

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

DEPT: Chief Executive Office

BOARD AGENDA # B-16

Urgent

Routine

AGENDA DATE December 8, 2009

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Consideration of the Economic Development Bank Project Recommendations from the City/County Advisory Committee and the Stanislaus Economic Development and Workforce Alliance Board and Approval of Project Funding for the 2009-2010 Fiscal Year Fund Cycle in an Amount Not to Exceed \$400,000

STAFF RECOMMENDATIONS:

1. Approve the Project Funding Recommendation from the City/County Advisory Committee for the 2009-2010 Fiscal Year funding cycle to the City of Newman for their Downtown Plaza Project in an amount not to exceed \$400,000.
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 2009-2010 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. In Fiscal

- Continued on page 2 -

BOARD ACTION AS FOLLOWS:

No. 2009-822

On motion of Supervisor DeMartini, Seconded by Supervisor Monteith
and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Review and Consider Economic Development Bank Project Recommendations from the City/County Advisory Committee and the Stanislaus Economic Development and Workforce Alliance Board and Approve Project Funding for the 2009-2010 Fiscal Year Funding Cycle in an Amount Not to Exceed \$400,000

Page 2

FISCAL IMPACT continued:

Year 2008-2009 and again this year (Fiscal Year 2009-2010), no funding was approved for the Economic Development Bank as a result of the County's fiscal position and as part of budget balancing recommendations. Additionally, as part of the budget strategy for the current fiscal year, the Board released \$3 million dollars of Economic Development Bank fund balance to the General Fund during the Final Budget process.

To date, the Economic Development Bank has committed \$7,536,021.92 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. 84% of committed funds have been distributed to date (due in part to individual project phasing). 7% of total funds committed have been allocated to grant based projects.

The Economic Development Bank funding recommendation for this application cycle totals \$400,000. As of September 30, 2009, the uncommitted balance available for projects was approximately \$525,000 and includes loan repayments and accrued interest. The next possible funding cycle may occur in September 2010, at the not to exceed \$250,000 funding level, if all current loan repayment obligations remain on schedule and are committed timely.

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

Review and Consider Economic Development Bank Project Recommendations from the City/County Advisory Committee and the Stanislaus Economic Development and Workforce Alliance Board and Approve Project Funding for the 2009-2010 Fiscal Year Funding Cycle in an Amount Not to Exceed \$400,000

Page 3

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 review. If Board majority approval 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. In general, the jurisdiction draws down Bank funds by invoicing the County for work performed on its project. 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.

Current Proposals: Overview

Five projects were received in the September 2009 Request for Proposals (RFP) funding cycle. The projects were from the cities of Newman, Riverbank, Oakdale, Turlock and Ceres. These projects are summarized below. The Economic Development Bank City/County Advisory Committee reviewed the project applications on October 15, 2009 and ranked each of the projects in order of current viability based upon a five (5) point scoring criteria with a total of 100 points possible:

- Promotion of Economic Development (30 points)
- Direct Job Creation (30 points)
- Repayment Schedule (10 points)
- Matching Funds and Leverage (20 points)
- Collaboration with other agencies (10 points)

Project Ranking

Eight of the nine cities and the County were present for the City/County Advisory Committee review and project ranking. After a short presentation by each of the project proponents the projects were scored (aggregate average) as follows:

1. Newman Downtown Plaza	94.0 points
2. Oakdale Warnerville Extension	79.5 points
3. Riverbank Irrigation Line Extension	77.3 points
4. Turlock Traffic Signal	77.0 points
5. Ceres Sewer Extension	59.0 points

The Stanislaus Economic Development and Workforce Alliance Board considered the funding recommendations of the Advisory Committee during its regular board meeting

Review and Consider Economic Development Bank Project Recommendations from the City/County Advisory Committee and the Stanislaus Economic Development and Workforce Alliance Board and Approve Project Funding for the 2009-2010 Fiscal Year Funding Cycle in an Amount Not to Exceed \$400,000

