

Pride ~ Progress ~ Possibilities

**Riverside Municipal Building
5200 Springfield Street, Suite 100
Riverside, Ohio 45431**

May 5, 2022

Council Meeting

6:00 P.M.

City Council

PETER J. WILLIAMS, MAYOR

MIKE DENNING
APRIL FRANKLIN
BRENDA FRY
ZACHARY JOSEPH
SARA LOMMATZSCH
JESSE MAXFIELD

Josh Rauch, City Manager

Katie Lewallen, Clerk of Council

Calendar for year 2022 (United States)



January

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Jan 6 • Council Meeting
Jan 13 • Work Session
Jan 20 • Council Meeting
Feb 3 • Council Meeting
Feb 10 • Work Session
Feb 17 • Council Meeting
Feb 21 • Offices Closed
Mar 3 • Council Meeting
Mar 10 • Work Session
Mar 17 • Council Meeting
Apr 7 • Council Meeting
Apr 14 • Work Session
Apr 21 • Council Meeting
May 5 • Council Meeting
May 12 • Work Session
May 19 • Council Meeting

May 30 • Offices Closed
Jun 2 • Council Meeting
Jun 9 • Work Session
Jun 16 • Council Meeting
Jul 4 • Offices Closed
Jul 7 • Council Meeting
Jul 14 • Work Session
Jul 21 • Council Meeting
Aug 4 • Council Meeting
Aug 11 • Work Session
Aug 18 • Council Meeting
Sep 1 • Council Meeting
Sep 5 • Offices Closed
Sep 8 • Work Session
Sep 15 • Council Meeting
Oct 6 • Council Meeting

Oct 13 • Work Session
Oct 20 • Council Meeting
Nov 3 • Council Meeting
Nov 8 • Election Day
Nov 10 • Work Session
Nov 11 • Offices Closed
Nov 17 • Council Meeting
Nov 24 • Offices Closed
Nov 25 • Offices Closed
Dec 1 • Council Meeting
Dec 8 • Work Session
Dec 15 • Council Meeting
Dec 23 • Offices Closed
Dec 26 • Offices Closed

AGENDA

Please place all cell phones in silent mode before the meeting begins.

RIVERSIDE CITY COUNCIL

**Riverside Administrative Offices
5200 Springfield Street, Suite 100
Riverside, Ohio 45431**

**Thursday, May 5, 2022
Business Meeting 6:00 P.M.**

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) EXCUSE ABSENT MEMBERS
- 4) ADDITIONS OR CORRECTIONS TO AGENDA
- 5) APPROVAL OF AGENDA
- 6) PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE
- 7) PROCLAMATION – Denise “DeDe” Moran
- 8) BOARD & COMMISSION APPOINTMENT – BZA
- 9) MINUTES – Approval of minutes from the April 21, 2022, council meeting.
- 10) ACCEPTANCE OF CITIZEN PETITIONS
- 11) DEPARTMENT UPDATES:
 - A) Finance Department
 - B) Administration Department
 - C) Community Development/City Manager Report
- 12) PUBLIC COMMENT ON AGENDA ITEMS
- 13) OLD BUSINESS
 - A) ORDINANCES
 - I) **Ordinance No. 22-O-793** – An ordinance providing for the adoption of post-issuance compliance policies and procedures for tax exempt obligations and continuing disclosure obligations. (2nd reading, public hearing, adoption)
- 14) NEW BUSINESS

*If you need special accommodations to attend this meeting,
please notify the City of Riverside at least 72 hours in advance by calling 937.233.1801.*

A) ORDINANCES

- I) **Ordinance No. 22-O-794** – An ordinance by the council of the City of Riverside, Ohio approving a change in the water protection overlay district boundaries as shown on the zoning map of the City of Riverside, Ohio for the Source Water Protection Area within the City of Riverside. (1st reading)
- II) **Ordinance No. 22-O-795** – An ordinance establishing Chapter 1119 Planned Unit Development Districts in the Unified Development Ordinance (UDO) of the City of Riverside. (1st reading)

B) RESOLUTIONS

- I) **Resolution No. 22-R-2766** – A resolution authorizing the city manager of the City of Riverside to sign documents related to this year's Paint Striping Project.
- II) **Resolution No. 22-R-2767** – A resolution amending 22-R-2754 to increase the 2022 Paving Program bid not to exceed amount contract with Fillmore Construction, LLC.
- III) **Resolution No. 22-R-2768** – A resolution by the council of the City of Riverside, Ohio approving participation in Region 8 governance structure under the OneOhio Memorandum of Understanding.
- IV) **Resolution No. 22-R-2769** – A resolution to repeal and replace Resolution No. 22-R-2764 authorizing the city manager to enter into a contract for the purchase of in-car and body worn cameras for use by the police department.

