

CITY COUNCIL / LRA BOARD

Mayor/Chair

Rachel Hernandez

Council/Authority Members

District 1 - Luis Uribe

Vice Mayor District 2 – Cindy Fosi

District 3 – John Pimentel

District 4 – Stacy Call



CITY OF RIVERBANK

Regular City Council and Local Redevelopment Authority Board Meetings

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



TUESDAY, FEBRUARY 25, 2025 – 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)- No Items Scheduled.

8. PUBLIC COMMENTS (No action can be taken)

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

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.

10. PUBLIC HEARING

The Public Notice for Items 10.1 & 10.2 was published in the Riverbank Newspaper on 02/12/2025.

Item 10.1 **Resolution Approving the Fiscal Year 2024-25 Mid-Year Budget Amendments-** It is recommended that the City Council consider approval of the Fiscal Year 2024-25 Mid-Year Budget Amendments.

Item 10.2 **Resolution to Consider Approval of the Request for an Exception to Allow for Flag Lot Configuration and Vesting Tentative Parcel Map 01-2023 Located at 3818 Sierra Street (APN 132-048-053).-** Consider adopting a resolution to approve a request of Mr. Dennis and Esther Shafer 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.

11. NEW BUSINESS

Item 11.1 **Resolution adopting the City Council Rules and Procedures Handbook-** Consider Adoption of a Resolution, approving of the City Council Rules and Procedures Handbook. The City Council Rules and Procedures Handbook outlines standardized procedures for the efficient conduct of City Council meetings, establishes clear guidelines for Councilmember behavior, and ensures consistency and transparency in the decision-making process.

Item 11.2 **Wastewater Treatment Plant Feasibility Study-** It is recommended that Council receive a presentation from Council Member Cindy Fosi regarding options for a Wastewater Treatment Plant feasibility study.

Item 11.3 **Resolution Authorizing a Joint Application to and Participation in the Homekey+ Program-** It is recommended that the City Council consider a resolution authorizing the City of Riverbank to be a Co-Applicant with Central Valley Community Resources, Inc. for an application for funding from the Homekey+ Program.

Item 11.4 **City Hall Site Assessment-** It is recommended that the City Council provide feedback to staff regarding the preferred site(s) for a future City Hall. This will allow staff to proceed with the conceptual design phase.

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- No Items Scheduled.

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

14. ADJOURNMENT

The Next Regular City Council Meeting will be on: **Tuesday, March 11, 2025**

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 20th Day of February, 2025

/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.



How to Use Live Spanish Translation/ Como Usar Traducción en Español En Vivo

STEP 1/PASO 1



Scan QR Code
Escanea el código

STEP 2/ PASO 2



Choose Spanish language
Escoja el idioma Español

STEP 3/ PASO 3



Read Captions on Device
Use headset for Audio
Lea subtítulos en su aparato
Use auriculares para audio

<https://attend.wordly.ai/join/LHDA-5715>



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/89443415826>

Join by accessing website: <https://zoom.us/join>, enter Webinar ID: **894 4341 5826**

Join by telephone: **1 669 444 9171 OR 1 669 900 9128**, plus Webinar ID: **894 4341 5826**

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. 9.1

SECTION 9: CONSENT CALENDAR

Meeting Date:	February 25, 2025
Subject:	Waiver of Readings
From:	Marisela H. Garcia, City Manager
Submitted by:	Gabriela Hernandez, City Clerk/LRA Secretary

RECOMMENDATION

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

SUMMARY

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

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

FINANCIAL IMPACT

There is no financial impact to this item.

ATTACHMENTS

There are no attachments to this report.

RIVERBANK CITY COUNCIL/ LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 10.1

SECTION 10: PUBLIC HEARING

Meeting Date:	February 25, 2025
Subject:	Resolution Approving the Fiscal Year 2024-25 Mid-Year Budget Amendments
From:	Marisela H. Garcia, City Manager
Submitted by:	Tammy Alcantor, Assistant City Manager/Finance Director

RECOMMENDATION

It is recommended that the City Council consider approval of the Fiscal Year 2024-25 Mid-Year Budget Amendments.

SUMMARY

The Finance Department has performed a mid-year review of the Fiscal Year 2024-25 budget and is recommending the following: 1) budget amendments based on actual beginning reserve changes and, 2) amendments based on revenue and expenditure trends and department requests.

BACKGROUND

On June 25, 2024 the City Council adopted the FY 2024-25 Annual Operating Budget. This operating budget was prepared using estimates and projections on anticipated revenues and expenditures and was the result of the collaboration of all of the City's departments. For the General Fund, the City Council approved a budget reflecting a structural deficit where expenditures were projected to exceed revenues by \$850,918 and was projected to end with a reserve of 44%.

An important component of a mid-year budget evaluation is determining whether projections made during the preliminary budget adoption continue to remain true as revenues are received, and expenditures have been made. In addition, new information that is received from Stanislaus County and/or the State of California is reviewed for its potential impact on the City's budget and amendments are requested accordingly.

The following is a **major** fund analysis of recommended adjustments to revenues and expenditures highlighting those changes that are of significant impact to the budget. A detailed listing of all funds and accounts being adjusted is attached as Exhibit A.

General Fund (Fund 101)

Revenues

The mid-year review of all General Fund revenues resulted in a recommended net increase of **\$483,236**, the significant increases are proposed in Property Tax, Police Services, Plan Check Fees, and Interest income. Vehicle Code Fees have a significant decrease due to a fee misallocation from the County. Below are the significant adjustments being made to the revenue sources:

Account	Adjustment	Reasoning
Property Tax Revenues	\$165,000	Increase based on actual assessed values.
Business License	\$10,000	Increase in revenue based on current trends.
Police Services	\$155,000	Increased to account for SRO contract with RUSD
Plan Check Fees	\$70,000	Increase based on current revenue trend.
Vehicle Code Fines	(\$40,000)	Due to the misallocation of fees from the County.
Interest Income	\$100,000	Increase based on current revenue trend.
Public Works Fees	\$20,000	Increase based on current revenue trend.

Expenditures

Expenditure reviews consisted of evaluating all accounts to ensure that the original budget would be sufficient to meet anticipated expenditures through the end of the fiscal year. When evaluating accounts Finance has taken into consideration new information affecting expenditure as well as spending trends. This mid-year evaluation (review) has resulted in a recommended net increase in expenditures for the General Fund of **\$197,521**.

Below is a list of only Major expenditure adjustments over \$10,000 or staffing-related adjustments are reflected below, please see Exhibit A for additional recommended adjustments:

Department	Adjustment	Reasoning
Finance	\$22,000	Correction to personnel cost.
Building	\$37,100	Correction to personnel cost.
Admin	\$20,000	Correction to personnel cost.
Development Services	\$30,000	Increase in Engineering cost.
	\$15,000	Correction to personnel cost.
Parks	\$31,235	Increase for relocation of Pioneer Park Playground equipment.
Recreation	\$22,475	Increase General Fund Subsidy for Recreation Programs

With the approved amendments, the General Fund is anticipated to end this fiscal year with a reserve of 53% or approximately \$7.5 million. An adjustment of \$1.3 million has been reflected in the General Fund's Beginning Fund Reserve. Mid-year adjustments net \$252,569 increase. The General Fund reserve as of June 30, 2025, will be as follows:

Beginning Reserve Amended 07/1/2024	\$ 8,304,321
Amended Revenues	\$13,586,788
Amended Expenditures	\$14,414,673
Anticipated Ending Reserve 06/30/2025	\$ 7,476,436 (53%)
Structural Deficit	\$827,885

General Fund Analysis

The City must remain mindful of the ongoing increase in expenditures, including the projected rise of nearly \$2 million in the CalPERS Unfunded Liability by 2026. Additionally, with reduced funding for unsheltered services, the General Fund will be the primary source of support for maintaining services at Sierra House.

Staff continues to recommend that the City Council consider allocating a portion of the reserve to help mitigate the impact of future expenditures, such as economic downturns, unfunded liabilities, or capital needs.

Gas Tax Fund (Fund 102)

The Gas Tax Fund is supported by various Highway User Taxes collected by the State of California through vehicle fuel purchases. These revenues are restricted to funding street and road maintenance, as well as related project expenses.

The State of California has provided revised revenue projections for the City's Gas Tax revenues. These updates reflect fluctuations in fuel prices and the annual inflationary adjustment applied to per-gallon fuel excise taxes. As a result, the City will experience an **\$11,000** reduction in Gas Tax and SB1 funding for projects. To offset this loss, the General Fund subsidy has been adjusted accordingly.

With the continued rise in the utilization of electric vehicles, Gas Tax revenues will continue to decline. At both the state and local levels, discussions are ongoing regarding potential strategies to recapture funding and ensure the ability to maintain roadway infrastructure.

Gas Tax Fund expenditures remain stable, covering essential services such as street maintenance repairs, street sweeping, and streetlight utilities. Mid-year expenditure adjustments account for corrections to personnel costs, rising utility expenses, and an increase in the street sweeping contract. Given the combination of decreased revenue and increased expenditures, the fund balance is expected to decrease by \$44,000.

The Gas Tax Fund reserve as of June 30, 2025, will be as follows:

Beginning Reserve Amended 07/1/2024	\$312,231
Amended Revenues	\$1,716,758

Amended Expenditures	\$2,008,838
Anticipated Ending Reserve 06/30/2025	\$20,151 (2%)

Gas Tax Fund Analysis

Operating expenses for this fund continue to exceed the Gas Tax Revenues received by the City. As a result, the City's General Fund will need to subsidize approximately \$340,036 this fiscal year to ensure that street maintenance remains at the highest possible level. To minimize the need for future subsidies, service evaluations will be conducted in the coming years. In the next few months, City Council will need to make a determination regarding Street Sweeping services which will impact the Gas Tax Fund, and most likely the General Fund. Options for alternative street sweeping services will be presented to Council after a full evaluation is complete.

It is important to note that reserve funds in the Gas Tax Fund account include balances from the SB1-Road Maintenance and Rehabilitation Account, which the State of California allocates to the City. The City Council approves the use of these funds through the annual SB1 Expenditure List. Since revenues are collected in one fiscal year and projects are completed in another, it is normal for this fund to reflect a deficit.

Sewer Fund (Fund 106)

The Sewer Fund is a business-type account established to support the necessary maintenance and improvements of the sewer collection and treatment systems. Revenue is generated through user fees from residential, commercial, and industrial entities and is exclusively allocated to sewer-related expenses.

The projected beginning reserve for the Sewer Fund has been updated to \$8,281,764. A significant portion of this reserve is earmarked for Sewer Collection system improvements planned for future years.

Sewer revenue projections for the current fiscal year have been increased by **\$525,000**, reflecting a rise in sewer service charges.

Sewer expenditures have also been increased by **\$99,118**, primarily due to higher costs for the maintenance of equipment and wastewater ponds.

Overall, the Sewer Fund is expected to close the fiscal year with a reserve of 82%, ensuring sufficient funding for future projects and addressing deferred maintenance needs and to advance the Riverbank Regional Recycled Water Project.

In summary, the Sewer Fund is anticipated to end as follows:

Beginning Reserve Amended 07/1/2024	\$8,281,764
Estimated Revenues	\$5,959,350
Estimated Expenditures	\$7,840,110
Anticipated Ending Reserve 06/30/2025	\$6,401,004 (82%)

Water Fund (Fund 114)

The Water Fund is a business-type account established to support the maintenance and improvement of the water distribution system. Revenue is generated through user fees from residential, commercial, and industrial customers and is strictly allocated for water-related expenses.

For Fiscal Year 2024-25, the beginning reserve has been revised to \$1,190,433. This reserve will cover the ongoing maintenance and operational costs of the Water utility.

Overall, the Water Fund is expected to close the fiscal year with a reserve of 13%, which will be used to fund future projects and address deferred maintenance. The fund continues to face a structural deficit, based on the original revenue projections. This deficit has made it challenging to complete many of the Capital Improvement Projects outlined in the adopted Five-Year Rate Study, due to delays in consumption billing and rising operating costs.

Water revenue projections have been adjusted with an increase of \$65,000. Expenditures have been revised upward by \$157,668, mainly due to higher utility costs.

In summary, the Water Fund is projected to end the 2024-25 fiscal year as follows:

Beginning Reserve Amended 07/1/2024	\$1,190,433
Estimated Revenues	\$3,354,500
Estimated Expenditures	\$4,033,018
Anticipated Ending Reserve 06/30/2025	\$ 511,915 (13%)

Water rates have not been increased since 2019, and staff will begin preparations for a future rate study.

Public Benefit Fund (Fund 230)

In June 2018, the City Council authorized the creation of the Public Benefit Fund. The intent of the fund was to ensure that all cannabis-related revenues were segregated and easily accounted for in a specific fund. In addition to establishing the fund, the City Council developed an expenditure policy which was focused on allocating the funds received for public safety (including police and code enforcement) and other projects that would provide a public benefit, including recreation.

This fund accounts for cannabis revenue which have come directly from the Development Agreements between the City and three cannabis-related businesses in the City. Currently only two of the cannabis-related business are operating.

Ongoing costs include the funding of a Sheriff Deputy & Community Resource Deputy, leasing of the camera system, and a Neighborhood Improvement Officer position.

For the current fiscal year, the Public Benefit fund status as of June 30, 2025, is as follows:

Beginning Reserve Amended 07/1/2024	\$1,121,053
Estimated Revenues	\$ 445,000

Estimated Expenditures	\$ 630,360
Anticipated Ending Reserve 06/30/2025	\$ 935,693 (148%)

The only adjustment to the fund was the amended beginning reserve balance.

Public Benefit Fund Analysis

As Development Agreements are re-negotiated there is an impact to revenues that must be taken into consideration. With fixed costs such as the camera project monthly fee and funding for two law enforcement officers, and a Neighborhood Improvement Officer it is important to consider that the City should designate portions of the reserve to ensure continued funding for these on-going costs.

OTHER FUND ACTIVITY

Adjustments for revenues for System Development fees have been added based on the current revenue trends.

CONCLUSION

The mid-year budget review is an opportunity for the City Departments to revisit their initial budgets and recommend adjustments based on actual activity that is occurring or on activity that is anticipated to occur. Therefore, it is recommended that the City Council approve the mid-year budget amendments as presented in Exhibit A.

FINANCIAL IMPACT

Fund	Net Revenue Adjustment	Net Expenditure Adjustment
General Fund	+\$483,236	+\$197,521
Gas Tax Fund	+\$50,000	+\$50,000
Sewer Fund	+\$525,000	+\$99,118
Water Fund	+\$65,000	+\$157,668
Water Capital Improvement Fund	+\$5,000	+\$415,184
Neighborhood Improvement Fund	\$0	+\$22,000
Community Center Fund	+\$37,475	+\$24,750
Fleet Services Fund	+\$30,500	+\$30,500
Recreation Fund	+\$59,756	+\$35,000
Assess Dist #1991-1 Fund	\$0	+\$245,000
Water Connection Fee Fund	+\$20,000	\$0
Sewer Connection Fee Fund	+\$16,000	\$0
Transitional Housing Fund	\$0	+\$160,000
Sys Dev Fees -Streets/Pub Wrks	+\$115,000	\$0
Sys Dev Fees – Water	+\$405,000	\$0
Sys Dev Fees – Waste Water	+\$180,000	\$0
Sys Dev Fees – Storm Drainage	+\$21,000	\$0
Sys Dev Fees – Parks & Rec	+\$56,300	\$0
Sys Dev Fees – Police & Gen Gov	+\$60,000	\$0

STRATEGIC PLAN

In August 2021, the City Council established a Strategic Plan Goal to “Ensure Financial Stability”. This report addresses this matter.

ATTACHMENT

1. Resolution
2. Exhibit A: FY 2024-25 Mid-Year Budget Adjustments
3. Exhibit B: FY 2024-25 Mid-Year Budget Fund Summaries

CITY OF RIVERBANK

RESOLUTION 2025-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK
APPROVING THE FISCAL YEAR 2024-2025 MID-YEAR BUDGET AMENDMENTS**

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

WHEREAS, as part of the mid-year budget review, staff has projected that all reserve accounts will remain within or above the parameters as initially forecast; and,

WHEREAS, certain critical needs for personnel, supplies, programs, and equipment have arisen in certain operational areas; and,

WHEREAS, to satisfactorily meet all current needs of the City, it is recommended that the adjustments presented in Exhibit A: FY 2024-2025 Mid-Year Budget Adjustments be approved.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby authorizes the budget adjustments presented in Exhibit A: FY 2024-2025 Mid-Year Budget Adjustments to satisfactorily meet the needs of our residents.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 25th day of February, 2025; 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

Rachel Hernandez
Mayor

Attachments: Exhibit A – FY 2024-25 Mid-Year Budget Adjustments

EXHIBIT A: FY 2024-25 Mid-Year Budget Adjustments

Fund	Account	Account Name	Amendment Justification	Amendment \$	Budget	
					Original	Amended
101: General Fund						
Revenues	101-000.000-400.010	Property Tax Current Secured	Increase in revenues based on actual Assessed Value	100,000	1,860,000	1,960,000
	101-000.000-400.020	Property Tax Current Unsecured	Increase in revenues based on actual Assessed Value	25,000	80,000	105,000
	101-000.000-400.060	Property Transfer Tax	Increase in revenue based on current trend.	30,000	65,000	95,000
	101-000.000-400.070	Unitary Taxes	Increase in revenue based on current trend.	10,000	35,000	45,000
	101-000.000-450.000	Business License	Increase in revenue based on current trend.	10,000	85,000	95,000
	101-000.000-600.010	Police Services	Increase based on SRO Contract	155,000	1,284	156,284
	101-000.000-600.090	Plan Check Fees	Increase in revenue based on current trend.	70,000	75,000	145,000
	101-000.000-600.100	Planning & Zoning Fees	Decrease based on current revenue trend.	(6,000)	20,000	14,000
	101-000.000-600.120	PEG Fees	Decrease based on current revenue trend.	(7,000)	20,000	13,000
	101-000.000-600.130	Franchise Fees - Utilities	Decrease based on current revenue trend.	(15,000)	375,000	360,000
	101-000.000-600.170	Vehicle Code Fines	Decrease based on current revenue trend.	(40,000)	43,680	3,680
	101-000.000-664.000	Interest Income	Increase in revenue based on current trend.	100,000	35,000	135,000
	101-000.000-675.340	Public Works Fees	Increase in revenue based on current trend.	20,000	35,000	55,000
	101-000.000-699.000	Transfer IN	From Sewer (106) & Water (114) for Pioneer Park Equipment relocation	31,236	925,175	956,411
Net General Fund Revenue Adjustments				\$ 483,236	\$ 3,655,139	\$ 4,138,375
General Fund Expenditure Amendments						
City Council						0
City Manager						0
Finance	101-403.000-706.023	Advertising	Increase for additional publications	2,000	2,000	4,000
	101-403.000-708.009	National Retirement	Mid-year personnel corrections	22,000	9,360	31,360
Legal						0
Planning	101-405.000-701.002	Personnel Regular	Move funding to the Professional Services unfilled vacancy.	(75,000)	402,836	327,836
	101-405.000-702.032	Professional/Sppecial Service	Increase contract staff filling for vacancy.	30,000	24,000	54,000
	101-405.000-702.034	Other Contract Services	Increase contract staff filling for vacancy.	45,000	3,500	48,500
Building	101-406.000-708.008	Health Dental Vision Insurance	Mid-year personnel corrections	27,500	22,782	50,282
	101-406.000-708.009	National Retirement	Increase use of outside consultants	9,600	9,600	19,200
Building Maintenance	101-407.000-706.027	Boot & Jacket Allowance	Increase to accommodate two FTE	325	425	750
	101-407.000-706.029	Main of Bldg/Structures	Replace Police Door/Awnings City Hall North & South	5,586	25,000	30,586
	101-407.000-706.073	Uniforms & Rags	Increase to accommodate two FTE	1,500	2,578	4,078

EXHIBIT A: FY 2024-25 Mid-Year Budget Adjustments

Fund	Account	Account Name	Amendment Justification	Amendment \$	Budget	
					Original	Amended
Admin Services	101-408.000-708.006	PERS Retirement	Mid-year personnel correction	20,000	68,871	88,871
	101-408.000-708.009	National Retirement	Mid-year personnel correction	2,000	16,800	18,800
Development Services Administration						
	101-412.000-702.035	Engineering	Increase based on current trends	30,000	25,000	55,000
	101-412.000-708.009	National Retirement	Mid-year personnel correction	15,000	13,488	28,488
Storm Water Admin	101-413.000-704.021	Utilities	Increase based on current trends	4,000	12,000	16,000
						0
Parks	101-414.000-706.081	Downtown & Water Fall Maint	Repair to irrigation	4,300	4,124	8,424
	101-414.000-707.003	Equipment/Projects	reimbursement from Water & Sewer	31,235	61,500	92,735
Recreation	101-459.000-999.000	Transfer Out	Increase based on increase subsidy needed for Recreation Programs	22,475	838,374	860,849
Net General Fund Expenditure Adjustments				\$197,521	\$1,542,238	\$1,739,759
Net General Fund Revenue Adjustments				\$ 483,236		
Net General Fund Expenditure Adjustments				\$197,521		
Net Effect to the General Fund Reserve				\$285,715		
102: Gas Tax Fund						
Revenues	102-000.000-600.050	SB1-RMRA Revenue	Increase based updated projections	(11,000)	642,542	631,542
	102-000.000-664.000	Interest Income	Increase based on current revenue trends	5,000	750	5,750
	102-000.000-699.000	Transfers In	Additional General Fund Subsidy	56,000	314,529	370,529
Net Gas Tax Fund Revenue Adjustments				50,000	957,821	1,007,821
Expenditures	102-418.000-702.036	Street Sweeping Contract	Increase based on current trends	10,500	98,365	108,865
	102-418.000-704.021	Utilities	Increase based on current trends	30,000	110,000	140,000
	102-418.000-708.009	National Retirement	Mid-year Personnel projections corrections	9,000	30,441	39,441
	102-418.000-708.012	Deferred Compensation	Mid-year Personnel projections corrections	500	6,527	7,027
Net Gas Tax Fund Expenditure Adjustments				50,000	245,333	295,333

EXHIBIT A: FY 2024-25 Mid-Year Budget Adjustments

Fund	Account	Account Name	Amendment Justification	Amendment \$	Budget	
					Original	Amended
106: Sewer Fund						
Revenues	106-000.000-600.180	Sewer Service Charge	Increase based on current revenue trends	500,000	5,346,000	5,846,000
	106-000.000-664.000	Interest Income	Increase based on current revenue trends	25,000	8,000	33,000
	Net Sewer Fund Revenue Adjustments			525,000	5,354,000	5,879,000
Expenditures	106-423.000-702.030	Maint. Operation Equipment	Generator Maintenance	15,000	37,854	52,854
	106-423.000-706.999	Bad Debts	Based on current trends	7,000	10,000	17,000
	106-423.000-999.000	Transfer Out	To General Fund 50% Pioneer Park Equip move due to water and sewer lines	15,618	839,029	854,647
	106-424.000-702.030	Maint. Operation Equipment	Increase Maintenance Cost (Biolac Diffusers/Case STX Tractor)	50,000	85,405	135,405
	106-424.000-706.038	Staff Development	Increase based on new staff member additional training needed.	1,500	4,500	6,000
	106-424.000-706.053	Sewer Treatment (WWTP)	Additional expense to reinforce levees	10,000	20,000	30,000
	Net Sewer Fund Expenditure Adjustments			99,118	996,788	1,095,906
114: Water Fund						
Revenues	114-000.000-600.140	Water Revenues	Based on current revenue trends	50,000	3,200,000	3,250,000
	114-000.000-600.160	Bad Debt	Based on current revenue trends	5,000	3,000	8,000
	114-000.000-664.000	Interest Income	Based on current revenue trends	10,000	4,000	14,000
	Net Water Fund Revenue Adjustments			65,000	3,207,000	3,272,000
Expenditures	114-433.000-701.003	Personnel Overtime	Based on current trends	5,000	20,000	25,000
	114-433.000-702.030	Maint. Operation Equipment	Generator Maintenance	15,000	93,460	108,460
	114-433.000-703.064	Backflow Inspection Expenses	Transfer budget from 707.010	500	6,000	6,500
	114-433.000-704.021	Utilities	Based on current trends	150,000	400,000	550,000
	114-433.000-706.056	State/County Fees	Increase in State fees	2,050	45,000	47,050
	114-433.000-706.073	Uniforms & Rags	Based on current trends	1,000	4,750	5,750
	114-433.000-707.010	Water Meters	Transfer budget to 703.064	(500)	15,000	14,500
	114-433.000-708.009	National Retirement	Mid-year Personnel projections corrections	(35,000)	65,184	30,184
	114-433.000-708.012	Deferred Compensation	Mid-year Personnel projections corrections	4,000	23,129	27,129
	114-433.000-999.000	Transfer Out	To General Fund 50% Pioneer Park Equip move due to water and sewer lines	15,618	235,338	250,955
	Net Water Fund Expenditure Adjustments			157,668	907,861	1,065,528
116: Water Capital Improvement Fund						
Revenues	116-000.000-664.000	Interest Income	Based on current revenue trends	5,000	769	5,769
	Net Water Capital Improvement Fund Revenue Adjustments			5,000	769	5,769
Expenditures	116-436.000-707.110	Riverside Alley Waterline	Approved Capital Project	415,184	0	415,184
	Net Water Capital Improvement Fund Expenditures Adjustments			415,184	0	415,184

EXHIBIT A: FY 2024-25 Mid-Year Budget Adjustments

Fund	Account	Account Name	Amendment Justification	Amendment \$	Budget	
					Original	Amended
117: Neighborhood Improvement Fund						
Revenues						
	Net Neighborhood Improvement Fund Revenue Adjustments			0	0	0
Expenditures	117-411.000-708.008	Health Dental Vision Insurance	Mid-year Personnel projections corrections	22,000	22,782	44,782
	Net Neighborhood Improvement Fund Expenditures Adjustments			22,000	22,782	44,782
118: Community Center Fund						
Revenues	118-000.000-680.002	Contract Programs	Based on current revenue trends	20,000	35,000	55,000
	118-000.000-699.000	Transfers In	Based on current expenditures	17,475	28,850	46,325
	Net Community Center Fund Revenue Adjustments			37,475	63,850	101,325
Expenditures	118-441.000-703.030	Contract Programs	Based on current trends	10,000	15,000	25,000
	118-441.000-708.006	PERS Retirement	Mid-year Personnel projections corrections	250	0	250
	118-441.008-703.066	JMP Parking Expenses	Increase approved Cart Purchase	14,500	80,000	94,500
	Net Community Center Fund Expenditure Adjustments			24,750	95,000	119,750
119: Fleet Services Fund						
Revenues	119-000.000-675.140	Maintenance Charges Parts	Generator Repairs	30,500	314,211	344,711
	Net Community Center Fund Revenue Adjustments			30,500	314,211	344,711
Expenditures	119-442.000-702.030	Maint Operation Equip	Increase based on generator repairs	30,000	20,000	50,000
	119-442.000-706.073	Uniforms & Rags	Increase based increase cost	500	1,800	2,300
	Net Fleet Services Fund Expenditure Adjustments			30,500	21,800	52,300
134: Recreation Fund						
Revenues	134-000.000-672.000	Pool Revenue	Based on current revenue trends	10,000	54,400	64,400
	134-000.000-672.001	Pool Concessions	Based on current revenue trends	1,000	1,200	2,200
	134-000.000-680.001	Program Revenue	Based on current revenue trends	22,000	50,000	72,000
	134-000.000-699.000	Transfers In	Based on current expenditures	26,756	789,844	816,600
	Net Recreation Fund Revenue Adjustments			59,756	895,444	955,200
Expenditures	134-459.000-701.002	Personnel Part Time	Additional Staff Time for Swim Team	8,000	160,750	168,750
	134-459.000-703.027	Recreation Program Supplies	Supplies for Swim Team	14,500	12,000	26,500
	134-459.000-708.006	PERS Retirement	Mid-year Personnel projections corrections	5,000	66,784	71,784
	134-459.000-708.012	Deferred Compensation	Mid-year Personnel projections corrections	7,500	2,640	10,140
	Net Recreation Fund Expenditures Adjustments			35,000	242,174	277,174

EXHIBIT A: FY 2024-25 Mid-Year Budget Adjustments

<u>Fund</u>	<u>Account</u>	<u>Account Name</u>	<u>Amendment Justification</u>	<u>Amendment \$</u>	<u>Budget</u>	
					<u>Original</u>	<u>Amended</u>
156: Assess Dist #1991-1 Fund						
Expenses	156-555.000-707.002	Caslteburg Park Equipment	Record CIP approved project	245,000	0	245,000
	Net Assess Dist #1991-1 Fund Expense Adjustments			245,000	0	245,000
157: Water Connection Fee Fund						
Revenues	157-000.000-600.150	Water Connection Fees	Based on current revenue trends	10,000	40,000	50,000
	157-000.000-664.000	Interest Income	Based on current revenue trends	10,000	3,500	13,500
	Net Water Connection Fund Revenue Adjustments			20,000	43,500	63,500
158: Sewer Connection Fee Fund						
Revenues	158-000.000-660.050	Sewer Connection Fees	Based on current revenue trends	16,000	45,000	61,000
	Net Sewer Connection Fund Revenue Adjustments			16,000	45,000	61,000
Expenses						
	Net Sewer Connection Fund Expenditures Adjustments			0	0	0
203: Transitional Housing Fund						
Expenses	203-478.000-702.032	Professional/Special Services	Cambridge Academy Expenses	160,000	0	160,000
	Net Transitional Housing Expense Adjustments			160,000	0	160,000
205: Sys Dev Fees-Streets/Pub Wrks						
Revenues	205-000.000-664.000	Interest Income	Based on current revenue trends	40,000	15,000	55,000
	205-000.000-675.330	Developer Fees	Based on current revenue trends	75,000	350,000	425,000
	Net SDF Streets/Pub Wrks Fund Revenue Adjustments			115,000	365,000	480,000
206: Sys Dev Fees-Water						
Revenues	206-000.000-664.000	Interest Income	Based on current revenue trends	5,000	750	5,750
	206-000.000-675.330	Developer Fees	Based on current revenue trends	400,000	75,000	475,000
	Net SDF Water Fund Revenue Adjustments			405,000	75,750	480,750