Page 4

on October 19, 2009. At the October meeting, project proponents were again provided an opportunity to present. After several failed motions, the Alliance Board approved (9-8) a modification of the project funding priority as brought forward by the City/County Advisory Committee. The Alliance Board modification recommended the following order (no numeric scoring mechanism used):

1. **Riverbank Irrigation Line Extension**
2. **Newman Downtown Plaza**
3. **Oakdale Warnerville Extension**
4. **Turlock Traffic Signal**
5. **Ceres Sewer Extension**

Project Descriptions

Newman Downtown Plaza

Proposal Overview

Since the early 1990's, the City of Newman has been working to revitalize its downtown core by encouraging economic investment and enhancing the downtown pedestrian environment. Creating a "pedestrian friendly" downtown, where people can walk or gather daily and during special events, is one of the City's primary economic development strategies. The Newman project, a downtown plaza, is the primary component to the Newman Downtown Revitalization Plan. This project creates a gateway to downtown Newman visible from State Highway Route 33. This gateway provides both a visual link and a pedestrian connection between the highway corridor and the downtown district.

Short Term Job Generation

The project will provide for over 60 parking spaces, landscaping, benches, and restroom facilities for travelers. Local merchants will benefit from the additional parking and enhanced shopping experience. This project has the potential to generate approximately 60 temporary skilled jobs during construction and 80+ permanent jobs for this small community.

Funding Partnerships/Match

The Newman project is a very strong partnership based request. This partnership incorporates the City of Newman, the Newman Redevelopment Agency, CalTrans, Federal ARRA funding, and neighborhood property owners. The total project cost is \$2,580,000. The project request is for \$400,000. All other funding has been secured.

Repayment Strategy

The Newman project repayment schedule is diligent at \$80,000 per year over a five year time frame beginning with first payment on July 1, 2011.

Review and Consider Economic Development Bank Project Recommendations from the City/County Advisory Committee and the Stanislaus Economic Development and Workforce Alliance Board and Approve Project Funding for the 2009-2010 Fiscal Year Funding Cycle in an Amount Not to Exceed \$400,000

Page 5

Riverbank Irrigation Line Extension

Proposal Overview

The Riverbank project plans to realign an irrigation pipeline so that it follows existing property lines, allowing for the development of the properties previously bisected by the pipeline on the Riverbank Industrial Park. These infrastructure improvements are necessary to facilitate prospective development. The project area lies along the eastern edge of Riverbank, along the northern border of the undeveloped portion of the Riverbank Industrial Park. These properties are owned by the Federal Government with anticipated transfer to the City of Riverbank estimated to occur in calendar year 2010. Currently, no structures or landscaping improvements including trees can be constructed with the easement areas required for the irrigation lines. By realigning the irrigation lines along property boundaries, parcels become more regularly shaped and development of affected properties becomes feasible.

Short Term Job Generation

Two local businesses have for some time expressed interest in the project location with an estimated potential to add approximately 100 new jobs over a three year period. This interest is verbal and non-binding at this juncture.

Funding Partnerships/Match

There is no fiscal partnership discussed in this request. The application states Oakdale Irrigation District (OID), as project partner however; OID does not have a stated monetary commitment, real or in-kind in the project proposal. The total project cost is \$335,000. The Riverbank request is for \$335,000. There is no community match.

Repayment Strategy

The Riverbank repayment schedule is diligent requesting a lump sum repayment in four years (January 2014) paid through Community Services District fees. The application states that a Community Services District does not currently exist but is expected to be formed in August 2010.

Oakdale Warnerville Road Extension

Proposal Overview

The Oakdale project consists of an approximately 2,850 foot extension of Warnerville Road from South Yosemite Avenue to Kaufman Road in the City of Oakdale. This segment of Warnerville Road will be four lanes wide and include full infrastructure and intersection improvements. This improvement project will allow immediate improved road access to approximately 119 acres of industrial zoned land. Adjoining parcels zoned for industrial, job-generating businesses, suffer from access restrictions created by a lack of frontage and restricted turning movements on South Yosemite Avenue.

