

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # \*B-4

Urgent

Routine

AGENDA DATE December 16, 2008

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Fund an Economic Development Bank Proposal for Fiscal Year 2008-2009 from the City of Riverbank for Development of a Specific Plan for the Riverbank Industrial Business Park

STAFF RECOMMENDATIONS:

1. Approve funding an Economic Development Proposal from the Economic Development Bank for Fiscal Year 2008-2009 in the amount not to exceed \$300,000 for the development of a Specific Plan for the Riverbank Industrial Business Park;
2. Authorize the Chief Executive Officer, or his designee, to execute an agreement with the jurisdiction receiving funding from the Economic Development Bank for the 2008-2009 Fiscal Year funding cycle.
3. Authorize the Auditor-Controller to establish any and all necessary accounting protocols for the administration, tracking, disbursement and reimbursement of funds.

FISCAL IMPACT:

The Economic Development Bank program earmarked \$1.5 million dollars annually for five years (Fiscal Year 2001-2002 - Fiscal Year 2005-2006) for economic development projects. Over that five-year period, appropriations were decreased three of those years (total appropriations \$6,211,950). The Board approved an additional \$1.5 million for Fiscal Year 2006-2007 as part of the annual budget approval process. For Fiscal Year 2007-2008, \$1.5 million was again approved for the Economic Development Bank but redirected to establish the Community Development Fund under the existing program. For the

- Continued -

BOARD ACTION AS FOLLOWS:

No. 2008-841

On motion of Supervisor Monteith, Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, and Vice Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: District Two vacant

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

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**FISCAL IMPACT Continued**

current year, no funding was approved for the Economic Development Bank as a result of the County's current fiscal position and as part of the budget balancing recommendation approved by the Board through the adoption of the Fiscal Year 2008-2009 Proposed Budget.

As of November 30, 2008, the Economic Development Bank has committed \$7,281,507.34 for 24 projects (6 previously funded economic development projects have withdrawn their proposals and others have used only those funds necessary for implementation) and associated administrative costs. Project areas have varied from road infrastructure and water system improvements to business park development, renovation efforts and workforce development. 80% of committed funds have been distributed (due in part to individual project phasing). 8% of total funds committed have been allocated to grant based projects.

The Economic Development Bank funding recommendation for this application cycle totals 300,000 for one proposal. The current uncommitted balance available for future projects, should this project be awarded is \$2,520,935. This figure includes \$1,429,378 in loan repayments and \$888,850 in accrued interest.

**DISCUSSION:**

**Background/Process**

On February 13, 2001, the Stanislaus County Board of Supervisors approved the formation of an Economic Development Bank (Bank) for the purpose of providing resources for economic development projects throughout the County. It was the Board's intent that the funds be used by the nine cities (Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford) and Stanislaus County to finance infrastructure projects that make possible greater opportunities for job retention, creation, and workforce development.

Eligible jurisdictions wishing to obtain funding from the Bank are required to complete an application and submit it to the Stanislaus Economic Development and Workforce Alliance (Alliance). The Chief Executive Officer of the Alliance, and his designees, review each application for completeness and eligibility and provide assistance in the application process as necessary. An Advisory Committee, consisting of representatives from each city and the County evaluate all applications and make recommendations to the Alliance Board. The Alliance Board acts on the Advisory Committee's recommendation. A majority vote of the Alliance Board members is required before an application is forwarded to the Board of Supervisors for their formal

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concurrence. If concurrence on a project cannot be achieved, County funds will not be used to fund the project.

Funding is not made available to an applicant prior to the execution of a written agreement between the County and the applicant's jurisdiction. The jurisdiction must assume full fiscal responsibility for the appropriate use of the funding and is responsible for disallowed expenditures. The jurisdiction draws down Bank funds by invoicing the County for work performed on its project or as specified in the project funding agreement. The project is managed by the jurisdictional entity (ies). Progress reports are submitted to the County per the schedule that is identified in the written agreement at the time the project is approved for funding.

**Project Proposals Cycle: Fiscal Year 2008-2009**

One project was received in the Request for Proposals cycle of September/October 2008. The Economic Development Bank Advisory Committee reviewed the sole project application from the City of Riverbank (City) in October and the Stanislaus Economic Development Workforce Alliance considered the funding recommendation of the Advisory Committee during its regular board meeting on October 20, 2008. At the October regular meeting, the Alliance Board approved the funding recommendation for the Riverbank Business Park Specific Plan sponsored by the City of Riverbank.

**Riverbank Industrial Park Specific Plan**

The City has proposed to use Economic Development Bank loan funding to complete a Specific Plan to implement an essential step in the reuse and redevelopment of the Riverbank Army Ammunition Plant Industrial Park (Industrial Park). This Specific Plan will provide land use entitlement and policy guidance to the future development of the Industrial Park, for both its developed and undeveloped parcels, leading to the immediate attraction of new businesses and significant job creation.

