

CITY COUNCIL / LRA BOARD

Mayor/Chair

Richard D. O'Brien

Council/Authority Members

District 1 - Luis Uribe

District 2 - Rachel Hernandez

District 3 - **VACANT**

District 4 - Darlene Barber-Martinez



CITY OF RIVERBANK

Regular City Council and Local Redevelopment Authority Board Meetings

Council Chambers
6707 Third Street, Suite B
Riverbank, CA 95367



AMENDED AGENDA **(ADDED ITEM 11.3)**

TUESDAY, OCTOBER 8, 2024 – 6:00 P.M.

(THE AGENDA PACKET IS ONLINE AT [HTTP://WWW.RIVERBANK.ORG/AGENDACENTER](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 **Proclamation – Code Enforcement Officer Appreciation Week-** It is recommended that City Council present a proclamation for Code Enforcement Officer Appreciation week to Neighborhood Improvement Officer II, Patrick McCulloch and Senior Neighborhood Improvement Officer, Eric White.

Item 7.2 **Proclamation- October 2024 – Fire Prevention Month-** It is recommended that the City Council read and present the proclamation for Fire Prevention Month to Ciera Sansing, Fire Inspector and Battalion Chief, Scott Burke with Stanislaus Consolidated Fire Protection District.

Item 7.3 **Proclamation – Walk and Roll to School Day – October 9, 2024-** It is recommended that the City Council read and present a Proclamation for Walk and Roll to School Day to Armando Nunez, Program/Grant Manager for CASA Del Rio Family Resource Center.

Item 7.4 **Proclamation – Lights on Afterschool – October 18, 2024-** It is recommended that the City Council read and present the Proclamation for Lights on Afterschool to Armando Nunez, Program/Grant Manager for CASA Del Rio Family Resource Center.

Item 7.5 **Recognition – Vice Mayor District 3, Leanne Jones Cruz-** It is recommended that the Riverbank City Council recognize Vice Mayor District 3 Leanne Jones Cruz for her dedication and public service to the City of Riverbank.

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.

IN PERSON COMMENTS- Please fill out a Comment Card & Return to the City Clerk

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 September 24, 2024.

Item 9.3 **Resolution** of the City Council of the City of Riverbank Declaring Certain Property Surplus as Listed in Exhibit A and Authorizing Its Disposition

Item 9.4 **Resolution** Approving a Voluntary Contribution Agreement for Participation in the Eastern San Joaquin Basin Nitrate Control Program Management Zone with Valley Water Collaborative for a not-to-exceed amount of \$10,000.00 annually.

10. PUBLIC HEARING

Public Notices for Item 10.1 & Item 10.2 were published on 9/25/2024 in the Riverbank News.

Item 10.1 **Resolution to Consider Approval of the Request for an Exception to Allow for Flag Lot Configuration and Vesting Tentative Parcel Map 01-2024 Located at 2842 Turpin Avenue (APN 132-062-003).** – It is recommended City Council adopt one resolution to approve a request of Mr. Jorge and Consuelo Alcala for an Exception to allow for a flag lot configuration and to subdivide the subject parcel based on the General Plan and Zoning Consistency findings.

- Item 10.2** **Resolutions to Consider Approval of (1) General Plan Amendment 01-2024, (2) Tentative Subdivision Map 01-2024, and (3) Architectural and Site Plan Review 06-2024 and the First Reading by Title Only and Introduction of an Ordinance Approving the Rezone 01-2024 5.9 Acres to Planned Development Located at 6448 Claus Road (APN 062-039-048) for the Heritage II Subdivision-** Adopt three resolutions and one ordinance approving the request of Summerfaire Commerce Center LLC. for a General Plan Amendment, Rezone, Vesting Tentative Subdivision Map, and Architecture and Site Plan Review to create forty-seven (47) single family residential lots in the proposed Heritage II subdivision. The property is located at 6448 Claus Road (APN 062-039-048).

11. NEW BUSINESS

- Item 11.1** **Resolution Authorizing an Amendment to the American Rescue Plan Act Spending Plan-** It is recommended that the City Council receive an update regarding the ARPA Spending Plan Projects and provide direction to staff on possible amendments.
- Item 11.2** **Consideration of the 2024 Cal Cities Annual Conference Resolution-** It is recommended that the City Council provide direction to the Voting Delegates for the 2024 Cal Cities Conference General Assembly on the proposed resolution.
- Item 11.3** **Nomination and Appointment of the Vice Mayor to Serve for the Remainder of the 2024 Calendar Year-** With the resignation of the 2024 Vice Mayor, Councilmember District 3 Jones Cruz, the position became vacant. It is recommended that the Mayor nominate a Councilmember to serve as Vice Mayor for the remainder of the year 2024 and, by roll call vote, the City Council shall approve the Appointment.

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 **LIABILITY CLAIMS**

Pursuant to Government Code § 54961)
Claimant: Janet Vaughn
Agency Claimed Against: City of Riverbank

Item 13.2 **CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to Government Code §54957.6)
Agency representative: City Manager Marisela H. Garcia
Employee Organizations: Riverbank Mid-Management Employee
Association and Riverbank Miscellaneous Employees

14. REPORT FROM CLOSED SESSION

Item 14.1 Report from Closed Session **Item 13.1**

LIABILITY CLAIMS

Pursuant to Government Code § 54961)
Claimant: Janet Vaughn
Agency Claimed Against: City of Riverbank

Item 14.2 Report from Closed Session **Item 13.2**

CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code §54957.6)
Agency representative: City Manager Marisela H. Garcia
Employee Organizations: Riverbank Mid-Management Employee
Association and Riverbank Miscellaneous Employees

15. ADJOURNMENT

The Next Regular City Council Meeting will be on: **Tuesday, October 22, 2024**

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 4th Day of October 2024

/s/ *Gabriela Hernandez, CMC, 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.

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.



TELECONFERENCE/VIRTUAL 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 5:00 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 5:00 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/81919851872>

Join by accessing website: <https://zoom.us/join>, enter Webinar ID: **819 1985 1872**

Join by telephone: **1 669 444 9171 OR 1 669 900 9128**, plus Webinar ID: **819 1985 1872**

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:	October 8, 2024
Subject:	Presentation – Code Enforcement Officer Appreciation Week
From:	Marisela H. Garcia, City Manager
Submitted by:	Jessica Campos, Administrative Assistant – Confidential

RECOMMENDATION

It is recommended that City Council present a proclamation for Code Enforcement Officer Appreciation week to Neighborhood Improvement Officer II, Patrick McCulloch and Senior Neighborhood Improvement Officer, Eric White.

SUMMARY:

The State of California has proclaimed the second week of October as Code Enforcement Officer Appreciation Week. Code Enforcement Officers, or Neighborhood Improvement Officers as they are known in Riverbank, provide for the safety, health, and welfare of citizens through the enforcement of local, state, and federal laws and ordinances dealing with the various issues of building, zoning, housing, animal control, environmental, health, and life safety. In the City of Riverbank, they work on a complaint-only basis.

We take this opportunity to thank our Neighborhood Improvement Officers, Eric White and Patrick McCulloch, for their service to our community.

FINANCIAL IMPACT:

No financial impact.

ATTACHMENT:

1. Proclamation



CITY OF RIVERBANK
Proclamation
**NATIONAL CODE ENFORCEMENT OFFICER
 APPRECIATION WEEK**

WHEREAS, the State of California has proclaimed the 2nd week of October as Code Enforcement Officer Appreciation Week; and

WHEREAS, Code Enforcement Officers provide for the safety, health, and welfare of Riverbank citizens through the enforcement of local, state, and federal laws and ordinances dealing with various issues of building, zoning, housing, animal control, environmental, health, and life safety; and

WHEREAS, Code Enforcement Officers have challenging and demanding roles and often do not receive recognition for the job they do in improving the quality of life for residents and businesses of local communities; and

WHEREAS, the role of many Code Enforcement Officers has expanded in recent years with jurisdictions increasingly relying on the expertise and training of Code Enforcement Officers in their communities; and

WHEREAS, Code Enforcement Officers are dedicated, highly qualified, and highly trained professionals who share the goals of preventing neighborhood deterioration, enhancing communities, ensuring safety, and preserving property values through knowledge, training, and application of housing, zoning, and nuisance laws; and

WHEREAS, Code Enforcement Officers often have a highly visible role in Riverbank and regularly interact with the public and a variety of federal, state, county, and local officials in their capacity as code enforcement officers; and

WHEREAS, The City of Riverbank wants to recognize and honor the Code Enforcement Officers that serve our community and acknowledge their role in leading the way to improve quality of life within our community.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Riverbank hereby proclaims the second week of October in 2024, and annually thereafter, be known as Code Enforcement Officer Appreciation Week in the City of Riverbank; and

BE IT FURTHER RESOLVED, that the City Council calls upon Riverbank residents to join in recognizing and expressing their appreciation for the dedication and service by the Neighborhood Improvement Officers who serve as our Code Enforcement Officers.

October 8, 2024

Richard D. O'Brien, Mayor

Riverbank City Council:
District 1 – Luis Uribe, District 2 – Rachel Hernandez, District 4 – Darlene Barber-Martinez,
Mayor Richard D. O'Brien

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 7.2

SECTION 7: PRESENTATIONS

Meeting Date:	October 8, 2024
Subject:	Proclamation- October 2024 – Fire Prevention Month
From:	Marisela H. Garcia, City Manager
Submitted by:	Jessica Campos, Administrative Assistant – Confidential

RECOMMENDATION

It is recommended that the City Council read and present the proclamation for Fire Prevention Month to Fire Inspector Ciera Sansing and Battalion Chief Scott Burke with Stanislaus Consolidated Fire Protection District.

SUMMARY

October is Fire Prevention Month. The goal of Fire Prevention Month is to raise fire safety awareness and help protect homes and families. Every year, the National Fire Protection Association (NFPA) has a theme with this year's theme being "Smoke Alarms: Make them work for you!". They focus on the importance of working smoke alarms. Without working smoke alarms, they can't help you know to get out of a fire.

BACKGROUND

Fire Prevention Week marks the anniversary of the Great Chicago fire of October 8-9, 1871. The blaze that raged for several days claimed more than 250 lives and destroyed more than 17,400 structures. Later major fire tragedies like the Great Chicago Fire prompted the Chicago Firemen to request a much-needed reform by focusing public attention on fire prevention and fire safety. Fire Prevention Month began as Fire Prevention Day in 1911 and President Calvin Coolidge declared Fire Protection Week in 1925.

FINANCIAL IMPACT

No financial impact.

ATTACHMENTS

1. Proclamation



CITY OF RIVERBANK *Proclamation*

FIRE PREVENTION MONTH OCTOBER 2024

WHEREAS, the City of Riverbank is committed to ensuring the safety of all those living in and visiting Riverbank; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are where people are at the greatest risk from fire; and

WHEREAS, Riverbank's first responders are dedicated to reducing the occurrence of homes fires and home fire injuries through prevention education; and

WHEREAS, according to the National Fire Protection Association (NFPA) roughly 3 out of 5 fire-related fatalities happen in homes with no or non-working smoke alarms; and

WHEREAS, the 2024 NFPA theme is "Smoke Alarms: Make them work for YOU!" The City of Riverbank works to educate its citizens about actions they can take to keep themselves and those around them safe from home fires; and

WHEREAS, smoke alarms should be installed in each bedroom, hallway, and on each level of the home. Test alarms regularly and replace every 10 years.

IT IS FURTHER PROCLAIMED AND ORDERED, that the City of Riverbank City Council takes great pleasure in congratulating and commending Riverbank's first responders for their service to the Riverbank community.

NOW, THEREFORE, I, Richard O'Brien, Mayor of the City of Riverbank, do hereby recognize October as Fire Prevention Month in the City of Riverbank.

October 8, 2024

Richard D. O'Brien, Mayor

Riverbank City Council:

**District 1 – Luis Uribe, District 2 – Rachel Hernandez, District 4 – Darlene Barber-Martinez,
Mavor Richard D. O'Brien**

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO: 7.3

SECTION 7: PRESENTATIONS

Meeting Date:	October 8, 2024
Subject:	Proclamation – Walk and Roll to School Day – October 9, 2024
From:	Marisela H. Garcia, City Manager
Submitted by:	Jessica Campos, Administrative Assistant – Confidential

RECOMMENDATION

It is recommended that the City Council read and present a Proclamation for Walk and Roll to School Day to Armando Nunez, Program/Grant Manager for CASA Del Rio Family Resource Center.

SUMMARY

Walk and Roll to School Day was organized by the Partnership for a Walkable America in 1997 and originated as a one-day event to exhibit the importance for communities to become more walkable. Every October, millions of children from countries around the world participate in this event to raise not only local community awareness; but also, global attention to walking or rolling safety and promoting healthy behavior.

There are many benefits associated with walking or rolling to school and it is an enjoyable activity that all ages can partake in. Walking and rolling provides exercise at the beginning of the day which may encourage additional healthy habits throughout the day. Walking and rolling to school gives children the opportunity to learn about safety as they obey traffic laws at crosswalks and signals. A stronger sense of community can be formed as students, families, neighbors, school officials, and community officials take pride in their communities and the conditions of their sidewalks and pathways. Additionally, less vehicles on the roadways helps to reduce traffic, emissions, and air pollution.

BACKGROUND

On Wednesday, October 9, 2024, students in Riverbank will join over 50 countries around the world to recognize the importance in walking and rolling to school. By partaking in Walk and Roll to School Day, each step taken is one step closer to a cleaner and healthier

lifestyle. California Avenue Elementary School will participate with their event on October 9th at 7:15 am starting at the parking lot at Castleburg Park.

FINANCIAL IMPACT

There is no financial impact with the report.

ATTACHMENT

1. Proclamation
2. Flyer



CITY OF RIVERBANK *Proclamation*

WALK & ROLL TO SCHOOL DAY OCTOBER 9TH, 2024

WHEREAS, the City of Riverbank deems the health and safety of its students as a primary concern; and

WHEREAS, the lives of hundreds of children could be saved each year if communities took steps to make pedestrian safety a priority; and

WHEREAS, a lack of physical activity plays a leading role in rising rates of obesity, diabetes, and other health problems among children and being able to walk or bicycle to school offers an opportunity to build activity into daily routine; and

WHEREAS, driving students to school by private vehicle contributes to traffic congestion and air pollution; and

WHEREAS, an important role for parents and the community is to teach children about pedestrian safety and become aware of the difficulties and dangers that children face on their trip to school each day and the health and environmental risks related to physical inactivity and air pollution; and

WHEREAS, children, parents and community leaders around the world are joining together to walk and roll to school and evaluate walking and bicycling conditions in their communities.

NOW, THEREFORE, the City Council of the City of Riverbank hereby proclaims Wednesday, October 9, 2024 as **Walk and Roll to School Day** throughout the City of Riverbank, and as such, encourages everyone to promote the safety and health of children today and every day.

October 8, 2024

Richard D. O'Brien
Mayor

Riverbank City Council:
District 1 – Luis Uribe, District 2 – Rachel Hernandez, District 4 – Darlene Barber-Martinez,
Mayor Richard D. O'Brien

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 7.4

SECTION 7: PRESENTATIONS

Meeting Date:	October 8, 2024
Subject:	Proclamation – Lights On Afterschool – October 18, 2024
From:	Marisela H. Garcia, City Manager
Submitted by:	Jessica Campos, Administrative Assistant – Confidential

RECOMMENDATION

It is recommended that the City Council read and present the Proclamation for Lights On Afterschool to Armando Nunez, Program/Grant Manager for CASA Del Rio Family Resource Center.

SUMMARY

Afterschool programs offer many extracurricular opportunities for student enrichment including science, arts, physical activity, and community service. In addition, afterschool programs provide a safe and nurturing environment for students to remain in, while awaiting parents or caregivers to come pick them up at the end of the day.

BACKGROUND

In the month of October, communities nationwide observe Lights On Afterschool to acknowledge the importance of afterschool programs for students. On Friday, October 18, 2024, Riverbank Project A.C.T.I.O.N. Afterschool Care Together In Our Neighborhoods will be participating in the Annual Lights On Afterschool event. This a free event for the Riverbank Community and will be held at California Avenue Elementary School, 3800 California Avenue, from 3:00 – 6:00 p.m.

FINANCIAL IMPACT

There is no financial impact with the report.

ATTACHMENT

1. Proclamation
2. Flyer



CITY OF RIVERBANK *Proclamation*

LIGHTS ON AFTERSCHOOL

WHEREAS, Lights On Afterschool is a national celebration of Afterschool Programs and promotes the importance of quality Afterschool Programs in the lives of children, families, and communities; and

WHEREAS, Afterschool Programs provide safe, challenging, engaging, and enriching learning experiences to help children and youth develop their social, emotional, physical, cultural, and academic skills; and

WHEREAS, Afterschool Programs support working families by ensuring children are safe and productive after the regular school day ends; and

WHEREAS, such programs help build stronger communities by involving students, parents, schools, business leaders, and adult volunteers in the lives of young people, thereby promoting positive relationships among youth, families, and adults; and

WHEREAS, Riverbank Unified School District, Project ACTION, Afterschool Care Together In Our Neighborhoods, is recognized in our schools and community as a fundamental Afterschool Program dedicated to providing extracurricular academic and recreational opportunities for student enrichment in a safe and nurturing environment so students may become diverse individuals.

NOW, THEREFORE, LET IT BE PROCLAIMED by the City Council of the City of Riverbank that Friday, October 18, 2024, is "Lights On Afterschool" within the City of Riverbank.

October 8, 2024

Richard D. O'Brien
Mayor

Riverbank City Council:
District 1 – Luis Uribe, District 2 – Rachel Hernandez, District 4 – Darlene Barber-Martinez,
Mayor Richard D. O'Brien

JOIN US FOR
RIVERBANK UNIFIED & EXPANDED LEARNING



"LIGHTS ON"

AFTER SCHOOL CELEBRATION

Friday, October 18, 2024 | 3PM - 6PM

Games - Food - Activities
Music - Resource Booths - Giveaways

CALIFORNIA AVENUE ELEMENTARY

3800 California Ave, Riverbank, CA 95367

The Lights On event is a National Annual event for families to celebrate their local After School Programs. Prepare for an afternoon filled with fun, games, music & excitement.

FOR MORE INFORMATION CALL
CASA DEL RIO, FRC 209-869-0468



**LIGHTS ON
AFTERSCHOOL**
A PROJECT OF THE AFTERSCHOOL ALLIANCE





EL DISTRITO ESCOLAR DE RIVERBANK Y
EL PROGRAMA DE APRENDIZAJE AMPLIADO
PRESENTAN



CELEBRACION DESPUES DE ESCUELA “LIGHTS ON”



Viernes, 18 de Octubre, 2024 | 3PM – 6PM

Juegos – Comida – Actividades
Musica – Puestos de Recursos – Premios

ESCUELA PRIMARIA CALIFORNIA AVE

3800 California Ave, Riverbank, CA 95367

El evento “Lights On” es un evento anual nacional para que las familias celebren sus programas locales después de escuela.

Prepárate para una tarde llena de diversión, juegos, música y emoción.

PARA MAS INFORMACIÓN LLAME A
CASA DEL RIO, FRC 209-869-0468



**LIGHTS ON
AFTERSCHOOL**
A PROJECT OF THE AFTERSCHOOL ALLIANCE



RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 7.5

SECTION 7: PRESENTATIONS

Meeting Date:	October 8, 2024
Subject:	Recognition – Vice Mayor District 3, Leanne Jones Cruz
From:	Marisela H. Garcia, City Manager
Submitted by:	Jessica Campos, Administrative Assistant – Confidential

RECOMMENDATION

It is recommended that the Riverbank City Council recognize Vice Mayor/Councilmember District 3 Leanne Jones Cruz for her dedication and public service to the City of Riverbank.

SUMMARY

Vice Mayor/Councilmember Leanne Jones Cruz was sworn into office on December 13, 2022, and has since made significant contributions to the City of Riverbank. Working closely with the City Council, she has been instrumental in advancing numerous vital initiatives and projects that have fostered development within the community.

Key accomplishments during her tenure include:

- **Crossroads West Commercial Groundbreaking**
- **Sierra House Day Use Facility Ribbon Cutting**
- **Costco Grand Opening**

Councilmember Jones Cruz has played a crucial role in various development projects such as River Terrace (Ward Villas), Countryside II, Bruin Heights, and Diamond Bar East, in addition to the establishment of new community parks. Her commitment to enhancing the quality of life in Riverbank is evident through her advocacy and leadership.

The Riverbank Council, Staff, and Community extend their gratitude for Councilmember Leanne Jones Cruz's dedication and service. This agenda item provides an opportunity to formally recognize her numerous accomplishments during her time on the City Council.

ATTACHMENTS

No attachments.

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.1

SECTION 9: CONSENT CALENDAR

Meeting Date:	October 8, 2024
Subject:	Waiver of Readings
From:	Marisela H. Garcia, City Manager
Submitted by:	Gabriela Hernandez, CMC, 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 REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.2

SECTION 9: CONSENT CALENDAR

Meeting Date:	October 8, 2024
Subject:	Approval of the City Council and Local Redevelopment Authority Board Minutes for September 24, 2024.
From:	Marisela H. Garcia, City Manager
Submitted by:	Gabriela Hernandez, City Clerk/LRA Secretary

RECOMMENDATION

It is recommended that the City Council/ Local Redevelopment Authority Board approve the City Council/LRA Meeting Minutes of September 24, 2024.

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. September 24, 2024 City Council and Local Redevelopment Authority Board Minutes.
2. Written Public Comment- Cal Campbell
3. Written Public Comment- Garry Pearson

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



TUESDAY, SEPTEMBER 24, 2024 – 6:00 P.M.

(THE AGENDA PACKET IS ONLINE AT [HTTP://WWW.RIVERBANK.ORG/AGENDACENTER](http://www.riverbank.org/agendacenter))

1. **CALL TO ORDER** - Mayor / Chair O'Brien called the meeting to order at 6:00 P.M.
2. **FLAG SALUTE** – Mayor O'Brien led the pledge of allegiance.
3. **INVOCATION** – Reverend Randy Richardson provided the invocation.
4. **ROLL CALL** – City Clerk Hernandez conducted Roll Call.

Members of the City Council / Local Redevelopment Authority Board present:

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

5. AGENDA CHANGES

No 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.*

Councilmember Barber-Martinez declared conflict of interest with Item 11.4

7. PRESENTATIONS (Informational only)

- Item 7.1** **Proclamation -Suicide Prevention Month- September 2024-** It is recommended that the City Council read and present the proclamation for Suicide Prevention Month to Nancy Andrews and Norm Andrews, volunteers for American Foundation for Suicide Prevention.

Mayor O'Brien read and presented the proclamation for Suicide Prevention Awareness Month to Nancy and Norm Andrews, volunteers for the American Foundation on Suicide Prevention.

Item 7.2 **Presentation- Workshop on the City's Housing Element Update-** It is recommended that City Council hear a staff presentation on the Housing Element Update effort. The presentation will serve to provide an overview of the 6th Cycle Housing Element update. No recommendation or formal action is necessary at this point of the Housing Element Update process.

Miguel Galvez, Senior planner with JB Anderson Planning gave a PowerPoint presentation on the 6th Cycle Housing Element Update.

Olivia Arambula, Timeless Real Estate to seek clarification on the requirements of the Housing Element.

Rich Holmer, Riverbank resident to share information from the California Department of Housing and Community Development (HCD).

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 6:49 P.M.

Olivia Arambula, Riverbank Chamber of Commerce to provide an update on upcoming events and extend an invitation.

Jami Aggers, Modesto resident to seek clarification on a comment made by Mayor O'Brien at the last City Council Meeting regarding the initiative and to request a meeting with Vice Mayor District 3, as her request has not been answered.

There being no further public comments, Mayor O'Brien closed the Public Comment period 6:54 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 August 27, 2024.

Item 9.3 **Resolution 2024-087** to Award Bid for the Roselle & S. Rosebrook Intersection Improvements Project to Hensley's Paving & General Engineering Inc., Authorize Execution of Future Change Orders, and Authorizing a Budget Amendment for an Additional \$261,219.00 from Measure L Local Streets and Roads.

Item 9.4 **Resolution 2024-088** Accepting the Annual Financial Report for Fiscal Year 2021-2022.

Item 9.5 **LRA Resolution 2024-002** to Award a Contract for Specialized Legal Services for the Local Redevelopment Authority and Authorize the City Manager to Enter into an Outside Counsel Services Agreement with Kutak Rock LLP.

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

ACTION: *By motion moved and seconded (Barber-Martinez / Uribe 5/0) to approve the **consent calendar** as presented.*

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

10. PUBLIC HEARING

No Items Scheduled.

11. NEW BUSINESS

Item 11.1 **A Resolution to Approve a Contract Change Order for 60% Design for the Regional Recycled Water Project – Phase I to Brown and Caldwell, and Authorize a Budget Appropriation in the amount of \$2,254,540.00 from the Sewer Fund 106-** It is recommended that the City Council award the contract change order for preparation of the 60% design for the Riverbank Regional Recycled Water Project – Phase I to Brown and Caldwell, authorize the City Manager to execute a contract with said firm in the amount of \$2,049,540.00, authorize a contingency amount of \$205,000.00 (approximately 10%), and authorize a budget appropriation of \$2,254,540.00 from Sewer Fund 106 for said contract.

Director of Public Works Bridgewater, gave a comprehensive staff report and PowerPoint presentation on the contract change order for preparation of the 60% design for the Riverbank Regional Recycled Water Project-Phase I to Brown and Caldwell.

City Council Discussed item with City Staff.

Rich Holmer, Riverbank resident to seek clarification whether it will be a tertiary plant or improving our current plant.

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

ACTION: *By motion moved and seconded (Uribe / Barber-Martinez 5/0) to approve **Resolution 2024-089** approving a Contract Change Order for 60% Design for the Regional Recycled Water Project – Phase I to Brown and Caldwell, and Authorize a Budget Appropriation in the amount of \$2,254,540.00 from the Sewer Fund 106.*

Motion carried by unanimous City Council and LRA Board roll call vote:

AYES: Uribe, Hernandez, Barber-Martinez, Jones Cruz, and Mayor O'Brien

NAYS: None / ABSENT: None / ABSTAINED: None

Item 11.2 **A Resolution to Award a Contract Change Order for the 60% Design Phase Program Management and Project Permitting Support for the Regional Recycled Water Project – Phase I to Kjeldsen, Sinnock & Neudeck, Inc., and Authorize a Budget Appropriation in the amount of \$395,700.00.00 from the Sewer Fund 106 for FY 2024/2025-** It is recommended that the City Council award the contract for ongoing program management for the 60% design phase and permitting support for the Riverbank Regional Recycled Water Project – Phase I to Kjeldsen, Sinnock & Neudeck, Inc. (KSN), authorize the City Manager to execute a contract change order with said firm in the amount of \$395,700.00 and authorize a budget appropriation from the Wastewater Enterprise Fund (Fund 106) for FY 2024/2025.

Director of Public Works Bridgewater, gave a comprehensive staff report and PowerPoint presentation on the contract for the ongoing program management for the 60% design phase and permitting support for the Riverbank Regional Recycled Water Project – Phase I to Kjeldsen, Sinnock & Neudeck, Inc. (KSN).

City Council Discussed item with City Staff.

Evelyn Halbert, Riverbank resident to seek clarification on where the funds for this project are coming out of, whether it is the Sewer Fund or Enterprise Fund 106, are those two the same number? Second, Under Prop 218, funds have to be directly applied to the service residents are receiving, so how do you justify using the prop 218 funds across the river?

City Manager Garcia, clarified we refer to Waste water, or Sewer Fund, Enterprise fund, Operating fund 106, they are all the same fund. Sewer 106 is where all of our operating costs come from. We did do a Prop 218 notification process to our residents in order to allow us to raise rates for this specific project. So, if you think back to the workshop that we held with regards to the sewer rate study, the rates are broken up into different

components, one is to continue the operations of the sewer collection system and the sewer wastewater system, which is your treatment system itself. The second component is to provide for capital improvements in order to continue the operations of both your collection system, which would be all of your sewer lines in the street, etc. And then our wastewater treatment plants as well. So capital improvements to our wastewater treatment plant, despite the fact that it is across the river, still do qualify for costs that are eligible to be paid through the Sewer Enterprise Fund.

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

ACTION: *By motion moved and seconded (Uribe / Barber-Martinez 5/0) to approve **Resolution 2024-090** awarding a Contract Change Order for the 60% Design Phase Program Management and Project Permitting Support for the Regional Recycled Water Project – Phase I to Kjeldsen, Sinnock & Neudeck, Inc., and Authorize a Budget Appropriation in the amount of \$395,700.00.00 from the Sewer Fund 106 for FY 2024/2025.*

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

Item 11.3 **Resolution Adopting a Revised Statement of Investment Policy-** It is recommended that the City Council consider adopting a Resolution to amend the current Statement of Investment Policy originally approved in July 2007.

Assistant City Manager Alcantor, gave a comprehensive report and PowerPoint presentation on a proposed revised Statement of investment Policy.

City Council Discussed item with City Staff.

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

ACTION: *By motion moved and seconded (Jones Cruz / Hernandez 5/0) to approve **Resolution 2024-091 adopting the Revised Statement of Investment Policy.***

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

Item 11.4 **Direction on the Proposed Tiny Home Development and Park on City-Owned Property Near the Intersection of Jackson Ave. and Stanislaus Street-** It is recommended that the City Council receive an update on the

proposed development to be located on city-owned property and provide feedback to staff regarding the use of the site for a tiny home village permanent supportive housing development or a park.

City Manager Garcia, gave a comprehensive report and PowerPoint presentation on the proposed tiny home development and park on city owned property near the intersection of Jackson Avenue and Stanislaus Street.

Councilmember Barber-Martinez recused herself from the Dais at 7:22 P.M.

City Council Discussed item with City Staff.

Charles Neal, Riverbank resident to express the need of a park in the area.

Lorri Faile, Riverbank resident to seek clarification on the Tiny Home Development.

Rich Holmer, Riverbank resident to express the need of a park in the area.

*Gary Pearson, Riverbank resident to express the need of a park in the area.
(Submitted Written Comment Attached)*

Brad Hawn, Tiny Home Developer to provide feedback on funding that my no longer be available for the project.

Deanna Garcia, Tiny Home Management to express concern on the unhoused residents in the city, should this project not move forward.

Cal Campbell, Riverbank resident submitted a written comment to express the need of park in the area. (Submitted Written Comment As attached)

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

ACTION: *City Council gave direction to move forward and use the land as a neighborhood park for District 3. City Council will seek other vacant land in the city for a Tiny Home Development project in the near future.*

Councilmember Barber-Martinez reconvened to the Dais at 7:59 P.M.

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 reported on the following:

- *Jacob Myers Park open house which is being held tomorrow we do have 2 sessions, one from 3:30 to 5:00 P.M, and one that will go from 6:30 to 8:00 P.M at Jacob Myers Park. It's intended to have residents be able to provide feedback with regards to amenities they'd like to see at the Park. We were awarded a grant to update the master plan for that site. So, we certainly want to be able to incorporate any of our residents wishes in that, as we continue to work towards that.*
- *Floating Pumpkin Patch event this Saturday tickets are \$10, and we do want to thank a couple of sponsors that we've had, that Michael will be able to highlight the day of the event, so we thank them for being able to assist us in putting this together, and for all of the work that Staff has done with regards to this event.*

Item 12.2 Council/Authority Member

Councilmember Hernandez reported on the following:

- *I want to add and emphasize to Councilmember Barbara Martinez's point earlier about the website for the regional water recycling wastewater plant project. But more so to ask where we are on the communications RFP because I feel like we have a real opportunity to tell the story of you know how this project is coming together. We had some tension around North County Corridor and that huge project itself. And so, I think it's important for us to you know, be proactive in telling the story communicating with the public and letting them know like where we are in this process. So, we're all on the same page moving forward. So is there an update on that.*

City Manager Garcia: An update will be provided at the next City Council meeting as some funding opportunities have come up.

Councilmember Uribe reported on the following:

- *No Comment.*

Councilmember Barber-Martinez reported on the following:

- *I received an email from a resident in District 4 regarding the crosswalks at Enochs. They needed attention because they were not clearly marked and were dangerous for students, pedestrians, and drivers. So, our City Staff contacted the City of Modesto, and the next day the issue was corrected. I just want to say thank you to Modesto for caring about our residents that attend Enoch's High School as much as we care for them to and we really appreciate the collaboration, and how quickly they got that done.*
- *An update on SHA our Stanislaus Homeless Alliance, we received a presentation. It was pretty much like the same one that we received about all kinds of funding for the regional homeless situations and it was grants that the county had received.*
- *The Stanislaus County urban projects that were presented included the before and after pictures of our Castleberg Park, the same ones that we saw about the ADA and trail improvements.*
- *An update on COSC which is a community system of care for Stanislaus County. So, even though there were flyers available for our ribbon cutting for the Sierra*

house, I personally made an announcement to ensure that everyone knows that Riverbank is moving forward with our programs to assist our unhoused neighbors.

