



CITY OF RIVERBANK
LOCAL REDEVELOPMENT AUTHORITY
MEETING
City Hall Council Chambers
6707 Third Street • Riverbank • CA 95367



AGENDA
MONDAY, APRIL 9, 2012 – 12:00 P.M.

CALL TO ORDER: Chair Virginia Madueño

ROLL CALL: Chair Virginia Madueño
Vice Chair Dotty Nygard
Authority Member Richard O'Brien
Authority Member Jeanine Tucker
Authority Member Jesse James White

CONFLICT OF INTEREST
Declaration by Chair, Authority Members and Staff who would have a direct Conflict of Interest on any scheduled agenda item to be considered.

1. PRESENTATIONS

Item 1.1: Overview of Several Key Documents Associated with the Conveyance of the Riverbank Army Ammunition Plant.

2. PUBLIC BUSINESS FROM THE FLOOR (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 LRA. Individual comments will be limited to a **maximum of 5 minutes** per person and each person may speak once during this time. Time cannot be yielded to another person. Under State Law, matters presented under this item cannot be discussed or acted upon at this time by the LRA. The public will be invited to make comments on agenda items when the item comes up for Authority consideration. For Closed Session items, the public will be invited to make comments before the meeting is recessed to Closed Session. For record purposes, you must step up to the podium, state your name, and speak into the microphone when addressing the LRA.

3. CONSENT CALENDAR

All items listed on the Consent Calendar are to be acted upon by a single action of the Redevelopment Agency unless otherwise requested by an individual Agency Member for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

Item 3.A: Clerk's Report of Posting. The agenda for the April 9, 2012, Local Redevelopment Authority meeting was posted on the City Chamber bulletin board on April 4, 2012.

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

Item 3.C: Approval of the March 26, 2012, Local Redevelopment Authority Minutes.

Item 3.D: Request for Local Redevelopment Authority Executive Director to Travel to Washington, D.C. for Association of Defense Communities Meeting and Negotiations with the Army.

Recommendation: Approval by roll call vote of Consent Calendar.

4. UNFINISHED BUSINESS: None.

5. PUBLIC HEARINGS: None.

6. NEW BUSINESS

Item 6.1: Accept an Allocation of \$100,000 Surplus Funds from the Energy Efficiency and Conservation Block Grant for Equipment Purchase and Installation of Energy Efficient Lighting.

Recommendation: Accept an additional grant funding allocation from the California Energy Commission's Energy Efficiency and Conservation Block Grant Program ("EECBG").

Item 6.2: **Resolution** to Approve a Supplemental Lease Agreement to Army Lease No. DACA05-1-10-525.

Recommendation: Review the attached Supplemental Lease Agreement and adopt a resolution allowing the City Manager to sign an amendment to Army Lease No. DACA05-1-10-525 (“Lease”) with an extension of the current level of Operations & Maintenance payments to the Local Redevelopment Authority for the next 12 months, beginning April 1, 2012.

Item 6.3: Approve a **Resolution** Authorizing the Submittal of a Grant Application to the San Joaquin Valley Air Pollution Control District for New Alternative Fuel Vehicle Purchase.

Recommendation: Approve a resolution authorizing the Local Redevelopment Authority (“LRA”) to submit an application to participate in San Joaquin Valley Air Pollution Control District’s (“SJVAPCD”) Public Benefit Grant Program for \$100,000 to fund the purchase of Alternative Fuel Vehicles.

7. COMMENTS

Item 7.1: Staff Comments: (Information Only – No Action)

Item 7.2: Authority Comments: (Information Only – No Action)

ADJOURNMENT



AFFIDAVIT OF POSTING

DATE: 04/04/12 TIME: 7:15 p.m.
NAME: Annabelle Aguilar, CMC TITLE: Deputy City Clerk

Notice Regarding Americans with Disabilities Act:

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (209) 863-7122. Notification 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Riverbank Redevelopment Agency 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.

General Information: The Local Redevelopment Authority meets on a "as needed" basis.

Agency Agendas: The Local Redevelopment Authority agenda is available for public review at the City's website at www.riverbank.org and City Clerk's Office, 6707 Third Street, Riverbank, California generally 72 hours prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk's Office.

Questions: Contact the City Clerk at (209) 863-7122.

**RIVERBANK LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 1.1**

SECTION 1: PRESENTATION

Meeting Date:	April 9, 2012
Subject/ Title:	Overview of Several Key Documents Associated with the Conveyance of the Riverbank Army Ammunition Plant
Submitted by:	Debbie Olson, Executive Director
City Manager Approval:	_____

RECOMMENDATION:

Receive a presentation that provides an outline and an explanation of three key documents associated with the conveyance of the Riverbank Army Ammunition Plant ("RAAP"), all of which are anticipated to come before the Local Redevelopment Authority ("LRA") Board for approval in 2012.

SUMMARY:

The scheduled presentation will outline and discuss three key documents: (1) the Economic Development Conveyance Memorandum of Agreement; (2) the Environmental Services Cooperative Agreement; and, (3) the Early Transfer Agreement.

Transfers of federal property are inherently complex, involving many layers of government, multiple regulatory agencies, and overly cryptic documents because of the specialized jargon.

Before the end of 2012, the LRA Board will be asked to review and approve several transfer-related documents. The three documents mentioned above are particularly critical to the Riverbank transfer process. Therefore, a presentation reviewing their relationship to one another, as well as their relevance and place leading up to the final transfer of property, which is expected to occur later this year.

FISCAL IMPACT:

The presentation requires no General Fund expenditures.

