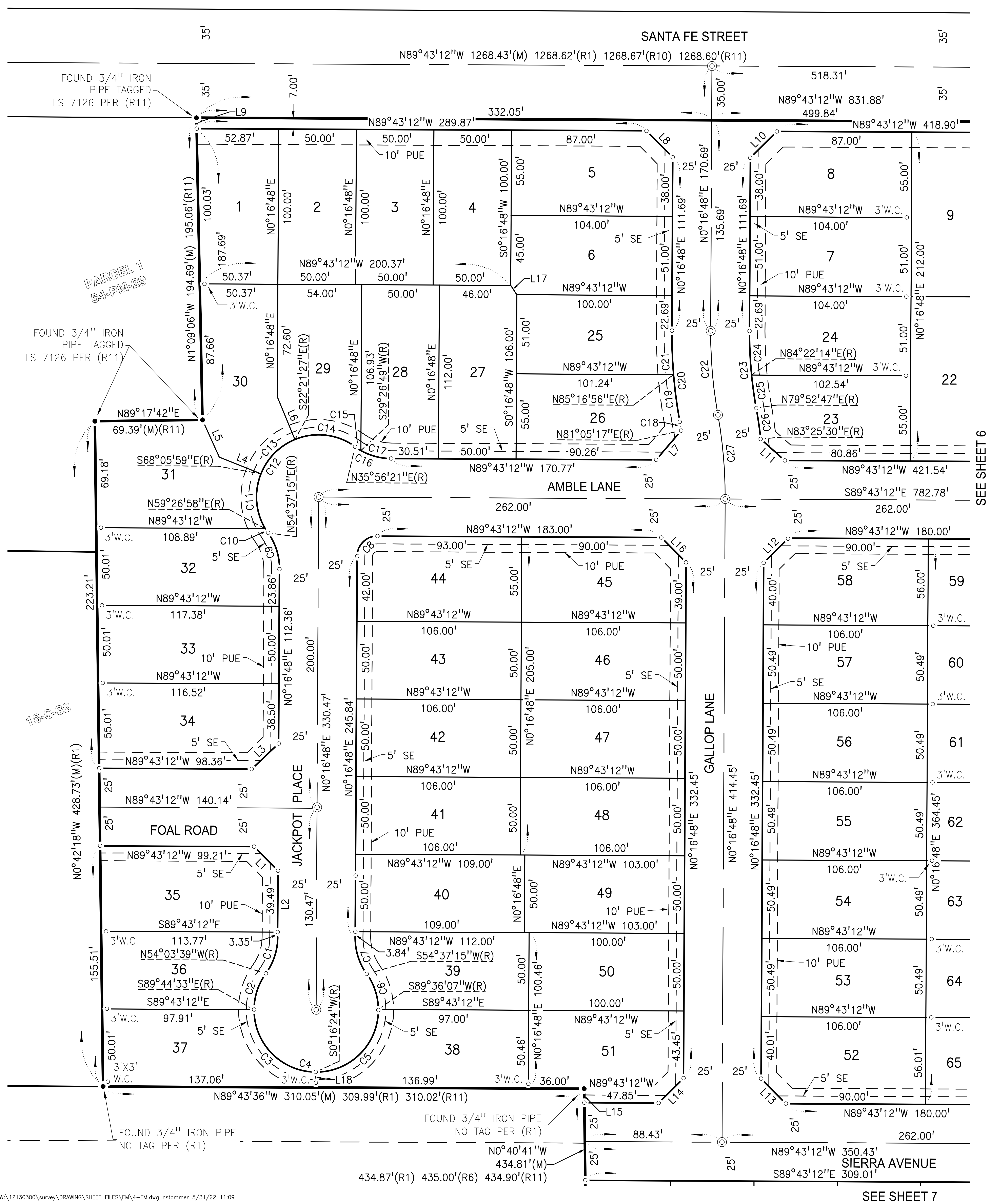
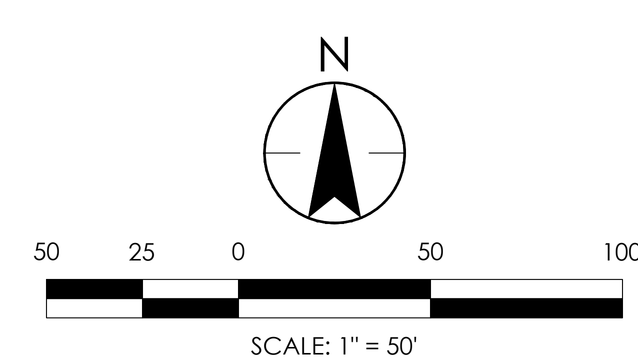


LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	N44°43'12"W	21.92'
L2	S0°16'48"W	42.84'
L3	S46°29'02"W	23.84'
L4	N68°05'59"W	29.00'
L5	N24°10'53"W	26.31'
L6	N22°21'27"W	29.78'
L7	S40°35'44"W	24.83'
L8	S44°43'12"E	24.04'
L9	N1°09'06"W	7.00'
L10	N45°16'48"E	24.04'
L11	N48°14'50"W	20.82'
L12	N45°16'48"E	22.63'
L13	N44°43'12"W	22.63'
L14	S45°16'48"W	22.63'
L15	N0°40'41"W	9.00'
L16	S44°43'12"E	22.63'
L17	S33°24'36"E	7.21'
L18	S0°16'24"W	10.00'

LOT AREA TABLE	
LOT	SF
1	5162
2	5000
3	5000
4	5000
5	5576
6	5292
7	5304
8	5575
23	5326
24	5290
25	5111
26	5594
27	5588
28	5568
29	5221
30	5700
31	6442
32	5811
33	5847
34	6241
35	6162
36	5317
37	5617
39	5257
40	5450
41	5300
42	5300
43	5300
44	5794
45	5702

CURVE DATA TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	35°39'33"	40.00'	24.89'
C2	35°40'54"	40.00'	24.91'
C3	89°59'03"	40.00'	62.82'
C4	251°19'05"	40.00'	175.45'
C5	90°40'17"	40.00'	63.30'
C6	34°58'52"	40.00'	24.42'
C7	35°39'33"	40.00'	24.89'
C8	90°00'00"	13.00'	20.42'
C9	35°39'33"	40.00'	24.89'
C10	4°49'43"	40.00'	3.37'
C11	52°27'03"	40.00'	36.62'
C12	161°19'05"	40.00'	112.62'
C13	45°44'32"	40.00'	31.93'
C14	58°17'47"	40.00'	40.70'
C15	6°29'32"	40.00'	4.53'
C16	35°39'33"	40.00'	24.89'
C17	29°10'01"	40.00'	20.36'
C18	1°12'30"	275.00'	5.80'
C19	5°13'32"	336.00'	30.64'
C20	10°24'00"	325.00'	58.99'
C21	5°10'29"	313.89'	28.35'
C22	10°24'00"	300.00'	54.45'
C23	10°24'00"	275.00'	49.92'
C24	5°54'34"	275.00'	28.36'
C25	4°29'27"	275.00'	21.55'
C26	3°32'42"	325.00'	20.11'
C27	10°24'00"	300.00'	54.45'

LOT AREA TABLE	
LOT	SF
46	5300
47	5300
48	5300
49	5150
50	5000
51	5493
52	5809
53	5352
54	5352
55	5352
56	5352
57	5352
58	5808



DIAMOND BAR EAST
VTSM MAP APPLICATION #01-2014

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JUNE 2022

VVH CONSULTING ENGINEERS
430 10TH STREET
MODESTO, CA 95354
TEL: 209.568.4477 FAX: 209.568.4478

LEGEND:

—•—	FOUND AND ACCEPTED MONUMENT AS NOTED
—◉—	FOUND AND ACCEPTED MONUMENT IN MONUMENT WELL AS NOTED
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PM	PARCEL MAP
D.N.	DOCUMENT NUMBER
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SE	SIDEWALK EASEMENT
PUE	PUBLIC UTILITY EASEMENT

BASIS OF BEARINGS:

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LINE	BEARING	DISTANCE
L19	S45°59'04"E	24.89'
L20	S44°00'56"W	24.63'
L21	S89°43'12"E	20.02'
L22	S89°43'02"E	22.02'
L23	S2°14'56"E	9.57'
L24	S45°59'04"E	23.44'
L25	N45°16'48"E	22.63'
L26	S44°43'12"E	22.63'
L27	S45°16'48"W	22.63'
L28	N89°43'02"W	13.01'
L29	S0°16'48"W	13.23'
L30	S89°43'02"E	22.02'
L31	N0°16'48"E	25.77'

LINE DATA TABLE

LOT	SF
9	5300
10	5300
11	5300
12	5300
13	5300
14	5371
15	5237
16	5352
17	5742
18	5300
19	5300
20	5300
21	5300
22	5300
59	5808
60	5352
61	5352
62	5352
63	5352
64	5352
65	5808
75	5856
76	5922
77	5811
78	5701
79	5591
80	5480
81	5370
82	5666

LOT AREA TABLE

DIAMOND BAR EAST

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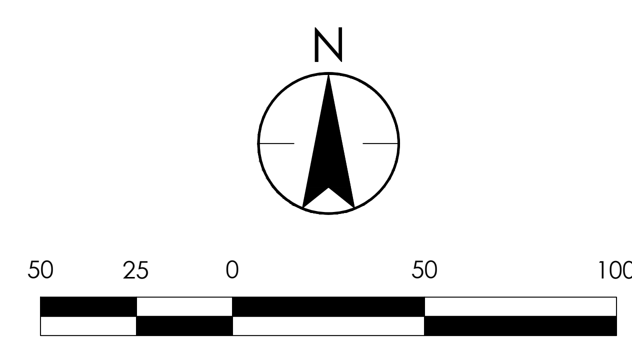

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LINE DATA TABLE

LINE	BEARING	DISTANCE
L32	S44°43'12"E	22.64'
L33	S0°16'48"W	13.23'
L34	N89°43'02"W	13.01'
L35	S89°43'02"E	22.02'
L36	S89°43'32"E	20.02'
L37	S89°43'32"E	22.02'
L38	N0°16'48"E	36.42'

LOT AREA TABLE

LOT	SF
66	5630
67	5590
68	5590
69	5590
70	5590
71	5592
72	5408
73	5408
74	5408
75	5856
83	5949
84	5701
85	5586

N

50 25 0 50 100
SCALE: 1" = 50'

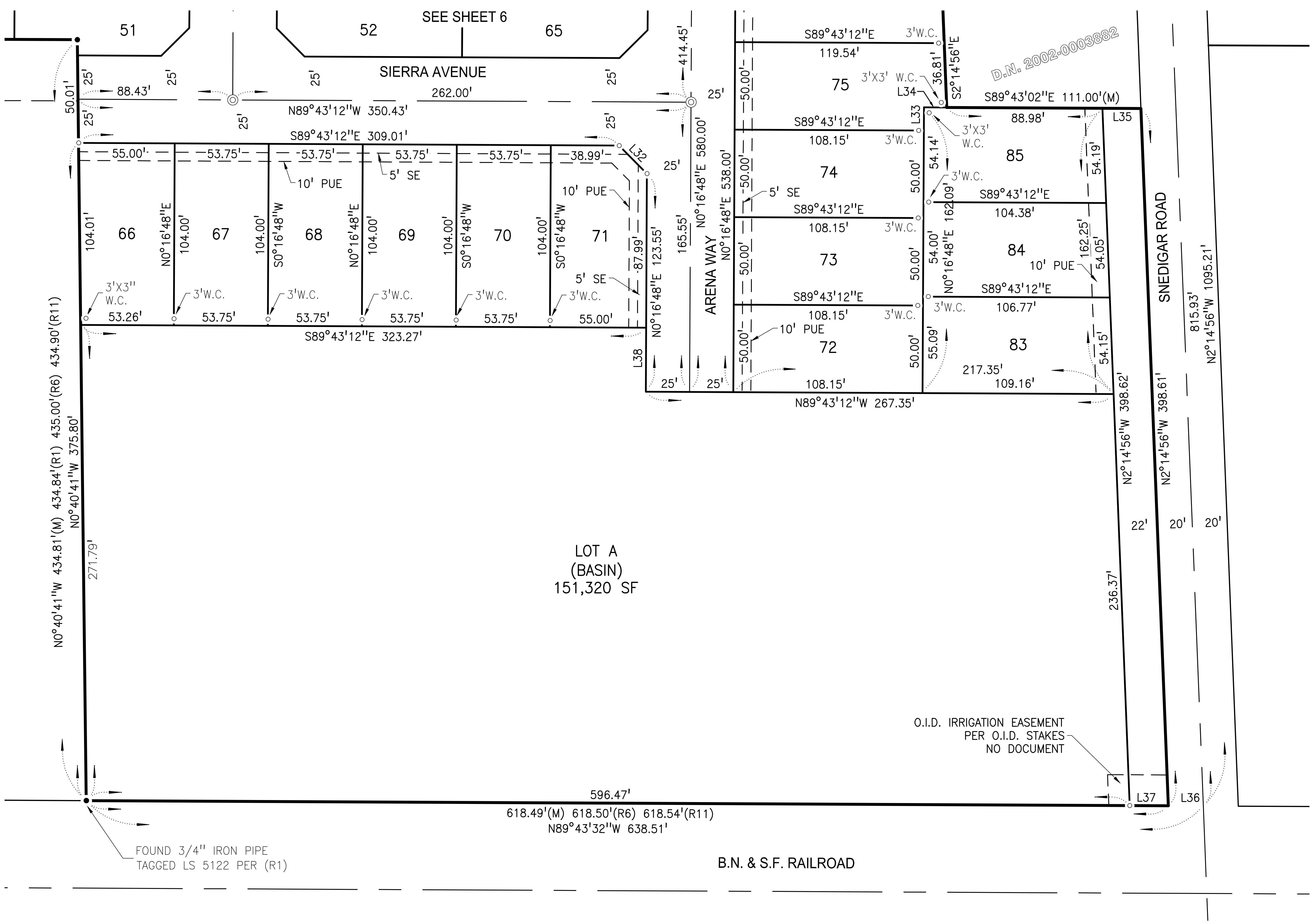

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EXHIBIT B

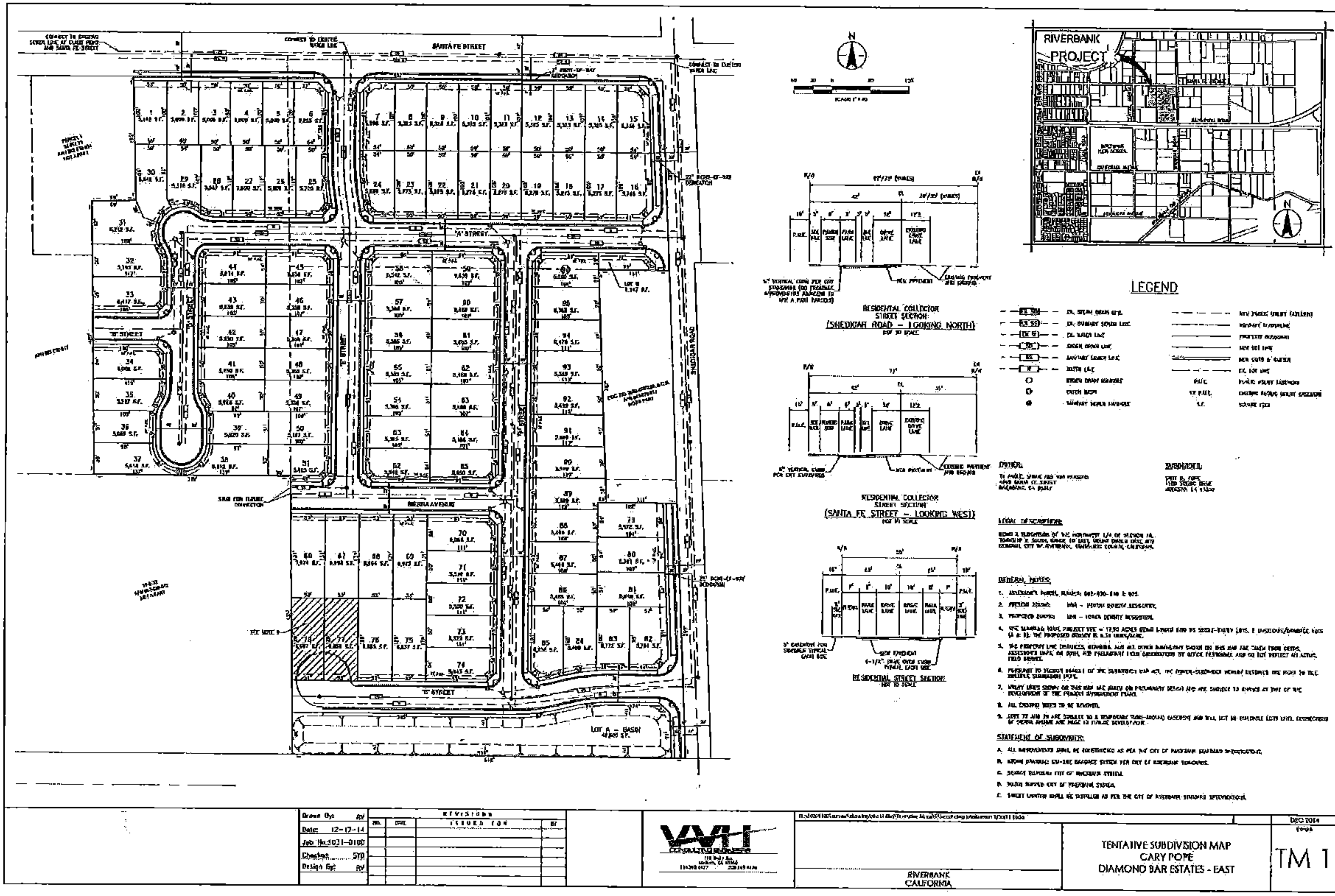

Exhibit A

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.11

SECTION 9: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject:	**Adopt a Resolution Accepting the Annual Financial Report for Fiscal Year 2020-2021**
From:	**Marisela H. Garcia, City Manager**
Submitted By:	**Tammy Alcantor, Assistant City Manager-Administrative Services Director**

RECOMMENDATION

It is recommended that the City Council consider adopting a Resolution accepting the Annual Financial Report for Fiscal Year 2020-2021.

SUMMARY

On an annual basis, all cities are required to perform a financial audit performed by an independent accounting firm. Due to the transition in financial software in 2015, the financial audit for Fiscal Year 2020-2021 was delayed for the completion of prior years. The firm of Gallagher Gatewood (formerly Clendenin Bird & Company) has completed this financial audit and is being presented to the City Council for acceptance.

BACKGROUND

Government Auditing Standards issued by the Comptroller General of the United States, require that all entities of local government, including special districts, undergo an annual review (audit) of their financial records. The purpose of this review is to obtain reasonable assurance about whether the financial statements for these entities are free from material mistakes. These audits involve performing procedures to obtain evidence about the amounts and disclosures included in the financial statements. The audit firm makes an assessment of the risks that these statements include material misstatements, whether they are due to fraud or errors. The auditors make an assessment about whether the City has sufficient internal controls in place to ensure that there are no instances of fraud and to limit the opportunity for errors in the financial records.

For Fiscal Year 2020-2021 the City received an ***Unqualified Opinion***, which states that the auditor feels the City followed all accounting rules appropriately and that the financial reports are an accurate representation of the City's financial condition.

The Annual Financial Reports begin with a Management Discussion & Analysis (MD&A) prepared by City staff which highlights important details included in the Financial Statements. In reviewing the Annual Financial Report, this MD&A provides the general public with an overview of the financial status of the City, including those factors that may have contributed to positive or negative changes to the City's financial position.

The Governmental Accounting Standards Board (GASB), which is the body that oversees all accounting standards for governmental agencies, requires that financial statements be presented in 2 different ways:

1. **Government-Wide Financial Statements** which reports information about the City as a whole, and provides viewers with a broad overview of the City's finances. These reports are similar to those issued by a private company, and
2. **Fund Financial Statements** which provide detailed information about the City's most significant funds and not the City as a whole.

In reviewing and evaluating the financial status of the City, the Statement of Net Position (a government-wide financial statement) on page 13 of each report will serve as a useful indicator as to whether the City's financial position is improving or deteriorating. This Statement of Net Position is divided into two categories:

1. *Governmental Activities*, which includes police, public works, community development, grants and special programs, and general government. Taxes and intergovernmental revenues such as sales tax, property tax, vehicle license fees, user fees, franchise fees, and federal and state grants primarily finance these activities, and
2. *Proprietary Activities*, which include the City's water and sewer systems, in addition to the City's Community Center and the LRA. Fees and rents are charged to customers to help cover the cost of the services it provides.

Under the Fund Financial Statements, major funds are grouped together based on specific activities, all other funds are shown under "Other Funds." Page 16 of the report provides information regarding the major fund groups of the City, including the General Fund, CDBG (Federal & State Grants), Successor RDA LMI Housing, and System Development Fees.

As stated before, major funds are grouped together under one heading. For example, the "General Fund" groups together Fund 101 (General Fund), Fund 201 (Benefit Liabilities Fund), Fund 119 (Fleet Services) and Fund 134 (Recreation Fund).

OVERALL NET POSITION

Overall, the City's Net Position increased by 2.3% over the 2019-2020 fiscal year. This was primarily due to the increase in Sales Tax, Property Tax, and Charges for services related to Public Works. Revenues for the City's Governmental and Proprietary Funds exceeded expenditures for the fiscal year by approximately $7,300,000 (as noted on Page 15 of the report thereby increasing unrestricted funds available. The City's General Fund ended with an increase of 51% in "unassigned" fund balance.

STRATEGIC PLAN

This report is in alignment with the City Council's Strategic Plan Goal to "Ensure Financial Stability."

FINANCIAL IMPACT

There is no financial impact associated with the acceptance of these reports.

ATTACHMENTS

1. Resolution 2023-
2. Annual Financial Report Year Ended June 30, 2021

CITY OF RIVERBANK

RESOLUTION 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA ACCEPTING THE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR 2020-2021

THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:

WHEREAS, the Comptroller General of the United States has issued Government Auditing Standards which must be met by the City; and

WHEREAS, on an annual basis the City of Riverbank is required to undergo a financial review (audit) which includes procedures to obtain evidence about the amounts and disclosures included in the Annual Financial Report; and

WHEREAS, the annual audit is required to be performed by an independent accounting firm; and

WHEREAS, the firm of Gallagher Gatewood has completed the audit of Fiscal Year 2020-2021; and

WHEREAS, Clendenin Bird & Company has issued an Unqualified Opinion for Fiscal Year 2020-2021 which states that in their opinion the financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Riverbank.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby accepts the Annual Financial Report for Fiscal Year 2020-2021.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of March, 2023; motioned by Councilmember , seconded by Councilmember , and upon roll call was carried by the following City Council vote of :

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

Gabriela Hernandez
City Clerk

APPROVED:

Richard D. O'Brien
Mayor

Attachment: Annual Financial Report Year Ended June 30, 2021

CITY OF RIVERBANK

ANNUAL FINANCIAL REPORT

YEAR ENDED JUNE 30, 2021

CITY OF RIVERBANK, CALIFORNIA

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CITY OF RIVERBANK, CALIFORNIA

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GALLAGHER GATEWOOD
a professional accountancy corporation

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INDEPENDENT AUDITOR'S REPORT

To The City Council
City Of Riverbank
State of California

We have audited the accompanying financial statements of the governmental activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Riverbank, State of California, as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Riverbank, State of California as of June 30, 2021, and the respective changes in financial position thereof for the year then ended, in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 3 through 12 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Riverbank, State of California's basic financial statements. The introductory section, combining and individual non-major fund financial statements are presented for purposes of additional analysis and are not a required part of the financial statements.

The combining and individual non-major fund financial statements are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

Gallagher Gatewood

GALLAGHER GATEWOOD, A PROFESSIONAL ACCOUNTANCY CORPORATION

Modesto, California
October 25, 2022

This discussion and analysis of the City of Riverbank's financial performance provides an overview of the City's financial activities for the fiscal year ended June 30, 2020. The City's financial statements for the fiscal year ended June 30, 2021 are presented in accordance with GASB 34. Please read Management's Discussion and Analysis in conjunction with the City's financial statements, notes, and supplementary schedules.

FINANCIAL HIGHLIGHTS

- The City's governmental activities total assets exceeded liabilities (net position) at the close of the fiscal year by $83,704,724. Of this amount, $3,887,151 is in unrestricted net position, which is available to meet the City's ongoing financial obligations. The total assets of the business-type activities exceeded its liabilities (net position) by $34,338,721. Of this amount, $13,290,748 was unrestricted.

- Governmental revenues exceeded General and program expenses by $1,961,428. City program expenses totaled $15,761,104 for the fiscal year 2020-2021, an increase of 1% over the 2019-20 Fiscal Year. Public Works costs comprised $5,665,116 or 36% of the total expenses, whereas Public Safety comprised 35% of expenditures.

- In the City's business-type activities (which include the Water, Sewer, Community Center and Local Redevelopment Funds), revenues exceeded expenses by $5,352,574.

- The City's General Fund ended the year with a fund balance of $9,379,318. This is an increase of 20.6% from the year ending June 30, 2020.

OVERVIEW OF THE FINANCIAL STATEMENTS

This annual report consists of a series of financial statements. These statements include all activities of the City of Riverbank using the integrated approach as prescribed by GASB Statement No. 34. The government-wide Statement of Net position and Statement of Activities provide information about the activities of the City as a whole and present a long-term view of the City's finances. Fund financial statements show how City services are financed in the short term as well as what remains for future spending. Fund financial statements also report the City's operations in more detail than the government-wide statements by providing information about the City's most significant funds.