- I want to say, thank you to everyone that attended the ribbon cutting for our newest park, Centennial Park, and thank you to parks and recreation for making our residents feel welcome and making it a fun event.*
- Thank you to all our Hispanic leaders in the City of Riverbank that continue to help our City to move forward. So, whether they are old residents, or new ones, or young or old. I just want to say thank you for being a part of the City of Riverbank.*

Vice Mayor Jones Cruz reported on the following:

- I have a couple announcements tonight If I can get through it. On a personal note although I'm a little choked up. I have a celebration, I am retiring from Modesto City Schools after 21 years of service. Friday is my last day at Modesto City schools. This will complete an actual 31 years of teaching and I'm very excited about it, whether you see this or not, but with that came the sale of my house. So, I have sold my house, and I will be retiring out of state, and so I am announcing that tonight and this has been an awesome run. My last council meeting will be October 8th and I will be stepping down because the house closes on Monday, and I will be moving out of my house on Monday. I couldn't really talk about it because of the closing, and didn't know if it actually goes through. I'm from here this is my home, but I also have family in another state, and unfortunately, being a single person, I wasn't able to retire and stay here, so I'm retiring out of state. But because this is my home, this is where I was born, it's not like you won't ever see me. I still have many, many extended families, and some of them are probably hearing this, because I haven't really set spoken a lot about it, because everything happened so fast. So, with that, said the City of Riverbank has a very near and dear place in my heart I will forever be grateful for all the opportunities. When I moved home 21 years ago to take the job with Modesto City Schools. I was the wayward child that traveled, and if you know me traveling is what I do and I will be doing some of it probably in the next few weeks. So, thank you, everybody that's been so supportive of me and this council, and I hope I've represented my neighborhood well you mean a lot to me and I will miss it. Thank you.*

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- No Comments.*

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 LEGAL COUNSEL– Anticipated Litigation** Significant Exposure to **Litigation**, (Pursuant to Gov. Code § 54956.9(d)) Number of Potential Cases: **1**

Item 13.2 **LIABILITY CLAIMS**
Pursuant to Government Code § 54961)
Claimant: Nathan Wilson
Agency Claimed Against: City of Riverbank

There being no public comment, Mayor O'Brien moved to Closed Session at 8:07 P.M.

Reconvened from Closed Session at 8:32 P.M.

14. REPORT FROM CLOSED SESSION

Item 14.1 Report from Closed Session **Item 13.1**
CONFERENCE WITH LEGAL COUNSEL– Anticipated Litigation
Significant Exposure to **Litigation**,
(Pursuant to Gov. Code § 54956.9(d))
Number of Potential Cases: **1**

ACTION: *Direction has been provided to staff.*

Item 14.2 Report from Closed Session **Item 13.2**
LIABILITY CLAIMS
Pursuant to Government Code § 54961)
Claimant: Nathan Wilson
Agency Claimed Against: City of Riverbank

ACTION: *Claim denied by a vote of 5/0.*

15. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 8:33 P.M.to the next regular scheduled City Council / LRA Meeting of October 8th, 2024 at 6:00 P.M.

ATTEST: (Adopted 10/08/2024)

APPROVED:

Gabriela Hernandez, CMC
City Clerk / LRA Recorder

Richard D. O'Brien
Mayor/ Chair

September 24, 2024

To: Riverbank City Council

From: Cal Campbell; Former Council Member of District 3.

Subject: Agenda Item 11.4 Direction on Proposed Tiny home Development and Park on City owned property Near the intersection of Jackson Avenue and Stanislaus Street.

Good evening, Mayor and Council members. In January of 2022, the former Director of Parks and Recreation, Sue Fitzpatric, asked me to walk with her in the Jackson Avenue and Stanislaus Street area to find land for a future Neighborhood Park. In the past the public used Rio Altura School; currently The Language School; as a park after school and on weekends and holidays as a park. The Riverbank School District closed all schools to be used by the public when schools were closed because of damages to the schools; and the public getting injuries on the school grounds for possible legal suits.

During the past four years many retired older homeowners sold homes to families with children. They range in age from babies to teenagers. They play in the streets because of no neighborhood park. This area of District 3 is out of compliance with state and federal regulations by not having a neighborhood park. The area should totally be a neighborhood park where area families and others have a place to relax, gather, and do other activities.

I am not against tiny homes unless they are put in areas where the public needs use of the land. If these tiny homes are put into this area, it would create more traffic problems because of a school, rehabilitation hospital, a small mental facility, and near businesses getting daily traffic. This is not a good area for young adults; transcending out of foster homes and high schools, to be living in because they are very near a K-8 charter school, where there are traffic problems when students are being brought in the morning and picked up in the afternoon by private cars and busses. There are better areas in Riverbank where these tiny homes can be developed with less neighborhood problems.

A neighborhood park is needed more in this area than tiny homes!

Cal Campbell

Cal Campbell

AGENDA ITEM NO. 11.4 September 24th 2024

Comments from Garry Pearson, Resident of Riverbank, District 3

SEP 24 2024

Received By: *Jul*
2:36 pm

SUMMARY

Prior conversations with both the City Council and Planning Commission regarding the best use of the city-owned property located at Jackson Ave. and Stanislaus Street have provided varied feedback as to the best use of the site. Tonight, we are asking for feedback regarding the site in order to allow the City to move forward based on Council's Direction

First, I reside less than a mile from the Property being considered. In our neighborhood there are no parks, recreational and open spaces.

Second, I recommend that the City owned property at Jackson and Stanislaus be dedicated to a neighborhood park for the following reasons:

- There are no other neighborhood park space within the area being considered. Please see figure 1 and 2
- Open space for recreation, outdoor sports, and neighborhood activities would be a great advancement for the culture and community of the area.
- Currently, travelling to other areas of the city for parks, recreation and open space require the people to either travel by car, bicycle, walk or use public transportation'

Third, If council looks at figure 2 of the list of current inventory of parks and recreational areas there are no sites available other than the Jackson and Stanislaus site

Fourth, figure 3 shows an additional number of potential sites for housing for tiny homes, very low income, low income, moderate and high income housing.

Please consider the Jackson and Stanislaus property as a dedicated neighborhood park.

Best regards,

Garry Pearson

The map below labeled figure 1 indicates the current inventory of parks and recreation facilities. Figure 2 shows the number and location of current parks and recreation with in the city.



Figure 1

#	Park/Facility	Address
1	Castloberg Park	5845 Eighth Street
2	Community Park (Veteran's Park)	3600 Santa Fe
3	Harless Park	5600 Litt Road
4	Hutchoson Park	3411 High Street
5	Jacob Myers Park	23653 S. Santa Fe
6	Pioneer Park	3017 High Street
7	Plaza Del Rio	6702 Third Street
8	Rotary Centennial Park	5690 Prospector's Parkway
9	Safrano Park	2308 McAllister Lane
10	Silva Park	5800 Antique Rose Way
11	Soranson Park	2522 Donner Trail
12	Riverbank Sports Complex	2119 Morrill Road
13	Staley Park- Skate Park	3036 Santa Fe
14	Whorton Park	6082 Tennessee Avenue
15	Zorillo Park	2800 Briarcliff Drive
A	Riverbank Community Center	3600 Santa Fe
B	Teen Center	3600 (A) Santa Fe
C	Community Gym (Cardozo Gym)	3525 Santa Fe
D	Scout Hall	3017 High Street

Figure 2

Source: <https://www.riverbank.org/217/Parks-Facilities>

This map of the City of Riverbank indicates the number of open sites within the city which number 59 sites and relates to available space for additional housing including all categories of Housing and other uses.



Figure 3

Source: <https://cityofriverbankca.nextrequest.com/documents/37214959?token=3b701a800c8d8767d3fe7688ed912ea5>

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.3

SECTION 9: CONSENT CALENDAR

Meeting Date: **October 8, 2024**

Subject: **Resolution of the City Council of the City of Riverbank Declaring
Certain Property Surplus as Listed in Exhibit A and Authorizing
Its Disposition**

From: **Marisela H. Garcia, City Manager**

Submitted by: **Cody Bridgewater, Public Works Director**

RECOMMENDATION

It is recommended that the City Council approve a resolution declaring the property listed in Exhibit A as surplus property and authorize its disposal as stated in §36.03 of the Riverbank Code of Ordinances.

SUMMARY

Over the years new vehicles and equipment have been purchased and/or leased. Therefore, the equipment/vehicles being replaced no longer serve a purpose to the City. It is now appropriate to surplus the property. The City will follow procedures stated in Section 36.03 Disposition of Unclaimed and Surplus Property of the Riverbank Code of Ordinance to properly dispose of the items.

BACKGROUND

As per Section 36.03 of the Riverbank Code of Ordinances the Finance Director, after receiving surplus approval from the City Council, has the ability to dispose of the equipment through a negotiated sale, public sale, abandonment, destruction or donation to public bodies, charitable, civil or nonprofit organizations in the city.

Therefore, it is recommended that the City Council consider adopting a Resolution declaring the property listed in Exhibit A as surplus equipment and approve the sale of these items through auction or negotiated sale.

FINANCIAL IMPACT

Proceeds from the sale will be credited to the appropriate funds.

ATTACHMENTS

1. Resolution 2024-
2. Exhibit A

CITY OF RIVERBANK

RESOLUTION 2024-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA DECLARING CERTAIN PROPERTY SURPLUS AS LISTED IN EXHIBIT
A AND AUTHORIZING ITS DISPOSITION**

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

WHEREAS, The City of Riverbank Finance Department has determined that the items presented in Exhibit A herein attached, are obsolete and no longer serve a City need; and,

WHEREAS, the City desires to dispose of this property; and,

WHEREAS, the property will be properly disposed of pursuant to the City of Riverbank Code of Ordinance Section 36.03.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank does hereby recognize the property identified on the preceding Exhibit A: Surplus Property form as obsolete and declares it surplus property.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 8th day of October, 2024; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of _____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Gabriela Hernandez
City Clerk

Richard D. O'Brien
Mayor

Attachment(s): *Exhibit A: Surplus Property*

Surplus List

- A-1 2003 Ford Crown Victoria 2FDFP739X3X183012
- A4 2007 Honda Civic 1HGFA46547L000191
- 148 2006 Chevrolet Silverado 1GCEC19T96Z154162
- 160 2008 Chevrolet Silverado 1GCHK29668E151021
- 166 2012 Ford E350 1FTSS3EL2CDA86075
- 169 2013 Ford F250 1FTBF2A62DEB62744
- 170 2013 Ford F250 1FTBF2A61DEB75310
- 24 1987 Kubota L2950GST 81013
- 47 1992 Kubota L2950GST 80251
- Pallet of old and worn out shop supplies and parts.

RIVERBANK CITY COUNCIL/ LOCAL REDELOPMENT AUTHORITY

AGENDA ITEM NO. 9.4

SECTION 9: CONSENT CALENDAR

Meeting Date: **October 8, 2024**

Subject: **Resolution Approving a Voluntary Contribution Agreement for Participation in the Eastern San Joaquin Basin Nitrate Control Program Management Zone with Valley Water Collaborative for a not-to-exceed amount of \$10,000.00 annually.**

From: **Marisela H. Garcia, City Manager**

Submitted by: **Cody Bridgewater, Public Works / LRA Director**

RECOMMENDATION

It is recommended that the City Council consider adopting a resolution approving an agreement with Valley Water Collaborative in an amount not-to-exceed \$10,000 annually; and authorize the City Manager to sign the agreement and all associated documents. Term of the agreement is as long as the City participates in the Management Zone for the duration of and compliance with the Nitrate Control Program.

SUMMARY

The Central Valley Regional Water Quality Control Board (CVRWQCB) sent the City of Riverbank a Notice to Comply with the Central Valley Salinity Alternatives for Long Terms Sustainability (CV-SALTS) Program to address the issue of salts and nitrate in groundwater to ensure nitrates and salts do not impact beneficial uses of groundwater especially drinking water. The goal of CV-SALTS is to ensure everyone has access to safe drinking water along with the management and reduction of salts and nitrates in groundwater within the central valley of California.

In May 2020, the CVRWQCB sent Notices to Comply with the CV-SALTS Nitrate Control Program to all permitted dischargers within six basins identified as Priority 1 with more serious nitrate levels.

In December 2023, the CVRWQCB sent a Notice to Comply with the CV-SALTS Nitrate Control Program for all eight Priority 2 basins including Eastern San Joaquin Basin of which Riverbank belongs. The Notice to Comply contained two options for compliance. Pathway A is an individual option with more stringent and costly nitrate requirements and Pathway B is a collaborative management zone comprised of irrigated lands, dairies, wineries, industrial processors, and wastewater treatment plant permitted dischargers.

Pathway B has less stringent nitrate requirements and is a cost sharing venture with all contributing members of the management zone.

The CV-SALTS Nitrate Control Program is a long-term effort to ensure safe drinking water supplies for all those residing within the Eastern San Joaquin Basin. It involves creating Early Action Plans, Implementation Plans, community outreach and analytical testing to locate wells with nitrates over the Maximum Contaminant Level (MCL) of 10 mg/L as well as provide safe drinking water until a more permanent solution is implemented.

The cost for these efforts would be solely the responsibility of the single discharger if Pathway A is selected and could be more than \$200,000 per year. In Pathway B, these costs are divided amongst the contributing members of the management zone and would more than likely be \$4,000-\$7,000 per year. City of Riverbank has chosen Pathway B and must notify the CVRWQCB with a Notice of Intent indicating the City's choice by February 26, 2025.

FINANCIAL IMPACT

The City of Riverbank will be responsible for membership dues to the Eastern San Joaquin Basin Nitrate Control Program Management Zone with Valley Water Collaborative not to exceed \$10,000.00 annually.

STRATEGIC PLAN

While not directly associated to the City's Strategic Plan, this item is designed to ensure that the City can provide a safe and reliable drinking water source to our residents.

ATTACHMENTS

1. Notice to Comply
2. City Council Resolution 2024-
3. Agreement



GAVIN NEWSOM
GOVERNOR

JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

January 5, 2021

N15 2263

Robert Meleg
City of Riverbank
6707 Third Street
Riverbank, CA 95367

SALT CONTROL PROGRAM

NOTICE TO COMPLY

This letter contains legal requirements that must be followed. Failure to respond may result in enforcement action(s) being taken against you. Please note that you may have received a separate Notice to Comply for the new Nitrate Control Program that will also require your response.

You are receiving this Notice to Comply because you operate the following one or more facilities:

Riverbank WWTP
23865 South Santa Fe Road
Riverbank, CA 95367

Facility/Place ID: 252871
Order Number: 94-100
CV-SALTS ID: 2445

Salt Control Program
Notice to Comply

BACKGROUND

In May 2018, the Central Valley Water Board adopted Resolution R5-2018-0034, approving new Salt and Nitrate Control Programs. The Salt Control Program was developed to address salt accumulation issues in surface water and groundwater throughout the Central Valley Region.

Under the new Salt Control Program, the Central Valley Water Board will impose new permit requirements to protect surface waters and groundwater from salts in wastewater. This Notice to Comply (NTC) requires you to choose between new salinity permitting options established under the new Salt Control Program. Regardless of which compliance option you choose, your permit requirements will change at your next permit renewal. Please note that NTCs such as this one are being issued to all permittees that discharge salt to surface water and/or groundwater in the Sacramento-San Joaquin River Basins and in the Tulare Lake Basin.

If our information is incorrect, please contact us so that we may correct our records. If you have questions or believe you should be exempt from the NTC, please contact us as soon as possible by email or telephone. Our contact information is provided at the end of the letter.

SALT CONTROL PROGRAM

The Salt Control Program covers the entire Central Valley region and is broken into three phases, each of which will last from 10-15 years. The Board is currently beginning to implement Phase I. During Phase I, all permittees whose discharges exceed certain salinity thresholds set in the Salt Control Program will be required to participate in and help fund a comprehensive study to assess salinity problems and potential salinity solutions in the valley. This study has been named the Prioritization and Optimization Study, or P&O Study.

This NTC requires that you let the Board know whether you qualify for permit coverage under the “conservative” permitting approach, which is reserved for dischargers that fall under the salinity thresholds set by the Salt Control Program, or whether you will instead need permit coverage under the “alternative” salinity permitting approach. These two permitting options are described in more detail below:

1. Conservative Salinity Permitting Approach

The Conservative Salinity Permitting Approach (Conservative Approach) utilizes the existing regulatory structure and focuses on source control, use of conservative permit limits, and limited use of assimilative capacity and/or compliance time schedules.

2. Alternative Salinity Permitting Approach

The Alternative Salinity Permitting Approach (Alternative Approach) provides a compliance option to permittees who participate in and provide a minimum level of financial support for the Prioritization and Optimization Study (P&O Study), led by the Central Valley Salinity Coalition, during Phase I of the Salt Control Program. Permittees in the Alternative Approach are not required to meet the more stringent

Salt Control Program Notice to Comply

limitations of the Conservative Approach, however, they must continue to implement efforts to control salt discharges through salinity management practices and/or performance-based measures as determined by the Central Valley Water Board.

RESPONDING TO THIS NTC

1. Visit the website, cvsalts.info, for more information on the Salt Control Program, including:
 - Salt Control Program requirements and timelines for both permitting pathways
 - Characterizing your salinity impacts to surface and/or groundwater
 - Participation requirements and fees for the P&O Study
 - Answers to Frequently Asked Questions

The cvsalts.info website will be updated regularly, so be sure to check back frequently for the latest information. You can also check the website for upcoming webinars that will provide guidance information.

A full copy of the Salt and Nitrate Control Program Basin Plan language, can be found at:

https://www.waterboards.ca.gov/cvsalts/salt_nitrate_bpa/sncp_accepted_bp_language_official.pdf.

2. Choose between the Conservative or Alternative Approach, submit the Notice of Intent (NOI) to the Central Valley Water Board, and begin meeting program requirements. The general NOI requirements for each approach are as follows:

A. Conservative Approach

- i. Conduct a comprehensive assessment of your salinity impacts to surface and/or groundwater.
- ii. Prepare a Salinity Characterization Report that demonstrates how your discharge will comply with the Conservative Approach requirements.
- iii. Submit your Salinity Characterization Report along with your NOI indicating your choice of the Conservative Approach Pathway to the Central Valley Water Board.
- iv. Obtain Central Valley Water Board staff approval.

B. Alternative Approach

- i. Contact the lead entity of the P&O Study to determine your required level of financial support. Submit your NOI indicating your choice of the Alternative Approach Pathway to the Central Valley Water Board along with documentation from the lead entity confirming your compliance with the required level of support.
- ii. Maintain the minimum required level of participation and financial support for the P&O Study and implement salinity source control measures and

Salt Control Program
Notice to Comply

meet performance-based salinity effluent limits or targets to ensure effluent salinity levels are maintained.

An electronic fillable PDF version of the NOI is available at: https://www.waterboards.ca.gov/cvsalts/forms_temps_guide/salt_noi_form.pdf. A hardcopy can be sent to you by sending a request by email to cvsalts@waterboards.ca.gov. NOI submissions shall be sent via email to cvsalts@waterboards.ca.gov or mailed to the address below by **July 15, 2021**. Documents too large to be sent in one email may be sent in multiple emails.

Central Valley Water Board
CV-SALTS Program
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

The Central Valley Water Board recommends that the documentation be submitted in electronic format to the email or as a CD mailed to the address above. If you choose to submit documentation as a CD or hardcopy, USPS Certified Mail is the preferred mailing method to ensure receipt of delivery by the Central Valley Water Board.

ENFORCEMENT

This NTC requires your response under Water Code section 13260. If you do not respond to this request with the materials specified above by the due date, you may be subject to enforcement actions, including actions under Water Code section 13261, which authorizes the Board to impose liability of up to \$1,000 per day for failure to submit a report. Under the new regulations, the Board will regulate permittees who do not elect a pathway under the Conservative Approach. **After July 15, 2021, discharges of salts at concentrations that exceed the conservative salinity limits identified in the Conservative Approach are prohibited unless the permittee is implementing the Phase 1 requirements of the Salt Control Program through either the Conservative Approach or the Alternative Approach.** Permittees who do not respond within the time frame may still be eligible to select the Alternative Approach, however they will need to obtain approval from the lead entity conducting the P&O Study to join late and will be subject to the lead entity's requirements in addition to providing the minimum required level of financial support.

For general information about the Central Valley Water Board's Salt and Nitrate Control Program, please visit our website <https://www.waterboards.ca.gov/cvsalts>.

If you have any further questions about what is required of you, please email cvsalts@waterboards.ca.gov or call (916) 464-4675.



Patrick Pulupa
Executive Officer

Salt Control Program
Notice to Comply

Para obtener una versión traducida de este documento, envíe un correo electrónico a cvsalts@waterboards.ca.gov. (Spanish)

如需本文档翻译版，请发送邮件至 cvsalts@waterboards.ca.gov. (Chinese)

Để nhận phiên bản dịch của tài liệu này, vui lòng gửi email đến cvsalts@waterboards.ca.gov. (Vietnamese)

Yog koj xav tau daim ntaub ntawv no txhais ua lus Hmoob, thov xa email rau cvsalts@waterboards.ca.gov. (Hmong)

ਇਸ ਦਸਤਾਵੇਜ਼ ਦੇ ਪੰਜਾਬੀ ਅਨੁਵਾਦ ਲਈ, ਕ੍ਰਿਪਾ ਕਰਕੇ ਸਾਨੂੰ ਇਸ ਪਤੇ ਉਪਰ ਈ – ਮੇਲ ਭੇਜੋ cvsalts@waterboards.ca.gov. (Punjabi)

To obtain a translated version of this document in a language other than what is provided above, please email cvsalts@waterboards.ca.gov.



Central Valley Regional Water Quality Control Board

December 29, 2023

Certified Mail: **9589 0710 5270 1318 5197 31**

Non-15 2263

Darin Smallen
City of Riverbank
6707 Third Street
Riverbank, CA 95367

NITRATE CONTROL PROGRAM NOTICE TO COMPLY

PERMITTEES IN PRIORITY 2 BASINS

This letter contains legal requirements that must be followed. Failure to respond may result in enforcement action(s) being taken against you.

You are receiving this Notice to Comply because you operate the following one or more facilities:

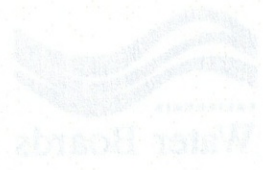
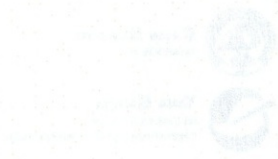
Riverbank WWTP

23865 South Santa Fe Road
Riverbank, CA 95367

Facility/Place ID: 252871
Order Number: 94-100
Priority 2 Basin: EASTERN SAN JOAQUIN
CV-SALTS ID: 2445

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley



Nitrate Control Program

Central Valley Regional Water Quality Control Board

Central Valley Regional Water Quality Control Board
1515 S. Central Drive, Suite 200, Fresno, CA 93701
Phone: (559) 281-1515

December 28, 2023
Dann Smaller
City of Riverbank
6707 Third Street
Riverbank, CA 95357

[Redacted Address]

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You are receiving this notice to comply because you operate the following one or more facilities:

Riverbank WWT
2385 South Santa Fe Road
Riverbank, CA 95357
Facility ID: 253871
Order Number: 04-100
Priority 2 Basin: EASTERN SAN JOAQUIN
CA-SAT-100-2412

Nitrate Control Program

This Notice to Comply (NTC) requires that you choose one of two nitrate compliance options, or “pathways,” established by new regulations. Regardless of which compliance option you choose, **your permit requirements will change**. If the address or ownership information on the first page is incorrect, please contact the Central Valley Water Board (Board) so that we may correct our records. If you have questions or believe that you should be exempt from this NTC, please contact us by telephone, email, or mail. Our contact information is at the end of the letter.

Background

In May 2018, the Board approved new Salt and Nitrate Control Programs. The Nitrate Control Program was developed to address widespread nitrate pollution in the Central Valley. Nitrate in drinking water can reduce the blood’s ability to carry oxygen, which can result in brain damage and death. Infants and pregnant women are most at risk of nitrate toxicity. Nitrate is a risk when it is above 10 parts per million (ppm) of nitrate nitrogen, which is the Primary Maximum Contaminant Level (MCL), also known as the nitrate drinking water standard.

The Board identified areas, referred to as Priority 1 and Priority 2 basins, where nitrates in groundwater are more prevalent and therefore pose a higher risk to persons who rely on groundwater as a source of drinking water. Priority 1 and Priority 2 basins have timelines under which permittees, such as you, are required to implement Nitrate Control Program requirements. **You are receiving this NTC because you are located in a Priority 2 basin for the Nitrate Control Program.** See Attachment 1 for a map of priority groundwater basins/sub-basins.

This Nitrate Control Program NTC requires that you choose between two compliance pathways:

Pathway A: New individual permitting options. The Board will set more stringent nitrate requirements in your permit to ensure that nitrate impacts will not cause a problem for drinking water users.

Pathway B: Form or join a Local Management Zone with other Permittees. A Management Zone is an association of permittees that work together to reduce nitrate loading and to provide replacement drinking water to communities and individuals whose wells are impacted by nitrates.

Pathway A offers several individual permitting options, all of which set stringent nitrate requirements on all dischargers that have nitrates in their wastewater. The Board expects that, for many permittees, Pathway A will require significant upgrades, extensive monitoring, and a rigorous technical justification that wastewater will not result in any exceedances of the nitrate standard over a 20-year planning horizon. Pathway B is a new permitting approach that allows multiple permittees to form or join in a Management Zone in order to comply with the Nitrate Control Program. Pathway B

Nitrate Control Program

provides a collaborative, locally managed, cost-effective and flexible approach to program compliance.

In order to make an informed decision and meet critical program deadlines, it is important that you take action now.

Step 1 – Before You Decide on a Pathway

Before you decide on a permitting pathway, the Board recommends that you visit the website <https://www.cvsalinity.org/nitrate-program/for-permittees/> for more information on the Nitrate Control Program, including:

1. Nitrate Control Program requirements and timelines
2. Conducting an initial assessment (individually or collectively with other permittees) of your discharges and nearby groundwater conditions
3. Forming or participating in a Management Zone in your area
4. Requirements and templates for deliverables (e.g. Early Action Plans, Management Zone Proposals and Alternative Compliance Project proposals)
5. Answers to Frequently Asked Questions

The Central Valley Salinity Coalition will host a webinar on the Nitrate Control Program requirements on February 29, 2024 from 9:00 a.m. to 12:00 p.m. More information on the webinar can be found at <https://www.cvsalinity.org/nitrate-program/for-permittees/>. The website will be updated regularly, so be sure to check back frequently for the latest information. Questions and information requests can also be made by sending an email to: cvsalts@waterboards.ca.gov.

A full copy of the Salt and Nitrate Control Program Basin Plan language can be found at:
https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf

Step 2 – Make a Pathway Choice and Begin Meeting Program Requirements

IF YOU CHOOSE PATHWAY A

General Requirements for Pathway A (Individual Approach) are as follows:

1. Assess your nitrate impacts to shallow groundwater.
2. Prepare a Nitrate Assessment Report that categorizes the impact of your discharge over a 20-year horizon. There are five categories for permittees choosing to comply under Pathway A.

Nitrate Control Program

3. Complete the Notice of Intent (NOI) that indicates your election of Pathway A.

An electronic fillable PDF version of the NOI is available at:

https://www.waterboards.ca.gov/cvsalts/forms_temps_guide/nitrate_noi_form.pdf. A hardcopy can be sent to you by sending a request to cvsalts@waterboards.ca.gov.

4. Prepare an Early Action Plan (EAP) that will provide affected residents interim drinking water solutions where drinking water exceeds nitrate water quality objectives.
5. If a discharger is in Category 4 or 5, develop a proposed Alternative Compliance Project (ACP) as an additional condition. Any proposed Alternative Compliance Project must be in addition to activities that a permittee would implement to achieve their individual discharges full compliance with the nitrate water quality objective. An example ACP could include connecting septic systems to a wastewater treatment plant.
6. Submit your NOI and Nitrate Assessment Report to the Central Valley Water Board no later than **February 26, 2025**. Permittees that are required to complete an EAP and/or ACP proposal must also submit these documents with the NOI.
7. Obtain Central Valley Water Board evaluation and approval.
8. Initiate EAP (if applicable) within **60 days** following submittal of the plan, unless otherwise directed by the Central Valley Water Board.

More information on the Pathway A requirements can be found in the Pathway A guidance document:

https://www.waterboards.ca.gov/cvsalts/forms_temps_guide/nitrate_guidance.pdf

IF YOU CHOOSE PATHWAY B

General Requirements for Pathway B (Management Zones) are as follows:

1. Permittees in a Management Zone work collectively to develop a Preliminary Management Zone Proposal and Early Action Plan (if applicable). The Early Action Plan must describe how the Management Zone entity will provide affected residents interim drinking water solutions where drinking water exceeds nitrate water quality objectives. Management Zone submits these documents to the Central Valley Water Board no later than **December 28, 2024**.
2. Management Zone initiates EAP within **60 days** following submittal of the plan, unless otherwise directed by the Central Valley Water Board.

Nitrate Control Program

3. Permittees submit an individual NOI that indicates their selection of Pathway B to the Central Valley Water Board no later than **February 26, 2025**.

An electronic fillable PDF version of the NOI is available at:

https://www.waterboards.ca.gov/cvsalts/forms_temps_guide/nitrate_noi_form.pdf. A hardcopy can be sent to you by sending a request to cvsalts@waterboards.ca.gov.

4. Permittees working together as a Management Zone develop and submit a Final Management Zone Proposal, **180 days** after Central Valley Water Board's review of the preliminary proposal.
5. Permittees working together as a Management Zone develop and submit a Management Zone Implementation Plan, **6 months** after the Final Management Zone Proposal is accepted by the Executive Officer of the Central Valley Water Board.

Document submissions can be sent via email to cvsalts@waterboards.ca.gov or by mail to:

Central Valley Water Board
CV-SALTS Program
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

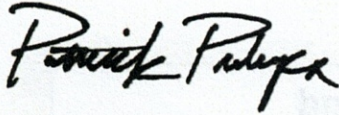
The Central Valley Water Board recommends that the documentation be submitted in electronic format to the email or as a CD mailed to the address above. If you choose to submit documentation as a CD or hardcopy, USPS Certified Mail is the preferred mailing method to ensure receipt of delivery by the Central Valley Water Board.

This NTC requires your response under Water Code section 13260. If you do not respond to this request with the materials specified above by **February 26, 2025**, you may be subject to enforcement actions, including actions under Water Code section 13261, which authorizes the Board to impose liability of up to \$1,000 per day for failure to submit a report. **After February 26, 2025, discharges of nitrate are prohibited unless the permittee is implementing the Nitrate Control Program through either Pathway A (Individual Approach) or Pathway B (Management Zone Approach).**

For general information about the Central Valley Water Board's Salt and Nitrate Control Program, please visit: <https://www.waterboards.ca.gov/cvsalts/>.

If you have any further questions about what is required of you, please email cvsalts@waterboards.ca.gov or call (916) 464-4675.

Nitrate Control Program



Patrick Pulupa
Executive Officer

Enclosure: Attachment 1: Priority Groundwater Basins/Sub-basins

Para obtener una versión traducida de este documento, envíe un correo electrónico a cvsalts@waterboards.ca.gov. (Spanish)

如需本文档翻译版，请发送邮件至 cvsalts@waterboards.ca.gov. (Chinese)

Để nhận phiên bản dịch của tài liệu này, vui lòng gửi email đến cvsalts@waterboards.ca.gov. (Vietnamese)

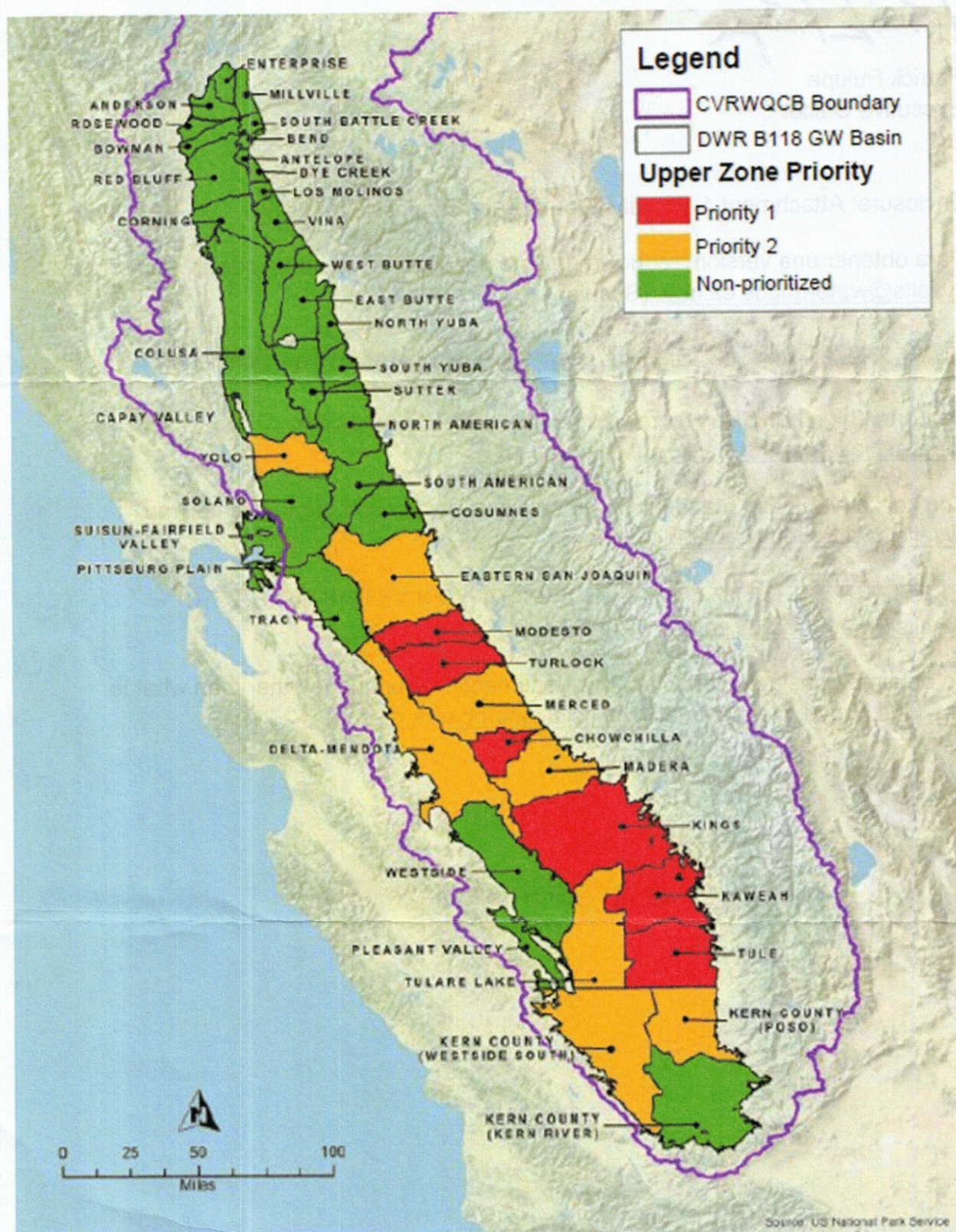
Yog koj xav tau daim ntaub ntawv no txhais ua lus Hmoob, thov xa email rau cvsalts@waterboards.ca.gov. (Hmong)

ਇਸ ਦਸਤਾਵੇਜ਼ ਦੇ ਪੰਜਾਬੀ ਅਨੁਵਾਦ ਲਈ, ਕ੍ਰਿਪਾ ਕਰਕੇ ਸਾਨੂੰ ਇਸ ਪਤੇ ਉਪਰ ਈ – ਮੇਲ ਭੇਜੋ cvsalts@waterboards.ca.gov. (Punjabi)

To obtain a translated version of this document in a language other than what is provided above, please email cvsalts@waterboards.ca.gov.

