



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

(The City Council also serves as the LRA Board)  
City Hall North • Council Chambers

6707 Third Street • Suite B • Riverbank • CA • 95367

## AGENDA

**TUESDAY, FEBRUARY 25, 2020 – 6:00 P.M.**

(THE AGENDA PACKET IS POSTED AT THE CITY CLERK’S OFFICE AND AT [WWW.RIVERBANK.ORG](http://WWW.RIVERBANK.ORG))

- CALL TO ORDER:** Mayor/Chair Richard D. O’Brien
- FLAG SALUTE:** Mayor/Chair Richard D. O’Brien
- INVOCATION:** Riverbank Ministerial Association
- ROLL CALL:** Mayor/Chair Richard D. O’Brien  
Vice Mayor/Chair Luis Uribe (CM-D1)  
Council/Authority Member District 2 Cindy Fosi  
Council/Authority Member District 3 Cal Campbell  
Council/Authority Member District 4 Darlene Barber-Martinez

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

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

**1. PRESENTATIONS**            There are no presentations.

**2. PUBLIC COMMENTS (No Action Can Be Taken)**

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the City Council/LRA Board. Individual comments will be limited to a **maximum of 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 during the public comment period cannot be discussed or acted upon. For record purposes, state your name and City of residence. Please make your comments directly to the City Council/LRA Board.

### **3. CONSENT CALENDAR**

*All items listed on the Consent Calendar are to be acted upon by a single action of the City Council/LRA Board unless requested by an individual Council/Authority Member or member of the public for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by motion of the City Council/LRA Board.*

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

**Item 3.B:** Approval of the February 11, 2020, City Council and Local Redevelopment Authority Minutes.

**Recommendation:** It is recommended that City Council/LRA Board approve the Consent Calendar items by roll call vote.

**4. UNFINISHED BUSINESS** There are no items to consider.

### **5. PUBLIC HEARINGS**

The public notice for Item 5.1 and LRA Item 5.2 was published in the Riverbank News on 2/12/2020.

**Item 5.1:** **A Resolution Approving the Fiscal Year 2019-20 Mid-Year Budget Amendments** – It is recommended that the City Council consider approval of the Fiscal Year 2019-20 Mid-Year Budget Amendments.

**LRA Item 5.2:** **Request for Continuance: Resolution Approving the LRA Fiscal Year 2019-2020 Mid-Year Budget Amendments** – It is recommended that the City Council:

1. Opening the public hearing;
2. Receive comments;
3. Close the public hearing; and
4. By roll call vote, motion to continue the public hearing item to the regular City Council meeting of March 10, 2020.

### **6. NEW BUSINESS**

**Item 6.1:** **A Resolution Approving the CDBG Stanislaus County Urban County and HOME Consortium Five-Year Consolidated Plan Project Lists** – It is recommended that the City Council review the proposed Project Lists that will be provided to the CDBG Stanislaus County Urban County and HOME Consortium for the preparation of the Five-Year Consolidated Plan and adopt a Resolution of approval.

**Item 6.2:** **Authorization of a New Event and Use of City Facilities – Health Fair Spring 2020** – Consider approval of a new health fair event and associated use of City facilities for the event.

**Item 6.3:**     **Authorization of a Riverbank Summer Homeless Count** – Consider authorization for staff to move forward with coordination of a Summer Homeless Count for the City of Riverbank.

## **7. COMMENTS/REPORTS**

A brief report on notable attendance of a meeting or conference or other notable topics of City business shall be made. The Brown Act does not allow for discussion or action of items by the City Council during this time.

**Item 7.1:**     Staff

**Item 7.2:**     Council/Authority Member

**Item 7.3:**     Mayor/Chair

## **8. CLOSED SESSION**

The public will have a limit of 5 minutes to comment on Closed Session item(s) as set forth on the agenda prior to the City Council/LRA Board recessing to Closed Session.

**Item 8.1:**     **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8  
Property: 062-031-005, 062-031-006, 062-031-007  
Agency Negotiator: Sean Scully, City Manager  
Property Negotiator: Aemetis, Inc.  
Under Negotiation: Price, terms of payment, or both

**Item 8.2:**     **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Government Code § 54956.9: One (1) potential case

**Item 8.3:**     **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code § 54956.9(a)  
Name of Case: Stanislaus Consolidated Fire Protection District v. City of Riverbank and DOES 1-20  
Stanislaus County Superior Court Case No. CV-19-004402

## **9. REPORT FROM CLOSED SESSION**

**Item 9.1:**     Report from Closed Session on Item 8.1: **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** – Aemetis, Inc.

**Item 9.2:**     Report from Closed Session on Item 8.2 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** One (1) potential case

**Item 9.3:**     Report from Closed Session on Item 8.3: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:** Stanislaus Consolidated Fire Protection District v. City of Riverbank and DOES 1-20

**ADJOURNMENT** (The next regular City Council meeting – Tuesday, March 10<sup>th</sup> @ 6:pm)**UPCOMING EVENTS:**

State of the City Address March 5 <sup>th</sup> at 6:pm	<ul style="list-style-type: none"> <li>• <b><u>Presented by Honorable Mayor Richard D. O'Brien:</u></b> <ul style="list-style-type: none"> <li>○ Riverbank Community Center at 6:00 p.m.</li> <li>○ <b>RSVP by February 27, 2020</b></li> <li>○ For more information contact Norma Torres-Manriquez at (209) 863-7153 or email: nmanriquez@riverbank.org</li> </ul> </li> </ul>
2020 Canceled Regular City Council Meetings	<ul style="list-style-type: none"> <li>• <b><u>City Council voted to cancel the following regular meetings:</u></b> <ul style="list-style-type: none"> <li>○ July 14<sup>th</sup>, August 11<sup>th</sup>, November 24<sup>th</sup>, and December 22<sup>nd</sup></li> </ul> </li> </ul>

*The Mission of the City of Riverbank  
 is to provide high quality, professional services and a safe family-oriented community  
 for our diverse residents to thrive.*

### AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.

Posted this 20<sup>th</sup> day of February, 2020

**/s/ Annabelle H. Aguilar, CMC, City Clerk /LRA Recorder**

**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 or cityclerk@riverbank.org. Notification of (72) hours before the meeting will enable the City to make reasonable arrangements to ensure any special needs are met. [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 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.

<b>Meeting Schedule</b>	<p><u>Regular City Council Meetings:</u> 6:00 p.m. on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of every month, unless otherwise noticed.</p> <p><u>Local Redevelopment Authority Board:</u> (The City Council also serves as the LRA Board.) Meets on an "as needed" basis. The City Council also serves as the LRA Board.</p>
<b>City Council / LRA Agenda &amp; Reports</b>	<p>The City Council/LRA Board agenda is posted pursuant to the California Brown Act, which only requires these agenda title pages to be posted near the entrance of the location where the meeting is to be held and, when available, on the City's website. Additional documents may be provided by the City in its efforts of transparency to keep the public well informed. <b>The agenda packet (agenda plus supporting documents) are posted for public review at the City Clerk's Office, 6707 Third Street, Riverbank, CA and at <a href="http://www.riverbank.org">www.riverbank.org</a> upon distribution to a majority of the City Council/LRA Board.</b> A subscription to receive the agenda can be purchased for a nominal fee through the City Clerk's Office.</p>
<b>Public Hearings</b>	<p>In general, a public hearing is an open consideration within a regular meeting of the City Council/LRA Board, for which special notice has been given. During a specified portion of the hearing, any interested party is invited to present written or oral protests or support for the subject matter under consideration. Written testimony sent or delivered to the City Clerk must be received no later than <b>5:00 p.m. on the day of the meeting</b> to allow for distribution to the City Council/LRA Board. Preparations for the meeting are conducted between 5:00 p.m. and 6:00 p.m. and therefore the City Clerk is not available during this time.</p>
<b>Written Public Comments</b>	<p>Anyone wishing to provide written public comments may do so <u>prior to 5:00 p.m. of the day of the meeting</u> to allow for distribution to the City Council. Comments must specify what agenda item they are referring to. Comments will become part of the record, however, they will not be read aloud at the meeting.</p>
<b>Televised / Video of Meetings</b>	<ul style="list-style-type: none"> <li>• Charter – Channel 2</li> <li>• AT&amp;T Uverse – Channel 99</li> <li>• <a href="http://www.riverbank.org">www.riverbank.org</a> – video icon – under Agendas and Minutes link</li> </ul>
<b>City Hall Hours</b>	<p>City Hall is open Monday – Thursday; 7:30 am – 5:30 pm and Fridays: 8:00 am – 5:00 pm; CLOSED alternating Fridays</p>
<b>Questions</b>	<p>Contact the City Clerk at (209) 863-7122 or <a href="mailto:aaguilar@riverbank.org">aaguilar@riverbank.org</a></p>

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

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

**SECTION 3: CONSENT CALENDAR**

<b>Meeting Date:</b>	February 25, 2020
<b>Subject:</b>	Waiver of Readings
<b>From:</b>	Sean Scully, City Manager
<b>Submitted by:</b>	Annabelle Aguilar, CMC, City Clerk / LRA Recorder

**RECOMMENDATION**

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

**SUMMARY**

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

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

**FINANCIAL IMPACT**

There is no financial impact to this item.