ATTACHMENT:

1. Power Point Presentation Screen Shots

City of Riverbank Local Redevelopment Authority



DISCUSSION OF UPCOMING KEY DOCUMENTS

APRIL 9, 2012

Discussion of Upcoming Key Documents



Expect to see several interrelated, conveyance-focused documents before the end of the year:

- Economic Development Conveyance Memorandum of Agreement (“MOA”)
- Environmental Services Cooperative Agreement (“ESCA”)
- Early Transfer Agreement (“ETA”)



**Economic
Development
Conveyance
Memorandum
of Agreement**

- Agreement for conveyance of the RAAP from Army to City/LRA
- Clearly identifies deal points of the transaction and the legal recourse
- Constitutes a binding purchase agreement between City/LRA and the Army
- Executed with a resolution of the LRA Board, signature of the City Manager and of the Deputy Secretary of the Army
- NOT an environmental document but includes environmental information



**Economic
Development
Conveyance
Memorandum
of Agreement**
(Cont'd)

- Short document with numerous exhibits

1.	Property Legal Descriptions
2.	EDC Application and Approval
3.	Army/LRA Interim Lease
4.	Bill of Sale for Uncontaminated Tangible and Intangible Property
5.	Bill of Sale for Formerly Contaminated Property
6.	List of Outgrants
7.	Form of Quitclaim Deed
8.	Format of Financial Statements
9.	Finding of Suitability to Transfer (FOST)
10.	Finding of Suitability to Early Transfer (FOSET)

- Anticipate seeing document for approval: May 2012



Environmental Services Cooperative Agreement

- In order to expedite remediation on certain parcels, the Army can enter into an agreement to pay the LRA to perform or manage remediation
- Under terms of agreement, Army will cover cost of remedial activities
- Remediation agreement must meet the standards set by regulatory oversight agencies and have their concurrence



Environmental Services Cooperative Agreement

(Cont'd)

- Not all environmental cleanup will be handled through the ESCA; some through a lease operations and maintenance contract amendment
- Typically, there will be accompanying agreements with regulatory agencies to ensure the performance of remediation work
- LRA is indemnified; Army retains liability for environmental conditions – known and unknown
- Anticipate seeing O & M amendment for approval June 2012
- Anticipate seeing ESCA agreement late 2012

Preliminary Environmental Remediation Review



	ARMY REMEDIATION	LRA REMEDIATION	PAYMENT THROUGH:
GROUND WATER	Retain all responsibilities		
LAND FILL	Monitoring	Maintenance	ESCA
INDUSTRIAL WASTE TREATMENT PLANT	Retain Permit Closure	Additional remediation possible after characterization complete	
PERSONAL PROPERTY		Clean and Dispose of all Surplus Personal Property	Operations and Maintenance (Lease)
SIDING AND ROOF		Remove and Dispose of Siding and Roofing	ESCA
SOIL		Scrape and remove PCB-contaminated soils on selected parcels	ESCA
STORM SYSTEM/PONDS		Steam and Soil removal	ESCA
OTHER		Pit cleaning/filling	ESCA



Early Transfer Agreement

- An Early Transfer (ET) allows the federal government to convey contaminated properties prior to cleanup with approval from regulatory agencies and concurrence from the Governor
- ET Process is BRAC-driven but must be LRA supported
- Agreement for ET must satisfy four legal components:
 - ✦ Assurances that parcels are suitable for transfer for intended uses
 - ✦ Assurances that public health and environment will be protected
 - ✦ Commitments that cleanup actions will not be disrupted
 - ✦ Public notifications of early transfer



Early Transfer Agreement

General Process

- Step 1: Organize Covenant **Deferral Request (“CDR”)** Package Development Team
- Step 2: Develop a Schedule for Submission of the CDR Package
- Step 3: Coordinate with Environmental Regulators and **Governor’s Office**
- Step 4: Develop the CDR Package
- Step 5: Seek Public Participation
- Step 6: Submit CDR Package
- **Step 7: Transfer of Property**



Covenant Deferral Request Package

- Letter of Request
- FOSET
 - ✦ Description of the Property
 - ✦ Description of the nature and extent of contamination
 - ✦ Analysis of intended and future land use
 - ✦ Response and corrective action requirements
 - ✦ Operation and maintenance requirements
 - ✦ Deed language/restrictions
 - ✦ Summary

QUESTIONS?



**CITY OF RIVERBANK
LOCAL REDEVELOPMENT AUTHORITY**

**MEETING DATE:
APRIL 9, 2012**

**RIVERBANK LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 3.A**

SECTION 3: CONSENT CALENDAR

Meeting Date:	April 9, 2012
Subject/ Title:	Clerk's Report of Posting
Submitted by:	Annabelle Aguilar, CMC, Deputy City Clerk

RECOMMENDATION:

Approve the Clerk's Report of Posting.

SUMMARY:

The agenda for the April 9, 2012, Local Redevelopment Authority meeting was posted on the City Council Chamber bulletin board per the Affidavit of Posting.

FINANCIAL IMPACT:

There is no fiscal impact.

ATTACHMENTS:

There are no attachments.

**RIVERBANK LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 3.B**

SECTION 3: CONSENT CALENDAR

Meeting Date:	April 9, 2012
Subject/ Title:	Waive Readings
Submitted by:	Annabelle Aguilar, CMC, Deputy City Clerk

RECOMMENDATION:

Approve the waiver of readings of Ordinances and Resolutions.

SUMMARY:

The approval of the waiver of readings would allow Ordinances and Resolutions to be introduced by title only and acted upon without the need to read the entire text of the item into the public record. The documents related to proposed Ordinances and Resolutions are available for review by the public on the City's website and in the City Clerk's office at City Hall (North).