The Industrial Park, consisting of approximately 150-acres and located on the northeast corner of Claus Road and Claribel Road in Riverbank, is a government-owned, contractor-operated industrial installation under the jurisdiction of the U.S. Army. The Industrial Park was declared excess property by the U.S. Army and slated for closure under the Base Realignment and Closure Act (BRAC) of 2005. Riverbank's City Council, federally recognized under BRAC law, as the Local Redevelopment Authority, recently submitted a Reuse Plan to the U.S. Department of Defense (DOD) and the U.S. Department of Housing and Urban Development (HUD) detailing the community's vision for civilian reuse of the Industrial Park.

Included in the Reuse Plan is a recommended conveyance strategy to transfer the majority of the site to the City, with smaller parcels recommended for public auction and

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the rest as conveyance for road right-of-way easements to accommodate the future North County Corridor Expressway. The Specific Plan will enable the U.S. Army to sell portions of the site with new green-friendly designated land uses as determined in the Reuse Plan.

Since 1994, the Department of Defense has permitted the leasing of certain portions of the underutilized facility to local private companies. There are currently ten industrial businesses leasing space at the Industrial Park providing high-wage manufacturing jobs to approximately 400 Stanislaus County residents. The businesses include the manufacturing of: ultra-high performance engineered materials for the Department of Defense, mining tools, interstate highway and airport construction metal products, dust filtration systems, PET (polyethylene terephthalate) plastic recycling, unique engine lubricant, and shell casings for the Department of Defense.

Several of these manufacturing companies, and others residing in Riverbank in need of expansionary space, have been in the process of looking outside of the community and, in some cases, outside of California for more appropriate space for new development. The Specific Plan will expedite the conveyance from U.S. Army's ownership to civilian use, and ensure that existing and new businesses will be able to develop and expand in a timely manner, fueling greater job creation and economic stability to a depressed community.

In addition to land use entitlements, infrastructure and financing strategies, the Specific Plan will create the strategy for a diverse industrial and manufacturing center where entrepreneurship, environmental consciousness and regional economic development can thrive. Approximately 1,500 to 2,000 new jobs will be created over the next ten years, with expanding green-friendly businesses potentially choosing to site there. The Industrial Park will provide increased private investment into the community, integrating the rising tide of green investment and innovation with improvements in efficiency and sustainability of traditional businesses.

The total Economic Development Bank request for the Riverbank Industrial Park Specific Plan is \$300,000. With total project cost estimated to cost approximately \$480,000, the City proposes to match this amount with \$180,000 from an Economic Development Administration (EDA) grant from the Federal Department of Commerce. In the event that the EDA grant is not obtained, the City has committed to addressing the gap either through existing resources or by reducing the project scope.

In the City's application, they requested a full draw down of funds commencing upon the awarding of the Specific Plan consultant contract. It is staff recommendation that the loan disbursement be made (consistent with Economic Development Bank protocol) as invoice for services are rendered and billable – not in a pre-project lump sum. Full repayment of the loan amount of \$300,000 by the City must occur within 60 months of

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the first disbursement of funding. This is anticipated to be no later than December 2014. The City anticipates using a land-secured financing mechanism for its repayment (e.g., Community Facilities District, Industrial Revenue Bond, Mello-Roos, etc.), and will assume financial responsibility through its General Fund or Redevelopment Agency in the event of unforeseen circumstances.

If approved, the funding for the development of a Specific Plan for the Riverbank Industrial Business Park would be in addition to that already secured by the City, through the Economic Development Bank, for the establishment of the Riverbank Industrial Park Loan Program. On September 16, 2008, the Board approved \$750,000 to infuse the existing Riverbank Army Ammunition Plant manufacturing businesses with necessary capital to expand and directly retain jobs.

**POLICY ISSUES:**

The Board should decide whether the purpose and intent of the Stanislaus County Economic Development Bank is sufficiently achieved in this applicant's proposal and whether the stated Board priorities of facilitating a strong local economy and developing effective partnerships are being realized.

**STAFFING IMPACT:**

The Workforce Alliance administers the Economic Development Bank program and monitors protocol, applications, project implementation and repayment of loan amounts for all approved projects. The Chief Executive Office, County Counsel and the Auditor Controller provide technical assistance as needed for the development of contractual agreements, project accounting and contract management.

**RIVERBANK INDUSTRIAL PARK**  
**SPECIFIC PLAN**  
**(FOR THE CLOSING RIVERBANK ARMY AMMUNITION PLANT)**

**Economic Development Bank Application for Funding**

**Applicant:** City of Riverbank  
6707 Third Street  
Riverbank, CA 95367

**Federal I.D. Number:**  
94-6000-407

**Submitted by:**  
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**PROJECT INFORMATION**

**Project Name:** Riverbank Business Park Specific Plan

**Project Summary:** In the previous Economic Development Bank funding cycle, the City of Riverbank requested funding to infuse existing Riverbank Army Ammunition Plant (RBAAP) business tenants with necessary capital to expand their business footprint at the soon-to-be closed site and thereby create new jobs.