**ATTACHMENTS**

There are no attachments to this report.

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

**SECTION 3: CONSENT CALENDAR**

<b>Meeting Date:</b>	February 25, 2020
<b>Subject:</b>	Approval of the February 11, 2020, City Council and Local Redevelopment Authority Minutes
<b>From:</b>	Sean Scully, City Manager
<b>Submitted by:</b>	Annabelle Aguilar, CMC, City Clerk / LRA Recorder

**RECOMMENDATION**

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

**SUMMARY**

The Draft Minutes of the February 11, 2020, regular City Council and the Local Redevelopment Authority Board meetings have been prepared for review and approval.

**FINANCIAL IMPACT**

There is no financial impact to this item.

**ATTACHMENT**

1. February 11, 2020, City Council and LRA Minutes



**City of Riverbank  
REGULAR CITY COUNCIL AND  
LOCAL REDEVELOPMENT AUTHORITY BOARD**  
(The City Council also serves as the LRA Board)

**MINUTES OF  
TUESDAY, FEBRUARY 11, 2020**

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

**CALL TO ORDER**

The City Council and Local Redevelopment Authority Board of the City of Riverbank met at 6:00 p.m. on this date at the Riverbank City Council Chambers, 6707 Third Street, Suite B, Riverbank, California, with Mayor/Chair Richard D. O'Brien presiding.

**FLAG SALUTE**

Mayor/Chair Richard D. O'Brien

**INVOCATION**

Reverend Charles Neal, Riverbank Ministerial Association

**ROLL CALL**

Present:

Mayor/Chair Richard D. O'Brien  
Vice Mayor/Chair (CM-D4) Luis Uribe  
Council/Authority Member District 2 Cindy Fosi  
Council/Authority Member District 3 Cal Campbell  
Council/Authority Member District 4 Darlene Barber-Martinez

**AGENDA CHANGES:** Mayor/Chair Richard D. O'Brien – *There were no changes.*

**CONFLICT OF INTEREST**

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

*No one declared a conflict.*

**1. PRESENTATIONS**

There were no presentations.

**2. PUBLIC COMMENTS (No Action Can Be Taken)**

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the City Council/LRA Board. Individual comments will be limited to a **maximum of 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 during the public comment period cannot be discussed or acted upon. For record purposes, state your name and City of residence. Please make your comments directly to the City Council/LRA Board.



*City of Riverbank, Public Works Director Michael Riddell explained the precautionary chlorination of the City's potable water.*

*Jose Dominguez with El Concilio, spoke in regards to the upcoming 2020 Census.*

*Leanne Jones Cruz, Riverbank, gave an update on the Downtown Business Coalition, and commented on the maintenance and possible expansion of the City's Dog.*

### **3. CONSENT CALENDAR**

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

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

**Item 3.B:** Approval of the January 28, 2020, City Council and Local Redevelopment Authority Board Minutes.

**Item 3.B-1:** Approval of the January 30, 2020, Special City Council Minutes.

**Item 3.C:** A **Resolution [No. 2020-005]** Authorizing the Execution of a Performance Agreement between the City of Riverbank and SS Consulting for the Coordination of the 2020 Cheese & Wine Festival.

**Item 3.D:** A **Resolution [No. 2020-006]** Authorizing the Mayor to Execute a Lease Agreement with SS Consulting for the Area in the City of Riverbank Associated with the Riverbank Cheese and Wine Festival.

**Recommendation:** It is recommended that City Council/LRA Board approve the Consent Calendar items by roll call vote.

*City Clerk Annabelle Aguilar announced that a correction would be made to Item 5.1 of the January 28, 2020, minutes to read, "Motion failed by City Council roll call vote."*

**ACTION:** *By motion moved and seconded (Uribe / Barber-Martinez / passed 5-0) to approve Consent Calendar Items 3.A through 3.D, with the stated amendment to Item 3.B, as presented; Motion carried by unanimous City Council and LRA Board roll call vote.*

*AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor/Chair O'Brien*

*NAYS: None / ABSENT: None / ABSTAINED: None*

#### **4. UNFINISHED BUSINESS**

**Item 4.1:** Second Reading by Title Only and Adoption of Proposed Ordinance No. 2020-002 Amending Title XI: Business Regulations by Adding a Chapter 126: Hemp Cultivation to the Riverbank Municipal Code to Prohibit the Outdoor Cultivation of Hemp – It is recommended that the City Council conduct the second reading by title only of proposed Ordinance No. 2020-002 and consider its adoption by roll call vote.

*City Manager Sean Scully presented the staff report.*

**ACTION:** *By motion moved and seconded (Barber-Martinez / Campbell / passed 5-0) to approve Amending Title XI: Business Regulations by Adding a Chapter 126: Hemp Cultivation to the Riverbank Municipal Code to Prohibit the Outdoor Cultivation of Hemp by adoption of Ordinance No. 2020-002 as presented.*  
*Motion carried by unanimous City Council roll call vote.*  
*AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien*  
*NAYS: None / ABSENT: None / ABSTAINED: None*

**Item 4.2:** Second Reading by Title Only and Adoption of Proposed Ordinance No. 2020-003 Amending Title XV: Land Usage; Chapter 150: Building Regulations; Section 150.01 through 150.16: Adoption of Standard Codes; and Adopting by Reference the 2019 California Administrative, Building, Residential, Electrical, Mechanical, Plumbing Energy, Existing Building, Historical Building, Fire, and Green Building to the City of Riverbank Code of Ordinances – It is recommended that the City Council conduct the second reading by title only of proposed Ordinance No. 2020-003 and consider its adoption by roll call vote.

*City Manager Sean Scully presented the staff report.*

**ACTION:** *By motion moved and seconded (Barber-Martinez / Uribe / passed 5-0) to approve Amending Title XV: Land Usage; Chapter 150: Building Regulations; Section 150.01 through 150.16: Adoption of Standard Codes; and Adopting by Reference the 2019 California Administrative, Building, Residential, Electrical, Mechanical, Plumbing Energy, Existing Building, Historical Building, Fire, and Green Building to the City of Riverbank Code of Ordinances by adoption of Ordinance No. 2020-003 as presented.*  
*Motion carried by unanimous City Council roll call vote.*  
*AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien*  
*NAYS: None / ABSENT: None / ABSTAINED: None*

#### **5. PUBLIC HEARINGS**

There were no items to consider.

## **6. NEW BUSINESS**

**LRA Item 6.1:**     **Local Redevelopment Authority (LRA) Budget Report Fiscal Year End 2018-2019** – It is recommended that the Local Redevelopment Authority Board of Directors receive and accept the fiscal year end 2018-19 LRA Budget Report.

*Assistant City Manager/Director of Finance Marisela Garcia presented the budget report. Chair O'Brien inquired about the OEA Grant funds and the security costs.*

**ACTION:**     *By motion moved and seconded (Barber-Martinez / Campbell / passed 5-0) to accept the fiscal year end 2018-19 LRA Budget Report as presented. Motion carried by unanimous LRA Authority Board roll call vote. AYES: Barber-Martinez, Campbell, Fosi, Uribe, and Chair O'Brien NAYS: None / ABSENT: None / ABSTAINED: None*

**Item 6.2:**     **Development Agreement (01-2017) Annual Review - Flavors. To Consider a City Manager's Report on an Annual Review of the Development Agreement for Flavors for the Time Period of January 1, 2019 to December 31, 2019** – Find the applicant(s) in compliance with the Development Agreement for calendar year 2019.