Nitrate Control Program

Attachment 1: Priority Groundwater Basins/Sub-basins



CITY OF RIVERBANK

RESOLUTION 2024-XXX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A VOLUNTARY
CONTRIBUTION AGREEMENT FOR PARTICIPATION IN THE EASTERN SAN
JOAQUIN BASIN NITRATE CONTROL PROGRAM MANAGEMENT ZONE WITH
VALLEY WATER COLLABORATIVE FOR A NOT-TO-EXCEED AMOUNT OF
\$10,000.00 ANNUALLY**

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

WHEREAS, The City of Riverbank, residing in the Priority 2 Eastern San Joaquin Basin, is required by the Central Valley Regional Water Quality Control Board (CVRWQCB) to comply with the Central Valley Salinity Alternatives for Long Term Sustainability (CV-SALTS) Nitrate Control Program, and

WHEREAS, the Nitrate Control Program Pathway B requires City of Riverbank’s participation in and contribution to the Eastern San Joaquin Basin Management Zone administered by Valley Water Collaborative, and

WHEREAS, the CV-SALTS Nitrate Control Program is a long-term effort to ensure safe drinking water supplies for all those residing within the Eastern San Joaquin Basin. It involves creating Early Action Plans, Implementation Plans, community outreach and analytical testing to locate wells with nitrates over the Maximum Contaminant Level (MCL) of 10 mg/L as well as providing safe drinking water until a more permanent solution is implemented, and

WHEREAS, staff recommends entering into an agreement with Valley Water Collaborative.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby authorizes the City Manager to enter into a Voluntary Contribution Agreement for Participation in the Eastern San Joaquin Basin Nitrate Control Program Management Zone with Valley Water Collaborative for a not-to-exceed amount of \$10,000.00 annually.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 8th day of October, 2024; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of _____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Gabriela Hernandez, CMC
City Clerk

Richard D. O'Brien
Mayor

Attachment(s): *Valley Water Collaborative Voluntary Contribution Agreement*

**VALLEY WATER COLLABORATIVE VOLUNTARY CONTRIBUTION AGREEMENT TO
SUPPORT EFFORTS RELATED TO WELL TESTING, REPLACEMENT WATER AND GROUNDWATER
IMPROVEMENTS IN THE MODESTO, TURLOCK, DELTA-MENDOTA, EASTERN SAN JOAQUIN,
MERCED AND MADERA GROUNDWATER BASIN/SUB-BASIN AS IDENTIFIED IN THE WATER
QUALITY CONTROL PLAN FOR THE SACRAMENTO AND SAN JOAQUIN RIVER BASINS**

This Voluntary Contribution Agreement (this “Agreement”) is entered into this 8th day of October, 2024 (the “Effective Date”), by and between the VALLEY WATER COLLABORATIVE, a California nonprofit public benefit corporation (hereafter “VWC”) and City of Riverbank, (hereafter “Contributor”) (referred to individually as “Party” or collectively “Parties”).

BACKGROUND

1. On May 31, 2018, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted amendments to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin to incorporate a Central Valley-Wide Salt and Nitrate Control Program (Basin Plan Amendments). The Basin Plan Amendments were approved by the State Water Resources Control Board (State Water Board) on October 16, 2019, and the Office of Administrative Law on January 15, 2020. Parts of the Basin Plan Amendments became effective upon Office of Administrative Law approval. Other parts became effective after receiving approval from the United States Environmental Protection Agency.
2. The Basin Plan Amendments include the program to regulate nitrate discharges to groundwater (Nitrate Control Program). The Nitrate Control Program became effective on or about January 15, 2020.
3. The Nitrate Control Program applies to all discharges of nitrate to groundwater basins that are designated with the municipal and domestic supply (MUN) beneficial use. Application of the Nitrate Control Program to discharges that are subject to Central Valley Water Board authority is being implemented based on priorities set forth in the Basin Plan Amendments.
4. The Nitrate Control Program, as adopted by the Central Valley Water Board, identifies the following six Priority 1 groundwater basins/sub-basins: Kaweah, Turlock, Chowchilla, Tule, Modesto, and Kings; the following Priority 2 groundwater basins/subbasins: Yolo, Eastern San Joaquin, Delta-Mendota, Merced, Madera, Tulare Lake, Kern County (Westside South), and Kern County (Poso); and designates the remaining areas as non-prioritized areas.¹ Compliance with the Nitrate Control Program is triggered by the issuance of a Notice to Comply from the Central Valley Water Board to permittees that discharge nitrate to

¹ The groundwater basins/subbasins names and boundaries identified in this Agreement are from the Department of Water Resources Bulletin 118 as it existed in 2014 and as incorporated into the Basin Plan.

groundwater. Upon receipt of the Notice to Comply, permitted dischargers need to select one of two pathways for complying with the Nitrate Control Program.

5. The Notice to Comply, as set forth in the Basin Plan Amendments, requires those that are permitted by the Central Valley Water Board to either meet the new requirements through an individual permitting approach (Pathway A) or voluntarily work with other permittees as a Management Zone (Pathway B).
6. Voluntary participation in a Management Zone is considered by the Central Valley Water Board to be an alternative compliance pathway to traditional permitting approaches and includes incentives that allow those voluntarily selecting Pathway B significant additional time to comply with the Nitrate Control Program.
7. Irrigated agriculture is permitted to discharge nitrate through the issuance of General Waste Discharge Requirements that apply to Members of Third Party Groups and recognized Third Party Groups (Ag Coalitions) receive the Notice to Comply for growers that are Members of that Third Party Group. As directed in the General Waste Discharge Requirements issued by the Central Valley Water Board, Ag Coalitions select the compliance approach (i.e., pathway) for its Members to comply with the Nitrate Control Program.
8. The Central Valley Dairy Representative Monitoring Program (CVDRMP) conducts monitoring on behalf of its dairy and bovine members and assists them with compliance with the Central Valley Water Board's Nitrate Control Program. The CVDRMP selects the compliance approach (i.e., pathway) for its Members for complying with the Central Valley Water Board's Nitrate Control Program.
9. On May 30, 2020, the Central Valley Water Board sent a Notice to Comply with the Nitrate Control Program to nitrate permitted dischargers and Ag Coalitions that have Members within the boundaries of the six identified Priority 1 basins.
10. On December 29, 2023, the Central Valley Water Board sent a Notice to Comply with the Nitrate Control Program to nitrate permitted dischargers and Ag Coalitions that have Members within the boundaries of the eight identified Priority 2 basins.
11. Permitted dischargers of nitrate need to inform the Central Valley Water Board of their decision to either elect Pathway A or Pathway B. For Members of Ag Coalitions, the Ag Coalition informs the Central Valley Water Board of its choice on behalf of its Members. For Members of the CVDRMP, the CVDRMP informs the Central Valley Water Board of its choice for its Members located in the relevant groundwater basin/subbasin and their selection of Pathway B by virtue of participation in the CVDRMP.
12. A Management Zone is defined to mean "[a] discrete and generally hydrologically contiguous area for which permitted discharger(s) participating in the Management Zone collectively work to meet the goals of the SNMP and for which regulatory compliance is evaluated based on the permittees collective impact, including any alternative compliance

programs, on a defined portion of the aquifer. Where Management Zones cross groundwater basin or sub-basin boundaries, regulatory compliance is assessed separately for each basin or sub-basin. Management Zones must be approved by the Central Valley Water Board.”

13. For those permitted dischargers that received the May 30, 2020 Notice to Comply and selected Pathway B, the time to submit Preliminary Management Zone Proposals and Early Action Plans, Final Management Zone Proposals and Management Zone Implementation Plans occurred between March 2021 and September 2023, and all documents were submitted timely.
14. For those permitted dischargers that received the December 29, 2023, Notice to Comply and voluntarily decide to participate in a Management Zone, which includes Ag Coalition and CVDRMP representatives on behalf of their Members, a Preliminary Management Zone Proposal and Early Action Plan must be submitted to the Central Valley Water Board no later than December 28, 2024.
14. Permitted dischargers voluntarily working together as a Management Zone are responsible for developing and submitting a Final Management Zone Proposal within 180 days after Central Valley Water Board review of the preliminary proposal.
15. Six months after the Central Valley Water Board’s Executive Officer accepts the Final Management Zone Proposal, the permittees, working voluntarily and collaboratively as a Management Zone, are responsible for developing and submitting a Management Zone Implementation Plan to the Central Valley Water Board.
16. Central components of the Central Valley Water Board’s Pathway B alternative compliance approach include the need for permittees to be responsible for a program that tests domestic drinking water wells, provide access to safe drinking water when a drinking water well exceeds the nitrate drinking water standard of 10 mg/L and identify long-term drinking water solutions.
17. The Valley Water Collaborative (VWC) is a nonprofit public benefit corporation created to maintain and improve the quality of life within the Modesto, Turlock, Delta-Mendota, Eastern San Joaquin, Merced and Madera groundwater basins/subbasins (collectively referred to hereafter as the Region) located within the Central Valley by providing groundwater testing and free drinking water to residents in the Region who are impacted by nitrate contamination. The VWC also seeks to improve quality of life in the Region by identifying long-term drinking water needs for those in the Region that are impacted by nitrate contamination.
18. The Central Valley Water Board, at its sole discretion, may determine that permittees voluntarily contributing to the VWC’s efforts to improve quality of life in the Region otherwise satisfies a permittees responsibilities and obligations under Pathway B of the Nitrate Control Program.

TERMS OF VOLUNARY CONTRIBUTION AGREEMENT

The Parties agree as follows:

1. Contributor has voluntarily determined, on its own accord, to voluntarily participate and contribute to VWC's program to improve quality of life in the Region.
2. As part of its efforts to improve quality of life in the Region, VWC agrees to make publicly available final reports and plans and data relied on for final reports and plans, except as limited by paragraph 12 of this Agreement, so that the Contributor may use such information to meet its responsibilities and obligations under the Nitrate Control Program and as directed by the Central Valley Water Board.
3. Contributor understands that the Contributors' contributions will be used to support VWC in fulfilling its mission to maintain and improve the quality of life in the Region and to support VWC's efforts to provide access to safe drinking water for residents, and by engaging in activities with the goal of protecting or enhancing the quality of groundwater used as drinking water for residents in the region.
4. VWC agrees that VWC's Board of Directors will include contributors from all of the groundwater basins/subbasins in the Region and that each groundwater basin/subbasin in the Region will have at least one director position on the VWC Board of Directors. VWC agrees that all other director positions, i.e., those not specifically designated for each groundwater basin/subbasin, may be filled by any Contributor from any of the groundwater basin/subbasins that are within VWC's Region.
5. VWC agrees that to ensure that VWC fulfills its mission throughout the Region that it will form and administer subcommittees of the Board of Directors for each groundwater basin/subbasin. The groundwater basin/subbasin specific subcommittees will be comprised of Contributors or a representative of Contributors (e.g., irrigated agriculture through Ag Coalition representatives and dairies through CVDRMP representatives) that have agreed to contribute to the VWC to help support VWC in fulfilling its mission to maintain and improve the quality of life in the Region and to support VWC's efforts to provide access to safe drinking water for residents. The subcommittees may make recommendations to the VWC Board of Directors with respect to matters and activities that apply in whole or part to the subcommittee's groundwater basin/subbasin of concern.
6. Contributor will be notified annually of its requested financial contribution to support VWC's efforts to improve quality of life in the Region.
7. The Parties agree to cooperate in seeking alternative funding sources for development and implementation of the program and the implementation thereof.

8. Contributor understands that compliance with the Nitrate Control Program is determined by the Central Valley Water Board and the Central Valley Water Board may assess compliance separately for each groundwater basin/subbasin that is in the Region.
9. As part of its program, the VWC will make available to the public, including the Central Valley Water Board, its final plans, reports, and any data relied on to develop final plans and reports, except as otherwise limited by paragraph 16 of this Agreement.
10. Contributor may terminate this Agreement at any time upon giving a minimum of thirty (30) days' express written notification to the VWC. Any contributions made to VWC by a withdrawing Contributor prior to giving notice of withdrawal belong to the VWC as a public, nonprofit benefit corporation and are not reimbursable by VWC to the withdrawing Contributor.
11. Contributor understands that, upon request by the Central Valley Water Board, VWC will convey to the Central Valley Water Board those contributors that support VWC's program and the identification of any former contributors that no longer support VWC's program.
12. The Parties shall indemnify, defend, and hold harmless the other Party, its officers, directors, members, managers, employees, agents, affiliates, successors, and permitted assigns (collectively, "Indemnified Party") against any and all losses, damages, liabilities, deficiencies, claims, actions, judgments, settlements, interest, awards, penalties, fines, costs, or expenses of whatever kind, including reasonable attorneys' fees, fees, and the costs of enforcing any right to indemnification under this Agreement, and the cost of pursuing any insurance providers, arising out of or resulting from any claim of a third party arising out of or occurring in connection with a Party's negligence, willful misconduct, or breach of this Agreement.
13. The Parties acknowledge that by contributing to VWC and supporting VWC's programs, the parties make no representations or admissions whatsoever with respect to nitrate levels and possible contamination in groundwater that may exist within the Region.
14. The Parties, along with other VWC contributors, agree to work cooperatively to develop and implement VWC's mission to improve quality of life in the Region and shall not use information obtained through the development and implementation of VWC's mission to cause material harm the other Party to this Agreement or other contributors to the VWC.
15. To the extent allowed by applicable law and State Water Board Order WQ 2018-0002, if VWC receives or obtains access to certain confidential information associated with Groundwater Protection Formula, Value and Target information, and Irrigation and Nitrogen Summary Report Data from irrigated agricultural coalitions subject to relevant General Waste Discharge Requirements to assist in development of VWC's program, VWC will take all reasonable steps to maintain confidentiality of such data and information.

16. The Agreement shall be interpreted and enforced pursuant to the laws of the State of California. It is agreed that in the event of any litigation arising hereunder, the Parties hereto shall submit to the jurisdiction of any court of competent jurisdiction within the State of California, County of Stanislaus.
17. No waiver by any Party of any of the provisions of this Agreement shall be effective unless explicitly set forth in writing and signed by the Party so waiving. Except as otherwise set forth in this Agreement, no failure to exercise, or delay in exercising, any right, remedy, power, or privilege arising from this Agreement shall operate or be construed as a waiver thereof, nor shall any single or partial exercise of any right, remedy, power, or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, remedy, power, or privilege.
18. If any provision of the Agreement is found invalid or unenforceable, the balance of the Agreement shall remain in full force and effect.
19. The Agreement may be executed in counterparts with the same force and effect as if executed in one complete document by all Parties.
20. This Agreement contains the entire agreement between the Parties with respect to the matters set forth in it. Any modifications, revisions, or changes to this Agreement must be made in writing and signed by both Parties.

IN WITNESS WHEREOF, the Parties have executed this Agreement effective on the date set forth above.

VALLEY WATER COLLABORATIVE

By: _____
Signature of VWC Board Chair

Date: _____

Print name of VWC Board Chair

CONTRIBUTOR

Entity Name: City of Riverbank

Date: _____

By: _____
Signature of Contributor authorized representative

Print name of Contributor authorized representative

Entity Information	
Entity Name:	City of Riverbank
Mailing Address:	6707 3rd Street
Physical Address:	
Subbasin(s) for which this Agreement Applies:	☐ Modesto ☐ Turlock ☐ Merced ☒ Eastern San Joaquin ☐ Delta-Mendota ☐ Madera
CV Salts ID Number(s): (This ID number is assigned by the Regional Water Board. It can be found on your <u>Notice to Comply.</u>)	2445
Primary Entity Contact	
Name:	Darin
Phone:	Smallen
Email:	dsmallen@riverbank.org
Request for Contribution Statement Contact	
Should the individual above receive the VWC Request for Contribution Statement?	YES ☒ NO ☐ <i>If "NO" please include the contact information for the individual, below.</i>
Name:	
Phone:	
Email:	

RIVERBANK CITY COUNCIL/ LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 10.1

SECTION 10: PUBLIC HEARING

Meeting Date: **October 8, 2024**

Subject: **Resolution to Consider Approval of the Request for an Exception to Allow for Flag Lot Configuration and Vesting Tentative Parcel Map 01-2024 Located at 2842 Turpin Avenue (APN 132-062-003).**

From: **Marisela H. Garcia, City Manager**

Submitted by: **Michael Arroyo, Contract City Planner**

RECOMMENDATION

Consider adopting a resolution to approve a request of Mr. Jorge and Consuelo Alcala for an Exception to allow for a flag lot configuration and to subdivide the subject parcel based on the General Plan and Zoning Consistency findings.

SUMMARY

Applicants, Mr. Jorge and Consuelo Alcala, are seeking City Council approval for a Request for an Exception to allow for the configuration of a flag lot and Vesting Tentative Parcel Map No. 01-2024 (Exhibit A). The proposal includes a Request for an Exception to allow for the configuration of a flag lot and to subdivide one (1) existing parcel, Parcel 132-062-003 (51,418 sf), into four (4) resulting parcels: Parcel 1 (26,220 sf), Parcel 2 (11,340 sf), Parcel 3 (6,143 sf), and Parcel 4 (6,005 sf). The property is zoned R-1, Single-Family Residential and the General Plan designation for the site is Lower-Density Residential.

BACKGROUND

Mr. Jorge and Consuelo Alcala are the owners of the subject property, an approximately 51,418 sf parcel, located at 2842 Turpin Avenue. Other than the Request for an Exception and Vesting Tentative Parcel Map, there is no development proposed at this time. Future development would occur under the building permit process. No Architecture and Site Plan Review is required for custom-built homes on single lots.

On September 17, 2024, the Planning Commission adopted Resolutions 2024-008 (Attachment 2) to recommend approval to the City Council to approve the Request for an Exception to allow for a flag lot configuration and Vesting Tentative Parcel Map 01-2024. The Planning Commission voted unanimously (5-0) to recommend approval to City Council for the proposed Project.

During the Public Comment period of the Planning Commission meeting, neighbors of the subject property expressed their concern over privacy issues should the proposed project be approved and subsequent development of the subject property occur. Staff stated that there is no condition for this project to erect or build a CMU wall, and informed the applicant and neighbor that the issue raised is a civil matter and should be addressed as such.

PROJECT INFORMATION AND ANALYSIS

Much of the analysis below is from the approved rezoning, general plan amendment and tentative map proposal and its applicability can be carried forward to this request.

A. Development Standards

Lot Size

The proposed Vesting Tentative Parcel Map would subdivide one (1) existing parcel totaling 51,418 square feet (sf) into four (4) parcels. The Project site is located within the City's R-1, Single-Family Residential Zoning District and is designated Lower Density Residential (LDR) per the General Plan. For the R-1 Zone, the minimum interior lot size requirement is 6,000 square feet. All four proposed parcels comply with the minimum lot size requirement: Parcel 1 totals 26,220 sf, Parcel 2 totals 11,340 sf, Parcel 3 totals 6,143 SF, and Parcel 4 totals 6,005 sf.

Lot Width

In the R-1 zoning district, the minimum lot width requirement for interior lots (all four parcels are interior lots) is 55 feet. According to the Vesting Tentative Parcel Map, Parcel 1 has a lot width of approximately 139 feet, Parcel 2 has a lot width of 29.2 feet, Parcel 3 has a lot width of 55 feet, and Parcel 4 has a lot width of 55 feet. Parcels 1, 3, and 4 meet the minimum lot width requirements for the R-1 zoning district while Parcel 2 does not meet the minimum lot width standard for the R-1 zoning district.

Lot Depth

In the R-1 Zoning District, the minimum lot depth requirement is 100 feet unless otherwise approved by the Planning Commission or City Council. Per section 152.029 of the Riverbank Municipal Code, the depth of lots shall not exceed the road frontage by more than three (3) times. Parcels 1, 3, and 4 meet the minimum

lot depth requirements for the R-1 zoning district while Parcel 2 does not meet the minimum lot depth standard for the R-1 zoning district. The Parcel 2 flag lot configuration provides a street frontage of 29.2 feet; strict application of Section 152.029 would allow a maximum lot depth of 87.6 feet for Parcel 2. The proposed lot depth for Parcel 2 exceeds the maximum lot depth permitted by 93.4 feet.

The table below illustrates the minimum lot, width, and depth requirements for the lots:

R-1 Zoned Parcels	Lot Size (Minimum 6,000 sf)	Lot Width (Minimum 55 ft)	Lot Depth (Minimum 100 ft)
Parcel 1	26,220 sf	139 ft	188 ft
Parcel 2	11,340 sf	29.2 ft	181 ft
Parcel 3	6,143 sf	55 ft	116.1 ft
Parcel 4	6,005 sf	55 ft	126.1 ft

Existing Structures

Proposed Parcel 1 contains an existing single-family residence, two (2) carports, four (4) existing sheds and a mix of palm trees and deciduous trees. Proposed Parcel 2, 3, and 4 together contain various, small storage structures, chicken coops, animal pens, and a combination of trees.

GENERAL PLAN CONSISTENCY

The existing General Plan designation for this project is Lower Density Residential (LDR) which allows the project to be built at 0-8 dwelling units per net acre. The VTM shows a total of four (4) residential lots on 1.18 acres for a total of 3.4 dwelling units per acre. Thus, the project's density is consistent with the LDR designation of the General Plan.

Policy CONS-8.6: "The City will encourage compact development to achieve more efficient use of resources and provision of public facilities and services."

Approval of a tentative parcel map may lead to the development of single-family dwelling units on proposed Parcels 2, 3, and 4 because it makes them ready for development and sale.

ENVIRONMENTAL

Pursuant to the California Environmental Quality Act, staff has determined that the proposed Parcel Map is exempt pursuant to Section 15332 (Class 32) of the State CEQA Guidelines. The proposed Parcel Map meets the conditions prescribed by CEQA Section 15332 in that the project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations; the proposed development occurs within the city limits on a project site of no more than five (5) acres substantially surrounded by urban uses; the project site has no value as a habitat for endangered, rare or threatened species; approval of the project

would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

STRATEGIC PLAN

The City's Strategic Planning Session outlines a plan and a set of goals that the City will work towards for the next three years. This project works toward the goals of "achieving and maintaining financial stability" and "maintain and improve the City infrastructure systems."

FISCAL IMPACT

The Applicants have paid the appropriate fees for staff time associated with processing the project application. Costs associated with future development and Capital Improvement Projects will be offset with payment of System Development Fees at time of development.

ATTACHMENTS

1. City Council Resolution 2024-XXX
Exhibit A – Vesting Tentative Parcel Map 01-2024
2. Planning Commission Resolution No. 2024-008

CITY OF RIVERBANK

RESOLUTION 2024-XXX

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIVERBANK, CALIFORNIA
APPROVING THE REQUEST OF ROD HAWKINS, HAWKINS AND ASSOCIATES
ENGINEERING, INC. FOR AN EXCEPTION REQUEST AND TENTATIVE PARCEL
MAP 01-2024, LOCATED AT 2842 TURPIN AVENUE (APN 132-062-003)**

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

WHEREAS, an application was received from Rod Hawkins, Hawkins & Associates Engineering, Inc. for Tentative Parcel Map 01-2024 to subdivide one (1) parcel totaling approximately 51,418 square feet into four (4) parcels, specifically sized as follows:

Parcel 1: Approximately 26,220 square feet

Parcel 2: Approximately 11,340 square feet

Parcel 3: Approximately 6,143 square feet

Parcel 4: Approximately 6,005 square feet

WHEREAS, the City of Riverbank Planning Commission conducted a Public Hearing on September 17, 2024 to take public comment, consider the proposed Tentative Parcel Map and Exception request and make a recommendation to City Council; and

WHEREAS, the Planning Commission after considering public comment voted 5-0 to recommend to the City Council that they approve the Tentative Parcel Map and Exception request, subject to the Conditions of Approval; and

WHEREAS, the Planning Commission did consider a proposed Exemption pursuant to the California Environmental Quality Act and considers this to be the appropriate level of environmental review in this case. The Planning Commission recommended the City Council find that the proposed project meets the conditions prescribed in Section 15332 (Class 32, In-Fill Development Projects) of the State CEQA Guidelines; and

WHEREAS, pursuant to Government Code section 65355, notice of the City Council public hearing on the Exception Request and Tentative Parcel Map was published in the *Riverbank News*, a newspaper of general circulation on September 20, 2024; and

WHEREAS, notices of the City Council public hearing on the Exception Request and Tentative Parcel Map were also mailed to all property owners within 300 feet of the property, according to the most recent Assessor's Roll on September 20, 2024; and

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

- A. The project is consistent with the General Plan in that the project directly implements General Plan Conservation Policy 8.6.
- B. Notice to the general public and adjoining neighbors in the time and in the manner required by State Law and City Code.
- C. According to the California Environmental Quality Act, the proposed project is exempt pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the State CEQA Guidelines. The proposed Project meets all conditions prescribed by CEQA Section 15332.
- D. The approval of Tentative Parcel Map 01-2024 for the subdivision of one (1) parcel totaling approximately 51,418 square feet into four (4) parcels 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 map is similar to, and compatible with, neighboring uses in the area.

WHEREAS, The City Council of the City of Riverbank hereby approves the Exception request and Tentative Parcel Map 01-2024, subject to the following Conditions of Approval:

- 1. Deep River Drive shall be fully improved including driveways, curbs, gutters and sidewalks along the new alignment;
- 2. Street light shall be installed per City standards;
- 3. Each lot shall be connected to City water with water meters and back flow preventers;
- 4. Each lot shall be connected to City sewer with clean outs at the property lines;
- 5. All wells and septic tanks shall be abandoned as a condition of map approval;
- 6. Storm inlets shall have storm filters;
- 7. The storm drain system shall be designed to City standards;
- 8. A complete set of landscape plans conforming to the state's MWELO

requirements is required prior to final map;

9. The City's Post Construction Standards Plan needs to be followed including DMA's LID standards, and the required worksheets located in the Appendix of the document. The document is available on the City's website;
10. All existing overhead electrical shall be placed underground;
11. Street dedication is required along Deep River Drive as shown on the tentative map;
12. The project will require a Parcel Map to be prepared by a person licensed to practice land surveying in the State of California. All lot corners shall be permanently marked;
13. A soils report is required;
14. Utility plans for water, sewer and storm drainage are required to be provided and approved prior to recording the Parcel Map;
15. All structures not conforming to City Standards shall be removed or relocated.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Riverbank that the Exception request and Tentative Parcel Map No. 01-2024 is approved, subject to those conditions established by Resolution No. 2024-xxx.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 8th day of October, 2024; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of _____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

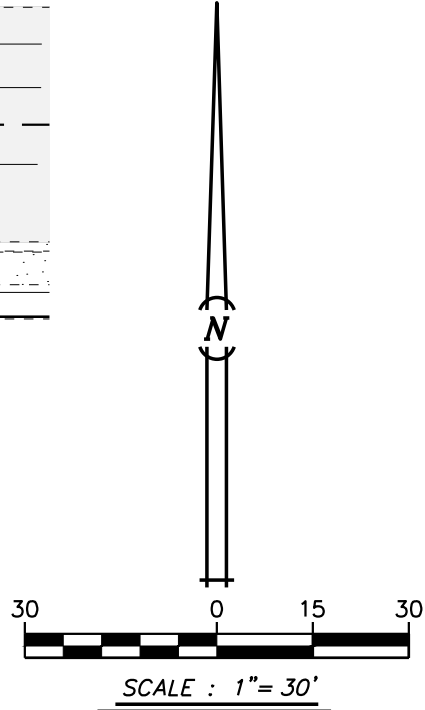
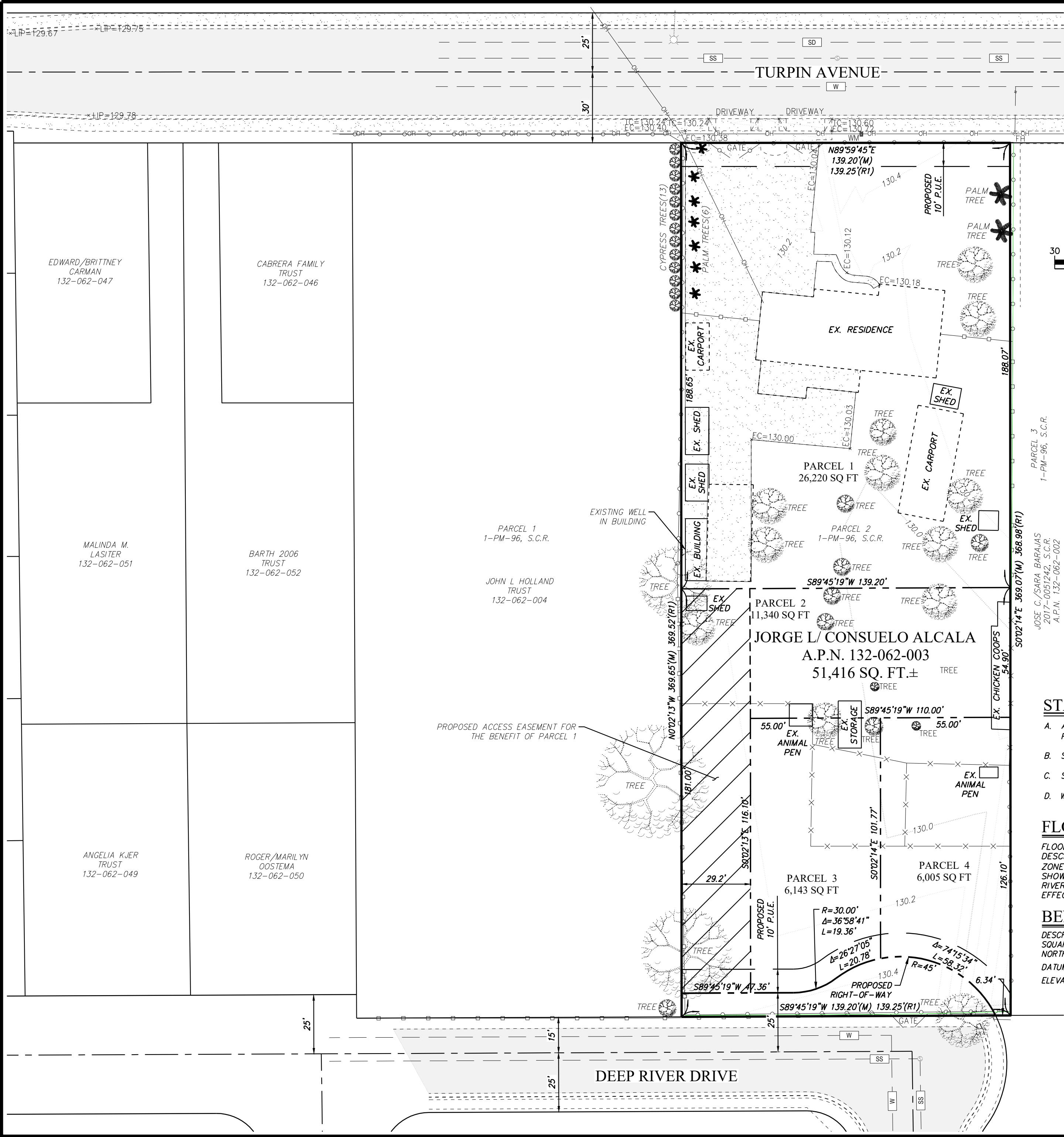
ATTEST:

APPROVED:

Gabriela Hernandez, CMC
City Clerk

Richard D. O'Brien
Mayor

Attachments : Exhibit A – Vesting Tentative Parcel Map 01-2024



GENERAL NOTES:

- 1. ASSESSOR'S PARCEL NUMBER 132-062-003
- 2. TOTAL AREA: 51,416 SQ. FT.±, 1.18 ACRES±
- 3. TOTAL NUMBER OF RESIDENTIAL LOTS: 4
- 4. CURRENT ZONING : R-1 (SINGLE FAMILY RESIDENTIAL); CURRENT GENERAL PLAN DESIGNATION: LDR (LOWER DENSITY RESIDENTIAL)
- 5. SEWER SERVICE: CITY OF RIVERBANK
- 6. WATER SERVICE: PARCEL 1 TO REMAIN ON EXISTING WELL. PARCELS 2-4 TO CONNECT TO CITY WATER.
- 7. ELECTRIC & GAS SERVICE: PG&E
- 8. TELEPHONE SERVICE: AT&T
- 9. STORM DRAINAGE: OVERLAND TO OPEN SPACE.
- 10. ALL NEW PUBLIC UTILITIES ARE TO BE INSTALLED UNDERGROUND IN EASEMENTS. 10 FOOT WIDE PUBLIC UTILITY EASEMENTS SHALL BE DEDICATED ALONG ALL ROAD FRONTAGES.
- 11. THE PROJECT SITE SLOPES FROM NORTH TO SOUTH WITH ELEVATIONS FROM 130.4 TO 130.2.
- 12. ALL DIMENSIONS, DISTANCES, AREAS, ETC. ARE TAKEN FROM FIELD OBSERVATIONS BY SURVEY PERSONNEL AND REFLECT AN ACTUAL SURVEY OF FOUND MONUMENTS.
- 13. ALL EXISTING STRUCTURES AND TREES ON PARCEL 1 SHALL REMAIN. ALL EXISTING STRUCTURES AND TREES ON PARCELS 2-4 WILL BE REMOVED.