15) PUBLIC COMMENT ON NON-AGENDA ITEMS

16) COUNCIL MEMBER COMMENTS

17) EXECUTIVE SESSION – PERSONNEL

- A) 103.01 (1) - Unless the City employee or official requests a public hearing; to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a city employee or official or the investigation of charges or complaints against a City employee or official.

18) RECONVENE

19) ADJOURNMENT

PROCLAMATION

City of Riverside, Ohio
A Proclamation Honoring

Denise “DeDe” Moran

On A Lifetime of Service to Her Community

Whereas, Mrs. Denise “DeDe” Moran has been an integral and valued member of our Community for the past 43 years, serving in numerous roles at our local Kroger Store on Spinning Road since 1979; and

Whereas, Mrs. Moran, a lifelong resident of Mad River Township and the City of Riverside, has distinguished herself as an exemplary neighbor, friend to many, always willing to offer a helping hand; and

Whereas, Mrs. Moran, has also served her local community as a member of the St. Helen Parish, and School as a volunteer, and Booster, and especially in leadership role for over 15 years supporting the St. Helen Festival;

Now, Therefore, I, Peter J. Williams, Mayor of the City of Riverside, Ohio and the Council of the City of Riverside, Ohio do hereby recognize Mrs. Denise “DeDe” Moran on the occasion of her retirement from work, and for her dedication and ongoing commitment to service and volunteerism in our City.

Signed under my hand and seal this 5th day of May 2022.

Peter J. Williams, MAYOR

BOARDS, COMMISSIONS, & COMMITTEES

From: [WordPress](#)
To: [Katie Lewallen](#)
Subject: Boards and Commissions Application
Date: Friday, March 4, 2022 4:15:44 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

BOARDS AND COMMISSIONS APPLICATION:

Name: Timothy Cron

Address: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Serve (choice 1): Zoning Appeals

Serve (choice 2): N/A

Years in Riverside: Over a year

Offices Held: N/A

Last Year of School Completed: 16 - College

Certificates or Degrees: Bachelors degree

Employment History: Caliber Collision

July 2020

GM at Centerville location

Convicted of a Crime? No

If Yes:

Additional Info: N/A

To respond to this request, please create a new email to the email address shown above.

From: [WordPress](#)
To: [Katie Lewallen](#)
Subject: Boards and Commissions Application
Date: Thursday, February 24, 2022 6:28:43 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

BOARDS AND COMMISSIONS APPLICATION:

Name: Patricia A Matheney

Address: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Serve (choice 1): Board of Zoning Appeals

Serve (choice 2): Health and safety

Years in Riverside: 68 years

Offices Held: Health and Safety 2021- present

Community Project 2021- present

Last Year of School Completed: 14 - College

Certificates or Degrees: Associate Degree of Nursing.

Employment History: Miami Valley Hospital 1994- 2013

Pre-op Surgery, SANE Nurse Emergency Room, Pain Center, Telemetry

Convicted of a Crime? No

If Yes:

Additional Info: Have lived in Riverside my whole life. Graduated Stebbins. Know areas of Riverside, people that live here. Able to look at situations and consider all options.

Want Riverside to grow and be a Community to be proud of.

To respond to this request, please create a new email to the email address shown above.

MINUTES



MEETING DATE: May 5, 2022

AGENDA ITEM: Minutes

TO: Riverside City Council
FROM: Katie Lewallen, Clerk of Council
SUBJECT: Minutes

EXPLANATION: Consider the approval of the minutes of the April 21, 2022 council meeting.

RECOMMENDATION

It is respectfully recommended that the Mayor and City Council approve the attached minutes.

FISCAL IMPACT

N/A

SOURCE OF FUNDS

N/A

EXHIBITS

Draft minutes

CALL TO ORDER: Mayor Williams called the Riverside, Ohio City Council Meeting to order at 6:00 p.m. at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

ROLL CALL: Council attendance was as follows: Mr. Denning, present; Mrs. Franklin, present; Ms. Fry, present; Mr. Joseph, present; Ms. Lommatzsch, present; Mr. Maxfield, absent; and Mayor Williams, present.