*City Manager Sean Scully presented the staff report on the second annual review in the absence of Planning and Building Manager Donna Kenney.*

*Public comment: John Dinan, Riverbank, inquired about the time frame of the public benefit amount the City received.*

**ACTION:**     *By motion moved and seconded (Uribe / Campbell / passed 5-0) to find the applicant(s) in compliance with the Development Agreement for calendar year 2019 as presented. Motion carried by unanimous City Council roll call vote. Ayes: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien Nays: None / Absent: None / Abstained: None*

**Item 6.3:**     **Development Agreement (02-2017) Annual Review – Riverbank Cannabis Collective. To Consider a City Manager's Report on an Annual Review of the Development Agreement for Riverbank Cannabis Collective for the Time Period of January 1, 2019 to December 31, 2019** – Find the applicant(s) in compliance with the Development Agreement for calendar year 2019.

*City Manager Sean Scully presented the staff report in the absence of Planning and Building Manager Donna Kenney on the first annual review. Mayor O'Brien inquired about the public benefit amounts received. Vice Mayor Uribe inquired about the determination of the gross receipts percentage.*

**ACTION:** *By motion moved and seconded (Uribe / Barber-Martinez / passed 5-0) to find the applicant(s) in compliance with the Development Agreement for calendar year 2019 as presented.*  
*Motion carried by unanimous City Council roll call vote.*  
*Ayes: Barber-Martinez, Campbell, Fosi, Uribe, and Mayor O'Brien*  
*Nays: None / Absent: None / Abstained: None*

**Item 6.4:** **Space Use and Needs Assessment Project Update** – It is recommended that City Council receive a presentation from Indigo Hammond + Playle Architects, LLP regarding the Space Use and Needs Assessment and provide feedback to staff regarding possible alternatives moving forward.

*Assistant City Manager/Director of Finance Marisela Garcia introduced Mr. John Hammond of Indigo + Playle Architects, LLP, who presented the report.*  
*City Council, Staff, and Mr. Hammond discussed the assessment and recommendations.*

*The City Manager and Assistant City Manager/Director of Finance will return with a couple of parallel paths with costs associated, how the City could achieve what's proposed, and Council could provide approval of what path to follow so that financially the City could begin the work. Direction is also to expand the unitary concept by two undetermined departments, look to long-term 2050, return with concepts of funding strategies for the most expensive project, develop ideas of how to incorporate other facilities that the City already owns, consider parking, and security issues.*

## **7 COMMENTS/REPORTS**

A brief report on attendance of a meeting or conference or other notable topics of business shall be made. The Brown Act does not allow for discussion or action by the City Council.

**Item 7.1:** Staff

- *City Manager Sean Scully: 1) announced that the Cannery property for industrial cannabis use is under negotiations, and may be ready for Council's consideration in the first meeting in March; 2) executed a new lease with a new Tenant at the LRA [Riverbank Industrial Park] that will be providing jobs; 3) staff was able to secure a GMAC grant funding for the highway 108 Crosswalk Project; 4) staff, Mayor O'Brien, and Councilmember Cal Campbell, met with Caltrans Director Dan McElhinney who helped the City get the crosswalk approvals for highway 108, also agreed to work on shortening the construction project timeline currently on highway 108, and Caltrans will be moving forward with a design for a signal at Claus and 108; and 5) staff is working on (3) affordable housing projects.*

**Item 7.2:** Council/Authority Member

- *Council/Authority Member Fosi commented on the new crosswalk traffic signals around the new General Dollar store.*

- *Council/Authority Member Campbell announced the “I Love Riverbank” event and a volunteer meeting.*
- *Council/Authority Member Barber-Martinez announced that the month of February is take your child to the Library.*
- *Vice Mayor/Chair Uribe announced the Riverbank Downtown Coalition meeting, and Stanislaus Homeless Alliance meeting.*

**Item 7.3:** Mayor/Chair

*Mayor/Chair O’Brien: 1) commented on the FOST (Finding of Suitability to Transfer) process for the Army Ammunition Plant property transfer, 2) requested preliminary recommendations on the water for his meeting with USEPA for a regional project with Escalon and Oakdale, and 3) requested a more detailed plan for his meeting with HUD on affordable housing.*

**8. CLOSED SESSION**

The public will have a limit of 5 minutes to comment on Closed Session item(s) as set forth on the agenda prior to the City Council/LRA Board recessing into Closed Session.

**Item 8.1:** CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8  
 Property: 062-031-005, 062-031-006, 062-031-007  
 Agency Negotiator: Sean Scully, City Manager  
 Property Negotiator: Aemetis, Inc.

Under Negotiation: Price, terms of payment, or both

**Item 8.2:** CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code § 54956.9: One (1) potential case

**Item 8.3:** CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code § 54956.9(a)  
 Name of Case: Stanislaus Consolidated Fire Protection District v. City of Riverbank and DOES 1-20  
 Stanislaus County Superior Court Case No. CV-19-004402

*Mayor/Chair O’Brien announced the Closed Session Item(s) and opened the Item(s) for public comment; no one spoke. The meetings were recessed and City Council went into Closed Session at 7:46 p.m.*

**9. REPORT FROM CLOSED SESSION**

*Mayor/Chair O’Brien reconvened the meetings at 7:59 p.m.*

**Item 9.1:** Report from Closed Session on Item 8.1: CONFERENCE WITH REAL PROPERTY NEGOTIATIONS – Aemetis, Inc.

*Mayor/Chair O'Brien reported that direction was provided to staff.*

**Item 9.2:** Report from Closed Session on Item 8.2 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** One (1) potential case

*Mayor O'Brien reported that direction was provided to staff.*

**Item 9.3:** Report from Closed Session on Item 8.3: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:** Stanislaus Consolidated Fire Protection District v. City of Riverbank and DOES 1-20

*Mayor O'Brien reported that direction was provided to staff.*

### **ADJOURNMENT**

There being no further business, Mayor/Chair O'Brien adjourned the meetings at 8:00 p.m.

**ATTEST:** (*Adopted 2/25/2020*)

**APPROVED:**

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**Annabelle H. Aguilar, CMC**  
City Clerk / LRA Recorder

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**Richard D. O'Brien**  
Mayor / Chair

# RIVERBANK CITY COUNCIL AGENDA ITEM NO. 5.1

## SECTION 5: PUBLIC HEARING

<b>Meeting Date:</b>	February 25, 2020
<b>Subject:</b>	A <b>Resolution</b> Approving the Fiscal Year 2019-20 Mid-Year Budget Amendments
<b>From:</b>	Sean Scully, City Manager
<b>Submitted by:</b>	Marisela H. Garcia, Assistant City Manager/Director of Finance

### **RECOMMENDATION**

It is recommended that the City Council consider approval of the Fiscal Year 2019-20 Mid-Year Budget Amendments.

### **SUMMARY**

The Finance Department has performed a mid-year review of the Fiscal Year 2019-20 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, 2019 the City Council was presented with the FY 2019-20 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 \$434,200 and was projected to end with a reserve of \$2,710,800 or 27%. The General Funds Operating Budget included approximately \$327,200 in one-time funding for projects such as the Community Center Kitchen Remodel, Community Gym Improvements, and replacement vehicles.

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 to 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 **\$39,800**. Significant adjustments were made to the following revenue sources:

<b>Account</b>	<b>Adjustment</b>	<b>Reasoning</b>
Property Tax in Lieu of VLF	<b>-\$24,400</b>	Decrease based on actual projections by the State.
Vehicle Code Fines	<b>-\$10,000</b>	Decrease in vehicle code violations collected
Measure L Salary Reimbursement	<b>+\$15,000</b>	Reimbursement for project administration on Measure L Projects
Transfers In of Management Fee	<b>+\$47,200</b>	Increase in Management Fees to offset LRA oversight and offset for conversion of part-time Finance position to full-time.

***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 expenditures as well as spending trends. This mid-year evaluation (review) has resulted in a recommended net increase in expenditures for the General Fund of **\$128,500**.

Major expenditure adjustments are being recommended for the following departments:

<b>Department</b>	<b>Adjustment</b>	<b>Reasoning</b>
City Council	<b>+\$3,500</b>	Additional funds for travel to Conferences and League Policy Committee Meetings
Finance Department	<b>+\$40,000</b>	Conversion of Part-Time position to Full-Time position
Building	<b>+\$5,000</b>	Increase in contract fees for backup Building Inspector
Building Maintenance	<b>+\$5,900</b>	Increase in Communication Fees for AT&T and TPX (VOIP)



Administrative Services	+\$5,800	Increase due to required ADA enhancements to the City's Website (Audio)
Police Services	-\$6,800	Savings from advance payment of PERS Unfunded Accrued Liability for Safety
Animal & Code Compliance	-\$10,000	Decrease in subsidy to Neighborhood Improvement due to Firework Citation Revenues
Storm Water Administration	+\$34,000	Funds for storm drain repairs and equipment rental
Parks	+\$40,000	Vehicle Replacement – Aging Fleet

With the approved amendments, the General Fund is anticipated to end this fiscal year with a reserve of 28% or \$2,824,159. An adjustment of +\$226,400 has been reflected to the General Fund's Beginning Reserve.