This funding request is a second essential step in the revitalization and redevelopment of the RBAAP. In order to turn the site from an underutilized, aging military installation to a vibrant, industrial park, the City of Riverbank is requesting funds to develop a Specific Plan for the site's developed and undeveloped portions, which are not now currently in use. The Specific Plan is intended to provide guidance to the future development of the facility, facilitate attracting new businesses to the site, foster competitive advantages, mitigate weaknesses and link the project to ongoing economic development elsewhere in the community and to the General Plan.

**Funding Request:** **\$300,000** from the Economic Development Bank. Total project cost to develop the Specific Plan is estimated at \$480,000, which includes a match of \$180,000 from Economic Development Administration grant fund. The funding request from the ED Bank is leveraged by matching funds by nearly a 2:1 ratio.

**Project Location:** Project will encompass the Riverbank Army Ammunition Plant located at 5300 Claus Road, Riverbank, California 95367. See Figure 1-1 and Figure 1-2 for additional details on project location.

**Project Details:** The RBAAP has been a prominent fixture in Riverbank for more than six decades. Closure of the RBAAP without economic intervention can be expected to impact the City of Riverbank by contributing to the loss of 89 jobs associated with the military mission, plus an additional 122 indirect jobs throughout the community.<sup>1</sup> The vacancy rate at the transitioning

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<sup>1</sup> U.S. Department of Army, RBAAP Site Assessment Report, May 2, 2006

Figure 1-1  
City of Riverbank  
Project Boundary



Figure 1-2  
 Riverbank Army Ammunition Plant  
 Preferred Land Use Plan  
 Draft Reuse Plan - 09.18.08





military installation has added to the stagnation and blight of the facility and hindered the attraction of new businesses. It has similarly affected development in the vicinity. There are 191 structures and an estimated 700,000 square feet of industrial buildings on the 173-acre site.

Currently, existing businesses occupy roughly 30% of the developed portion of the site, equating to nearly 100 acres of undeveloped or vacant property available for development and job creation.

While existing businesses are expected to remain and grow during the transition period, with the help of the previous ED Bank loan assistance, utilization of the remaining site is in question without assessment, direction and land use regulatory approval.

The Base Realignment and Closure Act allows affected communities to determine the reuse of military installations, where practicable. The affected community also recommends the means of land conveyance from a military to civilian use. The Riverbank Local Redevelopment Authority, acting as the federally recognized agency responsible for reuse recommendations, has proposed in the RBAAP Reuse Plan that a portion of the property may be sold at public auction, and a portion be conveyed to the City. With respect to the portion of the property to be sold at auction, to not have a specific plan in place leaves the City without land use control over future development on those parts of the property, and/or all the property entitlements needed to implement the job creation potential of new development. ED Bank loan investment is being requested as a critical next step, one that will ensure the vision outlined in the Reuse Plan is implemented.

The Specific Plan will create the strategy for a diverse industrial and manufacturing center where entrepreneurship, opportunity, environmental consciousness and local/regional economic growth can thrive. The project will be defined by its offering of "green friendly" businesses, which integrate the rising tide of green investment and innovation with improvements in efficiency and sustainability for traditional businesses.

As a matter of public policy, the citizens of Riverbank are concerned about better use of limited resources and yet optimistic about the role green innovation can play in solving the problem. They believe that the same actions necessary to encourage clean energy technology and reduce emissions can also provide jobs and expand prosperity through the innovation and creation of new green products and services developed and produced by businesses at the new Riverbank Industrial Park.

California's rising tide of investments in green businesses indicates that a "green friendly" industrial park, Riverbank's redeveloped RBAAP, will be poised to ride a second wave of green innovation based on both continuing improvements in energy efficiency and the creation and adoption of clean energy technologies.

The existing assets found at the RBAAP site, including power, water, hazardous waste permits, and rail, provide exciting opportunities to replace lost jobs, retrain skilled workers and sustain scarce resources. The opportunities for this green focus will be further realized and strategically oriented in the Specific Plan.

Once the RBAAP transfers ownership, the following assets will remain with the facility and be available for reuse pending strategies identified in the Specific Plan.

- **Rail Service.** RBAAP has an extensive internal rail service system extending directly into on-site production buildings, including large industrial cranes located specifically to facilitate

direct loading onto railcars. Northern Sierra Railroad, as the on-site short-haul operator, facilitates rail connections with the Burlington Northern Santa Fe rail transfer station in Riverbank, allowing for interstate cargo transport. Current RBAAP tenants cited the rail service as one of the most important site features attracting them to RBAAP.