FINANCIAL IMPACT:

There is no financial impact.

ATTACHMENTS:

None

**RIVERBANK LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 3.C**

SECTION 3: CONSENT CALENDAR

Meeting Date:	April 9, 2012
Subject/ Title:	Approval of the March 26, 2012, Local Redevelopment Authority Minutes
Submitted by:	Annabelle Aguilar, Deputy City Clerk
City Manager Approval:	_____

RECOMMENDATION:

Approve the Minutes.

SUMMARY:

The Draft Minutes of the March 26, 2012, Local Redevelopment Authority Meeting are attached for Local Redevelopment Authority's review and approval.

FINANCIAL IMPACT:

There is no financial impact.

ATTACHMENT:

1. March 26, 2012, Local Redevelopment Authority Minutes



**CITY OF RIVERBANK
LOCAL REDEVELOPMENT AUTHORITY
MINUTES
MONDAY, MARCH 26, 2012**

CALL TO ORDER:

The Local Redevelopment Authority (LRA) of the City of Riverbank met this date in a session at 5:30 p.m. at the Riverbank Council Chambers, 6707 Third Street, Riverbank, California with Chair Madueño presiding.

ROLL CALL:

Present: Chair Virginia Madueño
Vice Chair Dotty Nygard
Authority Member Richard O'Brien
Authority Member Jeanine Tucker

Absent: Authority Member Jesse James White

CONFLICT OF INTEREST
Declaration by Chair, Authority Members, and Staff who would have a direct Conflict of Interest on any scheduled agenda item to be considered.

No one spoke.

1. PRESENTATIONS: None

2. PUBLIC BUSINESS FROM THE FLOOR

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 LRA. Individual comments will be limited to a **maximum of 5 minutes** per person and each person may speak once during this time. Time cannot be yielded to another person. Under State Law, matters presented under this item cannot be discussed or acted upon at this time by the LRA. The public will be invited to make comments on agenda items when the item comes up for Authority consideration. For Closed Session items, the public will be invited to make comments before the meeting is recessed to Closed Session. For record purposes, you must step up to the podium, state your name, and speak into the microphone when addressing the LRA.

No one spoke.

3. CONSENT CALENDAR

All items listed on the Consent Calendar are to be acted upon by a single action of the Local Redevelopment Authority unless otherwise requested by an individual Authority member for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

Item 3.A: Clerk's Report of Posting. The agenda for the March 26, 2012, Local Redevelopment Authority meeting was posted on the City Chamber bulletin board on March 21, 2012.

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

Item 3.C: Approval of the Minutes for February 13, 2012, LRA Meeting.

Recommendation: Approval by roll call vote of Consent Calendar.

ACTION: *By motion (Tucker / Nygard / passed 4-0) to approve by roll call vote Consent Calendar Items as presented; motion carried by unanimous roll call vote.*

ABSENT: Authority Member White

4. UNFINISHED BUSINESS: None

5. PUBLIC HEARINGS: None

6. NEW BUSINESS:

Item 6.1: Discussion Regarding the Use of a Master Developer at the Riverbank Army Ammunition Plant

Recommendation: 1) Receive information regarding the use of master developers to accelerate reuse activities on base realignment and closure (BRAC) sites.

2) Discuss the use of a master developer at Riverbank Army Ammunition Plant ("RAAP") to advance and promote the Reuse Plan's vision and goals.

Debbie Olson, LRA Executive Director, and Pam Carder, Project Management Specialist, presented the staff report; the Authority Board and Staff discussed the item.

Chair Madueno had reservations of only having a Master Developer and asked that Council study the information and requested to have site visits scheduled at locations

that utilized the LRA/Master Developer combination and sites that have only utilized the Master Developer model to determine what the pros and cons are, gain as much knowledge as possible, and be fully prepared to make the decision. Ms. Olson offered to arrange the point person for the Master Developers to attend an LRA meeting in lieu of site visits, but would arrange visits if directed.

ACTION: *It was agreed that staff would look into criteria to place in the RFP, schedule site visits, and conduct further research on the subject.*

7. COMMENTS

Item 7.1: Staff Comments: (Information Only – No Action) *None.*

Item 7.2: Authority Comments: (Information Only – No Action) *None.*

ADJOURNMENT

There being no further business, Chair Madueño adjourned the meeting at 6:00 p.m.

ATTEST:

APPROVED:

Annabelle Aguilar, Assistant Secretary

Virginia Madueño, Chair

**LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 3.D**

SECTION 3: CONSENT CALENDAR

Meeting Date:	April 9, 2012
Subject/ Title:	Request for Local Redevelopment Authority Executive Director to Travel to Washington, D.C. for Association of Defense Communities Meeting and Negotiations with the Army
Submitted by:	Debbie Olson, Executive Director Local Redevelopment Authority
City Manager Approval:	_____

RECOMMENDATION:

Approve an out-of-state travel request for the Local Redevelopment Authority (“LRA”) Executive Director to participate in ongoing negotiations with the Army and to attend an Association of Defense Communities (“ADC”) strategic planning session and Defense Communities Legislative Caucus meeting in Washington, D.C.

SUMMARY:

ADC is a premier membership organization that serves America’s defense communities. The organization represents over 200 communities, states and regions with a significant military presence and numerous partner organizations. ADC endeavors to unite diverse interests of communities on issues of base closure and realignment, community-military partnerships defense real estate, mission growth and/or sustainment, military privatization, military families/veteran support and base redevelopment.

The City of Riverbank has been an active member of ADC since the Riverbank Army Ammunition Plant was placed on the base closure list. In 2010, the Executive Director of the Riverbank LRA was asked to join the ADC Board of Directors.