<b>Beginning Reserve Amended 07/1/2019</b>	<b>\$3,371,400</b>
Amended Revenues	\$10,028,800
Amended Expenditures	\$10,606,041
<b>Anticipated Ending Reserve 06/30/2020</b>	<b>\$2,794,159 (28%)</b>
<b>Structural Deficit</b>	<b>\$577,241</b>
<b>One-Time Capital Expenses</b>	<b>\$390,541</b>
<b>On-Going Structural Deficit</b>	<b>\$186,700</b>

**General Fund Analysis**

One important factor to remember is that the City continues to have unfunded positions due to the lack of sufficient on-going revenues. This is particularly the case in the Sheriff's Department. 2 previously funded positions remain vacant, while the City's goal of 1 deputy per 1,000 residents reflects that there are 6 positions that remain to be funded. The City will be funding one new Deputy Sheriff position with the use of Public Benefit Funds.

The City must also take into consideration the continued increase in expenditures, particularly the CalPERS Unfunded Liability which is projected to increase by almost \$2 million by 2026.

Staff continues to recommend that the City Council consider appropriating a portion of the reserve to mitigate the impact of future expenditures (i.e. unfunded liability or capital needs).

**New Position Request**

The General Fund budget includes the proposal to convert a part-time Finance Department position to a full-time Account Clerk position. This new full-time position is anticipated to assist with the increased load work due to the re-instatement of

consumption billing in March 2020 and due to the new SB 998 Policy which will require the City to increase its ability to provide for payment plans due to the State’s adoption of SB 998. SB 998 requires that prior to a city terminating services for water & sewer delinquencies, those residents who are considered low-income and who require these services due to a medical condition of a household member be offered the opportunity to establish a payment plan. This will require additional staff time setting up the payment plan, tracking to ensure that the residents are making timely payments, and coordinating turn-offs in the case that payments plans are not adhered to.

**Gas Tax Fund (Fund 102)**

The Gas Tax Fund receives revenues from a variety of Highway User Taxes collected from the State of California via vehicle fuel purchases. Revenues may only be used to fund Street & Roads related maintenance and project expenses.

Revised revenue projections for the City’s Gas Tax Revenues have been received from the State of California. Increases are based on the increase in fuel prices experienced and the annual inflationary adjustment to all per-gallon fuel excise taxes. This will result in an additional \$80,000 being received by the City in SB1 Funding for projects.

Expenditures remain steady for the Gas Tax Account which funds important services such as street maintenance repairs, street sweeping, and street light utilities. Expenditure increases are recommended in the Gas Tax Fund due to additional street striping and signage required throughout the city.

An adjustment of **+\$7,200** will be made to the beginning reserve as of July 1, 2019. This adjustment is due to the receipt of Gas Tax Revenues over and above those expended. The Gas Tax Fund reserve as of June 30, 2020 will be as follows:

<b>Beginning Reserve Amended 07/1/2019</b>	<b>\$380,900</b>
Amended Revenues	\$1,318,800
Amended Expenditures	\$1,153,800
<b>Anticipated Ending Reserve 06/30/2020</b>	<b>\$545,200 (41%)</b>

**Sewer Fund (Fund 106)**

The Sewer Fund is a business-type account that has been established to fund the necessary maintenance and improvements of the sewer collection and sewer treatment systems. Revenues are received through user fees from residential, commercial, and industrial entities and may only be used for sewer-related expenditures. The City Council adopted five-year rate increases which went into effect as of November 21, 2015 and has provided funding for operations as well as capital upgrades to our sewer service lines and wastewater treatment facility. The last increase went into effect on July 1, 2019.

The Sewer Fund beginning reserve projection is being amended from \$2,781,800 to \$2,883,700 or 64%. A significant portion of this reserve is related to Sewer Collection improvements that will be made in FY 2020-21 as detailed in the 2015 Rate Study.

Overall, the Sewer Fund is anticipated to end with a reserve of 70% providing funds for future projects and addressing deferred maintenance. Future years are anticipated to continue reflecting a structurally balanced budget. Future capital improvements arising from the Smoke Test Study may need to be addressed through the consideration of future rate increases.

Unfortunately, the Air Resources Control Board has deemed that the City's one and only dump truck is no longer suitable to be driven on city streets due to new emission standards. The City is exploring funding options for the purchase of a new dump truck which is shared amongst all of the departments. Until such time, the Public Works division will be leasing a dump truck with the Sewer Fund portion estimated at \$9,000.

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

<b>Beginning Reserve Amended 07/1/2019</b>	<b>\$2,883,700</b>
Estimated Revenues	\$4,464,600
Estimated Expenditures	\$4,431,540
<b>Anticipated Ending Reserve 06/30/2020</b>	<b>\$2,916,760 (65%)</b>

**Water Fund (Fund 114)**

The Water Fund is a business-type account that has been established to fund the necessary maintenance and improvements of the water distribution system. Revenues are received through user fees from residential, commercial, and industrial entities and may only be used for water-related expenditures.

The Fiscal Year 2019-20 beginning reserve is being adjusted to \$1,753,700, which reflects a decrease of \$29,100, as of July 1, 2019.

Overall, the Water Fund is anticipated to end with a reserve of 65% providing funds for future projects and addressing deferred maintenance. For this Fiscal Year the Water Fund continues to run a structural deficit. The billing of water consumption will begin this year in March 2020. It is anticipated that future years should reflect a structurally balanced budget with the additional revenues to be received from the revenues received from consumption billing. Other than the Water Meter Project, the City has been unable to perform any other Capital Improvement Projects listed in the adopted Five-Year Rate Study due to the postponement of consumption billing. The City will need to address funding for these projects in a future rate study.

In summary, the Water Fund is anticipated to end the 2019-20 fiscal year as follows:

<b>Beginning Reserve Amended 07/1/2019</b>	<b>\$1,753,700</b>
Estimated Revenues	\$2,219,900
Estimated Expenditures	\$2,577,400
<b>Anticipated Ending Reserve 06/30/2020</b>	<b>\$1,396,200 (63%)</b>

## **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**

<b>Fund</b>	<b>Net Revenue Adjustment</b>	<b>Net Expenditure Adjustment</b>
General Fund	+\$39,800	+\$128,500
Gas Tax Fund	+\$80,000	+\$17,000
Sewer Fund	\$0	+\$9,500
LTF	+\$5,500	\$0
Water Fund	\$0	+\$9,000
Neighborhood Improvement Fund	\$0	+\$300
Fleet Services Fund	+\$10,000	+\$10,000
Vehicle Tow Fund	\$0	+\$33,000
Parks Grant Fund	+\$2,400	\$0
Recreation Fund	+\$6,000	+\$6,000
Weed Abatement Fund	+\$1,100	\$0
Workers' Comp Liability Fund	+\$83,900	\$0
General Liability Fund	+\$30,000	\$0
CDBG Fund	+\$9,500	\$0
Assessment District #1991-1	+\$300	\$0
Facility Improvement Fund	\$0	+\$2,400
SDF Streets/PW	+\$6,200	\$0
SDF Storm Drainage	+\$40,000	\$0
SDF Parks	+\$20,000	\$0
SDF Police & General Gov't	\$0	\$0
Public Benefit Fund	+\$73,500	\$0

## **STRATEGIC PLAN**

On February 25, 2019, the City Council established a Strategic Plan Goal to “Ensure the City’s Continued Financial Stability”. This report addresses this matter.