Review and Consider Economic Development Bank Project Recommendations from the City/County Advisory Committee and the Stanislaus Economic Development and Workforce Alliance Board and Approve Project Funding for the 2009-2010 Fiscal Year Funding Cycle in an Amount Not to Exceed \$400,000

Page 6

Short Term Job Generation

With this improved road access infrastructure, several existing businesses including Sconza Candy Company, Blue Diamond Almonds and Organic Milk Coop will realize an estimated 200 permanent new jobs over a 24 month period.

Funding Partnerships/Match

The Oakdale project has nominal partnership commitment at this very early stage. The project has been identified as a strong contender for Federal Economic Development Administration (EDA) funding and the City and partners do plan to pursue a \$3,000,000 EDA grant request next fall (2010). EDA officials have made very clear statements that the impending EDA grant application will only be considered if private development interests participate significantly in the \$1,000,000 match component.

The total project cost is \$4,000,000. The project request is for \$1,000,000 (\$950,000 as Economic Development Bank loan and \$50,000 in grant dollars for initial engineering and design work)¹. No actual funding has been secured for this project at this juncture.

Repayment Strategy

The Oakdale project repayment schedule is requested over a 13 year period with quarterly payments over ten years commencing three years after draw down. This project proposes full repayment by calendar year 2024.

Turlock Traffic Signal (Request for additional loan funding)

Proposal Overview

In November of 2007, the Stanislaus County Board of Supervisors approved an Economic Development Bank loan application in the amount of \$889,305 for the construction of a traffic signal at the intersection of Fransil Lane and West Main Street. The Economic Development Bank loan included all engineering design and right of way acquisitions. At this juncture (two years later), only \$92,798.23 has been drawn down on this project. Due to increased right of way costs and signal installation costs, the initial estimate is not enough to fund the total project cost. The City of Turlock is requesting an additional loan amount of \$334,800.

Short Term Job Generation

The potential for job creation via the long term development of this project area is significant. Currently, eight small lot industrial subdivisions have been approved in the Westside Industrial Specific Plan (WISP) area. Nine projects are in development review. Three large parcels (totaling 190 acres) are under option for purchase. Jobs per acre ratios applied make for an impressive long term job development opportunity.

¹ At the point of Request for Proposal (RFP) distribution there was no mention of a not to exceed \$400,000 project request. Therefore, several project requests exceed the available Bank funding limit for this cycle.

Review and Consider Economic Development Bank Project Recommendations from the City/County Advisory Committee and the Stanislaus Economic Development and Workforce Alliance Board and Approve Project Funding for the 2009-2010 Fiscal Year Funding Cycle in an Amount Not to Exceed \$400,000

Page 7

However, there is no specific company directed job creation associated with this request for additional funding.

Funding Partnerships/Match

The Turlock project is an internal funding partnership between the City and their Redevelopment Agency. This is a request for additional Economic Development Bank loan dollars. The total project cost is \$1,528,025.75 which includes \$113,680.80 in construction contingency costs. The City has previously been awarded an Economic Development Bank loan of \$889,305 for this project and \$92,798.23 has been drawn down. Turlock has earmarked City Redevelopment Agency funding in the amount of \$294,910.00 to assist with managing this project cost overrun. There are no other public or private funding partners identified.

Repayment Strategy

The Turlock project repayment schedule is requested over a 10 year period with annual payments over seven years commencing three years after draw down. This project proposes full repayment by calendar year 2020.

Ceres Sewer Extension

Proposal Overview

The Ceres project proposal requests to extend sanitary sewer connectivity between Blaker Road and Esmar Road (approximately 6,900 feet) and requires under crossing work at State Route 99. This pipeline project would allow commercial development in the Service/Mitchell commercial corridor. It would also extend commercial and residential development potential to regions located east of the City boundaries. The project as proposed is on a two year time line with an almost 12 month (1 year) schedule of plan check, revisions, permitting and easement procurement before calling for project bids. Bid award is estimated to be at least 15 months out.