- **High Bays/Loading Docks.** RBAAP has high bays and loading docks that allow for easy cargo transfer to trucks for transport to major metropolitan areas.
- **Hazardous Materials Permits and Facilities.** The facility has been improved to accommodate industrial production's negative environmental impacts, including areas designed for the storage of hazardous materials and a redesigned on-site groundwater treatment system, completed in 1997, to mitigate groundwater pollution from activities at the RBAAP.
- **Security and Controlled Site Access.** Due to the Army's current mission production, RBAAP is operated as a highly secure and efficient industrial location, including a 24-hour armed guard and transportation check station. This high level of security and controlled site access is attractive to many businesses and provides added value. Additionally, public priorities from surveys done during community forums conducted as part of the closure process have listed security for the property as an asset and priority for future uses.
- **Extensive Heavy Industrial Equipment.** RBAAP has been improved with extensive heavy equipment, some of which is used by the industrial business tenants. This equipment includes heavy cranes, rail equipment and roller presses. While the equipment belongs to the U.S. Army, it is typical for the community to request equipment be retained as part of the reuse plan for future tenant use.
- **Potential for Low-Cost Energy.** RBAAP, like many military facilities across the U.S., currently enjoys a relatively low-cost supply of electricity; RBAAP's supply is drawn from hydroelectric power produced by the Hetch-Hetchy Reservoir. In past base closures, these types of arrangements have been extended past closure or conveyed to new owners of former military installations.

**Economic Benefit to the Community:** The scale of the challenges facing the community of Riverbank is both unprecedented and transformational. The appropriate response needs to be bold in vision and in action. The City has addressed these opportunities and challenges with great care to create a thoughtful redevelopment plan, carefully designed to integrate incentive forms of green manufacturing, R&D support, innovative public-private partnership and a portfolio of strategies meant to spur investment and achieve job creation.

The higher the stakes, the more thorough our planning should be. We believe that an approved Specific Plan, from a land use regulatory stand point, will enable and facilitate economic development by both promoting retention of the businesses and by allowing significant expansion of the businesses and direct job creation.

Of utmost concern is the need to support new job creation. Since January 2008, two Riverbank businesses have lost approximately 900 jobs. The City's estimated unemployment rate is 15.6%, well above the County's unemployment rate of 10.6% and more than double the State's unemployment rate of 7.7%.<sup>2</sup> Further job loss would be devastating to Riverbank's economy. Declines in retail and property taxes are natural outcomes of job losses, and further impair the economy. Additionally, the increased vacancy rate at a transitioning military installation would add to the blight of the facility and hinder the attraction of new businesses or development in the surrounding vicinity.

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<sup>2</sup> California Employment Development Department August 2008 Labor Force Data Report

Expansion of the businesses located at the RBAAP has multiple benefits to the Riverbank community and the County at large. Economic Development Bank funds will focus, refine and accelerate the business expansion efforts. Furthermore, it will allow in-depth analysis of proposed land uses and provide updated economic and marketing data for better decision making and targeted promotion of the facility.

The project outcomes will also support the need for new goods and services to businesses and residents through the increased income produced by both the business and the employees, a majority of which are targeted income group persons residing in the areas served by the assisted businesses.

The final adopted Specific Plan not only provides the community with evidence of a commitment to jobs expansion but will also create and foster community loyalty and pride, leading to future business and community investment.

Increased business activity will help eliminate the blight of an underutilized military facility in the city limits and attract additional like-minded "green-friendly" businesses. For example, the plastic recycler, Eco2 Plastics, may bring in businesses who are the end users of the recycled plastic flake they produce.

**Expected Impact of Project:**

The Specific Plan will guide the transformation of the former RBAAP into the Riverbank Industrial Park. It will provide a roadmap for recovering from the immediate job loss from base closure and will enable the City to move forward with significant business and job growth.

**Expected Job Creation:**

Acting on the results of the Specific Plan will transform the RBAAP into a 173-acre industrial park with business-ready sites– including capacity for the unique "green friendly" focus. Attraction of the businesses targeted by the project is expected to create a diverse industrial and manufacturing center where entrepreneurship, opportunity, environmental consciousness and local economic growth can thrive.

While the Plan will provide more specifics, it is estimated that up to **1,500 to 2,000 new jobs** will be created, and approximately **10- 15 new and/or expanding businesses** will choose to locate in the new Riverbank Industrial Park, bringing increased private investment (See separate attachment, Investment Summary). The economic benefits of the project will be felt primarily in the City of Riverbank, but are expected to extend throughout the entire County of Stanislaus and, because of close proximity, into San Joaquin and Tuolumne Counties as well.