REPORTING THE CITY AS A WHOLE

Government-wide Financial Statements. The government-wide financial statements report information about the City as a whole, providing readers with a broad overview of the City's finances. These statements include all assets and liabilities of the City using the accrual basis of accounting, which is similar to the accounting method used by most private sector companies. All the current year's revenues and expenses are taken into account in the statement of activities regardless of when cash is received or paid.

The ***statement of net position*** presents information on all the City's assets and liabilities, with the difference between the two reported as *net position*. Over time, increases or decreases in net position may serve as a useful indicator as to whether the City's financial position is improving or deteriorating.

The ***statement of changes in net position*** presents information showing how the City's net position changed in the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported on this statement for some items that will result in cash flows in future fiscal periods (e.g., uncollected taxes, and earned but unused vacation leave).

- Over time, increases or decreases in the City's net position can be an indicator of whether its financial health is improving or deteriorating, respectively.
- To assess the overall health of the City you need to consider additional non-financial factors such as changes in the City's property tax base and the condition of the City's roads.

The government-wide financial statements of the City are divided into two categories:

- **Governmental Activities:** Includes police, public works, community development (building and planning), grants and special programs, and general government. Taxes and intergovernmental revenues such as sales tax, property tax, vehicle license fees, user fees, franchise fees, and federal and state grants primarily finance these activities.
- **Business-type activities** include the City's water and sewer systems, in addition to the City's Community Center and the Local Redevelopment Authority (LRA). Fees are charged to customers, including lease revenue, to help cover the costs of the services it provides.

REPORTING THE CITY'S MOST SIGNIFICANT FUNDS

Fund Financial Statements. The fund financial statements provide detailed information about the City's most significant *funds* – not the City as a whole. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. Some funds are required to be established by State law or by bond covenants. Management establishes other funds to control and manage money for particular purposes or to show the City is meeting legal responsibilities for the use of certain taxes, grants, and other resources. All of the funds of the City can be divided into three categories: *governmental funds, proprietary funds, and fiduciary funds*.

Governmental funds – Most of the City's basic services are reported in governmental funds, which focuses on how money flows in and out of those funds and the balances left at year-end that are available for spending. These funds are reported using an accounting method called modified accrual accounting, which measures cash and all other financial resources that can readily be converted to cash. The governmental fund statements provide a detailed, short-term view of the City's general government operations and the basic services it provides. Governmental fund information helps determine whether there are more or fewer financial resources that can be spent in the near future to finance the City's programs.

Because the focus of the governmental funds is narrower than that of the governmental-wide financial statements, it is useful to compare the information presented for the governmental funds with similar information presented for governmental activities in the government-wide financial statements. The differences in results in the governmental funds financial statements to those in the government-wide financial statement are shown in reconciliations following the governmental funds financial statements.

Fiduciary funds—Fiduciary funds are used to account for resources held for the benefit of parties outside the City. The City is responsible for ensuring that the assets reported in these funds are used for their intended purposes. Fiduciary funds are not reflected in the City's government-wide financial statements because the City cannot use these assets to finance its operations.

Proprietary funds – Services for which the City charges customers a fee are generally reported in proprietary funds. Proprietary funds, like government-wide statements, provide both long and short-term financial information. The City's proprietary funds are the same as its business-type activities, but provide more detail and additional information, such as cash flows.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

Net position. As noted earlier, net position may serve over time as a useful indicator of the City's financial position. Below is a table showing the City's net position as of June 30, 2021, compared to the City's net position as of June 30, 2020.

City of Riverbank
Net Position
For the Year Ended June 30, 2021

	Governmental Activities		Proprietary Activities		Total	
	2021	**2020**	**2021**	**2020**	**2021**	**2020**
Assets						
Cash and Investments	$23,872,353	$20,259,747	$14,700,214	$7,973,786	$38,572,567	$28,233,533
Other Assets	15,835,463	16,310,784	2,177,519	3,885,304	$18,012,982	20,196,088
Capital Assets	51,612,582	52,854,999	25,996,145	26,602,156	$77,608,727	79,457,155
Total Assets	**91,320,398**	**89,425,530**	**42,873,878**	**38,461,246**	**134,194,276**	**127,886,776**
Current Pension Plan Cont.	**912,579**	**943,630**	**297,196**	**304,738**	**1,209,775**	**1,248,368**
Liabilities						
Current Liabilities	1,845,518	2,188,201	1,880,734	2,269,203	3,726,252	4,457,404
Compensated Absences	277,989	244,523	81,003	76,467	358,992	320,990
Net Pension Liability	5,672,550	5,163,927	1,727,848	1,604,307	7,400,398	6,768,234
Long-Term Liabilities	0	0	4,948,172	5,575,148	4,948,172	5,575,148
Total Liabilities	**7,796,057**	**7,596,651**	**8,637,757**	**9,525,125**	**16,433,814**	**17,121,776**
Deferral of Pension Expense	**732,196**	**979,713**	**194,596**	**254,712**	**926,792**	**1,234,425**
Net Assets						
Invested in Capital Assets, Net of Related Debt	51,612,582	52,854,999	21,047,973	20,919,458	72,660,555	73,774,457
Restricted	28,204,991	26,357,332	0	0	28,204,991	26,357,332
Unrestricted	3,887,151	2,580,465	13,290,748	8,066,688	17,177,899	10,647,153
Total Net Assets	**$83,704,724**	**$81,792,796**	**$34,338,721**	**$28,986,146**	**$118,043,445**	**$110,778,942**

Of the total net position for both the Governmental and Business-type activities, $72,660,555 or 61.6% reflects the City's investment in capital assets (e.g. land, buildings and improvements, vehicles and equipment, infrastructure) less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to its citizens; and consequently, these assets are *not* available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

Restricted net position amounts to $28,204,991 or 24% of the total. Restricted net positions are those resources that are subject to external restrictions on how they may be used. These restrictions are established by bond covenants or restrictions on the use of funds established by state or federal regulations.

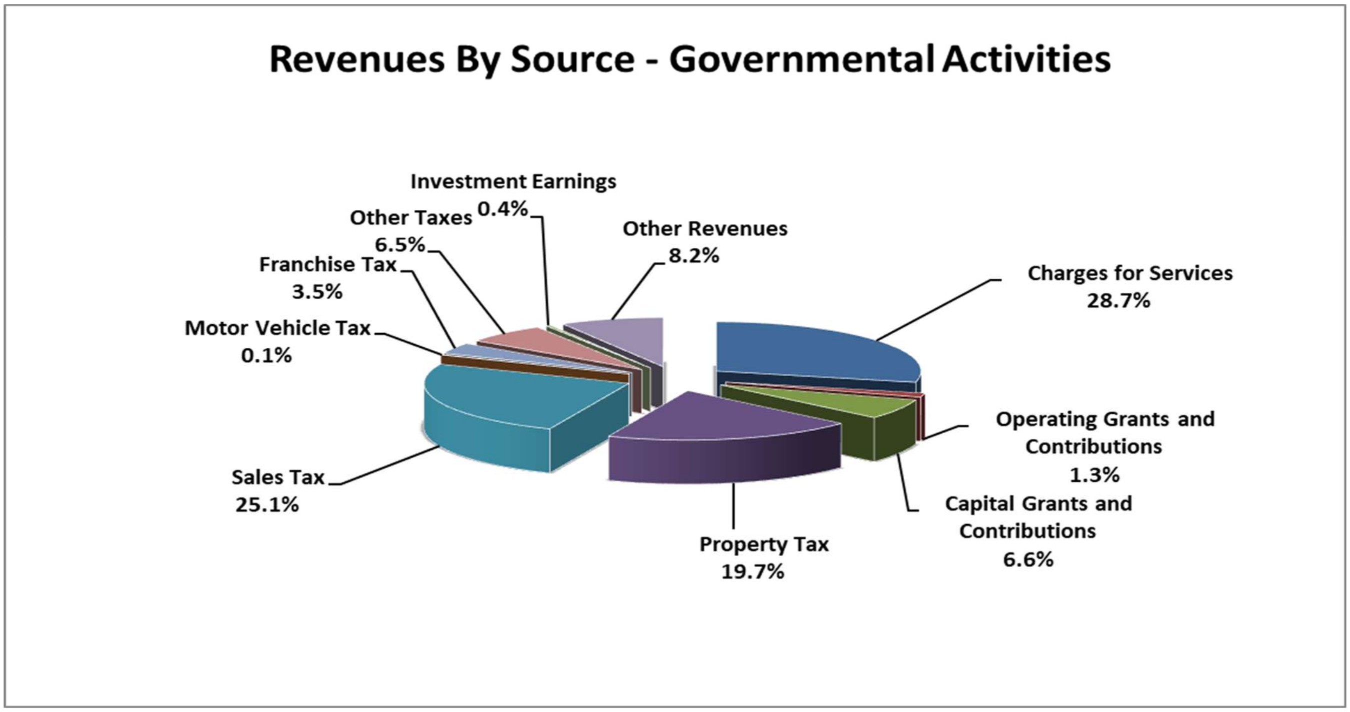
Unrestricted net position is those resources that may be used to meet the City's ongoing commitments to citizens and creditors. Government-wide unrestricted net position is $17,177,899 or 14.6% of the total net position.

Changes in Net Position. Total revenues for the year exceeded expenditures by $7,314,002. Below is a table showing the Governmental and Proprietary Activities of the City for the year ending June 30, 2021, as compared to the year ending June 30, 2020.

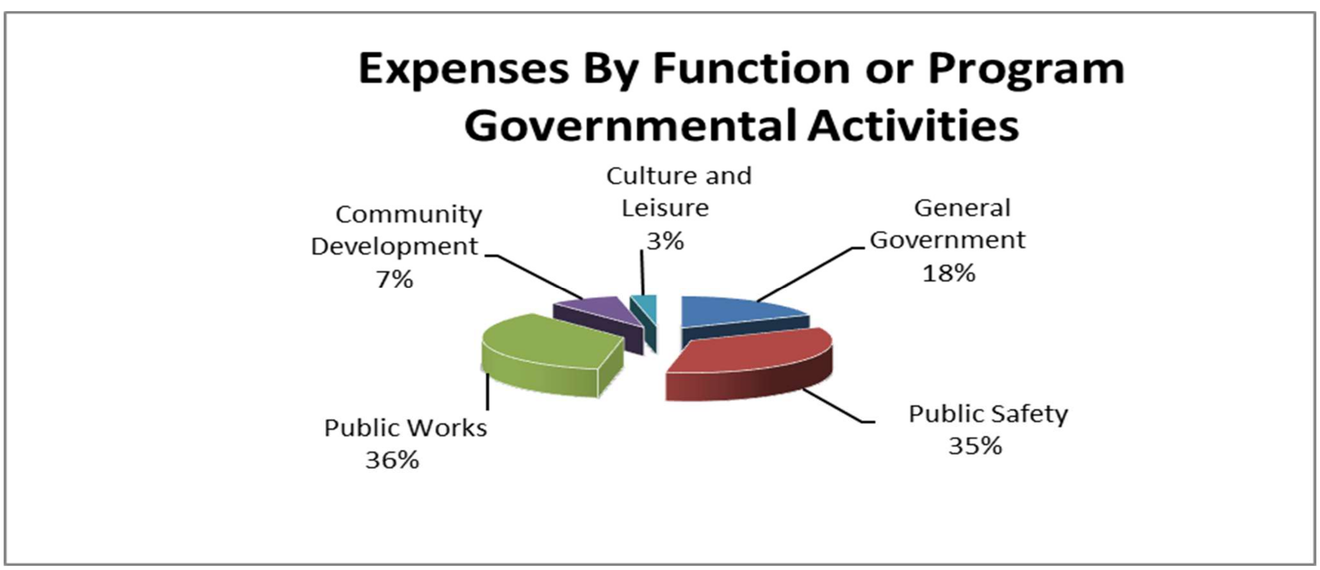
City of Riverbank
Changes in Net Position
For Year Ended June 30, 2021

	Governmental Activities		Proprietary Activities		Total	
	2021	2020	2021	2020	2021	2020
Revenues						
Program Revenues:						
Charges for Services	5,080,813	4,308,750	15,879,453	11,895,620	20,960,266	16,204,370
Operating Grants and Contributions	232,820	303,275	0	0	232,820	303,275
Capital Grants and Contributions	1,164,179	183,940	0	0	1,164,179	183,940
General Revenues:						
Property Tax	3,499,581	3,402,995	0	0	3,499,581	3,402,995
Sales Tax	4,440,844	3,304,671	0	0	4,440,844	3,304,671
Motor Vehicle Tax	18,358	20,038	0	0	18,358	20,038
Franchise Tax	629,059	619,007	0	0	629,059	619,007
Other Taxes	1,146,060	1,130,057	0	0	1,146,060	1,130,057
Investment Earnings	65,230	387,486	19,336	141,309	84,566	528,795
Gain on Disposal of Assets	0	0	0	0	0	0
Transfers	1,445,588	1,295,957	(1,445,588)	(1,295,957)	0	0
Total Revenues	**17,722,532**	**14,956,176**	**14,453,201**	**10,740,972**	**32,175,733**	**25,697,148**
Expenses						
General Government	2,863,484	2,993,062	0	0	2,863,484	2,993,062
Public Safety	5,472,560	4,688,511	0	0	5,472,560	4,688,511
Public Works	5,665,116	6,020,840	3,615,299	4,288,945	9,280,415	10,309,785
Community Development	1,274,197	1,242,171	5,378,332	5,238,852	6,652,529	6,481,023
Culture and Leisure	485,747	646,703	106,996	133,348	592,743	780,051
Total Expenses	**15,761,104**	**15,591,287**	**9,100,627**	**9,661,145**	**24,861,731**	**25,252,432**
Increase (Decrease) in Net Assets	1,961,428	(635,111)	5,352,574	1,079,827	7,314,002	444,716
Net Assets - Beginning	81,792,795	82,427,906	28,986,147	27,906,320	110,778,942	110,334,226
Prior Period Adjustment	0	0	0	0	0	0
Net Assets - Ending	**$83,754,223**	**$81,792,795**	**$34,338,721**	**$28,986,147**	**$118,092,944**	**$110,778,942**

Governmental Activities. Total governmental activity revenues for the year were $17,722,532. Sales and property tax revenue, which comprise 45% of the total, experienced an increase of 18.5% from the 2019-20 Fiscal Year. Revenues by source for governmental activities are shown in the graph below.



Total governmental expenses for the year were $15,761,104. Public Works accounted for 36% of the total governmental activities expenses. Expenses by function or program for governmental activities are shown in the graph below.



Business-type Activities

- Revenues of the City's business-type activities were $14,453,201 a 34.6% increase from Fiscal Year 2019-20 as a result of an increase in revenues received for water & sewer charges to residents/commercial business through the re-implementation of consumption billing. Expenditures for the year were $9,100,627. Expenditures for the business-type activities decreased by 6% from the prior fiscal year.

FINANCIAL ANALYSIS OF THE CITY'S FUNDS

As noted earlier, the City uses *fund accounting* to ensure and demonstrate compliance with finance-related legal requirements.

The City's governmental funds ended the year with a combined fund balance of $37,584,309. Of the total combined fund balance, 1% is classified as Nonspendable, 55% is classified as Restricted, 19% is classified as Assigned, and 25% is Unassigned. Major fund changes from June 30, 2020, to June 30, 2021 are noted below and are also noted on the Statement of Revenues, Expenditures, and Changes in Fund Balances on pages 19-20 of this report:

General Fund

- The City experienced an overall increase of 14% in its General Fund revenues during the 2020-21 fiscal year. Major factors, contributing to this increase are noted below.

  - Sales tax for the City experienced an increase of 34%. This was primarily due to the fact that in the prior fiscal year, we were still experiencing the effects of COVID-19.

  - Revenues from Licenses and Permits increased by 50%. New housing developments in the City have generated additional building permit revenue.

  - Fines and Forfeiture revenues decreased by 40% as a result of the COVID-19 pandemic. The City Council waived all penalties and late fees for utility billings for residential and commercial customers which resulted in a loss of revenue.

  - Service Charges increased by 18% as the city's programs and parks were closed the prior year due to the Emergency Health Orders issued by the State of California and Stanislaus County to mitigate the spread of COVID-19, and this fiscal year we did see some of those restricts begin to be lifted.

- General Fund expenditures increased by 2.5% during the 2020-21 Fiscal Year. Major factors contributing to this increase in General Fund expenditures include:

  - Public Safety Expenditures increased by 5.0% due to contract inflation increases and first full year of the addition of a Community Resource Officer to the staff at Riverbank Police Services. There was also a small remodel project of the facilities.

- Capital outlay for the General Fund decreased by 25.2% as in the prior fiscal year there had been additional funds allocated from the Public Benefit Fund to address work at the Riverbank Community Center.

CDBG Fund

The CDBG Fund experienced a decrease in revenues due to a decrease in interest income and the prior fiscal year had homeowners who were able to bring accounts to date that had the reversal of loans receivable that were flagged as a bad debt due to potential foreclosure.

Successor RDA LMI Housing Fund

On December 29, 2011 the California Supreme Court upheld Assembly Bill 1x26 ("the Bill") that provided for the dissolution of all redevelopment agencies in the State of California effective February 1, 2012. This action impacted the reporting entity of the City of Riverbank that previously had reported a redevelopment agency within the reporting entity of the City as a blended component unit.

The Bill provides that upon dissolution of a redevelopment agency, either the city or another unit of local government will agree to serve as the "successor agency" to hold the assets until they are distributed to other units of state and local government. The City elected not to become this successor agency therefore another designated authority, the Riverbank Designated Local Authority, was formed by the State of California to serve as successor agency to the now-dissolved Riverbank Redevelopment Agency. However, the City did elect to serve as the Housing Successor Agency of the former RDA. As successor agency, the City now holds a loan receivable for a $3.2 million loan provided to Pacific West Associates for the construction of a 65-unit apartment complex completed in 2009. In addition, the City is now entitled to receive annual interest payments and a Payment in Lieu of Taxes from this project.

GASB Statement No. 68

The City of Riverbank has implemented GASB Statement No. 68 as required. With the new reporting change, the City is allocated its proportionate share of the California Public Employees' Retirement System's net pension assets, deferred outflows of resources, deferred inflows of resources, and pension expense. Decisions regarding the allocations are made by the administration of the pension plan, not by the City of Riverbank's management.

General Fund Budgetary Highlights

For the City's General Fund, actual ending revenues of $9,833,137 were mainly comprised of Sales Tax, Property Taxes, Other Taxes & Franchise Fees, and Service Charges. Net Revenues received were $1,233,337 over budget. Below are some of the major reasons:

- Sales Tax was over budget by $1,340,844, an unanticipated increase while the City was still adjusting to the COVID-19 pandemic and changing the health restrictions.

- Licenses and Permit revenues were $102,273 over budget as a result of New housing developments within the City generating additional building permit revenue.

The General Fund's actual ending expenditures of $10,308,940 were 2.5% higher than the prior fiscal year but were $519,560 under the final budget of $10,828,500.

CAPITAL ASSETS AND DEBT ADMINISTRATION

CAPITAL ASSETS

As of June 30, 2021, the City's Governmental Funds had $51,612,582 invested in capital assets and the Business-type activities had $25,996,146, net of accumulated depreciation. This total of $77,608,728 is invested in a broad range of capital assets including land, construction in progress, building, equipment and infrastructure (i.e. streets, sidewalks, storm drain, etc.).

City of Riverbank
Capital Assets, Net of Accumulated Depreciation
June 30, 2021

	Governmental Activities	Business-Type Activities	Total
Land	$3,957,541	$2,425,076	***$6,382,617***
Construction in Progress	1,192,313	4,133,352	***5,325,665***
Infrastructure	30,648,920	0	***30,648,920***
Land Improvements	11,064,547	0	***11,064,547***
Equipment and Vehicles	1,464,118	7,724,569	***9,188,687***
Building and Improvements	3,285,143	11,713,148	***14,998,291***
Total	***$51,612,582***	***$25,996,146***	***$77,608,728***

Major capital asset additions during Fiscal Year 2020-2021 include:

Water Meter AMI Upgrade	*$4,338,330*
Morrill Rd Undergrounding Jackson to Oakdale Rd	*620,728*
Eighth Street Overlay	*518,802*
2020 Pavement Restoration- Cape Seal	*247,260*
2020 Pavement Restoration Slurry Seal	*241,814*
Santa Fe Street Improvements	*136,395*

LONG TERM DEBT

At year-end, the City's governmental activities had $277,989 in compensated absences. Compensated absences consist of vacation time and compensatory time off that has been earned by employees but has not yet been taken. Compensated absences are due and payable to an employee upon separation if any balance exists.

Business-type activities, at year-end, had $5,029,177 in outstanding long-term debt. This long-term debt is comprised of Compensated Absences, Sewer Revenue Bonds, the State Revolving Fund Loan from the State of California for improvements to the Waste Water Treatment Plant, and the Master Lease Agreement with Wells Fargo to fund a city-wide water meter upgrade project. Total debt was reduced during the year by the amount of the current debt principal payments.

City of Riverbank
Long-Term Debt
June 30, 2021

	Governmental Activities	Business-Type Activities	Total
Loans Payable – WWTP	$0	$2,555,013	***$2,555,013***
SRF Loan – Sewer	$0	63,887	***63,887***
Water – Lease Purchase	$0	2,329,274	***2,329,274***
Compensated Absences	$277,989	81,003	***358,992***
Total	***$277,989***	***5,029,177***	***$5,307,166***

The City's long-term liabilities, except for compensated absences, relate to the acquisition and construction/remodel of capital assets. These capital assets are utilized to provide services to citizens and are not available for future spending. The repayment of the debt on these assets must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

ECONOMIC FACTORS AND NEXT YEAR'S GENERAL FUND BUDGET

Due to the economic uncertainty surrounding the State of California's financial condition, the City's management has taken a position of conservative revenue projection while maintaining existing departmental spending limits.

In preparing the budget for the 2021-2022 fiscal year, City Management looked at the following factors:

REVENUE

- The City continues to see growth in new housing development. As these properties are sold they are added to the tax rolls which increase the total assessed values. The Certified Assessed Values are the basis on which Property Taxes are calculated. Therefore an increase in revenue is anticipated for the following Property Tax related revenues: Property Tax Current Secured & Unsecured, Property Tax in Lieu of VLF.

- The City's sales tax continued to grow despite the challenges presented as part of the COVID-19 pandemic. For the 21-22 fiscal year, the City has anticipated growth of 16% over the prior year.

- Overall, General Fund revenues are anticipated to increase by 7.1% during the 2021-22 fiscal year in comparison to the prior fiscal year budget due to increases in revenue sources such as Building Permits, Sales Tax, and Franchise Fees.

EXPENDITURES

- Fiscal Year 20-21 was the final year of the settlement payments due to the litigation regarding the City's skate park. Therefore, the FY 21-22 Annual Budgets has taken into account the savings of approximately $125,000 per year.

- The City added a Community Resource Deputy to the law enforcement staff to serve the City of Riverbank. In addition, the County performed several staff reclassifications in an effort to retain current Sheriff staffing levels thus increasing contract cost by approximately $585,000.

- Increases to salary and benefit costs as a result of the negotiated labor contract with the City's two labor groups. For the 2021-22 fiscal year, both groups are entitled to a 2% cost of living adjustment.

Total operational and capital budgeted revenues and expenses for all funds for the 2021-2022 Fiscal Year are $20,403,400 and $24,625,600 respectively, excluding Inter-fund Transfers In and Out. Structural deficits (where expenditures exceed revenues) were anticipated in the following funds: General Fund, Gas Tax Fund, Weed Abatement Fund, Assessment District Fund, Teen Center Fund, System Development Streets/PW Fund, System Development Storm Drainage Fund, System Development Parks & Recreation Fund, HCD Old Program Income Fund, HCD CDBG Fund, HCD HOME Fund, HCD Cal-Home Fund, LMI Housing Asset Fund, System Development Waste Water Fund, Water Operating Fund, and Water Capital Improvement Fund. The City Council has authorized for the deficits to be paid via ending reserve balances from the 2020-21 fiscal year. Several of these allocations from reserve funds are due to the fact that funds must be spent during a certain time frame.

CONTACTING THE CITY'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, customers, investors and creditors with a general overview of the City of Riverbank's finances and to demonstrate the City's accountability for the money it receives. If you have questions about this report or need additional information, contact the Assistant City Manager/Admin Services Director, City of Riverbank, 6707 Third Street, Riverbank, California 95367.