EXHIBIT A: FY 2024-25 Mid-Year Budget Adjustments

Fund	Account	Account Name	Amendment Justification	Amendment \$	Budget	
					Original	Amended
207: Sys Dev Fees-Waste Water						
Revenues	207-000.000-664.000	Interest Income	Based on current revenue trends	5,000	500	5,500
	207-000.000-675.330	Developer Fees	Based on current revenue trends	175,000	35,000	210,000
	Net SDF Waste Water Fund Revenue Adjustments			180,000	35,500	215,500
208: Sys Dev Fees-Storm Drainage						
Revenues	208-000.000-664.000	Interest Income	Based on current revenue trends	6,000	1,000	7,000
	208-000.000-675.330	Developer Fees	Based on current revenue trends	15,000	75,000	90,000
	Net SDF Storm Drainage Fund Revenue Adjustments			21,000	76,000	97,000
209: Sys Dev Fees-Parks & Rec						
Revenues	209-000.000-664.000	Interest Income	Based on current revenue trends	1,300	200	1,500
	209-000.000-675.335	Developer Fees Crossroads West	Based on current revenue trends	55,000	0	55,000
	Net SDF Parks & Rec Fund Revenue Adjustments			56,300	200	56,500
210: Sys Dev Fees-Police & Gen Gov						
Revenues	210-000.000675.330	Developer Fees	Based on current revenue trends	60,000	70,000	130,000
						0
	Net SDF Police & Gen Gov Fund Revenue Adjustments			60,000	70,000	130,000
Net All Funds Revenue Adjustments				\$ 2,129,267		
Net All Funds Expenditure Adjustments				\$1,436,740		
Net Effect to all Funds				\$692,527		



CITY OF RIVERBANK
FUND SUMMARIES
2024-2025 ANNUAL MID-YEAR OPERATING BUDGET

FUND NO.	FUND NAME	ESTIMATED REVENUES	TRANSFERS IN	EST. TOTAL REVENUE	TRANSFERS OUT	SALARIES & BENEFITS	OPERATIONS & SUPPLIES	CAPITAL OUTLAY	DEBT SERVICE	EST. TOTAL EXPENDITURES	STRUCTURAL SURPLUS (DEFICIT)	FUND BALANCE 07/01/2024	FUND BALANCE 06/30/2025	RESERVE %
101	GENERAL FUND	12,630,377	956,411	13,586,788	1,301,181	4,045,169	8,810,863	257,460	0	14,414,673	(827,885)	8,304,321	7,476,436	53%
SPECIAL REVENUE FUNDS														
102	Gas Tax Fund	1,346,229	370,529	1,716,758	0	569,445	517,725	921,668	0	2,008,838	(292,080)	312,231	20,151	2%
109	Off-Street Parking Fund	200	0	200	0	0	0	0	0	0	200	58,533	58,733	#N/A
111	Local Transportation Fund	35,000	0	35,000	0	0	20,000	0	0	20,000	15,000	(18,507)	(3,507)	-18%
117	Code Enforcement Fund	56,000	278,472	334,472	0	324,522	31,950	0	0	356,472	(22,000)	25,125	3,125	1%
118	Community Center Fund	218,525	46,325	264,850	0	56,059	184,797	0	0	240,856	23,994	14,892	38,886	16%
119	Equipment Pool Fund	459,484	39,360	498,844	0	131,044	367,800	0	0	498,844	0	0	0	0%
125	Special Projects Fund	100	0	100	0	0	0	0	0	0	100	69,658	69,758	#N/A
126	Vehicle Tow Fund/Grants	6,500	0	6,500	0	0	6,500	6,500	0	13,000	(6,500)	42,392	35,892	552%
129	State Grants Fund	0	0	0	0	0	21,000	0	0	21,000	(21,000)	85,823	64,823	309%
132	Weed Abatement Fund	2,025	0	2,025	0	0	8,000	0	0	8,000	(5,975)	53,528	47,553	594%
134	Recreation & Park Develop.	151,100	816,600	967,700	0	796,486	146,458	0	0	942,944	24,756	(24,756)	0	0%
136	ARPA Fund	0	0	0	0	0	0	526,000	0	526,000	(526,000)	1,057,108	531,108	#N/A
137	Worker's Comp Liability	132,475	0	132,475	0	0	442,000	0	0	442,000	(309,525)	224,058	(85,467)	-19%
138	General Liability	806,000	0	806,000	0	0	806,000	6,700	0	812,700	(6,700)	99,945	93,245	12%
151	Public Works Grant Fund	460,771	0	460,771	0	0	0	460,771	0	460,771	0	0	0	#N/A
152	ESG Funding	167,200	0	167,200	0	0	167,200	0	0	167,200	0	0	0	0%
156	Assessment District Fund	0	0	0	0	0	0	245,000	0	245,000	(245,000)	261,307	16,307	#N/A
162	Quimby Fees	0	0	0	0	0	0	0	0	0	0	294,286	294,286	#N/A
163	Cheese and Wine	70,123	0	70,123	0	0	63,601	0	0	63,601	6,522	6,681	13,203	21%
176	P.S. Augmentation Fund	160,000	0	160,000	34,000	0	0	0	0	34,000	126,000	(125,888)	112	0%
180	Facility Improvement Fund	10,000	0	10,000	0	0	11,750	0	0	11,750	(1,750)	29,169	27,419	233%
181	CFD 2016-1	150,000	0	150,000	50,000	0	67,600	0	0	117,600	32,400	370,775	403,175	343%
196	Teen Center Fund	1,000	0	1,000	0	0	0	0	0	0	1,000	9,179	10,179	#N/A
229	Measure L	1,170,351	0	1,170,351	0	0	0	4,330,752	0	4,330,752	(3,160,401)	2,787,700	(372,701)	#N/A
230	Public Benefit Fund	445,000	0	445,000	424,360	0	206,000	0	0	630,360	(185,360)	1,121,053	935,693	148%
	GRAND TOTAL	5,848,083	1,551,286	7,399,369	508,360	1,877,556	3,068,381	6,497,391	0	11,951,688	(4,552,319)	6,754,292	2,201,973	
SYSTEM DEVELOPMENT FUNDS														
140	Sys Dev. Fees - Bridges/Roads	150	0	150	0	0	0	0	0	0	150	37,859	38,009	#N/A
145	Sys Dev. Fees - Overpasses	750	0	750	0	0	0	0	0	0	750	202,956	203,706	#N/A
146	Sys Dev. Fees - RR Crossing	0	0	0	0	0	0	0	0	0	0	500,399	500,399	#N/A
205	Sys Dev. Fees-Streets/PW	480,000	36,517	516,517	39,079	0	0	2,350,000	0	2,389,079	(1,872,562)	3,526,166	1,653,604	4231%
208	Sys Dev. Storm Drainage	97,000	0	97,000	0	0	0	0	0	0	97,000	2,119,904	2,216,904	#N/A
209	Sys Dev. Parks & Recreation	131,500	0	131,500	0	0	0	0	0	0	131,500	1,077,762	1,209,262	#N/A
210	Sys Dev. Police/General Gov.	130,000	0	130,000	0	0	15,000	0	0	15,000	115,000	801,911	916,911	6113%
211	System Admin. Fees	100,000	0	100,000	101,187	0	14,000	0	0	115,187	(15,187)	324,321	309,134	268%
212	Sys Dev. Imaging Fee	4,650	0	4,650	0	0	0	0	0	0	4,650	68,666	73,316	#N/A
222	Crossroads Undergrounding	2,000	0	2,000	0	0	0	0	0	0	2,000	916,379	918,379	#N/A
	GRAND TOTAL	946,050	36,517	982,567	140,266	0	29,000	2,350,000	0	2,519,266	(1,536,699)	9,576,323	8,039,624	
HOUSING FUNDS														
139	HCD Old Program Income	200	0	200	0	0	115,303	0	0	115,303	(115,103)	140,485	25,382	22%
153	HCD CDBG Fund	40,000	0	40,000	0	25,000	1,090,900	0	0	1,115,900	(1,075,900)	4,169,214	3,093,314	277%
154	HCD HOME Fund	12,000	0	12,000	0	40,000	755,040	0	0	795,040	(783,040)	7,162,352	6,379,312	802%
155	HCD CAL-HOME Fund	150	0	150	0	20,000	376,100	0	0	396,100	(395,950)	398,171	2,221	1%
168	LMI Housing Asset Fund	250	0	250	0	0	0	0	0	0	250	30,922	31,172	#N/A
203	Transitional Housing Fund	0	0	0	0	0	160,000	0	0	160,000	(160,000)	2,000,000	1,840,000	1150%
213	Federal & State Grant Fund	0	0	0	0	129,336	0	0	0	129,336	(129,336)	(635,582)	(764,918)	-591%
	GRAND TOTAL	52,600	0	52,600	0	214,336	2,497,343	0	0	2,711,679	(2,659,079)	13,265,562	10,606,483	
SEWER ENTERPRISE FUNDS														
106	Sewer Fund	5,959,350	0	5,959,350	854,647	1,920,328	1,447,095	3,582,040	36,000	7,840,110	(1,880,760)	8,281,764	6,401,004	82%
107	Sewer Debt Service	4,000	579,992	583,992	0	0	0	0	542,392	542,392	41,600	3,896,886	3,938,486	726%
108	Sewer Capital Imp. Fund	500	52,600	53,100	0	0	0	925,000	0	925,000	(871,900)	1,139,134	267,234	#N/A
158	Sewer Connection Fund	49,000	0	49,000	0	0	0	0	0	0	49,000	(295,329)	(246,329)	#N/A
160	Sewer Master Plan Preparation	0	0	0	0	0	0	0	0	0	0	4,247	4,247	#N/A
207	System Development-WW	215,500	0	215,500	0	0	0	0	0	0	215,500	267,214	502,714	#N/A
	GRAND TOTAL	6,228,350	632,592	6,860,942	854,647	1,920,328	1,447,095	4,507,040	578,392	9,307,502	(2,446,560)	13,313,916	10,867,356	
WATER ENTERPRISE FUNDS														
114	Water Fund	3,354,500	0	3,354,500	250,956	1,993,735	1,263,445	95,000	429,882	4,033,018	(678,518)	1,190,433	511,915	13%
116	Water Capital Imp. Fund	5,769	55,600	61,369	0	0	0	1,580,184	0	1,580,184	(1,518,815)	3,031,309	1,512,494	#N/A
157	Water Connection Fund	63,500	0	63,500	0	0	0	0	0	0	63,500	1,159,518	1,223,018	#N/A
161	Water Master Plan Preparation	550	0	550	0	0	0	0	0	0	550	41,191	41,741	#N/A
206	Sys. Development-Water	480,750	0	480,750	0	0	0	410,000	0	410,000	70,750	1,688,404	1,759,154	#N/A
	GRAND TOTAL	3,905,069	55,600	3,960,669	250,956	1,993,735	1,263,445	2,085,184	429,882	6,023,202	(2,062,533)	7,110,855	5,048,322	
GRAND TOTAL ALL FUNDS														
		29,610,529	3,232,406	32,842,935	3,055,410	10,051,124	17,116,127	15,697,075	1,008,274	46,928,010	(14,085,075)	58,325,269	44,240,194	135%

RIVERBANK CITY COUNCIL/ LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 10.2

SECTION 10: PUBLIC HEARING

Meeting Date: February 25, 2025

Subject: Resolution to Consider Approval of the Request for an Exception to Allow for Flag Lot Configuration and Vesting Tentative Parcel Map 01-2023 Located at 3818 Sierra Street (APN 132-048-053).

From: Marisela H. Garcia, City Manager

Submitted by: Joshua E. Mann, Director of Community Development

RECOMMENDATION

Consider adopting a resolution to approve a request of Mr. Dennis and Esther Shafer 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. Dennis and Esther Shafer, are seeking City Council approval for a Request for an Exception to allow for the configuration of a flag lot and Tentative Parcel Map No. 01-2023 (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 132-048-053 (20,076± sf), into one (1) resulting parcel (13,324± sf) and a designated Remainder (6,752± sf). The property is zoned R-1, Single-Family Residential and the General Plan designation for the site is Medium-Density Residential.

BACKGROUND

Mr. Dennis and Esther Shafer are the owners of the subject property, an approximately 20,076± sf parcel, located at 3818 Sierra Street. Other than the Request for an Exception and 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.

If approved this Parcel Map would separate the existing single-family residence onto Parcel A and the designated Remainder would be vacant and undeveloped. Once

construction is proposed on the designated Remainder, certain improvements would need to take place to the unimproved portion of Front Street along the full width of the designated Remainder's frontage, approximately twenty (20) feet in length. These required improvements will include road pavement, curb, gutter, sidewalk, extending city utilities (sewer and water) and installation of a new fire hydrant at the east end of Front Street. Completion of these improvements will be required prior to the issuance of any building permit for residential development. In addition to the above future improvements, the project will be subject to the City's Standard Conditions of Approval as contained in Planning Commission Resolution No. 2013-14 (Exhibit B).

On January 21, 2025, the Planning Commission adopted Resolution 2025-001 (Attachment 2) to recommend approval to the City Council to approve the Request for an Exception to allow for a flag lot configuration and Tentative Parcel Map 01-2023. The Planning Commission voted unanimously (5-0) to recommend approval to the City Council for the proposed Project.

During the Public Comment period of the Planning Commission meeting, a member of the community expressed their support of the proposed Project citing the proposed Project as a great example of In-Fill Development.

PROJECT INFORMATION AND ANALYSIS

The analysis below provides details related to City Standards as they pertain to the proposed Project.

A. Development Standards

Lot Size

The proposed Tentative Parcel Map would subdivide one (1) existing parcel totaling 20,076± sf into one (1) parcel and a designated Remainder. The Project site is located within the City's R-1, Single-Family Residential Zoning District and is designated Medium Density Residential (MDR) per the General Plan. For the R-1 Zone, the minimum interior lot size requirement is 6,000 square feet. The resulting parcel and designated Remainder as proposed comply with the minimum lot size requirement: Parcel A totals 13,324± sq. ft. and the designated Remainder totals 6,752± sq. ft.

Lot Width

In the R-1 zoning district, the minimum lot width requirement for interior lots is 55 feet. According to the Tentative Parcel Map, Parcel A has a Lot width of approximately 65 feet and the Designated Remainder has a Lot width of 20 feet. Parcel A meets the minimum lot width requirements for the R-1 zoning district while the designated Remainder 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. Parcel 1 meets the minimum lot depth requirements for the R-1 zoning district while Designated Remainder does not meet the minimum lot depth standard for the R-1 zoning district. The proposed flag lot configuration of the Designated Remainder provides a street frontage of 20± feet; strict application of Section 152.029 would allow a maximum lot depth of 60 feet for the Designated Remainder. The proposed lot depth for the Designated Remainder exceeds the maximum lot depth permitted by 120 feet.

The table below illustrates the minimum lot size, width, and depth requirements for the lots along with the dimensions proposed for the resulting Parcel A and Designated Remainder:

R-1 Zoned Parcels	Lot Size (Minimum 6,000 sf)	Lot Width (Minimum 55 ft)	Lot Depth (Minimum 100 ft)
Parcel A	13,324± sf	65± ft	205± ft
Remainder	6,752± sf	20± ft	180± ft

Existing Structures

Parcel A contains an existing single-family residence, a covered patio, one (1) shed, and a combination of small structures to remain. The Designated Remainder contains one (1) barn to be moved or demolished prior to recordation of the Parcel Map.

GENERAL PLAN CONSISTENCY

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 a single-family dwelling unit on the Designated Remainder as the creation of one (1) flag lot makes it possible for the future development and sale of a residential dwelling unit. Additionally, the Designated Remainder could be further developed with an Accessory Dwelling Unit. As mentioned previously once development is proposed on the Designated Remainder certain improvements to Front Street will be required.

ENVIRONMENTAL

Pursuant to the California Environmental Quality Act (CEQA), 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 proposed 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 2025-XXX
Exhibit A – Tentative Parcel Map 01-2023
Exhibit B – Standard Conditions (PC Resolution 2013-14)
2. Planning Commission Resolution No. 2025-001

CITY OF RIVERBANK

RESOLUTION 2025-XXX

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIVERBANK, CALIFORNIA
APPROVING THE REQUEST OF THE SHAFER FAMILY FOR AN EXCEPTION
REQUEST AND TENTATIVE PARCEL MAP 01-2023, LOCATED AT 3818 SIERRA
STREET (APN 132-048-053)**

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

WHEREAS, an application was received from Muir Consulting, Inc. for Tentative Parcel Map 01-2023 to divide one (1) existing parcel totaling approximately 20,076± square feet into one (1) parcel and a Designated Remainder, specifically sized as follows:

Parcel 1: Approximately 13,324± square feet

Remainder: Approximately 6,752± square feet

WHEREAS, the City of Riverbank Planning Commission conducted a Public Hearing on January 21, 2025 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 February 12, 2025; 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 February 12, 2025; 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 01-2023 for the subdivision of one (1) parcel totaling approximately 20,076 square feet into one (1) parcel and Designated Remainder 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 01-2023, subject to the following Conditions of Approval:

- 1. Applicant/ Developer shall comply with the City of Riverbank Standard Conditions as contained in the Planning Commission Resolution 2013-04 and/or receive confirmation from the Community Development Director that a specific condition or conditions does not apply to the project; and
- 2. Prior to obtaining a building permit on the designated Remainder, a Conditional Certificate of Compliance shall be obtained from the City of Riverbank. The Conditional Certificate of Compliance shall include the following improvements:
 - a. Install a City standard Fire Hydrant at the east end of Front Street;
 - b. Upgrade Storm Water Manhole on Front Street;
 - c. Provide a ten (10) foot Public Utility Easement (PUE) at Project frontage;
 - d. Extend Front Street for the full width along the property frontage including paving, curb, gutter and sidewalk;
 - e. Extend water and sewer along the property frontage and provide water and sewer stubs to Parcel B;
 - f. Remove or relocate the existing barn that extends over the property line;
 - g. New driveway approach shall be installed on Front Street at property frontage;

- h. Any existing wells and septic tanks shall be abandoned;
- i. A City standard barricade shall be installed at the end of the roadway extension;
- j. A City standard No Parking sign shall be installed on south side of Front Street.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Riverbank that the Exception request and Tentative Parcel Map No. 01-2023 is approved, subject to those conditions established by this Resolution.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 25th day of February, 2025; 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

Rachel Hernandez
Mayor

Attachments:

Exhibit A – Tentative Parcel Map 01-2023
Exhibit B – Standard Conditions (PC Resolution 2013-14)



City of Riverbank
STANDARD CONDITIONS
Resolution 2013-014

STANDARD CONDITIONS

A. General Conditions

All projects must meet the following standard conditions unless specifically exempted by the Planning Commission and/or City Council.

1. This approval is dependent upon and limited to the proposals and plans contained, supporting documents submitted, presentations made to staff, Planning Commission and/or City Council as affirmed to by the applicant. Any variation from these plans, proposals, supporting documents or presentations is subject to review and approval prior to implementation.
2. The applicant shall secure and comply with all applicable federal, state and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
3. The applicant shall comply with all regulations and code requirements of the Community Development Director, City Engineer, Building Official, Modesto Regional Fire Authority, Stanislaus Consolidated Fire Protection District, the Police Chief and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final maps, site plans, public improvement plans, grading plans and building plans.
4. All conditions of approval for this project shall be written by the project developer on all building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading and construction plans kept on the project site. It is the responsibility of the building developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from the Planning Manager must be received before any changes are constituted in site design, grading, building design, building colors or materials, etc.
5. Final maps and/or site development plans shall be in substantial conformance to the approved tentative map/site plan and must be submitted, in English units, to the City Engineering Department for review and approval. Maps shall be prepared, wet signed and sealed by a civil engineer, land surveyor, or architect registered in the State of California and licensed to prepare final maps and/or site development plans.
6. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site, either wind or water, during the construction and operation of the project covered by this approval.
7. Should the project be found, at any time, not to be in compliance with any of the Conditions of Approval, or should the applicant construct or operate this development in any way other than specified in the Application or Supporting

Documents or presentations to staff, Planning Commission or City Council, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to be violated.

8. If construction or operation of the activity is not begun within one year, or as allowed by State of California Subdivision Map Act, as amended, this entitlement shall lapse and the applicant shall reapply to the City of Riverbank for a new project entitlement. The applicant may not begin construction or operation of the activity until a new entitlement is granted. Reapplications for entitlement shall state the reasons why the applicant will be able to begin the activity within a year from the granting of a new entitlement, if so granted. Reapplications for entitlement may include information submitted in the initial application by reference. The zoning will not expire; however, any associated applications (except lot line adjustments, boundary adjustments, vacation and abandonment applications) will expire, unless otherwise stated in the conditions of approval. The application(s) will expire in one year at 5:00 p.m. on the expiration date (holidays and weekends will not extend the expiration day). Any extension of time must be applied for prior to 5:00 p.m. on the expiration date.
9. Work done by a contractor pursuant to this approval shall not begin before the contractor has been shown by the applicant a copy of this permit.
10. The hours of construction, including equipment warm-up, shall be limited to 7:00 a.m. - 6:30 p.m. on weekdays and 8:00 a.m. - 5:00 p.m. on weekends and legal holidays.
11. Development of the property must conform to the plans as submitted with revisions as specified by the City of Riverbank City Council and / or Planning Commission.
12. All new construction requires building permits in accordance with all applicable building and fire codes and submission of a plot and grading plan prepared by a registered professional civil engineer showing property lines, building locations, topography and such other data as required by the Community Development Department.
13. All geologic hazards must be plotted on a plot plan, and habitable structures shall comply with the restrictions specified in all applicable building and fire codes.
14. Drainage and / or traffic studies must be submitted and approved and all improvements must comply with the approved studies. Further, street and storm water management dedication and / or improvements may be required.
15. If the property is located in a flood zone, a drainage study must be submitted to and approved by the Floodplain Administrator prior to any permits being issued.

16. Fire hydrants must be provided in compliance with Fire Department specifications and a three foot fire hydrant, a 10 foot PUE is typically required and the fire hydrant can be in that easement if it cannot be within the right of way easement is required around all street frontage lot lines. Waivers of street improvements do not waive fire hydrant requirements.
17. All necessary utility easements shall be retained or reserved.
18. Mobile homes and / or manufactured housing require building permits before they are moved and inspection for the California Safety Seal prior to occupancy.
19. Approval of this application does not constitute approval of any other entitlement or any other necessary permit, license, or approval.
20. All activities undertaken in accordance with this approval shall comply with the City's General Plan and Municipal Code. In cases of conflict between the City's Municipal Code or map-specific conditions of approval, the governing priority shall be, to the extent legally permitted, as follows: 1) Municipal Code regulations; 2) project-specific conditions; 3) standard conditions.
21. The developer shall pay all applicable processing fees, permit fees, City development fees, fire fees, school fees, drainage fees and other public entity fees in effect at the time of the issuance of the applicable permit.
22. In addition to otherwise applicable development fees, if the subject property is located within an existing or a proposed Benefit District, the developer shall pay the Benefit District fee as set forth in the Engineers Report for the applicable Benefit District. Fees shall be charged and paid at the time of building permit issuance. The fee may be adjusted over time by an amount equal to the annual rate of inflation set forth in the Engineering News Record Construction Cost Index.
23. If it is determined that the project will impact existing agricultural uses, the construction and maintenance of necessary mitigation measures are the financial responsibility of the developer until the City formally accepts these improvements. Additionally, the developer shall bear the financial responsibility of, and shall dedicate to the City, agricultural runoff control easements, as needed, and may be required to financially support the maintenance of said facilities.
24. The property owner/manager/HOA shall be responsible for the maintenance of all common areas, such as landscaping, parking, access roads, and easements.
25. With respect to any claim, action of proceeding against the City, its officials, employees or agents relating to the action or inaction of the City in reviewing, approving or denying entitlements of any type, the Developer agrees to indemnify, hold harmless and defend the City and its elected and appointed councils, boards,

commissions, officers, agents, employees, and representatives from any and all claims, costs, and liability for claims of damage, for any property damage or personal injury, including death, which may arise as a result of any negligent acts or omissions by Developer or Developer's contractors, subcontractors, agents, or employees in connection with the construction, improvement, or operation, of the Project. Developer agrees to indemnify, hold harmless and defend the City and its officers, agents, employees, and representatives from any and all actions for damages caused or alleged to have been caused by Developer's activities in connection with the Project. This Agreement applies to all damages and claims for damages suffered or alleged to have been suffered arising out of or in connection to any and all Project operations, regardless of whether or not the City prepared, supplied or approved plans or specifications or both for the Project.

26. In the event any legal action or special proceeding is commenced by any person or entity challenging any agreements between Developer and City, any entitlement or component of the Project such as the Project EIR, or any other City approval for the Project (collectively, "Project Litigation"), the Parties agree to cooperate with each other as set forth herein. City may elect to tender the defense of any lawsuit filed and related in whole or in part to Project Litigation. Upon the commencement of Project Litigation, Developer will indemnify and hold harmless the City from all costs and expenses incurred related thereto, including, but not limited to, damages, attorneys' fees and expenses of litigation awarded to the prevailing party or parties in such litigation. Developer shall pay all litigation fees to the City within thirty (30) days of receiving a written request and accounting of such fees and expenses from the City. Notwithstanding the aforementioned, City may request a deposit to cover City's reasonably anticipated Project Litigation fees and costs, and Developer will provide such deposit to City within seven (7) days of any such request.
27. It is required by State Law (Business and Professional Code Section No. 5537 & 5538 and Section 302(b) of the Uniform Building Code) that all commercial buildings, new or existing must have a licensed professional designer (Architect, Civil or Structural Engineer) to design all changes of use or occupancy as well as new construction.
28. This approval may be recalled to the Planning Commission for review at any time due to complaints regarding lack of compliance with conditions of approval, traffic congestion, noise generation, or other adverse operating characteristics. At such time, the Commission may revoke the approval or add/modify conditions approval.
29. It is the responsibility of the applicant or developer to check with each agency for requirements that may pertain to their project.
30. The applicant shall negotiate school mitigation with the appropriate School District before issuance of building permit. Applicant shall present evidence of School District compliance to the City of Riverbank.

31. The project shall annex into a storm water management district for on-going maintenance of the public system.
32. The project shall annex into a Community facilities district for the on-going Public Services operations including Fire and Police services.
33. The project shall annex into a Lighting and Landscaping District for the on-going maintenance to project lighting, open space areas and any proposed common landscape areas such as parks, landscape medians and parkway strips.
34. Where required, automatic fire sprinkler systems shall be designated and installed in compliance with NFPA (National Fire Protection Association) standards. Fire Department Connections (FDC's) shall be located within 50 feet of a fire hydrant.
35. The grade of the fire apparatus access road shall be within the limits established by the code official based on fire apparatus. (Shall not exceed 10 percent.)
36. Fire apparatus access roads shall be designated and maintained to support the imposed loads of fire apparatus (75,000 pounds) and shall be surfaced so as to provide all-weather driving capabilities.
37. Where applicable, NO PARKING – FIRE LANE signage and/or marking(s) shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof.

B. Improvement Plans

1. All underground utilities shall be installed in conformance with existing City policy including without limitation the City of Riverbank Subdivision and Zoning Ordinances.
2. Right of way or easement acquisitions necessary to implement any portion of this map, and/or site development plan, including public improvements, shall be obtained by the developer at its sole expense prior to the City's consideration of the final map which encompasses the particular improvement. The developer shall notify the City in writing no more than 120 days and no less than 60 days in advance of filing the final map related to the acquisition if City assistance is needed to complete the acquisition pursuant to Government Code Section 66462.5. Funds in an amount of 100% of the estimated acquisition costs shall be deposited with the City to cover appraisal, right of way agent, and legal fees and costs incurred to secure the necessary property.
3. Environmental and engineering studies, as directed by the Community Development Director, must be complete and on file prior to commencement to plan checking.

Developer shall install off-street improvements determined necessary by the City Engineer to provide safe traffic conditions.

4. The Applicant shall submit a complete area water pressure availability study for all phases of the Project prior to issuance of any development permits. If the study indicates that the present system is inadequate, the Applicant must provide plans, with existing water, sewer and utilities software simulation program that will demonstrate any remedial action necessary to abate the deficiency and shall submit for plan check and take all necessary actions at the applicant's expense.
5. Developer shall underground existing and required on and off-site utilities as specified in the Municipal Code or as deemed necessary by the City Engineer.
6. All site development shall comply with all applicable provisions of the City of Riverbank Municipal Code as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval of that permit.
7. The developer shall provide and show on the final map and/or site development plan all necessary easements for access, streets, alleys, sewer and water facilities, utilities and drainage facilities, irrigation facilities and other facilities as requested by the City.
8. The final map and/or site development plan and all related documents shall comply with all regulations and requirements of the Riverbank Municipal Code.
9. Meters, hydrants, poles, etc. shall be located clear of the sidewalk and driveways or as determined by the City Engineer. Final locations and the number of such facilities shall be determined at the time the improvement plans are reviewed.
10. An encroachment permit shall be required for any construction to be done in the public right of way, in easements, or on lands to be dedicated to the City of Riverbank upon completion of the improvements. The encroachment permit shall be obtained prior to the start of said work. The permit fees shall be determined per the current adopted development fee schedule.
11. Due to LID requirements, on site storage, retention/detention should be permitted.
12. Any portion of the drainage system that conveys runoff from public streets shall be installed within a dedicated drainage easement or public street.
13. The developer shall provide joint trenching for telephone, gas, electric, cable TV and fiber optic service for every parcel.