**Economic Development Specific Plan Scope of Work**

The Specific Plan will result in an adopted implementation plan for the Riverbank Army Ammunition Plant's reuse. It will guide the City of Riverbank in implementing the Redevelopment Plan required by the Army.

The Specific Plan will identify the location, character and intensities of a 173-acre planned industrial park and necessary development actions. It will define characteristics necessary to attract and retain targeted businesses and establish the framework for the City to encourage the

new regional business cluster presently emerging (green-friendly businesses). The Plan will include at a minimum the following tasks:

## **Task 1      Project Initiation**

### *1.1 Data Review & Assessment*

For purposes of the Specific Plan, the City's Economic Development staff will utilize relevant existing studies and reports and determine what, if any, additional information is needed to draft the Specific Plan.

### *1.2 Technical Analysis*

Tasks include developing accurate information about local conditions, regional trends and or statewide changes through research analysis, writing and compiling information as needed. Thorough inspection and analysis of building and fire safety codes would be performed on all the site's structures.

### *1.3 Environmental Factors*

Tasks include understanding the environmental conditions of the site, including any deed restrictions and their impact on the site's strategic redevelopment. Thorough analysis of any constraints, including studies on infrastructure, agricultural and cultural factors will be performed. This task would include extensive input and review by city planners and policy makers to validate assumptions and ensure that the analysis and subsequent Specific plan assumptions are reasonable, and mitigated if needed.

## **Task 2      Market Demand Analysis**

The City has designated the industrial park as a major employment generator over the next twenty years. The current employment density at the industrial park is approximately two jobs per acre. The projected employment density is about 36 jobs per acre for the already developed portions of the site. The input from market research to the land planning and the design of development standards for the project will be critical to achieve an attractive business and industrial center that will meet the City, the business' and the surrounding citizen's goals.

The Riverbank Industrial Park is on the leading edge of the City's transition from an agricultural economy to a more diversified, sustainable business and industrial center. The City's General Plan anticipates a high proportion of green and "green friendly" businesses with an emphasis on inter-connected users. For example, spent plastic oil containers are brought in to the oil recycler on-site who extracts the remaining oil and recycles it. The containers are sent to the plastic recycler on-site who flakes the plastic and sends the bags of flake to the plastic manufacturer on site. They form the plastic flakes into plastic carriers that are used by the cheese factory on-site to load their product onto the short rail line for shipping to grocers around the country.

It should be noted that the burgeoning “green” market is a new employment cluster that the City is working to promote, and has already attracted oil, plastic and bio-digestion energy businesses to the project site.

Specific steps in the market analysis include, but are not limited to:

- Interviews with businesses and brokers to determine market strengths and weaknesses. In an effort to develop a strategy to optimize potential growth opportunities, existing economic baseline information will be analyzed and updated with recent economic conditions as necessary.
- Analyze employment growth in the region and capture rates for Riverbank, including a consideration of the local labor force and their occupational skills.
- Establish the absorption of industrial land by type and compare and contrast these absorption patterns with more successful industrial/manufacturing tenant recruitment with particular emphasis on situations where factors for success identified, i.e., available workforce housing, adjacency to educational facilities, etc.
- Examine recent patterns of development with respect to employment density, type of jobs, type of improvements and value created.
- Provide both quantitative and narrative discussion of what factors allow for more effective job generation and generation of higher-wage jobs.
- Prepare to recommend development programs for use in the land planning for the site. Collaborate with the project planners to refine and adapt the market concepts into a workable site plan.
- Establish a realistic job growth target based on the market demand analysis, the development of the preferred land use plan and the desired development timeframe.
- Evaluation of potential renewable energy sources and generation of the site’s assets and opportunities.

### **Task 3 Land Plan Analysis**

The Land Plan will be the key component of the Specific Plan; it will provide the framework for anticipated regulatory requirements. The primary goal of this effort is to affect the functional and economic development of the area by creating a preferred land plan that is sensitive to market conditions, building safety, infrastructure requirements; and maximizes job opportunities relationships between new and existing land uses.

The development of the land plan is an inclusive and interactive planning process that involves close coordination with city staff, federal and military base closure personnel, existing and potential future tenants.

Based on the findings from the market demand analysis, existing baseline conditions and discussions with key actors noted above, a set of project requirements will be prepared and serve as a guiding basis consistent with the General Plan direction for the identification and analysis of various land use alternatives. These requirements include but are not limited to:

- Land use mix and density
- Building improvement typologies and densities
- Circulation and parking
- Pedestrian orientation and scale
- Creation of development focal points/gateways
- Connections with adjacent land uses
- Environmental constraints and amenities
- Engineering requirements
- Market feasibility
- Fiscal impacts
- Transition uses and buffering
- Phasing of proposed land uses and improvements
- Financing

#### **Task 4 Development Prototypes**

The intent of this phase is to provide a clear set of design examples to developers, property owners and designers of the types of development articulated in the standards and guidelines thus far conceptualized. These may also be use as a guide for the city's planning staff in evaluating proposals for master developers.