STATEMENT OF SUBDIVIDER:

- A. ALL IMPROVEMENTS SHALL BE CONSTRUCTED PER CITY OF RIVERBANK'S STANDARD SPECIFICATIONS.
- B. STORM DRAINAGE: OVERLAND TO OPEN SPACE.
- C. SEWAGE DISPOSAL: CITY OF RIVERBANK SYSTEM (NEW).
- D. WATER SUPPLY: CITY OF RIVERBANK SYSTEM (NEW).

FLOOD ZONE NOTE:

FLOOD ZONE CLASSIFICATION FOR THE SUBJECT PROPERTY: SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" (AREA OF MINIMAL FLOOD HAZARD), AS SHOWN ON THE FLOOD INSURANCE RATE MAP, CITY OF RIVERBANK, COMMUNITY NO. 060391, MAP NO. 06099C0330E, EFFECTIVE DATE SEPTEMBER 26, 2008.

BENCHMARK

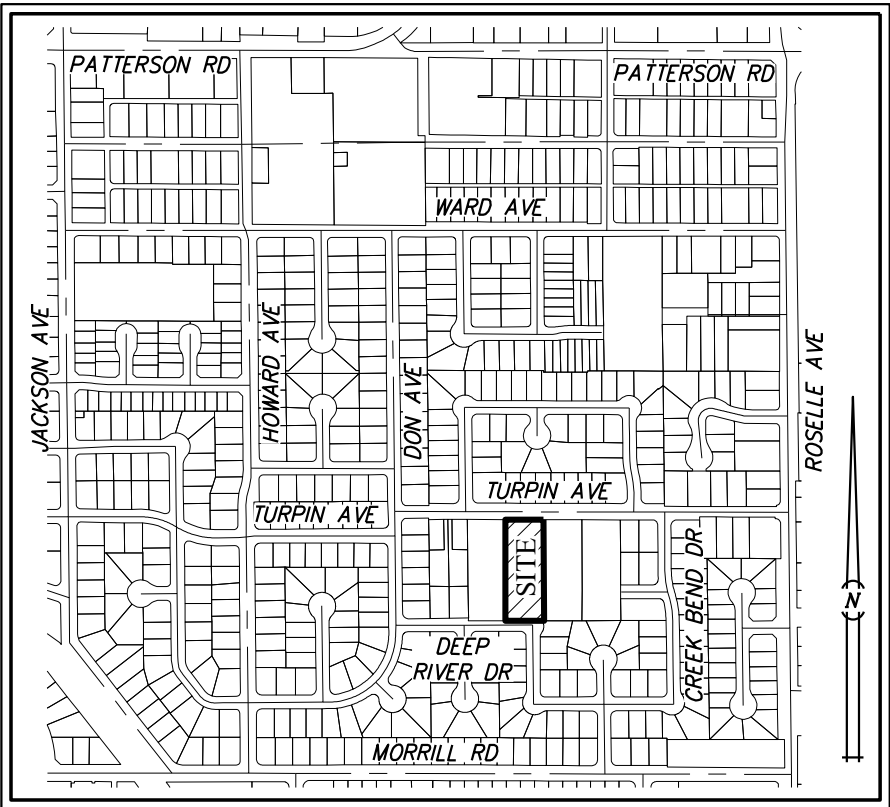
DESCRIPTION: CITY OF RIVERBANK BENCHMARK #228, CHISELED SQUARE ON TOP OF CURB, NORTH END OF CURB RETURN, NORTHEAST CORNER OF OAKDALE ROAD AND PROUTY.
DATUM: CITY OF RIVERBANK
ELEVATION: 128.98

BASIS OF BEARING

BASIS OF BEARING IS N89°58'28"E FOR THE CENTERLINE OF MORRILL ROAD, AS SHOWN IN BOOK 34 OF MAPS, AT PAGE 56, STANISLAUS COUNTY RECORDS.

REFERENCES

(R1) BOOK 1 OF PARCEL MAPS, AT PAGE 96, S.C.R.



VICINITY MAP

LEGEND

- EXISTING CURB GUTTER & SIDEWALK
- EXISTING AREA OF AC PAVING
- EXISTING AREA OF CONCRETE
- EXISTING WOOD FENCE
- EXISTING CHAIN LINK FENCE
- EXISTING BARBED WIRE/HOG WIRE FENCE
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- EXISTING WATER METER
- EXISTING UNDERGROUND WATER LINE
- EXISTING UNDERGROUND STORM DRAIN LINE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING UNDERGROUND SANITARY SEWER LINE
- MEASURED
- REFERENCE PER RECORD
- STANISLAUS COUNTY RECORDS
- RIGHT-OF-WAY
- EXISTING LOT LINE
- EXISTING CENTER LINE
- EXISTING RIGHT-OF-WAY LINE
- BOUNDARY OF PROJECT
- PROPOSED EASEMENT

OWNER/SUBDIVIDER

JORGE L. ALCALA & CONSUELO ALCALA
2842 TURPIN AVENUE, RIVERBANK, CA 95367
(209) 505-8638

ENGINEER:

HAWKINS & ASSOCIATES ENGINEERING INC.
436 MITCHELL ROAD, MODESTO, CA 95354
(209) 575-4295

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF STANISLAUS, CITY OF RIVERBANK, AND DESCRIBED AS FOLLOWS:

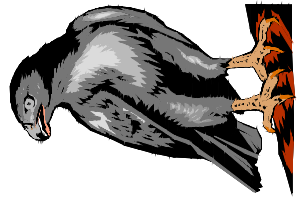
PARCEL 2 OF THAT CERTAIN MAP FILED APRIL 7, 1966 IN BOOK 1 OF PARCEL MAPS, AT PAGE 96, STANISLAUS COUNTY RECORDS

BY: RCS
CHK: RHH
DATE: 05/2024
SCALE: 1" = 30'
JOB #: 3685.00

PRELIMINARY VESTING
TENTATIVE PARCEL MAP

2842 TURPIN AVENUE
RIVERBANK, CALIFORNIA 95367

HAWKINS & ASSOCIATES
ENGINEERING, INC.
436 MITCHELL RD.
MODESTO, CA. 95354
PH: (209) 575 - 4295 FX: (209) 578 - 4295



City of Riverbank
Planning Commission
Resolution No. 2024-008

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
RIVERBANK RECOMMENDING APPROVAL TO THE CITY COUNCIL OF
THE CITY OF RIVERBANK OF THE REQUEST OF ROD HAWKINS,
HAWKINS AND ASSOCIATES ENGINEERING, INC. FOR AN EXCEPTION
REQUEST AND TENTATIVE PARCEL MAP 01-2024, LOCATED AT 2842
TURPIN AVENUE (APN 132-062-003)**

WHEREAS, an application was received from Rod Hawkins, Hawkins & Associates Engineering, Inc. for Tentative Parcel Map 01-2024 to divide one (1) parcel totaling approximately 51,418 square feet into four (4) parcels, specifically sized as follows:

Parcel 1: Approximately 26,220 square feet

Parcel 2: Approximately 11,340 square feet

Parcel 3: Approximately 6,143 square feet

Parcel 4: Approximately 6,005 square feet

WHEREAS, the proposed tentative map is consistent with General Plan Conservation Element Policy 8.6, which states: "The City will encourage compact development to achieve more efficient use of resources and provision of public facilities and services"; and

WHEREAS, Tentative Parcel Map 01-2024 was reviewed by the Riverbank Planning Commission at a regular meeting held on September 17, 2024, in the manner prescribed by law; and

WHEREAS, the Planning Commission did consider a proposed Exemption 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 proposed project meets the conditions prescribed in Section 15332 (Class 32, In-Fill Development Projects) of the State CEQA Guidelines and

WHEREAS, the Riverbank Planning Commission recommends approval to the City Council for the requested Tentative Parcel Map as prepared by Rod Hawkins of Hawkins & Associates Engineering, Inc. and date stamped May 30, 2024, presented by Jorge and Consuelo Alcala as depicted in attached **Exhibit "A"**, incorporated herein as a part of this Planning Commission Resolution; and

WHEREAS, the Planning Commission of the City of Riverbank hereby finds the following findings:

- A. The project is consistent with the General Plan in that the project directly implements General Plan Conservation Policy 8.6.
- B. Notice to the general public and adjoining neighbors in the time and in the manner required by State Law and City Code.
- C. According to the California Environmental Quality Act, the proposed project is exempt

pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the State CEQA Guidelines. The proposed Project meets all conditions prescribed by CEQA Section 15332.

- D. The approval of Tentative Parcel Map 01-2024 for the subdivision of one (1) parcel totaling approximately 51,418 square feet into four (4) parcels 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 map is similar to, and compatible with, neighboring uses in the area.

WHEREAS, the Planning Commission recommends approval to the City Council for a Tentative Parcel Map, subject to the following conditions:

1. Deep River Drive shall be fully improved including driveways, curbs, gutters and sidewalks along the new alignment;
2. Street light shall be installed per City standards;
3. Each lot shall be connected to City water with water meters and back flow preventers;
4. Each lot shall be connected to City sewer with clean outs at the property lines;
5. All wells and septic tanks shall be abandoned as a condition of map approval;
6. Storm inlets shall have storm filters;
7. The storm drain system shall be designed to City standards;
8. A complete set of landscape plans conforming to the state's MWELo requirements is required prior to final map;
9. The City's Post Construction Standards Plan needs to be followed including DMA's LID standards, and the required worksheets located in the Appendix of the document. The document is available on the City's website;
10. All existing overhead electrical shall be placed underground;
11. Street dedication is required along Deep River Drive as shown on the tentative map;
12. The project will require a Parcel Map to be prepared by a person licensed to practice land surveying in the State of California. All lot corners shall be permanently marked;
13. A soils report is required;
14. Utility plans for water, sewer and storm drainage are required to be provided and approved prior to recording the Parcel Map;
15. All structures not conforming to City Standards shall be removed or relocated.

NOW THEREFORE, BE IT RESOLVED the City of Riverbank Planning Commission recommends approval to the City Council for Tentative Parcel Map No. 01-2024, subject to those conditions established by Resolution No. 2024-xxx and to be recorded as illustrated in **Exhibit "A"** to this Resolution.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a meeting held on the 17th of September, 2024; motioned by Halterman, seconded by Zamora, and upon roll call was carried by the following vote of 5-0:

AYES: Commissioners: Stewart, Zamora, Dinan, Halterman & Basso

NOES: None

ABSENT: None

ABSTAIN: None

Attest:

Approved:



Joshua E. Mann
Community Development Director



Joan Stewart, Chairperson
Planning Commission

Exhibit A – Tentative Parcel Map 01-2024

RIVERBANK CITY COUNCIL/ LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 10.2

SECTION 10: PUBLIC HEARING

Meeting Date: **October 8, 2024**

Subject: **Resolutions to Consider Approval of (1) General Plan Amendment 01-2024, (2) Tentative Subdivision Map 01-2024, and (3) Architectural and Site Plan Review 06-2024 and the First Reading by Title Only and Introduction of an Ordinance Approving the Rezone 01-2024 5.9 Acres to Planned Development Located at 6448 Claus Road (APN 062-039-048) for the Heritage II Subdivision.**

From: **Marisela H. Garcia, City Manager**

Submitted by: **Michael Arroyo, Contract Planner**

RECOMMENDATION

Adopt three resolutions and Introduction of an Ordinance approving the request of Summerfaire Commerce Center LLC. for a General Plan Amendment, Rezone, Vesting Tentative Subdivision Map, and Architecture and Site Plan Review to create forty-seven (47) single family residential lots in the proposed Heritage II subdivision. The property is located at 6448 Claus Road (APN 062-039-048).

SUMMARY

The proposed Project consists of a General Plan Amendment (GPA) to Medium Density Residential (MDR), a Zoning Ordinance Amendment (Rezone) to Planned Development (PD), a Tentative Subdivision Map (TSM) to subdivide a parcel of approximately 5.9-acres into forty-seven (47) single-family residential lots (4.2± net acres), and the Architecture and Site Plan Review (ASPR) for the proposed design of the forty-seven (47) single family residential dwelling units. The Project site currently has a General Plan Land Use designation of Community Commercial (CC) and is currently zoned Planned Development (PD).

BACKGROUND

The current Project Proponent previously submitted an application for a General Plan Amendment to Community Commercial, a Zoning Ordinance Amendment (Rezone) to Planned Development (PD), and an Architecture and Site Plan Review to allow for the development of a self-storage and recreational vehicle facility. The previous project received approvals by the City of Riverbank's City Council on December 20th, 2022 and January 10th, 2023. The approval included a 2,000 square foot office, 623 climate-controlled storage units, and 62 RV and boat storage spaces. Due to market factors and other considerations, the Project did not move forward due to financial lending constraints and the project site has remained vacant and undeveloped. Subsequently, the Project Proponent has since revised the plan to develop the subject property for residential uses.

On September 17, 2024, the Planning Commission adopted Resolutions 2024-005, 2024-006, and 2024-007 (Attachment 5) to recommend approval to the City Council for a General Plan Amendment to redesignate the property as Medium Density Residential, a Rezone to a new Planned Development Zone to allow for residential uses, a Tentative Map to allow for the subdivision of the property into forty-seven (47) single family residential lots, and an Architecture and Site Plan Review for the proposed design of the forty-seven (47) single family homes for Heritage II. The Planning Commission voted unanimously (5-0) to recommend approval to City Council for the proposed Project.

ANALYSIS

A. General Plan Amendment

GENERAL PLAN CONSISTENCY FINDINGS:

The Project site's density is 11.2 dwelling units per net acre. At this density, the proposed Project is consistent with the proposed General Plan designation of Medium Density Residential (MDR, net density of 8-16 units per net acre). Below is a discussion of General Plan Policies with which the proposed project is consistent:

1. Policy DESIGN-2.7 – In general, the City will require the construction of sidewalks on both sides of all new streets.

The applicant has provided sidewalks on both sides of all new proposed streets within the cul-de-sac and interior streets.

2. Policy DESIGN-3.1 – The City will limit block lengths and encourage continuity of streets among neighborhoods to facilitate access, increase connectivity, and support safe pedestrian, bicyclist, and vehicular movement in residential neighborhoods.

The City is requiring the applicant to make improvements at the intersection of Claus Road and Sierra Street in order to accommodate resident safety and support vehicular movements.

3. Policy DESIGN-3.2 – Approved plans, projects, and subdivision requests shall provide residential site and building design that contributes to an attractive, pedestrian-friendly environment along neighborhood streets. Approved plans, projects and subdivision requests will minimize the visual prominence of garages and instead incorporate porches, stoops, active rooms, and functionally opening windows that face the street.

Architecture and Site Plan Review is included with this application. The visual prominence of garages is reduced.

4. Policy DESIGN-5.2 – The City will encourage the use of porches, stoops, and other elements that provide a place to comfortably linger and thereby provide ‘eyes on the street,’ helping to maintain a sense of security within neighborhoods.

The applicant has provided architectural details for the use of porches and stoops.

5. Policy CONS-4.2 – Approved projects, plans and subdivisions shall provide for collection, conveyance, treatment, detention, and other storm water management measures in a way that does not decrease water quality or alter hydrology in the Stanislaus River or associated groundwater recharge areas.

The Developer has not provided a stormwater basin within the Project site but will instead connect to the existing oversized Diamond Bar East basin to the north. The developer will be required to annex into Community Facilities District 2016-01 for future maintenance or replacement of facilities.

6. Policy DESIGN-4.2 – Approved projects, plans and subdivisions shall provide diversity among dwelling units in the use of color, building materials, floor plan lay-outs, square footages, and roof-lines. Approved projects, plans, and subdivision requests shall maintain continuity of a few overall urban design features to provide context between individual units and the neighborhood.

The developer has provided two (2) models, two (2) variations (Spanish and Traditional) and six (6) color schemes to provide diversity among the dwelling units. The dwellings will vary in the use of color, building materials, floor plan lay-outs, square footages, roof-lines, and architectural details. These details may include shutters, flower boxes, pillars, decorative vents, brick, rock, shake shingles, accent windows, and foam trim.

B. Rezone

The developer is requesting design variation from Single Family Residential (R-1) standards through rezoning the property to a Planned Development (“PD”) zoning district. A PD allows the developer flexibility in applicable development standards in lieu of providing a superior designed subdivision.

The Table provides information comparing the existing low-density residential zoning development standards and the proposed PD standards. The project differs to the LDR standards in the following five areas: lot size, lot width, density, setbacks, and local street

width. The development standards that deviate from the standards of the R-1 zone are denoted with an asterisk (*).

Type of Standard	LDR Zoning Standards	Proposed PD Standards
Lot Size (Minimum)		
Interior	6,000 Square Feet	3,000 Square Feet*
Corner	6,000 Square Feet	3,500 Square Feet*
Lot Width (Minimum)		
Interior	55 Feet	40 Feet*
Corner	65 Feet	45 Feet*
Density (Maximum)	8 DU/ Net Acre	16 DU/ Net Acre*
Height (Maximum)	35 Feet	35 Feet
Setback (Minimum)		
Front	10 Feet	15 Feet*
Garage	20 Feet	20 Feet
Side:		
Interior	5 Feet	5 Feet
Corner	5 Feet	10 Feet*
Rear	5 Feet	10 Feet*
Lot Coverage (Maximum)	50%	50%
Accessory Height (Maximum)	15 Feet	15 Feet
Local Street Width	64 Feet	50 Feet*
Sidewalks	Both sides of street	Both sides of street
Onsite Parking	2 covered spaces	2 covered spaces
Street Parking	Both sides of street	Both sides of street

Pursuant to RMC section 153.162 (E)(3), staff has requested that the developer offer amenities to compensate the neighborhood for deviating from the minimum standards

above. These amenities may include enhanced landscaping, a colored concrete or brick crosswalk, upgraded front doors and garage doors, decorative wrought iron fencing in the front, open space furniture, French doors instead of sliders, community art, etc. Other suggestions to staff would be considered. The developer proposes the following amenities for the PD: (1) upgraded garage doors, (2) decorative garage lighting, and (3) enhanced landscaping of the subdivision. Further, Staff has requested a CMU wall with landscaping to be erected on the western boundary of the project site along Claus Road, in place of the wood fence with no landscaping as was originally proposed.

Per Riverbank Municipal Code section 153.161 (A), no combination of parcels less than one (1) acre in size may be rezoned PD. The parcel proposed for development in this project totals approximately 4.56 acres. Therefore, the project meets this requirement.

Rezone Findings

The City Council may approve, conditionally approve, or deny the rezone to PD. To approve, the project must meet the required findings of fact:

1. Each individual unit of the development if built in stages, as well as the total development, can exist as an independent unit capable of creating a good environment in the locality and being in any stage as desirable and stable as the total development.

The development could be built in stages and exist as independent units capable of creating a good environment.

2. The uses proposed will not be a detriment to the present and proposed surrounding land uses, but will enhance the desirability of the area and have a beneficial effect.

The site is currently undeveloped land. A new subdivision will reduce any blighted conditions on the property as well as add to the diverse housing stock the City has to offer to potential new residents.

3. Any deviation from the standard ordinance requirements is warranted by the unusual design and additional amenities incorporated in the development plan which offers certain redeeming features to compensate for any deviations that may be permitted.

Amenities proposed by the developer and staff for the deviations from R-1 include upgraded garage doors, decorative garage lighting, and a combination of a six-foot and seven-foot-tall CMU wall along the boundary of the proposed project in place of wood fence.

4. The principles incorporated in the proposed plans identify unique characteristics which could not otherwise be achieved under other zoning districts.

Smaller lots could not be achieved under other zoning districts; hence, the zone change to accommodate the more compact housing subdivision proposal.

5. Where a PD rezone is initiated by the City, the previous findings are not required.

This PD was not initiated by the City.

C. Tentative Subdivision Map

A rezone to Planned Development must be approved by the City Council before a Tentative Map on that property can be approved.

Tentative Subdivision Map 01-2024 (Attachment 3 Exhibit A) proposes forty-seven (47) small buildable lots for a single-family residential subdivision. The lot sizes are below the R-1 standard size of 6,000 square feet; therefore, the Applicant is requesting approval for a rezone to PD which accommodates the proposed lot sizes. The lots range in size from 3,191± sq. ft. to 6,153± sq. ft. All proposed streets are designed to accommodate City low-impact design standards as well as to encourage Complete Streets for vehicles as well as pedestrians.

The applicant will be required to connect to the Diamond Bar East storm drain basin to ensure adequate site drainage. This existing Diamond Bar East basin is expected to manage the storm water for all interior streets and lots per City Standards. The City has developed LID guidelines due to storm water discharge standards implemented by the State of California through the MS4 permit process. The proposed project embraces the City's and State's LID guidelines.. The proposed Project is required to annex into the City of Riverbank's Community Facilities District (CFD) 2016-01 for the future maintenance of the storm water system as well as the streets, waste water, and water systems.

Per RMC section 152.026 (L) all new street names shall be approved by City Council. Duplication of existing names within the County will not typically allowed unless the proposed streets are in alignment with existing streets and likely to be a continuation of the other street. Staff has coordinated the proposed street names with Stanislaus Regional 911 in order to verify the names are acceptable. In a response received on July 17, 2024, Stanislaus Regional 911 indicated that all street names proposed are acceptable.

Tentative Subdivision Map Findings

Tentative Subdivision Map 01-2024 may be approved or conditionally approved by the City Council if it makes all of the following findings:

1. The proposed map is consistent with applicable general and specific plans.

The proposed map is consistent with the General Plan if the recommended Conditions of Approval are adopted.

2. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

The proposed map is consistent with the General Plan if the recommended Conditions of Approval are adopted as they relate to connectivity, sidewalks, and the provision of amenities.

3. The site is physically suitable for the type of development.

The Heritage II site is suitable for a new subdivision of this type and is an extension of Heritage I and additional residential housing in the area as Diamond Bar East and Diamond Bar West are located north of the the project.

4. The site is physically suitable for the proposed density of the development (11.2 dwelling units per net acre are proposed).

The site is physically suitable for a proposed density of between eight (8) and sixteen (16) dwelling units per net acre.

5. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitats.

The design of the subdivision should not injure fish, wildlife, or their habitats, none of which are present on the site.

6. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

There is nothing in the design of the subdivision or proposed improvements that should cause serious health problems.

7. 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. This division shall only apply to easements of record or to easements established by judgement of a court of competent jurisdiction.

The design of the subdivision should not conflict with any easements of record. The map was reviewed by the Oakdale Irrigation District.

D. Architecture and Site Plan Review

Site Design

The design of the project as proposed is a small lot, compact, detached single-family residential subdivision. The Project is intended to be the second phase of the Heritage subdivision already constructed directly east of the Project site. The proposed lot sizes vary in range. The typical minimum interior lot size dimensions are 40 feet by 80 feet. The typical minimum corner lot size dimensions are 65 feet by 50 feet. The minimum lot size proposed for the subdivision is 3,191 square feet and the maximum lot size proposed is 6,153 square feet.

Architecture and Design Guidelines

There are two (2) floor plan models, two (2) architecture types: Spanish and Traditional, and six (6) color schemes (Attachment 4 Exhibit B). The table below provides information on the models, types, and color schemes.

Model Number / Total Square Feet	Stories	Bedrooms	Bathrooms	Amenities (all models)
1. 1583 sf	2	3	2.5	The developer is providing the following amenities: decorative garage doors, decorative garage lights.
2. 1855sf	2	4	3	

The color palettes proposed:

	Scheme 2A Spanish – Plan 1	Scheme 4A Spanish – Plan 1	Scheme 9A Spanish – Plan 1	Scheme 3B Traditional – Plan 2	Scheme 6B Traditional – Plan 2	Scheme 7B Traditional – Plan 2
Comp Roof	Golden Amber	Copper Canyon	Hickory	Sage Wood	Stone Gray	Charcoal
Tile Roof	-----	-----	-----	-----	-----	-----
Main Body	Medici Ivory	Pure White	Divine White	Stucco	Aged White	Skyline Steel
Siding	Tan	Tony Taupe	Manor House	Sommelier	Homburg Gray	Gauntlet Gray
Trim	Tan	Tree Branch	Moth Wing	Tavern Taupe	Hardware	High Reflective White
Front Door	Sable	Tree Branch	Rockwood Red	Deep Forest Brown	Saddle Up	Stolen Kiss
Shutters	Secret Garden	Still Water	Rockwood Red	-----	-----	-----

1. Porches, Entries, and Windows – A clear sense of entry and design interest to a home is provided through the inclusion of architectural elements that contribute to a sense of place and activity. Each of the two (2) floor plans include a small front porch. In addition, all have a foyer or entry hall at the front door. Large front facing windows provide “eyes on the street” for security.
2. Garage Frontage and Placement – Each dwelling unit has two (2) covered spaces in the garage. The garage placements are varied to prevent monotonous streetscapes.
3. Driveways and Parking – As noted above, there are two (2) parking spaces in each garage. All driveways have room to park two (2) vehicles and still provide clearance for the public sidewalk. Street parking is permitted.
4. Fence and Wall Features – The designs of walls and fences, as well as the materials used, should be consistent with the overall development’s design. Fence and wall color should be compatible with the development and adjacent properties.
5. Landscaping – Front yard, basin, and any common area landscape and irrigation plans will be reviewed and approved as a Condition of Approval. The City currently contracts with a landscape architect for those approvals upon application by the developer. Per the City of Riverbank Standard Conditions, Resolution 2013-014 #22, if the Project is a Planned Development, the Project shall contain appropriate provisions for joint maintenance of any infrastructure, roadways, utilities, landscaping and irrigation as determined necessary by the City Engineer. The property is required to annex into the City’s Community Facilities District – CFD 2016-01.

PARK-IN-LIEU FEE

Pursuant to RMC Section 153.164 (Q), the Project has an obligation to dedicate park land or pay a park-in-lieu fee. The obligation for this Project will be determined at the Final Map Stage and will most likely involve payment of the required park-in-lieu fee.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act, the proposed Project is exempt from further environmental analysis pursuant to CEQA Guidelines Section 15061 (b)(3), Common Sense Exemption.

FISCAL IMPACT

The Project includes the development of a subdivision on existing undeveloped land. The fiscal impacts associated with providing municipal services to new residential projects will be partially off-set by the funds generated through CFD 2016-01. Street lighting, road

maintenance, storm drainage maintenance, common area landscaping, and police services will be funded through the implementation of CFD 2016-01. In light of the obligation to participate in the above mentioned Community Facilities Districts, the Project is unlikely to negatively impact the City's finances.

STRATEGIC GOALS

The City's Strategic Planning Session is a plan and set of goals that the City will work towards for the next three years. This project works toward the goals of "achieving and maintaining financial stability" and "maintain and improve the City infrastructure systems."

PUBLIC NOTICE

On September 20, 2024, public notices for the public hearing were mailed to interested parties and property owners within 300 feet of the project location. The notice was posted on the City's website and physically posted at City Hall North, South, the post office and sent to the library on September 20, 2024.

ATTACHMENTS

1. City Council Resolution 2024-xxx General Plan Amendment
2. City Council Ordinance 2024-xxx Rezone
3. City Council Resolution 2024-xxx Tentative Subdivision Map
Exhibit A – Tentative Subdivision Map 01-2024
4. City Council Resolution 2024-xxx Architectural and Site Plan Review
Exhibit B – Elevations and Floor Plans
5. Planning Commission Resolutions 2024-005, 2024-006, and 2024-007

CITY OF RIVERBANK

RESOLUTION 2024-XXX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT
REDESIGNATING 5.9± ACRES TO MEDIUM DENSITY RESIDENTIAL (MDR),
LOCATED AT 6448 CLAUS ROAD (APN 062-039-048)**

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

WHEREAS, a General Plan Amendment, Rezone, Vesting Tentative Map and Architecture and Site Plan Review application has been received from Summerfaire Commerce Center, LLC (“Summerfaire”) with a request to redesignate approximately 5.9± acres from Community Commercial (“C/C”) to Medium Density Residential (“MDR”, density of 8-16 units per net acre); and

WHEREAS, the City of Riverbank Planning Commission conducted a Hearing on September 17, 2024 to take public comment, consider the proposed General Plan Amendment, and make a recommendation to City Council; and

WHEREAS, the Planning Commission after considering public comment voted 5-0 to recommend to the City Council that they approve the General Plan Amendment request; and

WHEREAS, pursuant to Government Code section 65355, notice of the City Council public hearing on the General Plan Amendment was published in the *Riverbank News*, a newspaper of general circulation on September 20, 2024; and

WHEREAS, notices of the City Council public hearing on the General Plan Amendment were also mailed to all property owners within 300 feet of the property, according to the most recent Assessor’s roll on September 20, 2024; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE
CITY OF RIVERBANK DOES HEREBY FIND:**

1. General Plan Amendment Findings. That pursuant to California Government Code sections 65358 and the Riverbank General Plan, the City Council finds as follows:

- a. The General Plan Amendment is in the public interest because the General Plan Amendment will change the General Plan Land Use Map to comply with the proposed rezone.
 - b. The General Plan Amendment is consistent and compatible with the goals and the vast majority of the policies of the General Plan.
 - c. The proposed amendment has been evaluated under CEQA and the Project is exempt pursuant to CEQA Guidelines 15061(b)(3), Common Sense Exemption.
 - d. That the proposed amendment has been processed in accordance with the California Government Code, the Riverbank Municipal Code and the California Environmental Quality Act.
2. That, based on the findings set forth in this Resolution and the evidence in the City Staff Report and such other evidence as received at the public hearings on this matter before the City Council, the City Council hereby approves the General Plan Amendment and CEQA Exemption.
3. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City Council hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 8th day of October 2024; 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

CITY OF RIVERBANK

ORDINANCE 2024-XXX

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK
APPROVING THE REZONING OF 5.9± ACRES TO PLANNED DEVELOPMENT
(PD), LOCATED AT 6448 CLAUS ROAD (APN: 062-039-048)**

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

WHEREAS, a General Plan Amendment, Rezone, Vesting Tentative Map and Architecture and Site Plan Review application has been received from Summerfaire Commerce Center, LLC (“Summerfaire”) with a request to rezone approximately 5.9± acres from a Planned Development zone (Commercial) to a new Planned Development zone (Residential); and

WHEREAS, the project site is currently zoned Planned Development (PD) with a General Plan Land Use designation of Community Commercial (C/C); and

WHEREAS, the applicant is proposing to rezone the property to a new Planned Development (PD Residential) from an existing Planned Development (PD Commercial); and

WHEREAS, the City of Riverbank Planning Commission conducted a Public Hearing on Tuesday, September 17, 2024, to consider this proposed Rezone Ordinance (the “Rezone Ordinance”) and recommended approval with a 5-0 vote; and

WHEREAS, the City Council held a properly noticed public hearing on the proposed Rezone Ordinance, and considered the Planning Commission recommendations, and any public comments and all documents or testimony received; and

WHEREAS, the City Council for the City of Riverbank has made the following findings for adoption:

1. Pursuant to California Government Code Section 65855, the recommendation to City Council shall include the relationship to the applicable general or specific plan.
 - a. The property identified in this action has a General Plan Land Use Designation of Community Commercial (CC) and is zoned Planned Development (PD). The project proposes a Rezone to a new Planned Development (PD) to allow for Residential uses.

- b. The proposed Rezone to PD, in conjunction with the proposed General Plan Amendment (GPA), will continue the consistency between the General Plan and Zoning Code, pursuant to Government Code Section 65860.
2. Each individual unit of the development can be built in stages, as well as the total development, and can exist as an independent unit capable of creating a good environment in the locality and being in any stage as desirable and stable as the total development.
3. The uses proposed will not be a detriment to the present and proposed surrounding land uses, but will enhance the desirability of the area and have a beneficial effect.
4. Deviations from the standard ordinance requirements is warranted and additional amenities are incorporated in the development which offer certain redeeming features to compensate for any deviations that may be permitted.
5. The principles incorporated in the proposed development identify unique characteristics which could not otherwise be achieved under other zoning districts.
6. The PD rezone was not initiated by the City, so the findings above are required.

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

Section 1: The City Council of the City of Riverbank approves rezoning 5.9± acres to a new Planned Development zone for property located at 6448 Claus Road, APN: 062-039-048 to make the subject property consistent with the proposed General Plan Land Use Designation of Medium Density Residential (MDR).

Section 2: The City Clerk is hereby directed to cause the Official Zoning Map of the City of Riverbank to be revised to reflect the rezoning approved by this ordinance.

Section 3: Constitutionality, severability. If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this chapter, or any part thereof is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion of this chapter or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared invalid or unconstitutional.

Section 4: This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date or a summary of the Ordinance is published in a newspaper of general circulation at least five (5) days prior to adoption and again at least fifteen (15) days prior to its effective date.