ADC holds a strategic planning meeting each spring in Washington, D.C. to coincide with key Congressional committee hearings or Department of Defense meetings. This year, ADC has targeted May 15 and May 16 to meet for strategic planning and also meet with the Congressional Defense Communities Caucus on Capitol Hill.

While in Washington, a day of face-to-face meetings with the Army to continue negotiations on the terms and cost of the cleanup is also planned. Environmental

consultants, environmental attorneys and the Corps of Engineers are also expected to be in attendance and support the discussion.

FISCAL IMPACT:

No general fund dollars will spent. All travel expenses will be covered through grant funds, reimbursement from Association of Defense Communities and lease revenues.

ATTACHMENTS:

There are no attachments.

LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 6.1

SECTION 6: NEW BUSINESS

Meeting Date: April 9, 2012

Subject/Title: Accept an Allocation of \$100,000 Surplus Funds from the Energy Efficiency and Conservation Block Grant for Equipment Purchase and Installation of Energy Efficient Lighting

Submitted by: Debbie Olson, Executive Director

City Manager Approval: _____

RECOMMENDATION:

Accept an additional grant funding allocation from the California Energy Commission's Energy Efficiency and Conservation Block Grant Program ("EECBG").

SUMMARY:

The San Joaquin Valley Clean Energy Partnership ("Partnership"), which administers the EECBG for a consortium of Valley jurisdictions, has received a surplus of unspent funds that they are permitted to reallocate. The Partnership may award the reallocated funds to previously participating organizations, such as the LRA, that have successfully and expediently applied the grant funds.

The Local Redevelopment Authority ("LRA") applied for funds in the initial round and received \$119,000 to purchase energy efficient light fixtures used to retrofit several tenant areas at the Riverbank Industrial Complex.

The LRA has received a letter from SJVCEP asking us to expend an additional \$100,000.00 on lighting retrofits, similar to what we did in the previous round. A portion of the funds will be used to offset labor costs and for the rental of equipment necessary for the installation of the new light fixtures.

FISCAL IMPACT:

There is fiscal impact to the General Fund. Amendment to the LRA Budget is required to reflect the \$100,000 grant award.

ATTACHMENTS:

San Joaquin Valley Air Pollution Control District Letter – A letter asking the LRA to accept \$100,000 in surplus grant funds for eligible lighting retrofits at the Riverbank Industrial Complex.



Debbie Olson
Executive Director
Local Redevelopment Authority
City of Riverbank
5300 Claus Road
Riverbank, CA 95367

RE: EECBG surplus allocation for Riverbank

Dear Debbie,

Thank you for your continued participation in the San Joaquin Valley Clean Energy Partnership (SJVCEP). We appreciate your work in completing Energy Efficiency and Conservation Block Grant projects in a timely fashion.

The SJVCEP, which administers Energy Efficiency and Conservation Block Grants for a consortium of Valley jurisdictions, has a surplus of unspent money in the program. The SJVCEP would like to reallocate \$100,000.00 of that surplus on eligible lighting retrofits that have been identified in Riverbank buildings. These funds would include materials and labor costs for the purchase and installation of lights and related materials.

Time is of the essence to reallocate these funds due to deadlines tied to the American Recovery and Reinvestment Act, where the grants originate. The intention of this reallocation is to keep surplus funds in the Valley as unspent funds likely would be expended outside the Valley.

With the City's approval the Partnership will begin the process of reallocating available funds and will notify the City when funds are available for use. Please let us know if you have any questions.

Thanks again for your efforts,



Samir Sheikh
Director, Strategies and Incentives
San Joaquin Valley Unified Air Pollution Control District

Sayed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-8000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

**RIVERBANK LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 6.2**

SECTION 6: NEW BUSINESS

Meeting Date:	April 9, 2012
Subject/ Title:	Resolution to Approve a Supplemental Lease Agreement to Army Lease No. DACA05-1-10-525
Submitted by:	Debbie Olson, Executive Director
City Manager Approval:	_____

RECOMMENDATION:

Review the attached Supplemental Lease Agreement and adopt a resolution allowing the City Manager to sign an amendment to Army Lease No. DACA05-1-10-525 ("Lease") with an extension of the current level of Operations & Maintenance payments to the Local Redevelopment Authority for the next 12 months, beginning April 1, 2012.

SUMMARY:

Under the terms of the Lease, and as consideration to the LRA for providing protection and maintenance to the lease premises, the Army agreed to provide reimbursement for reasonable costs incurred for protection maintenance, repair, improvement and other costs related to operating the Riverbank Army Ammunition Plant. The payments are to be renegotiated after the first year, and each successive year, with an effective date on the anniversary of the initial lease signing, or April 1.

Last year, the LRA and the Army negotiated for the Army to pay \$376,325 in monthly installments to the LRA. This agreement ended on April 1, 2012, and needs to be extended. No change in the cost of the services provided to the Army has occurred so the extension includes the same fee for services. As with last year, we believe this amount will cover essential costs, but does not allow for any major repairs, improvements or upgrades to the site. This has worked well for the past year with major repairs being paid for separately by the Army.

FISCAL IMPACT:

No general funds will be necessary for the operations and maintenance of the property.

The LRA will receive \$376,325 or \$31,360.41 per month (in arrears) in exchange for providing security, operations and maintenance at the Riverbank Army Ammunition Plant, beginning April 1, 2012.

ATTACHMENTS:

1. Supplemental Amendment: Amendment to require the Army to pay the LRA \$376,325 per year in monthly installment in arrears of \$31,360.41.
2. Resolution: Approves the supplemental amendment to the lease with the Army to require the Army to pay the LRA \$376,325 per year in monthly installment in arrears of \$31,360.41.