14. All improvements, public and private, shall be designed and constructed in accordance with the most recent edition of the Standard Plans and Specifications all applicable state and local ordinances, standards and requirements. Should a conflict arise, the governing specification shall be determined by the City Engineer.
15. All public improvements proposed by the developer or required through these conditions of approval shall be completed and accepted by the City in compliance with the time schedule set forth in the conditions of approval; if no time schedule is provided, then no later than recordation of the parcel map. The developer may apply to the City for a Subdivision Improvement Agreement or Deferred Improvement Agreement in order to postpone completion of the public improvements. In any event, the City shall require the developer to guarantee the performance of the improvements and payment of labor and materials by furnishing security in a form acceptable to the City.
16. Developer shall ensure finished pad elevations are at a minimum one foot above the 100 year base flood elevation as shown on the latest Federal Emergency Management Agency (FEMA) floodplain maps for Stanislaus County, California. The developer shall be responsible for all necessary activities, applications, documentation and costs to amend floodplain maps for their development. [Letter of Map Amendment Revision (LOMAR)], and for obtaining a Floodplain Permit from the Community Development Director for all projects on parcels identified in Zone 'A' on the FEMA Flood Insurance Rate Maps for the City of Riverbank. Application for LOMAR shall be prepared and submitted by the developer prior to grading permit issuance or final map approval, whichever occurs first.
17. Regional and Sub-regional Drainage fees shall be paid in an amount acceptable to the City Engineer prior to approval of the final map.
18. Detailed plans reflecting the design and construction of all public infrastructure improvements for street, sewer, water, and storm drain, both on- and off-site, shall be in conformance with the adopted Infrastructure Master Plans and as directed by the City Engineer. Developer shall have written approval from the City Engineer for any variations from the City's Master Plans prior to any final map or plan approval.
19. All on and off site development and improvements shall be designed and constructed at the sole expense of the developer. The developer may apply for reimbursement for those improvements deemed eligible by the City Engineer as oversized in accordance with the City's laws and the State Subdivision Map Act in effect at the time of the developer's application for reimbursement to the City Council. Any such application must be presented to the City Council on or before the City records the first final map. The City's method of reimbursement shall not be limited, and may be memorialized through a reimbursement agreement with the Developer.

20. The sub divider shall submit plans and specifications for improvements of all public and private street rights-of-way, drainage easements, culverts, drainage structures and drainage facilities to the Department of Public Works for approval by the City Engineer.
21. Street alignments and grades, including the change of any existing or proposed street alignment and grade, shall be as required by the Community Development Director and the City Engineer.
22. The exact depth of imported base material shall be based on soil tests which have been approved by the Director of the Department of Public Works.
23. Sight distance requirements at all street intersections shall conform to City Standards.
24. If the improvement plans show a need to excavate in any public road right-of-way, the developer shall place a cash deposit with the Department of Public Works to ensure that any damage to the existing roadway is repaired in a timely manner.
25. Portland cement concrete cross gutters or culverts shall be installed where water crosses the roadways.
26. An adequate energy dissipater shall be constructed at the outlet of the storm drain, or verification shall be provided that such improvement is not needed.
27. Hydrology and hydraulic calculations for determining the storm system design, with water surface profile and adequate field survey cross section data, shall be provided satisfactory to the Director of the Department of Public Works, or verification shall be provided that such calculations are not needed.
28. Developer shall submit a study addressing on and off-site storm water and/or sewer system capabilities. If the study indicates that the present systems are inadequate, the developer must provide plans and install any additional storm water and/or sanitary and sanitary sewer facilities, including off-site improvements, to correct storm water run-off and sanitary sewer demands anticipated for upstream build-out in accordance with the Riverbank General Plan.
29. Prior to occupancy, the developer shall supply the City with an ACAD computer disk file showing plans that reflect the project as it was built (As-Built) to the satisfaction of the City Engineer. These plans shall be 3D.
30. The installation (if required) of all gas, electric, sewer, and water lines and any other below surface utilities is to take place before the installation of any concrete curbs, gutter, sidewalks, and the surfacing of the streets.

31. All walls adjacent to public right-of-ways shall be provided with decorative treatment, subject to approval by the Community Development Director.
32. The design of any masonry sound wall shall be approved by the Community Development Department. It shall match or harmonize with existing sound walls of neighboring projects along that street.

C. Grading Plans

1. Prior to the issuance of any grading permits, if the applicant submits a grading plan which the City Engineer, determines to show a significant deviation from the grading shown on the approved tentative map, specifically with regard to slope heights, slope ratios, pad elevations or pad configuration, the Planning Commission shall review the plan for a finding of substantial conformance. If the Planning Commission fails to make such a finding, the applicant shall process a revised tentative map; or, if a final map has been recorded, the applicant shall process a new tentative map or a site development permit application per City of Riverbank Municipal Code. Additionally, the applicant shall process a new environmental assessment for determination by the decision making entity.
2. Prior to the issuance of a grading permit, the applicant shall submit a geotechnical report to the City Engineer, Subdivision and Grading, for approval. The report shall include the information and be in the form as required by the City Engineer
3. Prior to the issuance of any preliminary grading permits, the applicant shall provide evidence to the City Engineer, that the Vector Control District has surveyed the site to determine if vector control measures are necessary. If the District determines measures are warranted, the applicant shall conduct such measures in a manner meeting the approval of the City Engineer.
4. Prior to the issuance of any grading permit or revisions thereto, the Community Development Director shall determine that the proposed grading is consistent with the grading depicted within this approved planning application.
5. The sub divider shall submit grading plans, a permit application, and plan check and inspection fees and deposits to the Department of Public Works. Grading plans shall be approved prior to or concurrently with the approval of the Improvement Plans.
6. The grading plan shall contain a certificate signed by a registered civil engineer that the grading plan has preserved a minimum of 100 square feet of solar access for each lot created by this subdivision pursuant to Section 81.401(n) of the Subdivision Ordinance.

7. Finished grading shall be certified by a registered civil engineer and inspected by the City Engineer for drainage clearance. Approval of rough grading does not certify finished grading due to potential surface drainage problems that may be created by landscaping accomplished after rough grading certification.
8. Developer shall provide written notification to adjacent property owners for any drainage work required to collect or convey storm water runoff, which may or will affect their properties.
9. 6" high Portland Concrete Cement curbing shall be provided between all driveways and landscaped areas as indicated in the City of Riverbank Standard Plans and Specifications. In addition to above, curbing between length of parking space and landscaped area shall include a 12" wide "Courtesy Curb." Curb Cuts shall be allowed to conform to LID Standards.
10. During construction water trucks or sprinkler systems are to be used in sufficient quantities to prevent dust from leaving the site during any earthmoving and/or construction activities.

D. Architecture

1. All mechanical, irrigation, ground and/or roof mounted equipment shall be architecturally screened from view from all public right-of-ways prior to issuance of certificate of occupancy.
2. All trash enclosures shall be constructed of masonry material with self-enclosing doors and have a second access and a sloped roof. The enclosure shall have materials and colors consistent with the primary building.
3. All vents, gutters, downspouts, flashing, electrical conduits, etc., shall be painted or finished to match the color of the adjacent surface unless otherwise directed by the Planning Commission.
4. Soffits and other architectural elements visible from view but not detailed on the plans shall be finished in a material in harmony with the exterior of the building.
5. Finish quality of exterior design elements including, but not limited to, building façade landscaping shall be subject to approval of the Community Development Director prior to issuance of Certificate of Occupancy.
6. All signs shall be submitted to the Community Development Director for design review per the sign ordinance of the Riverbank Municipal Code.
7. All outdoor mechanical equipment, satellite dishes, fire main and all rooftop equipment shall be fully visually screened upon installation subject to the approval of

the Community Development Department. Screening devices shall be shown on construction and/or landscape plans.

8. All exterior light fixtures shall be shown on plans subject to staff review and approval. All lights attached to buildings shall provide a soft “wash” of light against the wall. All building and parking or yard lights shall conform to City Standards and shall compliment the site and building architecture.
9. For residential projects, the CC&R’s shall restrict the storage of recreational vehicles on this site or parcels unless they are the principle source of transportation for the owner and prohibit parking on the public street for long than 72 hours.

E. Landscaping

1. Specific landscaping for screening shall have an appearance of mature growth subject to a field check and approval by the Community Development Director prior to Certificate of Occupancy.
2. The area under the drip line of all existing trees, which are to be saved, shall be fenced during construction. Grading shall be restricted under them to prevent soil compaction around the trees and to protect them from damage.
3. An existing tree inventory shall be created and included on the site plan for all new projects prior to approval of grading plan.
4. All slope banks in excess of two (2) feet in vertical height shall be landscaped and irrigated for erosion control and to soften their appearance as follows:
one 15-gallon or larger size tree per each 150 sq. ft. of slope area, one 1-gallon or larger size shrub per each 100 sq. ft. of slope area, and appropriate ground cover 12-24 inches on-center. In addition, slope banks in excess of five (5) feet in vertical height also include one 5-gallon or larger size tree per each 250 sq. ft. of slope area. Trees and shrubs shall be planted in staggered clusters to soften and vary slope plane. Slope planting required by this condition shall include a permanent irrigation system to be installed by the developer prior to occupancy.
5. All planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Required irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to

insure continued regular watering of landscape areas, and health and vitality of landscape materials.

6. Final inspection for occupancy permits will not be granted until all construction and landscaping is complete in accordance with approved plans.
7. All landscape areas shall be maintained in a healthy, thriving and weed free condition.
8. The site shall be maintained in a neat and clean manner free of trash and debris.
9. All walls adjacent to public right-of-ways shall be provided with decorative treatment, subject to approval by the Community Development Director. Walls shall match or harmonize with existing sound walls of neighboring projects along that street.

F. Minimum Construction Site Management Practices

1. **(Projects involving land disturbances of less than five (5) acres)** – During construction activities, the project sponsor shall reduce or prevent to the maximum extent practicable the direct or indirect discharge of any pollutant into the storm drain system utilizing best management practices contained in the California Storm Water Best Management Practices Handbook for Construction Activities. Construction activities include, but are not limited to: watering operations; roadwork and paving operations; concrete and painting; structure construction and painting; construction material storage and handling; construction waste/debris storage and disposal; and, construction equipment/vehicle cleaning, maintenance and fueling operations. The project sponsor is also responsible for training all contractors and subcontractors on the best management practices which are identified in the California Storm Water Best Management Practices Handbook for Construction Activities which will be available at the pre-construct meeting of the project.

Or

2. **(Projects involving land disturbances of five (5) acres or more)** – Prior to commencement of any site work that will result in a land disturbance of five acres or more, the project sponsor shall submit to the City a copy of the Notice of Intent (NOI) sent to the State Water Resources Control Board and the Storm water Pollution Prevention Plan (SWPPP) prepared for the project, as required by the State's General Construction Activity Permit.
3. All storm drains, which serve the site, shall be protected from spills and soil runoff (from unpaved parking areas). The applicant may use "Any Source Control" BMP (Best Management Practice) as listed in the California Storm Water Best

Management Practice Handbook for storm water run-off for commercial and industrial sites. Storm drains will be inspected periodically.

4. The applicant shall comply with all regulations and code requirements of the Community Development Department, Public Works Department, Stanislaus Consolidated Fire Protection District, the Sheriff's Department and any other agencies requiring review of the project. If required, the applicant shall be responsible to insure that these agencies are supplied copies of the final building and site plans.
5. Developer shall provide written notification to adjacent property owners for any drainage work required to collect or convey storm water runoff, which may or will affect their properties
7. Developer shall install off-street improvements determined necessary by the City Engineer to provide safe traffic conditions.
8. Developer shall underground existing and required on and off-site utilities as deemed necessary by the Public Works Department.
9. All off-site development shall comply with all applicable provisions of the Riverbank Municipal Code as determined by the City Engineer. Issuance of an encroachment permit will be required whereby specific engineering requirements will be made as conditions of approval of that permit.

TENTATIVE MAP

1. Applicant is responsible for street name signs in accordance with City of Riverbank Standards.
2. All subsequent maps shall plot dedication and/or the relinquishment of all effected utility easements.
3. If applicable, all beneficiaries of record to sign a consent statement to record with the Final Map.
4. The sub divider of residential projects shall record CC&R's at the time of recordation of the final parcel map creating the individual lots of this subdivision. The CC&R's will provide for a manager to be responsible for maintenance and repair, with each lot owner responsible for its pro rata share of the maintenance costs. The manager may be an owner, a third party manager designated by the owners, or a special purpose entity such as an owners' association. The CC&R's shall be subject to the review and approval of the City Attorney and Community Development Director prior to recordation of the final parcel map, and shall include the following:

5. All housing units built on this project are subject to the design standards of the City of Riverbank General Plan.
6. The City of Riverbank Police Department shall have the authority to enforce the State Vehicle Code on private streets within this subdivision. This enforcement shall commence only upon receipt of a written request from the developer or individual homeowners in the subdivision. The requesting party shall pay all costs associated with posting the private streets as required by the State Vehicle Code. The Police Department shall have the authority to enforce the State Vehicle Code and all Riverbank laws on future public roads offered for dedication, but not yet accepted by the City.
7. CC&R's (Covenants, Conditions and Restrictions) for the project shall contain appropriate provisions for joint maintenance of any infrastructure, roadways, utilities, landscaping and irrigation as determined necessary by the City Engineer.
8. Except as shown on the approved tentative map or as modified by the conditions contained herein, all street, thoroughfare or highway improvements shall be constructed as required in the Riverbank Municipal Code and the City Engineering Department's Standard Plans and Specifications. Any adopted precise section not referenced in the General Plan shall be constructed as directed by the City Engineer.
9. All streets and alleys shall be irrevocably offered for dedication and improved to City standards. Street names shall be reflected on the final map and shall be approved by the Community Development Department.
10. Prior to approval of the final map the developer shall form or annex into a street lighting and landscape maintenance district, or some alternative financing mechanism acceptable to the City, for maintenance of all street lights and landscaping within or adjacent to the site.
11. In conjunction with the recordation of the map (or by separate instrument), the developer shall provide all necessary easements for streets, alleys, sewer and water facilities, utilities and drainage facilities, irrigation district facilities, fiber optics and other facilities as required by the City or serving utility. Utility easements shall be a minimum of a clear fifteen feet (15') for one utility and a clear twenty feet (20') for two or more utilities or as specified by basic engineering design guidelines. Easements shall not be split between property lines unless determined otherwise by the City Engineer. The easement widths identified are minimums and in certain circumstances, additional easement widths may be required as determined by the City Engineer.

12. The developer shall comply with Government Code Section 66436(a) (3) before approval of each final map, and shall provide "no objection" letters from the public entity or utility to the satisfaction of the City Engineer.
15. To the extent applicable by past or future City Council actions prior to the recordation of final maps, the developer shall participate in the City's Capital Improvement Financing Plan to finance required infrastructure
16. The subdivider shall construct, or agree to construct, the public improvements and private road improvements shown on the improvement plans as approved by the City Engineer.
17. If the subdivider desires site addresses for the lots created by the subdivision, the sub-divider is to furnish a true scale Final Map to the City. Said map is to show driveway locations for all lots and street names for all streets.
18. All new and existing utility distribution facilities, including cable television lines, within the boundaries of the subdivision or within any half street abutting the subdivision, shall be placed underground. The subdivider is responsible for complying with the requirements of this condition, and shall make the necessary arrangements with each of the serving utilities, including licensed cable television operators, for the installation of such facilities.
19. The subdivider shall provide for a drainage system capable of handling and disposing of all surface water originating within the subdivision and all surface water that may flow onto the subdivision from adjacent lands. Said drainage system shall include any easements and structures required by the City Engineer to properly handle the drainage, and shall be designed so as to prevent ponding of surface water that would create a public health hazard or nuisance.
20. The subdivider shall provide for the improvement of all drainage easements by culvert or drainage channel of adequate size, whichever is required by the Director of the Department of Public Works. Any required drainage channel shall be lined with the suitable material as specified by the Director of the Department of Public Works. All such drainage easements shall be monumented along property lines at locations approved by the Director of the Department of Public Works. An access easement shall be provided to each drainage system maintenance access point not directly accessible from a public roadway. Such access easement is to be improved, fenced, and aligned to the satisfaction of the Director of the Department of Public Works.

The subdivider shall construct, to the satisfaction of the Director of the Department of Public Works, a public street lighting system that complies with the following conditions:

- a. All fixtures shall use a low pressure sodium vapor light source.

- b. All light standards and heads shall be ornamental in nature not to exceed 16 feet in height designed to the satisfaction of the Community Development Director and spaced and located to the satisfaction of the City Engineer.
- c. Deposit with the City of Riverbank, through the Department of Public Works, a cash deposit sufficient to:
 - i. Energize, maintain, and operate the street lighting system until tax revenues begin accruing from the subdivision for those purposes.
 - ii. Pay the cost to process lighting district administration of this project. After recording of the Final Map, the subdivision shall be transferred without notice or hearing, to a City designated lighting district to operate and maintain the system.

22. If the project is a Planned Development, then the following conditions shall apply:

- a. Minimum unobstructed private road width (face to face of curb) shall be twenty-four feet (24').
- b. Private road structural section shall be a minimum of two inches (2") of asphaltic concrete over four inches (4") of approved base. Grades shall be a minimum of 1.0 percent and a maximum of 15 percent and designed to drain the surface water properly. Adequacy of the structural section and surface drainage shall be inspected and certified by the City Engineer.
- c. Property owners shall agree to preserve and save harmless the City of Riverbank and each officer and employee thereof from any liability or responsibility for any accident, loss, or damage to persons or property, happening or occurring as the proximate result of any of the work undertaken to complete this work, and that all of said liabilities are hereby assumed by the property owner. Hold harmless forms are available from City Hall.
- d. The applicant shall deposit with the Department of Public Works sufficient funds to cover the cost of inspection of the private improvements.
- e. CC&R's (Covenants, Conditions and Restrictions) for 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 applicant shall construct and improve the pedestrian circulation system to the following design standards to the satisfaction of the Community Development Director:

- a. The pedestrian system shall provide a minimum eight feet (8') of landscaping of trees and shrubs between the sidewalk and curbing of any street on all projects.
 - b. Sidewalk surface shall consist of pervious concrete, or other pervious material approved by the Community Development Director.
 - c. Sidewalk gradients shall not exceed 15 percent. Where natural grades exceed 15 percent, sufficient width for switchbacks shall be provided to accommodate a 15 percent gradient path.
 - d. Sidewalks shall intersect roads at approximately 90 degree angles.
 - e. The sidewalk system shall be continuous through the subdivision.
 - f. Points where sidewalk exists, the subdivision shall be coordinated with existing or planned sidewalk locations on adjacent property.
21. Notwithstanding any grading/elevations that are shown on the tentative map, or the provisions of the City of Riverbank Municipal Code, approval of this tentative map does not authorize the issuance of any grading permits.
22. Prior to the recordation of a subdivision map or prior to the issuance of any grading permit, whichever comes first, and if determined necessary by the City Engineer, the applicant shall record a letter of consent from the affected property owners permitting offsite grading, cross lot drainage, drainage diversions and/or unnatural concentrations. The applicant shall obtain approval of the form of the letter of consent from the City of Riverbank before recordation of the letter.
23. The sub-divider shall deposit with the City the required fees at the time the lot grading plan or improvement is submitted. The deposit will be made with whichever plan is first submitted. Said deposit shall be used to cover the cost of site inspection by the City to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the developer's engineering geologist. The developer shall reimburse the Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.

FINAL MAP RECORDATION

1. The Final Map shall show the dedication of all onsite drainage easements, including easements for access thereto, and show monumentation for such easements, as required by the Public Works Director, or verify that no easements are required.

2. The Final Map shall include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.
3. Final Maps may be filed as units or groups of units, provided that there will be a minimum six-week interval between approval of each Final Map. Lot design on the Final Map shall be in substantial conformance to that shown on the Tentative Map. Lot 1 shall be in Unit 1, and the lot number sequencing shall correspond with unit sequencing. The highest numbered lot shall be in the last unit.
4. Upon notification by the City of Riverbank that a final map is approved for recordation, the applicant shall pay all costs associated with the transport of the map by city personnel to the Stanislaus County Recorder's Office.
5. The sub divider shall accomplish the following prior to approval of the Final Map by the City Council:
 - a. Provide the Department of Public Works with standard forms approved by the Community Development Director stating that the applicable agency or agencies have provided commitment to the site for such public facilities that are required for the subdivision (including, but not necessarily limited to, water and sewer services).]
 - b. Provide the City with a certification from each public utility and each public entity owning easements within the proposed subdivision stating that: (a) they have received from the developer a copy of the proposed map; (b) they object or do not object to the filing of the map without their signature; (c) in case of a street dedication affected by their existing easement, they will sign a "subordination certificate" or "joint-use certificate" on the map when required by the governing body. In addition, the sub divider shall furnish proof to the satisfaction of the City Engineer that no new encumbrances have been created that would subordinate the City's interest over areas to be dedicated for public road purposes since submittal of the Tentative Map.
 - c. Grant to the appropriate agency, by recorded document, all required offsite easements and all onsite water main easements that serve fire hydrants, or furnish a letter from said agency that none are required.
 - d. Provide the Department of Public Works with evidence that any offer of dedication or grant of right-of-way shall be free of all encumbrances or subordinated at the time of recordation of the Final Map.
 - e. If the sub divider does not have the real property rights necessary for public access or the construction of required improvements, he/she shall request the Planning Commission to direct City staff to begin eminent domain proceedings for acquisition of said property rights in accordance with Board Policy J-33. The developer shall agree to pay full City costs of eminent domain proceedings, including all easement costs. The developer shall also agree to construct required improvements within said easement.

- f. Pay off all existing deficit accounts associated with processing this application to the satisfaction of the City

- i. A City standard barricade shall be installed at the end of the roadway extension;
- j. A City standard No Parking sign shall be installed on south side of Front Street.

NOW THEREFORE, BE IT RESOLVED the City of Riverbank Planning Commission recommends approval to the City Council for Tentative Parcel Map No. 01-2023, subject to those conditions established by Resolution No. 2025-001 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 21st of January, 2025; motioned by Haltzman, seconded by Stewart, and upon roll call was carried by the following vote of 5-0:

AYES: Commissioners: Zamora, Haltzman, Dinan, Stewart and Link

NOES: None

ABSENT: Reuben

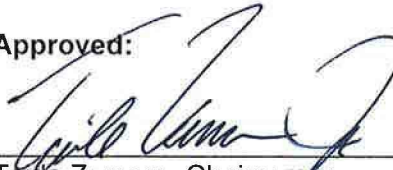
ABSTAIN: None

Attest:



Joshua E. Mann
Community Development Director

Approved:



Taide Zamora, Chairperson
Planning Commission

Exhibit A – Tentative Parcel Map 01-2023

Exhibit B – City of Riverbank Standard Conditions (PC Resolution No. 2013-14)



City of Riverbank
STANDARD CONDITIONS
Resolution 2013-014

STANDARD CONDITIONS

A. General Conditions

All projects must meet the following standard conditions unless specifically exempted by the Planning Commission and/or City Council.

1. This approval is dependent upon and limited to the proposals and plans contained, supporting documents submitted, presentations made to staff, Planning Commission and/or City Council as affirmed to by the applicant. Any variation from these plans, proposals, supporting documents or presentations is subject to review and approval prior to implementation.
2. The applicant shall secure and comply with all applicable federal, state and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
3. The applicant shall comply with all regulations and code requirements of the Community Development Director, City Engineer, Building Official, Modesto Regional Fire Authority, Stanislaus Consolidated Fire Protection District, the Police Chief and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final maps, site plans, public improvement plans, grading plans and building plans.
4. All conditions of approval for this project shall be written by the project developer on all building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading and construction plans kept on the project site. It is the responsibility of the building developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from the Planning Manager must be received before any changes are constituted in site design, grading, building design, building colors or materials, etc.
5. Final maps and/or site development plans shall be in substantial conformance to the approved tentative map/site plan and must be submitted, in English units, to the City Engineering Department for review and approval. Maps shall be prepared, wet signed and sealed by a civil engineer, land surveyor, or architect registered in the State of California and licensed to prepare final maps and/or site development plans.
6. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site, either wind or water, during the construction and operation of the project covered by this approval.
7. Should the project be found, at any time, not to be in compliance with any of the Conditions of Approval, or should the applicant construct or operate this development in any way other than specified in the Application or Supporting

Documents or presentations to staff, Planning Commission or City Council, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to be violated.

8. If construction or operation of the activity is not begun within one year, or as allowed by State of California Subdivision Map Act, as amended, this entitlement shall lapse and the applicant shall reapply to the City of Riverbank for a new project entitlement. The applicant may not begin construction or operation of the activity until a new entitlement is granted. Reapplications for entitlement shall state the reasons why the applicant will be able to begin the activity within a year from the granting of a new entitlement, if so granted. Reapplications for entitlement may include information submitted in the initial application by reference. The zoning will not expire; however, any associated applications (except lot line adjustments, boundary adjustments, vacation and abandonment applications) will expire, unless otherwise stated in the conditions of approval. The application(s) will expire in one year at 5:00 p.m. on the expiration date (holidays and weekends will not extend the expiration day). Any extension of time must be applied for prior to 5:00 p.m. on the expiration date.
9. Work done by a contractor pursuant to this approval shall not begin before the contractor has been shown by the applicant a copy of this permit.
10. The hours of construction, including equipment warm-up, shall be limited to 7:00 a.m. - 6:30 p.m. on weekdays and 8:00 a.m. - 5:00 p.m. on weekends and legal holidays.
11. Development of the property must conform to the plans as submitted with revisions as specified by the City of Riverbank City Council and / or Planning Commission.
12. All new construction requires building permits in accordance with all applicable building and fire codes and submission of a plot and grading plan prepared by a registered professional civil engineer showing property lines, building locations, topography and such other data as required by the Community Development Department.
13. All geologic hazards must be plotted on a plot plan, and habitable structures shall comply with the restrictions specified in all applicable building and fire codes.
14. Drainage and / or traffic studies must be submitted and approved and all improvements must comply with the approved studies. Further, street and storm water management dedication and / or improvements may be required.
15. If the property is located in a flood zone, a drainage study must be submitted to and approved by the Floodplain Administrator prior to any permits being issued.

16. Fire hydrants must be provided in compliance with Fire Department specifications and a three foot fire hydrant, a 10 foot PUE is typically required and the fire hydrant can be in that easement if it cannot be within the right of way easement is required around all street frontage lot lines. Waivers of street improvements do not waive fire hydrant requirements.
17. All necessary utility easements shall be retained or reserved.
18. Mobile homes and / or manufactured housing require building permits before they are moved and inspection for the California Safety Seal prior to occupancy.
19. Approval of this application does not constitute approval of any other entitlement or any other necessary permit, license, or approval.
20. All activities undertaken in accordance with this approval shall comply with the City's General Plan and Municipal Code. In cases of conflict between the City's Municipal Code or map-specific conditions of approval, the governing priority shall be, to the extent legally permitted, as follows: 1) Municipal Code regulations; 2) project-specific conditions; 3) standard conditions.
21. The developer shall pay all applicable processing fees, permit fees, City development fees, fire fees, school fees, drainage fees and other public entity fees in effect at the time of the issuance of the applicable permit.
22. In addition to otherwise applicable development fees, if the subject property is located within an existing or a proposed Benefit District, the developer shall pay the Benefit District fee as set forth in the Engineers Report for the applicable Benefit District. Fees shall be charged and paid at the time of building permit issuance. The fee may be adjusted over time by an amount equal to the annual rate of inflation set forth in the Engineering News Record Construction Cost Index.
23. If it is determined that the project will impact existing agricultural uses, the construction and maintenance of necessary mitigation measures are the financial responsibility of the developer until the City formally accepts these improvements. Additionally, the developer shall bear the financial responsibility of, and shall dedicate to the City, agricultural runoff control easements, as needed, and may be required to financially support the maintenance of said facilities.
24. The property owner/manager/HOA shall be responsible for the maintenance of all common areas, such as landscaping, parking, access roads, and easements.
25. With respect to any claim, action of proceeding against the City, its officials, employees or agents relating to the action or inaction of the City in reviewing, approving or denying entitlements of any type, the Developer agrees to indemnify, hold harmless and defend the City and its elected and appointed councils, boards,

commissions, officers, agents, employees, and representatives from any and all claims, costs, and liability for claims of damage, for any property damage or personal injury, including death, which may arise as a result of any negligent acts or omissions by Developer or Developer's contractors, subcontractors, agents, or employees in connection with the construction, improvement, or operation, of the Project. Developer agrees to indemnify, hold harmless and defend the City and its officers, agents, employees, and representatives from any and all actions for damages caused or alleged to have been caused by Developer's activities in connection with the Project. This Agreement applies to all damages and claims for damages suffered or alleged to have been suffered arising out of or in connection to any and all Project operations, regardless of whether or not the City prepared, supplied or approved plans or specifications or both for the Project.

26. In the event any legal action or special proceeding is commenced by any person or entity challenging any agreements between Developer and City, any entitlement or component of the Project such as the Project EIR, or any other City approval for the Project (collectively, "Project Litigation"), the Parties agree to cooperate with each other as set forth herein. City may elect to tender the defense of any lawsuit filed and related in whole or in part to Project Litigation. Upon the commencement of Project Litigation, Developer will indemnify and hold harmless the City from all costs and expenses incurred related thereto, including, but not limited to, damages, attorneys' fees and expenses of litigation awarded to the prevailing party or parties in such litigation. Developer shall pay all litigation fees to the City within thirty (30) days of receiving a written request and accounting of such fees and expenses from the City. Notwithstanding the aforementioned, City may request a deposit to cover City's reasonably anticipated Project Litigation fees and costs, and Developer will provide such deposit to City within seven (7) days of any such request.
27. It is required by State Law (Business and Professional Code Section No. 5537 & 5538 and Section 302(b) of the Uniform Building Code) that all commercial buildings, new or existing must have a licensed professional designer (Architect, Civil or Structural Engineer) to design all changes of use or occupancy as well as new construction.
28. This approval may be recalled to the Planning Commission for review at any time due to complaints regarding lack of compliance with conditions of approval, traffic congestion, noise generation, or other adverse operating characteristics. At such time, the Commission may revoke the approval or add/modify conditions approval.
29. It is the responsibility of the applicant or developer to check with each agency for requirements that may pertain to their project.
30. The applicant shall negotiate school mitigation with the appropriate School District before issuance of building permit. Applicant shall present evidence of School District compliance to the City of Riverbank.