The foregoing ordinance was given its first reading and introduced by title only at a regular meeting of the City Council of the City of Riverbank on October 8, 2024. Said ordinance was given a second reading by title only and adopted.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Riverbank at a regular meeting on the ____ day of _____, 2024; motioned by Councilmember _____, seconded by Councilmember _____; moved said ordinance by a City Council _____ vote of _____:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Gabriela Hernandez, CMC
City Clerk

Richard D. O'Brien
Mayor

APPROVED AS TO FORM:

Tom P. Hallinan
City Attorney

CITY OF RIVERBANK

RESOLUTION 2024-XXX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK
APPROVING VESTING TENTATIVE MAP 01-2024 TO SUBDIVIDE 5.9± ACRES
FOR THE HERITAGE II SUBDIVISION, LOCATED AT 6448 CLAUS ROAD
(APN 062-039-048)**

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

WHEREAS, a General Plan Amendment, Rezone, Tentative Subdivision Map, and Architecture and Site Plan Review application has been received from Summerfaire Commerce Center, LLC with a request for a Tentative Subdivision Map to divide approximately 5.9± acres into forty-seven (47) Planned Development single family residential lots, and more particularly described as Stanislaus County Assessor Parcel Number 062-039-048; and

WHEREAS, the City Subdivision Ordinance, Section 152.037, states that as a 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 determination of parkland dedication or a fee in lieu of will occur at the Final Map stage based on values of land at the time the Final map is recorded; and

WHEREAS, the proposed Tentative Subdivision Map is consistent with the following General Plan policies discussed in the staff report: Policy Design 2.7, Policy Design 3.1, and Policy Design 3.2; and

WHEREAS, the proposed subdivision is located on 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 of Riverbank Planning Commission conducted a public hearing on September 17, 2024 to take public comment, consider Tentative Subdivision Map 01-2024, and make a recommendation to City Council; and

WHEREAS, the Riverbank Planning Commission with a vote of 5-0 recommended approval of Tentative Subdivision Map 01-2024 dated September 17, 2024, prepared by Associated Engineering Group, and modified by adopted Conditions of Approval, and incorporated herein as a part of this City Council Resolution; and

WHEREAS, pursuant to Government Code section 65355, notice of the City Council public hearing on the Tentative Subdivision Map was published in the *Riverbank News*, a newspaper of general circulation on September 20, 2024; and

WHEREAS, notices of the City Council public hearing on the Tentative Subdivision Map were also mailed to all property owners within 300 feet of the property, according to the most recent Assessor's roll on September 20, 2024; and

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

1. The proposed map is consistent with applicable general and specific plans.
2. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
3. The site is physically suitable for the type of development.
4. The site is physically suitable for the proposed density of the development.
5. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitats.
6. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.
7. 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. In this connection, the City Council may approve a map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This division shall only apply to easements of record or to easements established by judgement of a court of competent jurisdiction.

Whereas, Tentative Subdivision Map 01-2024 is hereby approved, subject to and modified by the following conditions:

1. Applicant shall comply with the City of Riverbank Standard Conditions as contained in Planning Commission Resolution 2013-014, including annexing into Community Facilities District 2016-01, or receive confirmation from the Community Development Director that a specific condition or conditions does not apply to the subject project; and
2. The Teak Street at Claus Road intersection shall be a right turn in and right turn out. An intersection control island (pork chop) shall be installed to eliminate any potential left turn movements; and
3. All City standard conditions of approval shall apply; and

4. Each lot shall be connected to City water with water meters and back flow preventers; and
5. Each lot shall be connected to City sewer with clean outs at the property lines; and
6. Storm inlets shall have storm filters; and
7. The storm drain system shall be designed to City standards; and
8. A soils report is required; and
9. A complete set of landscape plans conforming to the state's MWELo requirements is required prior to final map; and
10. The City's Post Construction Standards Plan needs to be followed including DMA's LID standards, and the required worksheets located in the Appendix of the document. The document is available on the City's website; and
11. No access to lots 1-3 and 47 from Claus Road will be allowed and needs to be restricted on the final map; and
12. Pedestrian access from the end of Cocobolo Court to Sierra Street shall be constructed; and
13. Install a four way stop intersection at Cervi Road and Sierra Street.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Riverbank that Tentative Subdivision Map Application No. 01-2024 is approved, subject to those conditions established by Resolution No. 2024-xxx and to be built as illustrated in **Exhibit A** to this Resolution entitled Tentative Subdivision Map, The Heritage Collection Phase 2, dated August 28, 2024.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 8th day of October 2024; 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,CMC
City Clerk

Richard D. O'Brien
Mayor

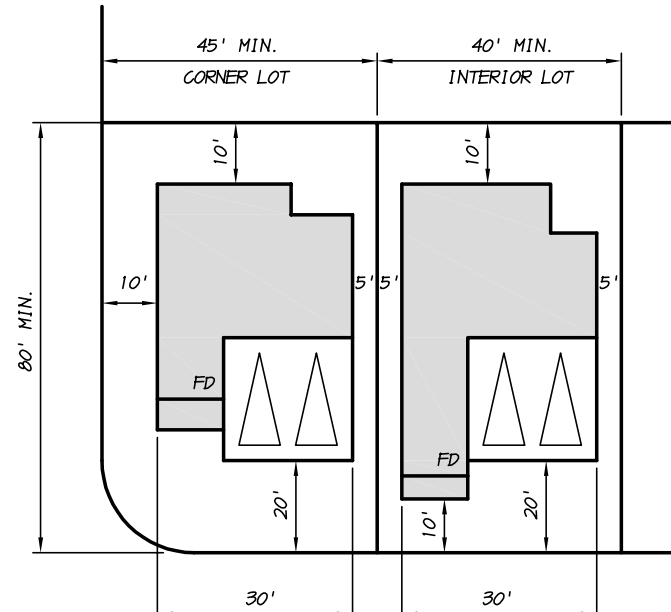
Exhibit A –Tentative Subdivision Map 01-2024

TYPICAL LOT SIZE

INTERIOR LOT: 40'x80' MIN.
CORNER LOT: 45'x80' MIN.

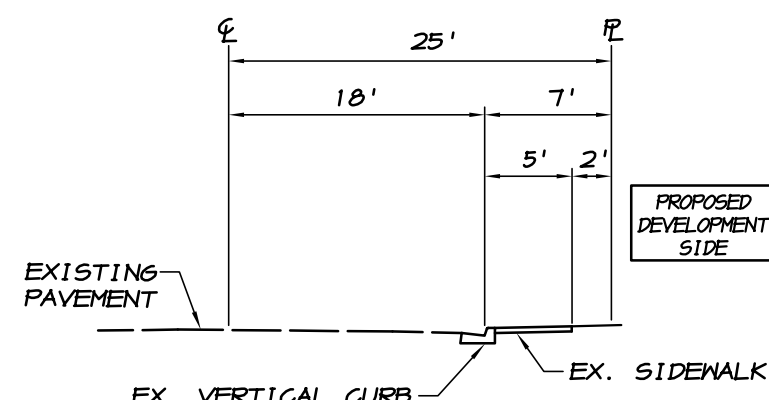
PROPOSED SETBACKS

FRONT: 10' MIN.
FRONT (GARAGE): 20' MIN.
SIDE (INTERIOR): 5' MIN.
SIDE (CORNER): 10' MIN.
REAR: 10' MIN.



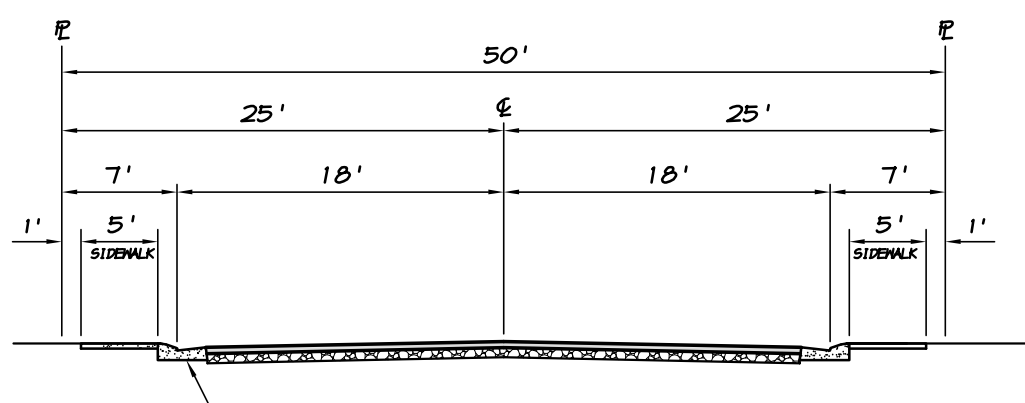
TYPICAL LOT LAYOUT

NO SCALE



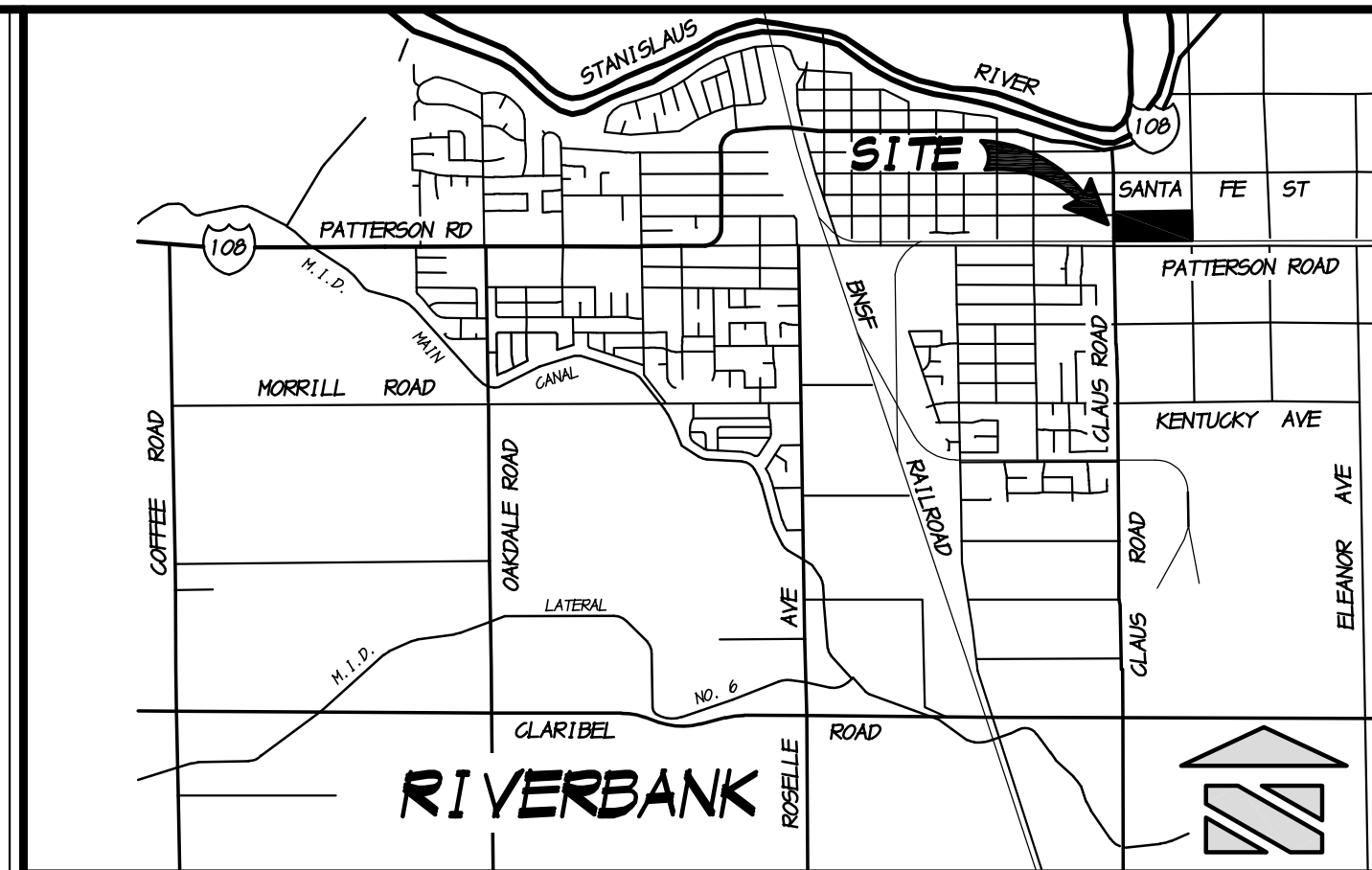
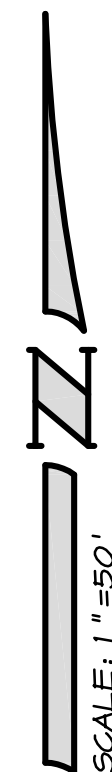
SIERRA STREET

NO SCALE



TYPICAL STREET

NO SCALE



VICINITY MAP

NO SCALE

OWNERS & SUBDIVIDERS

SUMMERFAIRE COMMERCE CENTER LLC
1920 STANDIFORD AVENUE, SUITE 1
MODESTO, CA 95350

GENERAL NOTES

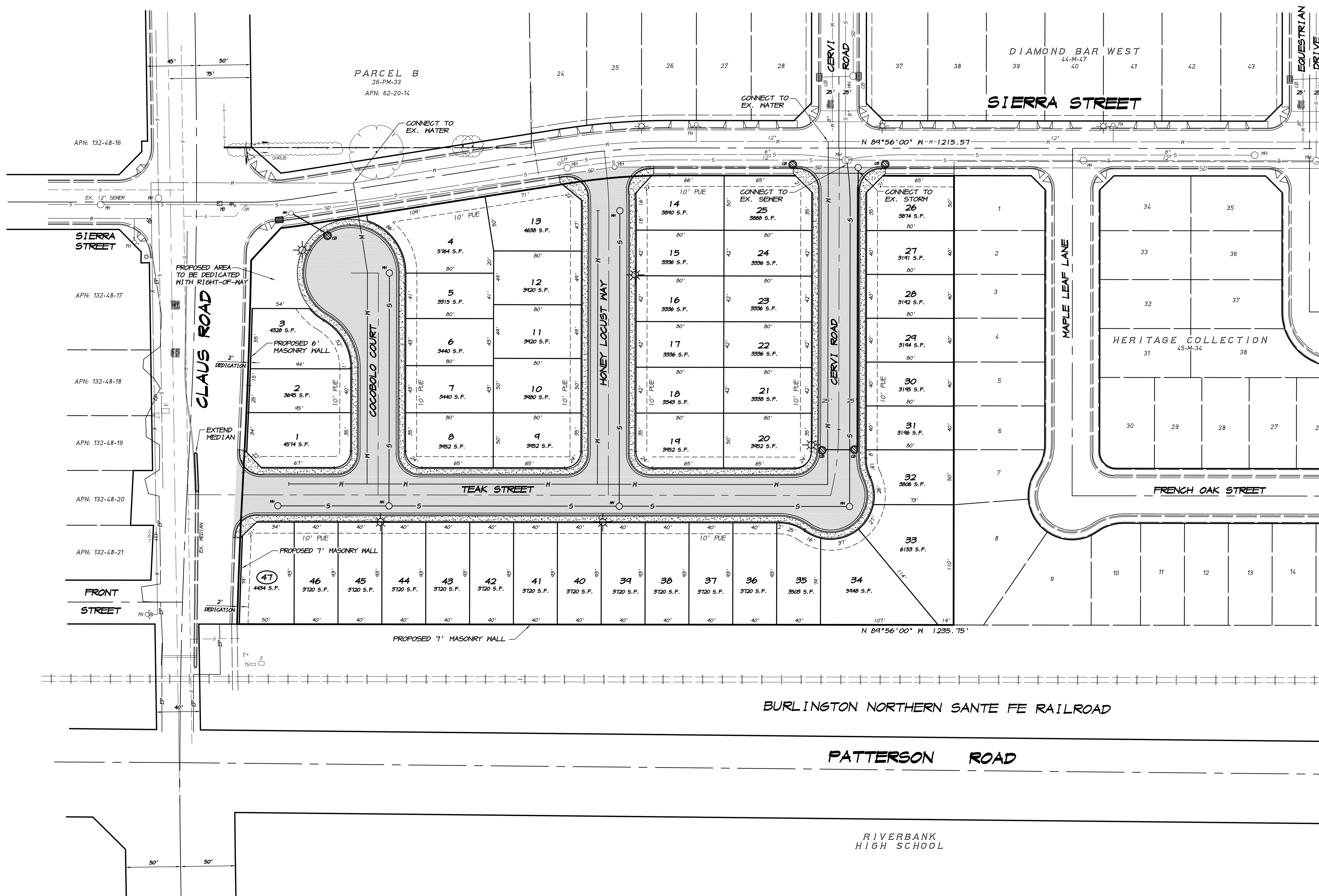
- ASSESSOR'S PARCEL NUMBER: 062-039-048
- ZONING: PD
- GENERAL PLAN: MEDIUM DENSITY RESIDENTIAL
- SITE SUMMARY: TOTAL PROJECT SITE = 6.49 ACRES GROSS (5.9 ACRES NET) BEING DIVIDED INTO 47 SINGLE-FAMILY LOTS.
- THE PROPERTY LINE DISTANCES, BEARINGS, AND ALL OTHER DIMENSIONS SHOWN ON THIS MAP ARE TAKEN FROM DEEDS, ASSESSOR'S MAPS, OR BOTH, AND PRELIMINARY FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL FIELD SURVEY.
- PURSUANT TO SECTION 66463.1 OF THE SUBDIVISION MAP ACT, THE OWNER-SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE MULTIPLE SUBDIVISION MAPS.
- THIS PROJECT SITE IS RELATIVELY FLAT, SLOPING FOR IRRIGATION PURPOSES. THE LAND HEREON LIES BETWEEN 142 AND THE 146 FOOT ELEVATION CONTOURS AS SHOWN ON USGS MAPS.
- UTILITY LINES SHOWN ON THIS MAP ARE BASED ON PRELIMINARY DESIGN AND ARE SUBJECT TO CHANGE AT TIME OF THE DEVELOPMENT OF THE PROJECT IMPROVEMENT PLANS.

STATEMENT OF SUBDIVIDER

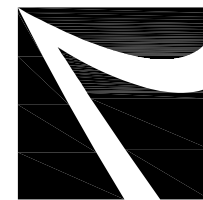
- A. ALL IMPROVEMENTS SHALL BE CONSTRUCTED AS PER THE CITY OF RIVERBANK STANDARD SPECIFICATIONS.
- B. STORM DRAINAGE: CITY OF RIVERBANK, CONNECT TO REGIONAL STORM DRAINAGE BASIN.
- C. SEWAGE DISPOSAL: CITY OF RIVERBANK SYSTEM.
- D. WATER SUPPLY: CITY OF RIVERBANK SYSTEM.
- E. NO PUBLIC AREAS ARE PROPOSED.

LEGEND

- S --- EX. SEWER LINE
--- SD --- EX. STORM DRAIN LINE
--- W --- EX. WATER LINE
--- FH --- EX. FIRE HYDRANT
--- E --- EX. ELECTROLIER
--- S --- PROP. SEWER LINE
--- W --- PROP. WATER LINE
--- SD --- PROP. STORM DRAIN LINE
--- CB --- PROP. CATCH BASIN
--- MH --- PROP. MANHOLE
--- FH --- PROP. FIRE HYDRANT
--- E --- PROP. ELECTROLIER
--- RE --- PUBLIC UTILITY EASEMENT



ASSOCIATED
ENGINEERING
GROUP



TENTATIVE SUBDIVISION MAP
THE HERITAGE COLLECTION PHASE 2
AT SIERRA STREET
RIVERBANK CALIFORNIA

RYAN CARREL, R.C.E. 61619
DAVE SKIDMORE, L.S. 7126

DRAWN BY: JF
DATE: 8/28/24 2:44
SCALE: 1"=50'
DWG: 303F-TSM1_RE
CHECKED:
JOB #: 303F-24

SHEET

1

OF

CITY OF RIVERBANK

RESOLUTION 2024-XXX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK
APPROVING ARCHITECTURAL AND SITE PLAN REVIEW APPLICATION NO.
06-2024 FOR HERITAGE II SUBDIVISION, LOCATED AT 6448 CLAUS ROAD
(APN: 062-039-048)**

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

WHEREAS, a General Plan Amendment, Rezone, Tentative Subdivision Map and Architecture and Site Plan Review application has been received from Summerfaire Commerce Center, LLC with a request for an Architecture and Site Plan Review for the forty-seven (47) Planned Development single family residential homes, and more particularly described as Stanislaus County Assessor Parcel Number 062-039-048; and

WHEREAS, the Planning Commission held a public hearing on September 17, 2024, to consider Architecture and Site Plan Review 06-2024 and take public comment; and

WHEREAS, the architectural review of structures for a subdivision is not a Project pursuant to CEQA Guidelines; and

WHEREAS, the Riverbank Planning Commission made the following findings:

1. The proposed project, together with the provisions for its design and improvements, is consistent with the goals, policies, program and uses of the General Plan.
2. The proposed Architecture and Site Plan Review along with the Conditions of Approval is in conformity with both the intent and provisions of the Zoning Ordinance, Title 153, of the City of Riverbank Code of Ordinances.

WHEREAS, the proposed project is consistent with the following aspects of the General Plan:

1. Policy Design-3.2: Approved plans, projects, and subdivision requests shall provide residential site and building design that contributes to an attractive pedestrian friendly environment along neighborhood streets.

2. Policy Design-4.2: Approved projects, plans and subdivisions shall provide diversity among dwelling units in the use of color, building materials, floor plan lay-outs, square footages, and roof-lines. Approved projects, plans, and subdivision requests shall maintain continuity of a few overall urban design features to provide context between individual units and the neighborhood.
3. Policy Design-5.2: The City will encourage the use of porches, stoops, and other elements that provide a place to comfortably linger and thereby “provide eyes on the street,” helping to maintain a sense of security within neighborhoods.

WHEREAS, the Riverbank Planning Commission with a vote of 5-0 recommended approval of Architecture and Site Plan Review 06-2024 and modified by adopted Conditions of Approval, and incorporated herein as a part of this City Council Resolution; and

WHEREAS, pursuant to Government Code section 65355, notice of the City Council public hearing on the Architecture and Site Plan Review was published in the *Riverbank News*, a newspaper of general circulation on September 20, 2024; and

WHEREAS, notices of the City Council public hearing on the Architecture and Site Plan Review were also mailed to all property owners within 300 feet of the property, according to the most recent assessor’s roll on September 20, 2024; and

WHEREAS, the plans and elevations of Summerfair Commerce Center, LLC are hereby granted and approved, subject to the following conditions:

1. Applicant shall comply with the City of Riverbank Standard Conditions as contained in the Planning Commission Resolution 2013-014 and/or receive confirmation from the Community Development Director that a specific condition or conditions does not apply to the project;
2. The applicant shall build the entire project according to the floor plans and elevations dated June 26, 2024 and on file with the Community Development Department and as presented to the Planning Commission as part of this action;
3. The Community Development Director shall approve block walls and fencing;
4. An application, plans, and current fee shall be submitted for the approval of landscaping and irrigation;
5. The Subdivision Improvement Agreement shall be signed and submitted to the Community Development Director before Final Map adoption;
6. CC&R documents, if used, shall be submitted to the Community Development Director for staff and City Attorney review and approval. The CC&Rs shall prohibit

Recreational Vehicle (RV) parking in driveways and mobile basketball hoops from streets, sidewalks, and any common areas. Property owners shall be responsible for the maintenance and replacement of their walls and fences, including graffiti;

7. Street names shall not be final until Final Map adoption; and
8. Any subdivision signage shall be approved under separate permit.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Riverbank that Architecture and Site Plan Review Application No. 06-2024 is approved, subject to those conditions established by Resolution No. 2024-XXX and to be built as illustrated in **Exhibit B** to this Resolution.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 8th day of October 2024; motioned by _____, seconded by _____, and upon roll call was carried by the following vote of ____/____:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Gabriela Hernandez,CMC
City Clerk

Richard D. O'Brien
Mayor

Exhibit B – Elevations and Floor Plans



A - Spanish Elevation
Color Scheme 2A



E - Traditional Elevation
Color Scheme 3B

PLAN 1583



A - Spanish Elevation
Color Scheme 9A



E - Traditional Elevation
Color Scheme 7B-2

PLAN 1859

Note: Artist's Conception; Colors, Materials
And Application May Vary.

HERITAGE II

City of Riverbank, California 95367

June 26, 2024

Project Information

Single Family Detached
Building Type: V-B
Occupancy: R3
Plans: 1583 & 1874
Elevation Styles: Spanish & Traditional
Lots: 47

Sheet Index

Cover Sheet CS

Architecture

Plan 1583 Floor Plans A1.1
Plan 1583 Roof Plans A1.2
Plan 1583 Front Elevations A1.3
Plan 1583 Elevation 'A' Spanish A1.4
Plan 1583 Elevation 'E' Traditional A1.5

Plan 1874 Floor Plans A2.1
Plan 1874 Roof Plans A2.2
Plan 1874 Front Elevations A2.3
Plan 1874 Elevation 'A' Spanish A2.4
Plan 1874 Elevation 'E' Traditional A2.5
Exterior Color & Materials CM1.1
Exterior Color & Materials CM1.2

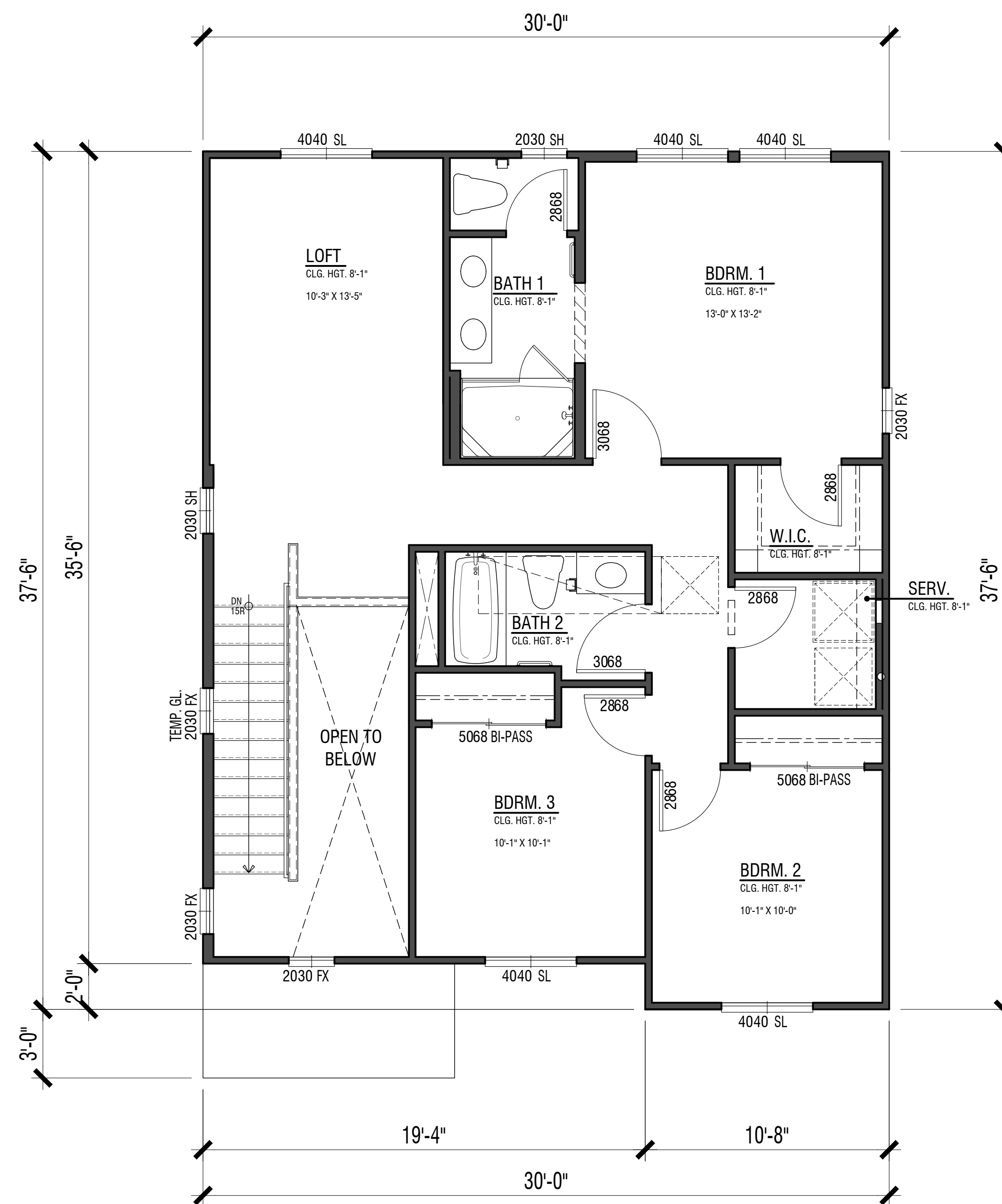
Project Team:



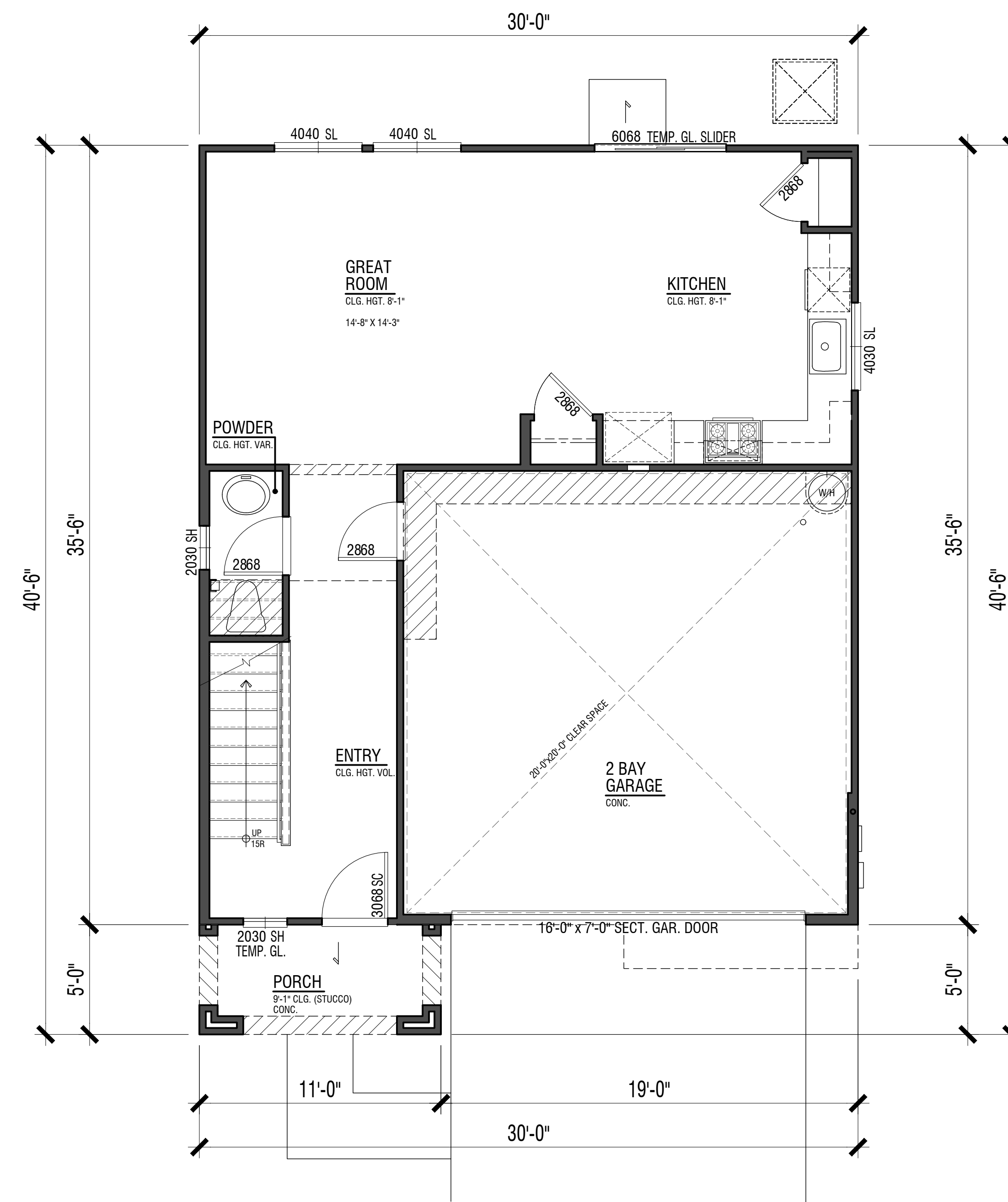
Applicant: D.R. Horton
3000 Executive Parkway, Suite 100
San Ramon, CA 94582
Contact: Adam Lind
925.459.4134



Architect: WHA Architects
5000 Executive Parkway, Suite 375
San Ramon, CA 94582
Contact: Mark Retherford
925.463.1700