Staff present was as follows: Josh Rauch, City Manager; Tom Garrett, Finance Director; Angela Jackson, Police Major; Dan Stitzel, Fire Chief; Kathy Bartlett, Public Service Director; Nia Holt, Zoning Administrator; Jim Miller, Associate Law Director; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: Deputy Mayor Denning moved, seconded by Mr. Joseph, to excuse Mr. Maxfield. All were in favor. **Motion carried.**

Mayor Williams asked council members to speak directly into the microphone for the record.

ADDITIONS OR CORRECTIONS TO AGENDA: There were no additions/corrections.

APPROVAL OF AGENDA: Ms. Lommatzsch moved, seconded by Deputy Mayor Denning, to approve the agenda. All were in favor. **Motion carried.**

PLEDGE OF ALLEGIANCE: Mayor Williams led the pledge of allegiance.

PROCLAMATION – AUTISM ACCEPTANCE MONTH: Mayor Williams presented a proclamation recognizing April as National Autism Acceptance Month to Paul Schlotman from the Autism Society of Dayton. Mr. Schlotman accepted the proclamation on behalf of himself as an adult with autism and all the citizens of Riverside the hundreds that have autism and the millions in Ohio. He thanked council for the recognition.

MINUTES: Mr. Joseph moved, seconded by Deputy Mayor Denning, to approve the minutes of the April 7, 2022 council meeting. All were in favor. **Motion carried.**

FINANCIAL REPORT: Deputy Mayor Denning moved, seconded by Mrs. Franklin, to approve the March 2022 financial report. All were in favor. **Motion carried.**

WRITTEN CITIZEN PETITIONS: Mayor Williams stated any citizen wishing to speak should fill out a petition found at the back of the room and turn it in to the clerk.

DEPARTMENT UPDATES:

A) Police Department – Major Jackson stated officers were currently going through training. They are into their Tier 4 policy review with Lexipol. Two officers just went through new training called ‘Surviving the First Three Seconds’, an intense training on how to read body language, clothing, people being in a car and their actions within the first three seconds. One injured officer is on light duty. Officer Alex Whitt just completed field training

and is now out on his own. Sgt. Vance is currently in Police Leadership Class and has one more week. They are checking into several grants: the BWC Vest Grant that gives a reimbursement on vest purchases, the SRO Grant, and a Decrease Violent Crimes Grant. They are an OVI task force and have been posting officers to check for OVI; they get reimbursed that money, currently that is at \$1,326. They have also applied for a STEP grant for speed reduction and have received \$1,300 for March. They worked a blitz today on SR-35 and Route 4 for speeders. They are working on an active shooter training for May. She added that the owner of Bleachers, Mr. Todd Smith, was arrested for an abduction and aggravated burglary charge and is on home arrest.

B) Fire Department – Chief Stitzel stated there were two working structure fires this week and thanked mutual partners: Dayton, Huber Heights, Wright-Patt, Kettering, and Beavercreek for their help. They are doing rapid intervention training to rescue downed fire fighters inside of a structure fire. The joint training is between Riverside, Huber Heights, Vandalia, and Butler Township. They concluded the lieutenant's process and promoted fire fighter Jason Evans. He has been with the city full-time for five years. There is an offer for a battalion chief externally; as soon it is taken care of they will make the announcement and arrange a swearing-in ceremony by the end of May. They have a full-time fire fighter vacancy and are working to fill that. All of their engines are back and working and thanked Butler Township for allowing them to borrow one while they were down. He added that the Community Paramedic Paula Balcom is doing an outstanding job; she has provided 22 vaccines and boosters to residents at Mad River Manor. She is developing partnerships with outside agencies that they may be able to collaborate with for services for the under insured.

C) Public Services Department – Ms. Bartlett stated that today was the bid opening for the Harshman Wall repairs and they received zero bids. The consultants called the bigger bidders, but they found there is a labor shortage. A few of the consultants stated the timing of the bidding was off for them so they may consider rebidding in a month or so. She attended an OPWC meeting where the criteria for grants they get from them was discussed. There will be a change in the criteria that is not going to be favorable to Riverside, but they will still get something. There are plans to submit for three grants: Spinning Road Phase 1 (Linden to Eastman), Spinning Road Phase 2 (Eastman to Burkhardt), and the Urban Paving Program (all state routes within the city). She stated they may begin mowing as early as tomorrow. Mr. Rauch stated while it is disappointing they didn't get any bids on the concrete project, he is hearing it from other communities as well these type of difficulties with infrastructure projects. He feels they will have better luck rebidding.