31. The project shall annex into a storm water management district for on-going maintenance of the public system.
32. The project shall annex into a Community facilities district for the on-going Public Services operations including Fire and Police services.
33. The project shall annex into a Lighting and Landscaping District for the on-going maintenance to project lighting, open space areas and any proposed common landscape areas such as parks, landscape medians and parkway strips.
34. Where required, automatic fire sprinkler systems shall be designated and installed in compliance with NFPA (National Fire Protection Association) standards. Fire Department Connections (FDC's) shall be located within 50 feet of a fire hydrant.
35. The grade of the fire apparatus access road shall be within the limits established by the code official based on fire apparatus. (Shall not exceed 10 percent.)
36. Fire apparatus access roads shall be designated and maintained to support the imposed loads of fire apparatus (75,000 pounds) and shall be surfaced so as to provide all-weather driving capabilities.
37. Where applicable, NO PARKING – FIRE LANE signage and/or marking(s) shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof.

B. Improvement Plans

1. All underground utilities shall be installed in conformance with existing City policy including without limitation the City of Riverbank Subdivision and Zoning Ordinances.
2. Right of way or easement acquisitions necessary to implement any portion of this map, and/or site development plan, including public improvements, shall be obtained by the developer at its sole expense prior to the City's consideration of the final map which encompasses the particular improvement. The developer shall notify the City in writing no more than 120 days and no less than 60 days in advance of filing the final map related to the acquisition if City assistance is needed to complete the acquisition pursuant to Government Code Section 66462.5. Funds in an amount of 100% of the estimated acquisition costs shall be deposited with the City to cover appraisal, right of way agent, and legal fees and costs incurred to secure the necessary property.
3. Environmental and engineering studies, as directed by the Community Development Director, must be complete and on file prior to commencement to plan checking.

Developer shall install off-street improvements determined necessary by the City Engineer to provide safe traffic conditions.

4. The Applicant shall submit a complete area water pressure availability study for all phases of the Project prior to issuance of any development permits. If the study indicates that the present system is inadequate, the Applicant must provide plans, with existing water, sewer and utilities software simulation program that will demonstrate any remedial action necessary to abate the deficiency and shall submit for plan check and take all necessary actions at the applicant's expense.
5. Developer shall underground existing and required on and off-site utilities as specified in the Municipal Code or as deemed necessary by the City Engineer.
6. All site development shall comply with all applicable provisions of the City of Riverbank Municipal Code as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval of that permit.
7. The developer shall provide and show on the final map and/or site development plan all necessary easements for access, streets, alleys, sewer and water facilities, utilities and drainage facilities, irrigation facilities and other facilities as requested by the City.
8. The final map and/or site development plan and all related documents shall comply with all regulations and requirements of the Riverbank Municipal Code.
9. Meters, hydrants, poles, etc. shall be located clear of the sidewalk and driveways or as determined by the City Engineer. Final locations and the number of such facilities shall be determined at the time the improvement plans are reviewed.
10. An encroachment permit shall be required for any construction to be done in the public right of way, in easements, or on lands to be dedicated to the City of Riverbank upon completion of the improvements. The encroachment permit shall be obtained prior to the start of said work. The permit fees shall be determined per the current adopted development fee schedule.
11. Due to LID requirements, on site storage, retention/detention should be permitted.
12. Any portion of the drainage system that conveys runoff from public streets shall be installed within a dedicated drainage easement or public street.
13. The developer shall provide joint trenching for telephone, gas, electric, cable TV and fiber optic service for every parcel.

14. All improvements, public and private, shall be designed and constructed in accordance with the most recent edition of the Standard Plans and Specifications all applicable state and local ordinances, standards and requirements. Should a conflict arise, the governing specification shall be determined by the City Engineer.
15. All public improvements proposed by the developer or required through these conditions of approval shall be completed and accepted by the City in compliance with the time schedule set forth in the conditions of approval; if no time schedule is provided, then no later than recordation of the parcel map. The developer may apply to the City for a Subdivision Improvement Agreement or Deferred Improvement Agreement in order to postpone completion of the public improvements. In any event, the City shall require the developer to guarantee the performance of the improvements and payment of labor and materials by furnishing security in a form acceptable to the City.
16. Developer shall ensure finished pad elevations are at a minimum one foot above the 100 year base flood elevation as shown on the latest Federal Emergency Management Agency (FEMA) floodplain maps for Stanislaus County, California. The developer shall be responsible for all necessary activities, applications, documentation and costs to amend floodplain maps for their development. [Letter of Map Amendment Revision (LOMAR)], and for obtaining a Floodplain Permit from the Community Development Director for all projects on parcels identified in Zone 'A' on the FEMA Flood Insurance Rate Maps for the City of Riverbank. Application for LOMAR shall be prepared and submitted by the developer prior to grading permit issuance or final map approval, whichever occurs first.
17. Regional and Sub-regional Drainage fees shall be paid in an amount acceptable to the City Engineer prior to approval of the final map.
18. Detailed plans reflecting the design and construction of all public infrastructure improvements for street, sewer, water, and storm drain, both on- and off-site, shall be in conformance with the adopted Infrastructure Master Plans and as directed by the City Engineer. Developer shall have written approval from the City Engineer for any variations from the City's Master Plans prior to any final map or plan approval.
19. All on and off site development and improvements shall be designed and constructed at the sole expense of the developer. The developer may apply for reimbursement for those improvements deemed eligible by the City Engineer as oversized in accordance with the City's laws and the State Subdivision Map Act in effect at the time of the developer's application for reimbursement to the City Council. Any such application must be presented to the City Council on or before the City records the first final map. The City's method of reimbursement shall not be limited, and may be memorialized through a reimbursement agreement with the Developer.

20. The sub divider shall submit plans and specifications for improvements of all public and private street rights-of-way, drainage easements, culverts, drainage structures and drainage facilities to the Department of Public Works for approval by the City Engineer.
21. Street alignments and grades, including the change of any existing or proposed street alignment and grade, shall be as required by the Community Development Director and the City Engineer.
22. The exact depth of imported base material shall be based on soil tests which have been approved by the Director of the Department of Public Works.
23. Sight distance requirements at all street intersections shall conform to City Standards.
24. If the improvement plans show a need to excavate in any public road right-of-way, the developer shall place a cash deposit with the Department of Public Works to ensure that any damage to the existing roadway is repaired in a timely manner.
25. Portland cement concrete cross gutters or culverts shall be installed where water crosses the roadways.
26. An adequate energy dissipater shall be constructed at the outlet of the storm drain, or verification shall be provided that such improvement is not needed.
27. Hydrology and hydraulic calculations for determining the storm system design, with water surface profile and adequate field survey cross section data, shall be provided satisfactory to the Director of the Department of Public Works, or verification shall be provided that such calculations are not needed.
28. Developer shall submit a study addressing on and off-site storm water and/or sewer system capabilities. If the study indicates that the present systems are inadequate, the developer must provide plans and install any additional storm water and/or sanitary and sanitary sewer facilities, including off-site improvements, to correct storm water run-off and sanitary sewer demands anticipated for upstream build-out in accordance with the Riverbank General Plan.
29. Prior to occupancy, the developer shall supply the City with an ACAD computer disk file showing plans that reflect the project as it was built (As-Builts) to the satisfaction of the City Engineer. These plans shall be 3D.
30. The installation (if required) of all gas, electric, sewer, and water lines and any other below surface utilities is to take place before the installation of any concrete curbs, gutter, sidewalks, and the surfacing of the streets.

31. All walls adjacent to public right-of-ways shall be provided with decorative treatment, subject to approval by the Community Development Director.
32. The design of any masonry sound wall shall be approved by the Community Development Department. It shall match or harmonize with existing sound walls of neighboring projects along that street.

C. Grading Plans

1. Prior to the issuance of any grading permits, if the applicant submits a grading plan which the City Engineer, determines to show a significant deviation from the grading shown on the approved tentative map, specifically with regard to slope heights, slope ratios, pad elevations or pad configuration, the Planning Commission shall review the plan for a finding of substantial conformance. If the Planning Commission fails to make such a finding, the applicant shall process a revised tentative map; or, if a final map has been recorded, the applicant shall process a new tentative map or a site development permit application per City of Riverbank Municipal Code. Additionally, the applicant shall process a new environmental assessment for determination by the decision making entity.
2. Prior to the issuance of a grading permit, the applicant shall submit a geotechnical report to the City Engineer, Subdivision and Grading, for approval. The report shall include the information and be in the form as required by the City Engineer
3. Prior to the issuance of any preliminary grading permits, the applicant shall provide evidence to the City Engineer, that the Vector Control District has surveyed the site to determine if vector control measures are necessary. If the District determines measures are warranted, the applicant shall conduct such measures in a manner meeting the approval of the City Engineer.
4. Prior to the issuance of any grading permit or revisions thereto, the Community Development Director shall determine that the proposed grading is consistent with the grading depicted within this approved planning application.
5. The sub divider shall submit grading plans, a permit application, and plan check and inspection fees and deposits to the Department of Public Works. Grading plans shall be approved prior to or concurrently with the approval of the Improvement Plans.
6. The grading plan shall contain a certificate signed by a registered civil engineer that the grading plan has preserved a minimum of 100 square feet of solar access for each lot created by this subdivision pursuant to Section 81.401(n) of the Subdivision Ordinance.

7. Finished grading shall be certified by a registered civil engineer and inspected by the City Engineer for drainage clearance. Approval of rough grading does not certify finished grading due to potential surface drainage problems that may be created by landscaping accomplished after rough grading certification.
8. Developer shall provide written notification to adjacent property owners for any drainage work required to collect or convey storm water runoff, which may or will affect their properties.
9. 6" high Portland Concrete Cement curbing shall be provided between all driveways and landscaped areas as indicated in the City of Riverbank Standard Plans and Specifications. In addition to above, curbing between length of parking space and landscaped area shall include a 12" wide "Courtesy Curb." Curb Cuts shall be allowed to conform to LID Standards.
10. During construction water trucks or sprinkler systems are to be used in sufficient quantities to prevent dust from leaving the site during any earthmoving and/or construction activities.

D. Architecture

1. All mechanical, irrigation, ground and/or roof mounted equipment shall be architecturally screened from view from all public right-of-ways prior to issuance of certificate of occupancy.
2. All trash enclosures shall be constructed of masonry material with self-enclosing doors and have a second access and a sloped roof. The enclosure shall have materials and colors consistent with the primary building.
3. All vents, gutters, downspouts, flashing, electrical conduits, etc., shall be painted or finished to match the color of the adjacent surface unless otherwise directed by the Planning Commission.
4. Soffits and other architectural elements visible from view but not detailed on the plans shall be finished in a material in harmony with the exterior of the building.
5. Finish quality of exterior design elements including, but not limited to, building façade landscaping shall be subject to approval of the Community Development Director prior to issuance of Certificate of Occupancy.
6. All signs shall be submitted to the Community Development Director for design review per the sign ordinance of the Riverbank Municipal Code.
7. All outdoor mechanical equipment, satellite dishes, fire main and all rooftop equipment shall be fully visually screened upon installation subject to the approval of

the Community Development Department. Screening devices shall be shown on construction and/or landscape plans.

8. All exterior light fixtures shall be shown on plans subject to staff review and approval. All lights attached to buildings shall provide a soft "wash" of light against the wall. All building and parking or yard lights shall conform to City Standards and shall compliment the site and building architecture.
9. For residential projects, the CC&R's shall restrict the storage of recreational vehicles on this site or parcels unless they are the principle source of transportation for the owner and prohibit parking on the public street for long than 72 hours.

E. Landscaping

1. Specific landscaping for screening shall have an appearance of mature growth subject to a field check and approval by the Community Development Director prior to Certificate of Occupancy.
2. The area under the drip line of all existing trees, which are to be saved, shall be fenced during construction. Grading shall be restricted under them to prevent soil compaction around the trees and to protect them from damage.
3. An existing tree inventory shall be created and included on the site plan for all new projects prior to approval of grading plan.
4. All slope banks in excess of two (2) feet in vertical height shall be landscaped and irrigated for erosion control and to soften their appearance as follows: one 15-gallon or larger size tree per each 150 sq. ft. of slope area, one 1-gallon or larger size shrub per each 100 sq. ft. of slope area, and appropriate ground cover 12-24 inches on-center. In addition, slope banks in excess of five (5) feet in vertical height also include one 5-gallon or larger size tree per each 250 sq. ft. of slope area. Trees and shrubs shall be planted in staggered clusters to soften and vary slope plane. Slope planting required by this condition shall include a permanent irrigation system to be installed by the developer prior to occupancy.
5. All planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Required irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to

insure continued regular watering of landscape areas, and health and vitality of landscape materials.

6. Final inspection for occupancy permits will not be granted until all construction and landscaping is complete in accordance with approved plans.
7. All landscape areas shall be maintained in a healthy, thriving and weed free condition.
8. The site shall be maintained in a neat and clean manner free of trash and debris.
9. All walls adjacent to public right-of-ways shall be provided with decorative treatment, subject to approval by the Community Development Director. Walls shall match or harmonize with existing sound walls of neighboring projects along that street.

F. Minimum Construction Site Management Practices

1. **(Projects involving land disturbances of less than five (5) acres)** – During construction activities, the project sponsor shall reduce or prevent to the maximum extent practicable the direct or indirect discharge of any pollutant into the storm drain system utilizing best management practices contained in the California Storm Water Best Management Practices Handbook for Construction Activities. Construction activities include, but are not limited to: watering operations; roadwork and paving operations; concrete and painting; structure construction and painting; construction material storage and handling; construction waste/debris storage and disposal; and, construction equipment/vehicle cleaning, maintenance and fueling operations. The project sponsor is also responsible for training all contractors and subcontractors on the best management practices which are identified in the California Storm Water Best Management Practices Handbook for Construction Activities which will be available at the pre-construct meeting of the project.

Or

2. **(Projects involving land disturbances of five (5) acres or more)** – Prior to commencement of any site work that will result in a land disturbance of five acres or more, the project sponsor shall submit to the City a copy of the Notice of Intent (NOI) sent to the State Water Resources Control Board and the Storm water Pollution Prevention Plan (SWPPP) prepared for the project, as required by the State's General Construction Activity Permit.
3. All storm drains, which serve the site, shall be protected from spills and soil runoff (from unpaved parking areas). The applicant may use "Any Source Control" BMP (Best Management Practice) as listed in the California Storm Water Best

Management Practice Handbook for storm water run-off for commercial and industrial sites. Storm drains will be inspected periodically.

4. The applicant shall comply with all regulations and code requirements of the Community Development Department, Public Works Department, Stanislaus Consolidated Fire Protection District, the Sheriff's Department and any other agencies requiring review of the project. If required, the applicant shall be responsible to insure that these agencies are supplied copies of the final building and site plans.
5. Developer shall provide written notification to adjacent property owners for any drainage work required to collect or convey storm water runoff, which may or will affect their properties
7. Developer shall install off-street improvements determined necessary by the City Engineer to provide safe traffic conditions.
8. Developer shall underground existing and required on and off-site utilities as deemed necessary by the Public Works Department.
9. All off-site development shall comply with all applicable provisions of the Riverbank Municipal Code as determined by the City Engineer. Issuance of an encroachment permit will be required whereby specific engineering requirements will be made as conditions of approval of that permit.

TENTATIVE MAP

1. Applicant is responsible for street name signs in accordance with City of Riverbank Standards.
2. All subsequent maps shall plot dedication and/or the relinquishment of all effected utility easements.
3. If applicable, all beneficiaries of record to sign a consent statement to record with the Final Map.
4. The sub divider of residential projects shall record CC&R's at the time of recordation of the final parcel map creating the individual lots of this subdivision. The CC&R's will provide for a manager to be responsible for maintenance and repair, with each lot owner responsible for its pro rata share of the maintenance costs. The manager may be an owner, a third party manager designated by the owners, or a special purpose entity such as an owners' association. The CC&R's shall be subject to the review and approval of the City Attorney and Community Development Director prior to recordation of the final parcel map, and shall include the following:

5. All housing units built on this project are subject to the design standards of the City of Riverbank General Plan.
6. The City of Riverbank Police Department shall have the authority to enforce the State Vehicle Code on private streets within this subdivision. This enforcement shall commence only upon receipt of a written request from the developer or individual homeowners in the subdivision. The requesting party shall pay all costs associated with posting the private streets as required by the State Vehicle Code. The Police Department shall have the authority to enforce the State Vehicle Code and all Riverbank laws on future public roads offered for dedication, but not yet accepted by the City.
7. CC&R's (Covenants, Conditions and Restrictions) for the project shall contain appropriate provisions for joint maintenance of any infrastructure, roadways, utilities, landscaping and irrigation as determined necessary by the City Engineer.
8. Except as shown on the approved tentative map or as modified by the conditions contained herein, all street, thoroughfare or highway improvements shall be constructed as required in the Riverbank Municipal Code and the City Engineering Department's Standard Plans and Specifications. Any adopted precise section not referenced in the General Plan shall be constructed as directed by the City Engineer.
9. All streets and alleys shall be irrevocably offered for dedication and improved to City standards. Street names shall be reflected on the final map and shall be approved by the Community Development Department.
10. Prior to approval of the final map the developer shall form or annex into a street lighting and landscape maintenance district, or some alternative financing mechanism acceptable to the City, for maintenance of all street lights and landscaping within or adjacent to the site.
11. In conjunction with the recordation of the map (or by separate instrument), the developer shall provide all necessary easements for streets, alleys, sewer and water facilities, utilities and drainage facilities, irrigation district facilities, fiber optics and other facilities as required by the City or serving utility. Utility easements shall be a minimum of a clear fifteen feet (15') for one utility and a clear twenty feet (20') for two or more utilities or as specified by basic engineering design guidelines. Easements shall not be split between property lines unless determined otherwise by the City Engineer. The easement widths identified are minimums and in certain circumstances, additional easement widths may be required as determined by the City Engineer.

12. The developer shall comply with Government Code Section 66436(a) (3) before approval of each final map, and shall provide "no objection" letters from the public entity or utility to the satisfaction of the City Engineer.
15. To the extent applicable by past or future City Council actions prior to the recordation of final maps, the developer shall participate in the City's Capital Improvement Financing Plan to finance required infrastructure
16. The subdivider shall construct, or agree to construct, the public improvements and private road improvements shown on the improvement plans as approved by the City Engineer.
17. If the subdivider desires site addresses for the lots created by the subdivision, the sub-divider is to furnish a true scale Final Map to the City. Said map is to show driveway locations for all lots and street names for all streets.
18. All new and existing utility distribution facilities, including cable television lines, within the boundaries of the subdivision or within any half street abutting the subdivision, shall be placed underground. The subdivider is responsible for complying with the requirements of this condition, and shall make the necessary arrangements with each of the serving utilities, including licensed cable television operators, for the installation of such facilities.
19. The subdivider shall provide for a drainage system capable of handling and disposing of all surface water originating within the subdivision and all surface water that may flow onto the subdivision from adjacent lands. Said drainage system shall include any easements and structures required by the City Engineer to properly handle the drainage, and shall be designed so as to prevent ponding of surface water that would create a public health hazard or nuisance.
20. The subdivider shall provide for the improvement of all drainage easements by culvert or drainage channel of adequate size, whichever is required by the Director of the Department of Public Works. Any required drainage channel shall be lined with the suitable material as specified by the Director of the Department of Public Works. All such drainage easements shall be monumented along property lines at locations approved by the Director of the Department of Public Works. An access easement shall be provided to each drainage system maintenance access point not directly accessible from a public roadway. Such access easement is to be improved, fenced, and aligned to the satisfaction of the Director of the Department of Public Works.

The subdivider shall construct, to the satisfaction of the Director of the Department of Public Works, a public street lighting system that complies with the following conditions:

- a. All fixtures shall use a low pressure sodium vapor light source.

- b. All light standards and heads shall be ornamental in nature not to exceed 16 feet in height designed to the satisfaction of the Community Development Director and spaced and located to the satisfaction of the City Engineer.
- c. Deposit with the City of Riverbank, through the Department of Public Works, a cash deposit sufficient to:
 - i. Energize, maintain, and operate the street lighting system until tax revenues begin accruing from the subdivision for those purposes.
 - ii. Pay the cost to process lighting district administration of this project. After recording of the Final Map, the subdivision shall be transferred without notice or hearing, to a City designated lighting district to operate and maintain the system.

22. If the project is a Planned Development, then the following conditions shall apply:

- a. Minimum unobstructed private road width (face to face of curb) shall be twenty-four feet (24').
- b. Private road structural section shall be a minimum of two inches (2") of asphaltic concrete over four inches (4") of approved base. Grades shall be a minimum of 1.0 percent and a maximum of 15 percent and designed to drain the surface water properly. Adequacy of the structural section and surface drainage shall be inspected and certified by the City Engineer.
- c. Property owners shall agree to preserve and save harmless the City of Riverbank and each officer and employee thereof from any liability or responsibility for any accident, loss, or damage to persons or property, happening or occurring as the proximate result of any of the work undertaken to complete this work, and that all of said liabilities are hereby assumed by the property owner. Hold harmless forms are available from City Hall.
- d. The applicant shall deposit with the Department of Public Works sufficient funds to cover the cost of inspection of the private improvements.
- e. CC&R's (Covenants, Conditions and Restrictions) for 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 applicant shall construct and improve the pedestrian circulation system to the following design standards to the satisfaction of the Community Development Director:

- a. The pedestrian system shall provide a minimum eight feet (8') of landscaping of trees and shrubs between the sidewalk and curbing of any street on all projects.
 - b. Sidewalk surface shall consist of pervious concrete, or other pervious material approved by the Community Development Director.
 - c. Sidewalk gradients shall not exceed 15 percent. Where natural grades exceed 15 percent, sufficient width for switchbacks shall be provided to accommodate a 15 percent gradient path.
 - d. Sidewalks shall intersect roads at approximately 90 degree angles.
 - e. The sidewalk system shall be continuous through the subdivision.
 - f. Points where sidewalk exists, the subdivision shall be coordinated with existing or planned sidewalk locations on adjacent property.
21. Notwithstanding any grading/elevations that are shown on the tentative map, or the provisions of the City of Riverbank Municipal Code, approval of this tentative map does not authorize the issuance of any grading permits.
22. Prior to the recordation of a subdivision map or prior to the issuance of any grading permit, whichever comes first, and if determined necessary by the City Engineer, the applicant shall record a letter of consent from the affected property owners permitting offsite grading, cross lot drainage, drainage diversions and/or unnatural concentrations. The applicant shall obtain approval of the form of the letter of consent from the City of Riverbank before recordation of the letter.
23. The sub-divider shall deposit with the City the required fees at the time the lot grading plan or improvement is submitted. The deposit will be made with whichever plan is first submitted. Said deposit shall be used to cover the cost of site inspection by the City to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the developer's engineering geologist. The developer shall reimburse the Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.

FINAL MAP RECORDATION

1. The Final Map shall show the dedication of all onsite drainage easements, including easements for access thereto, and show monumentation for such easements, as required by the Public Works Director, or verify that no easements are required.

2. The Final Map shall include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.
3. Final Maps may be filed as units or groups of units, provided that there will be a minimum six-week interval between approval of each Final Map. Lot design on the Final Map shall be in substantial conformance to that shown on the Tentative Map. Lot 1 shall be in Unit 1, and the lot number sequencing shall correspond with unit sequencing. The highest numbered lot shall be in the last unit.
4. Upon notification by the City of Riverbank that a final map is approved for recordation, the applicant shall pay all costs associated with the transport of the map by city personnel to the Stanislaus County Recorder's Office.
5. The sub divider shall accomplish the following prior to approval of the Final Map by the City Council:
 - a. Provide the Department of Public Works with standard forms approved by the Community Development Director stating that the applicable agency or agencies have provided commitment to the site for such public facilities that are required for the subdivision (including, but not necessarily limited to, water and sewer services).]
 - b. Provide the City with a certification from each public utility and each public entity owning easements within the proposed subdivision stating that: (a) they have received from the developer a copy of the proposed map; (b) they object or do not object to the filing of the map without their signature; (c) in case of a street dedication affected by their existing easement, they will sign a "subordination certificate" or "joint-use certificate" on the map when required by the governing body. In addition, the sub divider shall furnish proof to the satisfaction of the City Engineer that no new encumbrances have been created that would subordinate the City's interest over areas to be dedicated for public road purposes since submittal of the Tentative Map.
 - c. Grant to the appropriate agency, by recorded document, all required offsite easements and all onsite water main easements that serve fire hydrants, or furnish a letter from said agency that none are required.
 - d. Provide the Department of Public Works with evidence that any offer of dedication or grant of right-of-way shall be free of all encumbrances or subordinated at the time of recordation of the Final Map.
 - e. If the sub divider does not have the real property rights necessary for public access or the construction of required improvements, he/she shall request the Planning Commission to direct City staff to begin eminent domain proceedings for acquisition of said property rights in accordance with Board Policy J-33. The developer shall agree to pay full City costs of eminent domain proceedings, including all easement costs. The developer shall also agree to construct required improvements within said easement.

City of Riverbank
Planning Commission
Resolution No. 2025-001

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 THE SHAFER FAMILY
FOR AN EXCEPTION REQUEST AND TENTATIVE PARCEL MAP 01-2023,
LOCATED AT 3818 SIERRA STREET (APN 132-048-053)

WHEREAS, an application was received from Muir Consulting, Inc. for Tentative Parcel Map 01-2023 to divide one (1) existing parcel totaling approximately 20,076± square feet into one (1) parcel and a designated Remainder, specifically sized as follows:

Parcel 1: Approximately 13,324± square feet

Remainder: Approximately 6,752± 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 01-2023 was reviewed by the Riverbank Planning Commission at a regular meeting held on January 21, 2025, 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 Muir Consulting, Inc. and date stamped January 13, 2025, presented by Dennis and Esther Shafer 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 01-2023 for the subdivision of one (1) existing parcel totaling approximately 20,076 square feet into one (1) resulting parcel and a designated

Remainder 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 of the City of Riverbank hereby finds the following Exception findings:

- A. There are exceptional or extraordinary circumstances or conditions applicable to the property such as topography, fixed rights-of-way, unique location of easements, and the like.
- B. Because of the unique nature of a particular subdivision concept, design innovations are proposed which meet the functional standards of Zoning and Subdivision Regulations without strict adherence to the requirements of this chapter.
- C. In the case of a parcel map, the applicant is being denied the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity or zone in which the property is located.
- D. The granting of the exception will not be injurious to other property or improvements in the vicinity or zone in which the property is located and will not nullify the intent and purpose of the general plan or these regulations.

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

- 1. Applicant/Developer 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. Prior to obtaining a building permit on the designated Remainder, a Conditional Certificate of Compliance shall be obtained from the City of Riverbank.