Second Floor 946 SF

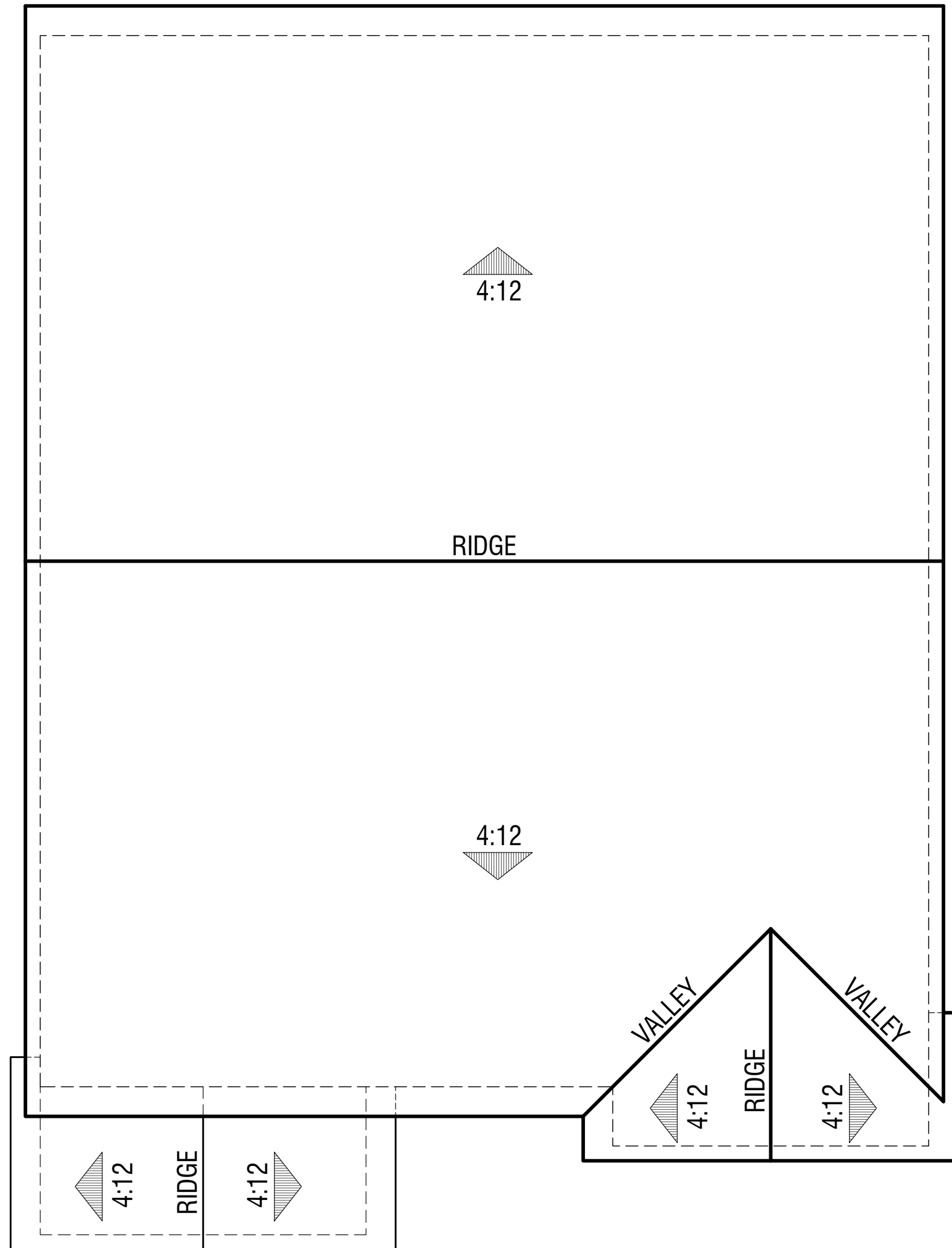


First Floor 637 SF

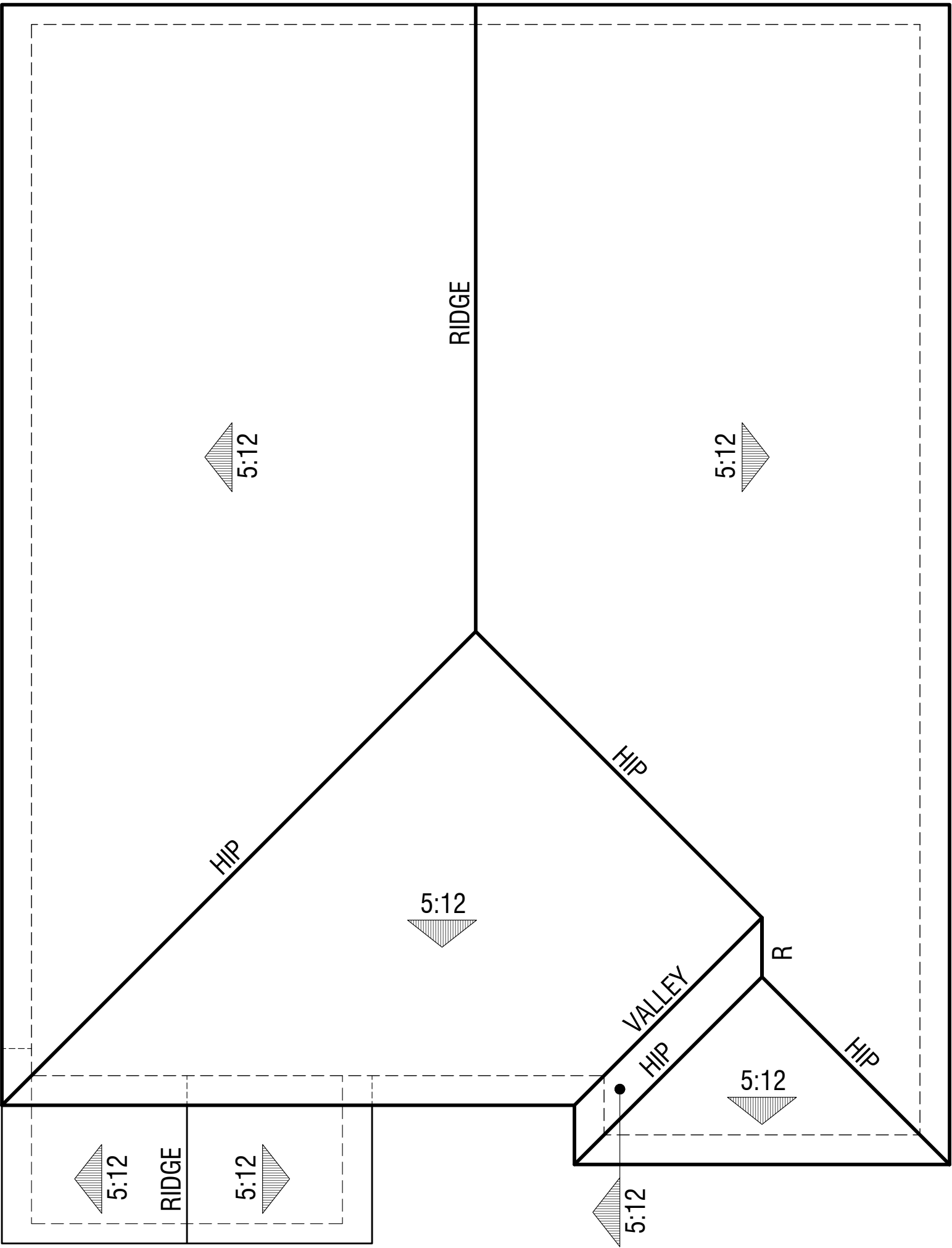
PLAN 1583

1,583 SF
3 Bdrm | 2.5 Bath
2-Car Garage

HERITAGE II
RIVERBANK, CA



A - Spanish Elevation



E - Traditional Elevation

PLAN 1583 Roof Plans

HERITAGE II

RIVERBANK, CA



A - Spanish Elevation
Color Scheme 2A

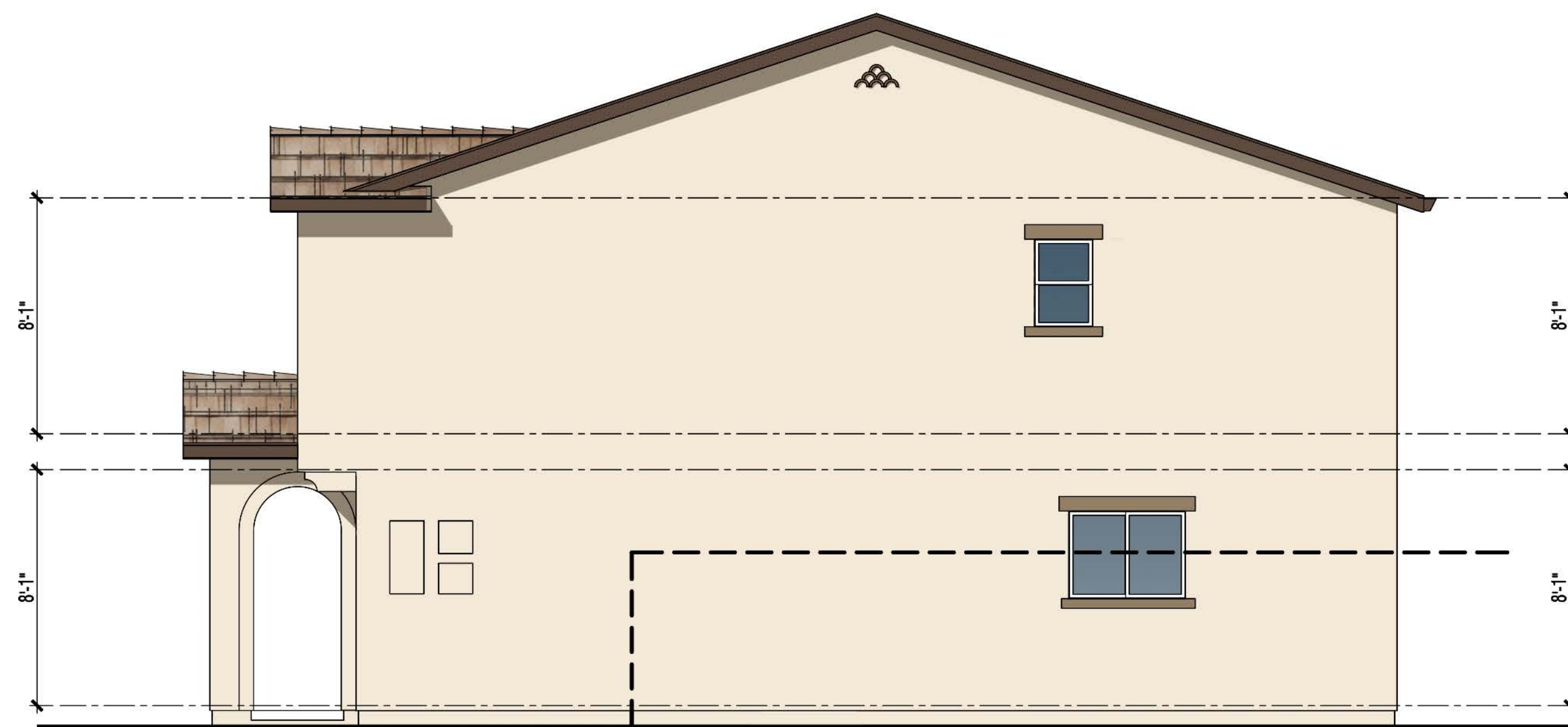


E - Traditional Elevation
Color Scheme 3B

PLAN 1583

Front Elevations

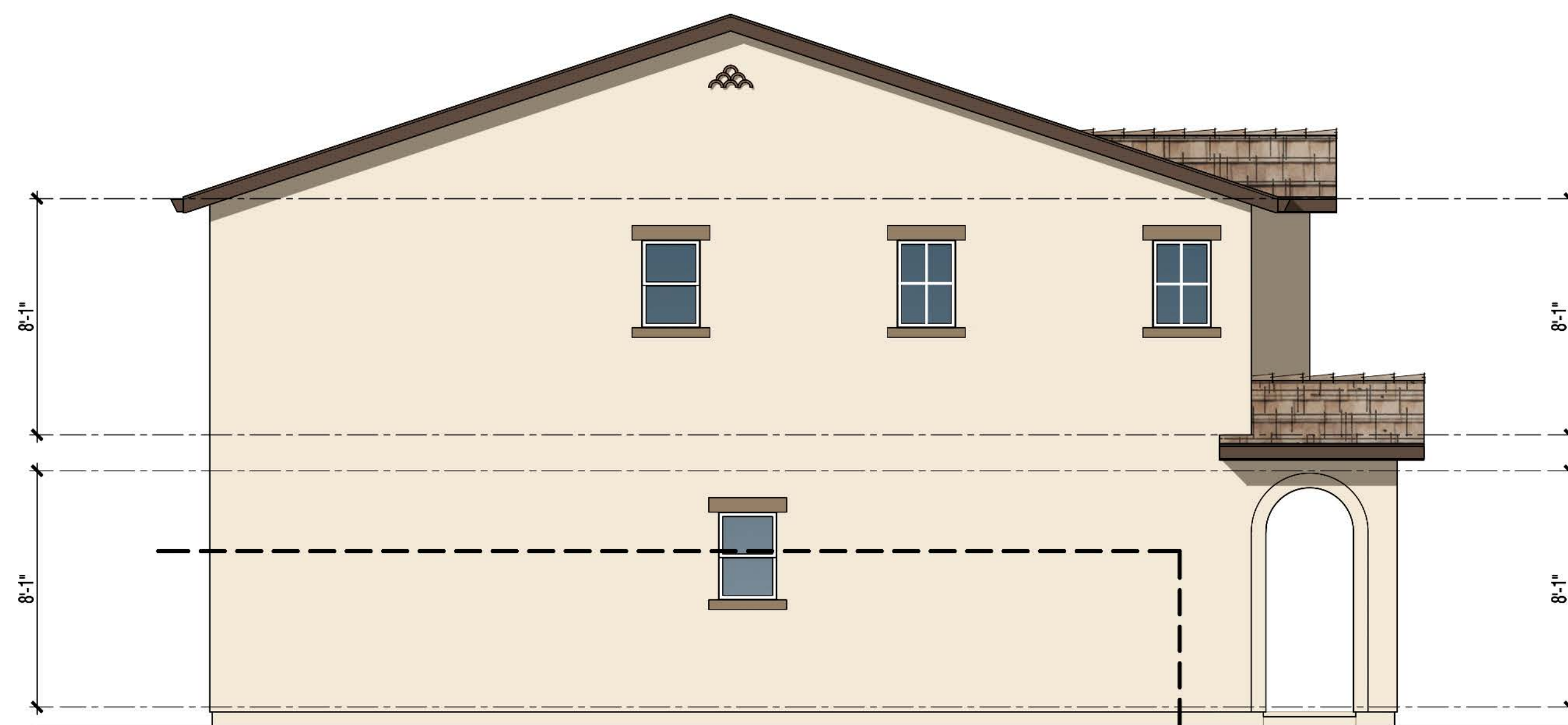
HERITAGE II
RIVERBANK, CA



Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Exterior Materials:

A - Spanish Elevation

- 1 Roof: Low Profile Concrete Tile Roofing
- 2 Stucco: Lightlace Finish
- 3 Windows: Insulated Vinyl
- 4 Garage Door: Metal Sectional Roll-Up
- 5 Entry Door: Fiberglass
- 6 Shutters: Decorative Foam
- 7 Gable Pipes: Decorative Foam
- 8 Light Fixture
- 9 Address Light

PLAN 1583
A - Spanish Elevation

HERITAGE II
RIVERBANK, CA



Right Elevation



Rear Elevation



Left Elevation



Front Elevation

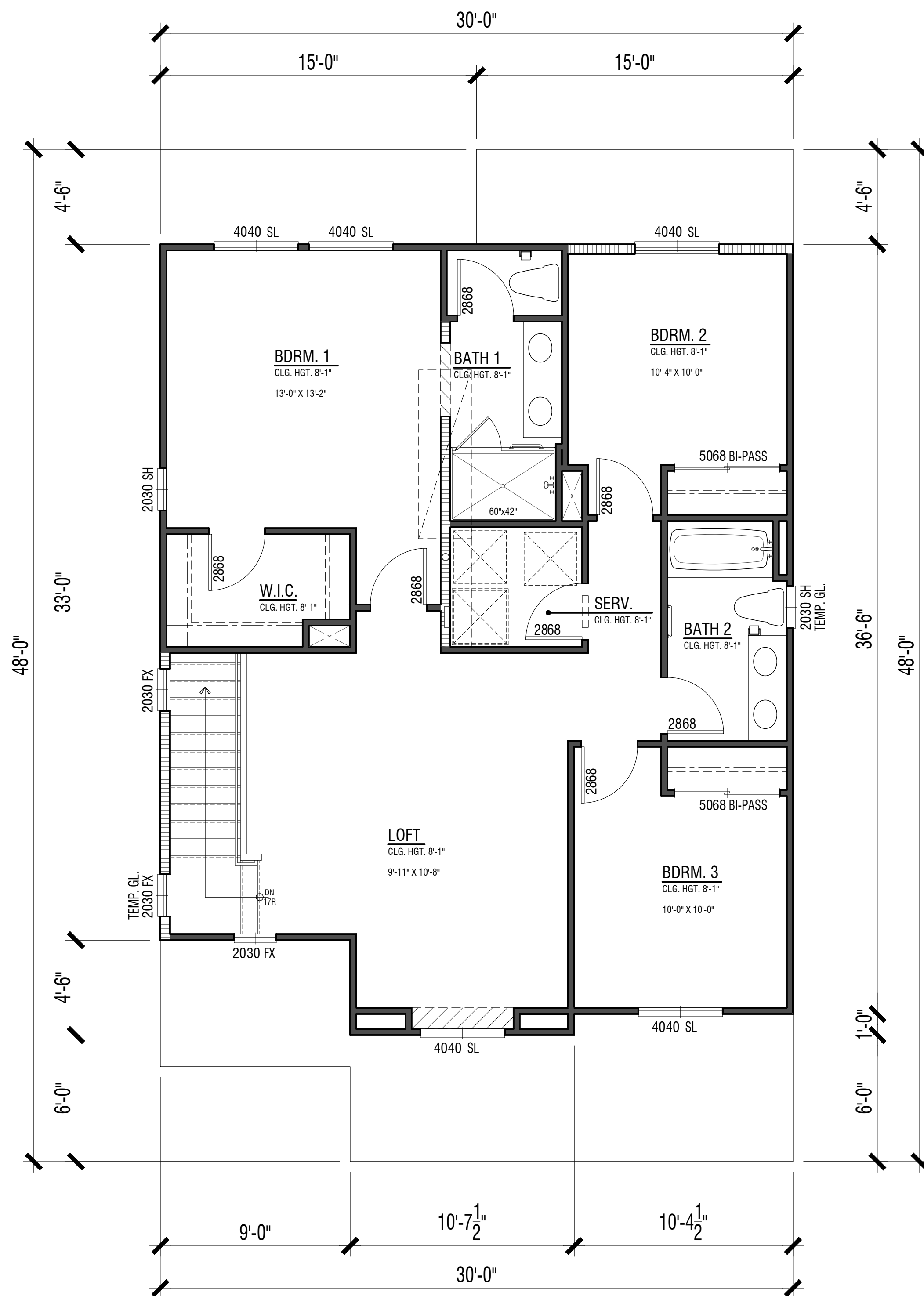
Exterior Materials:

E - Traditional Elevation

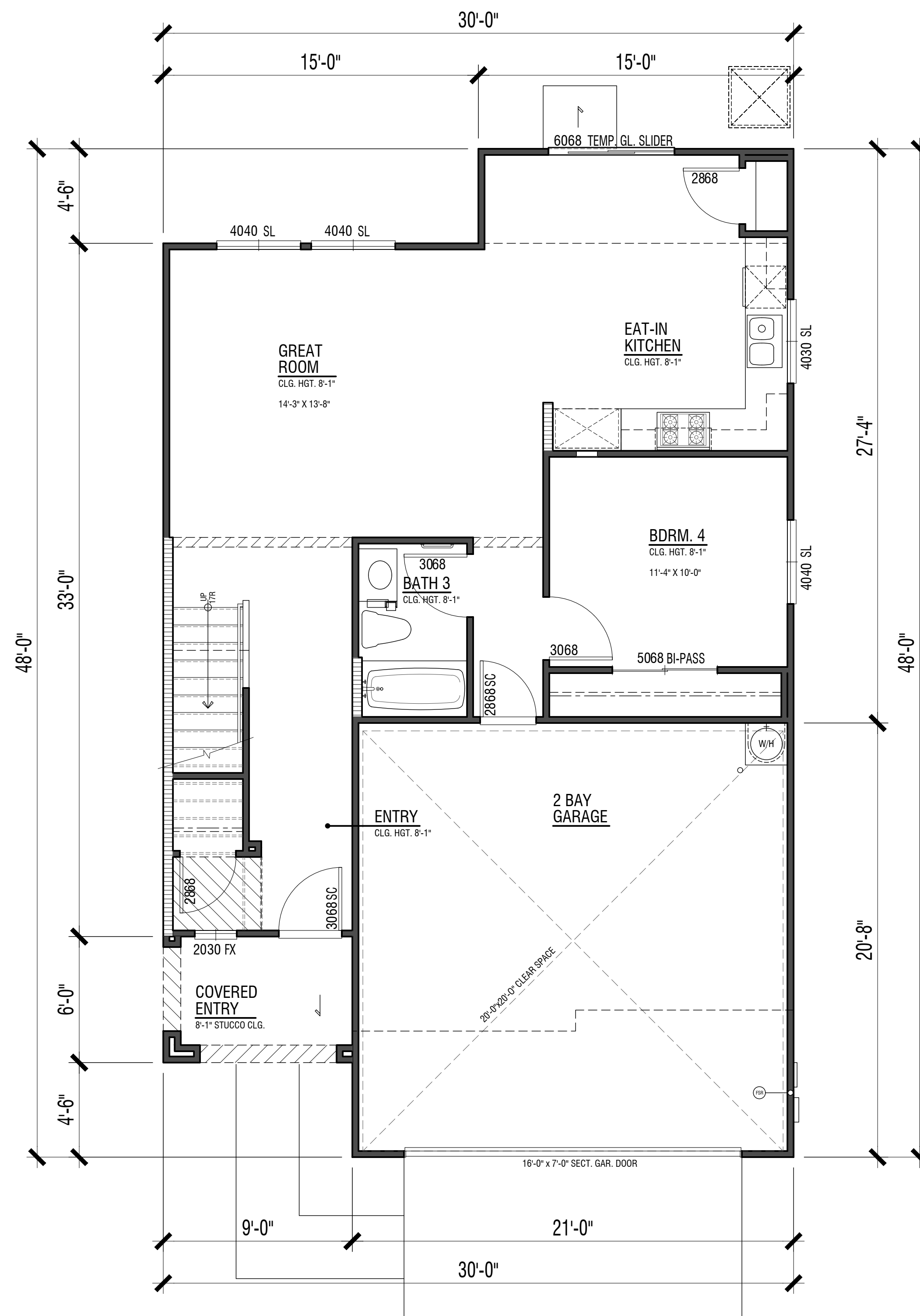
- 1 Roof: Flat Concrete Tile Roofing
- 2 Stucco: Lightlace Finish
- 3 Lap Siding: Fiber Cement
- 4 Windows: Insulated Vinyl
- 5 Garage Door: Metal Sectional Roll-Up
- 6 Entry Door: Fiberglass
- 7 Light Fixture
- 8 Address Light

PLAN 1583
E - Traditional Elevation

HERITAGE II
RIVERBANK, CA

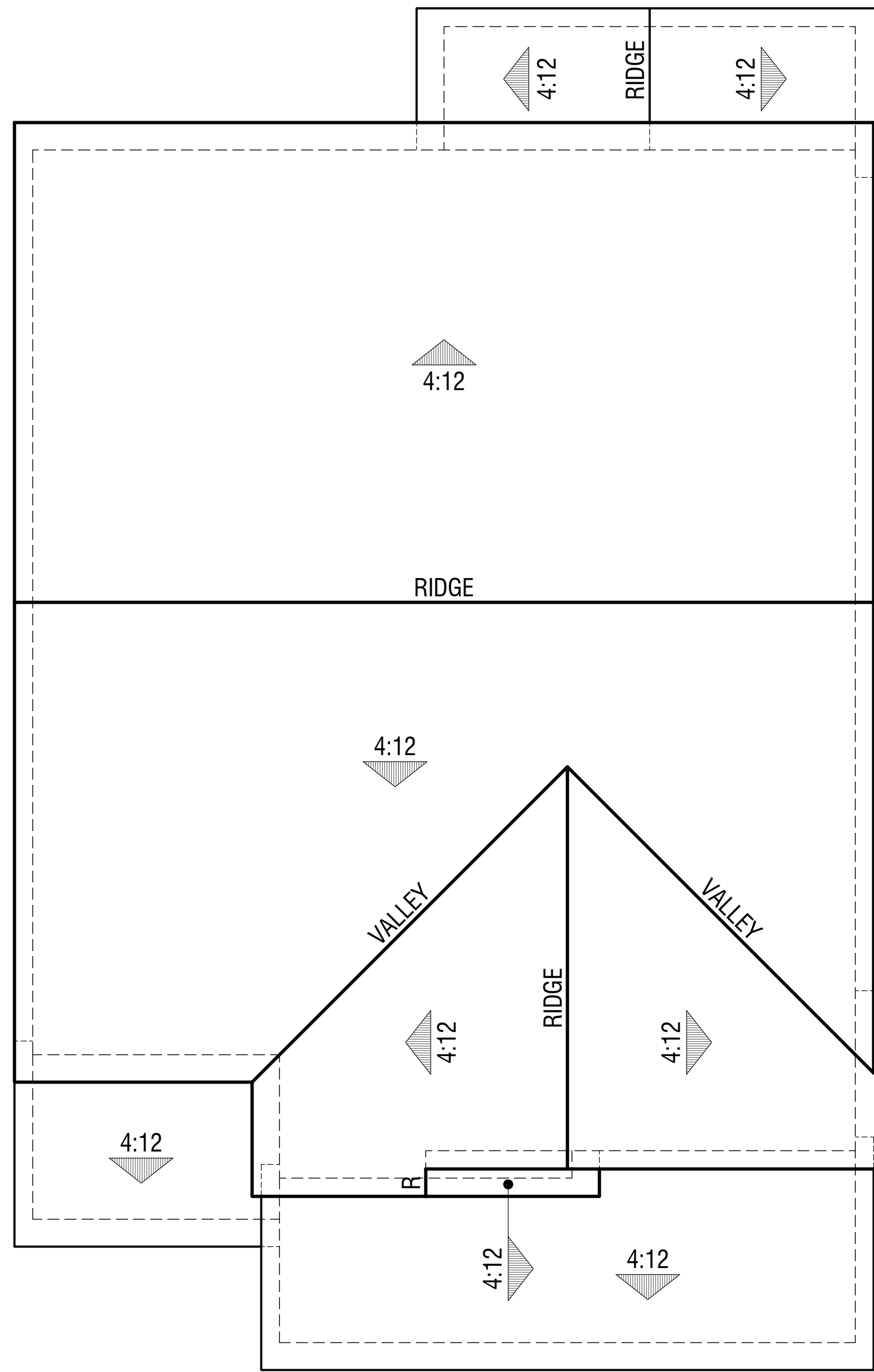


Second Floor 1,008 SF

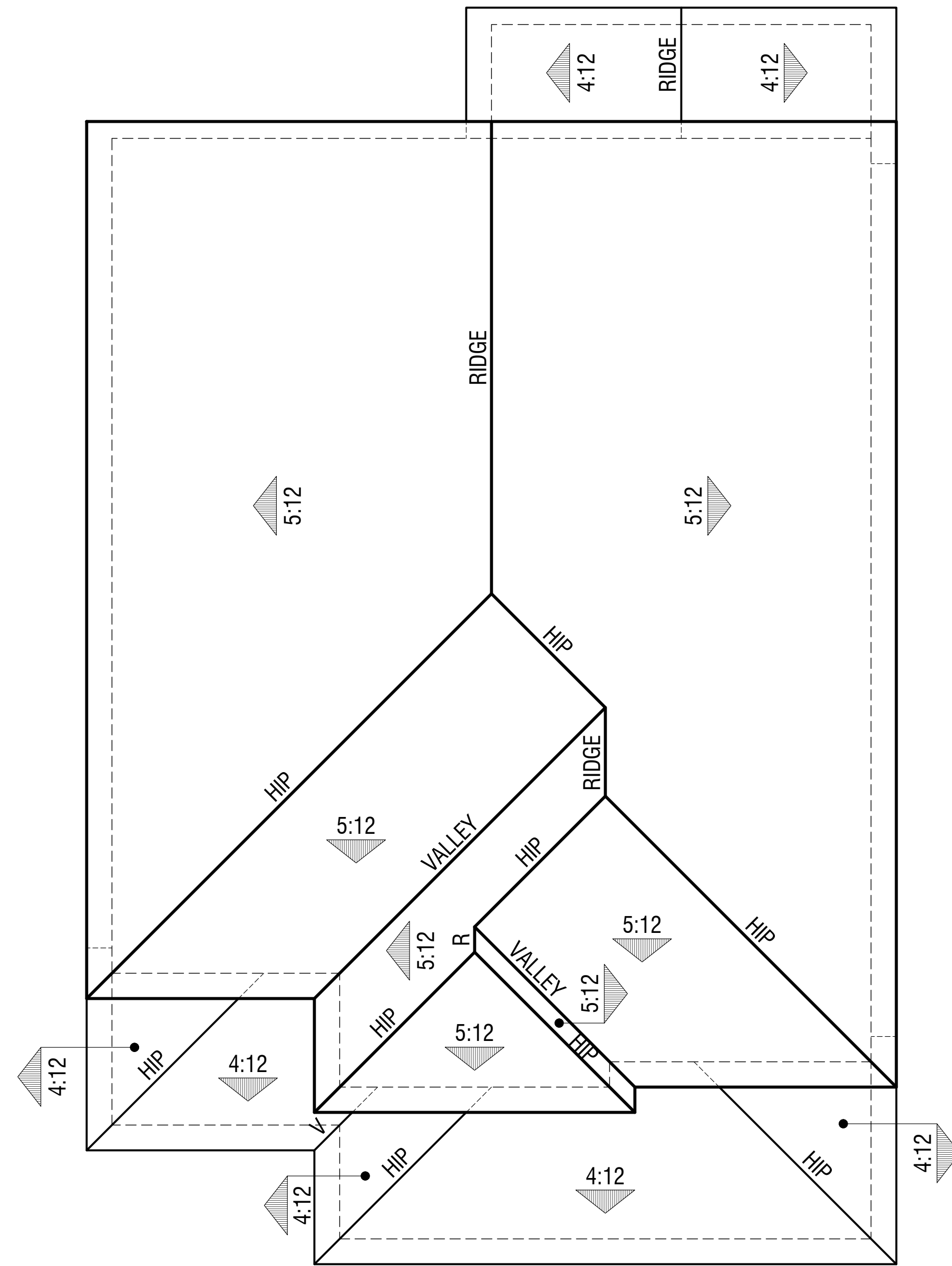


First Floor 847 SF

PLAN 1874
 1,855 SF
 4 Bdrm | 3 Bath | Loft
 2-Car Garage



A - Spanish Elevation



E - Traditional Elevation

PLAN 1874 Roof Plans

HERITAGE II

RIVERBANK, CA



A - Spanish Elevation
Color Scheme 9A



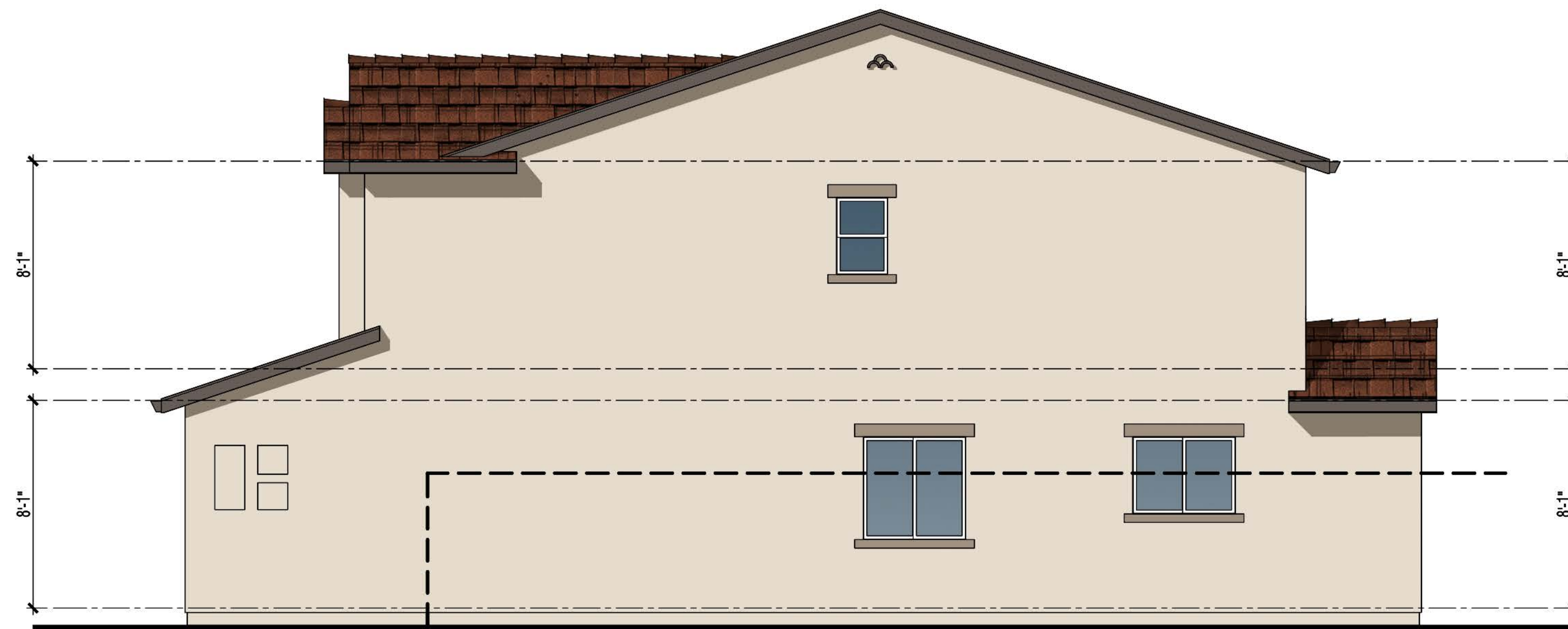
E - Traditional Elevation
Color Scheme 7B-2