CITY OF RIVERBANK
STATEMENTS OF NET POSITION
JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Primary Government		RESTATED	
	Governmental Activities	Proprietary Activities	Totals 2021	2020
ASSETS				
Cash And Investments	23,872,353	14,700,214	38,572,567	28,233,533
Cash With Fiscal Agent	0	0	0	0
Accounts Receivable	1,837,446	2,400,144	4,237,590	5,563,700
Note Receivable	0	0	0	5,654
Prepaid Expenses	10,300	6,097	16,397	787,013
Internal Balances	324,322	(324,322)	0	0
Loans Receivable	13,663,395	0	13,663,395	13,839,721
Capital Assets (Net Of Accumulated Depreciation):				
Land	3,957,541	2,425,076	6,382,617	6,330,825
Land Improvements	11,064,547	0	11,064,547	10,882,092
Construction In Progress	1,192,313	4,133,352	5,325,665	10,258,957
Buildings And Improvements	3,285,143	11,713,148	14,998,291	15,577,540
Equipment And Vehicles	1,464,118	7,724,569	9,188,687	5,160,667
Infrastructure	30,648,920	0	30,648,920	31,139,524
Unamortized Bond Issue Costs	0	95,600	95,600	107,550
Total Assets	91,320,398	42,873,878	134,194,276	127,886,776
DEFERRED OUTFLOWS OF RESOURCES				
Current Pension Plan Contribution	912,579	297,196	1,209,775	1,248,368
LIABILITIES				
Accounts Payable And Other Current Liabilities	1,845,518	1,880,734	3,726,252	4,457,404
Compensated Absences	277,989	81,003	358,992	320,990
Net Pension Liability	5,672,550	1,727,848	7,400,398	6,768,234
Long-Term Liabilities:				
Due Within One Year	0	913,683	913,683	913,682
Due In More Than One Year	0	4,034,489	4,034,489	4,661,466
Total Liabilities	7,796,057	8,637,757	16,433,814	17,121,776
DEFERRED INFLOWS OF RESOURCES				
Deferral Of Pension Expense	732,196	194,596	926,792	1,234,425
NET POSITION				
Invested In Capital Assets Net Of Related Debt	51,612,582	21,047,973	72,660,555	73,774,457
Restricted For				
Capital Projects	10,392,171	0	10,392,171	10,210,854
Community Development Projects	14,651,366	0	14,651,366	14,714,973
Other Purposes	3,161,454	0	3,161,454	1,431,505
Unrestricted	3,887,151	13,290,748	17,177,899	10,647,154
Total Net Postion	83,704,724	34,338,721	118,043,445	110,778,943

SEE ACCOMPANYING NOTES TO BASIC FINANCIAL STATEMENTS

CITY OF RIVERBANK
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

Functions/Programs	Expenses
Primary Government:	
Governmental Activities:	
General Government	2,863,484
Public Safety	5,472,560
Public Works	5,665,116
Community Development	1,274,197
Culture And Leisure	485,747
Total Governmental Activities	15,761,104
Business-Type Activities	
Water Services	1,830,433
Sewer Services	1,784,866
Community Center	106,996
Local Redevelopment Authority	5,378,332
Total Business-Type Activities	9,100,627
Total Primary Government	24,861,731

	Program Revenues			Net (Expense) Revenue And Changes In Net Assets			
				Primary Government			RESTATED
	Fines, Fees And Charges For Services	Operating Grants And Contributions	Capital Grants And Contributions	Governmental Activities	Proprietary Activities	Totals 2021	Totals 2020
	2,124,598	0	0	(738,886)	0	(738,886)	(1,428,360)
	138,235	232,820	0	(5,101,505)	0	(5,101,505)	(4,261,368)
	2,204,869	0	10,030	(3,450,217)	0	(3,450,217)	(3,868,473)
	525,745	0	1,154,149	405,697	0	405,697	(656,814)
	87,366	0	0	(398,381)	0	(398,381)	(580,307)
	5,080,813	232,820	1,164,179	(9,283,292)	0	(9,283,292)	(10,795,322)
	5,787,054	0	0	0	3,956,621	3,956,621	505,409
	4,823,386	0	0	0	3,038,520	3,038,520	2,733,391
	79,133	0	0	0	(27,863)	(27,863)	(27,195)
	5,189,880	0	0	0	(188,452)	(188,452)	(977,130)
	15,879,453	0	0	0	6,778,826	6,778,826	2,234,475
	20,960,266	232,820	1,164,179	(9,283,292)	6,778,826	(2,504,466)	(8,560,847)
General Revenues:							
Taxes:							
Property Tax				3,499,581	0	3,499,581	3,402,995
Sales Tax				4,440,844	0	4,440,844	3,304,671
Motor Vehicle Tax				18,358	0	18,358	20,038
Franchise Tax				629,059	0	629,059	619,007
Other Taxes				1,146,060	0	1,146,060	1,130,057
Investment Earnings				65,230	19,336	84,566	528,795
(Loss) On Disposal of Assets				0	0	0	0
Transfers				1,445,588	(1,445,588)	0	0
Total General Revenues And Transfers				11,244,720	(1,426,252)	9,818,468	9,005,563
Change In Net Position				1,961,428	5,352,574	7,314,002	444,716
Net Position - Beginning				81,792,795	28,986,147	110,778,942	110,354,929
Prior Period Adjustment				0	0	0	(20,703)
Net Position - Ending				83,754,223	34,338,721	118,092,944	110,778,942

CITY OF RIVERBANK
GOVERNMENTAL FUNDS
BALANCE SHEET
JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	General	CDBG	System Development
Assets			
Cash And Investments	9,769,853	891,147	6,119,789
Accounts Receivable	1,433,281	168	1,040
Loans Receivable	0	10,463,395	0
Prepaid Expenses	10,300	0	0
Unamortized Bond Issue Costs	0	0	0
Due From Other Funds	0	0	324,322
Total Assets	11,213,434	11,354,710	6,445,151
Liabilities			
Accounts Payable	634,042	679	0
Compensated Absences	254,029	1,945	0
Bonds Payable	0	0	0
Loan Payable	0	0	0
Other Liabilities	946,045	2,222	0
Due To Other Funds	0	0	0
Total Liabilities	1,834,116	4,846	0
Fund Balances			
Nonspendable	0	0	324,322
Restricted	0	11,349,864	6,120,829
Committed	0	0	0
Assigned	0	0	0
Unassigned	9,379,318	0	0
Total Fund Balances	9,379,318	11,349,864	6,445,151
Total Liabilities And Fund Balances	11,213,434	11,354,710	6,445,151

Successor RDA LMI Housing	Other Funds	Total Governmental Funds 2021	Total Governmental Funds 2020
101,460	6,990,104	23,872,353	20,259,747
42	402,915	1,837,446	1,759,266
3,200,000	0	13,663,395	13,839,721
0	0	10,300	315,797
0	0	0	0
0	0	324,322	396,000
3,301,502	7,393,019	39,707,816	36,570,531
0	178,020	812,741	1,133,351
0	22,015	277,989	244,523
0	0	0	0
0	0	0	0
0	84,510	1,032,777	1,054,851
0	0	0	0
0	284,545	2,123,507	2,432,725
0	0	324,322	396,000
3,301,502	0	20,772,195	20,437,507
0	0	0	0
0	7,150,946	7,150,946	5,559,876
0	(42,472)	9,336,846	7,744,423
3,301,502	7,108,474	37,584,309	34,137,806
3,301,502	7,393,019	39,707,816	36,570,531

SEE ACCOMPANYING NOTES TO BASIC FINANCIAL STATEMENTS

CITY OF RIVERBANK
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET
TO THE STATEMENT OF NET POSITION
JUNE 30, 2021

Total fund balances - governmental funds		37,584,309
Total net position reported for governmental activities in the statement of net position is different because:		
Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds. Those assets consist of:		
Land	3,957,541	
Land Improvements net of $5,584,856 accumulated depreciation	11,064,547	
Construction in progress	1,192,313	
Buildings and Improvements, net of $2,679,220 accumulated depreciation	3,285,143	
Equipment and Vehicles, net of $4,971,658 accumulated depreciation	1,464,118	
Infrastructure net of $48,900,011 accumulated depreciation	30,648,920	
Total capital assets		51,612,582
Deferred Outflow of Resources		912,579
Long-term liabilities applicable to the City's governmental activities are due and payable in the current period and accordingly are not reported as fund liabilities. All liabilities, both current and long-term, are reported in the statement of net position.		
Net Pension Liability	(5,672,550)	
Deferred Inflows of Resources	(732,196)	
Total long-term liabilities		(6,404,746)
Total net position - governmental activities		83,704,724

SEE ACCOMPANYING NOTES TO BASIC FINANCIAL STATEMENTS

CITY OF RIVERBANK
GOVERNMENTAL FUNDS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE YEAR ENDED JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	General	CDBG	System Development
Revenues			
Property Tax	3,499,581	0	0
Sales Tax	4,440,844	0	0
Other Tax And Franchises	796,455	0	0
Licenses And Permits	333,473	0	0
Fines And Forfeitures	53,405	0	0
Investment Earnings	15,608	24,754	16,424
Intergovernmental	155,448	0	10,030
Impact Fees	0	0	399,813
Service Charges And Miscellaneous	538,323	0	60,788
Total Revenues	9,833,137	24,754	487,055
Expenditures			
Current			
General Government	2,211,573	0	0
Public Safety	4,564,790	0	0
Public Works	2,058,945	0	36,941
Community Development	811,408	88,653	0
Culture And Leisure	465,393	0	0
Capital Outlay	196,831	0	99,969
Total Expenditures	10,308,940	88,653	136,910
Excess (Deficiency) Of Revenues Over Expenditures	(475,803)	(63,899)	350,145
Other Financing Sources (Uses)			
Operating Transfers In	2,833,116	0	0
Operating Transfers Out	(758,470)	0	(23,528)
Total Other Financing Sources (Uses)	2,074,646	0	(23,528)
Net Change In Fund Balances	1,598,843	(63,899)	326,617
Fund Balance - Beginning	7,780,475	11,413,763	6,118,534
Fund Balance- Ending	9,379,318	11,349,864	6,445,151

SEE ACCOMPANYING NOTES TO BASIC FINANCIAL STATEMENTS

Successor RDA LMI Housing Fund	Other Funds	Total Governmental Funds 2021	Total Governmental Funds 2020
0	0	3,499,581	3,402,995
0	0	4,440,844	3,304,671
0	0	796,455	764,164
0	0	333,473	222,169
0	0	53,405	89,326
292	8,152	65,230	387,486
0	3,601,666	3,767,144	2,685,944
0	0	399,813	277,933
0	2,321,888	2,920,999	2,525,531
292	5,931,706	16,276,944	13,660,219
0	564,356	2,775,929	2,623,356
0	871,220	5,436,010	4,611,119
0	958,313	3,054,199	3,144,698
0	332,052	1,232,113	1,146,921
0	522	465,915	595,517
0	1,015,063	1,311,863	2,250,726
0	3,741,526	14,276,029	14,372,337
292	2,190,180	2,000,915	(712,118)
0	548,838	3,381,954	2,386,032
0	(1,154,368)	(1,936,366)	(1,090,075)
0	(605,530)	1,445,588	1,295,957
292	1,584,650	3,446,503	583,839
3,301,210	5,523,824	34,137,877	33,554,038
3,301,502	7,108,474	37,584,380	34,137,877

CITY OF RIVERBANK
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2021

Net change in fund balances - total governmental funds	3,446,503
The changes in net position reported for governmental activities in the statement of activities is different because:	
Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which depreciation ($2,504,781) exceeded capital outlays ($1,318,821) in the current period.	(1,192,918)
The net effect of various miscellaneous transactions involving capital assets (i.e., sales, trade-ins and contributions) is to increase net assets.	0
The net change in pension expense either contributed to pension plan in current fiscal year not included on statement of activities; or expenses reported in statement of activities that do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.	(292,157)
Changes in net position of governmental activities	1,961,428

CITY OF RIVERBANK
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE YEAR ENDED JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Budgeted Amounts			Variance With Final Budget Over	2020
	Original	Final	Actual	(Under)	Actual
REVENUES					
Property Tax	3,433,600	3,508,100	3,499,581	(8,519)	3,400,829
Sales Tax	3,100,000	3,100,000	4,440,844	1,340,844	3,304,671
Other Tax And Franchise Fees	739,300	739,300	796,455	57,155	764,164
Licenses And Permits	191,200	231,200	333,473	102,273	222,169
Intergovernmental	138,500	138,500	155,448	16,948	236,741
Fines And Forfeitures	94,200	94,200	53,405	(40,795)	89,326
Investment Earnings	58,100	58,100	15,608	(42,492)	169,115
Service Charges And Miscellaneous	733,800	730,400	538,323	(192,077)	455,908
Total Revenues	8,488,700	8,599,800	9,833,137	1,233,337	8,642,923
EXPENDITURES					
General Government	2,584,800	2,447,100	2,211,573	(235,527)	2,112,758
Public Safety	4,787,900	4,706,800	4,564,790	(142,010)	4,346,393
Public Works	2,272,200	2,340,500	2,058,945	(281,555)	2,048,380
Community Development	839,000	842,800	811,408	(31,392)	786,918
Recreation And Leisure	576,800	491,300	465,393	(25,907)	498,365
Capital Outlay	0	0	196,831	196,831	261,455
Total Expenditures	11,060,700	10,828,500	10,308,940	(519,560)	10,054,269
Excess (Deficiency) Of Revenues Over Expenditures	(2,572,000)	(2,228,700)	(475,803)	1,752,897	(1,411,346)
OTHER FINANCING SOURCES (USES)					
Transfers In	2,414,700	2,506,300	2,833,116	326,816	1,988,602
Transfers Out	(506,800)	(739,100)	(758,470)	(19,370)	(622,218)
Total Other Financing Sources And (Uses)	1,907,900	1,767,200	2,074,646	307,446	1,366,384
Net Change In Fund Balance	(664,100)	(461,500)	1,598,843	2,060,343	(44,922)
Fund Balance - Beginning	7,780,475	7,780,475	7,780,475	0	7,825,397
Fund Balance - Ending	7,116,375	7,318,975	9,379,318	2,060,343	7,780,475
	10,903,400	11,106,100	12,666,253		

SEE ACCOMPANYING NOTES TO BASIC FINANCIAL STATEMENTS

CITY OF RIVERBANK
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE YEAR ENDED JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Budgeted Amounts			Variance With Final Budget Over	2020
	Original	Final	Actual	(Under)	Actual
General Government					
City Council	242,700	111,700	92,940	(18,760)	103,280
City Manager	280,100	279,700	239,804	(39,896)	219,836
Admin Services	744,200	751,900	678,175	(73,725)	676,972
Finance And Treasurer	992,900	958,900	881,016	(77,884)	873,333
City Attorney	324,900	344,900	328,964	(15,936)	282,110
Total General Government	2,584,800	2,447,100	2,220,899	(226,201)	2,155,531
Public Safety					
Police	4,460,000	4,476,800	4,355,941	(120,859)	4,154,034
Animal Control	327,900	230,000	229,283	(717)	192,359
Total Public Safety	4,787,900	4,706,800	4,585,224	(121,576)	4,346,393
Public Works					
Building Maintenance	239,700	240,400	241,170	770	334,975
Development Services	1,197,000	1,210,300	1,061,539	(148,761)	1,025,691
Stormwater Maintenance	85,500	86,000	73,695	(12,305)	95,436
Parks Maintenance	750,000	803,800	835,876	32,076	751,257
Total Public Works	2,272,200	2,340,500	2,212,280	(128,220)	2,207,359
Community Development					
Planning	478,800	482,900	459,546	(23,354)	443,018
Building Department	350,200	349,900	355,598	5,698	393,603
Economic Development	10,000	10,000	10,000	0	10,000
Engineering	0	0	0	0	0
Total Community Development	839,000	842,800	825,144	(17,656)	846,621
Recreation And Leisure					
Recreation	576,800	491,300	465,393	(25,907)	498,365
Total Culture And Leisure	576,800	491,300	465,393	(25,907)	498,365
Total General Fund	11,060,700	10,828,500	10,308,940	(519,560)	10,054,269

SEE ACCOMPANYING NOTES TO BASIC FINANCIAL STATEMENTS

CITY OF RIVERBANK
CDBG SPECIAL REVENUE FUND
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE YEAR ENDED JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Budgeted Amounts			Variance With Final Budget Over	2020
	Original	Final	Actual	(Under)	Actual
REVENUES					
Interest Income	5,000	15,000	24,754	9,754	49,077
Intergovernmental	0	0	0	0	0
Miscellaneous	58,600	58,600	0	(58,600)	100,000
Total Revenues	63,600	73,600	24,754	(48,846)	149,077
EXPENDITURES					
Salaries And Benefits	40,000	40,000	84,936	44,936	73,159
Supplies And Services	895,100	895,100	3,717	(891,383)	10,019
Bad Debt	0	0	0	0	0
Capital Outlays	0	0	0	0	0
Total Expenditures	935,100	935,100	88,653	(846,447)	83,178
Excess (Deficiency) Of Revenues Over Expenditures	(871,500)	(861,500)	(63,899)	797,601	65,899
OTHER FINANCING SOURCES (USES)					
Transfers In	0	0	0	0	0
Transfers Out	0	0	0	0	(25,630)
Total Other Financing Sources And (Us	0	0	0	0	(25,630)
Net Change In Fund Balance	(871,500)	(861,500)	(63,899)	797,601	40,269
Fund Balance - Beginning	11,413,763	11,413,763	11,413,763	0	11,373,494
Fund Balance - Ending	10,542,263	10,552,263	11,349,864	797,601	11,413,763

CITY OF RIVERBANK
SYSTEM DEVELOPMENT CAPITAL PROJECTS FUND
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE YEAR ENDED JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Budgeted Amounts			Variance With Final Budget Over	2020
	Original	Final	Actual	(Under)	Actual
REVENUES					
Investment Earnings	48,700	48,700	16,424	(32,276)	104,545
Intergovernmental	0	0	10,030	10,030	183,940
Impact Fees	56,200	246,200	399,813	153,613	277,933
Service Charges And Miscellaneous	7,800	34,300	60,788	26,488	23,763
Total Revenues	112,700	329,200	487,055	157,855	590,181
EXPENDITURES					
Salaries And Benefits	0	0	0	0	0
Supplies And Services	153,400	153,400	36,941	(116,459)	210,450
Capital Outlays	1,176,900	1,525,304	99,969	(1,425,335)	486,202
Total Expenditures	1,330,300	1,678,704	136,910	(1,541,794)	696,652
Excess (Deficiency) Of Revenues Over Expenditures	(1,217,600)	(1,349,504)	350,145	1,699,649	(106,471)
OTHER FINANCING SOURCES (USES)					
Transfers In	75,000	75,000	0	(75,000)	0
Transfers Out	0	0	(23,528)	(23,528)	(29,228)
Total Other Financing Sources And (Uses)	75,000	75,000	(23,528)	(98,528)	(29,228)
Net Change In Fund Balance	(1,142,600)	(1,274,504)	326,617	1,601,121	(135,699)
Fund Balance - Beginning	6,118,534	6,118,534	6,118,534	0	6,254,233
Fund Balance - Ending	4,975,934	4,844,030	6,445,151	1,601,121	6,118,534

SEE ACCOMPANYING NOTES TO BASIC FINANCIAL STATEMENTS

CITY OF RIVERBANK
SUCCESSOR REDEVELOPMENT AGENCY LMI HOUSING
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Budgeted Amounts			Variance With Final Budget Over	2020
	Original	**Final**	**Actual**	**(Under)**	**Actual**
REVENUES					
Property Tax	0	0	0	0	2,166
Investment Earnings	1,000	1,000	292	(708)	1,294
Intergovernmental	0	0	0	0	0
Service Charges And Miscellaneous	0	0	0	0	0
Total Revenues	1,000	1,000	292	(708)	3,460
EXPENDITURES					
Salaries And Benefits	0	0	0	0	0
Supplies And Services	98,000	98,000	0	(98,000)	0
Interest	0	0	0	0	0
Capital Outlay	0	0	0	0	0
Total Expenditures	98,000	98,000	0	(98,000)	0
Excess (Deficiency) Of Revenues Over Expenditures	(97,000)	(97,000)	292	97,292	3,460
OTHER FINANCING SOURCES (USES)					
Transfers In	0	0	0	0	0
Transfers Out	0	0	0	0	0
Total Other Financing Sources And (Use	0	0	0	0	0
Net Change In Fund Balance	(97,000)	(97,000)	292	97,292	3,460
Fund Balance - Beginning	3,301,210	3,301,210	3,301,210	0	3,297,750
Fund Balance - Ending	3,204,210	3,204,210	3,301,502	97,292	3,301,210

CITY OF RIVERBANK
PROPRIETARY FUNDS
STATEMENT OF NET POSITION
JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Business-Type Activities-Enterprise Funds					
	Sewer Fund	Water Fund	Community Center Fund	Local Redevelop. Authority	RESTATED Totals 2021	2020
Assets						
Cash And Investments	8,747,977	5,630,781	30,994	290,462	14,700,214	7,973,786
Cash With Fiscal Agent	0	0	0	0	0	0
Accounts Receivable	1,449,632	679,553	0	270,959	2,400,144	3,804,434
Notes Receivable	0	0	0	0	0	5,654
Prepaids	3,049	3,048	0	0	6,097	471,216
Fixed Assets	16,740,972	16,861,756	762,988	3,182,842	37,548,558	33,037,214
Accumulated Depreciation	(7,623,291)	(7,007,262)	(479,281)	(575,931)	(15,685,765)	(14,821,975)
Construction In Progress	4,133,352	0	0	0	4,133,352	8,279,367
Unamortized Bond Issue Costs	95,600	0	0	0	95,600	107,550
Total Assets	23,547,291	16,167,876	314,701	3,168,332	43,198,200	38,857,246
DEFERRED OUTFLOWS OF RESOURCES						
Current Pension Plan Contributior	93,138	127,389	4,812	71,857	297,196	304,738
Liabilities						
Accounts Payable	337,290	123,777	15,410	1,182,839	1,659,316	2,028,008
Customer Deposits	0	110,098	12,307	99,013	221,418	241,195
Compensated Absences	36,412	41,409	0	3,182	81,003	76,467
Due to Other Funds	324,322	0	0	0	324,322	396,000
Net Pension Liability	567,520	702,181	5,818	452,329	1,727,848	1,604,307
Loan Payable	2,618,897	0	0	0	2,618,897	2,916,397
Bond Payable	0	2,329,275	0	0	2,329,275	2,658,751
Total Liabilities	3,884,441	3,306,740	33,535	1,737,363	8,962,079	9,921,125
DEFERRED INFLOWS OF RESOURCES						
Deferral Of Pension Expense	64,489	65,967	(2,920)	67,060	194,596	254,712
Net Position						
Invested In Capital Assets, Net Of Related Debt	10,632,136	7,525,219	283,707	2,606,911	21,047,973	20,919,458
Restricted For Debt Service	0	0	0	0	0	0
Unrestricted	9,059,363	5,397,339	5,191	(1,171,145)	13,290,748	8,066,689
Total Net Position	19,691,499	12,922,558	288,898	1,435,766	34,338,721	28,986,147

CITY OF RIVERBANK
PROPRIETARY FUNDS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN NET POSITION
FOR THE YEAR ENDED JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Business-Type Activities-Enterprise Funds					
	Sewer Fund	Water Fund	Community Center Fund	Local Redevelop. Authority	Totals 2021	RESTATED Totals 2020
Operating Revenues						
Intergovernmental	0	0	0	3,330,121	3,330,121	2,887,133
Service Charges	4,701,088	3,148,279	75,397	1,698,656	9,623,420	8,854,092
Miscellaneous Revenues	20,229	2,456,698	3,736	161,103	2,641,766	37,940
Total Operating Revenues	4,721,317	5,604,977	79,133	5,189,880	15,595,307	11,779,165
Operating Expenses						
Employee Services	583,082	651,746	5,514	226,487	1,466,829	1,456,433
Supplies And Services	681,389	796,768	99,372	5,018,845	6,596,374	7,110,944
Depreciation	404,224	324,456	2,110	133,000	863,790	898,957
Total Operating Expenses	1,668,695	1,772,970	106,996	5,378,332	8,926,993	9,466,334
Operating Income (Loss)	3,052,622	3,832,007	(27,863)	(188,452)	6,668,314	2,312,831
Nonoperating Revenues (Expenses)						
Investment Earnings	7,894	10,395	0	1,047	19,336	141,309
Connection Fees	16,510	18,850	0	0	35,360	15,385
Development Fees	85,559	163,227	0	0	248,786	101,070
Gain (Loss) on Fixed Assets	0	0	0	0	0	0
Interest Expense	(104,221)	(57,463)	0	0	(161,684)	(182,861)
Amortization Of Bond Issue Costs	(11,950)	0	0	0	(11,950)	(11,950)
Total Nonoperating Revenues (Expenses)	(6,208)	135,009	0	1,047	129,848	62,953
Income Before Transfers And Contributed Capital	3,046,414	3,967,016	(27,863)	(187,405)	6,798,162	2,375,784
Contributed Capital	0	0	0	0	0	0
Operating Transfer In	840,572	55,864	15,748	2,919	915,103	1,418,839
Operating Transfer Out	(1,586,303)	(774,388)	0	0	(2,360,691)	(2,714,796)
Total Other Financing Sources (Uses)	(745,731)	(718,524)	15,748	2,919	(1,445,588)	(1,295,957)
Change In Net Position	2,300,683	3,248,492	(12,115)	(184,486)	5,352,574	1,079,827
Total Net Position - Beginning	17,390,816	9,674,066	301,013	1,620,252	28,986,147	27,927,023
Prior Period Adjustment	0	0	0	0	0	(20,703)
Adjusted Net Position - Beginning	17,390,816	9,674,066	301,013	1,620,252	28,986,147	27,906,320
Total Net Position - Ending	19,691,499	12,922,558	288,898	1,435,766	34,338,721	28,986,147