The Conditional Certificate of Compliance will include the following improvements:

- a. Install a City standard Fire Hydrant at east end of Front Street;
- b. Upgrade Storm Water Man Hole on Front Street;
- c. Provide a ten (10) foot Public Utility Easement (PUE) at Project frontage;
- d. Extend Front Street for the full width along the property frontage including paving, curb, gutter and sidewalk;
- e. Extend water and sewer along the property frontage and provide water and sewer stubs to Parcel B;
- f. Remove or relocate the existing barn that extends over the property line;
- g. New driveway approach shall be installed on Front Street at property frontage;
- h. Any existing wells and septic tanks shall be abandoned;

Exhibit A – Tentative Parcel Map 01-2023

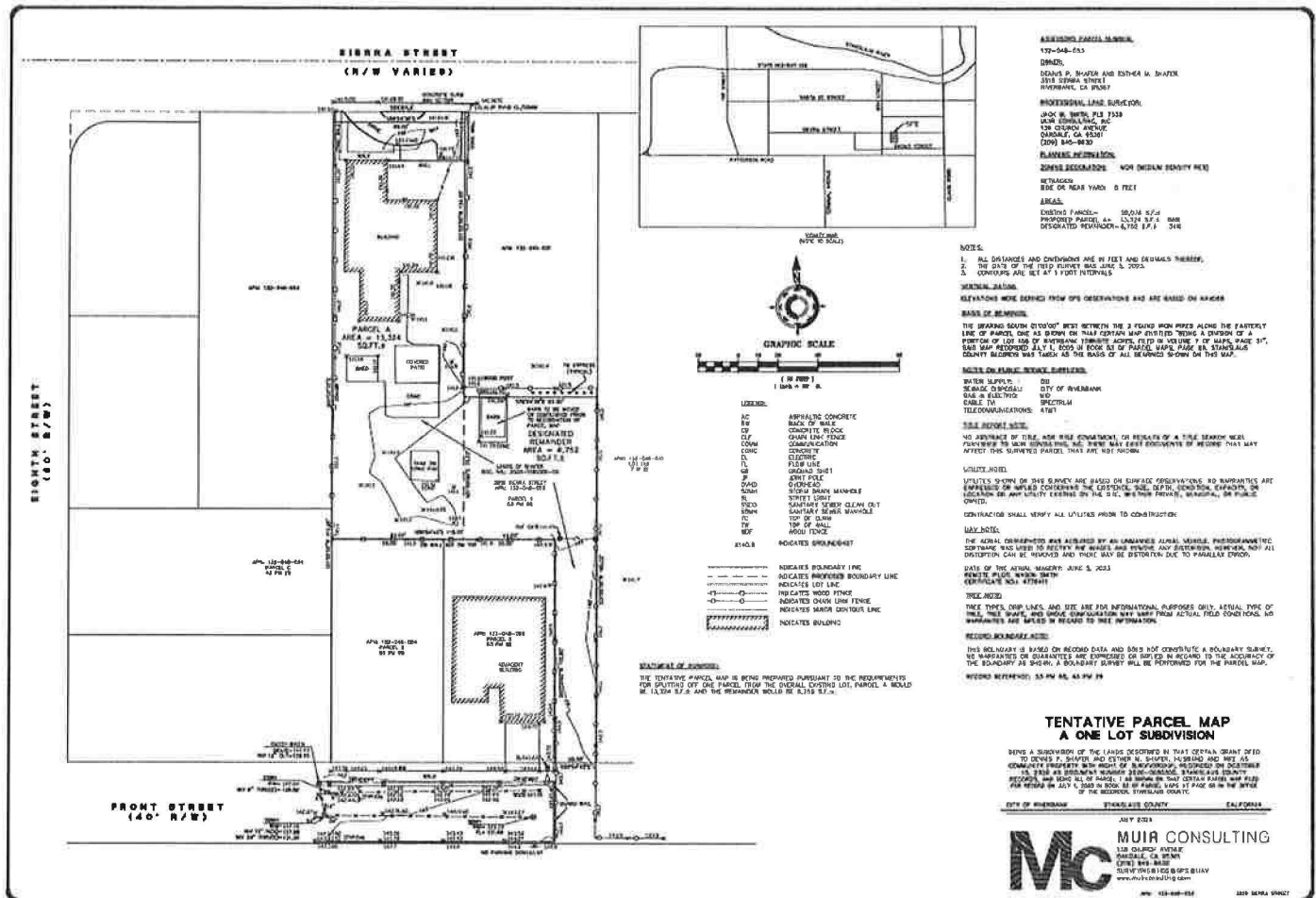


Exhibit B – City of Riverbank Standard Conditions

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 11.1

SECTION 11: NEW BUSINESS

Meeting Date:	February 25, 2025
Subject:	Resolution adopting the City Council Rules and Procedures Handbook
From:	Marisela H. Garcia, City Manager
Submitted by:	Nubia I. Goldstien, City Attorney's Office Gabriela Hernandez, CMC, City Clerk/Elections Official

RECOMMENDATION

Consider Adoption of a Resolution, approving of the City Council Rules and Procedures Handbook. The City Council Rules and Procedures Handbook outlines standardized procedures for the efficient conduct of City Council meetings, establishes clear guidelines for Councilmember behavior, and ensures consistency and transparency in the decision-making process.

SUMMARY

The proposed City Council Rules and Procedures Handbook was developed to provide clarity by establishing a well-organized structure for meetings and decision-making processes, ensuring that all participants, including the public, understand the expectations. It promotes consistency through standardized practices that guide the conduct of meetings and decisions, reducing ambiguity and fostering trust in the process. Transparency is emphasized by setting clear rules for public participation and Councilmember behavior, ensuring an open and inclusive government. Additionally, the Handbook establishes a framework for accountability, holding Councilmembers responsible for their roles and duties while maintaining order and decorum during meetings.

Designed as a living document, the Handbook may be revisited and amended by the City Council as necessary. Its approval represents a significant step toward fostering a more organized and efficient local government.

Some sections of the City Council Rules and Procedures Handbook reference state law requirements that cannot be changed, however, there are several sections referencing rules and procedures that can be revised. Councilmembers may wish to make

recommendations for additional changes at the meeting. The purpose of this agenda item is to receive Council comments on the proposed Handbook on possible changes. The revised Handbook based on this direction will be brought before the Council for adoption at a future Council meeting.

FISCAL IMPACT

There is No Fiscal Impact to the FY 25/26 budget.

ATTACHMENTS:

1. Resolution
2. City Council Rules and Procedures Handbook.
3. Presentation summarizing the purpose of the City Council Rules and Procedures Handbook and possible areas for revision.

CITY OF RIVERBANK

RESOLUTION 2025-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA ADOPTING THE CITY COUNCIL RULES AND PROCEDURES
HANDBOOK**

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

WHEREAS, City Council recognizes the importance of establishing standardized procedures for the efficient conduct of meetings, ensuring clarity, consistency, transparency, and accountability in decision-making processes; and

WHEREAS, the proposed City Council Rules and Procedures Handbook has been developed to provide a well-organized structure for meetings and decision-making, ensuring that all participants, including the public, understand the expectations; and

WHEREAS, the City Council Rules and Procedures Handbook promotes consistency by outlining standardized practices, reduces ambiguity in governance, and fosters trust within the community; and

WHEREAS, transparency is ensured through clear rules for public participation and Councilmember behavior, creating an open and inclusive government; and

WHEREAS, the City Council Rules and Procedures Handbook establishes a framework for accountability, holding Councilmembers responsible for their roles and maintaining order and decorum during meetings; and

WHEREAS, the City Council Rules and Procedures Handbook is designed as a living document, allowing the City Council to revisit and amend it as necessary to adapt to evolving needs; and

WHEREAS, there is no fiscal impact to the FY 25/26 budget associated with the adoption of the City Council Rules and Procedures Handbook;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverbank does as follows:

1. The City Council hereby adopts the City Council Rules and Procedures Handbook as the official guide for conducting City Council meetings.
2. City Staff is directed to implement the procedures outlined in the Handbook starting with the next scheduled Council meeting.
3. A review of the Handbook shall be scheduled within one year of adoption to assess its effectiveness and make any necessary amendments.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 25th day of February, 2025; 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 Hernández, CMC
City Clerk

Rachel Hernández
Mayor

City Council

RULES AND PROCEDURES



PREFACE

As provided by California Government Code Section 36813, the City Council of the City of Riverbank establishes the Riverbank City Council Rules and Procedures contained herein. This document will govern the rules and procedures for the City Council of the City of Riverbank and for any appointed committees, commissions, or boards. This document shall be in effect upon adoption by the City Council and shall remain in effect until such time as it is amended, or new rules are adopted in the manner provided herein.

RIVERBANK CITY COUNCIL RULES AND PROCEDURES

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Introduction

Purpose of Riverbank Procedures Manual

The City of Riverbank (the “City”) has prepared this City Officials’ Handbook (the “Handbook”) to assist Councilmembers and other City Officials (collectively, “City Officials”) by documenting accepted practices and clarifying expectations. This Handbook should serve as a reference on adopted practices and procedures pertaining to Riverbank City Council (“Council”) meetings, meetings of Boards, Commissions, provide an overview of City operations, Council powers and responsibilities, expected behavior and decorum from Councilmembers and other elected or appointed officials, and related matters.

The Handbook supersedes any other handbooks which govern the Council, Boards, or Commissions.

Overview of Basic Documents

This Handbook is a summary of important aspects of Council activities. However, it cannot incorporate all materials and information necessary for understanding the business of a Council. Many other laws, plans, and documents exist which bind the Council to certain courses of action and practices. A summary of some of the most notable documents which establish Council direction is provided below.

- 1. Riverbank Municipal Code:** The Riverbank Municipal Code (“R.M.C.”) contains local laws and regulations adopted by ordinances. Title 3 Administration of the R.M.C. addresses the role and relationship of the Council and Mayor. It also describes the organization of Council meetings and responsibilities and appointment of certain City staff positions and advisory commissions. In addition to these administrative matters, the R.M.C. contains a variety of laws including, but not limited to, zoning standards, traffic/speed regulations, and local tax standards.
- 2. California Government Code:** The state Government Code contains many requirements for the operation of city government and administration of meetings of Councils throughout the state. Many of these requirements, such as open meeting laws, are also replicated within the R.M.C. to ensure there is broad awareness of such requirements. The City is a “general law” city, which means it is organized in accordance with provisions of the Government Code and it is bound by the state’s general law. Also described within the Government Code is the council-city manager form of government, which is the form of government utilized in the City. This form of government prescribes that a Council’s role is to establish policies and priorities, while the role of the city manager is to administer the affairs of the city government.
- 3. Annual Budget:** The City’s annual budget provides a description of City services and the resources used to provide services. The document contains a broad overview of the budget as well as descriptions of programs offered within each division of the organization.

4. **General Plan:** Often referred to as a City's development constitution, a state mandated general plan addresses adopted future land development plans and policies.
5. **Emergency Operations Plan:** The City maintains an Emergency Operations Plan, which describes actions to be taken in periods of extreme emergency. The Council may be called upon during an emergency to establish policies related to the specific incident.

Basic Definitions

1. **Legislative Body:** the governing legislative body of the City of Riverbank is a City Council consisting of a Mayor and four Councilmembers. The mayor is elected by the qualified voters of the City at large. The four Councilmembers are elected by Districts. When reference to all the members of the City Council, inclusive of the Mayor and Councilmembers, is intended, use of the term "City Council" is an appropriate substitute for the term "Mayor and Councilmembers."
2. **Chair** is the individual authorized by law, the Riverbank Municipal Code or City policy to oversee, direct and preside over the public meeting of the City Council, Planning Commission or any other City board or commission.
3. **City Council** is the governing body of the City of Riverbank, comprised of four (4) Councilmembers and one (1) Mayor. When reference to all the members of the City Council, inclusive of the Mayor and Councilmembers, is intended, use of the term "City Council" is an appropriate substitute for the term "Mayor and Councilmembers."
4. **City Official** is any elected or appointed member of the Riverbank City Council, Riverbank Planning Commission, or any other City board or commission established by ordinance or City Council policy.
5. **Mayor** shall hold office for a term of four (4) years. The Mayor shall be sworn into office following certification of the general municipal election and continue in office until a successor qualifies.
6. **Councilmembers** shall hold office for a term of four (4) years. Two Councilmember offices shall be elected at each general municipal election. Each Councilmember elected shall be sworn into office following certification of the general municipal election and continue in office until a successor qualifies.

Orientation of New Councilmembers

It is important that Councilmembers gain an understanding of the full range of services and programs provided by the organization. As new Councilmembers join the Council, department heads are instructed to provide invitations for members to tour facilities and meet with key staff. At any time, if there are facilities or programs about which you would like more information, arrangements will be made to increase your awareness of these operations.

CHAPTER I

GENERAL, POWERS and DUTIES

A. City Council Basic Power:

All powers of the City are and shall be vested in the City Council, subject to the provisions of the Riverbank Municipal Code and to the Constitution and statutes of the State of California.

B. Elected Mayor

1. The Mayor is to preside at all meetings of the Council and perform such other duties consistent with the office as may be imposed by the Council or by vote of the people. At Council meetings, the Mayor assists the Council in focusing on the agenda, discussions and deliberations. The Mayor does not possess any power of veto. The Mayor is to faithfully communicate the will of the Council majority in matters of policy.
2. In addition to the powers and duties authorized by State law, the Mayor shall be recognized as the official head of the City of Riverbank local government, and shall be the City's official representative for all ceremonial functions.
3. In the time of public danger or emergency, the Mayor may, with the consent of the City Council, cause order to be maintained and enforce laws.
4. The Mayor of the City is expected to exercise a leadership role with the other members of the City Council. To the extent that time permits, the Mayor generally works more closely with the Riverbank City Manager than other Councilmembers, being mindful that all information is shared equally with other Councilmembers. In this regard, the Mayor, working in conjunction with the City Council and the City Manager, assumes a significant role in establishing the City's policy direction and priorities.
5. The Mayor customarily attends the regular meetings of the Mayors of Stanislaus County. In addition, the Mayor, as well as other Councilmembers, may elect to become an active participant in the various League of California Cities groups and meetings for elected officials.
6. It is the custom and practice that the Mayor gives an annual or bi-annual "State of the City" address sponsored by the City Chamber of Commerce.
7. Contracts for supplies, equipment, and services may be signed by the City Manager or his/her designee. Contracts conveying, encumbering or otherwise affecting City property (Deeds and Trust Deeds) may be signed by the City Manager or his/her designee based on the authority provided in the approving Resolution. Contracts for the construction of public works projects may be signed by the City Manager or his/her designee based on the authority provided in the approving Resolution.

Therefore, the Mayor still must sign the following documents:

- a) All instruments requiring the City Seal, which would include:
 - (1) Ordinances
 - (2) Resolutions
- 8. The Mayor shall make all appointments to boards, commissions and committees, with the exception of the Parks & Recreation Advisory Committee, with the approval of the City Council. (Govt. Code 40605)

C. Vice Mayor:

In the absence of the Mayor, the Vice Mayor shall possess and perform the power and duties of the Mayor. In that capacity, the Vice Mayor shall sign ordinances and resolutions adopted in his or her presence.

D. Vice Mayor Selection:

The Vice Mayor shall be appointed by the Mayor with the approval of the City Council at the first meeting of each calendar year. The Vice Mayor shall serve a one (1)-year term. If the Vice Mayor resigns during his or her term the Council may vote to replace the Vice Mayor so long as there is a quorum.

E. Vacancies:

If a vacancy occurs prior to the expiration of a term of office, the Council shall fill the vacancy by appointment or special election in a manner prescribed by law.

If the Council fills the vacancy by special election, the election shall be held on the next regularly established election date not less than one hundred fourteen (114) days from the call of the special election and the appointee shall hold office for the unexpired term of the former incumbent.

If the Council appoints a person and the vacancy occurs in the first half of a term of office at least one hundred thirty (130) days prior to the next general municipal election, the person appointed shall hold office until the next general municipal election and thereafter until the newly elected incumbent is qualified. If the vacancy occurs in the first half of the term of office but less than one hundred thirty (130) days prior to the next general municipal election, or if the vacancy occurs in the second half of the term of office, the person appointed to fill the vacancy shall hold office for the unexpired term of the former incumbent.

F. Rules of Procedures:

The City Council shall determine its own rules of procedures and amend them from time to time or adopt new rules as it deems necessary. Amendment to or adoption of new City Council Rules shall be accomplished by majority vote of the entire Council membership.

G. Council Position on Ballot Measure(s) or Legislative Proposals:

Because the Council performs as a body, it is important that the public understand when an individual Councilmember is speaking as an individual and when they are speaking on behalf of the entire Council. Councilmembers should refrain from using City letterhead, correspondence, or logos when expressing their opinions as an individual to the public.

Councilmembers may clarify that they did or did not support a matter so long as they clearly articulate the Council's positions as a whole unambiguously.

H. Council-Staff Relations:

City Council understands that the position they hold requires transparency and accountability to the public they serve and shall address the administrative services of the City through the City Manager. Inversely, City staff's primary function is to take action promulgated by the City Council as a whole through the direction of the City Manager. City Council is discouraged from instructing or reprimanding City staff as individual Councilmembers or in a public forum. Comments or concerns should be communicated through the City Manager and resolved in private.

Council policy is implemented through professional staff. Therefore, it is critical that the relationship between the Council and staff be well understood by all parties so policies and programs may be implemented successfully. To maintain these effective relationships it is important that roles are clearly recognized.

1. Council-City Manager Relationship

- a) Riverbank governs under a Council-City Manager form of government. The City Manager is appointed by the City Council to enforce its laws, to direct the daily operations of City government, to prepare and monitor the municipal budget, and to implement the policies and programs initiated by the Council. This relationship honors the fact that the City Manager is the chief executive officer of the City. Council is to work through the City Manager in dealing with City staff. Councilmembers should work through the City Manager unless simply requesting information from other staff members.
- b) The Council should avoid situations that can result in City staff being directed, intentionally or unintentionally, by one or more members of the Council. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters. Disagreements should be expressed in policy terms, rather than in terms that question satisfaction with or support of the City Manager.
- c) **Evaluation:** The Council is to evaluate the City Manager on a regular basis and pursuant to the terms of the City Manager's contract with the City.
- d) **Open Communication:** As in any professional relationship, it is important that the City Manager keep the Council informed. The City Manager respects and is sensitive to the political responsibility of the Council and acknowledges that the final responsibility for establishing the policy direction of the City is held by the Council. The City Manager encourages regular one on one meetings with Councilmembers to provide information and on various issues before the Council.

2. Council-City Attorney Relationship

The City Attorney is the legal advisor for the Council, City Manager, and department heads. It is important to note that the City Attorney does not represent individual Councilmembers, but the Council as a whole. The general legal responsibilities of the City Attorney are to:

- a) Provide legal assistance necessary for formulation and implementation of legislative policies and projects;
- b) Represent the City's interest, as determined by the Council, in litigation, administrative hearings, negotiations and similar proceedings;
- c) Prepare ordinances, resolutions, contracts and other legal documents to best reflect and implement the purposes for which they are prepared; and
- d) To keep Council and staff apprised of court rulings and legislation affecting the legal interest of the City.

3. City Manager-City Attorney Relationship

The City Attorney provides legal support and advice to the City Manager to assist him or her in implementing Council policies and exercising his or her authority as the chief executive officer of the City. The City Attorney also keeps the City Manager apprised of current relevant court rulings and legislation. It is important to note that the City Attorney represents the Council and the City as a whole, not the City Manager or Councilmembers as individuals. Therefore, the City Attorney may share confidential information obtained from the City Manager with the Council if necessary to protect the best interests of the City, and vice versa.

I. Access to Information and Communications Flow

It is the responsibility of staff to ensure City Officials have access to information from the City and to ensure such information is communicated completely and with candor to those making the request. However, City Officials must avoid intrusion into those areas that are the responsibility of the staff. Individual City Officials may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the Council as a whole. This is necessary to protect staff from undue influence and pressure from individual City Officials, and to allow staff to execute priorities given by management and the Council as a whole without fear of reprisal.

- 1. Council Roles:** The full Council retains power to accept, reject, amend, influence, or otherwise guide and direct staff actions, decisions, recommendations, workloads and schedules, departmental priorities, and the performance of City business. Individual members of the Council should not make attempts to pressure or influence staff decisions, recommendations, workloads, schedules, and department priorities without the prior knowledge and approval of the Council as a whole. If a Councilmember wishes to influence the actions, decisions, recommendations, workloads, work schedule, and priorities of staff, that member must prevail upon the Council to do so as a matter of Council policy. Councilmembers also have a responsibility of information flow. It is critical that they make extensive use of staff and commission reports and commission minutes. Councilmembers should come to meetings prepared—having

- read the council agenda packet materials and supporting documents as well as any additional information or memoranda provided on city projects or evolving issues. Additional information may be requested from staff, if necessary.
2. **Staff Roles:** The Council recognizes the primary functions of staff as executing Council policy and actions taken by the Council and in keeping the Council informed. Staff is obligated to take guidance and direction only from the Council as a whole through the City Manager or from the appropriate management supervisors. Staff is directed to reject any attempts by individual members of the Council to unduly direct or otherwise pressure them into making, changing or otherwise influencing recommendations. City staff will make every effort to respond in a timely and professional manner to all requests made by individual City Officials for information or assistance, provided that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full Council.
 3. **Access to Information:** Individual Councilmembers as well as the Council as a whole are permitted complete freedom of access to any information requested of staff and shall receive the full cooperation and candor of staff in being provided with any requested information. Appropriate personnel will pass critical information to all Councilmembers. Council will always be informed by the City Manager or appropriate staff when a critical or unusual event occurs about which the public would be concerned. There are limited restrictions when information cannot be provided. Draft documents (e.g. staff reports in progress, administrative draft EIRs) are under review and not available for release until complete and after review by City management. In addition there are legal restrictions on the City's ability to release certain personnel information even to members of the Council. Certain aspects of police department affairs (access to restricted or confidential information related to crimes) may not be available to members of the Council. Confidential personnel information also has restrictions on its ability to be released. Any concerns of Councilmembers may have regarding the release of information, or the refusal of staff to release information should be discussed with the City Attorney for clarification.
 4. **Dissemination of Information:** In cases where a staff response to an individual City Officials request involves written materials that may be of interest to other City Officials, the City Manager will provide copies of the material to all other City Officials. In making this judgment, the City Manager will consider whether the information is significant, new, otherwise not available to the Council, or of interest to the Council.

J. Council Conflicts, Ethics & Liability

1. Conflict of Interest (Government Code Section 87105)

State laws are in place that attempt to eliminate any action by City Officials that may reflect a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest.

Newly elected officials are required to file a Statement of Economic Interest (Form 700) within thirty (30) days of being sworn into office. Thereafter, elected officials are required to file an annual Form 700. The City Clerk will then notify elected officials of their filing requirements. Written permission must be obtained before posting elected officials' home addresses or telephone numbers on the Internet.

At any time if a City Official believes that a potential for conflict of interest exists, he or she is encouraged to consult with the City Attorney or private legal counsel for advice. Staff may also request an opinion from the City Attorney regarding a City Official's potential conflict. Laws which regulate conflicts are very complicated. Violations may result in significant penalties or fines, including criminal prosecution.

2. Political Reform Act (Government Code Section 87100 et. seq.)

The Political Reform Act prohibits public officials from making, participating in, or in any way attempting to use their official position to influence a governmental decision in which they know, or have reason to know, that they have a disqualifying conflict of interest. Therefore, if a public official has a conflict of interest, the official must disqualify himself or herself from acting on or participating in the decision before the City. During that discussion, the official must leave the Council Chambers or wherever the discussion is taking place.

Economic interests include interests in businesses, real property, sources of income, and gifts. An official has a financial interest if "it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from the effect on the public generally" on one or more of the economic interests of the official or a member of the official's immediate family. Economic interest amounts vary pursuant to update by the Fair Political Practice Commission.

Determining whether a Councilmember has a disqualifying conflict of interest can be complicated and fact specific. If a Councilmember suspects they may have a conflict of interest, the Councilmember should contact the City Attorney so a formal four-step analysis of the potential conflict can be provided.

Government Code section 87105 states that a Council or commission member who has a conflict of interest must recuse himself or herself and leave the room, unless the matter is on the Consent Calendar. After it has been determined that a conflict of interest exists under the Political Reform Act, the following steps must take place:

- a) **Publicly identify the financial interest.** This must be done in enough detail for the public to understand the economic interest that creates the conflict of interest. Residential street addresses do not have to be disclosed.
- b) **Recuse yourself from both the discussion and the vote on the matter.** Recusal applies to all proceedings related to the matter.
- c) **Leave the room until the matter has been completed.** The matter is considered complete when there is no further discussion, vote, or any other action.

Exceptions: if the matter is on the consent calendar, recusal is not required. Additionally, if the individual with the conflict wants to speak during public comment, he or she may do so as a private citizen. However, this is the only time he or she may be in the room while the matter is being considered.

The Fair Political Practices Commission (“FPPC”) has published lengthy regulations and opinions on conflicts of interest that are useful in determining whether a particular financial interest or decision could give rise to disqualification based on a potential conflict of interest. The FPPC also puts out informational pamphlets to assist public officials in determining what types of situations may give rise to prohibited conflicts of interest.

3. Government Code Section 1090

Government Code section 1090 is similar to the Political Reform Act, but it applies only to City contracts in which a public official has a financial interest. The financial interests covered by section 1090 are different than those in the Political Reform Act. Having an interest in a contract may preclude the City from entering into the contract at all. In addition, the penalties for violating section 1090 are severe. If a City Official believes that he or she may have any financial interest in a contract that will be before the Council, the member should immediately seek advice from the City Attorney.

There are a number of other restrictions placed on Council actions which are highlighted in the League of California Cities Handbook. Such restrictions include prohibitions on secrecy and discrimination, as well as assurance that all City funds are spent for public purposes. Violations of these restrictions may result in personal liability for individual City Officials.

4. Conflict of Interest Forms

Annual disclosure statements are required of all Councilmembers, designated commissioners, and senior staff. These disclosure statements indicate potential conflicts of interest, including sources of income, ownership of property, and receipt of loans and gifts. Councilmembers often serve on the governing board of other local agencies as a result of appointment or delegation through the Council (e.g., LAFCO, etc.). These agencies will also require the submittal of disclosure forms. These forms require information including income, loans, receipt of gifts, and interest in real property, among other items.

5. Ex Parte Communications

All Councilmembers may have “ex parte” communications – meaning communications outside the meeting forum; however, such communication should not be encouraged, made, or accepted when such communication is designed to influence the official decision or conduct of the official or other officials in order to obtain a more favored treatment or special consideration to advance the personal or private interests of himself or herself or others. This guarantees that all interested parties to any matter shall have equal opportunity to express and represent their interests.

6. Public Records Act

The California Public Records Act (CPRA) provides for disclosure of government records to the public in order to minimize secrecy and promote transparency. Emails, texts, and other communications addressing substantive City business, either from a City account or personal accounts, are public records under the Public Records Act. In the event the City receives a PRA request for records that include your written communications, City staff will coordinate with you directly to assist in compiling responsive documents.

7. Ethics

The citizens and businesses of the City of Riverbank are entitled to fair, ethical and accountable local government, which will instill public confidence in the fair operation and integrity of the Riverbank City government. In keeping with the City of Riverbank Commitment to Excellence and the City Council's commitment to the ethical values while representing its residents and community, the effective functioning of democratic government requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial and fair in their judgment and actions;
- public office be used for the public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally permitted to be conducted in a closed session under the Ralph M. Brown Act, in an atmosphere of respect and civility.
- Public officials, both elected and appointed, act in a transparent manner to enable the public to obtain information about public official activities and the decision-making process.

Riverbank City Council, Boards, Commissions, and committees will adhere to the following Ethics:

- a) **Act in the Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of all the people of Riverbank and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Riverbank City Council, boards and commissions.
- b) **Comply with both the spirit and the letter of the Law and City Policy.** Members shall comply with the laws of the nation, the State of California and the City of Riverbank in the performance of their public duties. These laws include, but are not limited to: the United States and California constitutions; the Riverbank Municipal Code; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

- c) **Conduct of Members.** The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of Council, boards and commissions, staff or the public.
- d) **Respect for Process.** Members shall perform their duties in accordance with the processes and rules of order established by the City Council and board and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions.
- e) **Conduct of Public Meetings.** Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.
- f) **Decisions Based on Merit.** Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
- g) **Communication.** Members shall verbally disclose any contact or receipt of substantive information they have received outside of the public decision-making process that is relevant to a matter under consideration by the Council or boards and commissions prior to considering that matter so that all parties have the opportunity to respond to that information.
- h) **Conflict of Interest.** In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist. (Political Reform Act)
- i) **Gifts and Favors.** Members shall not take any special advantage of their public office to access services or opportunities for personal gain that are not available to the general public. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise or appear to compromise their independence of judgment or action.

- j) **Confidential Information.** Members shall respect the confidentiality of information concerning certain negotiations (e.g., labor and real property), personnel matters, claims and litigation in order to avoid prejudicing the legal or negotiating position of the City or compromise the private interest of employees. They shall neither disclose confidential information without proper City Council authorization nor use such information to advance their personal/private, financial, or other interests.
- k) **Use of Public Resources.** Members shall not use public resources not available to the general public, such as City staff time, vehicles, equipment, supplies, land or facilities, for private gain or political or personal purposes. (Riverbank Policy on Use of City Resources)
- l) **Representation of Private Interests.** In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City, nor shall members of boards and commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the subject matter jurisdiction of their bodies.
- m) **Advocacy.** Members shall represent the official policies or positions of the City Council, board or commission to the best of their ability when authorized to do so. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Riverbank, nor will they allow the inference that they do. Councilmembers and board and commission members have the right to endorse candidates for City Council or Mayor or other elected offices. It is inappropriate to mention or display endorsements during Council meetings, board/commission meetings, or other official City meetings or other governmental meetings where the member is serving in their capacity as an appointed official.
- n) **Policy Role of Members.** Members shall respect and adhere to the council-manager structure of City of Riverbank government. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and City staff. Except as provided by the Riverbank Municipal Code, members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff, nor impair the ability of staff to implement Council policy decisions.
- o) **Independence of boards and commissions.** Because of the value of the independent advice of boards and commissions to the public decision-making process, members of

Council shall refrain from using their position to unduly influence the deliberations or actions of board and commission proceedings.

- p) **Positive Work Place Environment.** Members shall support the maintenance of a positive and constructive workplace environment for City employees and for residents and businesses dealing with the City of Riverbank. Members shall direct their requests of staff pertaining to their elected or appointed role to the appropriate staff liaison or in the case of Councilmembers, to the City Manager.
- q) **Ethics Training (Government Code Section 53235(f))** State law requires the City to advise local officials, subject to California's ethics education requirements, about their compliance requirements at least once a year. AB1234 Ethics Training is required every 2 years.

8. Liability

The City is a large institution offering a variety of services and may often find itself subject to legal action through lawsuits. The City must always approach its responsibilities in a manner which reduces risk to all involved. However, with such a wide variety of high-profile services (e.g., police, fire) risk cannot be eliminated.

It is important to note that violations of certain laws and regulations by individual City Officials may result in that Official being personally liable for damages which would not be covered by the City's insurance. Examples may include discrimination, harassment, or fraud.

CHAPTER II

CITY COUNCIL MEETINGS

A. Meetings

The Brown Act requires that all City Council meetings must be open and public unless a specific exemption applies. For the purposes of the Brown Act meetings are any activity involving a majority of City Council in which issues under City Council's subject matter jurisdiction are discussed, decided or voted on. This includes communications of any kind including face-to-face meetings, telephone calls, emails, collective briefings, informal gatherings and communications through intermediaries. A majority of City Council may not use social media platforms to discuss agency business and singular Councilmembers may not respond directly to any communication shared on social media by another Councilmember regarding agency business.

B. Regular Meetings:

Regular meetings of the City Council shall be open to the public and held on the second and fourth Tuesdays of every month at the hour of 6:00 p.m.

Whenever the day fixed for any regular meeting of the City Council falls upon a day designated as a holiday, such meeting may be held at the same hour on the next succeeding day not a holiday.