**SUPPLEMENTAL AGREEMENT NO. 4 AMENDING
DEPARTMENT OF THE ARMY LEASE NO. DACA05-1-10-525
UNDER BASE REALIGNMENT AND CLOSURE (BRAC)
RIVERBANK ARMY AMMUNITION PLANT (RBAAP)
STANISLAUS COUNTY, CA**

THIS SUPPLEMENTAL AGREEMENT NO. 4 (hereinafter "Agreement") is made and entered into on this _____ day of _____ 2012, by and between the **SECRETARY OF THE ARMY**, on behalf of the **UNITED STATES OF AMERICA** (hereinafter "Lessor") and the **CITY OF RIVERBANK**, recognized by the Office of the Secretary of Defense as the Local Redevelopment Authority for Riverbank Army Ammunition Plant (hereinafter the "RBAAP"), and duly authorized pursuant to the Community Redevelopment Law (California Health and Safety Code, Section 33000)(hereinafter "Lessee").

RECITALS

WHEREAS, on April 1, 2010, Lessor and Lessee entered into that certain Army Lease No. DAC05-1-10-525, under authority of Title 10 United States Code section 2667 and Title 10 United States Code section 2687, "Defense Base Realignment and Closure Act of 1990" (Public Law 101-510), as amended, for the RBAAP, Stanislaus County, CA (hereinafter the "Lease"); and

WHEREAS, Lessor and Lessee entered into Supplemental Agreement No. 1 dated June 29, 2011, Supplemental Agreement No. 2 dated August 17, 2011, and Supplemental Agreement No. 3 dated October 6, 2011; and

WHEREAS, in accordance with Title 32 CFR Part 174, section 174.14, as amended and the terms and conditions of said Lease, the Lessee has agreed to secure, protect and maintain the leased premises at the levels required in the Lease during the Lease term; and

WHEREAS, pursuant to the terms of said Lease, Lessor has agreed to reimburse Lessee for certain costs of providing such security, fire protection and maintenance; and the parties shall "meet and confer to establish an appropriate fee for Lessee's provision of Protection and Maintenance Services to the Lease Premises"; and

WHEREAS, in accordance with Condition No. 11 of such Lease, the parties have met and conferred and desire to establish Lessee's reimbursement for its provision of the cost of security, fire protection and common area maintenance for the period April 1, 2012 through March 31, 2013.

SUPPLEMENTAL AGREEMENT NO. 4
TO DEPARTMENT OF THE ARMY
LEASE NO. DACA05-1-10-525

NOW, THEREFORE, Lease No. DACA05-1-10-525 is hereby amended in the following particulars, but no others:

1. CONDITION NO. 11 entitled "SERVICES AND UTILITIES REQUIRED BY THE GOVERNMENT," subdivision (a)(i) is deleted in its entirety and is replaced with the following:

"(i) The Government shall reimburse Lessee for the cost of security, fire protection and common area maintenance. For the first year of the Lease, the total sum to be reimbursed shall be "Nine Hundred Three Thousand Seven Hundred and Twenty-Six and NO/100 Dollars" (\$903,726.00), prorated and payable monthly in arrears. For the second year of the Lease, effective April 1, 2011, the total sum to be reimbursed shall be an amount not to exceed "Three Hundred Eighty-Eight Thousand One Hundred Forty and NO/100 Dollars" (\$388,140), prorated and payable monthly in arrears. For the third year of the Lease, effective April 1, 2012, the total sum to be reimbursed shall be an amount not to exceed "Three Hundred Eighty-Eight Thousand One Hundred Forty and NO/100 Dollars" (\$388,140), prorated and payable monthly in arrears. The Government shall make its monthly payment for the first year of the Lease for Protection and Maintenance Services in accordance with the Protection and Maintenance Payment Schedule set forth as Exhibit H ("Protection and Maintenance Payment Schedule") attached hereto and made a part hereof. Exhibit H shall be amended annually. The effective date of conveyance by Quitclaim Deed to the Lessee of all or any portion of the Lease Premises, or earlier termination of the Lease, shall terminate the Government's responsibility for future payments under the Protection and Maintenance Payment Schedule, as amended, either in total upon termination or as to the portion of the Lease Premises conveyed to the Lessee, as applicable. Any remaining unpaid amounts owing for a portion of a month following conveyance or termination shall be prorated based upon the number of days Lessee was a tenant prior to conveyance or termination. For each year subsequent to the initial year of the Lease, the parties shall meet and confer to establish an appropriate fee for Lessee's provision of Protection and Maintenance Services to the Lease Premises. Reimbursement payments to Lessee for its provision of Protection and Maintenance Services to the Lease Premises, if any, shall be commensurate with the acreage and character of the property remaining subject to the Lease. Lessor shall make the final determination as to the amount(s) of any such future reimbursement payment(s) under this section. The Prompt Payment Final Rule (Title 5 CFR section 1315, formerly OMB Circular A-125) shall apply to Protection and Maintenance Services Payments due from the Government, if any, under this Lease."

SUPPLEMENTAL AGREEMENT NO. 4
TO DEPARTMENT OF THE ARMY
LEASE NO. DACA05-1-10-525

2. Exhibit H of the Lease entitled "Protection and Maintenance Payment schedule" is amended for year three (3) of the Lease to include the payment schedule set forth in Exhibit A to this Supplemental Agreement No. 4, attached hereto and incorporated herein.