SEE ACCOMPANYING NOTES TO BASIC FINANCIAL STATEMENTS

CITY OF RIVERBANK
PROPRIETARY FUNDS
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Business-Type Activities-Enterprise Funds					
	Sewer Fund	Water Fund	Community Center Fund	Local Redevelop. Authority	Totals 2021	Totals 2020
CASH FLOWS FROM OPERATING ACTIVITIES						
Receipts From Customers And Users	4,634,008	5,532,322	83,283	6,735,861	16,985,474	9,995,658
Receipts From Interfund Services Provided	0	0	0	0	0	0
Payments To Suppliers	(857,813)	(501,815)	(98,246)	(5,042,069)	(6,499,943)	(7,599,303)
Payments To Employees	(549,886)	(620,609)	(5,514)	(215,323)	(1,391,332)	(1,352,367)
Payments For Interfund Services Used	(71,678)	0	0	0	(71,678)	(71,320)
Net Cash Provided By Operating Activities	3,154,631	4,409,898	(20,477)	1,478,469	9,022,521	972,668
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES						
Transfer In	840,572	55,864	15,748	2,919	915,103	1,418,839
Transfer Out	(1,586,303)	(774,388)	0	0	(2,360,691)	(2,714,796)
Net Cash Provided (Used) By Capital And Related Financing Activities	(745,731)	(718,524)	15,748	2,919	(1,445,588)	(1,295,957)
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES						
Connection Fees	16,510	18,850	0	0	35,360	15,385
Development Fees	85,559	163,227	0	0	248,786	101,070
Purchase Of Capital Assets	(246,915)	(47,614)	0	(70,799)	(365,328)	(536,926)
Funds Provides On New Lease	0	0	0	0	0	0
Funding Costs On New Loan	0	0	0	0	0	0
Loss on Disposal Of Capital Assets	0	0	0	0	0	0
Principal Paid On Capital Debt	(297,500)	(2,658,751)	0	0	(2,956,251)	(913,681)
Interest Paid On Capital Debt	(104,221)	(57,462)	0	0	(161,683)	(182,861)
Net Cash Provided (Used) By Capital And Related Financing Activities	(546,567)	(2,581,750)	0	(70,799)	(3,199,116)	(1,517,013)
CASH FLOWS FROM INVESTING ACTIVITIES						
Interest Received	7,894	10,395	0	1,047	19,336	141,309
Net Cash Provided By Investing Activities	7,894	10,395	0	1,047	19,336	141,309
Net Increase In Cash And Cash Equivalents	1,870,227	1,120,019	(4,729)	1,411,636	4,397,153	(1,698,993)
Cash And Equivalents, July 1	6,877,750	2,181,487	35,723	(1,121,174)	7,973,786	9,672,779
Cash And Equivalents, June 30	8,747,977	3,301,506	30,994	290,462	12,370,939	7,973,786

SEE ACCOMPANYING NOTES TO BASIC FINANCIAL STATEMENTS

Reconciliation Of Operating Income To Net Cash Provided (Used) By Operating Activities	Sewer Fund	Water Fund	Community Center Fund	Local Redevelop. Authority	Totals 2021	Totals 2020
Operating Income	3,052,622	3,832,007	(27,863)	(188,452)	6,668,314	2,312,831
Adjustments To Reconcile Operating Income To Net Cash Provided (Used) By Operating Activities						
Depreciation Expense	404,224	324,456	2,110	133,000	863,790	898,957
(Increase) Decrease In						
Deferred Outflows of Resources	2,958	3,297	0	1,286	7,541	15,460
Accounts Receivable	(87,309)	(64,639)	0	1,556,238	1,404,290	(1,816,644)
Prepaids	232,559	232,559	0	(20,704)	444,414	(465,120)
Notes Receivable				5,655	5,655	6,216
Due From Other Funds	0	0	0	0	0	0
Increase (Decrease) In						
Accounts Payable	(408,984)	62,393	1,126	(2,523)	(347,988)	(23,239)
Compensated Absences	5,360	117	0	(941)	4,536	6,069
Deferred Inflows of Resources	(23,583)	(26,279)	0	(10,255)	(60,117)	13,180
Net Pension Liability	48,462	54,003	0	21,076	123,541	69,357
Customer Deposits	0	(8,016)	4,150	(15,911)	(19,777)	26,921
Due To Other Funds	(71,678)	0	0	0	(71,678)	(71,320)
Net Cash Provided (Used) By Operating Activiti	3,154,631	4,409,898	(20,477)	1,478,469	9,022,521	972,668

CITY OF RIVERBANK
STATEMENT OF FIDUCIARY NET POSITION
AGENCY FUNDS
JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR YEAR ENDED JUNE 30, 2020

	County Impact Fee Fund	Assessment District 1991 - 1 Fund	RDA	Totals (Memorandum Only) 2021	2020
Assets					
Cash And Investments	39,314	273,508	1,237,969	1,550,791	1,389,613
Accounts Receivable	5	12	0	17	131
Fixed Assets		0	0	0	0
Accumulated Depreciation	0	0	0	0	0
Unamortized Bond Issue Costs	0	0	82,502	82,502	103,127
Due From Other Funds	0	0	0	0	0
Total Assets	39,319	273,520	1,320,471	1,633,310	1,492,871
Liabilities And Fund Balances					
Liabilities					
Due to Bond Paying Agent	0	0	0	0	0
Due To Other Government	39,319	273,520	1,320,471	1,633,310	1,492,871
Total Liabilities	39,319	273,520	1,320,471	1,633,310	1,492,871

SEE ACCOMPANYING NOTES TO BASIC FINANCIAL STATEMENTS

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The basic financial statements of the City of Riverbank, California (City) have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP). The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. In June 1999, the GASB unanimously approved Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local* Governments. Certain of the significant changes in the Statement include the following:

- A Management and Discussion and Analysis (MD&A) section providing an analysis of the City's overall financial position and results of operations.

- Financial statements prepared using the full accrual accounting for all of the City's activities, except for infrastructure (roads, streets, bridges, etc.)

- A change in the fund financial statements to focus on the major funds.

These and other changes are reflected in the accompanying financial statements (including notes to financial statements). The more significant of the City's accounting policies are described below:

A. Financial Reporting Entity

The accompanying basic financial statements present the financial activity of the City of Riverbank (primary government) and its component units, entities for which the government is considered to be financially accountable. Blended component units, although legally separate entities, are, in substance, part of the government's operations. Discretely presented component units represent other legally separate organizations for which the primary government is financially accountable or for which the nature and significance of their relationship to the primary government are such that exclusion would cause the City's reporting entity to be misleading or incomplete. The City's component units are blended; there are no discretely presented component units in the Financial Reporting Entity.

City of Riverbank

The City (primary government) was incorporated in 1922 under the general laws of the State of California. The City provides the full range of municipal services as contemplated by statute. Services provided include sewer, water, public safety (police), street construction and maintenance, culture-recreation, public improvements, planning and zoning, and general administrative and support services. The City operates under a Council-Manager form of government. The City Council consists of five members elected at large for overlapping four year terms. The City Council appoints a City Administrator and City Attorney.

City of Riverbank – continued

In addition to sitting as the governing board of the City, the City Council also acts as the Board of Directors of one blended component unit: the Redevelopment Agency of the City of Riverbank through January 31, 2012. On February 1, 2012 all Redevelopment Agencies (RDA) statewide were dissolved. The City elected to be the Successor Agency for the Low/Moderate Income Housing Fund. The general RDA Fund was transferred to the Riverbank Local Designated Authority, a separate entity created by the State when the City did not elect to be the Successor Agency for that fund. The Successor Agency Fund is now reported as a special revenue on the City's financial statements.

B. Government-wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of changes in net position) report information on all of the nonfiduciary activities of the primary government and its component units. For the most part, the effect of interfund activity has been removed from these statements. *Governmental activities*, which normally are supported by taxes and intergovernmental revenues, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges for support.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide financial. Major individual governmental funds are reported as separate columns in the fund financial statements.

C. Measurement Focus, Basis of Accounting and Basis of Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

C. Measurement Focus, Basis of Accounting and Basis of Presentation – continued

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, are recorded only when payment is due.

Property taxes and taxpayer-assessed tax revenues (e.g., franchise taxes, sales taxes, motor vehicle fees, etc.) net of estimated refunds and uncollectible amounts, and interest associated with the current fiscal period are all considered susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered measurable and available only when cash is received by the City. The City reports the following major governmental funds:

The **General Fund** is the City's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

CDBG Fund - To account for federal grants and other monies received and disbursed under the Housing and Community Development Act, to assist low and moderate income groups in obtaining loans to purchase their first home and rehabilitate or revitalize their homes.

Systems Development Fund - To account for development impact fees collected. These fees are used for infrastructure and capital expenditure resulting from new developments.

Successor RDA LMI Housing Fund – This fund was created when the City elected to assume the housing function previously performed by the Redevelopment Agency. The non-cash assets and encumbered cash of the Redevelopment LMI Housing Fund were transferred to this Fund.

The city reports the following major proprietary funds.

The **Water Fund** accounts for the activities of the City's water service.

The **Sewer Fund** accounts for the activities of the City's sewer service.

The **Community Center Fund** accounts for the activities of the City's Community Center service.

C. Measurement Focus, Basis of Accounting and Basis of Presentation – continued

The **Local Redevelopment Authority Fund** accounts for the activities of the City's Ammunition Factory services.

Additionally, the City reports the following fund types:

The **County Impact Fee Agency Fund,** accounts for impact fees which are collected on behalf of Stanislaus County.

The **Assessment District 1991-1 Agency Fund,** accounts for the collection of assessments and payment of debt service on behalf of the District.

The **Redevelopment Agency Fund,** accounts for the collection of property tax revenues used for the administration of the agency and development projects within the designated redevelopment area.

Private-sector standards of accounting and financial reporting issued prior to December 1, 1989 generally are followed in the government-wide financial statements to the extent that those standards do not conflict with or contradict guidance of the GASB.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements.

Amounts reported as program revenues include 1) charges to customers and applicants, for goods, services or privileges provided, 2) operating grants and contributions and 3) capital grants and contributions. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing goods and services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principle operating revenues of the enterprise and internal service funds are charges for sales and services. Operating expenses for enterprise funds include salaries and employee benefits, maintenance and operation of systems and facilities, administrative expenses and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

When both restricted and unrestricted resources are available for use, it is the City's policy to use restricted resources first, then unrestricted resources, as they are needed.

D. Assets, Liabilities and Equity

1. Cash and Investments

In order to maximize the flexibility of its investment program and to aid in cash budgeting, the City pools the cash of all funds, except for monies deposited with fiscal agents in accordance with related bond indentures. The cash and investments balance in each fund represents that fund's equity share of the City's cash and investment pool. As the City places no restrictions on the deposit or withdrawal of a particular fund's equity in the pool, the pool operates like a demand deposit account for the participating funds.

Interest income earned on pooled cash and investments is allocated quarterly. Interest income on restricted cash and investments with fiscal agents is credited directly to the related fund.

In accordance with the State of California Government Code, the City adopts an investment policy annually that, among other things, authorizes types of investments. Authorized investments include:

- Securities of the U.S. government or its agencies
- Certificates of Deposit (or time deposits) placed with commercial banks and/or savings and loan associations
- Bankers Acceptances
- State Treasurer's Local Agency Investment Fund (LAIF)
- Repurchase Agreements
- Passbook savings account demand deposits
- Mutual Funds
- High Grade Commercial Paper (A-1 and P-1 Rated)

Investments for the City are reported at fair value. LAIF operates in accordance with appropriate state laws and regulations. The reported value of the pool is the same as the fair value of the pool shares.

For purposes of the statement of cash flows, the city has defined cash and cash equivalents to be change and petty cash funds, equity in the City's cash and investment pool and restricted, non-pooled investment with initial maturities of three months or less.

2. Receivables and Payables

Activity between funds that are representative of lending/borrowing outstanding at the end of the fiscal year are referred to as either "interfund receivables/payables" (i.e. the current portion of interfund loans) or "advances to/from other funds" (i.e. the non-current portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds".

2. Receivables and Payables (continued)

Advances between funds, as reported in the fund financial statements, are offset by a fund balance reserve account in applicable governmental funds to indicate that they are not available for appropriation and are not expendable available financial resources.

All trade and tax receivables are shown net of an allowance for uncollectible accounts and estimated refunds due.

3. Property Taxes

Property taxes are levied on the first day of March by the county assessor, and are payable to the county tax collector in two installments. The first installment is due November 1st, and is delinquent on December 10th, the second installment is due February 1st and is delinquent on April 10th.

Taxes become a lien on the property on March 1st, and on the date of transfer of title, and the date of new construction. The minimum property value which is taxed is $2,000; however, tax bills are prepared for properties valued at less than $2,000 if there is a special assessment to be collected.

Article 13A of the California Constitution states, "The maximum amount of any ad valorem tax on real property shall not exceed one percent (1%) of the full cash value of such property. The one percent tax is to be collected by the counties and apportioned according to law to the districts within the counties."

The City has elected under state law (TEETER) to receive all of the annual property assessments in three installments as follows:

December	55%
April	40%
June	5%
	100%

4. Prepaid Items

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

5. Restricted Assets

Certain proceeds of revenue bonds, as well as certain resources set aside for their repayment, are classified as restricted assets on the balance sheet because their use is limited by applicable bond covenants.

6. Capital Assets

Capital assets, which include property, plant, equipment and infrastructure assets (e.g. roads, bridges, sidewalks, traffic lights and signals, street lights and similar items), are reported in the applicable governmental columns in the government-wide financial statements. Capital assets are defined by the City as assets with an initial, individual cost of $1,000 for property, plant and equipment and $25,000 for infrastructure. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at their estimated fair value at the date of donation. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

Major outlay for capital assets and improvements are capitalized as projects are constructed. Depreciation is recorded in the in amounts sufficient to relate the cost of the depreciable assets to operations over their estimated service life using the straight-line method. Assets are depreciated from 3 to 50 years.

7. Compensated Absences

It is the City's policy to permit employees to accumulate earned but unused vacation and sick leave benefits. All vacation and sick leave benefits are accrued as earned by employees. All vacation and sick leave pay is accrued when incurred in the government-wide financial statements. A liability for these amounts is reported in the governmental and proprietary funds.

8. Pensions

For purposes of liability and deferred outflows/inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the City of Riverbank's California Public Employees' Retirement System (CalPERS) plans (Plans) and additions to/deductions from the Plans' fiduciary net position have been determined on the same basis as they are reported by CalPERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

9. Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the statement of net position. Bond premiums and discounts, as well as issuance costs, are deferred and amortized over the life of the bonds using the straight-line method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are reported as deferred charges and amortized over the term of the related debt.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs,

9. Long-Term Obligations (continued)

whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

10. Net Position and Fund Equity

In the government-wide financial statements, net position are reported in three categories: net position invested in capital assets, net of related debt; restricted net position and unrestricted net position. Restricted net position represent net position restricted by parties outside the City (such as creditors, grantors, contributors, laws and regulations of other governments) and include unspent proceeds of bonds issued to acquire or construct capital assets. The City's other restricted net position are temporarily restricted (ultimately expendable assets). All other net position are considered unrestricted.

In the fund financial statements, fund balance is reported in classifications that comprise a hierarchy based on the extent to which the City is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. The classifications of fund balance are Non-spendable, Restricted, Committed, Assigned, and Unassigned. Non-spendable and Restricted fund balances represent the restricted classifications, and Committed, Assigned, and Unassigned represent the unrestricted classifications.

- Non-spendable fund balance includes amounts that cannot be spent because either 1) it is not in a spendable form, such as inventory or prepaid items or 2) legally or contractually required to be maintained intact.
- Restricted fund balance includes amounts that are constrained for specific purposes which are externally (outside the City) imposed by creditors, grantors, contributors, laws and regulations of other governments, or laws through constitutional provisions or enabling legislation.
- Committed fund balance includes amounts that are constrained for specified purpose that are internally imposed by the government through formal action of the highest level of decision making authority and does not lapse at year-end.
- Assigned fund balance represents limitations imposed by management.
- Unassigned fund balance represents the residual net resources in excess of the other classifications. The General Fund is the only fund that can report a positive unassigned fund balance and any governmental fund can report a negative unassigned fund balance.

When both restricted and unrestricted resources are available for specific expenditures, restricted resources are considered spent before unrestricted resources, unless there are legal documents/contracts that prohibit doing this, such as a grant agreement requiring dollar for dollar spending. Within unrestricted resources, committed and assigned are considered spent (if available) before unassigned amounts.

10. Net Position and Fund Equity - continued

As of June 30, 2021, the fund balance details by classification are listed below:

	General	CDBG	Successor RDA	System Development	Other Funds	Total Governmental Funds
Fund Balances:						
Nonspendable:				324,322		324,322
Restricted:						
Housing		11,349,864	3,301,502			14,651,366
System Development				6,120,829		6,120,829
Committed To:						
Assigned To:						
Community Development					2,572,572	2,572,572
Riverbank Donations					4,645	4,645
Landscaping					264,771	264,771
Public Works					1,196,661	1,196,661
Public Safety					193,403	193,403
Self Insurance					589,200	589,200
Other Purposes					2,329,694	2,329,694
Unassigned:	9,379,318				(42,472)	9,336,846
Total Fund Balances	9,379,318	11,349,864	3,301,502	6,445,151	7,108,474	37,584,309

11. Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principals requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

II. STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

A. Budgetary Information

The City Council is required to adopt an annual budget resolution by July 1 of each fiscal year for the general fund, and special revenue, capital projects, debt service, and enterprise funds. These budgets are adopted and presented for reporting purposes on a basis consistent with generally accepted accounting principles.

The appropriated budget is prepared by fund, function, and department. The legal level of budgetary control (i.e., the level at which expenditures may not legally exceed appropriations) is the department level. The council made several supplemental budgetary appropriations throughout the year.

B. Excess of Expenditures over Appropriations

For the year ended June 30, 2021, expenditures exceeded appropriations in several department as follows:

General Fund:	
Building Maintenance	770
Building Department	5,698

The General funds over-expenditures were funded through the reserves of the General Fund.

III. DETAILED NOTES ON ALL FUNDS

A. Cash And Investments

Cash and investments as of June 30, 2021 are classified in the accompanying financial statements as follows:

Cash on hand	710
Deposits with financial institutions	32,716,624
Investments in LAIF	5,855,233
Total cash and investments	38,572,567

Cash and investments as of June 30, 2021 consist of the following:

Cash and investments	38,572,567
Cash and investments held by bond trustee	0
Total cash and investments	38,572,567

Investments Authorized by the City's Investment Policy

The City's investment policy authorizes investment in the local government investment pool administered by the State of California (LAIF). The City's investment policy also authorizes cash to be invested in Certificates of Deposits, Money Market Mutual Funds, Bankers Acceptances, Repurchase Agreements, Passbook Savings Demand Deposits, and High Grade Commercial Paper. The City's investment policy does not contain any specific provisions intended to limit the City's exposure to interest rate risk, credit risk, and concentration of credit risk.

A. Cash And Investments (continued)

Disclosures Relating to Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. As of year-end, the weighted average maturity of the investments contained in the LAIF investment pool is approximately 6.16 months.

		Maturity Date
State investment pool	5,855,234	9.58 months average maturity

Disclosures Relating to Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. LAIF does not have a rating provided by a nationally recognized statistical rating organization.

Concentration of Credit Risk

The investment policy of the City contains no limitations on the amount that can be invested in any one issuer beyond that stipulated by the California Government Code.

Custodial Credit Risk

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The California Government Code and the City's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits, other than the following provision for deposits: The California Government Code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The market value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies. California law also allows financial institutions to secure City deposits by pledging first trust deed mortgage notes having a value of 150% of the secured public deposits.

The custodial credit risk for investments is the risk that, in the event of the failure of the counterparty (e.g., broker-dealer) to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code and the City's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for investments.

Custodial Credit Risk (continued)

With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government's indirect investment in securities through the use of mutual funds or government investment pools (such as LAIF).

Investment in State Investment Pool

The City is a voluntary participant in the Local Agency Investment Fund (LAIF) that is regulated by the California Government Code under the oversight of the Treasurer of the State of California. The fair value of the City's investment in this pool is reported in the accompanying financial statements at amounts based upon the City's pro-rata share of the fair value provided by LAIF for the entire LAIF portfolio (in relation to the amortized cost of that portfolio). The balance available for withdrawal is based on the accounting records maintained by LAIF, which are recorded on an amortized cost basis.

Cash with Fiscal Agent

The City maintains cash and investments which are restricted under the terms of various debt agreements. The money is included in the City's pooled cash and investment program. Restricted cash and investments as of June 30, 2021 is $0.00.

Deferred Compensation Plan

The City offers its employees a deferred compensation plan created in accordance with Internal Revenue Code Section 457. The City deposits deferred compensation plan assets with the California Public Employees Retirement System (PERS). Federal legislation requires that the assets of such plans be held in trust for the exclusive benefit of the plan participants and their beneficiaries. PERS act as the trustees for the plan assets and the City is considered to have limited fiduciary responsibility for the plan assets. As such, the City does not report the deferred compensation plan assets on its financial statements.

B. Accounts Receivable

Receivables at June 30, 2021 for the City's individual major funds and non-major funds in the aggregate, including applicable allowances for uncollectible accounts, are as follows.
All receivables are expected to be collected within one year.

	General	CDBG	System Development
Governmental Activities:			
Interest	809	168	1,040
Utility Billing	464,436	0	0
Other	968,036	0	0
Total	1,433,281	168	1,040

	Successor RDA LMI Housing	Nonmajor Governmental	Total
Governmental Activities:			
Interest	42	1,020	3,079
Utility Billing	0	0	464,436
Other	0	401,895	1,369,931
Total	42	402,915	1,837,446

	Water	Sewer	Community Center	Local Redevelop. Authority	Total
Business-Type Activities:					
Utility Billings	678,359	954,236	0	0	1,632,595
Interest	1,151	534	0	0	1,685
Other	43	494,862	0	270,959	765,864
Total	679,553	1,449,632	0	270,959	2,400,144

C. Notes Receivable

The City is the recipient of Community Development Block Grant and Home Program Funds. The Funds are provided to use for housing and business loans to qualified recipients at various below market interest rates ranging from 0 to 4%. The terms of the loans range between fifteen and thirty years. All loans are secured by deeds of trust. The amount outstanding as of June 30, 2021 is $10,463,395.

D. Interfund Receivables and Payables

Interfund receivable/payable balances at June 30, 2021 consist of the following:

- The Sewer Fund borrowed $396,000 from the Streets/PW System Development Fee Fund in accordance with Resolution 2011-021. The Sewer Fund will reimburse funds from future sewer fees collected. The balance as of June 30, 2022 was $324,322.

E. Capital Assets

Capital asset activity for the year ended June 30, 2021 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Governmental Activities				
Capital assets not being depreciated:				
Land	3,957,541	0	0	3,957,541
Construction in progress	1,979,589	526,340	(1,313,616)	1,192,313
Total capital assets not being depreciated	5,937,130	526,340	(1,313,616)	5,149,854
Capital assets being depreciated:				
Infrastructure	78,345,469	1,203,452	0	79,548,921
Land Improvements	15,994,675	654,728	0	16,649,403
Equipment And Vehicles	6,247,066	188,710	0	6,435,776
Building And Improvements	5,961,612	2,750	0	5,964,362
Total capital assets being depreciated	106,548,822	2,049,640	0	108,598,462
Less accumulated depreciation for:				
Infrastructure	(47,205,947)	(1,694,055)	0	(48,900,002)
Land Improvements	(5,112,583)	(472,273)	0	(5,584,856)
Equipment And Vehicles	(4,819,404)	(152,252)	0	(4,971,656)
Building And Improvements	(2,493,019)	(186,201)	0	(2,679,220)
Total accumulated depreciation	(59,630,953)	(2,504,781)	0	(62,135,734)
Net capital assets being depreciated	46,917,869	(455,141)	0	46,462,728
Total net capital assets - Governmental Activities	52,854,999	71,199	(1,313,616)	51,612,582

Depreciation was charged to functions/programs of the primary government as follows:

Government Activities:

Public Works	2,504,781
Total Depreciation expense – Government activities	2,504,781

E. Capital Assets (continued)

	Beginning Balance	Increases	Decreases	Ending Balance
Business-type Activities				
Capital assets not being depreciated:				
Land	2,373,284	0	0	2,373,284
Construction in progress	8,279,366	204,363	(4,350,376)	4,133,353
Total capital assets not being depreciated	10,652,650	204,363	(4,350,376)	6,506,637
Capital assets being depreciated:				
Equipment And Vehicles	13,433,586	4,395,091	0	17,828,677
Building And Improvements	17,230,343	116,254	0	17,346,597
Total capital assets being depreciated	30,663,929	4,511,345	0	35,175,274
Less accumulated depreciation for:				
Equipment And Vehicles	(9,704,781)	(403,530)	0	(10,108,311)
Building And Improvements	(5,117,195)	(460,259)	0	(5,577,454)
Total accumulated depreciation	(14,821,976)	(863,789)	0	(15,685,765)
Net capital assets being depreciated	15,841,953	3,647,556	0	19,489,509
Total net capital assets - business-type activities	26,494,603	3,851,919	(4,350,376)	25,996,146

Business- Type Activities:

Water	324,456
Sewer	404,224
Ammo Plant	133,000
Community Center	2,110
Total Depreciation expense – Business-Type Activities	863,790

F. Transfers

Interfund transfers for the year ended June 30, 2021 consisted of the following amounts:

Fund	Transfers In	Transfers Out
General Fund	2,833,116	758,470
CDBG	0	0
System Development	0	23,528
Nonmajor Governmental	548,838	1,154,368
Proprietary	915,103	2,360,691
Total	4,297,057	4,297,057

G. Payables And Other Liabilities

Payables at June 30, 2021 for the City's individual major funds and non-major funds in the aggregate are as follows:

	General	CDBG	System Development
Governmental Activities			
Vendors	634,042	679	0
Salaries and Benefits	0	0	0
Total	634,042	679	0

	Successor RDA LMI Housing	Nonmajor Governmental	Total
Governmental Activities			
Vendors	0	178,020	812,741
Salaries and Benefits	0	0	0
Total	0	178,020	812,741

	Water	Sewer	Community Center	Local Redevelop. Authority	Total
Business-Type Activities					
Vendors	110,833	325,993	12,872	1,179,849	1,629,547
Salaries and Benefits	12,944	11,297	2,538	2,990	29,769
Total	123,777	337,290	15,410	1,182,839	1,659,316

H. Long-Term Debt

Business-Type Activities:

On January 23, 2014 the City of Riverbank received a private placement $5,742,715 waste water revenue loan from Municipal Finance Corporation. This loan was obtained for two purposes: (1) $4,031,770 was received in order to provide financing for the acquisition and construction of energy efficient improvements to the City's existing Wastewater System and includes the removal of existing aerators in ponds T-1 and T-2 to be replaced with three new blowers, and all design, hydrology, engineering and related costs, and (2) $1,710,945 in funds were received in order to fund the redemption prior to maturity of the 2005 Refunding Revenue Bonds, Series A (Wastewater

H. Long-Term Debt (continued)

Project) issued on February 3, 2005 in the original principal amount of $4,475,000 and which had currently outstanding principal in the amount of $2,075,000. The amount was paid off in September 10, 2014.