Examples of architectural design and site planning principles appropriate for the redeveloped industrial park site will be produced and presented in the form of sketches, section and or plan diagrams for review and discussion.

#### **Task 5 Specific Plan Preparation**

Once the Preferred Land Plan and existing conditions for the site have been determined, the preparation and process of the formal Specific Plan can begin. The scope of work assumes the preparation of the plan includes the following components:

##### *5.1 Executive Summary*

##### *5.2 Introduction*

- Purpose of the Specific Plan
- Context and Setting
- Relationship to Existing Plans and Policies

##### *5.3 Infrastructure Capacity Analysis*

- *Urban Design Framework*
- *Traffic and Circulation*
- *Economic Development and Targeted Recruitment Strategy*

##### *5.4 Landscape Plan*

##### *5.5 Traffic and Circulation*

- *Existing Condition*
- *Circulation System and other Policy Documents*

- *Identify Transportation Improvements and Recommendations*
- *Transportation & Circulation Conceptual Plan*

5.6 *Infrastructure*

- *Water*
- *Recycled water*
- *Sanitary sewer*
- *Stormwater management*

5.7 *Implementation*

- *Phasing*
- *Administration*
- *Financing Plan*

5.8 *Economic Development and Targeted Recruitment Strategy*

5.9 *Development and Conservation Regulations*

5.10 *Design Guidelines*

**Task 6          Public Outreach and Input**

While there has been extensive community outreach and input on the project's Redevelopment Plan, another round of coordination with policy makers and the public throughout the Specific Planning process is essential. This task includes meeting and coordination with individual stakeholders and decision makers, meetings with policy boards and the community. The City anticipates there would need to be a minimum of two rounds of public meetings to address and confirm vision and issues, policy alternatives and the positive confirmation of the final Specific Plan.

**ED Bank Funding Priorities (officially expressed or otherwise).**

**1. Support of long-term collaborative regional economic development approaches.**

- The Plan will identify the expected comprehensive regional economic development strategies for long term economic growth.
- Along with the regional economic development support, Riverbank has solicited and engaged other public investment at the state and federal level.

Below are just a few of the political subdivisions and agencies involved with the project to date:

**Federal Agencies:** U.S. Army; Department of Defense; Environmental Protection Agency; Office of Economic Adjustment; Housing and Urban Development; Economic Development Administration

**Elected Officials:** Supervisor Bill O'Brien; Congresswoman Nancy Pelosi; Congressman George P. Radanovich; Senator Dianne Feinstein; Assembly member Tom Berryhill

**State Agencies:** Governor's Office of Planning and Research; California Department of Business, Housing and Transportation; California Environmental Protection Agency; Department of Toxic Substances Control; Integrated Waste Management Board; Public Utilities Commission

**Private Companies:** BNSF Railroad; Sierra Pacific Railroad; Pacific Gas & Electric; Advanced Materials & Manufacturing Technologies, LLC; ECO2 Plastics, Inc.; Donaldson Company, Inc.; Dayton Superior; Norris Industries; Design, Community & Environment; Bay Area Economics; EarthTech

**Other Organizations:** Stanislaus Alliance; Associated Defense Communities

- Positive economic outcomes: The Specific Plan and its successful implementation are expected to produce significant job creation and retention opportunities for the future.
- The Plan will cost approximately \$480,000. ED Bank investment is essential to combine with local resources, match at nearly a 2:1 ratio, and other federal resources available for base closure planning. The expertise and focus of the ED Bank funds and multi-agency involvement will assist the City greatly in developing a realistic strategy that maximizes the opportunity of transforming the RBAAP into the Riverbank Industrial Park.

**2. Support innovation and competitiveness:**

In 2006, California became the first state to mandate a 25 percent reduction in CO2 emissions by 2020. This legislation has become a key in advancing market incentives and economic innovation that fuel economic development. Riverbank is leading the County in fostering and promoting green businesses regionally. Furthermore, City policy makers believe that entrepreneurs will lead the way in combating this crisis. A recent University of California, Berkeley and Natural Resources Defense Council study projects that the innovation from green business would create 89,000 new jobs in California alone.<sup>3</sup>

**3. Encourage entrepreneurship:**

To further accelerate and encourage innovation, a business incubator is planned as part of the RBAAP reuse plan and in conjunction and partnership with the Stanislaus County Workforce Alliance. The City is also working with CalEPA on a bio-digester project that would harness and clean the methane produced by the thirty local dairies to fuel the needs of the industrial users onsite. Office space will also be planned for specific research and development uses, where creative entrepreneurs in the green industry can thrive.