C. Special Meetings & Emergency Meetings:

Special meetings and emergency meetings may be ordered at any time by the Mayor whenever the public business may require it or upon the request from three members of the City Council. Only matters listed in the Notice of Special Meeting may be considered at the meeting. Whenever a special meeting shall be called, notice of such meeting shall be provided pursuant to State law. (Cal Govt. Code §54956)

D. Workshops:

The City Council may coordinate workshops called as a special meeting or an adjourned regular meeting for the purpose of acquiring information on a particular subject(s). Workshops shall be open to the public. Workshops are not public hearings; however, public input will be received. The City Council may not vote or take any final action at a workshop. The City Council may by consensus give direction to City Staff regarding matters considered in workshops. Final action on all workshop items shall be taken at regular or special meetings with opportunity for public comment.

E. Adjournment of Meetings: (Govt. Code §54955)

1. The City Council may adjourn any regular, adjourned regular, special or adjourned special meeting to the time and place specified in the motion to adjourn.

2. Less than a quorum may adjourn any meeting.
3. If all members are absent, the City Clerk may adjourn the meeting to a stated time and place, and the notice required by Govt. Code §54956 must be given by the City Clerk.
4. When a Council meeting is adjourned to a specific time, date and place, a notice of adjournment must be posted near the door where the meeting was held within twenty-four (24) hours after the adjournment.

F. Continuance of Hearings: (Govt. Code §54955.1)

1. Any hearing being held by the City Council may by motion be continued or re-continued to any subsequent meeting of the City Council.
2. Notice of the continued hearing must be posted near the door where the meeting was held within twenty-four (24) hours after the continuance.
3. If the hearing is continued to a time less than twenty-four (24) hours the notice must be posted immediately following the meeting.

G. Cancellation of Meeting:

If the City Council considers and then decides to cancel a future regularly scheduled or special meeting it should take such action at the earliest prior meeting possible. If the action to cancel a meeting is taken more than one regular meeting prior to the date of the canceled meeting, the fact of any such cancellation shall also appear as an informative item on the agenda for the meeting immediately preceding the canceled meeting date.

H. Voting Requirements:

1. Voting. Any Councilmember present at a meeting when a question comes up for a vote should vote for or against the measure unless he or she is disqualified from voting and abstains because of such disqualification. All votes shall be roll call votes, except for minute actions. Minute actions may be taken by voice vote. The results reflecting all “ayes” and “noes” and “abstentions” must be clearly set forth for the record.
2. Regular Motions. (Those are for most all items of City business).
A simple majority of a quorum (two (2) votes if only three (3) members are present) or simple majority of the members present.
3. Resolutions or Motions Authorizing the Expenditure of Public Funds. A majority vote of the total Council membership is required (i.e. three (3) votes). Govt. Code §36936.
4. Regular Ordinances. A majority vote of the total Council membership is required (i.e. three (3) votes). Govt. Code §36936.

5. Urgency Ordinances. (Ordinances for the immediate preservation of the peace, health or safety). A four-fifths (4/5) vote of the total Council membership is required. Govt. Code §36937(b).
6. Interim Urgency Ordinances Regarding Land Use Matters. A four-fifths (4/5) vote of the total Council membership is required. Govt. Code §65858.
7. Motions to Add Items to Agenda.
A two-thirds (2/3) vote of members present is required, or a unanimous vote if less than two-thirds (2/3) of members are present.

I. Method of Action - Ordinances and Resolutions

1. **Legislative action** shall be taken by the Council only by means of an ordinance or resolution.
2. **Resolutions**
 1. **Definition:** A resolution is generally adopted by the Council to deal with temporary or special matters, such as when the Council makes only a factual determination or certification that certain necessary conditions or requirements set by statute or ordinance have been met. Resolutions can also express opinions of the legislative body or set temporary standards (i.e. amount of permit processing fees that may be changed again by future resolutions). Resolutions are recorded and kept on file with the City Clerk. A resolution is less formal than an ordinance because it does not become part of the municipal code.
 2. **Recording Resolutions:** in addition to being referenced in the minutes, will be recorded by a separate document, numbered in sequence and preserved by the City Clerk. Such resolutions are used for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document to facilitate such future reference and research.
 3. **Motion (recorded by minute entry).** The “motion” (assuming it was one which passed) is a council action, which is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it. Procedural actions (such as a motion to continue a hearing) are always done by motion, and, in addition, many administrative matters (such as directing the City Manager to furnish a report) are done by motion.
 4. **Adoption of Resolutions:** Resolutions are prepared in advance and contain a brief title which indicates the subject and purpose. The procedure for adoption is a brief explanation by staff, motion, second, discussion and vote. It shall not be necessary to read a resolution in full or by title except to identify it. Any Councilmember may require that the resolution be read in full.

3. Ordinances

1. **Definition:** An ordinance is a law that the Council adopts and in most cases is codified into formal law by means of the published municipal code. An ordinance is the most binding and permanent type of Council action and usually may only be repealed or amended by a subsequent ordinance. Ordinances must be publicly read aloud at two (2) Council meetings: introduced at one (1) meeting and adopted at the subsequent meeting (most often at the next meeting). Ordinances may not be passed within five (5) days of introduction unless they are urgency ordinances. A public hearing notice must be published at least ten (10) days prior to the first reading of the ordinance.
2. **Adoption:** Except as hereafter provided, no ordinance shall be adopted by the Council on the day of its introduction, nor within one week thereafter, nor at any time other than at a duly assembled meeting. If an ordinance is altered after its introduction (except for the correction of typographical or clerical errors), it shall be adopted at a meeting held at least one week after the date of such alteration.
3. At the time of introduction or adoption of an ordinance the title need only be read, unless reading of the ordinance in full is requested by any member of the City Council.
4. **Emergency Ordinances:** An Emergency meeting can be held with less than 24 hours' notice if the majority of City Council determines there is an emergency situation pursuant to Government Code Section 54956.5. Urgent measures can be added to the agenda less than 72 hours before the meeting if there is 1) a determination by a majority vote of City Council that an emergency situation exists in accordance with Government Code 54956.5 or 2) a determination by a two-thirds vote of the members present at a meeting or, if less than two-thirds of City Council are present, a unanimous vote of the members present that there is a need to take immediate action. Any ordinance declared by City Council to be necessary as an emergency measure for preserving the public peace, health, or safety and containing a statement of the reasons for its urgency can take immediate effect if it is passed by at least four affirmative votes.
5. **Effective Date of Ordinance:** No ordinance shall become effective until thirty days from and after the date of its adoption, except as provided by law.
6. **Publishing.** Within fifteen (15) days after the ordinance passes, the City Clerk shall cause each ordinance to be published at least once, with the names of those Councilmembers voting for and against the ordinance, in a newspaper of general circulation circulated in the City of Riverbank. Ordinances shall not be published in a newspaper if the charge exceeds the customary rate charged by the newspaper for publication of private legal notices, but these ordinances shall be posted in the manner and at the time required by the Government Code. Except as provided in Section 36937 of the Government Code, an ordinance shall not take effect or be valid unless it is published or posted pursuant to Government Code Section 36933 and not until thirty (30) days after the final passage of an ordinance. The publication and posting of ordinances may be satisfied by the actions prescribed in Government Code Sections 36933(c)(1) and 36933(c)(2).

- a. Exceptions to Publishing Requirement. An ordinance takes effect immediately if it is an ordinance:
 - i. relating to an election;
 - ii. for the immediate preservation of public peace, health or safety, containing a declaration of the facts constituting the urgency, and is passed by a four-fifths vote of the Council;
 - iii. relating to street improvement proceedings;
 - iv. relating to taxes for the usual and current expense of the City; or
 - v. covered by particular provisions of law prescribing the manner of its passage and adoption.

J. Agenda:

In order to facilitate the orderly conduct of the business of the citizens of Riverbank, the City Manager shall arrange an agenda of such matters as may have been timely provided for inclusion in the agenda. In normal circumstances the Council will be provided with a copy of the City Council agenda on the Thursday prior to the City Council meeting. To meet this schedule the City Manager requests that all agenda items be submitted seventy-two (72) hours in advance for regular meetings and twenty-four (24) hours in advance for special meetings.

K. Agenda Format for Regular Meetings:

1. Order of Business:

Promptly at the hour set for any meeting, the members of the City Council, City Manager, City Attorney, and City Clerk shall take their regular stations in the Council Chambers and the business of the City Council shall be taken up for consideration and disposition in the following order:

- a. Preliminary:
 - Call to Order
 - Pledge of Allegiance
 - Invocation
 - Roll Call
 - Agenda Changes
 - Declaration of Conflict of Interest
 - Presentations/Ceremonial Items
 - Public Comments
 -
- b. Consent Calendar (including the approval of the Minutes and Waiver of Readings)
- c. Consideration of Item(s) Removed from the Consent Calendar
- d. Unfinished Business

- e. Public Hearings
- f. New Business
- g. Special Business
- h. Councilmember Referrals
- i. Comments/Reports:
 - Staff Comments
 - City Council
 - Mayor

L. Selective Components of a Regular Meeting:

The published agenda shall consist of an agenda and summary reports providing sufficient information needed for deliberation and action.

1. Public Comments:

Subject to the time limits described in this document, any member of the public or their authorized representative, may address the City Council on any matter concerning the City's business, or any matter over which the City Council has control, whether on its posted agenda or not. Comments on items included on the agenda shall be reserved until the Council considers those items. However, the City Council is prohibited from extensively discussing, or taking action, on an item not appearing on its posted agenda under the provisions of the Brown Act. Any issue raised under "Public Comments" will therefore be limited to a determination whether it should be placed on a future agenda for discussion, action, or report. The City Council can,

2. Minutes:

a. Description:

The minutes of a City Council meeting shall be "action minutes" which include the motions made, actions taken, and a brief summary of public comments and City Council comments germane to the outcome of the item.

b. Reading of Minutes:

If each Councilmember has been furnished with a copy of the minutes prior to the meeting, the minutes may be approved without reading. If a Councilmember raises a point of correction to the minutes of a City Council meeting, that correction may be approved at that meeting.

c. Voting on Approval of Minutes:

City Council minutes may be approved by a majority vote of a quorum of the Council membership. Councilmembers who were not present at the meeting for which the minutes were prepared should abstain from voting. If a quorum of Councilmembers who were present at the meeting for which the minutes were prepared is not present, action on the minutes shall be continued to a future meeting.

d. **Signing of Minutes:**

After their approval the minutes shall be signed by the Mayor (or the chair of the meeting) and the City Clerk.

3. **Approval of Agenda as Posted (or Amended) / Adding Matters to the Agenda:**

- a. The Brown Act requires that the agenda for regular City Council meetings must be posted at least seventy-two (72) hours prior to the meeting. (Govt. Code, Section 54954.2(a)) Except in very limited circumstances, the City Council may not discuss or take action on any item not appearing on the posted agenda.

The posted agenda may be amended at the meeting to include statutorily defined emergency items or matters which require immediate action subject to certain required findings.

- b. An emergency item is defined as a work stoppage, crippling activity that severely impairs public health, safety or both, as determined by a majority vote of the entire membership of the Council (Govt. Code §54956.5)
- c. Matters requiring immediate action by the City Council may be added to the agenda by a two-thirds (2/3) vote of the Councilmembers present at the meeting if the Council finds: (i) that there is a need to take action immediately; and (ii) that the need to take action came to the attention of the City after the agenda was posted. (Govt. Code §54954.2(b)(2))

4. **Declaration of Conflict of Interest:**

If a Councilmember has a conflict of interest with regard to any item on the agenda as posted (or amended) and certified, the Councilmember must declare that conflict publicly prior to consideration of the item. The circumstances creating the conflict must be stated and the Councilmember must leave the room when the matter is under consideration and not return until after the decision is made. However, should a Councilmember have a conflict of interest on a matter which appears on the consent calendar, the Councilmember is not required to leave the room when the item is considered, but public disclosure of the conflict is still required.

5. **Consent Calendar:**

Items of a routine, non-controversial nature may be placed on the consent calendar at the City Manager's discretion. Consent calendar items may include the second reading and adoption of City ordinances.

All items may be approved by one motion and one vote. Any Councilmember, the City Manager, the City Attorney, or member of the public or their representative may request any item be withdrawn from the consent calendar for separate consideration in its regular order of business. Prior to consideration of the Consent Calendar the Mayor shall advise the public that they may request removal of a matter from the Consent Calendar for separate consideration by the Council. Prior to the approval of the Consent Calendar, corrections to item(s) on the Consent Calendar may be stated and corrected. Councilmembers may

register a “No” vote on specific item(s) without removal from the Consent Calendar. As part of the roll call voting, the Councilmember wishing to vote “No” on a particular item shall indicate it as part of their roll call vote and the Clerk shall cause all items for which “no votes” have been registered to be reflected in the minutes of the meeting.

6. Unfinished Business:

Matters continued by the City Council for further consideration by the City Council. Such matters may include formal public hearings that are continued by the City Council to a specific date or other matters where the Council desires further information or materials from City Staff prior to making a decision on the matter.

7. City Council Referrals/Determination of Items for Agenda:

- a. Any Councilmember may place an item on the agenda prior to the posting of the agenda by bringing the matter to the attention of the City Manager by 5:00 p.m. on the Monday before agendas are posted. The sponsoring Councilmember shall give the City Manager a brief description of the subject to be printed on the agenda and the item will be placed in the referral section of the agenda. If the proposed agenda item is received after Monday at 5:00 p.m., every effort will be made to add the proposed item to the upcoming agenda. Any items received after the agenda has been posted will be added to the next agenda.
- b. The City Council, after considering the referral, may do any of the following:
 - (1) Reject the request.
 - (2) Refer the matter to staff to schedule as a future City Council agenda item.
- c. The Councilmember who requested the referral has the privilege of speaking first on the item.
- d. No matter which has previously been brought before the Council under Council referral, and which a majority of the Council has declined to schedule as a future City Council agenda matter, shall be again brought before the Council under Council referral unless it is brought by a Councilmember other than the Councilmember who originally brought it.
- e. The City Manager shall have the responsibility for determining all other matters which are placed on the agenda for the City Council meetings, including regular meetings or special meetings. In the exercise of their discretion, the City Manager shall place on the Agenda: (i) those matters which are necessary, in the judgment of the City Manager, to implement the stated policies, goals, priorities or objectives of the City Council; (ii) those matters which are necessary to implement the orderly day to day functioning of City affairs; (iii) those matters which are required by law to be considered or determined by the City Council.

8. Appointments:

Appointments to the City Boards, Committees and Commission shall be made as described in Chapter V of this document.

9. Reports:

On the Reports section of the agenda the Mayor, Councilmembers, City Manager, and City Staff shall report on all committee meetings which they have attended as the official City representative and all conferences they have attended. They may also report on various community events and activities they have attended, and other matters related to the operations of the City and the general well-being of the community.

Reports should be brief summaries of activities and concerns and generally should not exceed three to five minutes in length. Since these matters are not on the posted agenda, the Brown Act prohibits the City Council from making any formal decision or reaching a consensus regarding any issue that might be raised. There should be no significant discussion regarding such matters. If the City Council believes that the matter deserves the attention of the Council, it should direct the City Manager to place the matter on a future City Council agenda.

10. Closed Session:

On this portion of the agenda the City Council may discuss and decide certain types of matters which are authorized by the Brown Act to be considered in closed session. The Brown Act prescribes specific descriptions of the various types of closed session matters which must appear on the posted agenda. The Mayor should adjourn the public meeting to closed session to consider such matters. In doing so, it is not necessary to read the agenda description. It is sufficient to simply refer to the numbered agenda item. The Brown Act requires that when certain decisions are made in closed session those decisions must be reported to the public. Some decisions must be reported in public session immediately after conclusion of the closed session. The City Attorney will advise the City Council regarding the time and manner of publicly reporting their closed session decisions.

Information provided and discussions held in closed session are confidential and must not be disclosed to the public by any persons attending the closed session unless specifically authorized by a majority vote of the City Council. Violations of this rule of confidentiality may be punished by public censure and may also be subject to prosecution by the District Attorney as a misdemeanor criminal violation.

M. Commencement of Local Redevelopment Authority Meetings:

The City Council acts as the Local Redevelopment Authority (LRA) for the Former Riverbank Army Ammunition Plant. The LRA has a designated start time for their meetings as 6:00 p.m. or as soon thereafter as business permits. Regular meetings of the LRA for the Former Riverbank Army Ammunition Plant are held on the same dates and times of regular meetings of the City Council. The meetings for the two agencies are held jointly.

N. Presentations and Proclamations

All requests for presentations and proclamations shall be requested through the City Manager, who will determine the appropriate time to bring back the request to the Council for consideration. Proclamation requests shall be requested at least one month before the City Council meeting in which it is needed. Presentation requests shall be requested in the same manner as Councilmember referrals.

CHAPTER III

DECORUM

To maintain the confidence and integrity of City business in a manner which is professional and efficient, all participants of the public hearing or meeting process must comply with the foregoing guidelines:

A. Enforcement of Decorum:

1. *Councilmembers, City Employees, and Appointed Members of Boards/Commissions:*
Councilmembers, City Employees, and Appointed Members of the Board/Commission, collectively (“City Representatives”) shall accord the utmost courtesy to each other and the public appearing before the City Council, and shall refrain at all times from rude and derogatory remarks, public criticism of staff, remarks as to integrity, abusive comments and statements as to motives and personalities.
2. *Enforcement Against Public Attendees:*
The Mayor shall maintain order, decorum, and the fair and equitable treatment of all speakers. The Mayor shall keep discussions and questions focused on the specific agenda item under consideration. In accordance with Government Code section 54957.95, disruptive behavior during a meeting may result in the removal of the individual by the Mayor. Prior to removal of an individual, the Mayor shall warn the individual that their behavior is disrupting the meeting and their failure to cease may result in their removal by Police Services.

B. Courtesy

Disruptive behavior is behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to: (A) failure to comply with reasonable regulations adopted by the Council, or (B) engagement in behavior that constitutes use of force or a true threat of force.

The Mayor, upon his or her discretion or upon the recommendation of another Councilmember, may commence the removal process following the disruptive behavior of the individual member of the public.

3. *Cell Phone Usage:*
Cell phone usage is prohibited in the Council Chambers while a meeting is in session.

C. Noise in the Lobby:

- C *Entering/Exiting the Meeting Facility:*
The designated facility for meetings and hearings contains an entrance for staff and a separate entrance for the public. For prompt and orderly seating and to ensure safe and

structured exiting, all meeting participants shall endeavor to use their designated entrance/exit when attending City meetings and hearings.

D. Crowd Control in Council Chambers:

If the City Manager, or the City Manager's designee, anticipates in advance a large number of attendees in the City Council Chambers, he or she shall open overflow viewing.

If a crowd larger than the maximum number of attendees is anticipated, the meeting shall be relocated to a more appropriate venue.

E. Smoking:

It is unlawful for any person to smoke in the City Council Chambers.

CHAPTER IV

PROCEDURAL RULES FOR CONDUCTING MEETINGS

A. Adoption of Procedural Rules:

These procedural rules are adopted by the City Council to assist the Council in conducting its meetings in an orderly and efficient manner. The rules are intended to facilitate and expedite a full and adequate consideration and debate, by elected officials and the public, of all matters which come before the City Council for decision. Except with respect to matters that are mandated by State law, any failure of the City Council to conform to these rules shall not, in any instance, be deemed to invalidate the action taken.

B. Call to Order:

The meetings of the City Council shall be called to order by the Mayor, or in the Mayor's absence, by the Vice Mayor. In the absence of the Mayor and the Vice Mayor, the meeting shall be called to order by the most senior Councilmember present. This person shall serve as the Council's presiding officer until the arrival of the Mayor or Vice Mayor, or until adjournment of the meeting.

C. Roll Call:

Before proceeding with the business of the City Council, the City Clerk shall call the roll of the City Council and the names of those present and those absent shall be entered into the minutes of the meeting. The Mayor shall announce that a late Councilmember has arrived for the benefit of the television audience.

D. Quorum:

Three members of the City Council shall constitute a quorum for the transaction of business. A majority of a quorum shall be sufficient to pass any action taken by the City Council except on such matters, which, by law or ordinance, require a greater majority. All ordinances and all orders for the payment of money require at least three (3) affirmative votes.

E. Lack of Quorum:

If a majority of the City Council are absent from any meeting, the remaining members of the City Council may declare the meeting adjourned to a stated time and place and the City Clerk shall cause to be prepared a written notice of the adjournment and conspicuously post it at the entrance to the Council Chambers within 24 hours of adjournment. If all members of the City Council are absent from a regular or adjourned regular meeting, the City Clerk may adjourn the meeting to a stated time and place, and cause a notice to be posted in the same manner as above.

F. Format for Processing Public Hearings/Appeals:

Generally, public hearings shall be conducted in the following order:

1. Regular Public Hearings: (no specific applicant or City is applicant)
 - Staff presentation
 - Questions of staff by Councilmembers
 - Hearing opened by Mayor
 - Public Comments
 - Hearing closed by Mayor
 - Questions by Councilmembers
 - Discussion by Councilmembers
 - Action by City Council
2. Appeals:
 - Staff presentation
 - Questions of staff by Councilmembers
 - Hearing opened by Mayor
 - Appellant's comments
 - Public comments
 - Rebuttal by Appellant (limited to addressing public comments)
 - Questions by Councilmembers of appellant or other public participants
 - Hearing closed by Mayor
 - Discussion by Councilmembers
 - Action by City Council
3. Public Hearing Involving a Specific Applicant
(i.e. land use matters and other matters proposed by a specific applicant)
 - Staff presentation & recommendations
 - Questions of Staff by Councilmembers
 - Hearing opened by Mayor
 - Applicant's presentation
 - Comments from members of the public supportive of the matter
 - Comments from members of the public opposed to the matter
 - Rebuttal by Applicant (limited to comment or arguments made in opposition)
 - Questions by Councilmembers of Applicant or other public participants
 - Hearing closed by Mayor
 - Discussion by Councilmembers
 - Action by City Council

G. Mayor as Presiding Officer or Legislative Proposals:

The Mayor shall be the Presiding Officer at all the meetings of the City Council. The Mayor may move, second, and debate from the Chair, subject to such limitations of debate as are imposed on all Councilmembers by these rules and shall not be deprived of any of the rights and privileges of a Councilmember as such Presiding Officer. The Mayor shall possess no veto power.

The Mayor shall preserve strict order and decorum at all times. The Mayor may announce special rules for the consideration of a particular item on the agenda, such as, but not limited to: the length of time persons may speak; require that, if desirable, a spokesperson address the Council on behalf of a group of persons; and, in the event of a hearing, provide time for arguments and rebuttals from proponents and opponents.

The Mayor shall decide all questions of order, subject, however, to an appeal to the City Council, in which event a majority vote of the City Council shall govern and conclusively determine such question of order. The Mayor is eligible to vote on all matters coming before the Council for decision and shall direct the order of participation of Councilmembers. The Mayor shall, in all instances, have the last chance to speak. The Mayor shall sign all ordinances and resolutions adopted by the City Council during the Presiding Officer's presence.

H. Recognition to Speak, Councilmember:

Every Councilmember desiring to speak shall address the Presiding Officer and, upon recognition by the Presiding Officer, shall confine his or her remarks to the question under debate.

1. Interruptions:

A Councilmember, once recognized, shall not be interrupted while speaking unless called to order; unless a motion to raise a point of order is raised by another Councilmember, or unless the Councilmember speaking chooses to yield to questions from another Councilmember.

2. Challenged While Speaking:

A Councilmember, challenged while speaking, shall cease speaking until the point of order is determined. The Councilmember shall be permitted to proceed if ruled to be in order. Conversely, the Councilmember shall remain silent or alter any remarks to comply with the rules of the City Council if found not to be in order.

3. Public Hearings:

Councilmembers should not speak to the merits of an issue, other than to ask questions, until the public hearing has been closed.

I. Addressing the City Council:

1. Speaker Card and Speaker Time:

For all agenda items persons wishing to address the City Council should use Speaker Cards. After the meeting is called to order, the Presiding Officer shall encourage those persons wishing to address the Council to complete and return to the City Clerk, Speaker Cards, which list their name, address, and the matter on which they wish to be heard. Depending upon the extent of the agenda and the number of persons desiring to speak on an issue, the Presiding Officer may, at the beginning of the hearing, limit the time for individual comments. When deemed necessary, the Presiding Officer may allocate a longer speaker time without objection from the City Council. The following time limits apply unless modified by the Presiding Officer.

Applicant/appellant - 10 minutes

Individual speakers - 5 minutes

Rebuttal by applicant/appellant - 5 minutes

Person speaking on non-agenda items – 3 minutes

Each person shall stand at the podium, if one is available, and is requested to give his or her name and address for the record. All remarks shall be addressed to the Council as a body and not to any member thereof. No person other than the City Council and person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the City Council, without the permission of the Presiding Officer. No question shall be asked of a Councilmember or a member of City staff except through the Presiding Officer.

2. One Speaker at a Time:

No person other than the person having the floor, shall be permitted to enter into any discussion without the permission of the Presiding Officer. All discussions shall be through the Presiding Officer, and no question shall be asked of a Councilmember except through the Presiding Officer.

3. Questions and Comments from the Public:

Questions and comments from the public shall be limited to the subject under consideration, except for Public Comments on non-agenda items.

4. Addressing the City Council after a Motion is Made:

No person in the audience may address the City Council after a motion is made without first securing permission to do so. Upon recognition by the Presiding Officer and permission being granted by the City Council, the person so recognized shall confine him or herself to the question under discussion.

J. Continued Agenda Item:

It is City Council practice and policy that matters scheduled on an agenda will be heard at the meeting scheduled. When unforeseen circumstances mandate a request for continuance of an agenda item by an applicant, appellant, or other interested parties, the request must be made to the City Council at the outset of the consideration of the item. In addition, any person intending to make a request for a continuance shall inform the City Clerk, in writing; as soon as possible prior to the meeting that such a request for continuance will be made. The City Clerk shall inform the Mayor. The City Council will consider the request for continuance prior to discussing the substance or merits of the agenda item. The interested parties may speak to the issue of a continuance without forfeiting the right to speak later to the merits of the issue if a majority of the Council so rules. Comments may be presented by persons not able to attend the meeting for which the item is finally scheduled if the City Council agrees to continue the item.

K. Public Hearing Closed:

Once a hearing is closed it is inappropriate for the public to speak except to answer an inquiry of a Councilmember addressed through the Presiding Officer. However, a public hearing may be re-opened by the Presiding Officer to hear new information.

L. Division of Question:

If the question contains two or more propositions, each of which is capable of standing as a complete proposition if the others are removed, the Mayor may, and upon request of a Councilmember shall, divide the question.

M. Withdrawal of Motion:

A motion may not be withdrawn by the maker of the motion without the consent of the Councilmember who seconded the motion.

N. Voting:

All votes of the City Council be made by roll call and the results shall be announced and recorded in the minutes by the City Clerk.

O. Failure to Vote:

Absent a disqualification under State law, including conflict of interest provisions and prohibitions on participating when personal bias would prohibit a fair decision, it is the responsibility of every Councilmember to vote. disqualification shall constitute a “no” vote. A Councilmember who fails to vote shall nonetheless be counted towards making up a quorum, unless the failure to vote is compelled by a legal disqualification.

P. Abstention/Recuse: Conflict of Interest:

Councilmembers shall disqualify themselves and abstain from voting if they have a financial conflict of interest or any other disqualification prescribed by law in a matter before the City Council. In such an event, they may not participate in the discussion or the vote. Councilmembers shall state the specific reason for such disqualification. Unless the matter is on the consent calendar, the abstaining Councilmember shall leave the Council dais until the conclusion of the agenda item. The matter will then proceed as though the member is not present, and the member shall not be counted toward making up a quorum.

Q. Tie Votes:

All tie votes shall be deemed to be a denial of the matter that is before the Council for decision, unless the Council by a majority vote of the members present elects to continue the matter to the next Council meeting when it is reasonably known that all Councilmembers will be present.

R. Appeal from the Mayor's Decision:

When the rules are silent, the Mayor shall decide all questions of order, subject to appeal by any Councilmember. When in doubt, the Presiding Officer may submit the question to the City Council. Any decision or ruling of the Presiding Officer may be appealed by request of any Councilmember. The Mayor shall immediately call for a vote to determine if the Presiding Officer's ruling shall stand.

S. Parliamentary Motions and Procedures for the Processing of Council Business:

The City Council adopts Rosenberg's Rules of Order, as modified by the provisions stated in these rules, as the parliamentary procedures and motions to be used as a guide for conducting the City's business at meetings of the City Council. A copy of Rosenberg's Rules of Order is attached hereto as **EXHIBIT A**. Strict adherence to these suggested parliamentary procedures and motions is not required, but their use is encouraged to the extent that such use helps to promote an orderly and efficient public meeting of the City's elected officials. No provisions in these administrative processing procedures are intended to override State law or local ordinance provisions.

T. Summary of Rosenberg's Basic Format for Agenda Item Discussion and Decision:**1. Announcement of Agenda Item.**

The Mayor should announce the agenda item number and read the agenda description of the item under consideration.

2. Reports Concerning the Agenda Item.

The Mayor should request report(s) on the item from City staff or other person(s) who have submitted a report to the Council on the agenda item.

3. Questions by Council.

The Mayor should invite questions by the Council of those person(s) who have presented reports(s).

4. Public Comment.

The Mayor should invite public comment on the agenda item, and upon the conclusion of public comment, announce that public comment has concluded. In the case of public hearings and appeals, the format in Chapter IV, F shall be followed.

5. Motion by City Council.

The Mayor should invite a motion from any member of the Council. In most circumstances this will be a motion to approve or deny the proposed agenda item.

6. Seconding of Motion.

The Mayor should determine if any member of the Council wishes to second the motion. If there is no second to the motion, the Mayor shall have discretion to proceed with the motion in the absence of a second.

7. Repeat the Motion.

The Mayor, for clarity, should repeat the motion (i.e. “A motion has been made and seconded to....”)

8. Discussion of Motion.

The Mayor should invite discussion of the motion by the City Council.

- If there is no discussion the matter should proceed to a vote.
- If discussion is lengthy Mayor should repeat the motion.