## **ATTACHMENT**

1. Resolution
2. Exhibit A: FY 2019-20 Mid-Year Budget Adjustments

**CITY OF RIVERBANK**

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,  
CALIFORNIA, APPROVING THE FISCAL YEAR 2019-2020 MID YEAR BUDGET  
ADMENDMENTS**

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**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 to 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 2019-2020 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 hereto as **Exhibit A: FY 2019-2020 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 25<sup>th</sup> day of February, 2020; motioned by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and upon roll call was carried by the following vote of \_\_\_\_:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAINED:**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**Annabelle Aguilar, CMC**  
City Clerk

\_\_\_\_\_  
**Richard D. O'Brien**  
Mayor

**Attachments: Exhibit A – Mid Year Budget Adjustments**

**EXHIBIT A: FY 2019-20 Mid-Year Budget Adjustments**

Fund	Account	Account Name	Amendment Justification	Amendment	Budget	
					Original	Amended
<b>101: General Fund</b>						
<b>Revenues</b>	101-000.000-400.020	Property Tax Current Unsecured	Increase in revenues based on County projections	600	72,400	73,000
	101-000.000-400.040	Property Tax Prior Unsecured	Increase in revenues based on County projections	300	0	300
	101-000.000-400.190	Property Tax in Lieu of VLF	Decrease in revenues based on revised projections	(24,400)	2,081,300	2,056,900
	101-000.000-600.010	Police Services	Increase in revenues for services offered	100	500	600
	101-000.000-600.090	Plan Check Fees	Increase in plan check services for building permits	5,000	30,000	35,000
	101-000.000-600.100	Planning & Zoning Fees	Increase in Site Plan Reviews and Use Permits	6,000	10,000	16,000
	101-000.000-600.160	Misc Current Services	Increase in services offered (Notary Fees)	100	100	200
	101-000.000-600.170	Vehicle Code Fines	Decrease in vehicle code violations issued by Police Services	(10,000)	55,000	45,000
	101-000.000-600.200	Measure L Salary Reimb.	Increase in Salary Reimbursements for Measure L projects	15,000	0	15,000
	101-000.000-675.050	AB939 Reimbursement	Decrease in reimbursement for recycling efforts	(100)	100	0
	101-000.000-699.000	Transfers In of Management Fee	Increase in Management Fee from LRA, offset for conversion of part-time Finance position to full-time	47,200	1,643,000	1,690,200
		<b>Net General Fund Revenue Adjustments</b>		<b>39,800</b>	<b>\$9,989,000</b>	<b>\$10,028,800</b>

**General Fund Expenditure Amendments**

<b>City Council</b>	101-401.000-703.024	Postage	Increase in postage for mailings	100	0	100
	101-401.000-703.025	Office Expense	Increase in supplies for the City Council	1,000	2,800	3,800
	101-401.000-706.037	Conferences & Meetings	Additional funds for travel to Conferences and League Policy Committee Meetings	3,500	11,500	15,000
						0
<b>Finance</b>	101-403.000-701.080	Salary Request	Salary & Benefits for conversion of part-time position to full-time position	40,000	0	40,000
<b>Planning</b>	101-405.000-703.024	Postage	Increase in postage for public notice mailings	500	1,000	1,500
	101-405.000-708.007	Payroll Taxes	Increase in payroll taxes for new employees	300	1,200	1,500
<b>Building</b>	101-406.000-701.001	Personnel Regular	Transfer of Salary Request Funds to correct account - New Position Approved	10,100	163,000	173,100
	101-406.000-701.080	Salary Request	Transfer of Salary Request Funds to correct account - New Position Approved	(10,100)	10,100	0
	101-406.000-702.032	Professional/Special Services	Increase in fees for backup Building Inspector contract	5,000	10,000	15,000

**EXHIBIT A: FY 2019-20 Mid-Year Budget Adjustments**

Fund	Account	Account Name	Amendment Justification	Amendment	Budget	
					Original	Amended
<b>Building</b>	101-406.000-703.025	Office Expense	Increase in supplies for building division	500	1,500	2,000
	101-406.000-706.027	Boot & Jacket Allowance	To reflect allotment allowed per negotiated labor contracts	100	300	400
	101-406.000-707.002	Capital Expenditures	Savings from vehicle purchase	(2,000)	60,000	58,000
	101-406.000-708.012	Deferred Compensation	Employer match to deferred comp. program as per negotiated labor contracts	1,500	0	1,500
<b>Building Maintenance</b>	101-407.000-704.022	Communications	Increase in communications fees from AT&T and TPX (VOIP) Services	5,900	24,100	30,000
<b>Administrative Services</b>	101-408.000-701.001	Personnel Regular	Transfer of Salary Request Funds to correct account - New Salary Range Approved	10,000	302,400	312,400
	101-408.000-701.080	Salary Request	Transfer of Salary Request Funds to correct account - New Salary Range Approved	(10,000)	10,000	0
	101-408.000-702.031	Rents & Leases	Increase in copier fees	2,000	6,000	8,000
	101-408.000-706.037	Conferences & Meetings	Increase in conferences & meetings for additional HR trainings	2,000	4,000	6,000
	101-408.000-706.047	Website	Increase due to required ADA enhancements to the website	5,800	5,700	11,500
	101-408.000-707.017	Computer Components	Roll over of savings from prior fiscal year for computer replacement program	1,500	4,000	5,500
<b>Police Services</b>	101-409.000-708.006	PERS Retirement	Savings from advance payment of Unfunded Accrued Liability payment for Safety	(6,800)	58,400	51,600
<b>Animal &amp; Code Compliance</b>	101-411.000-999.000	Transfers Out	Decrease in Subsidy for Neighborhood Improvement due to Firework Citation Revenues	(10,000)	96,700	86,700
<b>Storm Water Administration</b>	101-413.000-702.030	Maint. Of Operations Equip.	Repairs to Safreno Park Storm Drain	15,000	20,000	35,000
	101-413.000-702.031	Rents & Leases	Equipment lease for storm drain repairs	19,000	0	19,000
	101-413.000-702.032	Professional/Special Services	Reclass of Delta Regional Monitoring Annual Fee to correct account	(10,300)	21,300	11,000
	101-413.000-704.021	Utilities	Increase in utilities for Hwy 108 Fountain	1,500	8,500	10,000
	101-413.000-706.056	State/County Fees	Reclass of Delta Regional Monitoring Annual Fee to correct account	10,300	10,800	21,100
<b>Parks</b>	101-414.000-701.001	Personnel Regular	Transfer of Salary Request Funds to correct account - Salary Range Adj. Approved	2,400	223,200	225,600
	101-414.000-701.002	Personnel Part-Time	Savings transferred to Recreation Fund for Junior Giants Program	(5,000)	40,900	35,900

**EXHIBIT A: FY 2019-20 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>
<b>Parks</b>	101-414.000-701.080	Salary Request	Transfer of Salary Request Funds to correct account - Salary Range Adj. Approved	(2,400)	2,400	0
	101-414.000-706.056	State/County Fee	Increase in fire assessment	100	3,600	3,700
	101-414.000-707.002	Capital Expenditures	Parks - Replacement Vehicle	40,000	10,700	50,700
	101-414.000-707.002	Capital Expenditures	Additional Funds for Safe Tree Cut	1,000	50,700	51,700
<b>Recreation Subsidy</b>	101-459.000-999.000	Transfers Out	Increase in Subsidy to Recreation Fund for Conferences and Trainings	6,000	474,100	480,100

**Net General Fund Expenditure Adjustments**

**\$128,500    \$10,477,541    \$10,606,041**

**Net General Fund Revenue Adjustments**

**\$39,800**

**Net General Fund Expenditure Adjustments**

**\$128,500**

**Net Effect to the General Fund Reserve**

**(\$88,700)**



**EXHIBIT A: FY 2019-20 Mid-Year Budget Adjustments**

Fund	Account	Account Name	Amendment Justification	Amendment	Budget	
					Original	Amended
<b>102: Gas Tax Fund</b>						
<b>Revenues</b>	102-000.000-600.050	SB1-RMRA Revenue	Increase in revenues based on revised State projections	80,000	373,400	453,400
				<b>80,000</b>		0
<b>Expenditures</b>	102-418.000-702.036	Street Sweeping Contract	CPI increase in contract with Gilton for Street Sweeping	2,000	92,000	94,000
	102-418.000-703.062	Street Signs/Striping	Additional funds for street striping projects and new city street signs	15,000	56,000	71,000
		<b>Net Gas Tax Fund Expenditure Adjustments</b>		<b>17,000</b>		17,000
<b>106: Sewer Fund</b>						
<b>Expenditures</b>						
<b>Sewer Collection</b>	106-423.000-701.001	Personnel Regular	Transfer of Salary Request Funds to correct account - Promotion Approved	3,300	89,100	92,400
	106-423.000-701.080	Salary Request	Transfer of Salary Request Funds to correct account - Promotion Approved	(3,300)	3,300	0
	106-423.000-702.031	Rents & Leases	Equipment lease for sewer repairs	9,000	30,000	39,000
<b>Sewer Treatment (WWTP)</b>	106-424.000-704.022	Communications	Increase in Communication expenses - new internet provider	500	1,200	1,700
		<b>Net Sewer Fund Expenditure Adjustments</b>		<b>9,500</b>		
<b>111: Local Transportation Fund (LTF)</b>						
<b>Revenues</b>	111-000.000-664.000	Interest Income	Increase in investment earnings	5,500	0	5,500
		<b>Net LTF Fund Revenue Adjustments</b>		<b>5,500</b>		
<b>114: Water Fund</b>						
<b>Expenditures</b>	114-433.000-702.031	Rents & Leases	Equipment lease for water repairs	9,000	22,000	31,000
		<b>Net Water Fund Expenditure Adjustments</b>		<b>9,000</b>		