**4. Support strategies that link regional economics with the global marketplace.**

The RBAAP Reuse strategy supports the expansion of existing tenants, several of whom are international, publicly traded companies. Additionally, since sustainability is a global concern, the planned green industrial park would expect an international market for its businesses that are providing green alternatives to traditional products.

**Approximate Commencement or Staging of the Project:** The following is a proposed schedule, assuming ED Bank authorization to proceed has been received from the County Board of Supervisors prior to January 1, 2009.

January 2009	Release Specific Plan Request for Proposal
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<sup>3</sup> Natural Resources Defense Council Report, April 2007



March 2009	City signs contract with consultant; initiates Specific Plan work
April – May 2009	Review of existing studies and reports; perform analysis of data and environmental factors
June - August 2009	Market Demand Analysis
June - September 2009	Land Plan Analysis
September – October 2009	Architectural and site design prototypes for the proposed Riverbank Industrial Park; Community Workshops on proposed prototypes
November 2009	Specific Plan administrative draft
December 2009	Joint City Council and Planning Commission Workshop to discuss and get final feedback on proposed concepts in Specific Plan
January 2010	City releases draft Specific Plan for public review and comment
March 2010	City holds additional community workshop and final public hearing on the draft Specific Plan; incorporate comments
April 2010	Final Specific Plan to City Council and Planning Commission for approvals

### **FISCAL INFORMATION**

**Total Project Cost: ~~\$480,000~~ Total Project Cost**

- **\$300,000** is being requested from the Economic Development Bank
- **\$180,000** will be funded from a Economic Development Administration grant

**Source of Funds for Repayment:**

The RBAAP site is already within the City limits. It is currently in the process of receiving final adoption into the Redevelopment Project Area. The City anticipates using a land-secured financing mechanism for repayment, e.g., Community Facilities District, Industrial Revenue Bond, Mello-Roos, etc. Repayment will derive from this yet-to-be formed finance instrument.

Repayment in full will occur within 60 months or no later than November 2014. Additionally, repayment may occur sooner should proceeds from the sale of the property or revenue excesses be realized earlier than 2014.

The City Council's General Fund, or through financial arrangements with the Redevelopment Agency, will assume the responsibility to repay the loan in the event of unforeseen circumstances.

A Resolution in Support of the project by the sponsoring legislative body is attached.

**Desired Date for Drawdown of Funds:** The drawdown of funds will commence upon consultant contract award. A more detailed schedule for subsequent drawdown of funds in line with the Scope of Work will be developed and presented once approved.

**Date Project Commences:** The project will commence upon the awarding of the Specific Plan contract, anticipated to be within 3 months of ED Bank application approval by the County Board of Supervisors.

**ECONOMIC DEVELOPMENT "BANK"  
PROJECT FUNDING AGREEMENT**  
Riverbank Industrial Business Park Specific Plan

This Economic Development "Bank" Project Funding Agreement ("Agreement") is made and entered into on January 1, 2009 by and between the County of Stanislaus ("County") and the City of Riverbank (the "Applicant").

**RECITALS**

This Agreement is made with the reference to the following recitals:

A) On February 13, 2001, the County Board of Supervisors authorized the establishment of an economic development "Bank" with an annual appropriation of \$1.5 million dollars. The "Bank" funds are to be used for economic development within the County. The Board directed the Chief Executive Officer ("CEO") to meet with City Managers of the nine cities in the County to develop a structure for the "Bank" and a process for approving funding allocations from the "Bank." The County's CEO and City Managers recommended that the Workforce Investment Board (WIB) act as the "Board of Directors" for the "Bank"; and

B) On June 16, 2001, the WIB agreed to act as the Board of Directors of the "Bank" and established an advisory committee consisting of the nine City Managers and the County CEO; and

C) On September 17, 2001, the WIB approved guiding principles, application documents, an evaluation system and criteria that measures the public benefit of promoting economic development and providing jobs; and

D) The WIB and the Stanislaus County Economic Development Corporation formed a new combined nonprofit organization called the Stanislaus Economic Development and Workforce Alliance ("Alliance") and the Alliance has assumed the responsibility of the WIB to act as the "Board of Directors" of the "Bank"; and

E) In response to a Request for Proposals for economic development projects, the Applicant submitted an Economic Development "Bank" Application For Funding, a copy of which is attached hereto as Exhibit A, requesting support for the development of a Specific Plan for the Riverbank Industrial Business Park;

F) Upon the review and recommendation of proposals for use of the "Bank" funds for the current fiscal year, including the Applicant's proposal, by the Economic Development "Bank" Advisory Committee and the Alliance Board of Directors, the Board of Supervisors approved funding of the project; and

NOW, THEREFORE, the Applicant and County enter into this Agreement pursuant to California Government Code section 6502 on the following terms and conditions.