Short Term Job Generation

The application states that the project will create 66 temporary construction related jobs and 1,000 permanent jobs. There is no substantiation of either of these numbers in the very brief application memorandum.

Funding Partnerships/Match

The Ceres project is an internal partnership consisting of the City and their Redevelopment Agency. The total project cost is \$1,750,000. The project request is for \$750,000. There is no discussion in the application of the status of alternative funding through Redevelopment and City impact fees.

Repayment Strategy

The Ceres project application does not discuss a repayment schedule or time line.

Review and Consider Economic Development Bank Project Recommendations from the City/County Advisory Committee and the Stanislaus Economic Development and Workforce Alliance Board and Approve Project Funding for the 2009-2010 Fiscal Year Funding Cycle in an Amount Not to Exceed \$400,000

Page 8

Economic Development Bank – Applicant History

As part of the staff analysis for this funding round, an applicant history has been developed (see attachment one) to provide an overview of current and past project awards and repayment status.

POLICY ISSUES:

The Board should decide whether the purpose and intent of the Stanislaus County Economic Development Bank is sufficiently achieved in these applicant proposals and recommendation 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.

Attachment: Table Summary of Applicant History

City	Project	Project Description	Amount Awarded	% Disbursed	% Repaid	Repayment Term	Fiscal Year Approved	Total Loan(s) to City	Loan(s) Balance
Newman	Newman Industrial Park	Extension of roads and utilities into the new area of the existing industrial park.	\$ 190,000	100%	100%	N/A	2001-2002	\$ 190,000	0.00
Riverbank	Roselle Master Sewer Line	Installation of the Roselle Avenue master sewer line to support development of the industrial and residential properties east of Roselle Avenue and west of the Burlington Northern Santa Fe railroad tracks.	\$ 350,000	100%	40%	\$70,000 per year beginning March 31, 2007. Full repayment by March 31, 2012.	2003-2004	\$ 2,300,000	1,614,363.61
	Riverbank Sports Complex	Infrastructure construction (water, sewer and storm drainage facilities) associated with the Riverbank Sports Complex.	\$ 400,000	100%	40%	\$80,000 per year beginning January 1, 2008. Full repayment by January 1, 2013.	2006-2007		
	Downtown Improvement Project	Revitalization of the downtown area through infrastructure improvements.	\$ 500,000	100%	20%	\$100,000 per year beginning August 1, 2009. Full repayment by August 1, 2014.	2008-2009		
	Riverbank Industrial Park Expansion	Creation of a business expansion loan program to infuse existing Riverbank Army Ammunition Plant manufacturing businesses with necessary capital.	\$ 750,000	100%	0%	Full repayment by November 1, 2013.	2008-2009		
	Riverbank Industrial Business Park Specific Plan	Completion of Specific Plan to implement an essential step in the reuse and redevelopment of the Riverbank Army Ammunition Plant Industrial Park.	\$ 300,000	5%	0%	Full repayment by December 31, 2014.	2008-2009		
Oakdale	Wakefield Drive Extension I and II	Construction of Gregor Avenue to Wakefield Drive to improve access to 60-acre Oakdale Business Park.	\$ 293,000	100%	46%	Full repayment by January 1, 2024.	2002-2004	\$ 293,000	158,000.00
Turlock	Fransil Lane and West Main Sewer Project	Installation of a sewer system that will serve the 1760-acre Westside Industrial Specific Plan project area.	\$ 600,000	100%	100%	\$200,000 per year beginning July 30, 2006. Full repayment by July 30, 2009.	2004-2005	\$ 1,489,305	92,798.23
	Fransil Lane and West Main Traffic Signal Construction	Construction of traffic signal improvements at the intersection of Fransil Lane and West Main.	\$ 889,305	10%	0%	\$127,043 per year beginning three years after project completion on January 1st.	2007-2008		
Ceres	Service Road Industrial Area Water System Improvements	Water system improvements, including extension of water mains and new well, to serve the Service Road Industrial Area.	\$ 330,000	43%	100%	Full repayment by December 31, 2007.	2001-2002	\$ 530,000	0.00
	Commercial Rehabilitation Loan Program	Establishment of a commercial rehabilitation loan program to benefit Ceres Redevelopment Area businesses.	\$ 100,000	0%	Loan relinquished.	N/A	2004-2005		
	Crows Landing Rd Industrial Area Master Plan & EIR	Development of a Master Plan and Environmental Impact Report to enable annexation and development of up to 389 acres along Crows Landing Road.	\$ 100,000	0%	Loan relinquished.	N/A	2004-2005		