9. Council Vote.

After discussion of the Council is concluded (and no motion to amend or substitute the motion has been made) the Mayor should call for the roll call vote.

10. Announcement of Vote.

City Clerk should announce the result of the vote.

U. Summary of Rosenberg’s Common Motions:

1. Motion to Amend.

Used to change or modify a motion that is before the Council.

- Retains the basic motion on the floor but modifies it in some way.
- Requires a second.
- Debatable.
- Simple majority.

2. Substitute Motion.

Completely discards the motion on the floor and puts a new motion before the Council.

- Requires a second.
- Debatable.
- Simple majority.

3. Motion to Adjourn.

Requires immediate adjournment to the next regularly scheduled meeting.

- Requires a second.
- Not debatable.
- Simple majority.

4. Motion to Recess.

Requires an immediate recess with length determined by the Mayor.

- Requires a second.
- Not debatable.
- Simple majority.

5. Motion to Fix Time to Adjourn.

Requires adjournment at a specific time stated in motion.

- Requires a second.
- Not debatable.
- Simple majority.

6. Motion to Table or Continue.

Requires discussion of item to be halted.

- May contain a specific time at which item can come back to Council.
- Requires a second.
- Debatable.
- Simple majority.

7. Motion to Limit Debate.

Stops debate on the item and in effect calls for a vote.

- Requires a second.
- Not debatable.
- Should include a time limit.
- Requires a two-thirds (2/3) vote.

8. Motion to Object to Consideration of Item.

Requires removal of items from the agenda.

- Requires a second.
- Not debatable.
- Requires a two-thirds (2/3) vote.

9. Motion to Suspend the Rules.

Allows Council's existing rules to be suspended for a particular purpose.

- Requires a second.
- Debatable.
- Requires a two-thirds (2/3) vote.

10. Motion to Reconsider.

Allows a matter voted upon to be reopened for further debate.

- Applies only to extent existing law or ordinance provision does not prohibit reconsideration (i.e. an ordinance states that Council action on a particular type of item is final.)
- Requires a second.
- Debatable
- Requires a two-thirds (2/3) vote.
- Must be made at the meeting where item was voted upon or at very next meeting of Council.
- Must be made by a member who voted with the majority.

V. Processing of Multiple Motions:

1. Only three (3) motions may be on the floor simultaneously.
2. A fourth motion is out of order and would not be permitted.
3. The Council should first consider and vote on the last motion made.

CHAPTER V

BOARDS, COMMISSIONS & COMMITTEES CITY REPRESENTATIVES & STANDING COMMITTEE

A. Definitions:

a. Boards, Commission and Committees:

The City Council may establish by ordinance or resolution all boards and commissions, including ad hoc committees, which shall advise the City Council and perform such other functions and duties as prescribed by the City Council. Boards, commissions, and committees shall be governed by the same rules and procedures as the City Council.

b. City Representatives:

Councilmembers and citizens may be appointed by the Mayor to serve on County, regional or multi-purpose agencies, committees and commissions to represent the City, with confirmation by the City Council.

c. Standing Committees:

Standing committees are those created by ordinance or resolution of the City Council which have a continuing subject matter jurisdiction, or a meeting schedule fixed by formal action of the City Council. Membership of such committees may consist of Councilmembers and/or citizens who shall be appointed by the Mayor with confirmation of the Council. All standing committees are subject to the requirements of the Brown Act.

d. Ad Hoc Committees:

Ad hoc committees are those committees created by ordinance, resolution, or motion of the City Council which are formed for a limited time and purpose and without any continuing subject matter jurisdiction. Such committees are not subject to the requirements of the Brown Act unless their membership includes a quorum of the City Council.

B. Application and Appointment Process:

All members of boards, commissions and committees, except Councilmembers, shall be appointed by the Mayor with the confirmation of the City Council, in accordance with the following procedure:

a. Vacancy, Announcement, Interview and Applicant Pool:

The City Clerk shall maintain records of membership status of boards, commissions and committees. The Clerk shall notify the Mayor of each vacancy.

When a vacancy occurs, the vacancy shall be announced at a Council meeting and invite the public to apply for the position or positions. The notice of vacancy shall be posted in the Riverbank News and on the City's website and social media with notice

of the closing date. At the meeting scheduled where the Mayor makes appointments, the City Clerk shall provide a copy of all applications received by the City Council.

b. Application Required:

No person shall be appointed to a board, commission or committee without filing a written application for appointment with the City Clerk prior to 5:30 p.m. on the date of the deadline for receipt of applications.

c. Scheduling of Appointment:

The City Clerk will schedule, on the regular City Council meeting agenda, as designated by the Mayor, a notice of the Mayor's intention to make an appointment to a board, commission or committee.

d. All Applications Provided to All Councilmembers:

The City Clerk shall include in the City Council's agenda packet for the Council meeting at which the Mayor's appointment is scheduled, all current applications filed for appointment to the board, commission or committee designated in the Appointments section of the Agenda. In the event there are multiple vacancies on the same board, commission or committee the Mayor shall schedule the appointment and name the appointees of all vacant positions of any one board, commission or committee on the same Council meeting.

f. Councilmember Appointment:

The Mayor shall, instead of nominating, simply announce the appointment of the designated Councilmember as a member of a City, County, regional, multi-public agency, or other outside agency, committee or board at the time the matter is considered at the City Council meeting. If no motion is made by a Councilmember, immediately following the Mayor's announcement, to submit the Mayor's intended appointment to formal vote of the City Council, the Mayor's announced appointment is deemed approved.

C. Inability to Attend/Notification of Alternate:

If circumstances arise which prevent a member of a board, commission, or committee from attending a meeting of said body, and an alternate representative has been designated by the City, the member who will be unable to attend the meeting shall, to the extent reasonably possible, advise the alternate representative of his or her absence.

D. Removal of Member of Board or Commission or Committee or City Representative:

Any member of a board, commission or committee and any City representative or liaison to an outside agency, serve at the pleasure of the City Council, and may be removed, without cause, by a vote of not less than three (3) Councilmembers, initiated by either the Mayor or a Councilmember. Any proposed removal shall be scheduled as a Council Referral on the

agenda of a regular Council meeting, with the name of the person proposed to be removed printed on the agenda.

White Brenner^{LLP}

City Council Rules and Procedures Handbook Presentation

February 25, 2025

Presented by: Nubia Goldstein

White Brenner^{LLP}

Topic Overview

- Overview of City Council Rules and Procedures Handbook (“Handbook”)
- Possible Handbook Revisions

Overview of Handbook

Purpose

- The Handbook was developed to clarify the procedures of the City Council of the City of Riverbank ("City Council").
- The Handbook serves as a reference point for the state mandated rules for City Officials and standardizes the practices of City Council.
- The Handbook also clarifies the expectations for City Officials and increases transparency.

Introduction

- The Handbook serves as a reference for adopted practices and procedures for City Council.
- City Council is the legislative and governing body of the City of Riverbank ("City").
- Documents such as the Riverbank Municipal Code, California Government Code and the General Plan are essential for an understanding of the business and practices of City Council.

Chapter One: Powers and Duties

- All powers of the City are vested in City Council subject to the Riverbank Municipal Code and Constitution of the State of California.
- The Mayor is the official head of Riverbank and is responsible for:
 - Presiding over all City Council meetings;
 - Signing all Ordinances and Resolutions; and
 - Appointing the Vice Mayor with approval from City Council.
- City Council determines the procedures for meetings and may amend them as necessary.

Chapter One Continued: City Council and Staff Relationships

- The City Manager implements policies and programs initiated by City Council.
- Individual Councilmembers shall not pressure or influence Staff without the knowledge and approval of City Council as a whole.
- The City Attorney represents the City's interests, prepares legal documents and keeps City Council apprised of rulings and legislation that affect the City.
- The City Manager and Staff are responsible for ensuring Councilmembers are informed and have access to information.

Chapter One Continued: Conflicts-of-Interest

- State conflict-of-interest laws and regulations are designed to ensure that all official actions are in the public interest.
- The Political Reform Act prohibits officials from using their official position to influence governmental decisions in which they know or should know they have a financial interest.
- City Officials must submit annual disclosure statements identifying possible conflicts-of-interest.
- The City Attorney should be consulted for any conflict-of-interest related questions.

Chapter One Continued: Ethics

- Councilmembers are encouraged to communicate about official decisions during meetings to ensure all interested parties have equal opportunity to express and represent their interests.
- The California Public Records Act minimizes secrecy by providing access to communications about official City business.
- Members of City Council, Boards, Commissions, and committees may not use their position for personal gain not available to the public or use public resources for personal gain.

Chapter Two: Rules for Meetings

- The Brown Act requires that all meetings are open and public unless a specific exception applies.
- City Council may coordinate workshops for the purpose of acquiring information on particular subjects.
- Councilmembers should vote during meetings, unless they are disqualified from voting.

Chapter Two: Rules for Meetings

- The Government Code details the voting requirements for different measures, such as:
 - Resolutions and Motions authorizing expenditure of Public Funds require a majority vote (Govt. Code §36936);
 - Regular Ordinances require a majority vote (Govt. Code §36936); and
 - Urgency Ordinances require four-fifths vote (Govt. Code §36937(b)).
- Legislative Action can be taken through Resolutions and Ordinances.
- Agendas are created for each meeting to facilitate an orderly review of business.

Chapter Three: Rules for Decorum

- City Representatives must be courteous and professional to each other and the public during public hearings.
- The Mayor is responsible for maintaining decorum during public hearings and may remove disruptive individuals.
- Locations for appropriate entries and exits will be designated and efforts will be made to anticipate and accommodate large crowds.
- Cellphone usage and smoking are prohibited during meetings.

Chapter Four: Procedures for Meetings

- Procedural rules assist in conducting meetings in an orderly manner.
- Councilmembers may speak and cannot be interrupted unless the Councilmember yields to questions, or a point of order is raised.
- Members of the public may address City Council after completing a speaker card, speakers are limited to the following time limits unless modified:
 - Applicant/appellant - 10 minutes
 - Individual speakers - 5 minutes
 - Rebuttal by applicant/appellant - 5 minutes
 - Person speaking on non-agenda items – 3 minutes

Chapter Five: Boards

- Boards, Commissions and Committees can be established ordinance or Resolution to perform tasks or functions prescribed by City Council.
- Standing committees can be created for ongoing City matters and Ad Hoc committees can be created for a limited time or purpose.
- The Mayor shall announce the appointment of Councilmembers as members of City, County, regional, multi-public agencies, or other outside agencies, committees or boards and if there is no motion following the appointment it is deemed approved.

Possible Handbook Revisions

State Regulated Rules and Procedures

- Several of the rules and practices documented in the Handbook are governed by state regulations and statutes. The Handbook serves as a reference point, but these rules and procedures cannot be changed. For example:
 - The state has created lengthy regulations regarding conflicts of interest which can be found in: Government Code Section 8710, The Political Reform Act, Government code 1090 and The Fair Political Practices Commission.
 - State rules ensuring transparency and accountability have been codified in The Brown Act and the California Public Records Act.

Areas for Revision

There are several areas where the City can create specific rules to increase clarity, consistency and structure for public hearings. The Handbook outlines the current practices used by the City, but revisions can be made in the following areas:

- The process for adding items to the Agenda
- Deadlines for submission of items to be added to the Agenda
- Order of items on the Agenda
- The process for requesting presentations and proclamations
- Procedures for conducting City business at meetings

Areas for Revision

- Process for adding and removing items to the Consent Calendar
- Time limits for public comments Designated waiting area for speakers
- Rules of decorum for public meetings
- Selection process for committees and commissions

Thank you

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 11.2

SECTION 11: NEW BUSINESS

Meeting Date: February 25, 2025

Subject: Wastewater Treatment Plant Feasibility Study

From: Cindy Fosi, Council Member District 2

RECOMMENDATION

It is recommended that Council receive a presentation from Council Member Cindy Fosi regarding options for a Wastewater Treatment Plant feasibility study.

SUMMARY

Council Member Cindy Fosi has requested an opportunity to present to Council options for a Wastewater Treatment Plant feasibility study.

FINANCIAL IMPACT

None associated with this report.

ATTACHMENTS

1. Presentation

APPROVAL TO PERFORM A FEASIBILITY STUDY

CINDY FOSI
VICE MAYOR
CITY OF RIVERBANK



CONSIDER DOING A FEASIBILITY STUDY

This presentation will present to Mayor, City Council and the public a request to approve a Feasibility Study for the following:

1. Option for a new pump station and pipeline to the North Valley Regional Water Project
2. Costs associated with the new construction

RIVERBANK WASTEWATER TREATMENT PLANT HISTORY

During my last term as a City Councilmember (2016-2020), I was an Analyst for the City of Modesto Sewer Division. At the time, they were building the North Valley Regional Water Project; therefore, I discussed with the past City Manager about Riverbank sending our water to Modesto but this option was not discussed with City Council.

- June 2021: KSN presented for Public Review of the Draft Recycle Water Production and Use Study Reports. The scope of study was developed to evaluate alternatives for the WWTP to produce recycled water and to evaluate alternatives for recycle water use in the plant. No other options outside of a recycle water project were formally evaluated.

RIVERBANK WASTEWATER TREATMENT PLANT HISTORY (CONT.)

- December 2022: KSN completed 15% Preliminary Design Report and final sewer rate study with rates increasing to \$109.39 by 2027. At the time, Riverbank was told that we were in a good position for applying for financial assistance (primarily grants and some loans).

Proposed Rates	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
	<i>Existing</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>
<i>Residential Sewer Rates</i>						
Monthly Fixed Rate	\$49.48	\$58.39	\$68.90	\$81.30	\$95.12	\$109.39
<i>Commercial Sewer Rates</i>						
Min. Monthly Base Charge	\$49.48	\$58.39	\$68.90	\$81.30	\$95.12	\$109.39

RIVERBANK WASTEWATER TREATMENT PLANT HISTORY (CONT.)

- April 2024: KSN completed 30% Design Report and Design Plans
- September 2024: Contracted with Brown and Caldwell for 60% design
- January 2025: KSN presented an update on the Riverbank Regional Recycled Water Project including updated costs to \$120M and updated funding information to include primarily loans (grants seem to be limited currently based on reports to council in 2024 and current government administration)

DIFFERENT OPTIONS

- A. Construct the Riverbank Regional Recycled Water Project at the Riverbank Wastewater Treatment Plant
- B. Construct a pump station and pipeline from Riverbank to the North Valley Regional Recycled Water Project
- C. Change permit with State Water Resources Board to allow discharge of treated wastewater to Tuolumne River

A. CONSTRUCTION OF CURRENT RIVERBANK REGIONAL RECYCLE WATER PROJECT

- Costs currently estimated to be \$120M (up from \$90M in 2021 estimates). Most of these costs will be paid by ratepayers
- Costs presented do not include operations and maintenance costs after construction or additional staff for 24/7 operation.
- No clarification if water will be discharged 365 days a year to farmers which is required for recycle water treatment

B. CONSTRUCTION OF PUMP STATION AND PIPELINE

- Construction will move untreated wastewater through a new pump station and pipeline from Riverbank to the North Valley Regional Water Project
 - North Valley Regional Water Project – Modesto, Turlock, Ceres, Del Puerto and Stanislaus County built in 2018 at approximately \$120M.
- No treatment will need to be completed at the current Riverbank Wastewater Treatment Plant
- No additional staff needed; current staff would monitor process

C. CHANGE PERMIT TO DISCHARGE WASTEWATER TO RIVER

- Work with State Water Resources Board to issue a National Pollutant Discharge Elimination System Permit required for discharge to river
- The current Wastewater Treatment Plant would be able to add more capacity by being able to discharge to Tuolumne River
- Possibility of additional employees and updates to the plant

CURRENT SEWER RATES SURROUNDING CITIES

FIND BELOW A TABLE SHOWING CURRENT SEWER RATES AND THOSE APPROVED FOR 2027 BY SURROUNDING CITIES:

CITY	POPULATION (2023)	MONTHLY CURRENT RATES*	ANTICIPATED RATE IN 2027
TULOCK	76,100	\$39.42	\$43.09
MODESTO	218,915	\$46.26	\$49.57
TRACY	98,010	\$54.00	\$64.16
MANTECA	91,059	\$43.30	\$68.40
SONORA (TUD)	4,917	\$68.99	\$70.77
RIVERBANK	25,001	\$69.00	\$109.39

PATTERSON	25,063	\$49.94	
CERES	48,397	\$59.23	
OAKDALE	23,045	\$61.27	
ESCALON	7,355	\$74.96	

*Based on Residential Rates (Detached)

CURRENT RIVERBANK REGIONAL RECYCLED WATER PROJECT

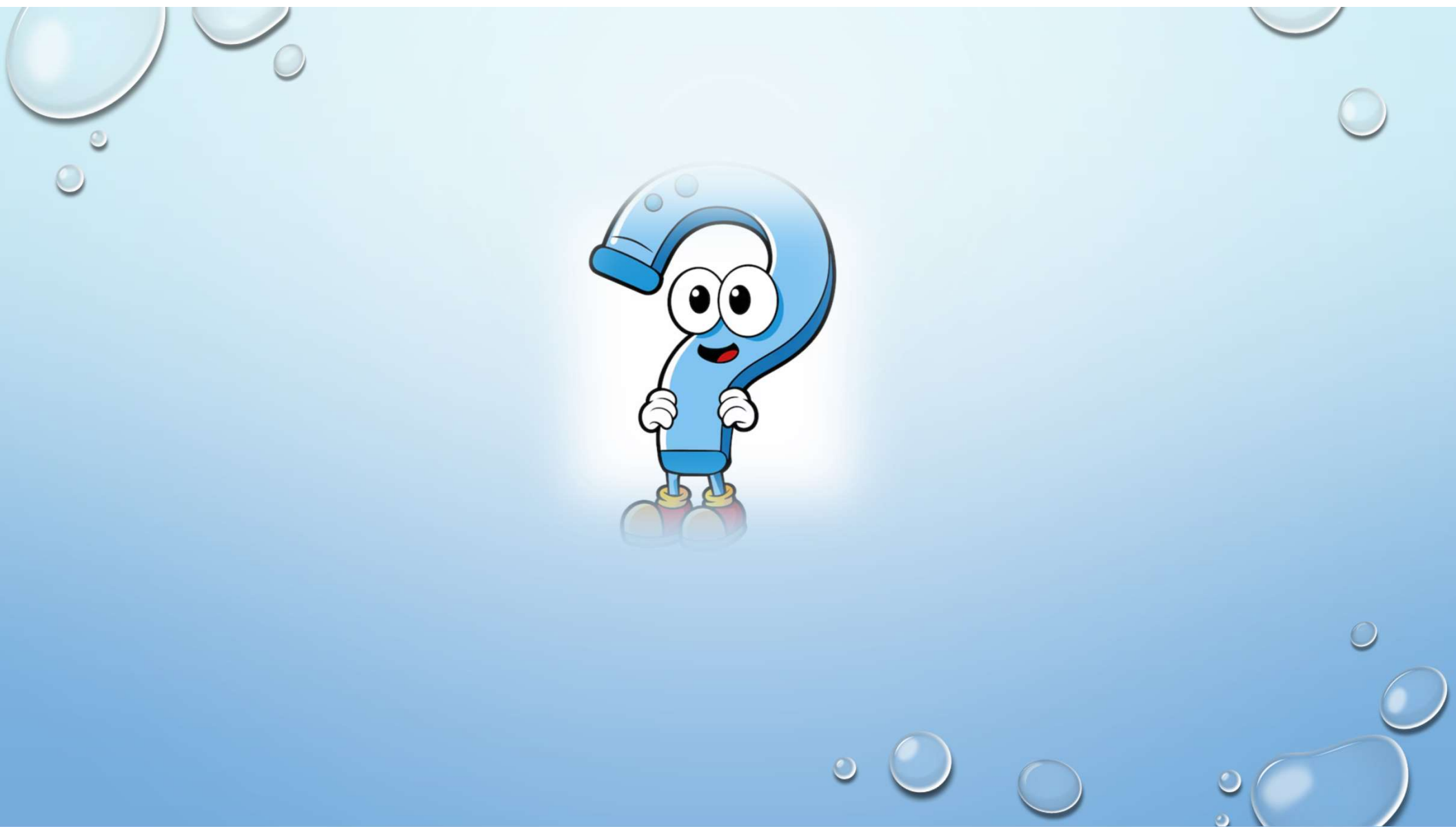
- State Water Resources Control Board is not requiring Riverbank to move towards recycled water treatment.
- State Water Resources Control Board prefers regionalization
 - Riverbank project does not qualify as a regionalization project
 - North Valley Regional Water Project does qualify as a regionalization project
- The costs for the Recycled Project:
 - Current construction costs keep increasing (beginning at \$90M now up to \$120M)
 - No Operations and Maintenance Costs yet presented
 - Additional Staff needed; additional cost in salaries and benefits
- Sewer rates in Riverbank are already high and go considerably higher with project

WHY DO A FEASIBILITY STUDY?

- Determine the feasibility of sending Riverbank water to the North Valley Regional Water Project
- Determines if this is a more economical options and ultimately could reduce rates in what is currently being assessed
- Determine if it will be effective for current capacity and future capacity
- Current design of Riverbank Regional Water Project by KSN will continue during this time
- Meets the City of Riverbank Strategic Plan:
 - 6.4 Continue to Develop Regional Waste Resources/Treatment Plant and identify funding for project completion.

RECOMMENDATION: APPROVAL TO PERFORM A FEASIBILITY STUDY

- This study would evaluate the construction of a new lift station and pipeline to North Valley Regional Water Project
- Cost of study would be between \$50,000 - \$75,000 after sending out competitive bid
- City of Modesto would split the cost of this study reducing costs to \$25,000 - \$37,500 for City of Riverbank
- Confirms that City of Riverbank is making a well evaluated decision at a cost that our taxpayers understand



RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 11.3

SECTION 11: NEW BUSINESS

Meeting Date: February 25, 2025

Subject: Resolution Authorizing a Joint Application to and Participation in the Homekey+ Program

From: Marisela H. Garcia, City Manager

RECOMMENDATION

It is recommended that the City Council consider a resolution authorizing the City of Riverbank to be a Co-Applicant with Central Valley Community Resources, Inc. for an application for funding from the Homekey+ Program.

SUMMARY

Central Vally Community Resources, Inc., a local nonprofit organization in Riverbank, has submitted a request to the City to consider being a Co-Applicant for funding for a proposed permanent supportive housing development project from the Homekey+ Program.

BACKGROUND

Proposition 1, passed by California voters in March 2024, is a critical step in advancing the state's goals to reduce homelessness and protect our most vulnerable populations through important changes to the Mental Health Services Act (MHSA). Proposition 1 includes the Behavioral Health Services Act (BHSA) and the Behavioral Health Infrastructure Bond Act (BHIBA). Homekey+ is the Permanent Supportive Housing component of the BHIBA and will support the development of housing for Veterans and individuals with mental health or substance use disorder challenges who are at-risk of or experiencing homelessness.

In November 2024, the State of California Department of Housing & Community Development, in collaboration with the California Department of Veterans Affairs (CalVet), announced the availability of approximately \$2.145 billion in Homekey+ funding. Homekey+ aims to sustain and rapidly expand the inventory of Permanent Supportive Housing (PSH) for Veterans, young people, and other individuals and their households, with mental health and/or substance use disorder challenges who are at-risk of or experiencing homelessness. All units must be reserved for individuals (and their

households, if applicable) with a Behavioral Health Challenge regardless of whether they are serving Veterans, Homeless Youth, or other eligible populations.

Homekey+ Projects receiving an Award must complete construction within 12 months, starting 60 days from the date of the Award letter, with the exception of new construction and gap financing Projects, which must complete construction within 24 months, starting 60 days from the date of the Award letter.

Appropriate supportive services are critical to serving the eligible populations. All applicants will need to demonstrate coordination or efforts to coordinate with the county behavioral health department in their community. In addition, Veteran-serving Projects will need to have cultural competency and experience serving Veterans or commit to completing a certification training to gain these competencies.

The Notice of Funding Availability for the Homekey+ Grant is available at: [New - Homekey Round 3 Notice of Funding Availability](#).

CENTRAL VALLEY COMMUNITY RESOURCES, INC. PROPOSAL

Central Valley Community Resources, Inc. (CVCR) is a local nonprofit organization in the City of Riverbank. Recently, the City and CVCR had been working together to develop a transitional/permanent supportive housing project on city-owned property. Unfortunately, the project was not able to move forward due to the decision to develop a park site on the property instead.

As such, CVCR continued to find ways to assist the community and is proposing the development of a permanent supportive housing project on a piece of land that is currently on the market at the Northwest corner of Morrill & Oakdale Road, including a vacant lot next door. CVCR and the property owner are currently working on a Letter of Intent to purchase the land should CVCR be successful in obtaining the grant funding.

At the January 28, 2025 meeting the City Council authorized the re-allocation of approximately \$1.5 million in funds received from a direct allocation via the State of California budget requested by Senator Eggman to support a project by CVCR.

CVCR proposes the development of a 67-unit permanent supportive housing project that will incorporate wrap around services for its residents. Their target population will focus on those who are at risk of being homeless, such as young adults ages 18 and over, seniors, behavioral health, veterans, and families with children, including Farmworkers and Native Americans. The funding must be used to be able to provide easy access to behavioral health services for their target population. These services will include counseling, vocational training, substance abuse support, and health care coordination.

As a co-applicant, the City will show its support to CVCR and their proposed development that will benefit the Riverbank community. The total grant request will be \$20 million.

Should the City & CVCR be successful in obtaining this grant, a Regulatory Agreement setting forth the obligations of both parties will be developed and presented to the City Council for consideration.

STRATEGIC PLAN

This item directly addresses the City Council's Strategic Plan Goal to "Enhance Quality of Life" which has an Objective to "Engage the community and non-profit partners in the development of programs, facilities, transitional housing and/or solutions for homeless services."

FINANCIAL IMPACT

The City of Riverbank has committed approximately \$1.5 million in funding from Senator Eggman towards this project. Should the project successfully receive grant funding, the funds may be used as matching funds and be used towards the acquisition of land or towards construction costs.

ATTACHMENTS

1. Resolution
2. Central Valley Community Resources, Inc. Proposal

CITY OF RIVERBANK

RESOLUTION 2025-

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIVERBANK, CALIFORNIA
AUTHORIZING A JOINT APPLICATION TO AND PARTICIPATION IN THE
HOMEKEY+ PROGRAM FOR THE RIVERBANK RESIDENTIAL HOME VILLAGE
PROJECT**

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

WHEREAS, The Department of Housing and Community Development (“HCD”) has issued a Notice of Funding Availability, dated November 26, 2024 (“NOFA”), for the Homekey+ Program (“Homekey+” or “Program”). HCD has issued the NOFA for Homekey+ grant funds pursuant to Health and Safety Code Section 50675.1.3 (Assem. Bill No. 140 (2021-2022 Reg. Sess.), § 20.); Health and Safety Code Section 50675.1.5 (Assem. Bill No. 531 (2023-2024 Reg. Sess.); Section 14184.402 of the Welfare and Institutions Code; Section 5891.5 of the Welfare and Institutions Code; and Round 5 and 6 of the Homeless Housing, Assistance and Prevention (HHAP) grant program. (Assem. Bill No. 129 (Chapter 40, Statutes 2023) and Assem. Bill No. 166 (Chapter 48, Statutes 2024), respectively; and

WHEREAS, the City of Riverbank (“Applicant”) desires to jointly apply for Homekey+ grant funds with Central Valley Community Resources, Inc. Therefore, Applicant is joining Central Valley Community Resources, Inc. in the submittal of an application for Homekey+ funds (“Application”) to HCD for review and consideration; and

WHEREAS, HCD is authorized to administer Homekey+ pursuant to the Multifamily Housing Program (Chapter 6.7 (commencing with Section 50675) of Part 2 of Division 31 of the Health and Safety Code. Homekey+ funding allocations are subject to the terms and conditions of the NOFA, the Application, the HCD-approved STD 213, Standard Agreement (“Standard Agreement”), and all other legal requirements of the Homekey+ Program; and

WHEREAS, should the Applicant and Co-Applicant be successfully awarded funds, a Regulatory Agreement establishing the terms and conditions of the funding will be negotiated between the two parties.

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

1. City of Riverbank is hereby authorized and directed to submit a joint Application to HCD in response to the NOFA, and to jointly apply for Homekey+ grant funds in a total amount not to exceed \$20,000,000.
2. If the Application is approved, City of Riverbank is hereby authorized and directed to enter into, execute, and deliver a Standard Agreement in a total amount not to exceed \$20,000,000, any and all other documents required or deemed necessary or appropriate to secure the Homekey+ funds from HCD and to participate in the Homekey+ Program, and all amendments thereto (collectively, the "Homekey+ Documents").
3. City of Riverbank acknowledges and agrees that it shall be subject to the terms and conditions specified in the Standard Agreement, and that the NOFA and Application will be incorporated in the Standard Agreement by reference and made a part thereof. Any and all activities, expenditures, information, and timelines represented in the Application are enforceable through the Standard Agreement. Funds are to be used for the allowable expenditures and activities identified in the Standard Agreement.
4. The Mayor, or his or her designee, is authorized to execute the Application and the Homekey+ Documents on behalf of the City of Riverbank for participation in the Homekey+ Program.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 25th day of February, 2025; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of _____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

Gabriela Hernandez, CMC
City Clerk

APPROVED:

Rachel Hernandez
Mayor

The Riverbank Residential Home Village

Central Valley Community Resources Residential Homes with Wrap-around Services

TAY (Transitional Aged Youth Out of Foster Care ages 16-25), Children (newborn to age 15), Adults ages 26 plus, Perinatal pregnant and postpartum women and their children, Older adults ages 65 plus, Veterans, Indigenous, and Mental Health recipients ready for housing.