Refinancing of Sewer Bond is due in bi-annual installments of $153,784, interest not more than 2.38% per annum payable on February 1 and August 1 through 2019. Loan proceeds were used to finance the Waste Treatment Construction Project. Loan payable outstanding at June 30, 2021 is $0.00

2013 Sewer Loan is due in bi-annual installments of $167,890, interest not more than 2.38% per annum payable on February 1 and August 1 through 2029. Loan proceeds were used to finance the Waste Treatment Construction Project. Loan payable outstanding at June 30, 2021 is $2,555,013.

The annual debt service requirements to maturity are as follows:

Year Ending June 30	Loans Payable	
	Principal	Interest
2022	243,980	91,800
2023	253,041	82,739
2024	262,439	73,342
2025	272,186	63,595
2026	282,294	53,486
2027-2030	1,241,072	102,050
Total	2,555,013	467,013

Loan Payable, State of California Water Resources Control Board, is due in annual installments of $65,563, interest at 2.7% per annum payable on October 25 through 2022. Proceeds from the loans were used for the construction and improvement of capital assets for the wastewater treatment plant expansion. Loans payable outstanding on June 30, 2021 is $63,887.

The annual debt service requirements to maturity are as follows:

Year Ending June 30	Loans Payable	
	Principal	Interest
2022	63,887	1,676
Total	63,887	1,676

H. Long-Term Debt (continued)

The City entered into a Master Governmental Lease Purchase agreement with Wells Fargo Banks to update the city's water meters on December 15, 2015. The agreed finance amount of $4,054,224 is due in 24 semiannual installments of $193,469.62, interest at 2.23% per annum payable in June and December through 2027. Proceeds from the lease are being used for the replacement of the city's water meters. Lease payable outstanding at June 30, 2021 is $2,329,275.

The annual debt service requirements to maturity are as follows:

Year Ending June 30	Loans Payable	
	Principal	Interest
2022	336,864	50,075
2023	344,418	42,521
2024	352,141	34,798
2025	360,038	26,901
2026	368,111	18,828
2027-2028	567,702	12,706
Total	2,329,275	185,830

The following is a summary of changes in the City's long-term debt and other long-term liabilities during the year ended June 30, 2021.

	Beginning Balance	Additions	Deductions	Ending Balance	Due Within One Year
Govermental-Type Activities:					
Compensated Absences	244,522	33,467	0	277,989	27,799
Long-term liabilities of Govermental-Type Activities:	244,522	33,467	0	277,989	27,799

The following is a summary of changes in the City's Proprietary Funds long-term debt, including compensated absences, during the year ended June 30, 2021.

H. Long-Term Debt (continued)

	Beginning Balance	Additions	Deductions	Ending Balance	Due Within One Year
Business-Type Activities:					
Loan Payable	2,790,257	0	(235,244)	2,555,013	243,980
Loan Payable	126,140	0	(62,253)	63,887	63,887
Water Meter Lease	2,658,750	0	(329,476)	2,329,274	336,864
Compensated Absences	76,467	4,536	0	81,003	0
Long-term liabilities of Business-Type Activities:	5,651,614	4,536	(626,973)	5,029,177	644,731
Total long-term liabilities	5,896,136	38,003	(626,973)	5,307,166	672,530

The annual debt service requirements for the City's Proprietary Funds to maturity are as follows:

Year Ending June 30	Total		Total
	Principal	Interest	Debt Service
2022	644,731	143,551	788,282
2023	597,459	125,260	722,719
2024	614,580	108,140	722,720
2025	632,224	90,496	722,720
2026	650,405	72,314	722,719
2027-2030	1,808,774	114,756	1,923,530
Total	4,948,173	654,517	5,602,690

I. Evaluation of Subsequent Events

The City has evaluated subsequent events through October 25, 2022, the date which the financial statements were available to be issued.

IV. OTHER INFORMATION

A. Risk Management

The City of Riverbank participates with other public entities in a joint exercise of powers agreement, which establishes the Central San Joaquin Valley Risk Management Authority (CSJVRMA). The relationship between the City and CSJVRMA is such that CSJVRMA is not a component unit of the City for financial reporting purposes.

The City is covered for the first $1,000,000 of each general liability claim and $250,000 of each workers' compensation claim through the CSJVRMA. The City has the right to receive dividends or the obligation to pay assessments based on a formula which, among other expenses, charges the City's account for liability losses under $10,000 and workers' compensation losses under $10,000. The CSJVRMA participates in an excess pool which provides general liability coverage from $1,000,000 to $10,000,000. The CSJVRMA participates in an excess pool that provides workers' compensation coverage from $250,000 to $500,000 and purchases excess insurance above the $500,000 to the statutory limit. The CSJVRMA is a consortium of fifty-four (54) cities in San Joaquin Valley, California. It was established under the provisions of California Government Code Section 6500 et seq. The CSJVRMA is governed by a Board of Directors, which meets 3-4 times per year, consisting of one member appointed by each member city. The day-to-day business is handled by a management group employed by the CSJVRMA.

The financial position and results of operations for the CSJVRMA, as of June 30, 2020, are presented below:

Total Assets	140,373,479
Total Liabilities	120,609,137
Total Net Assets	19,764,342
Total Liabilities & Net Assets	140,373,479
Total Revenues for Year	58,244,856
Total Expenses for Year	57,261,330
Net Income(Loss) for Year	983,526

At the termination of the joint powers agreement and after all claims have been settled, any excess deficit will be divided among the cities in accordance with its governing documents.

B. Commitments and Contingencies

The City of Riverbank is a party in various lawsuits. Although the outcome of these lawsuits is not presently determinable, it is the opinion of the City's counsel that resolution of these matters will not have a material adverse effect on the financial condition of the City.

C. Employee Retirement Systems and Plans

The City contributes to the California Public Employees' Retirement System (PERS), an agent multiple-employer public employee defined benefit pension plan. PERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. PERS acts as a common investment and administrative agent for participating public entities within the State of California. Benefit provisions and all other requirements are established by state statute and city ordinance. Copies of PERS' annual financial report may be obtained from their Executive Office – 400 P Street – Sacramento CA 95814.

Benefits Provided – CalPERS provides service retirement and disability benefits, annual cost of living adjustments and death benefits to plan members, who must be public employees and beneficiaries. Benefits are based on years of credited service, equal to one year of full-time employment. Members with five years of total service are eligible to retire at age 50 with statutorily reduced benefits. All members are eligible for non-duty disability benefits after 10 years of service. The death benefit is one of the following: the Basic Death Benefit, the 1957 Survivor Benefit, or the Optional Settlement 2W Death Benefit. The cost of living adjustments for each plan are applied as specified by the Public Employees' Retirement Law.

C. Employee Retirement Systems and Plans (continued)

The Plans' provisions and benefits in effect as of June 30, 2018, are summarized as follows:

	Miscellaneous		
Hire date	Prior to April 1, 2011	On or After April 1, 2011	On or After January 1, 2013
Benefit formula	2% @ 55	2% @ 60	2% @ 62
Benefit vesting schedule	5 Years	5 Years	5 Years
Benefit payments	Monthly for life	Monthly for life	Monthly for life
Retirement age	50	50	52
Monthly benefits, as of % of eligible compensation	Up to 2%	Up to 2%	Up to 2%
Required employee contribution rates	7.00%	7.00%	6.25%
Required employer contribution rates	13.578%	8.005%	6.25%

	Safety		
Hire date	Prior to April 1, 2011	On or After April 1, 2011	On or After January 1, 2013
Benefit formula	2% @ 55	2% @ 55	N/A
Benefit vesting schedule	5 Years	5 Years	N/A
Benefit payments	Monthly for life	Monthly for life	N/A
Retirement age	50	50	N/A
Monthly benefits, as of % of eligible compensation	Up to 2%	Up to 2%	N/A
Required employee contribution rates	6.25%		
Required employer contribution rates	6.25%		

Contributions – Section 20814(c) of the California Public Employees' Retirement Law requires that the employer contributions rates for all public employees be determined on an annual basis by the actuary and shall be effective on the July 1 following notice of a change in the rate. Funding contributions for both Plans are determined annually on an actuarial basis as of June 30 by CalPERS. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by employees during that year, with an additional amount to finance any unfunded accrued liability. The Local Government is required to contribute the difference between actuarially determined rate and the contribution rate of employees.

In February 2011, the City Council adopted a new tier which became effective in April 2011. Effective January 1, 2013, the Public Employees' Pension Reform Act (PEPRA) implemented new benefit formulas, final compensation period, and new contribution requirements for new employees hired on or after January 1, 2013, who meet the definition of new member as per PEPRA.

Participants are required to contribute 7% (9% for public-safety employees) of their annual covered salary for Tier 1 and Tier 2. The participants that qualify under Tier 3 are required to contribute 6.25% of their annual covered salary. The City makes no required contribution on behalf of the City employees. The contribution requirements of plan members and the City are established and may be amended by PERS. The City is required to contribute at an actuarially determined rate. PERS has determined that because of past funding and investment earnings, current employer contributions are

C. Employee Retirement Systems and Plans (continued)

not required for the public-safety employees of the City. The current rates are 13.578% (first-tier) and 8.005% (second-tier) for non-safety employees, of annual covered payroll.

For the year ended June 30, 2021, the contribution recognized as part of pension expense for each Plan were as follows:

	Miscellaneous
Contributions - employer	$ 336,128
Contributions - employee (paid by employer)	-

Pension Liabilities, Pension Expenses and Deferred Outflows/Inflows of Resources Related to Pensions

As of June 30, 2021, the Local Government reported net pension liabilities for its proportionate shares of the net pension liability of each Plan as follows:

	Proportionate Share of Net Pension Liability
Miscellaneous	$ 6,352,713
Safety	1,047,684
Total Net Pension Liability	$ 7,400,397

The Local Government's net pension liability for each Plan is measured as the proportionate share of the net pension liability. The net pension liability of each of the Plans is measured as of June 30, 2209, and the total pension liability for each Plan used to calculate the net pension liability was determined by an actuarial valuation as of June 30, 2019 rolled forward to June 30, 2020 using standard update procedures. The Local Government's proportion of the net pension liability was based on a projection of the Local Government's long-term share of contributions to the pension plans relative to the projected contributions of all participating employers, actuarially determined. The Local Government's proportionate share of the net pension liability for each Plan as of June 30, 2020 and 2021 was as follows:

	Miscellaneous	Safety	Total
Proportion - June 30, 2020	0.14509%	0.01535%	0.06605%
Proportion - June 30, 2021	0.15061%	0.01573%	0.06802%
Change - Increase/(Decrease)	0.00552%	0.00038%	0.00197%

C. Employee Retirement Systems and Plans (continued)

At June 30, 2021, the Local Government reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Changes in assumptions	$ 0	$ 4,800
Differences between actual and expected experience	408,617	0
Differences between projected & actual investment earnings	211,488	0
Difference between employer's contribution and proportionate share of contributions	0	877,992
Changes in employer's proportion	253,542	0
Penstion contributions made subsequent to measurement date	336,128	0
Total	$ 1,209,775	$ 882,792

$336,128 reported as deferred outflows of resources related to contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2021. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized as pension expense as follows:

	Miscellaneous	**Safety**	**Total**
2022	$ (187,469)	$ (36,325)	$ (223,794)
2023	2,856	(7,256)	(4,400)
2024	67,462	5,666	73,128
2025	90,515	11,410	101,925
2026	-	-	-
Thereafter	-	-	-
Total	$ (26,636)	$ (26,505)	$ (53,141)

C. Employee Retirement Systems and Plans (continued)

Actuarial Assumptions – The total pension liabilities was determined by rolling forward the total pension liability determined in the June 30, 2019 actuarial accounting valuations to June 30, 2020. The June 30, 2020, total pension liability was based on the following actuarial methods and assumptions:

Valuation Date	June 30, 2019
Measurement Date	June 30, 2020
Acturarial Cost Method	Entry-Age Normal Cost Method
Actuarial Assumptions:	
Discount Rate	7.15%
Inflation	2.50%
Salary Increases	Varied by Entry Age and Service
Mortality Rate Table	Derived using CalPERS' membership data for all funds
Post Retirement Benefit	Contract COLA up to 2.75% until purchasing power
Increase	Protection allowance floor on power applies, 2.50% thereafter

The mortality table used was developed based on CalPERS' specific data. The table includes 15 years of mortality improvements using Society of Actuaries Scale 90% of scale MP 2016. For more details on this table, please refer to the December 2017 experience study report (based on CalPERS demographic data from 1997 to 2015) that can be found on the CalPERS website.

Discount Rate – The discount rate used to measure the total pension liability was 7.15%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members will be made at the current member contribution rates and that contributions from employers will be made at statutorily required rates, actuarially determined. Based on those assumptions, the Plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Long-term Expected Rate of Return – The long-term expected rate of return on pension plan investments was determined using a building-block method in which expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class.

In determining the long-term expected rate of return, CalPERS took into account both short-term and long-term market return expectations as well as the expected pension fund (PERF) cash flows. Using historical returns of all funds' asset classes, expected compound (geometric) returns were calculated over the short-term (first 10 years) and the long-term (11+ years) using a building-block approach. Using the expected nominal returns for both short-term and long-term, the present value of benefits was calculated for each fund. The expected rate of return was set by calculating the rounded single equivalent expected return that arrived at the same present value of benefits of cash flows as the one calculated using both short-term and long-term returns.

E. Employee Retirement Systems and Plans (Continued)

The table below reflects the long-term expected real rate of return by asset class. The rate of return was calculated using the capital market assumptions applied to determine the discount rate and asset allocation. These rates of return are net of administrative expenses.

Asset Class(1)	New Strategic Allocation	Real Return Years 1 - 10 (2)	Real Return Years 11+ (3)
Global Equity	50.0%	4.90%	5.98%
Global Fixed Income	28.0%	1.00%	2.62%
Inflation Sensitive	0.0%	0.77%	1.81%
Private Equity	8.0%	6.30%	7.23%
Real Estate	13.0%	3.75%	4.93%
Liquidity	1.0%	0.00%	-0.92%

(1) In the System's CAFR, Fixed Income is included in Global Debt Securities; Liquidity is included in Short-term Investments; Inflation Assets are included in both Global Equity Securities and Global Debt Securities.
(2) An expected inflation of 2.00% used for this period.
(3) An expected inflation of 2.92% used for this period.

Sensitivity of the Proportionate Share of the Net Pension Liability to Changes in the Discount Rate – The following presents the Local Government's proportionate share of the net pension liability for each Plan, calculated using the discount rate for each Plan, as well as what the Local Government's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower or 1-percentage point higher than the current rate:

	Discount Rate -1% 6.15%	**Current Discount Rate 7.15%**	**Discount Rate +1% 8.15%**
Employer's Net Pension Liability/(Asset) - **Misc**	9,669,979	6,352,713	3,611,761
Employer's Net Pension Liability/(Asset) - **Safety**	1,510,112	1,047,384	668,219
Employer's Net Pension Liability/(Asset) - **Total**	11,180,091	7,400,097	4,279,980

Pension Plan Fiduciary Net Position – Detailed information about each pension plan's fiduciary net position is available in the separately issued CalPERS financial reports.

F. Prior Period Adjustment

The prior period adjustment is to adjust for additional expenditures of $20,703 in the Local Redevelopment Fund.

REQUIRED SUPPLEMENTAL FINANCIAL DATA

CITY OF RIVERBANK
SCHEDULE OF THE LOCAL GOVERNMENT'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY - MISCELLANOUS
JUNE 30, 2021

	2020	2019	2018	2017	2016	2015	2014
Proportion of the net pension liability	0.0137%	0.1331%	0.1336%	0.1409%	0.1318%	13.0600%	0.1405%
Proportion share of the net pension liablity	$ 6,352,713	$ 5,810,091	$ 5,347,133	$ 5,477,093	$ 4,701,278	$ 3,583,450	$ 3,472,625
Covered - employee payroll	$ 5,475,230	$ 5,203,105	$ 5,048,535	$ 5,116,284	$ 4,877,064	$ 3,144,373	$ 2,982,150
Proportionate share of the net pension liability as percentage of covered-employee payroll	116.03%	111.67%	105.91%	107.05%	96.40%	113.96%	116.45%
Plan's fiduciary net position	$ 18,574,963	$ 18,123,267	$ 17,224,515	$ 17,085,417	$ 15,339,838	$ 15,484,030	$ 15,376,404
Plan fiduciary net position as a percentage of the total pension liability	74.52%	75.72%	76.31%	75.72%	76.54%	81.21%	81.58%

<u>Notes to Schedule:</u>

Change in assumptions. In 2016, amounts reported as changes in assumptions resulted primarily from adjustments to expected retirement ages of general employees.

CITY OF RIVERBANK
SCHEDULE OF THE LOCAL GOVERNMENT'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY - SAFETY
JUNE 30, 2021

	2020	2019	2018	2017	2016	2015	2014
Proportion of the net pension liability	0.0137%	0.0148%	0.0157%	0.0165%	0.0023%	0.0125%	0.00979%
Proportion share of the net pension liablity	$ 1,047,684	$ 958,143	$ 761,383	$ 856,967	$ 733,043	$ 515,698	$ 367,103
Covered - employee payroll	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
Proportionate share of the net pension liability as percentage of covered-employee payroll	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Plan's fiduciary net position	$ 2,357,430	$ 2,504,280	$ 2,877,478	$ 2,631,925	$ 2,566,219	$ 2,627,253	$ 2,773,359
Plan fiduciary net position as a percentage of the total pension liability	69.23%	72.33%	79.08%	75.44%	77.78%	83.59%	88.31%

Notes to Schedule:

Benefit Changes. In 2016, benefit terms were modified to base public safety employee pensions on a final three-year average salary instead of a final five-year average salary.

Change in assumptions. In 2016, amounts reported as changes in assumptions resulted primarily from adjustments to expected retirement ages of general employees.

CITY OF RIVERBANK
SCHEDULE OF CONTRIBUTIONS - MISCELLANEOUS
JUNE 30, 2021

	2020	2019	2018	2017	2016	2015	2014
Contractually required contribution (actuarially determined)	$ 2,104,228	$ 1,774,700	$ 1,573,919	$ 1,210,008	$ 1,108,137	$ 409,877	$ 340,922
Contributions in relation to the actuarially determined contributions	(2,104,228)	(1,774,700)	(1,573,919)	(1,210,008)	(1,108,137)	(409,877)	(340,922)
Contribution deficiency (excess)	$ (0)	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
Covered - employee payroll	$ 5,475,230	$ 5,203,105	$ 5,048,535	$ 5,116,284	$ 4,877,064	$ 3,144,373	$ 2,982,150
Contributions as a percentage of covered-employee payroll percentage of covered-employee payroll	38.43%	34.11%	31.18%	23.65%	22.72%	13.04%	11.43%

Notes to Schedule:

Valuation Date:	6/30/2019	6/30/2018	6/30/2017	6/30/2016	6/30/2015	6/30/2014	6/30/2013

Methods and assumptions used to determine cotnribution rates:

Actuarial Cost Method	Entry age
Amortization method	Level Percentage of Payroll and Direct Rate Smoothing
Asset valuation method	Market Value
Inflation	2.63%
Salary increases	Varies by Entry Age and Service
Investment rate of return	7.25%, net of pension plan investment and administrative expense, including inflation

CITY OF RIVERBANK
SCHEDULE OF CONTRIBUTIONS - SAFETY
JUNE 30, 2021

	2020	2019	2018	2017	2016	2015	2014
Contractually required contribution (actuarially determined)	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 241,124
Contributions in relation to the actuarially determined contributions	0	0	0	0	0	0	(241,124)
Contribution deficiency (excess)	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
Covered - employee payroll	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 789,451
Contributions as a percentage of covered-employee payroll percentage of covered-employee payroll	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	30.54%

Notes to Schedule:

Valuation Date:	6/30/2019	6/30/2018	6/30/2017	6/30/2016	6/30/2015	6/30/2014	6/30/2013

Methods and assumptions used to determine cotnribution rates:

Actuarial Cost Method	Entry age
Amortization method	Level Percentage of Payroll and Direct Rate Smoothing
Asset valuation method	Market Value
Inflation	2.63%
Salary increases	Varies by Entry Age and Service
Investment rate of return	7.25%, net of pension plan investment and administrative expense, including inflation

COMBINING AND INDIVIDUAL FUND STATEMENTS AND SCHEDULES

COMBINING FINANCIAL STATEMENTS

NON-MAJOR GOVERNMENTAL FUNDS

SPECIAL REVENUE FUNDS

Gas Tax Fund - To account for state gas tax revenues based on population. The revenues may be expended only for street and road repair, maintenance, design, construction and traffic signal design and installation.

Local Transportation Fund - To account for the City's allocation of local transportation revenues for streets, roads, and sidewalk improvements.

Asset Forfeiture Fund - To account for monies received from asset seizures in the City's jurisdiction as well as revenues and expenditures from Office of traffic Safety grants awarded for police services

Weed And Rubbish Abatement - To account for weed and rubbish cleanup in the City.

Self-Insurance Reserve - To account for the City's workers compensation and liability insurance.

Lighting And Landscaping Districts - To account for lighting and landscaping fees collected and the related costs to operate the city's various districts.

Neighborhood Improvement Fund – To account for monies received from vehicle abatement fees and code enforcement officer costs.

Public Safety Augmentation Fund - To account for monies received through a special sales tax to be spent to sustain the public safety department.

Riverfest Fund - To account for monies received from community for helping citizens during the flood in 2006 and for revenues and expenditures of the Beyond Earth Day event.

Riverbank Donations Fund - To account for donation revenues for City's improvements.

Cheese and Wine Fund - To account from the revenues and expenditures of the Cheese and Wine event.

Off Street Parking Fund – To account for parking in lieu Fee paid by business in lieu of providing additional onsite parking.

Public Benefit Fund - To account for revenue received from Cannabis Development Agreements.

Park Grant Fund - To account for grant revenues received for park development.

COMBINING FINANCIAL STATEMENTS

NON-MAJOR GOVERNMENTAL FUNDS

CAPITAL PROJECTS FUNDS

CFD 2016-1 - To account for developer's assessments for Consolidated Fire District

Quimby Fees Fund - To account for park impact fees collected to mitigate additional city costs due to new construction.

Railroad Crossing Fund - To account for revenues to upgrade the Terminal and Townsend street railroad crossing.

Crossroads Development Fund – To account for the fees collected from developers for the Crossroads Specific Plan.

Special Building Projects Fund – To account for the building permit revenues designated by Council for future building inspections.

Storm Drain Fund - To account for storm drain revenues.

Facility Improvement Fund - To account for fees collected from facility rentals for future improvements.

Measure L Fund - To account for revenues from the Stanislaus County Measure L transportation Tax initiative.