3. All other terms of said Condition remain unchanged.

[Signature Page Follows]

SUPPLEMENTAL AGREEMENT NO. 4
TO DEPARTMENT OF THE ARMY
LEASE NO. DACA05-1-10-525

IN WITNESS WHEREOF, the parties have executed this Supplemental Agreement No. 4 as of the date first above written.

UNITED STATES OF AMERICA

By: _____
Sharon Caine
Chief, Real Estate Division

CITY OF RIVERBANK

By: _____
Jill Anderson
City Manager

EXHIBIT "A"

AMENDMENT NO. 4 TO THE DEPARTMENT OF THE ARMY LEASE NO. DACA05-1-10-525

Exhibit H (Year 3) - Protection and Maintenance Payment Schedule

	2012							2013				
Protection and Maintenance Schedule	April	May	June	July	August	Sept	Oct	Nov	Dec	Jan	Feb	March
Payment Amount (in dollars)	43175**	31365	31360	31360	31360	31360	31360	31360	31360	31360	31360	31360

**Note: The April, 2012 installment includes an additional sum of \$11,815 which represents a reimbursement payment to the RCLRA not previously funded by the Army through the prior years' Maintenance Payment Schedule.

RIVERBANK LOCAL REDEVELOPMENT AUTHORITY

RESOLUTION

**A RESOLUTION OF THE CITY OF RIVERBANK LOCAL REDEVELOPMENT
AUTHORITY AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE
AMENDMENT WITH THE ARMY FOR EXTENDING OPERATIONS AND
MAINTENANCE PAYMENTS FOR THE RIVERBANK ARMY AMMUNITION PLANT**

WHEREAS, on May 16, 2005, the Secretary of Defense published in the Federal Register and transmitted to the Congressional Defense Committees and the Defense Base Closure and Realignment Commission a list of military installations that the Secretary of Defense recommends for closure or realignment; and

WHEREAS, the Riverbank Army Ammunition Plant was placed on the list of military installations recommended for closure; and

WHEREAS, the City Council is a duly elected body of the City of Riverbank, and as such, the designated authority with zoning authority over the closing base; and

WHEREAS, and the Riverbank City Council, as the recognized and designated Local Redevelopment Authority for Riverbank Army Ammunition Base, has submitted a Reuse Plan for the redevelopment of the Riverbank Army Ammunition Plant as required under BRAC law and regulation; and

WHEREAS, the Local Redevelopment Authority now wishes to oversee the fulfillment of the vision, goals and objectives as stated by the community and presented in the Reuse Plan; and

WHEREAS, to do so, the Local Redevelopment Authority deemed it necessary to enter into a lease with the Army to allow the LRA to operate the Riverbank Army Ammunition Plant beginning April 1, 2010; and

WHEREAS, the Local Redevelopment Authority approved an amendment to that lease to change and extend Operations and Maintenance Payments for the period April 1, 2011 to March 31, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Local Redevelopment Authority of the City of Riverbank hereby authorizes the City Manager to execute a lease amendment with the Army regarding the level of Operations and Maintenance of the Riverbank Army Ammunition Plant to the LRA for the period April 1, 2012 to March 31, 2013.

PASSED AND ADOPTED by the Local Redevelopment Authority of the City of Riverbank at a regular meeting held on the 9th day of April, 2012; motioned by Authority Member _____, seconded by Authority Member _____, and upon roll call was carried by the following vote of ____:

AYES:
NAYS:
ABSENT:
ABSTAIN:

ATTEST:

APPROVED:

Katie Lemons
Interim Secretary

Virginia Madueno
Chair

Attachment: Supplemental Agreement No. 4 - Amendment to Army Lease No. DACA05-1-10-525 and Exhibit A : Amendment to Exhibit H of the Lease entitled Protection and Maintenance Payment Schedule

LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 6.3

SECTION 6: NEW BUSINESS

Meeting Date:	April 9, 2012
Subject/ Title:	Approve a Resolution Authorizing the Submittal of a Grant Application to the San Joaquin Valley Air Pollution Control District for New Alternative Fuel Vehicle Purchase
Submitted by:	Debbie Olson, Executive Director
City Manager Approval:	_____

RECOMMENDATION:

Approve a resolution authorizing the Local Redevelopment Authority (“LRA”) to submit an application to participate in San Joaquin Valley Air Pollution Control District’s (“SJVAPCD”) Public Benefit Grant Program for \$100,000 to fund the purchase of Alternative Fuel Vehicles.

SUMMARY:

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is accepting applications from local jurisdictions for up to \$100,000 for the purchase of alternative fuel transportation vehicles.

The goal of the grant program is to promote energy efficient modes of transportation and reduce the air pollution caused by cold starts for short distance travel in gas powered vehicles. This is in line with the community vision for the reuse of the Riverbank Army Ammunition Plant, which envisions a zero-carbon footprint industrial park.

The LRA has been working with manufacturers of energy efficient fuel vehicles to identify vehicles that meet the requirements of the SJVAPCD Public Benefit Grant Program and are appropriate for use at the Riverbank Industrial Complex. The Trikke Electric Bike, which looks like an electric scooter for adults, and an electric powered fuel Utility truck have been identified as vehicles that could increase mobility and reduce emissions at the Complex. Brochures highlighting the features of the vehicles are attached for your information. The following table summarizes the grant request.

QUANTITY	VEHICLE TYPE	ESTIMATED COST
Four (4)	Trikke Electric Bike	\$3,500 per unit
One (1)	Transport Utility Truck	\$20,000 per unit
TOTAL		\$34,000

If selected for approval, the request grantor reimburses the purchase price of the new vehicles 100%. The LRA will not purchase the vehicles until approval from the granting agency is received in writing.