**EXHIBIT A: FY 2019-20 Mid-Year Budget Adjustments**

Fund	Account	Account Name	Amendment Justification	Amendment	Budget	
					Original	Amended
<b>117: Neighborhood Improvement Fund</b>						
<b>Revenues</b>	117-000.000-655.000	Fines, Forfeitures, Penalties	Firework Citation Revenues	10,000	2,500	12,500
	117-000.000-699.000	Transfers In	Decrease in Subsidy for Neighborhood Improvement due to Firework Citation Revenues	(10,000)	96,700	86,700
<b>Expenditures</b>	117-411.000-708.008	Health Dental Vision Insurance	Correction to budgeted dental insurance	300	1,500	1,800
		<b>Net Neighborhood Improvement Fund Adjustments</b>		<b>300</b>		
<b>119: Fleet Services Fund</b>						0
						0
<b>Revenues</b>	119-000.000-675.120	Vehicle & Equipment Rental	Increase in fee reimbursement from other funds due to fuel costs	10,000	125,000	135,000
<b>Expenditures</b>	119-442.000-705.041	Vehicle Fuel	Increase in fueling costs for city vehicles	10,000	70,000	80,000
						0
		<b>Net Fleet Services Fund Adjustments</b>		<b>20,000</b>		<b>20,000</b>
<b>126: Vehicle Tow Fund</b>						
<b>Expenditures</b>	126-449.000-707.003	Equipment/Projects	Replacement of aging motorcycle for Traffic Unit	33,300	0	33,300
		<b>Net Vehicle Tow Fund Adjustments</b>		<b>33,300</b>		
<b>129: Parks Grant Fund</b>						
<b>Revenues</b>	129-000.000-699.000	Transfers In	Reimbursement for Community Center Remodel Project	2,400	0	2,400
		<b>Net Parks Grant Fund Adjustments</b>		<b>2,400</b>		
<b>134: Recreation Fund</b>						
<b>Revenues</b>	134-000.000-699.000	Transfers In	Increase in Subsidy to Recreation Fund for Conferences and Trainings	6,000	459,100	465,100
		<b>Net Recreation Fund Revenue Adjustments</b>		<b>6,000</b>		
<b>Expenditures</b>	134-459.000-706.037	Conferences & Meetings	Increase in Conferences and Trainings for attendance to CPRS conference	1,000	3,000	4,000
	134-459.000-701.002	Personnel Part-Time	Savings transferred to Recreation Fund for Junior Giants Program	5,000	100,800	105,800
		<b>Net Recreation Fund Expenditure Adjustments</b>		<b>6,000</b>		

**EXHIBIT A: FY 2019-20 Mid-Year Budget Adjustments**

Fund	Account	Account Name	Amendment Justification	Amendment	Budget	
					Original	Amended
<b>132: Weed Abatement Fund</b>						
Revenues	132-000.000-664.000	Interest Income	Increase in investment earnings	1,100	0	1,100
<b>Net Weed Abatement Fund Revenue Adjustments</b>				<b>1,100</b>		
<b>137: Workers Comp Liability Fund</b>						
Revenues	137-000.000-664.000	Interest Income	Increase in investment earnings	2,500	0	2,500
	137-000.000-675.445	Premium Rebate	Rebate from Risk Management for savings in prior fiscal years	81,400	0	81,400
<b>Net Workers Comp Liability Fund Adjustments</b>				<b>83,900</b>		
<b>138: General Liability Fund</b>						
Revenues	138-000.000-675.445	Premium Rebate	Rebate from Risk Management for savings in prior fiscal years	30,000	0	30,000
<b>Net General Liability Fund Adjustments</b>				<b>30,000</b>		
<b>153: CDBG Fund</b>						
Revenues	153-000.000-664.000	Interest Income	Interest received from Loan Payoff	9,500	3,000	12,500
<b>Net CDBG Program Income Fund Adjustments</b>				<b>9,500</b>		
<b>156: Assessment District #1991-1</b>						
Revenues	156-000.000-664.000	Interest Income	Increase in investment earnings	300	0	300
<b>Net Assessment District Revenue Adjustments</b>				<b>300</b>		
<b>180: Facility Improvement Fund</b>						
Expenditures	180-441.000-999.000	Transfers Out	Reimbursement for Community Center Remodel Project	2,400	0	2,400
<b>Net Facility Improvement Fund Adjustments</b>				<b>2,400</b>		<b>2,400</b>
<b>205: Sys Dev Fees-Streets/PW</b>						
Revenues	205-000.000-675.330	Developer Fees	Developer fees received for building permits issued	6,200	0	6,200
<b>Net SDF Streets/PW Fund Adjustments</b>				<b>6,200</b>		

**EXHIBIT A: FY 2019-20 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>
<b>208: Sys Dev Fees-Storm Drainage</b>						
<b>Revenues</b>	208-000.000-675.330	Developer Fees	Developer fees received for building permits issued	40,000	50,000	90,000
	<b>Net SDF Storm Drainage Fund Adjustments</b>			<b>40,000</b>		
<b>209: Sys Dev Fees-Parks</b>						
<b>Revenues</b>	209-000.000-675.330	Developer Fees	Developer fees received for building permits issued	20,000	40,000	60,000
	<b>Net SDF Parks Fund Adjustments</b>			<b>20,000</b>		
<b>210: Sys Dev Fees-Police &amp; General Government</b>						
<b>Expenditures</b>	210-467.000-702.032	Professional/Special Services	Reclassification of Spatial Analysis Contract fees budgeted to correct account	110,600	0	110,600
	210-467.000-707.002	Capital Expenditures	Reclassification of Spatial Analysis Contract fees budgeted to correct account	(110,600)	130,600	20,000
	<b>Net SDF Police &amp; General Govt Fund Adjustments</b>			<b>0</b>		
<b>230: Public Benefit Fee Fund</b>						
<b>Revenues</b>	230-000.000-600.150	Riverbank Cannabis Collective	Revenue received from RCC as per Development Agreement	73,500	0	73,500
	<b>Net Public Benefit Fund Adjustments</b>			<b>73,500</b>		

**RIVERBANK LOCAL REDEVELOPMENT AUTHORITY  
AGENDA ITEM NO. 5.2**

**SECTION 5: PUBLIC HEARING**

<b>Meeting Date:</b>	February 25, 2020
<b>Subject:</b>	<b>Request for Continuance:</b> Resolution Approving the LRA Fiscal Year 2019-2020 Mid-Year Budget Amendments
<b>From:</b>	Sean Scully, City Manager
<b>Submitted by:</b>	Melissa Holdaway, Administrative Analyst II

**RECOMMENDATION**

It is recommended that the Local Redevelopment Authority (“LRA”) Board of Directors (“Board”) consider continuing this item to the March 10<sup>th</sup> 2020 City Council meeting date.

**SUMMARY**

The LRA has performed a mid-year review of the Fiscal Year 2019/2020 budget and is recommending amendments based on revenue and expenditure trends the first half of this budget year. However, in recent weeks the LRA has been successful in signing a number of significant leases for industrial space which will significantly change some of the ongoing projections for revenue, therefore staff is requesting an additional two weeks to update revenue assumptions for a more complete midyear budget adjustment.

**ATTACHMENTS:**

None

# RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.1

## SECTION 6: NEW BUSINESS

<b>Meeting Date:</b>	February 25, 2020
<b>Subject:</b>	A <b>Resolution</b> Approving the CDBG Stanislaus County Urban County and HOME Consortium Five-Year Consolidated Plan Project Lists
<b>From:</b>	Sean Scully, City Manager
<b>Submitted by:</b>	Marisela H. Garcia, Assistant City Manager

### **RECOMMENDATION**

It is recommended that the City Council review the proposed Project Lists that will be provided to the CDBG Stanislaus County Urban County and HOME Consortium for the preparation of the Five-Year Consolidated Plan and adopt a Resolution of approval.