**ECONOMIC DEVELOPMENT "BANK"
PROJECT FUNDING AGREEMENT
Newman Downtown Plaza Project**

This Economic Development "Bank" Project Funding Agreement ("Agreement") is made and entered into on January 1, 2010 by and between the County of Stanislaus ("County") and the Newman Redevelopment Agency (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 revitalization of the Newman Downtown Plaza;

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, 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 \$400,000 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 \$400,000.

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 \$400,000 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 by the date specified in the repayment schedule set forth in Section 2.2 or any extension agreed to in writing by the County. 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 the project will be completed and repayment to the "Bank" will be accomplished in five annual payments of \$80,000 every July starting July 1, 2011. 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:

Chief Executive Officer, Newman Redevelopment Agency
1162 Main Street
Newman, CA 95360

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

NEWMAN REDEVELOPMENT AGENCY

By: _____
Richard W. Robinson
Chief Executive Officer

By: _____
Michael Holland
Chief Executive Officer

“County”

“Applicant”

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
John P. Doering
County Counsel

By: _____
Attorney for Applicant



ECONOMIC DEVELOPMENT BANK
Application Funding Cycle
Fall/Winter 2009

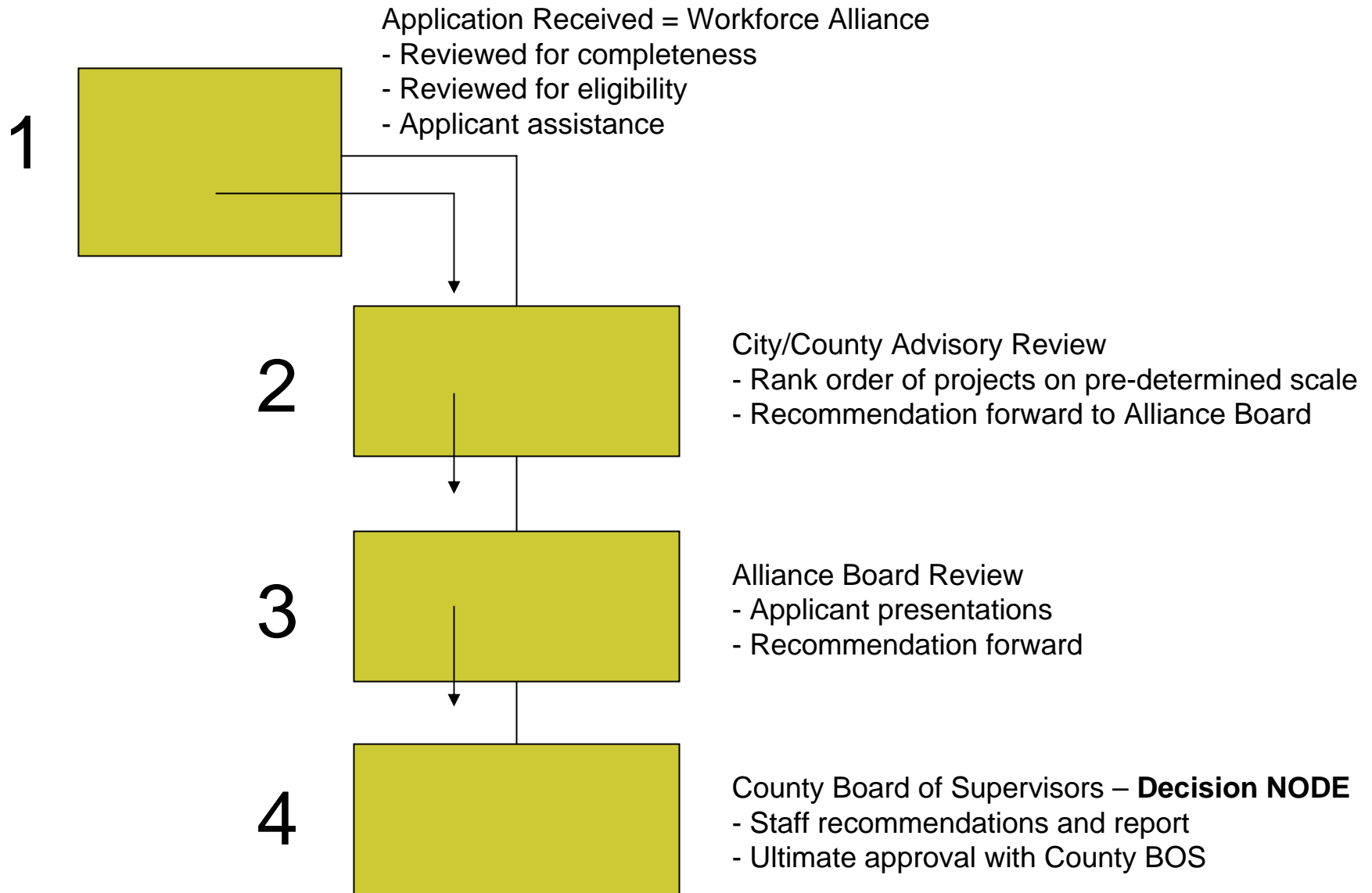
Report to County Board of Supervisors
December 8, 2009