FISCAL IMPACT:

No fiscal impact to the General Fund. The LRA will be reimbursed for the purchase price of the vehicles, but may be required to pay for vehicle insurance and or vehicle licenses.

ATTACHMENTS:

- (1) Resolution – A resolution authorizing the LRA to submit an application to the San Joaquin Valley Air Pollution Control District for funds through their Public Benefit Grant Program
- (2) Brochures – Sales brochures of selected electric vehicles requested in the grant application by the LRA

RIVERBANK LOCAL REDEVELOPMENT AUTHORITY

RESOLUTION

A RESOLUTION OF THE CITY OF RIVERBANK LOCAL REDEVELOPMENT AUTHORITY SUPPORTING AN APPLICATION FOR FUNDING THROUGH THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

WHEREAS, The Local Redevelopment Authority wishes to apply for and receive a grant through the San Joaquin Valley Air Pollution Control District; and,

WHEREAS, funds derived from the grant would assist in reducing our carbon footprint; and,

WHEREAS, funds will also provide additional revenue to the authority by lowering cost of fuel for cold start trips; and,

WHEREAS, the LRA Executive Director is authorized to implement the new vehicle project; and

WHEREAS, the LRA Executive Director is hereby authorized directed and act on the Authority's behalf in all matters pertaining to this application;

NOW, THEREFORE, BE IT RESOLVED that the Local Redevelopment Authority of the City of Riverbank hereby authorizes the Executive Director to enter into and sign the grant agreement and any subsequent amendments with the San Joaquin Valley Air Pollution Control District for the purposes of this grant.

PASSED AND ADOPTED by the Local Redevelopment Authority of the City of Riverbank at a regular meeting held on the 9th day of April, 2012; motioned by Authority Member _____, seconded by Authority Member _____, and upon roll call was carried by the following vote of ____:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Katie Lemons
Secretary

Virginia Madueno
Chair

Attachment:



48v

The **48v** Trikke EV is the top of the line Tribred model. Equipped with a 48V longer range battery (15-24 miles per charge) and 350 watt motor for more torque up hill. Still very portable at 37lbs - 46lbs. with battery. Dual speed settings: Econo: 12 mph and Express: 16 mph - motorcycle grade tires.

trikke.com/ev



36v

The **36v** Trikke EV has the same ride and similar performance as the 48V, with a 36V battery (10-16 miles per charge) and a 250 watt motor. Perfectly suitable power and torque for most environments and a couple of pounds lighter 37lbs - 42lbs. with battery. Dual speed settings: Econo: 12 mph and Express: 16 mph. - motorcycle grade tires.



The Ride: Just step on, twist the throttle and **GO**. The athletic stance over three wheels allows for an extremely stable and ergonomic riding position. The patented Trikke cambering frame leans with you into the turns for high performance cornering. The dual rear brakes provide confidence while braking. Learn to propel by just carving turns for more fun and fitness benefits. Enjoy!