### **SUMMARY**

In June 2019, the City became part of the Stanislaus County Urban County (“Urban County”) and HOME Consortium for a direct allocation of Community Development Block Grant (CDBG) and HOME Investment Partnership funding from the federal Department of Housing and Urban Development (HUD). Every five years the Urban County and HOME Consortium (managed by the City of Turlock) are required to prepare a Five-Year Consolidated Plan which discusses, amongst other things, the projects that will be undertaken by the entities in the Urban County and the Consortium. It is recommended that the City Council review the project list and provide feedback and/or approval.

### **BACKGROUND**

On May 28, 2019 the City Council adopted Resolution No. 2019-039 which authorized the City Manager to execute an agreement with Stanislaus County which would incorporate the City of Riverbank as part of the CDBG Urban County and HOME Consortium. This action entitles the City of Riverbank to a direct allocation of funds from the federal division of CDBG and HOME. In the past the City had been required to apply for these funds through a competitive grant process established by the State of California.

In order for the CDBG Urban County and HOME Consortium to receive these funds, a report to the federal government must be completed every three to five years called a Consolidated Plan (“Con Plan”). The purpose of the Con Plan is to identify the Stanislaus Urban County and the City of Turlock’s housing and community development needs,

priorities, goals, and strategies and to stipulate how funds will be allocated to housing and community development activities over the period of the regional Con Plan, which in the case of the Stanislaus Urban County and the City of Turlock is five years.

The Con Plan process also included the development of the first-year Annual Action Plan, which is the annual plan that the Stanislaus Urban County and the City of Turlock prepares pursuant to the goals outlined in the Con Plan. A separate Annual Action Plan (“AAP”) is prepared for each entity, called the Fiscal Year 2020-2021 Stanislaus Urban County Annual Action Plan (Stanislaus AAP) and the Fiscal Year 2020-21 City of Turlock Annual Action Plan (City of Turlock AAP). These AAPs detail the activities that the Stanislaus Urban County and City of Turlock will undertake to address the housing and community development needs and local objectives using CDBG and other housing funds received during Fiscal Year 2020-2021.

The attached Project List being presented will be incorporated as part of the Con Plan and the AAP. This project list was prepared in coordination with Recreation, Public Works, Development Services, Housing, and Planning staff. CDBG funds are primarily used by the Urban County to support infrastructure projects in low-to moderate income areas as noted on the attached Eligible Areas Map. HOME funds are typically used for affordable housing projects.

Staff is requesting feedback and/or approval of the Project List for CDBG and HOME Funds. We would like to highlight that CDBG projects must be as descriptive as possible regarding the location of the project in order to prepare the necessary environmental documents required by CDBG. It is highly recommended that HOME project list be broad in order to allow for a variety of Affordable Housing Project types. This Project List is reviewed on an annual basis.

## **STRATEGIC PLAN**

This report is directly tied to the City’s Goal to “Enhance Quality of Life.” These projects are designed to provide infrastructure improvements and affordable housing opportunities in our low-to-medium income eligible areas.

## **FINANCIAL IMPACT**

Approval of the list will allow the City to submit these projects as part of the Five-Year Con Plan and Annual Action Plan to receive a direct allocation of funds from HUD.

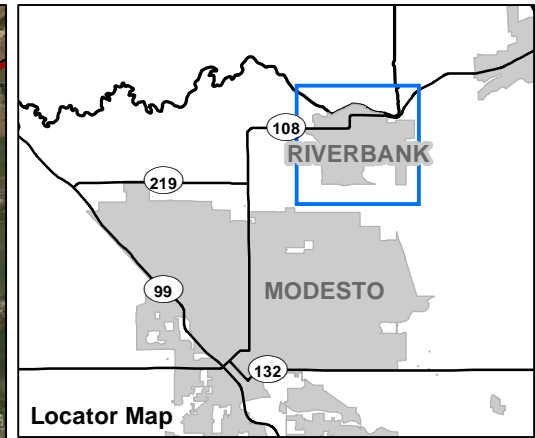
## **ATTACHMENT**

1. Eligible Areas Map
2. CDBG Project List
3. HOME Project List
4. Resolution



# ELIGIBLE AREAS MAP

I:\GIS\Maps\CDBG\AAP\2019\2019\_0307\_AAP\_Map\_Riverbank.mxd Date: 3/11/2019



## LEGEND

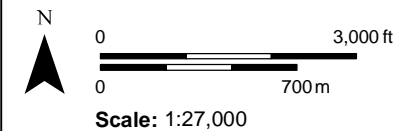
**Income** (ACS 5-Year 2011-2015)

- 51% or greater low/moderate income
- Ineligible - Less than 51%

## Map Features

- 26.05 Census Tract
- River
- 99 Highway
- Road
- School

Source:  
Data shown by Census Block Group  
<https://www.hudexchange.info> (2019)



## CITY OF RIVERBANK

### CDBG AAP AREA MAP



Stanislaus County Planning and  
Community Development Department  
1010 10th St. Suite 3400 Modesto, CA 95354



CDBG PROJECT LIST  
FIVE-YEAR CONSOLIDATED PLAN PROJECT LIST

**FY 2020-21 - AAP**

<b>Project</b>	<b>Location</b>	<b>Cost Estimate</b>
Castleberg Park Trail	Kentucky & 8 <sup>th</sup> Street	\$110,000
Castleberg Park ADA Improvements	Kentucky & 8 <sup>th</sup> Street	\$25,000
Pioneer Park ADA Improvements	1 <sup>st</sup> & High Street	\$12,600
<b>Total FY 2020-21</b>		<b>\$147,600</b>

**FY 2021-22 & FY 2022-23**

<b>Project</b>	<b>Location</b>	<b>Cost Estimate</b>
Water Line Installation	In Alley on Riverside from Corporation Yard to 4 <sup>th</sup> Street	\$325,000
<b>Total FY 2021-22 &amp; FY 2022-23</b>		<b>\$325,000</b>

**FY 2023-24**

<b>Project</b>	<b>Location</b>	<b>Cost Estimate</b>
Water Line Installation	In Topeka Alley from 1 <sup>st</sup> to Cannery Site	\$150,000
Castleberg Park ADA Improvements	Kentucky & 8 <sup>th</sup> Street	\$10,000
Pioneer Park ADA Improvements	1 <sup>st</sup> & High Street	\$6,300
<b>Total FY 2023-24</b>		<b>\$166,300</b>

**FY 2024-25**

<b>Project</b>	<b>Location</b>	<b>Cost Estimate</b>
Water Line Installation	On 7 <sup>th</sup> Street from Nevada to Arizona	\$40,000
Castleberg Park ADA Improvements	Kentucky & 8 <sup>th</sup> Street	\$10,000
Pioneer Park ADA Improvements	1 <sup>st</sup> & High Street	\$6,300
<b>Total FY 2023-24</b>		<b>\$56,300</b>

HOME PROJECT LIST  
FIVE-YEAR CONSOLIDATED PLAN PROJECT LIST

**FY 2020-21 - AAP**

<b>Project</b>	<b>Location</b>	<b>Cost Estimate</b>
Affordable Housing, acquisition with rehab, rehabilitation, and down payment assistance for first-time homebuyers, Administration.	Riverbank City limit (eligible areas)	\$200,000
<b>Total FY 2020-21</b>		<b>\$200,000</b>

**FY 2021-22**

<b>Project</b>	<b>Location</b>	<b>Cost Estimate</b>
Affordable Housing, acquisition with rehab, rehabilitation, and down payment assistance for first-time homebuyers, Administration.	Riverbank City limit (eligible areas)	\$200,000
<b>Total FY 2021-22</b>		<b>\$200,000</b>

**FY 2022-23**

<b>Project</b>	<b>Location</b>	<b>Cost Estimate</b>
Affordable Housing, acquisition with rehab, rehabilitation, and down payment assistance for first-time homebuyers, Administration.	Riverbank City limit (eligible areas)	\$200,000
<b>Total FY 2022-23</b>		<b>\$200,000</b>

**FY 2023-24**

<b>Project</b>	<b>Location</b>	<b>Cost Estimate</b>
Affordable Housing, acquisition with rehab, rehabilitation, and down payment assistance for first-time homebuyers, Administration.	Riverbank City limit (eligible areas)	\$200,000
<b>Total FY 2023-24</b>		<b>\$200,000</b>