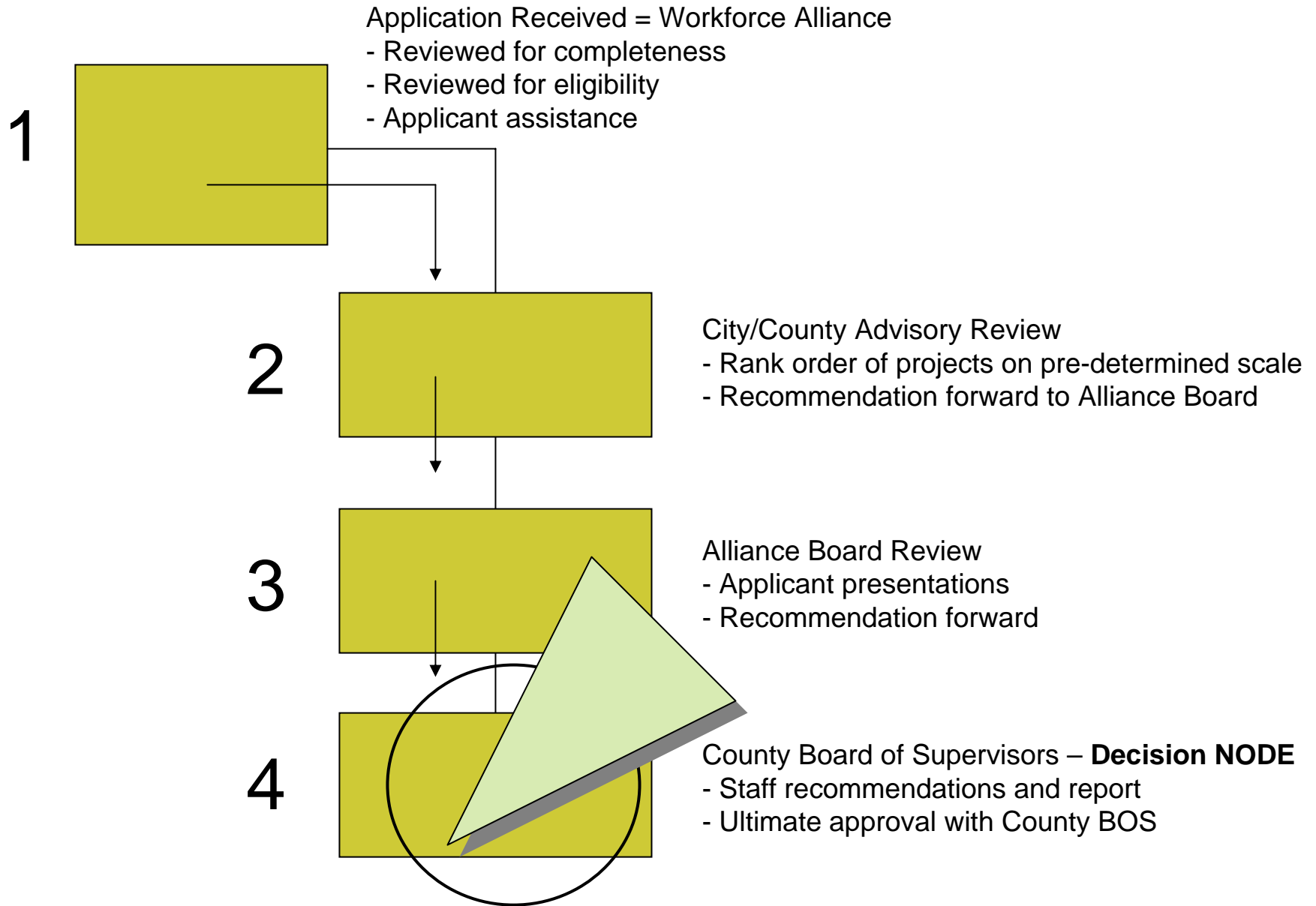
ECONOMIC DEVELOPMENT BANK

Provides resources for economic development projects throughout the County with the intention that these funds be used by the nine Cities and County to finance infrastructure projects that make possible - greater opportunities for job retention, job creation, and workforce development.

THE PROCESS




THE PROCESS




Projects	Description	Funding Request
City of Newman	Revitalize downtown by developing a Downtown Plaza to create a gateway to the downtown district	\$400,000
City of Oakdale	2,850 foot extension of Warnerville Road to allow immediate improved access to 119 acres of industrial zoned land	\$1,000,000
City of Riverbank	Realign irrigation pipeline to follow property lines in order to facilitate prospective development	\$335,000
City of Turlock	Request for additional funding on a pre-approved ED Bank loan for traffic signalization in WISP	\$334,800
City of Ceres	Sanitary sewer extension to allow commercial development in the Service/Mitchell corridor	\$750,000

**Economic Development Bank
PROJECT SCORING MATRIX