CITY OF RIVERBANK
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Special Revenue						
	Gas Tax Fund	Local Trans- portation Fund	Cheese And Wine Fund	Riverbank Donations Fund	Asset Forfeit- ture Fund	Weed And Rubbish Abatement Fund	Self- Insurance Reserve Fund
Assets							
Cash And Investments	655,357	(55,360)	1,626	4,645	20,197	52,836	589,590
Accounts Receivable	4,975	21,579	0		0	41	96
Loans Receivable	0	0	0	0	0	0	0
Prepaid Expense	0	0	0	0	0	0	0
Due From Other Funds	0	0	0	0	0	0	0
Total Assets	660,332	(33,781)	1,626	4,645	20,197	52,877	589,686
Liabilities And Fund Balances							
Liabilities							
Accounts Payable	36,870	0	30	0	0	0	486
Compensated Absences	20,132	0	0	0	0	0	0
Other Liabilities	11,697	0	0	0	0	0	0
Due To Other Funds	0	0	0	0	0	0	0
Total Liabilities	68,699	0	30	0	0	0	486
Fund Balances							
Nonspendable	0	0	0	0	0	0	0
Restricted	0	0	0	0	0	0	0
Committed	0	0	0	0	0	0	0
Assigned	591,633	0	1,596	4,645	20,197	52,877	589,200
Unassigned	0	(33,781)	0	0	0	0	0
Total Fund Balances	591,633	(33,781)	1,596	4,645	20,197	52,877	589,200
Total Liabilities And Fund Balances	660,332	(33,781)	1,626	4,645	20,197	52,877	589,686

Special Revenue								
Lighting And Land-scaping Fund	**Neighbor-Hood Improvement Fund**	**Public Safety Aug-mentation Fund**	**Off-Street Parking Fund**	**Riverfest Fund**	**State Grants**	**Public Benefit Fund**	**CARES ACT Fund**	**Non-Major Special Revenue Total**
236,979	400	0	55,252	3,703	(363)	1,637,974	0	3,202,836
1,714	0	11,760	38	0	0	48,000	0	88,203
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
238,693	400	11,760	55,290	3,703	(363)	1,685,974	0	3,291,039
26,799	912	0	0	0	0	13,048	0	78,145
0	1,883	0	0	0	0	0	0	22,015
0	2,358	0	0	0	0	15,370	0	29,425
0	0	0	0	0	0	0	0	0
26,799	5,153	0	0	0	0	28,418	0	129,585
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
211,894	0	11,760	55,290	3,703	0	1,657,556	0	3,200,351
0	(4,753)	0	0	0	(363)	0	0	(38,897)
211,894	(4,753)	11,760	55,290	3,703	(363)	1,657,556	0	3,161,454
238,693	400	11,760	55,290	3,703	(363)	1,685,974	0	3,291,039

CITY OF RIVERBANK
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Capital Projects			
	Facility Improvement Fund	Park Fund	Railroad Crossing Fund	CFD 2016-1 Fund
Assets				
Cash And Investments	2,426	158,963	185,399	195,618
Accounts Receivable	0	0	0	730
Loans Receivable	0	0	0	0
Prepaid Expense	0	0	0	0
Due From Other Funds	0	0	0	0
Total Assets	2,426	158,963	185,399	196,348
Liabilities And Fund Balances				
Liabilities				
Accounts Payable	150	0	0	2,945
Compensated Absences	0	0	0	0
Other Liabilities	0	0	0	0
Due To Other Funds	0	0	0	0
Total Liabilities	150	0	0	2,945
Fund Balances				
Nonspendable	0	0	0	0
Restricted	0	0	0	0
Committed	0	0	0	0
Assigned	2,276	158,963	185,399	193,403
Unassigned	0	0	0	0
Total Fund Balances	2,276	158,963	185,399	193,403
Total Liabilities And Fund Balances	2,426	158,963	185,399	196,348

		Capital Projects					

Measure L Fund	Crossroads Devel-opment Fund	Special Projects Fund	Storm Drain Fund	ARPA Fund	Non-Major Capital Projects Total	Totals 2021	Totals 2020
2,070,809	863,616	122,083	191,929	(3,575)	3,787,268	6,990,104	2,772,072
246,816	66,758	18	390	0	314,712	402,915	184,980
0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	87,773
0	0	0	0	0	0	0	0
2,317,625	930,374	122,101	192,319	(3,575)	4,101,980	7,393,019	3,044,825
75,178	20,657	0	945	0	99,875	178,020	89,617
0	0	0	0	0	0	22,015	14,952
0	0	55,085	0	0	55,085	84,510	8,126
0	0	0	0	0	0	0	0
75,178	20,657	55,085	945	0	154,960	284,545	112,695
0	0	-	0	0	0	0	0
0	0	0	0	0	0	0	190,837
0	0	0	0	0	0	0	0
2,242,447	909,717	67,016	191,374	0	3,950,595	7,150,946	2,800,604
0	0	0	0	(3,575)	(3,575)	(42,472)	(59,311)
2,242,447	909,717	67,016	191,374	(3,575)	3,947,020	7,108,474	2,932,130
2,317,625	930,374	122,101	192,319	(3,575)	4,101,980	7,393,019	3,044,825

CITY OF RIVERBANK
COMBINING STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCE
NONMAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Special Revenue				
	Gas Tax Fund	Local Trans-portation Fund	Cheese And Wine Fund	Riverbank Donations Fund	Asset Forfeit-ture Fund
Revenues					
Investment Earnings	1,096	1,872	0	0	0
Intergovernmental	997,022	61,684	0	0	0
Other Taxes	0	0	0	0	0
Impact Fees	0	0	0	0	0
Licenses And Permits	0	0	0	0	0
Service Charges And Miscellaneous	4,687	0	2,550	323	7,600
Total Revenues	1,002,805	63,556	2,550	323	7,600
Expenditures					
General Government	0	0	0	0	0
Public Safety	0	0	0	0	0
Public Works	864,406	64,178	0	0	0
Community Development	0	0	0	433	0
Culture And Leisure	0	0	522	0	0
Capital Outlay	393,165	0	0	0	0
Total Expenditures	1,257,571	64,178	522	433	0
Excess(Deficiency) Of Revenues Over Expenditures	(254,766)	(622)	2,028	(110)	7,600
Other Financing Sources (Uses)					
Operating Transfers In	330,242	0	0	0	0
Operating Transfers Out	(34,345)	0	0	0	0
Total Other Financing Sources (Uses)	295,897	0	0	0	0
Net Change In Fund Balances	41,131	(622)	2,028	(110)	7,600
Fund Balance - Beginning	550,502	(33,159)	(432)	4,755	12,597
Fund Balance - Ending	591,633	(33,781)	1,596	4,645	20,197

Special Revenue

Weed And Rubbish Abatement Fund	Self-Insurance Reserve Fund	Lighting And Land-scaping Fund	Neighbor-Hood Improvement Fund	Public Safety Aug-mentation Fund	Off-Street Parking Fund	Riverfest Fund	State Grants	Non-Major Special Revenue Total
278	662	1,969	0	0	259	0	0	6,136
0	0	0	22,293	123,182	0	0	0	1,204,181
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
1,000	580,096	378,200	16,847	0	0	0	0	991,303
1,278	580,758	380,169	39,140	123,182	259	0	0	2,201,620
0	563,993	0	0	0	0	0	363	564,356
0	0	0	113,678	0	0	0	0	113,678
3,697	0	0	0	0	0	0	0	932,281
0	0	331,619	0	0	0	0	0	332,052
0	0	0	0	0	0	0	0	522
0	19,292	6,042	0	0	0	0	0	418,499
3,697	583,285	337,661	113,678	0	0	0	363	2,361,388
(2,419)	(2,527)	42,508	(74,538)	123,182	259	0	(363)	(159,768)
0	59,105	1,826	60,932	0	0	0	0	452,105
0	0	(76,709)	0	(108,961)	0	0	0	(220,015)
0	59,105	(74,883)	60,932	(108,961)	0	0	0	232,090
(2,419)	56,578	(32,375)	(13,606)	14,221	259	0	(363)	72,685
55,296	532,622	244,269	8,853	(2,461)	55,031	3,703	0	1,431,576
52,877	589,200	211,894	(4,753)	11,760	55,290	3,703	(363)	1,504,261

CITY OF RIVERBANK
COMBINING STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCE
NONMAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED JUNE 30, 2021
WITH COMPARATIVE ACTUAL AMOUNTS FOR JUNE 30, 2020

	Special Revenue		Capital Projects		
	CARES ACT Fund	Public Benefit Fund	Facility Improvement Fund	Park Fund	Railroad Crossing Fund
Revenues					
Investment Earnings	0	0	0	11	0
Intergovernmental	1,154,149	0	0	0	0
Other Taxes	0	0	0	0	0
Impact Fees	0	0	0	0	0
Licenses And Permits	0	0	0	0	0
Service Charges And Miscellaneous	0	1,216,197	(300)	0	0
Total Revenues	1,154,149	1,216,197	(300)	11	0
Expenditures					
General Government	0	0	0	0	0
Public Safety	556,583	192,535	0	0	0
Public Works	0	0	0	0	0
Community Development	0	0	0	0	0
Culture And Leisure	0	0	0	0	0
Capital Outlay	0	264,754	0	0	0
Total Expenditures	556,583	457,289	0	0	0
Excess(Deficiency) Of Revenues Over Expenditures	597,566	758,908	(300)	11	0
Other Financing Sources (Uses)					
Operating Transfers In	0	0	0	0	95,000
Operating Transfers Out	(597,495)	(300,000)	0	0	0
Total Other Financing Sources (Uses)	(597,495)	(300,000)	0	0	95,000
Net Change In Fund Balances	71	458,908	(300)	11	95,000
Fund Balance - Beginning	(71)	1,198,648	2,576	158,952	90,399
Fund Balance - Ending	0	1,657,556	2,276	158,963	185,399

Capital Projects								
CFD 2016-1 Fund	Measure L Fund	Crossroads Devel- opment Fund	Special Projects Fund	Storm Drain Fund	ARPA Fund	Non-Major Capital Projects Total	Totals 2021	Totals 2020
0	0	1,876	124	5	0	2,016	8,152	63,415
0	1,243,336	0	0	0	0	2,397,485	3,601,666	2,265,263
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
71,000	0	0	0	43,688	0	1,330,585	2,321,888	1,945,860
71,000	1,243,336	1,876	124	43,693	0	3,730,086	5,931,706	4,274,538
0	0	0	0	0	0	0	564,356	510,598
8,424	0	0	0	0	0	8,424	871,220	264,726
0	11,681	0	0	14,351	0	26,032	958,313	885,868
0	0	0	0	0	0	0	332,052	276,825
0	0	0	0	0	0	0	522	97,152
0	394,883	(66,648)	0	0	3,575	331,810	1,015,063	1,503,069
8,424	406,564	(66,648)	0	14,351	3,575	366,266	3,741,526	3,538,238
62,576	836,772	68,524	124	29,342	(3,575)	2,349,948	2,190,180	736,300
0	0	0	0	1,733	0	96,733	548,838	397,430
0	0	0	0	(36,858)	0	(934,353)	(1,154,368)	(412,999)
0	0	0	0	(35,125)	0	(837,620)	(605,530)	(15,569)
62,576	836,772	68,524	124	(5,783)	(3,575)	1,512,328	1,584,650	720,731
130,827	1,405,675	841,193	66,892	197,157	0	4,092,248	5,523,824	4,803,164
193,403	2,242,447	909,717	67,016	191,374	(3,575)	5,604,576	7,108,474	5,523,895

CITY OF RIVERBANK
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
JUNE 30, 2021

FEDERAL GRANTOR/PASS-THROUGH GRANTOR/ PROGRAM TITLE	Federal CFDA Number	Pass-Through Grantor's Number	Federal Expenditures
U.S. Department of Justice			
Local Law Enforcement Block Grant	16.710	N/A	187,739
Total U.S. Department of Justice			187,739
U.S. Department of Defense			
Passed Through Office of Economic Adjustment			
OEA	12.607	CL0610-11-03	209,837
Total U.S. Department of Defense			209,837
U.S. Department of Army			
U.S. Army Engineering And Support Center			
ESCA	12.599	N/A	2,677,296
U.S Department of Social Services (DSS)			
Conronavirus Relief Fund	21.019		309,049
Total Expenditures of Federal Awards			3,383,921

CITY OF RIVERBANK
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED JUNE 30, 2021

SUMMARY OF AUDITOR'S RESULTS

1. Type of report issued on the financial statements – Unmodified

2. Significant deficiencies in internal control disclosed by the audit of the financial statements and any such conditions that are material weaknesses– None

3. Disclosure of any noncompliance which are material to the financial statements - None

4. Disclosure of any significant deficiencies in internal control over major programs and any such conditions that are material weaknesses – None

5. Type of report issued on compliance for major programs – Unmodified

6. Audit findings relative to the major federal programs – None

7. Major programs are as follows: U.S. Department of Army CFDA number 12.599.

8. Expenses in excess of $750,000 was used as the threshold to distinguish between Type A and Type B programs

9. The City of Riverbank was determined to be a low-risk auditee.

FINDINGS - FINANCIAL STATEMENT AUDIT

Findings relating to financial statements which are required to be reported – None

FINDINGS AND QUESTIONED COSTS - MAJOR FEDERAL AWARDS

Findings relating to major federal award programs which are required to be reported – None

PRIOR YEAR'S FINDINGS - None

OTHER REPORTS

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REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To The City Council
City of Riverbank
State of California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of City of Riverbank, State of California, as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the City of Riverbank, State of California's basic financial statements and have issued our report thereon dated October 25, 2022.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the City of Riverbank, State of California's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of City of Riverbank, State of California's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the City of Riverbank, State of California's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Riverbank, State of California's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Gallagher Gatewood

GALLAGHER GATEWOOD, A PROFESSIONAL ACCOUNTANCY CORPORATION

Modesto, California
October 25, 2022

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INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH REQUIREMENTS THAT COULD HAVE A DIRECT AND MATERIAL EFFECT ON EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH UNIFORM GUIDANCE

To The City Council
City of Riverbank
State of California

Report on Compliance for Each Major Federal Program

We have audited City of Riverbank, State of California's compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on each of City of Riverbank, State of California's major federal programs for the year ended June 30, 2021. City of Riverbank, State of California's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on each of City of Riverbank, State of California's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about City of Riverbank, State of California's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of City of Riverbank, State of California's compliance.

Opinion on Each Major Federal Program

In our opinion, City of Riverbank, State of California, complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2021.

Report on Internal Control over Compliance

Management of City of Riverbank, State of California, is responsible for establishing and maintaining effective internal control over compliance with the types of compliance referred to above. In planning and performing our audit, we considered City of Riverbank, State of California's internal control over compliance with the types of requirements that could have a direct and material effect on a major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of City of Riverbank, State of California's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Gallagher Gatewood

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Modesto, California
October 25, 2022

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REPORT ON COMPLIANCE WITH LAWS AND REGULATIONS BASED ON AN EXAMINATION OF GENERAL-PURPOSE FINANCIAL STATEMENT PERFORMED IN ACCORDANCE WITH THE CALIFORNIA TRANSPORTATION DEVELOPMENT ACT

To The City Council
City of Riverbank
State of California

We have audited the general-purpose financial statements of the City of Riverbank, State of California for the year ended June 30, 2021, and have issued our report thereon dated October 25, 2022. Our audit was made in accordance with generally accepted auditing standards and the standards for financial and compliance audits contained in the California Administrative Code Section 6664 of the Transportation Development Act and the allocation instructions of the Stanislaus Area Association of Governments, and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

The management of the City of Riverbank is responsible for the City's compliance with laws and regulations. In connection with our audit referred to above, we selected and tested transactions and records to determine the City's compliance with laws and regulations, noncompliance with which could have a material effect on the general-purpose financial statements of the City.

In our opinion the City of Riverbank Transportation Development Act funds were accounted for in conformance with the applicable laws, rules and regulations of the Transportation Development Act and the allocation instructions of the Stanislaus Council of Governments.

Gallagher Gatewood

GALLAGHER GATEWOOD, A PROFESSIONAL ACCOUNTANCY CORPORATION

Modesto, California
October 25, 2022

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.12

SECTION 9: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject:	**Authorization for Out of State Travel Request for Mayor Richard D. O'Brien and City Manager Marisela H. Garcia to Travel to Washington D.C. for Meetings with the U.S. Army and Federal Regulators**
From:	**Marisela H. Garcia, City Manager**

RECOMMENDATION

It is recommended that the City Council consider providing authorization for an out-of-state travel request for Mayor O'Brien and City Manager Marisela H. Garcia, to attend meetings in Washington D.C. With the U.S. Army and Federal Regulators from April 17, 2023 – April 21, 2023.

SUMMARY

Since discussions began regarding the conveyance of the former Army Ammunition Plant to the Riverbank Local Redevelopment Authority, it has been of benefit to the City when Mayor O'Brien has been able to discuss this conveyance in person with the designated members of the U.S. Army overseeing the transfer process. Meetings are being scheduled with the U.S. Army and Federal Regulators such as U.S. Environmental Protection Agency, and U.S. Department of Toxic and Substances Control who are tasked with establishing future land use covenants which will govern the use of the site. In addition, we are looking to schedule a meeting with the U.S. Postal Service regarding our application to transition the properties within the City limits, but with a Modesto address, to Riverbank.

STRATEGIC PLAN

Participation in these meetings will help support the Strategic Plan goal of "Completing conveyance of Army property to the City."

FINANCIAL IMPACT

Approximately $3,000 in airfare and lodging costs to be paid from the City Council and City Manager travel budgets.

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 11.1

SECTION 11: CONSENT CALENDAR

Meeting Date:	**March 28, 2023**
Subject/ Title:	**2022 General Plan and Housing Element Annual Progress Reports. A Resolution Adopting the 2022 General Plan and Housing Element Annual Progress Reports (APRs) and Authorizing Staff to Submit said Reports to the California Office of Planning and Research and the California Department of Housing and Community Development**
From:	**Marisela H. Garcia, City Manager**
Submitted by:	**Donna M. Kenney, Planning and Building Manager**

RECOMMENDATION

Staff recommends City Council approve the 2022 General Plan and Housing Element Annual Progress Reports (APR) and authorize Staff to submit said reports to the California Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD).

SUMMARY

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

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

The 2022 General Plan and Housing Element APRs are attached to this Staff Report as Attachment 2, Exhibits A and B. The purpose of these documents is to:

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

For the City to be eligible for State funding for a variety of housing and park grants, the State typically requires the City's Housing Element to comply with State Housing Law (certified) and for the City to submit Annual Progress Reports to OPR and HCD (by April 1 of each year). The City's 2014-2023 Housing Element was adopted in February, 2016. Prior to its adoption, City staff had consulted with HCD and received notification on December 15, 2015, that upon adoption the Housing Element would comply with State law. The attached Annual Progress Reports ensure that the City will remain up-to-date in regard to the requirements imposed by future grant opportunities. A variety of grant programs intended to improve communities, provide access to housing and rental/mortgage relief are available for the City to pursue.

General Plan Progress & Implementation

In the 2021 Annual General Plan Report, progress was made on the following:

Land Use:

- *Permitting and New Development.*
    - Crossroads West Unit 1 – Council approved the Final Map in 2021 to construct ninety-one (91) single-family units. Thirty (30) building permits were issued in 2022.
    - Crossroads West Unit 2 – Council approved the Final Map in October 2022 to construct one hundred sixty-two (162) single-family units. No building permits were issued in 2022.
    - Countryside 1 - Approved in 2020, construction is complete on a forty-nine (49) single-family residential project, located in eastern Riverbank. The final two (2) building permits were issued in 2022.
    - Countryside 2 – The final map was approved in 2021 for forty (40) residential lots and six (6) permits were issued in 2022.
    - Bruin Heights – The Bruin Heights final map was approved by Council in 2021. In 2022, fifty-one (51) building permits were issued for single-family homes.
    - Elmwood Estates – This developer has been slowly working on his subdivision for over 10 years. In 2022, he was issued five (5) more building permits.

- Infill Housing – The City issued two (2) building permits for infill single-family houses in 2022 and one (1) for a junior accessory dwelling unit (JADU).

<u>Progress Towards RHNA Goals</u>

The RHNA table for the current Housing Cycle has been updated to reflect progress made towards the City's RHNA goal and is presented in the attachment to this staff report. To compare, the City completed by 2021:

- Ten (10) percent of the Very Low-Income goal;
- Eighteen (18) percent of the Low-Income goal;
- Zero (0) percent of the Moderate-Income goal; and
- Thirty-Six (36) percent of the Above Moderate-Income goal.

The City completed by 2022:

- Ten (10) percent of the Very Low-Income goal;
- Eighteen (18) percent of the Low-Income goal;
- Less than one (1) percent of the Moderate-Income goal; and
- Fifty-Four (54) percent of the Above Moderate-Income goal.

<u>New Home Construction</u>

The City of Riverbank issued building permits for ninety-seven (97) above moderate-income residential units in 2022, all of which were for single-family residences. The majority of the building permits were issued in Crossroads West and Bruin Heights. One (1) building permit was issued for a moderate-income category Junior Accessory Dwelling Unit (JADU). No permits were issued for the very low- and low-income categories.

<u>Grant Applications</u>

In 2020 the City was awarded an SB2 grant for $160,000 to obtain a consultant (JB Anderson Land Use Planning) to update City's Municipal Code Section on Accessory Dwelling Units (ADUs). Below are the 2022 updates for the ADU goals:

- The ADU regulations are consistent with new State laws (ordinance adopted December 2021) - Completed
- Conduct a fee study to review and adopt ADU development fees – In Process
- Develop Design Guidelines for ADUs – In Process
- Develop an Administrative Procedures ordinance to streamline housing development processes and provide counter handouts - Completed
- Develop an ordinance to permit and regulate Tiny House Villages - Completed

The City has also partnered with Stanislaus County and local cities to create eight sets of fully engineered ADU plans that will be provided free to our citizens. These plans are complete and available on the County website. Concept plans are provided to the property owner to find a contractor and get bids. These plans can be modified by the architect. When a building permit is issued, the fully engineered plans are provided.

The City was awarded a LEAP grant of $150,000 in 2020 to upgrade the City's permit processing software to streamline the development process and add activities like online submittals and payments. iWorQ Systems is the selected vendor and they are working with staff to transition to this new cloud-based system. Staff anticipates being online by mid-2023. The hold-up has been the module for Building Permit fees, which are each broken down into several fee accounts.

<u>New Entitlement Applications</u>

The City anticipates additional new multifamily construction in the near future as it has received and is reviewing a tentative map for a 7.52-acre High Density Residential (HDR) apartment project with 144 units at Claribel Road and Roselle Avenue. In addition, Browman Development proposes the construction of up to 350 apartments adjacent to their Crossroads West commercial site across Oakdale Road from Heartland Drive. Finally, the City approved a general plan amendment and a rezone to planned development for the Pocket Avenue Senior Housing Project in 2022, which is anticipated to build at least 28 single-story age-restricted units. Their Development Plan is currently under staff review.

PLANNING COMMISSION

A presentation on the 2022 General Plan and Housing Element Annual Progress Reports was made to the Planning Commission on March 21, 2023.

ENVIRONMENTAL DETERMINATION

Not a Project pursuant to CEQA Guidelines.

FINANCIAL IMPACT

Staff prepared the 2022 General Plan and Housing Element Annual Progress Reports at no additional cost to the City.

STRATEGIC GOALS

The City of Riverbank Strategic Planning Session is a plan and set of goals that Riverbank will work towards for the five years. Obtaining a CivicSparks Fellow to engage the community in environmental justice activities promotes sustainable development – Strategy 6.1 "Update the City's General Plan and Zoning Code including 6.1.a Housing Element and 6.1.b Inclusion of an Environmental Justice Element."

ATTACHMENTS

1. Draft City Council Resolution 2023-xxx
2. 2022 General Plan Annual Progress Report dated March 2023
   Exhibit A - 2022 General Plan Annual Implementation Report
   Exhibit B - 2022 Housing Element Annual Progress Report

CITY OF RIVERBANK

RESOLUTION 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, ADOPTING THE 2022 ANNUAL GENERAL PLAN PROGRESS REPORT AND THE 2022 ANNUAL PROGRESS REPORT OF THE GENERAL PLAN HOUSING ELEMENT

THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby adopts the City's 2022 Annual General Plan Progress Report and 2022 Housing Element Annual Progress Report and authorizes staff to submit said report to the California Office of Planning and Research and California Department of Housing and Community Development.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of March, 2023; motioned by Councilmember ___________________, seconded by Councilmember ___________________, and upon roll call was carried by the following vote of ___:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST: **APPROVED:**

________________________________ ________________________________

Gabriela Hernandez
City Clerk

Richard D. O'Brien
Mayor

Exhibit A: 2022 General Plan Annual Progress Report

ATTACHMENT 2

2022 General Plan Annual Progress Report

City of Riverbank

March 2023

Table of Contents

CHAPTER 1 – INTRODUCTION AND SUMMARY

A. PURPOSE OF THE ANNUAL PROGRESS REPORT

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

B. PURPOSE OF THE GENERAL PLAN

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

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

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

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

Correspondence Between Required General Plan Elements and the Riverbank General Plan	
Element	**Riverbank General Plan**
Land Use	LAND-1-20: Land Use
Circulation	CIRC-1-18: Circulation

Conservation	CONS-1-10: Conservation and Open Space
Open Space	CONS-1-10: Conservation and Open Space
Safety	SAFE-1-4: Safety Element
Noise	NOISE-1-7: Noise
Community Character and Design (optional)	DES-1-17: Community Character and Design
Economic Development (optional)	ED-1-12: Economic Development
Public Services and Facilities (optional)	PUBLIC-1-12: Public Services and Facilities
Air Quality (optional)	AIR-1-15: Air Quality
Housing	Separate Document

Compliance with OPR Guidelines

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

CHAPTER 2 – IMPLEMENTATION OF THE GENERAL PLAN

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

A. REVIEW OF IMPLEMENTATION MEASURES

Progress Report Highlights
The following are highlights of the progress made in calendar year 2022 organized by general plan element:

Land Use:

- *Permitting and New Development.*
  - Crossroads West Unit 1 – Council approved the Final Map in 2021 to construct ninety-one (91) single-family units. Thirty (30) building permits were issued in 2022.
  - Crossroads West Unit 2 – Council approved the Final Map in October 2022 to construct one hundred sixty-two (162) single-family units. No building permits were issued in 2022.
  - Countryside 1 - Approved in 2020, construction is complete on a forty-nine (49) single-family residential project, located in eastern Riverbank. The final two (2) building permits were issued in 2022.
  - Countryside 2 – The final map was approved in 2021 for forty (40) residential lots and six (6) permits were issued in 2022.
  - Bruin Heights – The Bruin Heights final map was approved by Council in 2021. In 2022, fifty-one (51) building permits were issued for single-family homes.
  - Elmwood Estates – This developer has been slowly working on his subdivision for over 10 years. In 2022, he was issued five (5) more building permits.

  - Infill Housing – The City issued two (2) building permits for infill single-family houses in 2022 and one (1) for a junior accessory dwelling unit (JADU).

<u>Circulation:</u>
- *Amendments.* There were no amendments to the Circulation Element in 2022.

<u>Community Character and Design:</u>
- *Amendments.* There were no amendments to the Character and Design Element in 2022.

<u>Economic Development:</u>
- *Amendments.* There were no amendments to Economic Development Element in 2022.

<u>Conservation and Open Space:</u>
- *Amendments.* There were no amendments to the Conservation and Open Space Element in 2022.

<u>Safety:</u>
- *Amendments.* There were no amendments to the Safety Element in 2022.

<u>Noise:</u>
- *Amendments.* There were no amendments to the Noise Element in 2022.

<u>Public Services and Facilities:</u>
- *Amendments.* There were no amendments to the Public Services and Facilities Element in 2022.