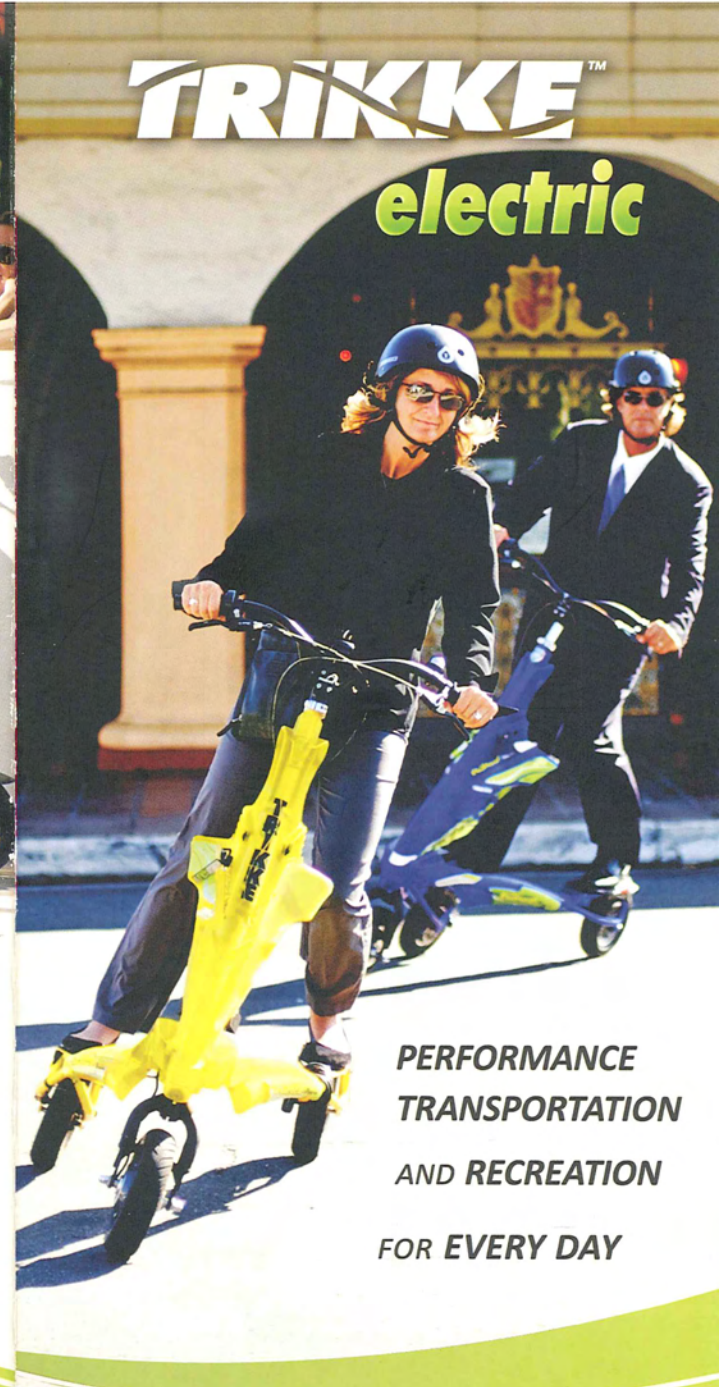


36v Lite

The **36v Lite** comes equipped with fitness tires that make it easier to propel using your body power. The 36V battery will get you 6 - 10 miles per charge. The motor is 180 watt. Weight 37lbs - 46lbs. with battery. Dual speed settings: Econo: 9 mph and Express: 13 mph.



trikke.com



TRIKKE™ electric

- ▶ POWERFUL FRONT WHEEL DRIVE HUB MOTOR.
- ▶ STABLE ACTIVE-RIDING PLATFORM.
- ▶ QUICK SWAP LITHIUM-ION PANASONIC BATTERY.
- ▶ DUAL REAR DISC BRAKES.
- ▶ COMPACT LIGHTWEIGHT FOLDING FRAME.

trikke.com/ev
Go for up to 24 miles on a single charge on 48v model and up to 16 miles on a 36v model. The 36vLite reaches up to 10 miles. Satisfying top speeds of 16 mph.

Compact folding frame
Easy to bring along so you can
Adventure more often

trikke.com/ev



**PERFORMANCE
TRANSPORTATION
AND RECREATION
FOR EVERY DAY**

*"...It's an enormous amount of fun."
Time Magazine*

Police UTV

Police UTV (Utility Vehicle) is an important member of the fleet. It is powered by a 100% electric proprietary battery. The Transport Pro can reach up to 40 miles per hour and has an approximate range of 80 miles.

Available as an option, ground clearance of 10.75 inches.

Standard with 2WD for on-road use. Lithium Ion (LFP) battery for longer drive times.

Transport Pro Utility Trucks

UTILITY TERRAIN VEHICLE

Transport Pro Utility Trucks are built for all the logistical needs of police/security and maintenance departments. These trucks come with dump beds with removable sides, so you can use them as flat beds too! Additionally, the 7' dump bed version comes with a built in electric hydraulic lift.

These UTV trucks can be customized to include cab enclosures, stronger motors for more power and larger battery propulsion systems for longer range.

All pertinent statistics and features are similar to the 5-seat Extended UTV.



Xtreme Green Transport Pro OPTIONS

Cab Enclosure Option - Upgrade to a full hard enclosure and heater

Power Steering Option - Available on all UTV versions.



Transport Pro Extended UTV

FIVE-SEATER with Manual Dump

The Transport Pro Extended 5 Seat UTV is the perfect vehicle for moving groups between key locations. The vehicles can also be converted so the back seat can be caged in for transporting prisoners or used as K-9 cages. As with all Xtreme Green vehicles, our plant in Nevada will build to your specific needs.

Features

- 5KW - 72 volt electric motor, larger motors available as an option
- 113.5 inches in length, wheelbase of 74.8 inches, ground clearance of 10.75 inches
- Standard with 4WD with easy electric switch to 2WD for on-road use
- State of the art, 100 amp hour, 72 volt lithium ion (LFP) battery propulsion system - larger amp hour systems for longer drive times available as an option
- All-wheel independent wishbone suspension
- Heavy duty shock absorbers
- 4-wheel hydraulic disc brakes
- 2000 lb Electric winch
- 2 inch heavy duty ball hitch receiver
- Headlights with standard and high beams
- Complete police lighting, PA and siren package
- Directional signals and hazard lights and side mirrors
- Key switch to turn motor on and total system off button
- Forward, Reverse and Safety Neutral switch
- Lithium Ion Battery System with proprietary Energy Management System (EMS). Long life batteries can be charged 2000+ times with no discernable deterioration in performance
- Built in 110/220v charger with range between charges up to 80 miles
- Speeds up to 40 MPH
- Climbing capacity of over 30 degree grade
- Net weight of 1024 pounds



Transport Pro Emergency Medical UTV

EMERGENCY MEDICAL UTV

The Emergency Medical UTV is an electric vehicle that can be used for picking up injured people at waterfronts, stadiums and arenas. As with all Xtreme Green vehicles, our plant in Nevada will build to your specific needs. The EMS can be up fitted with:

- larger amp hour systems
- All-wheel independent wishbone suspension
- Heavy duty shock absorbers
- 4-wheel hydraulic disc brakes
- 2000 lb Electric winch
- 2 inch heavy duty ball hitch receiver
- Headlights with standard and high beams
- Complete police lighting, PA and siren package
- Directional signals and hazard lights and side mirrors
- Key switch to turn motor on and total system off button
- Forward, Reverse and Safety Neutral switch
- Lithium Ion Battery System with proprietary Energy Management System (EMS). Long life batteries can be charged 2000+ times with no discernable deterioration in performance
- Chassis built with high strength steel
- Built in 110/220v charger with range between charges up to 80 miles
- Speeds up to 40 MPH
- Climbing capacity of over 30 degree grade
- Net weight of 1348 pounds
- Comes with Bimini enclosure



✦ ALL UTV MODELS & CONFIGURATIONS ARE AVAILABLE IN RIGHT-HAND DRIVE ✦

For more information, contact:

Xtreme Green Products, Inc.
www.xgpinc.com

sales@xgpinc.com
702-870-0700