City/County Advisory Meeting
Fall/Winter 2009 Cycle**

 Newman: Downtown Plaza	94.0
Oakdale: Warnerville Road Extension	79.5
Riverbank: OLD Infrastructure Alignment	77.3
Turlock: Traffic Signal (additional funding)	77.0
Ceres: Sewer Extension	59.0

Economic Development Bank
PROJECT RANKING (by motion)
Alliance Board
Fall/Winter 2009 Cycle

-  **1. Riverbank: OID Infrastructure Alignment**
2. Newman: Downtown Plaza
3. Oakdale: Warnerville Road Extension
4. Turlock: Traffic Signal (additional funding)
5. Ceres: Sewer Extension



STAFF RECOMMENDATION [FACTORS]

- **Past history - Applicant Jurisdictions
- Geographic Equity**
- **Existing ED Bank Programming**
- **Project Critical Timing/Readiness**
- **Completeness of Application Process**



STAFF RECOMMENDATION

Approve the City of Newman project proposal for improvements in their downtown plaza with an Economic Development Bank loan of \$400,000.00 to be paid over a 5 year period in equal \$80,000.00 payments beginning in July 2011.



ECONOMIC DEVELOPMENT BANK

Application Funding Cycle

Fall/Winter 2009

—
Q&A
Comment Period