PLAN 1874

Front Elevations

HERITAGE II

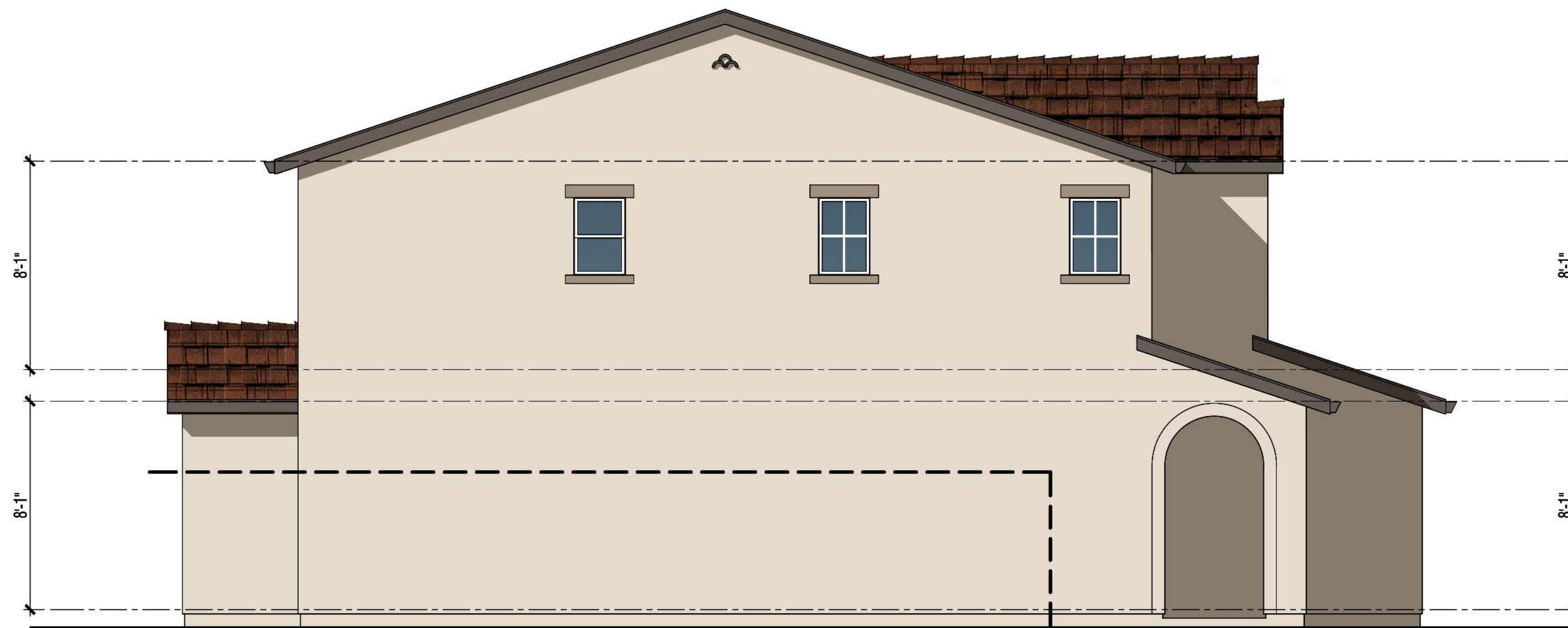
RIVERBANK, CA



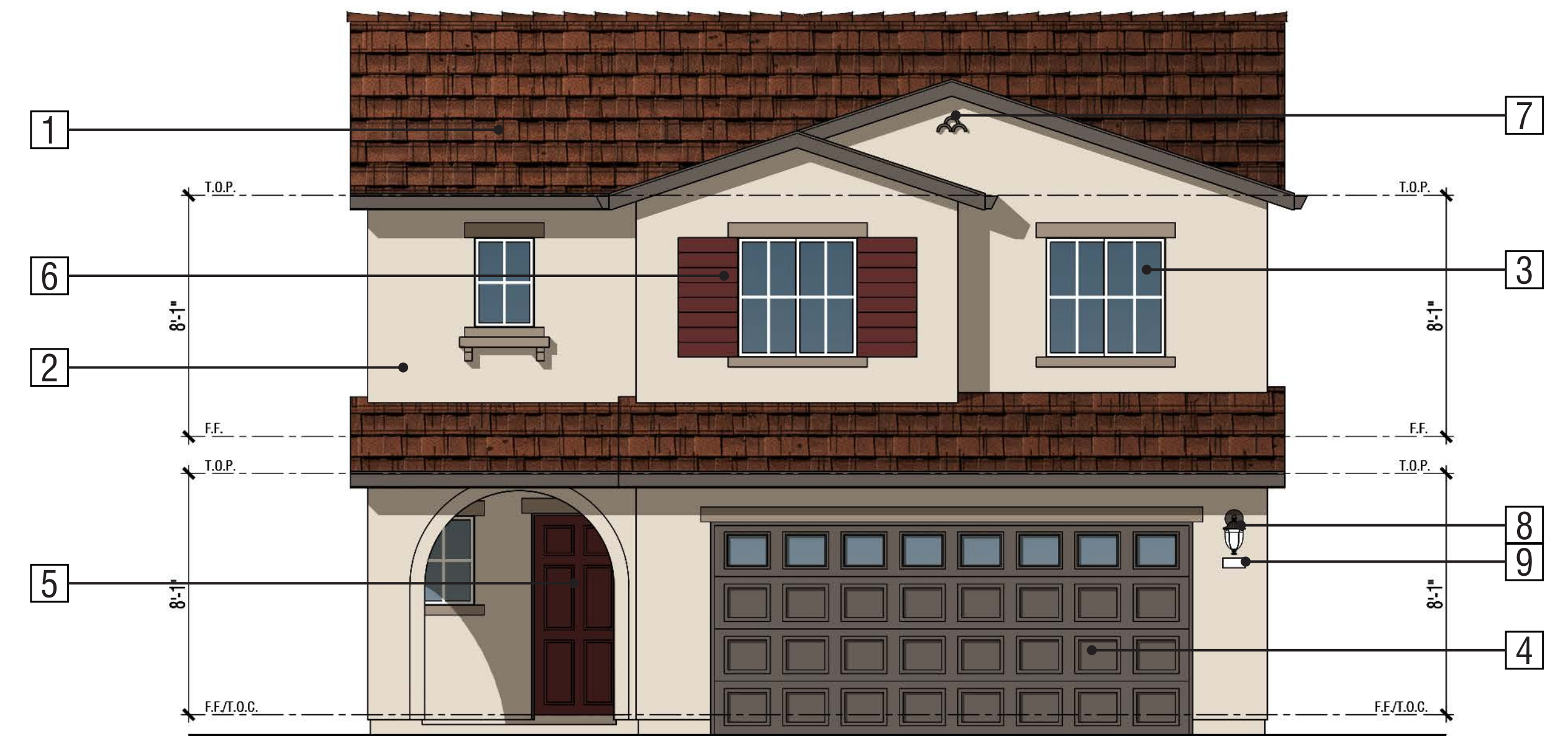
Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Exterior Materials:

A - Spanish Elevation

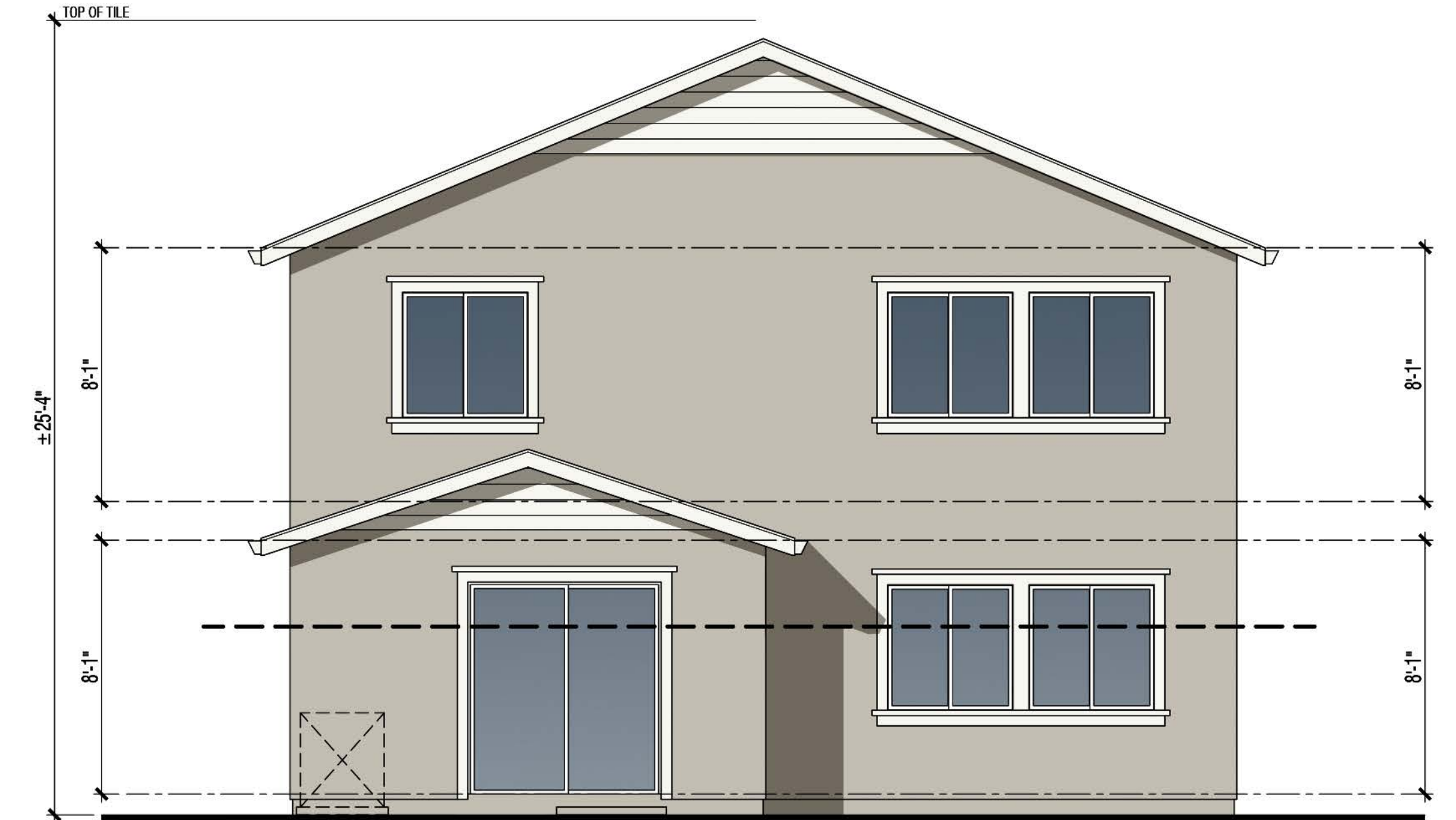
- 1 Roof: Low Profile Concrete Tile Roofing
- 2 Stucco: Lightlace Finish
- 3 Windows: Insulated Vinyl
- 4 Garage Door: Metal Sectional Roll-Up
- 5 Entry Door: Fiberglass
- 6 Shutters: Decorative Foam
- 7 Gable Pipes: Decorative Foam
- 8 Light Fixture
- 9 Address Light

PLAN 1874
A - Spanish Elevation

HERITAGE II
RIVERBANK, CA



Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Exterior Materials:

E - Traditional Elevation

- 1 Roof: Flat Concrete Tile Roofing
- 2 Stucco: Lightlace Finish
- 3 Lap Siding: Fiber Cement
- 4 Windows: Insulated Vinyl
- 5 Garage Door: Metal Sectional Roll-Up
- 6 Entry Door: Fiberglass
- 7 Light Fixture
- 8 Address Light

PLAN 1874
E - Traditional Elevation

HERITAGE II
RIVERBANK, CA

ROOFING

FASCIA

STUCCO

GARAGE DOOR TRIM

FRONT DOOR

SHUTTERS

PREFAB PIPES @ GABLES

THE HERITAGE COLLECTION

Riverbank, California
D.R. HORTON
April 19, 2023 | 2022294

SCHEME 2A
'A' Elevations Only
Spanish

WHA.

For exact color refer to manufacturers' actual samples.
© 2023 WILLIAM HEZMALHALCH ARCHITECTS, INC. DBA WHA

ROOFING

FASCIA

STUCCO

GARAGE DOOR TRIM

FRONT DOOR

SHUTTERS

PREFAB PIPES @ GABLES

THE HERITAGE COLLECTION

Riverbank, California
D.R. HORTON
April 19, 2023 | 2022294

SCHEME 4A
'A' Elevations Only
Spanish

WHA.

For exact color refer to manufacturers' actual samples.
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ROOFING

FASCIA

STUCCO

GARAGE DOOR

PREFAB PIPES @ GABLES

FRONT DOOR

SHUTTERS

TRIM

THE HERITAGE COLLECTION

Riverbank, California
D.R. HORTON
April 19, 2023 | 2022294

SCHEME 9A
'A' Elevations Only
Spanish

WHA.

For exact color refer to manufacturers' actual samples.
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Exterior Color & Materials

Material	Color	Manufacturer
Roofing: 'Composition Shingles	'Golden Amber Timberline HDZ Series Ref: .20 Emi: .92 A.SRI: 22 CRRC: 0676-0098	'GAF
Gutters & Downspouts (factory finish)	Beaver Brown	Custom-Bilt Metals
Stucco (lightface finish)	SW 7558 Medici Ivory	Sherwin Williams
Trim Color #1 (applied to): Garage Door Trim	SW 6144 Dapper Tan	Sherwin Williams
Trim Color #2 (applied to): Fascia Front Door	SW 6083 Sable	Sherwin Williams
Accent Color (applied to): Shutters	SW 6181 Secret Garden	Sherwin Williams
Prefab Pipes @ Gables	SW 7705 Wheat Penny	Sherwin Williams
Garage Man Door	Match Stucco Color	Sherwin Williams

NOTE: Notify WHA if any variation occurs between these schemes and the construction documents prior to purchase. Contact Core Rath (925) 463-1700.

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Exterior Color & Materials

Material	Color	Manufacturer
Roofing: 'Composition Shingles	'Copper Canyon Timberline HDZ Series Ref: .17 Emi: .92 A.SRI: 17 CRRC: 0676-0097	'GAF
Gutters & Downspouts (factory finish)	Woodbeige	Custom-Bilt Metals
Stucco (lightface finish)	SW 7005 Pure White	Sherwin Williams
Trim Color #1 (applied to): Garage Door Trim	SW 7038 Tony Taupe	Sherwin Williams
Trim Color #2 (applied to): Fascia Front Door	SW 7525 Tree Branch	Sherwin Williams
Accent Color (applied to): Shutters	SW 6223 Still Water	Sherwin Williams
Prefab Pipes @ Gables	SW 7705 Wheat Penny	Sherwin Williams
Garage Man Door	Match Stucco Color	Sherwin Williams

NOTE: Notify WHA if any variation occurs between these schemes and the construction documents prior to purchase. Contact Core Rath (925) 463-1700.

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Exterior Color & Materials

Material	Color	Manufacturer
Roofing: 'Composition Shingles	'Hickory Timberline HDZ RS Series Ref: .18 Emi: .91 A.SRI: 17 CRRC: 0676-0136a	'GAF
Gutters & Downspouts (factory finish)	Bronze	Custom-Bilt Metals
Stucco (lightface finish)	SW 6105 Divine White	Sherwin Williams
Trim Color #1 (applied to): Fascia Garage Doors Prefab Pipes @ Gables	SW 7505 Manor House	Sherwin Williams
Trim Color #2 (applied to): Trim	SW 9174 Moth Wing	Sherwin Williams
Accent Color (applied to): Front Door Shutters	SW 2802 Rookwood Red	Sherwin Williams
Garage Man Door	Match Stucco Color	Sherwin Williams

NOTE: Notify WHA if any variation occurs between these schemes and the construction documents prior to purchase. Contact Core Rath (925) 463-1700.

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Exterior Color & Materials

A - Spanish Elevation

ROOFING

FASCIA

STUCCO

LAP SIDING

TRIM

GARAGE DOOR

FRONT DOOR

THE HERITAGE COLLECTION

Riverbank, California
D.R. HORTON
April 19, 2023 | 2022294

SCHEME 3B
'E' Elevations Only
Traditional

ARCHITECTS . PLANNERS . DESIGNERS
WHA.
ORANGE COUNTY . LOS ANGELES . BAY AREA . SACRAMENTO

For exact color refer to manufacturers' actual samples.
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ROOFING

FASCIA

STUCCO

LAP SIDING

TRIM

GARAGE DOOR

FRONT DOOR

THE HERITAGE COLLECTION

Riverbank, California
D.R. HORTON
April 19, 2023 | 2022294

SCHEME 6B-2
'E' Elevations Only
Traditional

ARCHITECTS . PLANNERS . DESIGNERS
WHA.
ORANGE COUNTY . LOS ANGELES . BAY AREA . SACRAMENTO

For exact color refer to manufacturers' actual samples.
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ROOFING

FASCIA

STUCCO

LAP SIDING

TRIM

GARAGE DOOR

FRONT DOOR

THE HERITAGE COLLECTION

Riverbank, California
D.R. HORTON
April 19, 2023 | 2022294

SCHEME 7B-2
'E' Elevations Only
Traditional

ARCHITECTS . PLANNERS . DESIGNERS
WHA.
ORANGE COUNTY . LOS ANGELES . BAY AREA . SACRAMENTO

For exact color refer to manufacturers' actual samples.
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Exterior Color & Materials

Material	Color	Manufacturer
Roofing: 'Composition Shingles	'Sagewood Timberline HDZ RS Series Ref.: 19 Emi.: 91 A.SRI: 19 CRRC: 0676-0132a	'GAF
Gutters & Downspouts (<i>factory finish</i>)	Bronze	Custom-Built Metals
Stucco (<i>lightface finish</i>)	SW 7569 Stucco	Sherwin Williams
Siding Color (<i>applied to:</i> Corner Boards Lap Siding	SW 7595 Sommelier	Sherwin Williams
Trim Color (<i>applied to:</i> Fascia Garage Door Railing Trim	SW 7588 Tavern Taupe	Sherwin Williams
Accent Color (<i>applied to:</i> Front Door	SW 9175 Deep Forest Brown	Sherwin Williams
Garage Man Door	Match Stucco Color	Sherwin Williams

NOTE: Notify WHA if any variation occurs between these schemes and the construction documents prior to purchase.
Contact Carrie Rath (949) 250-0607.

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Exterior Color & Materials

Material	Color	Manufacturer
Roofing: 'Composition Shingles	'Stone Gray Timberline HDZ RS Series Ref.: 18 Emi.: 92 A.SRI: 19 CRRC: 0676-0137a	'GAF
Gutters & Downspouts (<i>factory finish</i>)	Bronze	Custom-Built Metals
Stucco (<i>lightface finish</i>)	SW 9180 Aged White	Sherwin Williams
Siding Color (<i>applied to:</i> Corner Boards Lap Siding	SW 7622 Hornburg Gray	Sherwin Williams
Trim Color (<i>applied to:</i> Fascia Garage Door Railing Trim	SW 6172 Hardware	Sherwin Williams
Accent Color (<i>applied to:</i> Front Door	SW 9099 Saddle Up	Sherwin Williams
Garage Man Door	Match Stucco Color	Sherwin Williams

NOTE: Notify WHA if any variation occurs between these schemes and the construction documents prior to purchase.
Contact Carrie Rath (949) 250-0607.

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Exterior Color & Materials

Material	Color	Manufacturer
Roofing: 'Composition Shingles	'Charcoal Timberline HDZ RS Series Ref.: 16 Emi.: 92 A.SRI: 16 CRRC: 06760136a	'GAF
Gutters & Downspouts (<i>factory finish</i>)	Low Gloss White	Custom-Built Metals
Stucco (<i>lightface finish</i>)	SW 1015 Skyline Steel	Sherwin Williams
Siding Color (<i>applied to:</i> Corner Boards Lap Siding	SW 7019 Gauntlet Gray	Sherwin Williams
Trim Color (<i>applied to:</i> Fascia Garage Door Railing Trim	SW 7757 High Reflective White	Sherwin Williams
Accent Color (<i>applied to:</i> Front Door	SW 7586 Stolen Kiss	Sherwin Williams
Garage Man Door	Match Stucco Color	Sherwin Williams

NOTE: Notify WHA if any variation occurs between these schemes and the construction documents prior to purchase.
Contact Carrie Rath (949) 250-0607.

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Exterior Color & Materials
E - Traditional Elevation

**City of Riverbank
Planning Commission
Resolution No. 2024-005**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF RIVERBANK, CALIFORNIA RECOMMENDING TO THE
CITY COUNCIL THE APPROVAL OF A GENERAL PLAN
AMENDMENT WHICH WOULD REDESIGNATE 5.9 ACRES TO
MEDIUM DENSITY RESIDENTIAL (MDR) AND A
RECOMMENDATION OF APPROVAL FOR AN ORDINANCE TO
REZONE 5.9± ACRES, KNOWN AS HERITAGE II TO A NEW
PLANNED DEVELOPMENT (PD) ZONING DISTRICT, LOCATED
AT 6448 CLAUS ROAD (APN 062-039-048)**

WHEREAS, an application has been received from Summerfair Commerce Center, LLC ("Summerfair") which requests a General Plan Amendment to change the current designation of 6448 Claus Road from Community Commercial (C/C) to Medium Density Residential (MDR, which allows for a net density of 8-16 dwelling units per acre); and

WHEREAS, the project site is currently zoned Planned Development (PD, commercial uses) and the application includes a request to rezone the property to a new Planned Development (PD, Residential Uses) Zoning District; and

WHEREAS, the project site is currently vacant and the application includes a request for a Tentative Subdivision Map to subdivide the 5.9± acre property into forty-seven (47) single family lots; and

WHEREAS, the application includes a request for the Architecture and Site Plan Review of forty-seven (47) single family dwellings; and

WHEREAS, pursuant to the California Environmental Quality Act, the project is exempt from further environmental analysis pursuant to CEQA Guidelines Section 15061(b)(3), Common Sense Exemption; and

WHEREAS, Government Code Section 65353 requires the Planning Commission to hold at least one noticed, public hearing on any proposed General Plan Amendment; and

WHEREAS, the Government Code further requires that the City Council receive input from the Planning Commission on any proposed General Plan Amendment; and

WHEREAS, the notice of the public hearing on the General Plan Amendment and Rezone was published in the *Riverbank News*, a newspaper of general circulation, on September 4, 2024; and

WHEREAS, the notices of the public hearing on the General Plan Amendment and
Riverbank Planning Commission
September 17, 2024
Resolution No. 2024-005
Page 1 of 4

Rezone were mailed to all property owners within 300 feet of the property on September 4, 2024, according to the most recent assessor's roll; and

WHEREAS, the Planning Commission has reviewed the General Plan Amendment and Rezone Ordinance and conducted a public hearing on September 17, 2024 in the manner prescribed by law; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED, the City of Riverbank Planning Commission recommends to City Council Approval of General Plan Amendment, (General Plan Amendment No. 01-2024) and approval of an Ordinance to Rezone 5.9± acres to a new Planned Development Zoning District, (Rezone No. 01-2024) BASED ON THE FOLLOWING FINDINGS:

1. General Plan Amendment Findings: That pursuant to California Government Code section 65358 and the Riverbank General Plan, the Planning Commission finds as follows:
 - a. The General Plan Amendment is in the public interest because the General Plan Amendment will change the General Plan Land Use Map to comply with the proposed residential zoning.
 - b. The General Plan Amendment is consistent and compatible with the goals and majority of the policies of the General Plan.
 - c. The General Plan Amendment is exempt from additional environmental analysis because the project is categorically exempt pursuant to CEQA Guidelines.
 - d. The proposed amendment has been processed in accordance with the California Government Code, the Riverbank Municipal Code, and the California Environmental Quality Act.
2. That, based on the findings set forth in this resolution, the evidence in the City Staff Report, and such other evidence as received at the public hearings on this matter before the Planning Commission, the Planning Commission hereby recommends approval of the General Plan Amendment.
3. Pursuant to California Government Code Section 65855, the recommendation to City Council shall include the relationship to the applicable general or specific plan.
4. The property identified in this action has a General Plan Land Use Designation of Community Commercial (CC) and is zoned Planned Development (PD). The project proposes a Rezone to a new Planned Development (PD) Zoning District.
5. The proposed Rezone to PD, in conjunction with the proposed General Plan Amendment, will continue the consistency between the General Plan and Zoning Code, pursuant to Government Code Section 65860.
6. Each individual unit of the development can be built in stages, as well as the total development, and can exist as an independent unit capable of creating a good

environment in the locality and being in any stage as desirable and stable as the total development.

7. The uses proposed will not be a detriment to the present and proposed surrounding land uses, but will enhance the desirability of the area and have a beneficial effect.
8. Deviations from the standard ordinance requirements is warranted and additional amenities are incorporated in the development which offer certain redeeming features to compensate for any deviations that may be permitted.
9. The principles incorporated in the proposed development identify unique characteristics which could not otherwise be achieved under other zoning districts.
10. The PD rezone was not initiated by the City, so the findings above are required.

Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The Planning Commission of the City of Riverbank hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, or word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

The City finds that the General Plan is exempt from additional environmental analysis as the project is categorically exempt pursuant to CEQA Guidelines, Section 15061(b)(3), Common Sense Exemption.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a regular meeting held on the 17th of September, 2024, by the following roll call vote 5 : 0

AYES: Commissioners: Stewart, Zamora, Dinan, Halterman & Basso

NOES: None

ABSENT: None

ABSTAIN: =None

Attest:

Approved:


Joshua E Mann
Director of Community Development


Joan Stewart, Chairperson
Planning Commission

Attachment: **Exhibit A** – City Council Draft Ordinance 2024-TBD
 Exhibit B – Proposed Planned Development Standards

*** Attachment / Exhibits not included in City Council Staff Report**

**City of Riverbank
Planning Commission
Resolution No. 2024-006**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF RIVERBANK, CALIFORNIA RECOMMENDING TO THE CITY
COUNCIL APPROVAL OF THE REQUEST OF SUMMERFAIRE
COMMERCE CENTER LLC FOR TENTATIVE SUBDIVISION MAP 01-
2024 TO SUBDIVIDE 5.9± ACRES INTO 47 SINGLE FAMILY
RESIDENTIAL LOTS, LOCATED AT 6448 CLAUS ROAD APN: 062-
039-048**

WHEREAS, an application has been received from Summerfaire Commerce Center LLC, with a proposal to subdivide approximately 5.9± acres into forty-seven (47) single family lots, which allows for a density of eight to sixteen (8-16) dwelling units per acre; and

WHEREAS, the City Subdivision Ordinance, Section 152.037 states that as a 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 obligation for this Project will be determined at the Final Map stage;

WHEREAS, the proposed tentative subdivision map is consistent with the following General Plan policies discussed in the staff report: DESIGN-2.7 (sidewalks), DESIGN-3.1 (continuity), DESIGN-3.2 (pedestrian-friendly), DESIGN 5.2 (eyes on the street), CONS-4.2 (stormwater); and

WHEREAS, Tentative Map 01-2024 was reviewed by the Riverbank Planning Commission at a regular meeting held on September 17, 2024 in the manner prescribed by law; and

WHEREAS, The Riverbank Planning Commission recommends approval of the requested Tentative Map dated August 28, 2024 prepared by Associated Engineering Group, Inc. and modified by adopted Conditions of Approval, and incorporated herein as a part of this Planning Commission Resolution; and

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

- A. The project is consistent with the General Plan with modification by the adopted conditions of approval.
- B. Notice to the general public and adjoining neighbors in the time and in the manner required by State Law and City Code was provided.
- C. The City finds that Pursuant to the California Environmental Quality Act, the proposed Tentative Map is exempt from additional environmental analysis pursuant to CEQA Guidelines Section 15061(b)(3) Common Sense Exemption.

- D. The approval of Tentative Map 01-2024 to divide parcel APN 062-039-048 (5.9± acres) into 47 single family lots will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood in that the project is similar to, and compatible with, neighboring uses in the area.

Whereas, the request for the Tentative Subdivision Map is hereby recommended for conditional approval by the Planning Commission of the City of Riverbank, subject to and modified by the following conditions:

1. Applicant shall comply with the City of Riverbank Standard Conditions as contained in Planning Commission Resolution 2013-014, including annexing into Community Facilities District 2016-01), or receive confirmation from the Community Development Director that a specific condition or conditions does not apply to the subject project; and
2. The D Street at Claus Road intersection shall be a right turn in and right turn out. An intersection control island (pork chop) shall be installed to eliminate any potential left turn movements; and
3. All City standard conditions of approval shall apply; and
4. Each lot shall be connected to City water with water meters and back flow preventers; and
5. Each lot shall be connected to City sewer with clean outs at the property lines; and
6. Storm inlets shall have storm filters; and
7. The storm drain system shall be designed to City standards; and
8. A soils report is required; and
9. A complete set of landscape plans conforming to the state's MWELo requirements is required prior to final map; and
10. The City's Post Construction Standards Plan needs to be followed including DMA's LID standards, and the required worksheets located in the Appendix of the document. The document is available on the City's website; and
11. No access to lots 1-3 and 47 from Claus Road will be allowed and needs to be restricted on the final map; and
12. Pedestrian access from the end of "A" Court to Sierra Street shall be constructed; and
13. Install a four way stop intersection at Cervi Road and Sierra Street.

NOW THEREFORE, BE IT RESOLVED the City of Riverbank Planning Commission recommends for approval Tentative Subdivision Map No. 01-2024 (**Exhibit C**), subject to these Conditions of Approval established by Resolution No. 2024-006 and to be recorded as modified.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a meeting held on the 17th of September, 2024; motioned by Commissioner Zamora, seconded by Commissioner Dinan and upon roll call was carried by the following vote of 5 - 0 :

AYES: Commissioners: Stewart, Zamora, Haltermann, Dinan & Basso

NOES: None

ABSENT: None

ABSTAIN: None

Attest:

Approved:



Joshua E Mann
Director of Community Development



Joan Stewart, Chairperson
Planning Commission

Attachment: Exhibit C – Tentative Subdivision Map 01-2024

*** Attachment not included in City Council Staff Report**

**City of Riverbank
Planning Commission
Resolution No. 2024-007**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK,
CALIFORNIA RECOMMENDING TO THE CITY COUNCIL APPROVAL OF
ARCHITECTURAL AND SITE PLAN REVIEW APPLICATION NO. 06-2024 FOR
HERITAGE II 6448 CLAUS ROAD (APN: 062-039-048)**

WHEREAS, an Architecture and Site Plan Review application has been received from Summerfair Commerce Center, LLC ("Summerfair") with a proposal for forty-seven (47) single-family dwelling units within the Heritage II subdivision located at 6448 Claus Road (APN: 062-039-048); and

WHEREAS, the Planning Commission held a public hearing on September 17, 2024, to consider Architecture and Site Plan Review 06-2024 and take public comment; and

WHEREAS, the architectural review of structures for an approved subdivision is not a Project pursuant to CEQA Guidelines; and

WHEREAS, the Riverbank Planning Commission made the following findings:

1. The proposed project, together with the provisions for its design and improvements, is consistent with the goals, policies, program and uses of the General Plan.
2. The proposed Architecture and Site Plan Review along with the Conditions of Approval is in conformity with both the intent and provisions of the Zoning Ordinance, Title 153, of the City of Riverbank Code of Ordinances.

WHEREAS, the proposed project is consistent with the following aspects of the General Plan:

1. Policy Design-3.2: Approved plans, projects, and subdivision requests shall provide residential site and building design that contributes to an attractive pedestrian friendly environment along neighborhood streets.
2. Policy Design-4.2: Approved projects, plans and subdivisions shall provide diversity among dwelling units in the use of color, building materials, floor plan lay-outs, square footages, and roof-lines. Approved projects, plans, and subdivision requests shall maintain continuity of a few overall urban design features to provide context between individual units and the neighborhood.

3. Policy Design-5.2: The City will encourage the use of porches, stoops, and other elements that provide a place to comfortably linger and thereby “provide eyes on the street,” helping to maintain a sense of security within neighborhoods.

WHEREAS, the plans and elevations of Summerfair Commerce Center, LLC are hereby granted and approved, subject to the following conditions:

1. Applicant shall comply with the City of Riverbank Standard Conditions as contained in the Planning Commission Resolution 2013-014 and/or receive confirmation from the Community Development Director that a specific condition or conditions does not apply to the project;
2. The applicant shall build the entire project according to the floor plans and elevations dated June 26, 2024 and on file with the Community Development Department and as presented to the Planning Commission as part of this action;
3. The Community Development Director shall approve block walls and fencing;
4. An application, plans, and current fee shall be submitted for the approval of landscaping and irrigation;
5. The Subdivision Improvement Agreement shall be signed and submitted to the Community Development Director before Final Map adoption;
6. CC&R documents, if used, shall be submitted to the Community Development Director for staff and City Attorney review and approval. The CC&Rs shall prohibit Recreational Vehicle (RV) parking in driveways and mobile basketball hoops from streets, sidewalks, and any common areas. Property owners shall be responsible for the maintenance and replacement of their walls and fences, including graffiti;
7. Street names shall not be final until Final Map adoption; and
8. Any subdivision signage shall be approved under separate permit.

NOW THEREFORE, BE IT RESOLVED by the City of Riverbank Planning Commission that Architecture and Site Plan Review 06-2024 is hereby approved, subject to those conditions established by Resolution No. 2024-007 and as illustrated in “**Exhibit D**” Floor Plans, Elevations, and Colors and Materials.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a meeting held on the 17th of Sept, 2024; motioned by Commissioner Zamora, seconded by Commissioner Dinan, and upon roll call was carried by the following vote of 5-0:

AYES: Commissioners: Stewart, Zamora, Dinan, Halteman & Basso

NOES: None

ABSENT: None

ABSTAIN: None

Attest:

Approved:



Joshua E. Mann,
Community Development Director



Joan Stewart, Chairperson
Planning Commission

Exhibit D – Plans, Elevations, and Colors & Materials

*** Exhibit not included in City Council Staff Report**

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 11.1

SECTION 11: NEW BUSINESS

Meeting Date: **October 8, 2024**

Subject: **Resolution Authorizing an Amendment to the American Rescue Plan Act Spending Plan**

From: **Marisela H. Garcia, City Manager**

RECOMMENDATION

It is recommended that the City Council receive an update regarding the ARPA Spending Plan Projects and provide direction to staff on possible amendments.