## TERMS AND CONDITIONS

### 1. OBLIGATIONS OF THE COUNTY

1.1. County agrees to advance sums as needed up to \$300,000 to the Applicant from the "Bank" for the purpose of completing the project as described in the Applicant application, attached hereto and incorporated herein by reference as Exhibit A.

1.2. The County Auditor-Controller shall set up an account payable from the "Bank" to the Applicant in the amount of \$300,000.

1.3. Payments from the "Bank" to the Applicant shall be made upon the Applicant presenting invoices or other documentation showing that the amounts requested have been invoiced or paid, and are within the scope of the work of the program as described in Exhibit A.

1.4. The payments of up to \$300,000 from the "Bank" to the Applicant shall be set up as an account receivable by the County Auditor-Controller which shall be retired over time by the Applicant. This receivable shall be entirely retired by the Applicant before the expiration of five (5) years after the date of this Agreement. The County shall designate that the County Auditor-Controller provide the Applicant with the status of the receivable account upon receiving a written request from the Applicant; otherwise, a statement showing the status of the account will be provided to the Applicant at the end of each fiscal year.

### 2. OBLIGATIONS OF THE APPLICANT

2.1. Applicant agrees to utilize the funds received from the County described in Section 1.1 exclusively for the purposes described in Exhibit A.

2.2. Applicant agrees that within 60 months of the first disbursement of funding and no later than December 31, 2014, the project funded under this Agreement shall be complete, and the amount of the funds drawn by the City under this Agreement shall be repaid in full. If the funds advanced by the "Bank" to the Applicant are not repaid in full by the date specified, the Applicant agrees to meet with the County to renegotiate the repayment terms and conditions of this Agreement.

2.3. Applicant agrees that the project described in Exhibit A will begin within one year of the commitment of funds by the "Bank" to the project, which will commence on the date the Board of Supervisors approves funding of the project. Should the project fail to begin within one year from the date the funds are approved by the Board of Supervisors, the Applicant agrees to meet with the County to determine the status and/or feasibility of the project.

2.4. Applicant agrees to assume full fiscal responsibility for the appropriate use of the funds and assume responsibility for any disallowed expenditures.

2.5. Applicant, upon receiving a written request from the County's Chief Executive Officer or designee, shall provide proof that the Applicant has expended the funds received from the "Bank" as contemplated by this Agreement and is repaying funds received as required by the terms of this Agreement.

2.6. Applicant agrees that, as part of the footnotes of either its financial statement audit or single audit, it will include a schedule of project expenditures for the end of each fiscal year and will provide the County with an audit of project expenditures performed as a part of the Applicant's financial audit. The schedule shall include the total project expenditures broken down by funding source.

2.7. The Applicant agrees to submit the audit to the County no later than 30 days after the audit is received from the auditors.

2.8. Applicant agrees that it will provide the County with quarterly reports on the progress of the project, beginning three months following the commencement of the project, and continuing every three months thereafter until the project is completed.

2.9. Applicant agrees to timely (within 30 days) notify the County if, for any reason, the project is halted.

2.10. Applicant agrees to timely (within 30 days) notify the County, when the project has been completed.

2.11. Applicant agrees that the County will be the first to be repaid from the revenue stream or streams that materialize as a result of the project.

### **3. MUTUAL OBLIGATIONS**

3.1. Any notices or communications required or permitted hereunder shall be in writing and sufficiently given if delivered in person or sent by certified or registered mail, return receipt requested, postage prepaid as follows:

County:

Chief Executive Officer, County of Stanislaus  
1010 Tenth Street, Suite 6800  
Modesto, CA 95354

Applicant:

City Manager, City of Riverbank  
6707 Third Street  
Riverbank, CA 95367

3.2. The provisions of this Agreement shall constitute the entire Agreement between the parties and unless modified by written agreement duly executed by the parties hereto, shall continue in full force and effect.

3.3. Venue for any actions initiated by either party shall be in the Superior Court of Stanislaus County and California law shall apply to all the Agreement's terms and conditions.

3.4. Applicant and County further covenant to cooperate with one another in all respects necessary to ensure the successful consummation of the action contemplated by this Agreement, and each will take all actions within its authority to ensure cooperation of its officials, officers, agents and employees.

3.5. The parties agree to hold each other harmless from and against any and all claims, actions, lawsuits, losses, damages and liabilities arising from any contention, allegation, or negligent act or omission based on acts necessary to effectuate the purpose of the Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first written above.

**COUNTY OF STANISLAUS**

By: 

Richard W. Robinson  
Chief Executive Officer

"County"

**CITY OF RIVERBANK**

By: 

Richard Holmer  
City Manager

"Applicant"

APPROVED AS TO FORM:

John P. Doering  
County Counsel

By: 

John P. Doering  
County Counsel

APPROVED AS TO FORM:

By: 

Attorney for Applicant