Project Overview:

This proposal outlines the development of a Residential home community consisting of 67 units on a 4.920-acre lot in Riverbank, California. The project is designed to provide transitional housing and comprehensive wrap-around services offering a stable environment and support systems to help transition into independent living.

Key Information:

- **Project Type:** Residential Home Village with Supportive Services
 - **Location:** City of Riverbank, 4.920 acres
 - **Units:** 67
 - **Support Services:** Mental Health Services, education, employment assistance, and life skills training,
-

Project Status:

- **RFP Awarded November 27, 2023**
 - **Home Key Plus Funding Application due date 03/15/2025**
 - **Property Under Contract**
-

Contact Information:

- **Central Valley Community Resources, Inc**
- **Contact Name:** Darlene Barber-Martinez
- **Email:** darlene@cvcr-ca.org

I am writing on behalf of Central Valley Community Resources, a non-profit organization dedicated to supporting young adults aging out of foster care in California. Our organization has been providing transitional housing and wrap-around services, ensuring these vulnerable individuals have the necessary resources and support systems to successfully transition into independent living.

We were recently awarded a Request for Proposal (RFP) in collaboration with the City of Riverbank to develop a Residential home community with wrap-around services on a 2.396-acre vacant lot. The project was intended to include 39 units that would provide stable housing, along with comprehensive support services such as mental health care, educational support, and employment assistance.

However, during a City Council meeting on September 24th, the City of Riverbank and the residents of the District decided to prioritize the development of a neighborhood park on the proposed land. As a result, we are now actively searching for alternative land to continue moving forward with this critical project. Our team is well-prepared, with qualified developers ready to begin construction once a suitable location is secured.

Given the importance of this project for the future of those in need of housing in our community, we are actively applying for grant funding from the state of California via Homekey Plus. We are eager to move forward with this shovel-ready project as soon as possible. We would greatly appreciate the opportunity to discuss how we can partner with Riverbank to make this vision a reality and contribute to the long-term well-being of our neighbors in our region.

We currently have a proposal for 2 lots in the City of Riverbank as indicated on Morrill Rd. Please see the following Executive Summary.

Executive Summary

Project Overview:

- Location: Riverbank, CA
- Lot Size: 214315.2 sq ft = of acres
- Project Owner: Central Valley Community Resources, Inc.
- Project Developer: Brad Hawn, Civil Engineer CHG Structural (CHG)
- Project Manager for Housing Units: Genny Crane, RBG USA (RBG)
- Project Manager: Brad Hawn, Civil Engineer CHG Structural (CHG)
Deanna Garcia, Garcia's General Construction Inc. (GGC)
- Builder (Community Services Center): Genny Crane, RBG USA (RBG)
- Service Providers: Central Valley Community Resources, Inc. (CVCR)
Darlene Barber-Martinez, CEO/Executive Director
Arlene Figueroa-Morales, CFO/Executive Director

Central Valley Community Resources, Inc. (CVCR) is a 501(c)3 organization that will be the program owner/operator for the Residential Home Village to provide:

- supportive housing
- training in:
 - education and employment development,
 - life skills, parenting skills, financial literacy.

The Residential Home Village will include those who are at risk of being homeless, such as young adults ages 18 and over, seniors, behavioral health, veterans, and families with children, including Farmworkers and Native Americans.

Wrap-around services: Services will be provided in collaboration with other agencies, such as case management, behavioral health, medical and physical health, social benefits, educators, employment training/staffing, and essential documents. These supportive services will be provided in the Community Services building. The hours of the Community Services building will be from 9 a.m.-6 p.m., Monday through Friday. An -On-Site Manager will live on the premises in one of the units.

Housing Units: The plan and design of the property include 67 units, which have the potential to house 116 people. The proposed units consist of:

67 (2) bedrooms units 640 square feet. Housing five to six people in each unit.

Affordability: By tailoring rent to individual family budgets, the Residential Home Village aims to make housing affordable for a wide range of residents. This approach recognizes that financial situations vary among families and seeks to accommodate those differences.

Income-Based Rent: It is envisioned that the rent structure will be based on a percentage of the resident's income. This means that families with lower incomes will pay a lower rate of their income as rent, while those with higher incomes may contribute a larger portion of their income to rent.

Fairness and Inclusivity: This rent model promotes fairness and inclusivity by ensuring that housing costs are not disproportionately burdensome for lower-income families. It can help prevent economic barriers to accessing stable housing and support residents in achieving financial stability.

Financial Support: The village may also offer financial counseling or support services to help residents manage their budgets effectively, and access available resources or assistance programs.

Community Stability: By providing affordable housing options and support tailored to individual needs, the Residential Home Village contributes to community stability and

well-being. Stable housing is foundational for individuals and families to thrive and participate fully in community life. Overall, the rent structure based on individual family budgets aligns with the village's goal of creating an inclusive and supportive environment for residents from diverse backgrounds and income levels. The Residential Home Village will provide shelter and transitional housing in fully self-contained ADA-accessible housing units equipped with all amenities.

Community Services Building: The Community Services Building plays a central role in the village by offering various services and facilities. These may include a food and clothing closet to address basic needs, laundry facilities, mailbox services for communication, a community garden for recreational and sustainable purposes, and open grass areas for relaxation and community gatherings.

Central Solar System: The inclusion of a central solar system on the Community Services Building's roof demonstrates a commitment to sustainability and eco-friendly practices. Solar energy can help reduce the village's environmental impact, contribute to long-term energy efficiency, and lower the utility cost.



Central Valley Community Resource Inc. Riverbank

Deanna Garcia
Public Outreach Manager

Community Relations Plan

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Community Relations Plan New Development Project – City of Riverbank Supporting Foster Youth, Unhoused Families, and Veterans

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 - Prove Project Readiness and Feasibility
 - Show Commitment to Supportive Services
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I. Introduction

The purpose of our Community Relations Plan is to establish strong connections between the proposed development by CVCR and the residents, businesses, and stakeholders of Crossroads Riverbank. This plan aims to build community support, encourage public engagement, and meet key criteria for the Homekey+ application process and funding.

II. Project Overview

Our development will provide transitional and supportive permanent affordable housing for Riverbank’s three most vulnerable populations:

- 1. Foster Youth Aging Out of Care** – Young adults ages 18 -25 years of age who need stable housing and support services to get a stable start to adulthood.
- 2. Unhoused Families in the Riverbank School District with School-Age Children** – Ensuring children attending our community schools have safe housing and educational stability to build a better future.

3. Veteran Families in Need of Affordable Housing – Providing housing opportunities for those who have served our country and community.

Our project will integrate wrap-around services which is an evidence-based process that will focus on building a support system for residents. The primary goal is to keep residents housed in the community through:

- Team-Based - includes a Care Team to provide personalized support
 - Medical, dental, mental health, SUD, disabilities, parenting
- Individualized - Restart Program - to provide life transformation

Independent Living Skills such as daily living and social skills, financial literacy and budgeting, time management, employment readiness, nutrition education, and home health and safety management.

CVCR will be collaborating with community employers and educational institutions, including workforce development programs, job training, trade schools such as VOLT, higher education, and community resources to ensure long-term stability and empowerment for residents.

Additionally, we will have:

- Our community will be a Gated community with security guards.
- An onsite manager to oversee daily operations and ensure a well-maintained community.
- 24-hour live video surveillance cameras monitored by the Police Department to enhance safety and security.
- Clean, safe grounds including a dog park, playground, and community garden will be maintained regularly by the residents for their well-being.
- A community liaison person is available 24/7 to address concerns.
- Drug- and alcohol-free living community to promote a supportive environment for raising young children and adults.
- A clean, safe resource center that offers a computer lab, library, clothing closet, food closet, job training classes, and other essential services.

III. Community Outreach Strategies

1. Public Awareness Campaign:

- Developed informational materials (flyers, new papers, website, social media updates).
- We will host community forums and town hall meetings to address concerns and gather feedback.
- We have conducted door-to-door outreach in the Crossroads neighborhood and community.
- We have walked the Crossroads neighborhood to inform the community of our plans and have received awesome feedback. Our neighbors want to know how to be involved with volunteering and donations.

2. Engagement with Key Stakeholders:

- Partner with The City of Riverbank, the County of Stanislaus, local learning institutes, churches, and nonprofits.
- Work with local businesses, and staffing agencies to create employment opportunities for residents.
- Collaborate with veteran organizations and foster care advocacy groups to strengthen family relations.
- We will host open houses at the park next to the future site to engage and gather community support and feedback to host a Q&A.

3. Media and Communication Plan:

- Issue press releases and engage local media.
- Utilize social media platforms to share updates and success stories.
- Create a project website with FAQs and progress reports.

4. Community Support and Volunteerism:

- Encourage community involvement through mentorship and volunteer programs.
- Organize fundraising events and donation drives.
- Establish a Community Advisory Board to provide ongoing input.
- We have the support of the Mayor and City Council.

IV. Homekey Application Points Consideration

To strengthen our application for Homekey funding, we will:

1. Demonstrate Local Government and Community Support:

- Secure letters of support from city officials, community leaders, and residents.
- Show evidence of community engagement and advocacy efforts.

2. Prove Project Readiness and Feasibility:

- Provide clear development timelines and project financing plans.
- Highlight partnerships with experienced developers and service providers.

3. Show Commitment to Supportive Services:

- Outline partnerships with wrap-around services, job training programs, and childcare providers.
- Detail case management and resident assistance programs.

4. Ensure Sustainable and Equitable Development:

- Incorporate green building practices and energy efficiency measures.
- Prioritize accessibility and inclusivity in housing design and service delivery.

V. Implementations and Next Steps

- Short-Term (0-6 months): Secure funding with the City, Start the Homekey+ application, Start Initial Community Outreach, Engage Stakeholders, and Work on Pre-development Planning.
- Mid-Term (7-10 months): Continue Community Outreach, hold community meetings, and continue working on project details while waiting for Homekey+ award.
- Long-Term (10+ months): Finalize Homekey+ Funding, implement Construction Building Processes, Break Ground, Hold a Ribbon Cutting Ceremony, and launch Rental Application Screening and Background checks. The Stanislaus County HMIS, the Veterans Administration Supportive Services Department, Stanislaus County Extended Foster Care, the Stanislaus County Office of Education, local churches, and others will be a resource for applicants.

VI. Conclusion

Our Community Relations Plan ensures that our development aligns with the needs and aspirations of Riverbank Crossroads Residents and Neighbors. Through collaboration, transparency, and engagement, we will create a sustainable, supportive housing community that benefits not only foster youth, unhoused families, and veterans families, but the whole Crossroads Community.



Central Valley Community Resource Inc / CVCR

JOIN US IN BUILDING A BETTER FUTURE IN RIVERBANK!

Exciting New Housing Project Coming to Riverbank!

Morrill Rd New Affordable Living

Providing Safe, Affordable Housing for: ☒ Foster Youth Aging Out of Care
☒ Homeless Families with School-Age Children
☒ Veteran Families in Need of Affordable Housing

WHAT WE OFFER:

-  **Gated, Safe, clean, and affordable housing**
-  **Onsite manager for resident support**
-  **24/7 video surveillance for safety**
-  **Drug- and alcohol-free living environment**
-  **Resource center with job training and life skills classes**
-  **Community liaison available 24/7**
-  **Beautiful, well-maintained grounds**

COMMUNITY SUPPORT & OUTREACH

We've walked the neighborhood to announce our housing project and gathered valuable feedback from the neighbors and residents of Crossroads. We are proud to have the support of the Mayor and City Council in bringing this much-needed development to our community.

HOW YOU CAN GET INVOLVED:

- ☒ **Volunteer or mentor program participants**
- ☒ **Share your feedback and ideas**

Together, we can create a supportive and thriving community!

For more information, contact us at: Deanna Garcia 916-340-5065

deannavasquezgarcia@gmail.com

Central Valley Community Resource Inc. CVCR

2167 & 2173 Morrill Rd Riverbank

Deanna Garcia

February 1, 2025

To Whom It May Concern,

We, the undersigned residents and neighbors of Riverbank, proudly express our strong support for the proposed housing development on Morrill Road. This project will provide much-needed safe and affordable housing for foster youth aging out of care, homeless families with school-age children, and veterans in need of stable housing.

As members of this community, we recognize the urgent need for quality housing solutions and supportive services for our most vulnerable populations. This development will offer:

✓ Safe, clean, and affordable housing ✓ An onsite manager for resident support ✓
24/7 video surveillance for safety ✓ A drug- and alcohol-free living environment ✓ A
resource center with job training and life skills classes ✓ A community liaison available
24/7 ✓ Beautiful, well-maintained grounds

This initiative will not only provide critical housing but also enhance our community by ensuring that individuals and families have the resources they need to thrive. We commend the developers and city officials for their commitment to fostering a strong, inclusive, and compassionate Riverbank.

By signing below, we show our full support for this project and urge local leaders to approve and assist in bringing this much-needed development to our neighborhood.

Sincerely,

Name

Address

Central Valley Community Resources Inc Community Support Form

*We, the undersigned residents and neighbors of Riverbank Crossroads, **approve and support the housing project on Morrill Road**. This project aims to provide much-needed housing and resources for foster youth aging out of care, homeless families with school-age children, and veterans in need of stable housing.*

By signing below, we express our full support for this initiative and encourage local leaders to approve and assist in bringing this development to our community,

1. _____

Name

Address

2. _____

Name

Address

3. _____

Name

Address

4. _____

Name

Address

5. _____

Name

Address

6. _____

Name

Address

7. _____

Name

Address

8. _____

Name

Address

9. _____

Name

Address

10. _____

Name

Address

Dear Community Member,

We are excited to introduce an impactful housing initiative aimed at providing safe, stable, and affordable housing for foster youth aging out of care, homeless families with school-age children, and Veteran Families in need. As a **nonprofit organization with extensive experience in caring for children and young adults**, we are dedicated to giving back to the community and ensuring that vulnerable populations have access to essential resources and opportunities for success.

Our organization has a long-standing history of serving those in need through wrap-around services, mentorship programs, and housing solutions. We believe that **every individual deserves a place to call home**—a foundation from which they can build a brighter future. This housing project on **Morrill Road in Riverbank** will provide not only a safe environment but also workforce development programs, educational resources, and community support systems to help residents achieve long-term stability.

We have engaged with the local community by **walking the neighborhood, hosting, and gathering valuable feedback**. We are honored to have the **support of the Mayor and City Council** and are working closely with community partners to bring this vision to life for the community of Riverbank.

How You Can Help:

- ✓ Sign our support letter to show your endorsement.
- ✓ Attend our community meetings and share your thoughts.
- ✓ Volunteer your time or resources to support this initiative.

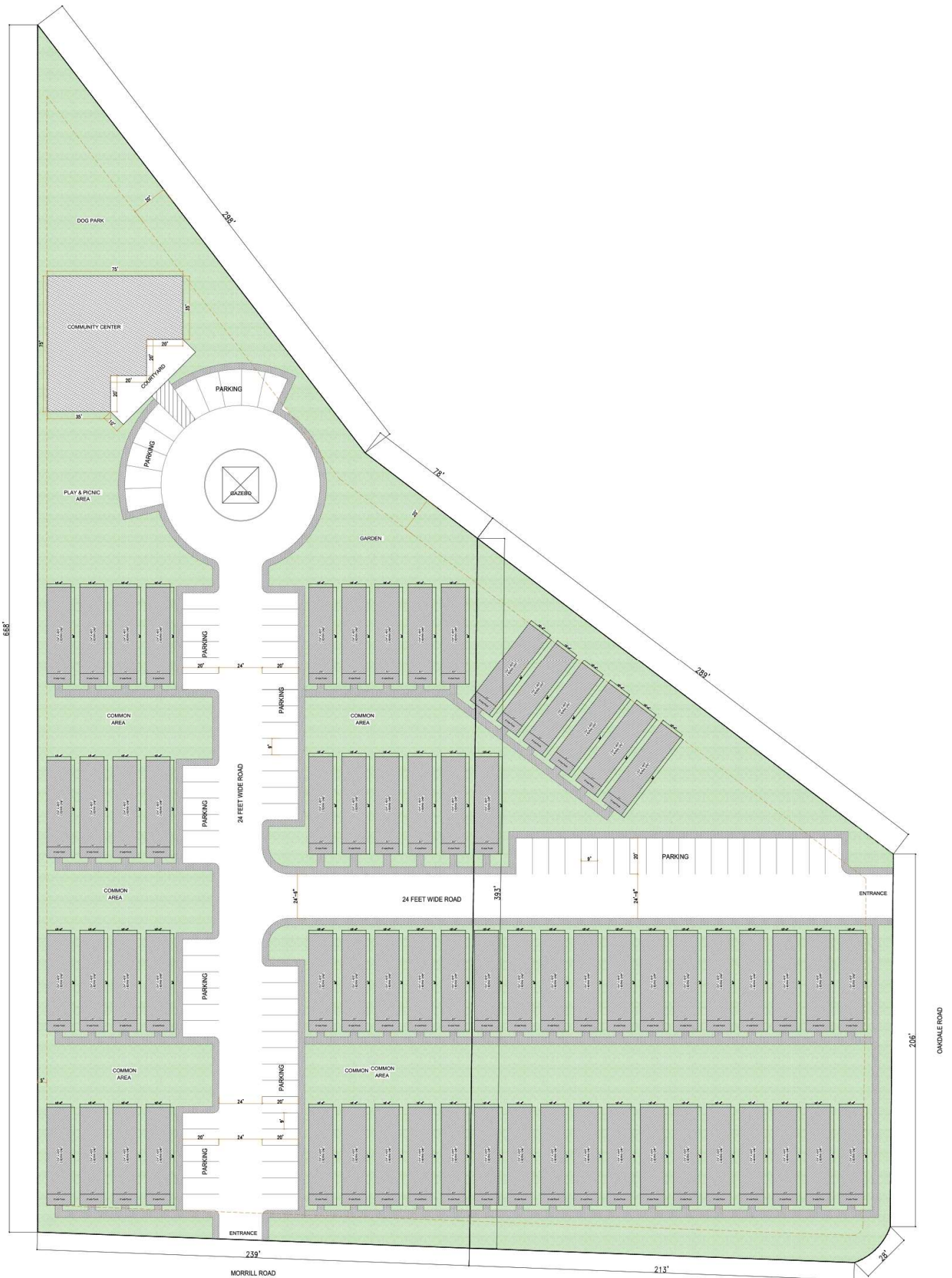
This project is about more than just housing—it's about creating a stronger, more compassionate community. We invite you to join us in making a lasting impact on the City of Riverbank.

For more information or to get involved, please contact us at:

916-340-5065. deannavasquezgarcia@gmail.com

Together, we can change lives!

Sincerely,
Deanna Garcia
Public Outreach Manager
Central Valley Community Resources Inc. (CVCR)



1 SITE LAYOUT PLAN
A-01 SCALE NTS

Site Plan





Common Area



Community Center & Playground



Dog Park



RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 11.4

SECTION 11: NEW BUSINESS

Meeting Date:	February 25, 2025
Subject:	City Hall Site Assessment
From:	Marisela H. Garcia, City Manager

RECOMMENDATION

It is recommended that the City Council provide feedback to staff regarding the preferred site(s) for a future City Hall. This will allow staff to proceed with the conceptual design phase.

SUMMARY

In August 2021 the City Council established a Strategic Plan Objective to “Research feasibility of a new City Hall to accommodate current and future needs.” On February 27, 2024 staff presented the City Council with an option to lease currently vacant space that would accommodate current and future staff growth for the City. Unfortunately this item was not authorized to proceed therefore on June 11, 2024 city staff received Council authorization to enter into a contract to explore options for a new city hall site on existing and/or vacant downtown property. Tonight’s item requests feedback on the preferred site(s) in order to move forward with conceptual design and cost estimates.

BACKGROUND

In June 2018, the City Council established a Strategic Plan Objective to “conduct a spatial analysis of all city facilities...” Over the past several years it has been evident that the City has outgrown its current facilities. With the population growth that is anticipated to occur in the near future, the City Council thought it would be prudent to develop long-term plans to accommodate the growth in City staff that would be needed to serve our growing community.

In preparation for the study, all departments prepared short- and long-term staffing needs. These projections were used by the consulting team of Indigo Hammond + Playle Architects, LLP in order to determine the spatial needs for city offices. It became evident

that City Hall North and City Hall South do not have sufficient space to adequately meet the needs of each of the departments, now or in the near future.

In February 2020 Indigo Hammond + Playle Architects, LLP presented a report to the City Council presenting interim solutions that would help to alleviate the spatial constraints within the two existing City Hall buildings. Unfortunately, the COVID-19 pandemic reached California the following month and these interim solutions were not explored. Post-pandemic, the City has continued to grow and these interim solutions are no longer viable options therefore we continued to explore a long-term solution that would be suitable for our needs.

With the spatial analysis complete, in August 2021, via an update to the City's Strategic Plan the Council updated its objective to focus on researching the feasibility of a new city hall. With the urgent need now for additional space to accommodate city staff, we began to focus on existing vacant locations that would provide sufficient space for current and future growth. City staff began to negotiate with the owner of the site located at 6436 Oakdale Road which has approximately 42,000 sq. ft. of space that would be able to house both City Hall North and City Hall South staff, had adequate parking for city employees as well residents, and would be able to house an expanded and updated City Council Chambers. The City had originally negotiated a lease for this location with the goal of purchasing it but unfortunately the Council elected not to proceed.

Public comments and comments from Council focused on the desire to maintain city hall presence in downtown Riverbank. As such, City staff obtained a proposal from Architecture Plus, Inc. via our existing contract with our City Engineer's, Ardurra, for architectural services related to this project. The Scope of Work entailed the following:

1. Site Assessment: Evaluation of four sites located in Downtown Riverbank for a City Hall Expansion project (3 sites currently owned by the City, one site currently private property). Assessment includes field visits to confirm existing conditions to determine viability for expansion or building demolition.
2. Concept Design: Provide site and/or building footprint design to aid in the evaluation of each property.

SITE ASSESSMENT

The Site Assessment has been completed and is being presented to the City Council for feedback on the preferred sites in order to continue to the Concept Design phase.

As previously mentioned, the document assesses four potential sites for the new City Hall location:

- 3300 Atchison Street (Del Rio Site) – Not City-owned
- 6707 Third Street (City Hall North) – City-owned
- 6617 Third Street (City Hall South) – City-owned
- 3142 Sierra Street (former PG&E Site) – City-owned

Several criteria were used to evaluate the four sites for suitability:

1. Buildable area
2. Minimum number of stories needed to achieve required square footage
3. Number of parking spaces which can remain or be created on site
4. Walking distance to the nearest StanRTA bus stop at the intersection of 3rd Street & Stanislaus
5. Distance to the existing city-owned parking lot on 3rd Street
6. Need for demolition or expansion
7. Need for temporary relocation during construction
8. Need for land purchase
9. Advancement of the Revitalization Strategies outlined in the Riverbank Downtown Specific Plan.

Site Assessment Summary Chart				
	Del Rio Site	City Hall North	City Hall South	3142 Sierra
Buildable area ¹	~13,500 SF	8125 SF	9375 SF	10396 SF
Min # stories per sq footage				
40,000 SF	3 stories	5 stories ²	4 stories	4 stories ³
30,000 SF	3 stories	4 stories	4 stories	3 stories ³
20,000 SF	2 stories	3 stories	3 stories	2 stories
Parking spaces on site	84 total	0 total	0 total	0 total
Distance to bus stop	5 minute walk	2 minute walk	2 minute walk	4 minute walk
Distance to city-owned parking lot (45 stalls)	1 minute walk	3 minute walk	4 minute walk	7 minute walk
Demolition/expansion required	No	Yes	Yes	No
Temporary employee relocation	No	Yes	Yes	No
Need to purchase land	Yes	No	No	No
Revitalization Strategy ⁴	Yes, see page 6	No, see page 7	No, see page 8	No, see page 9
¹ Buildable Area accounts for the parcel area minus the required setbacks and/or existing parking to remain ² The Downtown Core zone of the Downtown Specific Plan allows a maximum of 4 stories in height ³ The Mixed-Use Neighborhood Downtown Specific Plan Zone allows a maximum of 2 stories in height ⁴ The Riverbank Downtown Specific Plan outlines Revitalization Strategies in section 1.3				

STRATEGIC PLAN

This item is directly related to the City Council's Strategic Plan Objective to "Research feasibility of a new City Hall to accommodate current and future needs."

FINANCIAL IMPACT

There is no financial impact associated with this report.

ATTACHMENTS

1. City Hall Site Assessment

City Hall Site Assessment

Riverbank, CA

October 1, 2024



Team



ARCHITECTS:

Rodney C. Alonzo, A.I.A.

CEO

C26714

Joseph L. Smith, A.I.A.

President

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City Hall Site Assessment | Riverbank, CA

Riverbank's City Hall currently occupies two buildings: City Hall North and City Hall South. These two buildings have reached their capacity, requiring the City of Riverbank to consider sites for an alternative building to hold all City Hall functions. This document assesses four potential sites for the new City Hall: 330 Atchison St. ("Del Rio Site"), 6707 3rd St. (the current City Hall North), 6617 3rd St. (the current City Hall South), and 3142 Sierra St. Several criteria have been selected to evaluate the four sites, analyzing the adjacencies to critical locations within the Downtown, the capacity of each site for desired square footage, and potential sources of financial cost for the city.



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Site Assessment Overview

API assessed the viability for a new City Hall building on four different sites in downtown Riverbank: 3300 Atchison St. ("Del Rio Site"), 6707 3rd St. (City Hall North), 6637 3rd St. (City Hall South), and 3142 Sierra St. Each site was analyzed for the same 9 criteria:

- Buildable area
- Minimum number of stories needed to achieve required square footage
- Number of parking spaces which can remain or be created on site
- Walking distance to the bus stop at the southeast corner of Stanislaus St. and 3rd St.
- Distance to the existing city-owned parking lot (45 stalls) at 6825 3rd Street
- Need for demolition or expansion
- Need for temporary employee relocation during construction
- Need to the city to purchase land
- Advancement of Revitalization Strategies outlined in the Riverbank Downtown Specific Plan

The summary of the findings is articulated in the chart on the following page. This summary is explained in the pages following.



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Site Assessment Summary Chart



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Demolition/expansion required	No	Yes	Yes	No
Temporary employee relocation	No	Yes	Yes	No
Need to purchase land	Yes	No	No	No
Revitalization Strategy ⁴	Yes, see page 6	No, see page 7	No, see page 8	No, see page 9

¹ Buildable Area accounts for the parcel area minus the required setbacks and/or existing parking to remain

² The Downtown Core zone of the Downtown Specific Plan allows a maximum of 4 stories in height

³ The Mixed-Use Neighborhood Downtown Specific Plan Zone allows a maximum of 2 stories in height

⁴ The Riverbank Downtown Specific Plan outlines Revitalization Strategies in section 1.3

Site 1: 3300 Atchison St | Del Rio Site



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As the former Del Rio Theatre site, this parcel sits on the corner of Atchison St. and 3rd St., acting as a gateway into the Downtown. The Downtown Specific Plan outlines the Revitalization Strategy to make this intersection a focal point to draw visitors in from the busy thoroughfare of Atchison from other nearby cities. Building the City Hall on this site would aid in this goal.

A total of 1.1 acres, this site has existing parking as well as approximately 13,500 sq ft of available area for building. Looking at older and existing satellite imagery, this site has an estimated 84 existing parking stalls to the east and south of the potential building footprint, with an additional city-owned parking lot offering 45 parking stalls across the street. The bus stop on Stanislaus St. and 3rd St. is still within quick walking distance. With an estimated potential building footprint of 13,500 sq ft, this building would be 3 to 4 stories, depending on the desired square footage.

Site 2: 6707 3rd St. | City Hall North



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The current site of City Hall North sits on the northwest corner of Santa Fe St. and 3rd St. Adjacent to the liveliness of Santa Fe St., this site does not fulfil a particular Revitalization Strategy, but it could act as a visual anchor and central community space for the Downtown. By building onto the existing building or constructing a new building, the City Hall could become a landmark on this important intersection.

This site cannot practically provide any parking on site due to the size of the parcel. However, the city-owned parking lot and the bus stop on Stanislaus St. and 3rd St. are both within quick walking distance. As the smallest parcel analyzed, this site would be 3 to 4 stories for a 20,000 to 30,000 sq ft building, but the 5 stories needed to create 40,000 sq ft of building area is not permitted according to the Downtown Specific Plan.

Site 3: 6617 3rd St. | City Hall South



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The current site of City Hall South sits on the southwest corner of Santa Fe St. and 3rd St. Like City Hall North, this site does not fulfil a particular Revitalization Strategy, but it is adjacent to the liveliness of Santa Fe St. and could act as a visual anchor and central community space for the Downtown. By building onto the existing building or constructing a new building, the City Hall could become a landmark on this important intersection.

This site cannot practically provide any parking on site due to the size of the parcel. However, the city-owned parking lot and the bus stop on Stanislaus St. and 3rd St. are both within quick walking distance. With an estimated 9,375 sq ft of buildable area, this site would be 3 to 4 stories, depending on the desired square footage.

Site 4: 3142 Sierra St.



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This site sits on the southwest corner of 2nd St. & Sierra St., one block from the Downtown Core of 3rd Street. Within the Mixed-Use Neighborhood defined in the Downtown Specific Plan, this site could catalyze further development in this under-utilized portion of the downtown but doesn't fulfill a particular Revitalization Strategy. Further from the downtown uses of 3rd St., existing parcels surrounding this site include several vacant parcels and uses such as automotive repair, groceries, salon/barbershop, and single and multifamily housing.

This site cannot practically provide any parking, as doing so would decrease the buildable area available and require at least 5 stories to meet the programming needs. This parcel is a 7-minute walk to the city-owned parking lot and a 4-minute walk to the bus stop on Stanislaus St. and 3rd St. To meet the programming needs, the building would need to be 2 to 4 stories in height; however, the Mixed-Use Neighborhood Downtown Zone allows a maximum of 2 stories in height.