<u>Air Quality:</u>
- *Amendments.* There were no amendments to the Air Quality Element in 2022.

<u>Housing:</u>
- *Amendments.* There were no amendments to the Housing Element in 2022.

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

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

General Plan Amendments

The General Plan was amended to redesignate 2.1 acres from Low Density Residential to Higher Density Residential, as a part of a forty (40) unit age-restricted single-story apartment complex development in 2022.

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

In 2021, Riverbank received a REAP grant, part of which was used to fund a Civic Spark Fellow. The Fellow did community outreach in 2022 to educate our citizens on environmental justice and prepare them to help draft and review policies for our upcoming Housing Element and General Plan updates.

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

The report addresses the progress in meeting the Regional Housing Need Allocation (RHNA) housing goals and the attainment of housing goals and objectives specified in the 2014-2023 Housing Element, adopted February 23, 2016. The State of California Department of Housing and Community Development requires an annual report attached as Exhibit B.

Following are highlights of the Calendar Year 2022 Housing Element Annual Progress Report:

Housing Element Implementation Highlights

The following are highlights of the Calendar Year 2022 Housing Element Annual Progress Report:

- Seven (7) years have elapsed for the January 2014 through September 2023 Regional Housing Needs Allocation (RHNA) period. As measured through the issuance of building permits, the City has met:
  - Ten (10) percent of the Very Low-Income goal;
  - Eighteen (18) percent of the Low-Income goal;
  - Less than one (1) percent of the Moderate-Income goal; and
  - Fifty-Four (54) percent of the Above Moderate-Income goal.
- *Building Permits Issued in 2022*. In 2022, ninety-seven (97) building permits were issued for single-family development.
- The City, in collaboration with Stanislaus County and the cities of Ceres, Modesto, Oakdale, Turlock, and Waterford, have developed seven (7) different ADU plans that are free to property owners and pre-approved against development standards.

2022 General Plan Annual Progress Report

Exhibit A: General Plan Annual Implementation Report – 2022

Table I: General Plan Annual Implementation Report - 2022

Action Number	Implementation Action	Timeframe On-going	Timeframe 0 – 5 years	Dept/ Agency	Status of Implementation
Land Use Element					
Land – 1	The City will conduct a comprehensive review of the land use element, including analysis and actions to ensure there is adequate land in appropriate locations for employment-generating land uses.		X	CDD	The City continues to monitor and review the Land Use Element for adequate land in appropriate locations. No updates to the Land Use Element occurred in 2022.
Land – 2	The CDD will maintain an inventory of vacant and underutilized land to (a) evaluate proposed annexations and (b) ensure an adequate supply of vacant land to meet the community's needs.	X		CDD	The Development Services Department and City Council continue to maintain vacant and underutilized land for annexations and supply. As part of the Housing Element Update, a list was developed to determine the amount of Vacant and Underutilized Multi-family Residential (R-3) land within City limits. Further, the City currently maintains an underutilized site inventory on Oppsites.com to connect potential developers with vacant and underutilized sites.
Land – 3	The City and Redevelopment Agency will pursue grant monies, as well as other funding sources for road and public infrastructure improvements to revitalize areas in need.	X		EDH, F, CDD,	The Development Services Department, Finance Department and the Public Works Department continue to pursue funding for road and public infrastructure improvements. No action for Redevelopment Agency due to the demise of Redevelopment.
Land – 4	The City will develop a comprehensive infill development streamlining and incentive program to encourage the redevelopment and revitalization of the Infill Opportunity Area.	X		CDD	The City provides free preapplication reviews so developers can submit a formal application that moves more quickly through the approval process and with fewer resubmittals. In 2022, Staff met with multiple developers who were interested in developing land within the City of Riverbank in infill development areas. Staff expressed support for new development in infill areas.

Action Number	Implementation Action	Timeframe	Dept/	Status of Implementation

Agency Codes

City of Riverbank & Local			**Regional, State, Federal and Private**
CC	City Council	PW Public Works Dept	StanCOG Stanislaus Council Of Governments
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		On-going	0 – 5 years	Agency	
Land – 5	The City will update the Zoning Code and other Municipal Code sections regulating land development to ensure consistency with the General Plan.	X		CDD	In 2022, the City adopted an ordinance amendment to update and streamline Administrative Procedures such as Architecture and Site Design Review.
Land – 6	The City will coordinate with StanCOG and member jurisdictions and Caltrans to remove the State Highway 108 designation as it occurs through Riverbank and plan and condition land uses along a future alignment to enable Caltrans to redesignate Highway 108 near the Riverbank Planning Area.	X		CDD	The City of Riverbank continues to be involved in the North County Corridor planning process and is among the members of the Joint Powers Authority, securing a voice for Riverbank as the project moves forward and rights-of-way are purchased.
Land – 7	The City will draft an implementing ordinance for the Clustered Rural Residential land use designation consistent with the policies presented in the General Plan.	X		CDD	No Action in 2022.
Land – 8	Update the General Plan using data to be made available by the DWR and the Central Valley Flood Protection Board.	X		CDD	The update to the General Plan Safety Element occurred in 2015 as it relates to SB5 (2007) and 200-year floodplain protection. No action in 2022.

		Timeframe			
Action Number	**Implementation Action**	**On-going**	**0 – 5 years**	**Dept/ Agency**	**Status of Implementation**
Circulation Element					

Agency Codes

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CIRC – 1	Develop and implement a Bicycle Master Plan.	X		CDD	The City Council adopted the City of Riverbank's Bicycle and Pedestrian Master Plan on October 26, 2021. The City is also working with a consultant to update the Active Transportation Plan.
CIRC – 2	As a part of implementation of the City's bicycle master plan, the City will work with local irrigation districts, the County, local railroad concerns, other property owners, and other agencies and interested parties to acquire and/or use existing easements and rights-of-way for development of off-street pedestrian and bicycle pathways.	X		CDD	The Development Services Department has been in discussion with BNSF and Sierra Northern Railway to utilize some Right-of-Way for off-street pedestrian and bicycle pathways along Patterson Road. Through these discussions, the City is working on developing a safe, efficient multi-modal system for Patterson Road. The City Council adopted the City of Riverbank's Bicycle and Pedestrian Master Plan on October 26, 2022
CIRC – 3	Develop a Travel Demand Management ordinance that requires large employers to provide incentives for employees to commute via transit, bicycle, on foot or by carpool rather than the SOV commute	X		CDD	No Action in 2022.
CIRC – 4	Revise street improvement standards to be consistent with this Circulation Element, including consideration on equal footing of all locally available forms of travel.	X		CDD, PW, ENG	The City revised street improvement standards to be consistent with Complete Streets, LID Development Standards and MS4 requirements. The new street standards were adopted by City Council in 2016. The City continues to enforce their street standards adopted in 2016. No Action in 2022.

Agency Codes

City of Riverbank & Local

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ENG Engineering Department
LRA Local Redevelopment Agency

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Action Number	Implementation Action	Timeframe On-going	Timeframe 0 – 5 years	Dept/ Agency	Status of Implementation
CIRC – 5	Coordinate with relevant transit providers and include, as appropriate, transit improvements in the Capital Improvements Plan (CIP).	X		CDD, PW, F	The Development Services Department, Finance Department and the Public Works Department work with transit providers and update the City's Capital Improvement Plans (CIP) annually.
CIRC – 6	The City will actively pursue State and Federal funding for developing, improving, and enhancing bicycle and pedestrian routes in the existing developed City.	X		CDD, F	Funding continues to be pursued for the development of bicycle and pedestrian amenities. The City is using CDBG funding to make improvements ADA and trail improvements to Castleberg Park and ADA improvements to Pioneer Park. The City Council adopted the City of Riverbank's Bicycle and Pedestrian Master Plan on October 26, 2022
CIRC – 7	Develop and implement a Parking Master Plan to coordinate and manage parking in the City.	X		CDD, PW	A parking survey was conducted in 2022. Parking in the Downtown Area has not been a problem.
CIRC – 8	Work with surrounding jurisdictions, the County, and StanCOG to develop regional solutions to regional vehicular transportation issues.	X		CDD, PW, ENG	City Council, Planning Commission and Development Services Department will continue to work with the County and StanCOG to develop regional solutions to regional vehicular transportation.
Community Character and Design Element					
DESIGN – 1	Establish distinctive crosswalks at major street intersections and other locations expected to generate significant pedestrian traffic in the existing City, as funding allows.	X		F, CDD	Utilizing CMAC and Safe Routes to School funds, the City is currently re-designing the Patterson Road and Roselle Avenue intersection to improve circulation and overall safety for non-motorized travelers, including students on bicycles. The City Council adopted the City of Riverbank's Bicycle and Pedestrian Master Plan on October 26, 2021. Additionally, the City is in the design phases of a Complete Street located at the intersection of Callander Avenue and Santa Fe Street.

Agency Codes

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Regional, State, Federal and Private

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Action Number	Implementation Action	Timeframe On-going	Timeframe 0 – 5 years	Dept/ Agency	Status of Implementation
DESIGN – 2	Where appropriate opportunities and sufficient right-of-way exists, the City will modify wide streets into boulevards with landscaped medians or landscaped strips between the roadway and sidewalks to visually and functionally enhance streets for pedestrians.	X		CDD, ENG, PW	The City developed standard street widths to include landscaped medians and landscaped strips between roadways for minor and major collectors and minor arterials in 2016. No Action in 2022. The City continues to enforce the standards adopted in 2016.
DESIGN – 3	The City will establish design standards and parking requirements for accessory dwelling units.	X		CDD	In 2022 the City adopted an ordinance update for accessory dwelling units. The City received had received an SB2 grant in the amount of $160K to hire a consultant, establish design standards and parking requirements, conduct community outreach, and conduct a fee study for accessory dwelling units and tiny houses. The City also collaborated with other cities in Stanislaus County to hire an architect to develop 8 fully engineered ADU plan sets between 250 sf and 1200 sf to give to our citizens for free. They are currently available to the public.
DESIGN – 4	Pursue improvements downtown that reduce effective Downtown street widths in relationship to building height and bulk, while allowing for automobile movements.		X	CDD	The Downtown Specific Plan was adopted in 2015. No Action in 2022. The City continues Implementation Actions to enforce the Downtown Specific Plan.
DESIGN – 5	Prepare comprehensive streetscape plans for Patterson Road, Atchison Street/Highway 108, 1st Street, Claribel Road, Oakdale Road, Roselle Avenue, and Claus Road.		X	CDD, ENG	A Streetscape plan for Patterson Road, east of Roselle Avenue is currently being developed to include Complete Streets Principles, including a Bicycle Path adjacent to the BNSF/Sierra Railroad. Other Streets and intersections will be improved as funds become available.

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Action Number	Implementation Action	Timeframe On-going	Timeframe 0 – 5 years	Dept/ Agency	Status of Implementation
					Further in 2022, the City completed the design of a Complete Street at the intersection of Callander Avenue and Santa Fe Street.
DESIGN – 6	The City will define the edges, focal points, and landmarks of the Downtown. The City will establish gateways to Riverbank.	X		CDD	The Downtown Specific Plan identifies "gateways to Downtown" as 108/Patterson Road to the west and Atchison Street/Highway 108 to the east. Additionally, the revised DTSP expanded the east gateway, along Atchison Street.
DESIGN – 7	Adopt development standards that minimize environmental impacts of development through an appropriate balance of regulations and incentives	X		CDD	The City continues to minimize environmental impacts of development through the implementation and oversight of the California Environmental Quality Act (CEQA) where mitigation is assessed on projects that may have a significant impact on the environment. Further, the City has a relationship with the appropriate State and Federal environmental agencies allowing them to comment and assess appropriate mitigation on development projects. The City also works with developers to ensure that mitigation is practical and feasible for their development plans.
DESIGN – 8	Projects shall provide artwork by a qualified artisan(s) within their developments as approved by the Director of Development Services	X		CDD	The Development Services Department, Planning Commission and City Council continue to consider artwork by qualitied artisan(s) within development projects. This will continue to be approved by the Development Services Director.
Economic Development Element					

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ED – 1	Continue to dedicate staff resources to economic development activities, and identify ways to improve upon existing initiatives	X		F, CDD, EDD	The Finance Department and Development Services Department continues to dedicate staff resources to economic development activities. In 2022, staff attended valuable economic development training workshops and seminars.

Action Number	Implementation Action	Timeframe On-going	Timeframe 0 – 5 years	Dept/ Agency	Status of Implementation
ED – 2	Continue to identify funding resources, and apply for those resources for which the City of Riverbank qualifies	X		EDD, F	The City will continue to identify funding resources and apply for those resources for which the City of Riverbank qualifies.
ED – 3	Continue to leverage redevelopment funds to develop programs and initiatives that improve the physical environment and business climate within the project area	X		EDD, CDD	There has not been any work done to leverage redevelopment funds due to the demise of redevelopment.
ED – 4	Work with Modesto Junior College, Opportunity Stanislaus, other public agencies, and private job training providers to develop and refine job training programs that meet the needs of private industry and prospective businesses seeking to locate in Riverbank	X		EDD	City staff continues to meet with Opportunity Stanislaus, to identify existing businesses and potential businesses that could benefit from their programs and resources.
ED – 5	Identify opportunities to locate job training sites in Riverbank. Most of the existing job training and business assistance resources are	X		EDD, CDD	No action necessary. The Development Services Department will explore options for job training in Riverbank as opportunities arise when new expansion

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Action Number	Implementation Action	Timeframe On-going	Timeframe 0 – 5 years	Dept/ Agency	Status of Implementation
	based in Modesto. If a major facility development or expansion can be attracted to Riverbank, opportunities should be explored to base any resultant job training activities within Riverbank.				or development occurs. The management of the Riverbank Industrial Complex has now transferred from the City to Aemetis, a company expected to construct a state-of-the-art biofuel plant in Riverbank and hire locally. The City is currently processing a conditional use permit to construct the facility.
ED – 6	Implement a business outreach program that identified home-based businesses operating in Riverbank	X		EDD	No action in 2022.
ED – 7	Implement a business outreach program that prioritizes businesses and/or industry sectors that constitute the most prominent sources for jobs and fiscal revenue in Riverbank	X		EDD	No action in 2022.
Ed – 8	Assign City staff and personnel from appropriate agencies to a “rapid response” team that will respond to changes in the job training and workforce development needs for large employers in Riverbank	X		All Depts.	No Action in 2022.
Ed – 9	Develop specific marketing messages for different industry sectors, based on Riverbank’s strengths, market position, and future growth opportunities	X		EDD	In 2022, the City continues to update the Oppsites webpage which list vacant and underutilized parcels.
ED – 10	Refine business attraction targets to include business-to-business suppliers. Business suppliers would potentially include material distributors, services providers, and component manufacturing.	X		EDD	No action in 2022.

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ED – 11	Systematically track available land, and available building vacancies. Continually update the information and identify the most efficient and cost-effective methods for distributing the information, including web-based systems.	X		CDD	The Development Services Department utilizes the County's Geographical Information Systems (GIS) to track available land (vacant land) as well as Oppsites.com, mentioned above.

		Timeframe			
Action Number	**Implementation Action**	**On-going**	**0 – 5 years**	**Dept/ Agency**	**Status of Implementation**
ED – 12	The City should contract with a sales tax accounting firm to provide customized and quarterly updated audits of the City's sales tax receipts	X		EDD	The City contracts with Avenu to conduct sales' tax receipt audits.
ED – 13	Dedicate staff resources to tracking employment and payroll trends, in order to monitor progress toward community goals for economic development	X		EDD	No Action in 2022.
ED – 14	Implement a residential survey that includes information on where Riverbank residents work and their occupations	X		EDD	No Action in 2022. The City continues to participate in the Federal Census which supplies information regarding population, where residents work and their occupations.
Ed – 15	Facilitate the formation of business district committees, and assist those districts that wish to further explore the benefits and implementation steps for the creation of a Business Improvement District	X		EDD	No action in 2022 due to a lack of interest by businesses.

Agency Codes

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Regional, State, Federal and Private

Action Number	Implementation Action	Timeframe On-going	Timeframe 0 – 5 years	Dept/ Agency	Status of Implementation
ED – 16	Proactively use the business outreach process to identify priorities for business climate improvement	X		EDD	No Action in 2022.
ED – 17	Include the redevelopment agency in any efforts to improve the local business climate within the redevelopment district	X		EDD, CDD	There has not been any work done to include the redevelopment agency due to the demise of redevelopment.
Action Number	**Implementation Action**	**Timeframe On-going**	**Timeframe 0 – 5 years**	**Dept/ Agency**	**Status of Implementation**
ED – 18	Initiate a hotel/lodging feasibility study to identify the types, numbers, and appropriate locations of lodging facilities that Riverbank could attract.	X		EDD	No Action in 2022 on a feasibility study but city staff has contacted known hotel developers and provided them with information on building and zoning in Riverbank
ED – 19	Prioritize business attraction initiatives in the categories identified in Goal ED-6.	X		EDD	In late 2015 the City adopted a Grease Interceptor Waiver Program and a Conditional Waiver to Install Grease Interceptors Program to encourage restaurants to locate in the downtown. No Action in 2022.
ED – 20	Identify options and preferred alternatives for rail spur locations and potential relocations, particularly as they pertain to the reuse of the Riverbank Army Munitions site.	X		CC, LRA	The Riverbank Industrial Complex Specific Plan (Former Army Ammunitions Plant) was adopted by City Council in March of 2013. The Plan identified options in regards to the rail spurs in and out of the Riverbank RAAP.
ED – 21	Initiate a retail leakage study in order to identify retail and other local-serving attraction opportunities that remain, and project the future growth in household retail demand and supportable establishments.	X		EDD	No Action in 2022.

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Action Number	Implementation Action	Timeframe On-going	Timeframe 0 – 5 years	Dept/ Agency	Status of Implementation
ED – 22	Initiate a feasibility study that identifies market opportunities for entertainment and recreational uses in Riverbank, particularly as they apply to creating an arts district in downtown Riverbank.	X		EDD	No Action in 2022.
Action Number	**Implementation Action**	**On-going**	**0 – 5 years**	**Dept/ Agency**	**Status of Implementation**
ED – 23	Continue to identify and procure the necessary funding to fully implement the streetscape improvement plans identified in the Downtown Revitalization Plan.	X		F, EDD, CDD	No Action in 2022, the City continues to implement the Downtown Specific Plan adopted in 2015.
ED – 24	Continue to facilitate special events in downtown Riverbank.	X		P&R, F, EDD	During 2022, the Parks and Recreation Department held many successful events, which engaged the community and encouraged them to get involved. The largest events typically are the annual Riverbank Cheese and Wine Festival and the Christmas Parade.
ED – 25	Initiate a fiscal impact analysis that identifies fiscal costs and benefits associated with specific types of development.	X		F, EDD, CDD	No Action in 2022.
ED – 26	Identify options such as Zoning Code changes, corridor planning for older commercial areas, and specific plans for new growth areas that would implement and promote mixed use development.	X		CDD	In 2019, the City annexed 380 acres of the Crossroads West Specific Plan, an area adjacent to west City Limits. The Crossroads West Specific Plan features a mixed-use type development with many types of land uses including commercial (58 acres), residential (2,100+ units), and parkland. In 2022, the City approved a 298 unit tentative map, a 114 unit tentative map, and a 91 lot Final Map within this Specific Plan area. One map is under construction.

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Action Number	Implementation Action	Timeframe On-going	Timeframe 0 – 5 years	Dept/ Agency	Status of Implementation
ED – 27	Prepare an urban design plan for downtown Riverbank to compliment business attraction, redevelopment strategies, and streetscape improvements.	X		CDD	The Downtown Specific Plan was adopted in 2015 and includes urban design standards for the Downtown area.
ED – 28	Continue to network with regional agencies as part of the City's economic development program, and include Latino/Hispanic business organizations as part of this strategy.	X		EDD	The City continues to network with regional agencies as part of the City's economic development program. No action necessary.
Action Number	**Implementation Action**	**Timeframe** **On-going**	**0 – 5 years**	**Dept/ Agency**	**Status of Implementation**
Conservation and Open Space Element					
CONS-1	1) Require development projects and subdivisions be consistent with, and implement land use planning and greenhouse gas emission reduction measures developed pursuant to the regional Sustainable Community Strategy. 2) Develop a Sustainable Agricultural Strategy to minimize the agricultural production loss to urban development	X		CDD, CC, PC	This Action is ongoing. Development Projects, as they are processed, are required to comply with the County's Sustainable Community Strategy.
CONS – 2	Adopt a "right-to-farm" ordinance that informs residents of ongoing agricultural practices at the edges of Riverbank and protects farmers and other agriculture interests from dumping, nuisance, complaints, and other problems typically associated with new residents on the City fringe.		X	CDD	No Action in 2022. The City of Riverbank Sustainable Agricultural Strategy was adopted by City Council in 2016.

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CONS – 3	Seek funding to assist private owners in the preservation of buildings and site of historic importance	X		CDD, EDD	No Action in 2022.
CONS - 4	Seek funding for implementing energy efficient improvement and utilities infrastructure renewal projects	X		CDD, PW, EDD	The City began the installation of 4 solar projects for city facilities such as public works, the police station, a park well site, and the community center in 2022.

		Timeframe			
Action Number	**Implementation Action**	**On-going**	**0 – 5 years**	**Dept/ Agency**	**Status of Implementation**
Safety Element					
SAFE – 1	Work with the Department of the Army to ensure successful clean-up and reuse of the decommissioned Riverbank Ammunition Plant	X			The Riverbank RAAP was selected for closure as part of the Base Realignment and Closure (BRAC) plan of 2008. The City continues to work with the Department of the Army and the Federal Environmental Protection Agency to ensure the successful clean-up and reuse of the plant. In November of 2013, the Riverbank Industrial Complex Specific Plan was adopted by City Council. In 2017 PCB clean-up was completed at the site. In 2022, Land transfer discussions between the Department of the Army and the City of Riverbank continued. the City has finalized a contract with a Master Developer, Aemetis, to develop the existing and remaining parcels of the site.

Agency Codes

City of Riverbank & Local

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

Regional, State, Federal and Private

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

SAFE – 2	Implement and periodically update disaster plans, including the City's Emergency Operations Plan		X	CDD, EDD	In 2016 the City updated and adopted its Emergency Operations Plan.
SAFE – 3	Will coordinate with public safety service providers serving the City to ensure proper training and disaster preparedness and periodic testing of equipment and facilities	X			In 2022 City department leaders met with the OES and participated in health and safety measures considering the 2022 Covid-19 pandemic.
SAFE – 4	Support the purchase and maintenance of proper emergency communication systems and equipment and other necessary tools dealing with emergencies.	X			No Action in 2022.

Action Number	**Implementation Action**	**Timeframe**		**Dept/ Agency**	**Status of Implementation**
		On-going	**0 – 5 years**		
Noise Element					
NOISE – 1	Update implementing ordinances related to noise consistent with the policies of this element and City redevelopment and revitalization planning.	X		CC, PC, CDD	This action has not been implemented due to the demise of Redevelopment. The Development Services Department, City Council and Planning Commission will continue to implement the Noise element on a project-by-project basis, ensuring that specific projects do not affect adjacent land uses that may be sensitive, such as schools and residential.

Agency Codes

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NOISE – 2	Ensure that personnel charged with enforcing such ordinances are properly trained and equipped for on-site measurement techniques and other necessary tasks	X		CDD	Depending on the Project, a Noise Analysis may be commissioned to ensure that the project is consistent with the Noise Element of the General Plan and any applicable ordinances. This may be done in-house or by an outside consultant.
NOISE – 3	Coordinate with StanCOG and Caltrans to ensure transportation planning and improvement programs are consistent with this element	X		CC, PC, CDD	The City Council, Planning Commission and Development Services Department will continue to work with StanCOG and Caltrans to ensure transportation planning and programs are consistent with the Noise Element.
Public Services and Facilities Element					
PUBLIC – 1	Coordinate with area reclamation districts, Stanislaus County, the City of Modesto, and other agencies and jurisdictions for planning and coordinating drainage programs and policies on an area wide and regional basis.	X		CDD	The City continues to participate in the Storm Drainage partnership with multiple local agencies to address state requirements for storm water.
		Timeframe			
Action Number	**Implementation Action**	**On-going**	**0 – 5 years**	**Dept/ Agency**	**Status of Implementation**
PUBLIC – 2	Develop a park master plan that describes the standards, design, land requirements, locations, planning, and funding to support the City's existing and future park system		Complete 2022	P&R	In 2022, the Parks Master Plan was adopted.
PUBLIC – 3	Update the water, wastewater, and stormwater drainage master plans at least every five years to ensure the appropriate level of service is maintained as the City grows, and to ensure that appropriate projects include a capital improvements planning and can be funded		Complete, 2015	CDD	The City's 2020 Urban Water Management Plan was adopted by City Council on October 26, 2015.

Agency Codes

City of Riverbank & Local			**Regional, State, Federal and Private**
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PUBLIC – 4	Coordinate with the United States Postal Service and other public agencies serving Riverbank, regarding needs for expansion, satellite locations, and other issues related to land use planning	X		CDD	The City has ongoing contact with the Post Office in regards to the locations of gang mail boxes in new subdivisions. Addresses in the 2019 annexation area are still Modesto addresses. Staff is working with Rep. Josh Harder's office to change them to Riverbank addresses.
Air Quality Element					
AIR – 1	Develop a program to reduce daily emissions of nitrogen oxides	X		CDD	No Action in 2022. The City continues to consult with the San Joaquin Valley Air Pollution Control District (SJVAPCD) whom enforces federal air quality standards.
AIR – 2	Develop a local greenhouse gas reduction program	X		CDD	No Action in 2022. The City continues to consult with the SJVAPCD which enforces federal greenhouse gas reduction programs.