D) City Manager Report – Mr. Rauch stated next month they will see a PUD zoning amendment and he thanked Ms. Holt for the hard work she has done getting that processed. There will also be an amendment to the Source Water Protection Program that changes the boundaries to protect the water they drink. He stated an offer was made for the financial administrator position and that person will begin in May.

Ms. Lommatzsch asked if there was a steering committee meeting for the land use plan. Mr. Rauch stated they did have a meeting last night but had to cut it a bit short. He will get with

MKSK to add another meeting into the cycle and keep her in the loop. He believes there are one or two more meetings. She asked how many attended. He stated four or five attended. Mayor Williams thanked Ms. Holt on the thorough work she did on the PUD.

PUBLIC COMMENT ON AGENDA ITEMS: Mayor Williams stated forms have been turned in for those wanting to speak on agenda items. Speakers should state their name and address and keep their comments to three minutes.

Mr. Roy Owens, 4618 Northern Circle, stated this is his third meeting on the rezoning. They have talked about it, asked questions, and sent information in; he is disappointed that nobody from city council has reached out except the city manager. He stated the mayor ran under the pretense of being different and find better ways for taxes and what not. He had a conversation with him and he was glad to get fresh blood on council, but, nothing has changed. No one is listening to the citizens. They have submitted petitions, expressed concerns about the environment and public safety, but no one has listened. He is asking for help and for someone to listen to him. He wants to know that his well water will be safe. They need to be concerned about the safety. Mr. Oakes stated he doesn't use fertilizer on the properties, but the homeowners might, and it could affect them. He feels they are being penalized. He stated they aren't being listened to and no one seems to care as no one from council has reached out to their neighborhood. They don't know what is going on. They don't have city water or city sewer but feel they will be forced to suffer the consequences of any poor planning or missteps. He understands that the police and fire departments are under funded and that problem hasn't been looked at yet. He compared what was happening to buying a car before it has even had a test drive. He stated he was there to talk to them to help them make the city a better place and he doesn't know that that is the path they are on.

Mr. Dale Wilsdon, 4586 Northern Circle, stated that they have submitted pictures and petitions, and no one has explained why they voted on this. There may be only 30 homes there, but it is their community. He stated they already have flooding issues there. He stated he appreciates the city manager and Ms. Holt coming out, but no one on council has not told them why they are doing this. He stated they gave them a petition and doesn't know if they looked at it, but the concerns are the same. The traffic will be devastating. Northern Circle will be trapped from that development. He stated city council represents them and they want council's input to work together and find a solution. No one is responding to anyone.

Mr. Lance Oakes, 8534 Yankee Street, stated the points stated are very good. He will work with staff to get things finalized and bring plans if they are successful on the rezoning. He cannot guarantee he can solve their problems they are running into with drainage and things running downstream or into their neighborhood, but he guarantees he will make it better. All the water on the 76 acres flows down to that stream. They are going to have multiple detention basins on site that will capture and trap the water releasing out at a slower rate. It may not solve the flooding issues, but it will make it better. On the traffic study, they are working with staff and are in the process of a traffic report. They will meet whatever improvements are required out of that report. He stated there shouldn't be any traffic added today or five to ten years from now to Northern Circle. There will be no access to the plat off the circle other than emergency vehicles. The traffic to Northern Circle should be

minimum. He agrees with them that more cars will come out of the plat, but it is a drop in the bucket in terms of what is going on Needmore Road today. He does plan to make it better with roadway improvements. Traffic coming in out of Dayton is negligible and he knows that no one wants to hear that. He wants to work with the residents and will meet with them and talk with them. He wants to help alleviate touchpoints and concerns as much as possible.