**FY 2024-25**

<b>Project</b>	<b>Location</b>	<b>Cost Estimate</b>
Affordable Housing, acquisition with rehab, rehabilitation, and down payment assistance for first-time homebuyers, Administration.	Riverbank City limit (eligible areas)	\$200,000
<b>Total FY 2024-25</b>		<b>\$200,000</b>

**CITY OF RIVERBANK**

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA,  
APPROVING THE CDBG STANISLAUS COUNTY URBAN COUNTY AND HOME  
CONSORTIUM FIVE-YEAR CONSOLIDATED PLAN PROJECT LISTS**

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**WHEREAS**, on May 28, 2019 the Riverbank City Council adopted a Resolution No. 2019-039 authorizing the City to participate in the CDBG Stanislaus County Urban County and HOME Consortium; and

**WHEREAS**, the City's participation entitles Riverbank to a direct allocation of funds from CDBG and HOME; and

**WHEREAS**, in order to receive these funds a Five-Year Consolidated Report must be completed every three to five years by the Urban County and Consortium; and

**WHEREAS**, the Five-Year Consolidated Plan being prepared will incorporate Riverbank's proposed projects for the five-year period; and

**WHEREAS**, in coordination with various City Departments the attached CDBG and HOME Project Lists have been prepared to provide infrastructure improvements and affordable housing opportunities in our low-to-medium income eligible areas as established through the census; and

**WHEREAS**, the City desires that these projects to be incorporated into the Five-Year Consolidated Plan and Annual Action Plan for Fiscal Year 2020-2021.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Riverbank approves the CDBG Stanislaus County Urban County and HOME Consortium Five-Year Consolidated Plan Project Lists herein attached as **Exhibit A** and **Exhibit B**.

**PASSED AND ADOPTED** by the City Council of the City of Riverbank at a regular meeting held on the 25<sup>th</sup> day of February, 2020; motioned by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and upon roll call was carried by the following City Council vote of \_\_\_\_\_ :

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAINED:**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**Annabelle H. Aguilar, CMC**  
City Clerk

\_\_\_\_\_  
**Richard D. O'Brien**  
Mayor

**Attachments: Exhibit A: CDBG Project List**  
**Exhibit B: HOME Project List**

## RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.2

### SECTION 6: NEW BUSINESS

<b>Meeting Date:</b>	February 25, 2020
<b>Subject:</b>	Authorization of a New Event and Use of City Facilities – Health Fair Spring 2020
<b>Submitted by:</b>	Sean Scully, City Manager

#### **RECOMMENDATION**

Consider approval of a new health fair event and associated use of City facilities for the event.

#### **SUMMARY**

One of the key strategic plan objectives over the past number of years was to implement strategies to promote a health community. The City and Community have been involved in a number of efforts over those years to work toward meeting this objective. This includes ongoing work to create programs for Riverbank's homeless, various recreational events/program that encourage physical activity, developing citywide bicycle and pedestrian master plan to encourage more walking and biking in our community, etc. In fact, the City of Riverbank had held health fairs in the past coordinated alongside the Farmers Market.

More recently there has been discussion within the community about possible opportunities for a health fair event. A number of health care vendors have approached the City of Riverbank over the past year offering no cost services if such an event was held. Vice Mayor Uribe has also worked to put in touch various health care organizations with City Staff who have expressed interest in such an event.

At the beginning of the year staff met internally to discuss coordination of such an event as interest in the event had been fairly continuous over the past year. Golden Valley Health Centers met with City of Riverbank officials to give advice on how an event could be formulated to be successful here in Riverbank. The general advice given was to create a small scale four (4) hour event on a Saturday that would provide low or no cost services to the community. Vendors who have expressed interest in a possible event

include, Physicians, Health Care Companies, Dentists, Medical Screening Companies and other health related nonprofits. The initial draft plan would be to have an event at the Community Center Park on April 18<sup>th</sup> 2020 from 10AM to 2PM. The event would be an opportunity for local vendors to provide services and information on health living to the community. Some vendors have offered no cost dental checks/cleaning, medical screenings (heart, breast cancer, etc) and general health related information from local medical and county agencies. The event may also include resources and services for the homeless community. The event would be no cost to all who would like to attend and could also potentially include raffles and other attractions for individuals and families to participate in.

The overall goal in scoping the event was to keep the concept small in scope which gives the event the best chance of providing value to Riverbank citizens. If the event proves to be successful Council could then have discussions about whether or not to continue or expand the event in the future.

### **FISCAL IMPACT**

Financial impact to the City for the day of the event is expected to be minor (likely less than \$500). As the services and information provided by the vendors will be provided at no cost there will be no funds paid to Health Fair Attendees. Furthermore, staff is working to ensure that the event does not conflict with any paid use of the community center park. Staff will be requesting minimal part time assistance from Park and Recreation for onsite assistance the day of the event. Staff time in coordination and planning of this event will be managed by the Administration Department but due to the limited scope of the event the time associated with this effort is not significant and can easily be absorbed within the total work flow of the Department.

### **STRATEGIC GOALS**

As discussed previously although not specifically stated in the strategic plan, the desire to have a health fair has been brought up a number of times during the strategic planning sessions and the overall objective of promotion of a healthy community aligns with this event.

### **ATTACHMENTS**

None

## RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.3

### SECTION 6: NEW BUSINESS

<b>Meeting Date:</b>	February 25, 2020
<b>Subject:</b>	Authorization of a Riverbank Summer Homeless Count
<b>Submitted by:</b>	Sean Scully, City Manager

#### **RECOMMENDATION**

Consider authorization for staff to move forward with coordination of a Summer Homeless Count for the City of Riverbank.

#### **SUMMARY**

As Council is aware, each year Housing and Urban Development (HUD) mandates that a Point in Time (PIT) count be conducted in January to attain a snapshot of the number of unsheltered individuals in a community. Stanislaus County typically coordinates this efforts with each of the 9 cities in the County as partners in the effort. This past January the City of Riverbank participated in the PIT count locally. The HUD mandated PIT count has a very stringent set of a rules about when and how the count is conducted. While Riverbank's totals are still being reviewed by the County one issue that has been raised over a number of different PIT counts by staff, Council and the Community is whether it makes sense to do this count during one of the coldest months of the year. It has been commonly noted that Riverbank's homeless population are more visible during the spring and summer months when the weather is not as averse to living outdoors.

Council has made creating a strategy and program to serve Riverbank's homeless a key priority and as such it is critical that accurate data be acquired that more accurately indicate the full scope of the homeless (and semi homeless) populations in Riverbank. More importantly a summer count could help the City of Riverbank understand how the homelessness population changes over the different seasons throughout the year. As such, staff is of the opinion that conducting a Riverbank summer homeless count could give additional valuable information to the City that could better quantify Riverbank's homeless population, what types of services the homeless populations would be most interested in and a more clear geographic understanding of areas where homeless

individuals live during the summer months in town. Additionally, because this process could be more flexible than the federally mandated process, staff could coordinate with local nonprofits who have detailed information and knowledge of the homeless population.

If approved, staff would look to schedule a count during the summer months (June or July) with a group of local volunteers interested in participating in the effort. In fact, this possible count was discussed at the Mayor's meeting for Riverbank Nonprofits in January of this year. It may also be the most convenient to schedule the count on a day that coincides with the weekly food pantry operations. Staff would develop an appropriate training for volunteers in advance of the count. Much of this training information is already available to City staff as the City of Riverbank has hosted a number of PIT count trainings in the past.

It should be noted that the figures from the Riverbank Summer Homeless count may not be usable for the City's application for various grants (as the federally mandated PIT count numbers are typically the main source of accepted data) but as was previously discussed, other important information may be gleaned from this effort. For example, staff would seek to solicit more specific information about what types of services and or facilities would be most useful to the homeless population. The count could also attempt to gain information on the population within Riverbank that may not meet the technical definition of unsheltered but would qualify as homeless (for example, individuals who are periodically living with friends or relatives without a permanent residence).

### **FISCAL IMPACT**

If approved, the fiscal impact is anticipated to be insignificant. Some staff time for coordination of the count is anticipated but most of this time can be absorbed by the Administration Departments current operating budget. Staff would work to request assistance of volunteers for the day of the count and any possible donations that be available for care packages to be given to homeless individuals the day of the account.

### **STRATEGIC GOALS**

The strategic plan specifically lists an objective of engaging nonprofits and community members in the development of programs and/or services for the homeless. This effort would not only engage both those groups but also help in the development of a program to serve the homeless population.

### **ATTACHMENTS**

None