Action Number	**Implementation Action**	**Timeframe**		**Dept/ Agency**	**Status of Implementation**
		On-going	**0 – 5 years**		
AIR – 3	Pursue and use State and Federal funds earmarked for bicycle and transit improvements, transit-oriented planning and development, and other planning and improvement grant programs intended to encourage alternatives to automobile transportation	X		CDD, EDD, F	The City continues to pursue and use State and Federal funds earmarked for the programs listed in AIR-3.
AIR – 4	Coordinate with local irrigation districts, the County, Caltrans, and other interested parties to develop bikeways and pedestrian paths along canals, abandoned railroad lines, and other easements and rights-of-ways	X		CDD, P&R	The Development Services Department has been in discussion with Hetch-Hetchy Water and Power to develop a dog park or multi-use path on SFPUC Right-of-Way. Transmission lines are currently being replaced.

Agency Codes

City of Riverbank & Local

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AIR – 5	Develop planning strategies and supportive ordinances addressing Downtown Riverbank and West Riverbank	X		CDD	The City annexed the Crossroads West Plan Area in June 2019 and new Tentative Map applications. 30 homes in West Riverbank are now occupied.
AIR – 6	In planning and budgeting for transportation infrastructure, before considering constructing more roadway capacity, the City of Riverbank will consider measures to increase the capacity of the existing road network	X		CC, PC, CDD, PW, ENG	The Development Services Department, Public Works Department and Engineering will continue to consider measures to increase the capacity of the existing road network prior to considering constructing more roadway capacity. City Staff is recently revised the City's Standard Street Widths, which will incorporate DOT's directive of Complete Streets and LID Standards (MS4 Requirements).
		Timeframe			
Action Number	**Implementation Action**	**On-going**	**On-going**	**Dept/ Agency**	**Status of Implementation**
AIR – 7	Coordinate with transit providers on the portion of long-range transit plans serving Riverbank and accommodate necessary facilities such as bus pull-outs, bus shelters, information kiosks, street furniture, lighting, etc.	X		CDD	The Development Services Department continues to consider transit plans serving Riverbank for new development.
AIR – 8	Require project proponents to prepare health risk assessments in accordance with Air District-recommended procedures as part of environmental review when the proposed industrial process has associated air emissions that have been designated by the State as a toxic air contaminant or, similarly, by the federal government as a hazardous air pollutant	X		CDD	The Development Services Department will continue to work with SJVAPCD to ensure that new projects are mitigating air quality impacts. Air Emissions are calculated and reviewed by SJVAPCD.

Agency Codes

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2022 General Plan Annual Progress Report
Exhibit B: Housing Element Annual Progress Report – 2022
Reported Data – January 1, 2022 – December 31, 2022

EXHIBIT B

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Jurisdiction	Riverbank	
Reporting Year	2022	(Jan. 1 - Dec. 31)

Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	**Objective**	**Timeframe in H.E**	**Status of Program Implementation**
Program 1.1a	The City shall revise, as needed, the amount of land designated for various residential uses in conjunction with the amount of and types of housing produced in the previous year to determine if any changes in the General Plan and Zoning Ordinance may be needed to meet the City's Housing Needs.	2014-2023	The City has sufficent land within their Sphere of Influence to accommodate the City's Housing needs. The City annexed 404 acres of land into City limits in 2019 and expects +/- 2,100 housing units with this project. In addition, the City is currently processing an Annexation and Specific Plan application for a project called River Walk, which intends to construct +/- 2,500 units of housing (80% senior). River Walk's EIR in currently under review.
Program 1.1b	Annexation and Prezone of the Crossroads West Specific Plan Area.	By End of Year 2017.	Stanislaus County LAFCO approved the annexation of the Crossroads West Specific Plan Area into the City in June 2019.
Program 1.2a; Program 1.2b	Track changes in land availability and accomplishments in multi-family development in order to determine if further rezoning is necessary to better facilitate high-density developments.	On-Going	In 2022, the City continued to partcipate in 'Oppsites' online, which lists available, vacant and/or underutilized sites within the City. The City has been responsive to inquiries regarding these sites, and will continue to participate throughout the cycle.
Program 2.1a	Seek assistance from non-profit developers to develop homes for lower-income families.	On-Going	As a second-year member of Stanislaus Urban County, the City is working with Self-Help Enterprises to create affordable housing options and/or assistance through two CDBG programs: the Homebuyers Downpayment Assistance Program and the Housing Rehabilitation Program.
Program 2.1b	Continue to assist developers in the development of extremely low, very low, and low income housing in the grant preparation process to help fund their developments.	On-Going	The City recently partnered with a developer to construct 28 affordable housing units. The infrastructure is currently under construction.
Program 2.1c; Program 2.1d	Encourage developers to include second dwelling units in new subdivisions.	On-Going	All applicants of new developments receive a copy of the City's Accessory Dwelling Unit regulations. Further, the Planning and Building Manager shares this information at Developer meetings held early in the design process. In addition, the City developed an ordinance to permit and regulate Tiny House Villages. This was adopted in January 2023.
Program 2.1e; Program 2.1f	Housing for Farmworkers	On-Going	The City received an SB2 grant award to develop fully engineered accessory dwelling unit plans sets (8) to be given to our citizens for free. It will encourage homeless, farmworker, senior, and aged-out foster child housing. The plans are complete and available.
Program 2.1g; Program 2.1h	2.1g: Updates to the R-1 and R-2 Zoning Districts to include Transitional and Supportive Housing; 2.1h: Amend Zoning Ordinance to comply with Health and Safety Code 17021.5 and 17021.6 and allow farmworker housing in the R-1 Zoning District.	12/31/2017	These items were completed in 2017.
Program 2.1i	The City shall refer residents to the Valley Mountain Regional Center for housing and services available to persons with developmental disabilities	On-Going	As needed, the City will refer residents to the Valley Mountain Regional Center. The City has not yet pursued Stated and Federal monies for direct support of housing construction and rehabilitation specifically targeted for housing for persons with developmental disabilities.
Program 2.1j	The City shall encourgae housing development within the General Plan Infill Opportunity Area and specifically, sites designated Mixed Use.	On-Going	As development applications are received, the City will encourage and provide opportunies for development within the Infill Opportunity Area. Further, in 2022, the City continued to update its profile on Oppsites.com, which features areas of the City that are undeveloped or underutilized. Many of the sites listed are infill areas of opportunity.
Program 2.1k	Participation in the Stanislaus County and Support Service Collaborative and the Contnuum of Care to help address homless needs in Riverbank and Stanislaus County.	On-Going	The City of Riverbank continues to participate in the Stanislaus County Housing and Support Collaboration and the Continuum of Care to help address homeless needs in Riverbank and Stanislaus County.
Program 2.2a; Program 2.2b	No net loss of Housing Units within the Downtown Specific Plan Area. Work with developers and Non-Profit Providers on the implementation of Downtown Specific Plan.	On-Going	The City continues to work with developers seeking to redevelop property within the Downtown Specific Plan Area. Further, the City continues to encourage two to one replacement of any existing housing units displaced by redevelopment projects in Downtown Area. In 2022, there were no projects within the Downtown Specific Plan Area that displaced any housing units.
Program 2.2c	The City shall encourage the development of new housing of upper stories and mixed-use buildings in the Downtown Core area of the Specific Plan.	On-Going	In 2022, the City worked with various developers interested in the Downtown Specific Plan Area and encouraged mixed-use development within the City.
Program 3.1a	Continue to promote the use of Planned Development zones for developers who wish to deviate from setback, parking, or other standards which may limit their ability to develop at a desired density.	On-Going	The City continues to work with developers who seek to use Planned Development Zones to deviate from City Standards to create more economically feasible projects.

Program 3.1b	Waive fees for General Plan Amendments which increase density.	On-Going	The City received 2 General Plan Amendment Applications in 2022.
Program 3.1c	Utilize computer software to help fast-track building permits, saving both developer and staff time.	On-Going	The City is using 2021 LEAP grant monies to obtain iWorQ Systems' cloud based permit processing software to streamline our development processes, including online submittals and payments. The system will be fully functional in 2023.
Program 3.1d	Parking as a development constraint	On-Going	The City continues to work with developers who state that parking standards are a constraint for development. The City is working to lower or exempt parking for Tiny House Villages.
Program 3.1e	System development fee deferral	3/31/2016	This program was completed in 2016. Upon request, the City will defer Building Permit fees and System Development Fess from Permit issuance to Permit final.
Program 4.1a-c	Continue to actively seek State and Federal Funding for the rehabilitation of homes.	On-Going	As a two-year member of Stanislaus Urban County, the City is working with Self-Help Enterprises to create affordable housing options and/or assistance through two CDBG programs: the Homebuyers Program and the Housing Rehabilitation Program.
Program 4.2a	Discourage land division of sites currently zoned high-density residential	On-Going	The City did not receive a development application to divide land currenly zoned for high density residential in 2022.
Program 4.2b	Monitor any units which may be deemed at-risk for conversion into market-rate housing.	On-Going	No units in 2022 were at risk of being converted from affordable to market rate.
Program 5.1a	Continue to promote equal housing for ALL persons	On-Going	In 2022, the City purchased a home in the downtown to convert to a homeless shelter plus day use center. The City also purchased vacant land to use for transitional housing.
Program 5.1b	Maintain the draft General Plan Housing Element Review on the City's Website. Develop an evaluation matrix to determine the consistency between the Housing Element policies and programs and other Elements of the General Plan.	On-Going	The 2022 Housing Element Annual Progress Report will be posted on the City website. In addition, the Planning Commision and City Council will review the Annual Progress Report at regularly scheduled public hearings. Staff continues to develop a consistency matrix.
Program 6.1a-c	Continue to implement state energy-efficient standards	On-Going	The City enforces the 2019 California Building Code which implements state standards.

Jurisdiction	Riverbank	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	[illegible]

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Table A2
Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier					Unit Types		Affordability by Household Incomes - Completed Entitlement									Affordability by Household Incomes - Building Permits									Affordability by Household Incomes - Certificates of Occupancy										Streamlining	Infill	Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Density Bonus				Notes
1					2	3	4							5	6	7							8	9	10							11	12	13	14	15	16	17	18	19	20			21	22	23	24	25
Prior APN+	Current APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Building Permits Date Issued	# of Units Issued Building Permits	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) Date Issued	# of Units issued Certificates of Occupancy or other forms of readiness	How many of the units were Extremely Low Income?+	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N+	Assistance Programs for Each Development (may select multiple - see instructions)	Deed Restriction Type (may select multiple - see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)+	Number of Demolished/Destroyed Units	Demolished or Destroyed Units	Demolished/Destroyed Units Owner or Renter	Total Density Bonus Applied to the Project (Percentage Increase in Total Allowable Units or Total Maximum Allowable Residential Gross Floor Area)	Number of Other Incentives, Concessions, Waivers, or Other Modifications Given to the Project (Excluding Parking Waivers or Parking Reductions)	List the incentives, concessions, waivers, and modifications (Excluding Parking Waivers or Parking Modifications)	Did the project receive a reduction or waiver of parking standards? (Y/N)	Notes+
Summary Row: Start Data Entry Below							0	0	0	0	0	0	0		0	0	0	0	0	0	1	97		98	0	0	0	0	0	0	9		9	0	0						1		0					
	062-035-013	4241 Labrador Ln	Countryside Phase 1	BP22-0084	SFD	O									0							1	2/10/2022	1							1	6/17/2022	1	0	N	N					0							
	062-035-013	4237 Labrador Ln	Countryside Phase 1	BP22-0085	SFD	O									0							1	2/10/2022	1							1	6/27/2022	1	0	N	N					0							
	074-023-073	5529 Harwood Ln	Parkwoods @ Crossroads West	BP22-0186	SFD	O									0							1	4/15/2022	1							1	11/8/2022	1	0	N	N					0							
	074-023-072	5533 Harwood Ln	Parkwoods @ Crossroads West	BP22-0187	SFD	O									0							1	4/15/2022	1							1	11/8/2022	1	0	N	N					0							
	074-023-074	5525 Harwood Ln	Parkwoods @ Crossroads West	BP22-0191	SFD	O									0							1	4/15/2022	1							1	11/19/2022	1	0	N	N					0							
	074-023-071	5537 Harwood Ln	Parkwoods @ Crossroads West	BP22-0188	SFD	O									0							1	4/15/2022	1							1	11/14/2022	1	0	N	N					0							
	074-023-076	5517 Harwood Ln	Parkwoods @ Crossroads West	BP22-0189	SFD	O									0							1	4/15/2022	1							1	11/14/2022	1	0	N	N					0							
	074-023-075	5521 Harwood Ln	Parkwoods @ Crossroads West	BP22-0190	SFD	O									0							1	4/15/2022	1							1	11/14/2022	1	0	N	N					0							
	074-023-030	2127 Satinleaf Dr	Parkwoods @ Crossroads West	BP22-0497	SFD	O									0							1	8/3/2022	1							1	12/19/2022	1	0	N	N					0							
	075-014-026	2819 Claribel Road	Riverbank Residential Development	Architecture & Site Plan, Rezone to PD & TM Review 22-0010	5+	R						144			144									0									0	0	N	N			The assumed rent to be in moderate income category.		0							
	132-059-007	3664 Nevada Ave		BP22-0310	ADU	R									0						1		8/24/2022	1									0	0	N	N			The assumed rent to be in moderate income category		0							
	074-023-023	2143 Satinleaf Dr	Parkwoods @ Crossroads West Unit 1	BP21-0668	SFD	O									0							1	1/11/2022	1									0	0	N	N					0							
	074-023-027	2139 Satinleaf Dr	Parkwoods @ Crossroads West Unit 1	BP21-0669	SFD	O									0							1	1/11/2022	1									0	0	N	N					0							
	074-023-025	2147 Satinleaf Dr	Parkwoods @ Crossroads West Unit 1	BP21-0667	SFD	O									0							1	1/11/2022	1									0	0	N	N					0							
	074-023-028	2135 Satinleaf Dr	Parkwoods @ Crossroads West Unit 1	BP21-0670	SFD	O									0							1	1/11/2022	1									0	0	N	N					0							
	074-023-029	2131 Satinleaf Dr	Parkwoods @ Crossroads West Unit 1	BP21-0671	SFD	O									0							1	1/11/2022	1									0	0	N	N					0							
	074-023-024	2151 Satinleaf Dr	Parkwoods @ Crossroads West Unit 1	BP21-0675	SFD	O									0							1	1/11/2022	1									0	0	N	N					0							
	062-036-039	6203 Panda Way	Bruin Heights	BP22-0068	SFD	O									0							1	2/9/2022	1									0	0	N	N					0							
	132-058-015	3724 Arizona Ave		BP22-0639	SFD	O									0							1	3/9/2022	1									0	0	N	N					0							
	062-036-041	6204 Central Ave	Bruin Heights	BP22-0069	SFD	O									0							1	2/9/2022	1									0	0	N	N					1	Demolished	O					
	062-036-042	6208 Central Ave	Bruin Heights	BP22-0070	SFD	O									0							1	2/9/2022	1									0	0	N	N					0							
	062-036-0436	6212 Central Ave	Bruin Heights	BP22-0071	SFD	O									0							1	2/9/2022	1									0	0	N	N					0							
	062-036-044	6216 Central Ave	Bruin Heights	BP22-0072	SFD	O									0							1	2/9/2022	1									0	0	N	N					0							
	062-036-045	6220 Central Ave	Bruin Heights	BP22-0073	SFD	O									0							1	2/9/2022	1									0	0	N	N					0							
	062-036-046	6224 Central Ave	Bruin Heights	BP22-0074	SFD	O									0							1	2/9/2022	1									0	0	N	N					0							
	062-036-047	6228 Central Ave	Bruin Heights	BP22-0075	SFD	O									0							1	2/9/2022	1									0	0	N	N					0							
	062-036-048	6232 Central Ave	Bruin Heights	BP22-0076	SFD	O									0							1	2/9/2022	1									0	0	N	N					0							
	062-036-049	6236 Central Ave	Bruin Heights	BP22-0077	SFD	O									0							1	2/9/2022	1									0	0	N	N					0							
	062-036-050	6240 Central Ave	Bruin Heights	BP22-0078	SFD	O									0							1	2/9/2022	1									0	0	N	N					0							
	062-036-051	6244 Central Ave	Bruin Heights	BP22-0079	SFD	O									0							1	2/9/2022	1									0	0	N	N					0							
	132-015-047	3716 Sierra St		BP22-0104	SFD	O									0							1	7/12/2022	1									0	0	N	Y					0							
	132-015-048	3718 Sierra St		BP22-0105	SFD	O									0							1	7/12/2022	1									0	0	N	Y					0							
	062-036-007	6237 Grizzly Way	Bruin Heights	BP22-0132	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-008	6233 Grizzly Way	Bruin Heights	BP22-0133	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-009	6229 Grizzly Way	Bruin Heights	BP22-0134	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-010	6225 Grizzly Way	Bruin Heights	BP22-0135	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-011	6221 Grizzly Way	Bruin Heights	BP22-0136	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-012	6217 Grizzly Way	Bruin Heights	BP22-0137	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-013	6202 Grizzly Way	Bruin Heights	BP22-0138	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-014	6206 Grizzly Way	Bruin Heights	BP22-0139	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-015	6210 Grizzly Way	Bruin Heights	BP22-0140	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-016	6214 Grizzly Way	Bruin Heights	BP22-0141	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-017	6218 Grizzly Way	Bruin Heights	BP22-0142	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-018	6226 Grizzly Way	Bruin Heights	BP22-0143	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-019	6230 Grizzly Way	Bruin Heights	BP22-0144	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-020	6234 Grizzly Way	Bruin Heights	BP22-0145	SFD	O									0							1	3/22/2022	1									0	0	N	N					0							
	062-036-005	6234 Panda Way	Bruin Heights	BP22-0197	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-006	6238 Panda Way	Bruin Heights	BP22-0198	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-021	6238 Grizzly Way	Bruin Heights	BP22-0199	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-022	6242 Grizzly Way	Bruin Heights	BP22-0200	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-023	4321 Polar Way	Bruin Heights	BP22-0201	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-024	4317 Polar Way	Bruin Heights	BP22-0202	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-025	4313 Polar Way	Bruin Heights	BP22-0203	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-026	4309 Polar Way	Bruin Heights	BP22-0204	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-027	4305 Polar Way	Bruin Heights	BP22-0205	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-028	4301 Polar Way	Bruin Heights	BP22-0206	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-029	6243 Panda Way	Bruin Heights	BP22-0207	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-030	6239 Panda Way	Bruin Heights	BP22-0208	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-031	6235 Panda Way	Bruin Heights	BP22-0209	SFD	O									0							1	4/6/2022	1									0	0	N	N					0							
	062-036-001	6218 Panda Way	Bruin Heights	BP22-0231	SFD	O									0							1	4/13/2022	1									0	0	N	N					0							
	062-036-002	6222 Panda Way	Bruin Heights	BP22-0232	SFD	O									0							1	4/13/2022	1									0	0	N	N					0							
	062-036-003	6226 Panda Way	Bruin Heights	BP22-0233	SFD	O									0							1	4/13/2022	1									0	0	N	N					0							
	062-036-004	6230 Panda Way	Bruin Heights	BP22-0234	SFD	O									0							1	4/13/2022	1									0	0	N	N					0							
	062-036-032	6231 Panda Way	Bruin Heights	BP22-0235	SFD	O									0							1	4/13/2022	1									0	0	N	N					0							
	062-036-033	6227 Panda Way	Bruin Heights	BP22-0236	SFD	O									0							1	4/13/2022	1									0	0	N	N					0							
	062-036-034	6223 Panda Way	Bruin Heights	BP22-0237	SFD	O									0							1	4/13/2022	1									0	0	N	N					0							
	062-036-035	6219 Panda Way	Bruin Heights	BP22-0238	SFD	O									0							1	4/13/2022	1									0	0	N	N					0							
	062-036-036	6215 Panda Way	Bruin Heights	BP22-0239	SFD	O									0							1	4/13/2022	1									0	0	N	N					0							
	062-036-037	6211 Panda Way	Bruin Heights	BP22-0240	SFD	O									0							1	4/13/2022	1									0	0	N	N					0							
	062-036-038	6207 Panda Way	Bruin Heights	BP22-0241	SFD	O									0							1	4/13/2022	1									0	0	N	N					0							
	062-036-040	6200 Central Ave	Bruin Heights	BP22-0242	SFD	O									0							1	4/13/2022	1									0	0	N	N					0							
	075-101-021	5736 Roselle Ave		BP22-0341	SFD	O									0							1	10/10/2022	1									0	0	N	Y					0							
	075-095-020	5567 Landon Dr	Elmwood Estates	BP22-0438	SFD	O									0							1	7/7/2022	1									0	0	N	N					0							
	075-095-022	5555 Landon Dr	Elmwood Estates	BP22-0439	SFD	O									0							1	7/8/2022	1									0	0	N	N					0							
	075-095-055	5624 Landon Dr	Elmwood Estates	BP22-0440	SFD	O									0							1	7/9/2022	1									0	0	N	N					0							
	075-095-056	5630 Landon Dr	Elmwood Estates	BP22-0441	SFD	O									0							1	7/10/2022	1									0	0	N	N					0							
	075-095-057	5636 Landon Dr	Elmwood Estates	BP22-0442	SFD	O									0							1	7/11/2022	1									0	0	N	N					0							
	074-023-065	5516 Burnbrae Way	Parkwoods @ Crossroads West Unit 1	BP22-0494	SFD	O									0							1	8/3/2022	1									0	0	N	N					0							
	074-023-067	5524 Burnbrae Way	Parkwoods @ Crossroads West Unit 1	BP22-0495	SFD	O									0							1	8/3/2022	1									0	0	N	N					0							
	074-023-070	5536 Burnbrae Way	Parkwoods @ Crossroads West Unit 1	BP22-0496	SFD	O									0							1	8/3/2022	1									0	0	N	N					0							
	074-023-066	5520 Burnbrae Way	Parkwoods @ Crossroads West Unit 1	BP22-0498	SFD	O									0							1	8/3/2022	1									0	0	N	N					0							
	074-023-068	5528 Burnbrae Way	Parkwoods @ Crossroads West Unit 1	BP22-0499	SFD	O									0							1	8/3/2022	1									0	0	N	N					0							
	074-023-069	5532 Burnbrae Way	Parkwoods @ Crossroads West Unit 1	BP22-0500	SFD	O									0							1	8/3/2022	1									0	0	N	N					0							
	062-037-024	6105 Central Ave	Countryside Phase 2	BP22-0590	SFD	O									0							1	9/15/2022	1									0	0	N	N					0							
	062-037-025	6109 Central Ave	Countryside Phase 2	BP22-0591	SFD	O									0							1	9/15/2022	1									0	0	N	N					0							
	062-037-026	6113 Central Ave	Countryside Phase 2	BP22-0592	SFD	O									0							1	9/15/2022	1									0	0	N	N					0							
	062-037-027	6124 Beagle Dr	Countryside Phase 2	BP22-0593	SFD	O									0							1	9/15/2022	1									0	0	N	N					0							
	062-037-028	6120 Beagle Dr	Countryside Phase 2	BP22-0594	SFD	O									0							1	9/15/2022	1									0	0	N	N					0							
	062-037-029	6116 Beagle Dr	Countryside Phase 2	BP22-0595	SFD	O									0							1	9/15/2022	1									0	0	N	N					0							
	074-023-035	2107 Satinleaf Dr	Parkwoods @ Crossroads West Unit 1	BP22-0613	SFD	O									0							1	9/22/2022	1									0	0	N	N					0							
	074-023-031	2123 Satinleaf Dr	Parkwoods @ Crossroads West Unit 1	BP22-0614	SFD	O									0							1	9/22/2022	1									0	0	N	N					0							
	074-023-032	2119 Satinleaf Dr	Parkwoods @ Crossroads West Unit 1	BP22-0665	SFD	O									0							1	10/19/2022	1									0	0	N	N					0							
	074-023-033	2115 Satinleaf Dr	Parkwoods @ Crossroads West Unit 1	BP22-0666	SFD	O									0							1	10/20/2022	1									0	0	N	N					0							
	074-023-034	2111 Satinleaf Dr	Parkwoods @ Crossroads West Unit 1	BP22-0667	SFD	O									0							1	10/21/2022	1									0	0	N	N					0							
	074-023-023	5534 Treehouse Ln	Parkwoods @ Crossroads West Unit 1	BP22-0668	SFD	O									0							1	10/22/2022	1									0	0	N	N					0							
	074-023-054	5526 Treehouse Ln	Parkwoods @ Crossroads West Unit 1	BP22-0763	SFD	O									0							1	12/20/2022	1									0	0	N	N					0							
	074-023-055	5530 Treehouse Ln	Parkwoods @ Crossroads West Unit 1	BP22-0764	SFD	O									0							1	12/20/2022	1									0	0	N	N					0							
	074-023-058	5531 Burnbrae Way	Parkwoods @ Crossroads West Unit 1	BP22-0765	SFD	O									0							1	12/20/2022	1									0	0	N	N					0							
	074-023-059	5527 Burnbrae Way	Parkwoods @ Crossroads West Unit 1	BP22-0766	SFD	O									0							1	12/20/2022	1									0	0	N	N					0							

Jurisdiction	Riverbank	
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Planning Period	5th Cycle	

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Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

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Jurisdiction	Riverbank		
Reporting Year	2022	(Jan. 1 - Dec. 31)	
Planning Period	5th Cycle	12/31/2015 - 12/31/2023	

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Jurisdiction	Riverbank	
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Planning Period	5th Cycle	12/31/2015 - 12/31/2023

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Jurisdiction	Riverbank	
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