SUMMARY

On August 23, 2022 the City Council held a workshop to provide feedback on the allocation of funds received from the American Rescue Plan. On September 13, 2022 the City Council adopted Resolution No. 2022-112 (Attachment A) adopting a formal spending plan. Since then staff has been working diligently on implementing the spending plan. On September 12, 2023 staff brought forth an update due to various projects that came in significantly over budget thus decreasing the amount of funds available to finance them. Several projects were removed to provide funding for other prioritized projects. Today's update seeks to do the same as we are approaching the December 31, 2024 encumbrance deadline.

BACKGROUND

On March 11, 2021 President Joe Biden signed into law the American Rescue Plan Act of 2021 (also called the COVID-19 Stimulus Package/American Rescue Plan). The intent of the legislation is to speed up the recovery of the Country as the United States recovers (and continues to struggle) from the effects of the COVID-19 pandemic. The funding package includes approximately \$1.9 trillion in anticipated funding. Of that amount, \$65 billion is allocated as direct aid to every City, Town, or Village across the country. The City's are split into two categories, entitlement cities (metropolitan – City's over 50,000 in population) and non-entitlement units of local government (the City of Riverbank fits into this category). For non-entitlement jurisdictions American Rescue Plan funds were distributed by the state governments in which the City is located. Riverbank has been

allocated **\$5,952,064** in funding under the legislation. Half of that funding was made available in July 2021 with the other half available as of July 2022.

Over the course of several months the Department of the Treasury worked closely with the National League of Cities to ensure that the funds could be used by local jurisdictions in areas that were the most affected by COVID-19 including:

- Support the COVID-19 Public Health and Economic Response
- Replace Lost Public Sector Revenue
- Provide Premium Pay for Eligible Workers Performing Essential Work
- Invest in Water, Sewer, and Broadband Infrastructure
- Affordable Housing (recently added)

Within each category there is broad discretion for local communities to determine the best use of the funds to improve and recover from the impacts of the COVID19 pandemic. With that said, the Department of Treasury has stated there are five specific categories of ineligible uses which are:

- Federal Matching Requirements
- Premium Pay
- Pensions (or pension liabilities)
- Infrastructure not directly related to the American Rescue Plan/Act
- Rainy Day Funds, Financial Reserves, and Outstanding Debt

INITIAL SPENDING PLAN

Over the course of several months, the City Council strategically allocated funds to a variety of projects, including the large energy efficiency project currently being performed by SitelogIQ. Changes to the Final Rule from the Treasury allows cities to dictate that the funds fall under the “replace lost public sector revenue” which allows for a greater flexibility in the use of the funds other than those that were specifically listed.

Based on the feedback received from the City Council, staff prepared the American Rescue Plan Act Spending Plan (Attachment A) adopted on September 13, 2022 which included projects such as:

1. Park Improvements: Jacob Myer Park, and new parks
2. Infrastructure Improvements: RPS Fencing, 7th Street Storm Drain
3. Property Purchase: Downtown Parking Lot
4. Grant Programs: Downtown Façade, Non-Profit Grants, VOLT Grants
5. Other: Social Media Branding

Several of the highlighted projects in the spending plan were awaiting updated engineer's estimate and allocations were tentative. These amounts were updated as bids were received, and contracts were awarded.

SEPTEMBER 2023 SPENDING PLAN UPDATE

Due to several projects coming in over budget, a spending plan update was discussed at the September 12, 2023 Council meeting, which resulted in the following:

1. Removal of \$183,600 in funding for the Jacob Myers Parking Lot Project
2. Increase of \$94,923 in funding for the RPS Fencing/Museum ADA Project
3. Increase of \$376,801 in funding for the 7th Street Storm Drain Project
4. Increase of \$219,895 in funding for the Downtown Parking Lot Project
5. Removal of \$121,000 in funding for the VOLT Program Grants

OCTOBER 2024 SPENDING PLAN UPDATE

Over the course of the past year staff implemented the Spending Plan as amended. Several of the construction-related projects were budgeted based on the Engineer's Estimate. As these projects have gone through the construction process contingency funds were not required to complete them thereby allowing funding to be freed up for improvements that had funding removed and/or re-evaluated to determine whether the funds could be committed (encumbered) by the December 31, 2024 deadline.

Spending Plan Labels

Projects in Gray – Funding removed and/or reallocated to other projects

Projects in Green - In Progress

Projects in Yellow – Completed Projects

Projects in Orange – New/Amended Funding Requested

Park/Public Space Improvements

	Original Budget	Updated Budget	Difference
Jacob Myers Parking Lot	\$30,420.00	\$30,420.00	\$0.00
JMP Trail Expansion	\$101,500.00	\$101,500.00	\$0.00
Jackson/Stanslaus Park Site	\$200,000.00	\$0.00	\$200,000.00
Plaza Del Rio Audio Projects	\$22,649.82	\$22,649.82	\$0.00
Downtown Lighting Impr.	\$0.00	\$0.00	\$0.00
Zerillo Park Pickleball	\$10,000.00	\$8,306.25	\$1,693.75

Park Improvements	\$0.00	\$389,362.22	-\$389,362.22
Subtotal	\$364,569.82	\$552,238.29	-\$187,668.47

Infrastructure

	Original Budget	Updated Budget	Difference
Energy Efficiency Project	\$2,000,000.00	\$2,008,522.50	-\$8,522.50
Well/Lift Station Security	\$16,050.00	\$16,050.00	\$0.00
Fencing - RPS	\$344,923.00	\$326,736.30	\$18,186.70
7th Street Storm Drain	\$776,801.00	\$762,091.42	\$14,709.58
EV Charging Stations (Infrastructure Only)	\$40,000.00	\$19,700.00	\$20,300.00
Subtotal	\$3,177,774.00	\$3,133,100.22	\$44,673.78

Property Purchase/Improvements

	Original Budget	Updated Budget	Difference
Sierra House	\$321,884.87	\$324,902.81	-\$3,017.94
Jackson/Stanslaus Property	\$551,416.25	\$555,151.25	-\$3,735.00
Downtown Parking Lot	\$736,167.13	\$736,167.13	\$0.00
Subtotal	\$1,609,468.25	\$1,616,221.19	-\$6,752.94

COVID-19 Mitigation

	Original Budget	Updated Budget	Difference
Staff Time - COVID Mitigation	\$2,457.33	\$2,457.33	\$0.00
PPE/Mitigation Improvements	\$17,882.56	\$17,882.56	\$0.00
Hazard Pay	\$361,322.52	\$361,322.52	\$0.00
Subtotal	\$381,662.41	\$381,662.41	\$0.00

Grant Programs

	Original Budget	Updated Budget	Difference
Downtown Façade Program	\$210,000.00	\$210,000.00	\$0.00
Non-Profit Grants	\$120,000.00	\$120,000.00	\$0.00
VOLT Program Grants	\$0.00	\$0.00	\$0.00
Turf Replacement Program	\$0.00	\$0.00	\$0.00
Subtotal	\$330,000.00	\$330,000.00	\$0.00

Other

	Original Budget	Updated Budget	Difference
Social Media/PI Branding	\$0.00	\$60,000.00	-\$60,000.00
Translation Services	\$0.00	\$0.00	\$0.00
Subtotal	\$0.00	\$60,000.00	-\$60,000.00

Proposed changes to the Spending Plan are as follows:

Project	Recommended Change
Jackson/Stanislaus Park Site	Reallocate funds to the “Park Improvements” Project. City will work on procuring a landscape/park architect to develop design of the future park.
Park Improvements	New Project. Funds reallocated from other projects with remaining balances. Jackson/Stanislaus Design & improvements to Pioneer Park proposed. General description will allow for flexibility to move funding amongst city park improvements to ensure funds are encumbered by 12/31/2024.
Energy Efficiency Project	Allocating additional funds for special inspections and plan review.
RPS Fencing Project	Project complete. Reallocated unused contingency funds towards Park Improvements.
7th Street Storm Drain	Project complete. Reallocated unused contingency funds towards Park Improvements.
EV Charging Stations – Infrastructure Only	Project complete, 2 sites located at Community Center. Reallocated unused contingency funds towards Park Improvements.
Sierra House	Project complete. Allocating additional funds for extra work completed.
Social media/PI Branding	New Project. Allocating funds for social media/marketing assistance for one-year contract.

STRATEGIC PLAN

This item is directly related to the City Council’s Strategic Plan Goal to “*Ensure the City’s Continued Financial Stability.*”

ATTACHMENTS:

1. Resolution
2. Exhibit A: Spending Plan

CITY OF RIVERBANK

RESOLUTION 2024-

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIVERBANK, CALIFORNIA AUTHORIZING AN AMENDMENT TO
THE AMERICAN RESCUE PLAN ACT SPENDING PLAN**

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

WHEREAS, on March 11, 2021 President Joe Biden signed into law the American Rescue Plan Act of 2021; and

WHEREAS, the intent of the legislation was to speed up the recovery of the Country as the United States recovered from the economic effects of the COVID-19 pandemic; and

WHEREAS, the City, as a non-entitlement unit, received \$5,952,064 in American Rescue Plan Act funds which were disbursed by the State of California; and

WHEREAS, since July 2021 the City Council has been making strategic allocations for the use of the funds; and

WHEREAS, on September 13, 2022 the City Council adopted Resolution 2022-112 which formally established the City’s American Rescue Plan Act Spending Plan; and

WHEREAS, on September 12, 2023 the City Council received a Spending Plan Update and made several amendments based on projects that required additional funding; and

WHEREAS, the amendments proposed and reflected in Exhibit A will help to ensure that strategic projects will be completed, and

WHEREAS, the encumbrance date for the available funding is December 31, 2024 and in order to ensure that all funds are spent the City Manager is authorized to make amendments as necessary between the approved projects listed in the Spending Plan.

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

1. The amendments proposed in Exhibit A are approved as presented.
2. The City Manager is hereby authorized to make amendments as necessary between the approved projects listed in the Spending Plan to ensure funds are encumbered by December 31, 2024.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 8th day of October, 2024; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of _____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Gabriela Hernandez, CMC
City Clerk

Richard D. O'Brien
Mayor

Attachment(s): *Exhibit A – Spending Plan*

EXHIBIT A



AMERICAN RESCUE PLAN
ACT OF 2021

City of Riverbank Spending Plan



Funding Received

Allocation 1 -July 2021	\$2,976,032.00
Allocation 2 -July 2022	\$2,976,032.00
Parking Lot Sale Offset	\$121,158.11
Total Funding	\$6,073,222.11

Total Funding Received	\$6,073,222.11
Current Spending Plan Allocations	\$6,073,222.11
Unallocated Balance	\$0.00

Park/Public Space Improvements

	Original Budget	Updated Budget	Difference
Jacob Myers Parking Lot	\$30,420.00	\$30,420.00	\$0.00
JMP Trail Expansion	\$101,500.00	\$101,500.00	\$0.00
Jackson/Stanislaus Park Site	\$200,000.00	\$0.00	\$200,000.00
Plaza Del Rio Audio Projects	\$22,649.82	\$22,649.82	\$0.00
Downtown Lighting Impr.	\$0.00	\$0.00	\$0.00
Zerillo Park Pickleball	\$10,000.00	\$8,306.25	\$1,693.75
Park Improvements	\$0.00	\$389,362.22	-\$389,362.22
Subtotal	\$364,569.82	\$552,238.29	-\$187,668.47

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7th Street Storm Drain	\$776,801.00	\$762,091.42	\$14,709.58
EV Charging Stations (Infrastructure Only)	\$40,000.00	\$19,700.00	\$20,300.00
		\$0.00	\$0.00
		\$0.00	\$0.00
Subtotal	\$3,177,774.00	\$3,133,100.22	\$44,673.78

Property Purchase/Improvements

	Original Budget	Updated Budget	Difference
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Downtown Parking Lot	\$736,167.13	\$736,167.13	\$0.00
Subtotal	\$1,609,468.25	\$1,616,221.19	-\$6,752.94

COVID-19 Mitigation

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PPE/Mitigation Improvement	\$17,882.56	\$17,882.56	\$0.00
Hazard Pay	\$361,322.52	\$361,322.52	\$0.00
Subtotal	\$381,662.41	\$381,662.41	\$0.00

Grant Programs

	Original Budget	Updated Budget	Difference
Downtown Façade Program	\$210,000.00	\$210,000.00	\$0.00
Non-Profit Grants	\$120,000.00	\$120,000.00	\$0.00
VOLT Program Grants	\$0.00	\$0.00	\$0.00
Turf Replacement Program	\$0.00	\$0.00	\$0.00
Subtotal	\$330,000.00	\$330,000.00	\$0.00

Other

	Original Budget	Updated Budget	Difference
Social Media/PI Branding	\$0.00	\$60,000.00	-\$60,000.00
Translation Services	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00
		\$0.00	\$0.00
Subtotal	\$0.00	\$60,000.00	-\$60,000.00

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 11.2

SECTION 11: NEW BUSINESS

Meeting Date: **October 8, 2024**

Subject: **Consideration of the 2024 Cal Cities Annual Conference Resolution**

From: **Marisela H. Garcia, City Manager**

RECOMMENDATION

It is recommended that the City Council provide direction to the Voting Delegates for the 2024 Cal Cities Conference General Assembly on the proposed resolution.

SUMMARY

During the 2024 Annual Cal Cities Conference in Long Beach, CA a General Assembly will be held to consider Resolutions that have been introduced by various cities to establish Cal Cities policy. Each city is provided an opportunity to have voting delegates to represent them at this General Assembly. At the July 23, 2024 meeting, City Council elected Councilmember Darlene Barber-Martinez as the primary and Councilmember Rachel Hernandez and Mayor O'Brien as the alternates. Participation in the meeting ensures that Riverbank officials have an opportunity to initiate and influence policy decisions by voting on resolutions presented for consideration. The Annual Business Meeting will be held during the General Assembly on Friday, October 18th from 8:30 am – 10:30 am. Tonight's discussion will provide an opportunity for review of the proposed resolution for direction to the Voting Delegates.

BACKGROUND

Sixty days before the Cal Cities Annual Conference, Cal Cities members have an opportunity to submit resolutions on issues of importance to cities. This year Cal Cities received one resolution by the August 17th deadline (**Attachment A**).

Resolution No. 1 Fair and Equal Treatment of All Governmental Officials at All Levels

Resolution No. 1 was submitted by the City of Glendora, CA. The general premise behind the proposed resolution is a call to action *for the California Legislature to enact laws that*

ensure that “what applies to one, applies to all” in the fair and equal treatment of all governmental officials at all levels in the State of California.

California Legislature is tasked with developing and implementing policies and procedures that affect local government. It is often noted that there are times that these new policies apply only to local officials but not State officials. Several examples shared in the proposed Resolution are as follows:

1. Existing open meeting rules, commonly known as the Ralph M. Brown Act (“Brown Act”), which apply to City Councils and other appointed boards and commissions. The Brown Act requires certain business to be conducted openly and in public, but the application of this rule is strictly for local agencies, and not state agencies,
2. CEQA which “requires all government agencies to consider the environmental consequences of their actions before approving plans and policies” which the State exempted itself from via the adoption of SB 174 in order to demolish and then rebuild State offices for the Governor and other officials,
3. SB 1439 amended the Political Reform Act which removed the exception for local elected officials from contribution limits requiring disqualification of those officials from making development project decisions, but this rule did not apply to State elected officials,
4. AB 571 which prohibits city and county candidates for local office from making contributions over the AB 571 limit (\$4,700) to another local or county candidate, requires that they establish separate committees for each office they run for, and prohibits them from redistributing funds from a committee for one election to another election is also not applicable to State elected officials.

It is the belief of local elected officials that rules that apply to one should apply to all. Therefore, the proposed Resolution being presented for consideration states as follows:

“The California State Legislature shall not enact, and the Governor shall not sign into law, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution.”

As mentioned previously, the City of Glendora, CA presented this Resolution for consideration along with Letters of Support from the cities of Rancho Palos Verdes, Lomita, Azusa, Arcadia, and La Verne.

It is recommended that the City Council provide direction to the voting delegates who have been designated to act on behalf of the City Council on this item.

STRATEGIC PLAN

This item is not directly related to the City's Strategic Plan but attendance to conferences provides the City Council with an opportunity to participate in discussions regarding matters that affect residents locally and statewide.

FINANCIAL IMPACT

There is no financial impact associated with this report.

ATTACHMENTS

1. Attachment A - Resolution No. 1: *Fair and Equal Treatment of All Governmental Officials at All City Levels* submitted by the City of Glendora



2024 Resolutions Packet

Resolution No. 1: Fair and Equal Treatment of All Governmental Officials at All Levels submitted by City of Glendora

1. A RESOLUTION OF THE GENERAL ASSEMBLY OF THE LEAGUE OF CALIFORNIA CITIES CALLING FOR THE CALIFORNIA LEGISLATURE TO ENACT LAWS THAT ENSURE THAT “WHAT APPLIES TO ONE, APPLIES TO ALL” IN THE FAIR AND EQUAL TREATMENT OF ALL GOVERNMENTAL OFFICIALS AT ALL LEVELS IN THE STATE OF CALIFORNIA

Source: City of Glendora

Concurrence of five or more cities/city officials

City Officials: April A. Verlato, Mayor, City of Arcadia; Robert Gonzales, Mayor, City of Azusa; Tim Hepburn, Mayor, City of La Verne; Bill Uphoff, Mayor, City of Lomita; John M. Cruikshank, Mayor, City of Rancho Palos Verdes

Referred to: Governance, Transparency and Labor Relations Policy Committee

WHEREAS, the General Assembly of the League of California Cities objects to the practice of the California Legislature of imposing rules limiting authority or regulating the conduct of local municipal officials that do not also apply to elected officials of the State of California; and

WHEREAS, examples of such rules or regulations that apply to local city elected officials that do not otherwise apply to the elected officials of the State of California include, but are not limited to:

California's open meeting rules, codified in the Ralph M. Brown Act, Government Code, Chapter 9, §§ 54950 *et seq.*, which purport to “declare[] that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly,” but which limits its application to “local agencies,” but not including elected officials of the State of California;

Creating “one-off” exemptions, in the form of Senate Bill No. 174, from the California Environmental Quality Act (“CEQA”) which purportedly requires all government agencies to consider the environmental consequences of their actions before approving plans and policies or committing to a course of action on a project in order to demolish and then rebuild State offices for the Governor and other State officials;

Adopting rules, in the form of Senate Bill No. 1439, amending the Political Reform Act (the "Act"), by removing the exception for local elected officers from contribution limits requiring disqualification on development project decisions," but not including elected officials of the State of California;

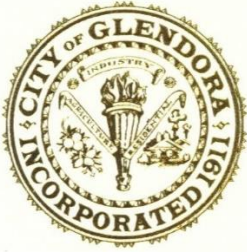
Adopting rules, in the form of Assembly Bill No. 571, that apply to city and county candidates for local elected office, but not to candidates for state-wide office, including, but not limited to: prohibiting the making a contribution over the AB 571 limit to another candidate in jurisdictions subject to the AB 571; requiring a candidate that has qualified as a committee to establish a separate controlled committee and campaign bank account for each specific office; prohibiting a candidate from redesignating a committee for one election for another election.

WHEREAS, the General Assembly of the League of California Cities now calls upon the Governor and the California Legislature to adopt a policy, practice, and procedure requiring, in their legislative activities, that "what applies to one applies to all."

NOW, THEREFORE, BE IT RESOLVED at the League General Assembly, assembled at the League Annual Conference on October 18, 2024 in Long Beach, California, that the League calls upon the Governor of the State of California and the elected members of the California Legislature, including all members of the Senate and Assembly to adopt the following policy:

"The California State Legislature shall not enact, and the Governor shall not sign into law, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

Resolution No. 1: Letters of Concurrence



CITY OF GLENDORA CITY HALL

(626) 914-8201

116 East Foothill Blvd., Glendora, California 91741

FAX (626) 914-8221

www.ci.glendora.ca.us

July 10, 2024

The City Council of Glendora
is proposing the following resolution for consideration at the
California League of Cities annual conference
on
October 18, 2024

Proposed Resolution: ("To ensure fairness and equal treatment for all government officials in
California")

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

The following five city council members are in concurrence with their letters of support (attached):

- ✓ Mayor John Cruikshank, City of Rancho Palos Verdes
- ✓ Mayor Bill Uphoff, City of Lomita
- ✓ Mayor Robert Gonzales, City of Azusa
- ✓ Mayor April Verlato, City of Arcadia
- ✓ Mayor Tim Hepburn, City of La Verne

Please confirm receipt of this request.

Sincerely,

Michael Allawos
Council Member
City of Glendora



April A. Verlato
Mayor

July 9, 2024

Honorary Mike Allawos
Glendora City Councilmember
116 E. Foothill Blvd.
Glendora, CA 91741

RE: Support for "Glendora CalCities Resolution"

Dear Councilmember Allawos:

I would like to be a voice of support for Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024.

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

I am an elected representative for our respective city, county, and state governance to do the people's work and be their collective voices. We should all have the same rules to be governed by.

Sincerely,

April A. Verlato
City of Arcadia Mayor

240 West Huntington Drive
Post Office Box 60021
Arcadia, CA 91066-6021
(626) 574-5403 City Hall
averlato@ArcadiaCA.gov
www.ArcadiaCA.gov

July 8, 2024

Hon. Michael Allawos
Glendora City Councilmember
116 E. Foothill Blvd.
Glendora, CA 91741

Re: Support for "Glendora's CalCities Resolution"

Councilmember Allawos:

I would like to support Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024:

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution "

I am an elected representative for the City of Azusa . We should all have the same rules to be governed by.

Sincerely,



Mayor Robert Gonzales

*The views or opinions expressed in this letter are intended to be interpreted as the individual work product of the author. They do not necessarily reflect an official position of the City Council, staff or other entities.



CITY OF LA VERNE CITY HALL

3660 "D" Street, La Verne, California 91750-3599
www.cityoflaverne.org

July 8, 2024

Ms. Kathleen Sessman
Glendora City Clerk
116 E. Foothill Blvd.
Glendora, California 91741

Re: Item 14 – Cal Cities Annual Conference Resolution

Dear Ms. Sessman:

As the Mayor of the City of La Verne, I would like to voice support for Glendora's timely and needed resolution, within agenda item #14, for the upcoming League of California Cities (Cal Cities) annual conference this coming October 18, 2024.

In its simplistic form, the proposed Resolution states what we all believe should be true for each and every elected official: We should all have the same rules to be governed by. No matter what level of government an official is elected to, we are here to do the people's work and be their collective voices. The Resolution simply states:

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

Whether the State Legislature or Governor heed our collective voices, we at the local level, through our Cal Cities membership, will have demonstrated our resolve that the basic leadership characteristic of leadership by example is the best approach to holding elective office.

Sincerely,

Tim Hepburn
Mayor

General Administration 909/596-8726 • Water Customer Service 909/596-8744 • Community Services 909/596-8700
Public Works 909/596-8741 • Finance 909/596-8716 • Community Development 909/596-8706 • Building 909/596-8713
Police Department 909/596-1913 • Fire Department 909/596-5991 • General Fax 909/596-8737

Bill Uphoff
Lomita, CA

July 8, 2024

Hon. Mike Allawos
Glendora City Councilmember
116 E. Foothill Blvd.
Glendora, CA 91741

Re: Support for "Glendora's CalCities Resolution"

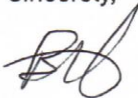
Dear Councilmember Allawos:

I would like to be a voice of support for Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024.

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

I am an elected representative for our respective city, county, and state governance to do the people's work and be their collective voices. We should all have the same rules to be governed by.

Sincerely,



Bill Uphoff, Mayor
City of Lomita

The views or opinions expressed in this letter are intended to be interpreted as the individual work product of the author. They do not necessarily reflect an official position of the City Council, staff or other entities.

John M. Cruikshank
Rancho Palos Verdes, CA

July 6, 2024

Hon. Mike Allawos
Glendora City Councilmember
116 E. Foothill Blvd.
Glendora, CA 91741

Re: Support for "Glendora's CalCities Resolution"

Dear Councilmember Allawos:

I would like to be a voice of support for Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024.

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

I am an elected representative for our respective city, county, and state governance to do the people's work and be their collective voices. We should all have the same rules to be governed by.

Sincerely,



John M. Cruikshank, Mayor
City of Rancho Palos Verdes

The views or opinions expressed in this letter are intended to be interpreted as the individual work product of the author. They do not necessarily reflect an official position of the City Council, staff or other entities.

Resolution No. 1: Staff Analysis

League of California Cities Staff Analysis on Resolution No. 1

Staff: Johnnie Pina, Legislative Affairs, Lobbyist
Committee: Governance, Transparency, and Labor Relations

Summary:

This Resolution states that the League of California Cities shall call upon the Governor of the State of California and the elected members of the California Legislature, including all members of the Senate and Assembly to adopt the following policy:

“The California State Legislature shall not enact, and the Governor shall not sign into law, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution.”

Background:

This resolution states that examples of the California Legislature imposing rules limiting authority or regulating the conduct of local municipal officials that do not also apply to elected officials of the State of California include, but are not limited to:

- California's open meeting rules, codified in the **Ralph M. Brown Act**, Government Code, Chapter 9, §§ 54950 *et seq.*;
- “One-off” exemptions, in the form of Senate Bill No. 174, from the **California Environmental Quality Act (“CEQA”)**;
- Rules, in the form of **Senate Bill No. 1439**, amending the **Political Reform Act** (the “Act”); and
- Rules, in the form of **Assembly Bill No. 571**, that apply to city and county candidates for local elected office, but not to candidates for state-wide office.

Ralph M. Brown Act

[The California Attorney General's \(AG\) Office](#) defines [The Ralph M. Brown Act](#) (Brown Act) as what governs meetings conducted by local legislative bodies, such as boards of supervisors, city councils and school boards. The AG's office states the Act represents the Legislature's determination of how the balance should be struck between public access to meetings of multi-member public bodies on the one hand and the need for confidential candor, debate, and information gathering on the other.

[The Ralph M. Brown Act](#) governs local agencies, the [Bagley-Keene Open Meeting Act](#) covers all state boards and commissions, and [Government code](#)

[9027](#) governs the state Legislature. The California Constitution also mandates open meetings for state agencies, boards, and commissions. Specifically, the Constitution requires that each local agency comply with the Brown Act (Article I, section 3(b)(7)): and that the proceedings of each house of the Legislature be open and public (with exceptions for employment matters; matters affecting security; confer with legal counsel; and to meet as a caucus (Article IV, section 7)).

Although fairly detailed requirements apply to state agencies and other state bodies, they do not apply to the Legislature. The Legislature has Constitutional authority to adopt rules for its proceedings that are consistent with the requirement that the proceedings of each house and the committees be open and public.

Another notable difference between the Legislature and a city council is the ability for Legislators to have a caucus to discuss a bill, express how they will vote, and to count votes. This is not allowed under the Brown Act. One other difference is that the laws governing teleconferencing for members of the state Legislature is far less flexible than it is for local bodies. However, state agencies have more flexibility than locals in that regard.

California Environmental Quality Act (“CEQA”)

The Resolution cites the Legislature's action in exempting from CEQA the reconstruction of the State Capitol Annex building. The State Legislature enacted the [California Environmental Quality Act \(CEQA\)](#) in 1970, establishing it as a public disclosure law for the environmental review of discretionary projects and a process for mitigating or avoiding potential environmental impacts.

[SB 174 \(Committee on Budget and Fiscal Review\)](#) Chaptered by Secretary of State. Chapter 74, Statutes of 2024 was signed into law July 2, 2024. This bill exempts the work performed under the State Capitol Building Annex Act of 2016 from the California Environmental Quality Act (CEQA). In this example the Legislature exempted themselves as not being considered a “public agency,” “state agency,” or “lead agency” under CEQA. A lead agency under CEQA is the public agency that has the principal responsibility for carrying out or approving a project that is subject to CEQA.

Over the years, the Legislature has also created many CEQA exceptions and exemptions for local projects involving local agencies as well.

The Political Reform Act (PRA) - Senate Bill No. 1439

[SB 1439 \(Glazer\)](#) Chaptered by Secretary of State. Chapter 848, Statutes of 2022 amends section 84308 and is aimed at preventing "pay-to-play" practices, in part by prohibiting parties, participants, and their respective agents in a

proceeding involving a license, permit, or other entitlement for use from contributing more than \$250 to an officer of an agency during a 12 month period. When the Levine Act was first enacted in 1982, Section 84308 applied to appointed members of boards and commissions who were running for elective office. SB 1439 expended this law to now apply to local elected officials. Since it is focused on permits and licenses, it now applies to State agencies and local agencies that approve permits and licenses. Section 84308 does not apply to the Legislature or the Courts. It is important to note that unlike local governments, neither issue permits and licenses.

The Political Reform Act (PRA) - Assembly Bill No. 571

[AB 571 \(Mullin\)](#) Chaptered by Secretary of State. Chapter 556, Statutes of 2019 established default campaign contribution limits for county and city office at the same level as the limit on contributions from individuals to candidates for Senate and Assembly, effective January 1, 2021. This bill permitted a county or city to establish its own contribution limits, which would prevail over these default limits.

The Resolution cites AB 571 as an example of treating cities differently than the State. The Fair Political Practices Commission clarifies in their [AB 571 fact sheet](#) that under AB 571 a city may elect to have "no" contribution limit in which case the state contribution limit will not apply as a default for that jurisdiction. A city or county can set contribution limits higher than the default state limit, AB 571 sets a default in line with contributions Assembly Members and Senators if a city or county is silent on contribution limits.

Fiscal Impact:

Unknown.

Existing Cal Cities Policy:

Mission Statement

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

We Believe:

- Local self-governance is the cornerstone of democracy.
- In the involvement of all stakeholders in establishing goals and in solving problems.
- In conducting the business of government with transparency, openness, respect, and civility. The spirit of honest public service is what builds communities.
- Open decision-making that is of the highest ethical standards honors the public trust.
- The vitality of cities is dependent upon their fiscal stability and local autonomy. The active participation of all city officials increases Cal Cities' effectiveness.

- Partnerships and collaborations are essential elements of focused advocacy and lobbying.
- Ethical and well-informed city officials are essential for responsive, visionary leadership and effective and efficient city operations.

Comments:

Additional Examples

The Legislature has passed and the Governor has signed many laws that apply to local governments and do not apply to the state or the state Legislature. This year [AB 2561 \(McKinnor\)](#) was introduced, which requires local governments to present in a public meeting a detailed report about their vacancy rates and detailed information about their hiring practices. This is an attempt to address public sector vacancy rates. This bill does not apply to the state in a time when they are also dealing with high vacancy rates.

Additionally, there were several bills that aim to amend the Levine Act, which now applies to local elected officials, to make changes to SB 1439, referenced previously in the analysis. None of the bills would amend the law to be applicable to Assembly Members or Senators.

[AB 817 \(Pacheco\)](#), co-sponsored by Cal Cities tried to bring parity to the Brown Act by making the teleconference rules for state advisory bodies the same for local advisory bodies but the Legislature struck the bill down.

Applying to elected officials or to the legislative body? Legislature or the State?

The resolution also states, "... applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate."

This portion of the resolve clause is specifically speaking to local elected officials and State Assembly Members and Senators. However, many of the "where as" clauses are in reference to laws that apply to cities, the state and the Legislature as government agencies and not specifically to the elected officials on the governing bodies. For example, the Brown Act applies rules to the Legislative body and not the individual council member. Additionally, the city council as a whole is the lead agency under CEQA and not the individual council members.

Inherent Powers of the Legislative Branch

The resolution also states, "This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

It is unclear what inherent powers of the legislative branch under the California Constitution means in this context. The legislative branch does have the power

of preemption over cities and can state that a change in law is a matter of state wide concern. This allows the legislative branch to apply new laws or amend existing laws to apply to general law and charter cities. It seems like the last sentence of the resolve clause could negate the rest of the resolve clause if not clarified.

Support:

The following letters of concurrence were received:

April A. Verlato, Mayor, City of Arcadia

Robert Gonzales, Mayor, City of Azusa

Tim Hepburn, Mayor, City of La Verne

Bill Uphoff, Mayor, City of Lomita

John M. Cruikshank, Mayor, City of Rancho Palos Verdes

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. **11.3**

SECTION 11: NEW BUSINESS

Meeting Date:	October 8, 2024
Subject:	Nomination and Appointment of the Vice Mayor to Serve for the Remainder of the 2024 Calendar Year
From:	Marisela H. Garcia, City Manager
Submitted by:	Gabriela Hernandez,CMC, City Clerk

RECOMMENDATION

With the resignation of the 2024 Vice Mayor, Councilmember District 3 Jones Cruz, the position became vacant. It is recommended that the Mayor nominate a Councilmember to serve as Vice Mayor for the remainder of the year 2024 and, by roll call vote, the City Council shall approve the Appointment.

SUMMARY

The City Council typically designates the Vice Mayor for a one-year term. Unfortunately, Vice Mayor Jones Cruz submitted her resignation effective September 30, 2024 leaving the City without a Vice Mayor for the remainder of the year. Through nomination by the Mayor and favorable motion to approve by the majority vote of the Members of the Council, the Councilmember appointed will serve as Vice Mayor for the remaining of the year 2024.

FINANCIAL IMAPCT

There is no financial impact.

ATTACHMENTS

There are no attachments to this report.