OLD BUSINESS

A. ORDINANCES

- I) Ordinance No. 22-O-792 – An ordinance by the council of the City of Riverside, Ohio approving a change in the district boundaries as shown on the zoning map of the City of Riverside, Ohio for the property located at 4555 Northern Circle, Parcel ID N. I39 00802 0033 from R-1 Low-Density Single-Family Residential District to R-3, Medium-Density Residential District. (2nd reading, public hearing, adoption)**

Deputy Mayor Denning moved, seconded by Mrs. Franklin, to approve the second reading of Ordinance No. 22-O-792. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing at 6:31 pm. No one wished to speak. Mayor Williams closed the public hearing at 6:32 pm.

Mr. Joseph stated he wanted to make sure he understood everything correctly. Discussion was held on the Dayton section formerly being an industrial zoned area. He clarified on the Riverside section they are moving from an R-1 with lot size of 100 feet to an R-3 with a lot size of 60 feet. He then asked if the next step is a site plan that they would vote on. Ms. Holt stated that the planning commission approves the site plan. There is a public comment at the planning commission, which is a public process. All they are doing at the moment is shrinking the lots. Ms. Holt confirmed that was correct. Deputy Mayor Denning stated it has been R-1 for years. He added that if Mr. Oakes can't come up with a solution that all parties like, the land could sit there for years as an R-3. He stated now is not the time for them to look at the water runoff and traffic issues; all they are doing is shrinking the lot sizes. Ms. Holt confirmed that was correct.

Mayor Williams stated that they are not reviewing a site plan because one does not exist. They are also not speculating on a site plan and what it says. This is private property that is owned by an individual that has a right to develop a property the same way any other residential lot can be developed within the codified ordinances of the city. It is an equal protection argument; the 14th amendment. He cannot tell a person behind his house not to put up a shed because he doesn't want to look at it. He can put up bushes. They are entitled to anything any other residential lot has within the city. He has a high level of confidence and trust from the zoning administrator who is AICP certified. This isn't a park they are turning over to develop; it is private property. He can't tell one person that he can have something on his property, but they can't have it on theirs because he doesn't like it. It has

to be something that can be equally applied across the city. The seven of them have to make decisions for 25,000 residents.

Ms. Lommatzsch stated if they don't have confidence in the staff that represents the body then they have the wrong staff. They have to be confident in what they decide is best in their professional etiquette. For them to individually reach out to people to try and fix things is not their job; it's staff's job. Mayor Williams stated this is why Josh and Nia went to the site. Staff kept council aware of every time they interacted with residents on the application. The role of the city manager is to manage day-to-day operations and bring good recommendations. The decision they face is not one they take lightly, and they are not turning their back to any part of the city.

Note: Jesse Maxfield arrived at 6:39 pm.

Ms. Fry stated that many citizens of the community are young adults moving out of their parents looking for a place to live. A lot of large single-family homes are out of the price range. Decreasing the lot size does serve the community by making homes more affordable.

Mrs. Franklin stated she agreed with most of the comments stated by council already. It is private property and they could build homes there right now. She is aware of the concerns with flooding, but with new infrastructure going in and diverting some of the water where it is going now will benefit the neighborhood. There will also be access to water with fire hydrants. Depending on where water lines are laid they may opt to tap into the water. She believes as they improve infrastructure it helps to improve older community infrastructure.

Mr. Joseph stated that going on Zillow.com he sees there are no houses or hardly any in Riverside. They have aging housing stock. This is a target site to develop housing stock. This will drive residents to the city. The way to begin to fix where they are is to add residents. As they get more people to live in the city they can support more businesses. Residents will drive more businesses and more businesses will drive more income tax to fix the roads, hire police and fire. This is piece of what they need to move the city forward. There is an interested party that wants to put housing in the city and that is a big need.

**Mr. Roy Owens spoke from the back of the room where audio was not picked up.*

Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Mr. Joseph, yes; Lommatzsch, yes; Mr. Maxfield, no; and Mayor Williams, yes. **Motion carried.**

NEW BUSINESS

A. ORDINANCES

- I) Ordinance No. 22-O-793 – An ordinance providing for the adoption of post-issuance compliance policies and procedures for tax exempt obligations and continuing disclosure obligations. (1st reading)**

Deputy Mayor Denning moved, seconded by Mrs. Franklin, to approve the first reading of Ordinance No. 22-O-793. The clerk read the ordinance by title only.

Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Lommatzsch, yes; Ms. Fry, yes; Mr. Joseph, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.**

B. RESOLUTIONS

I) Resolution No. 22-R-2760 – A resolution with ODOT for Spinning Road Phase 2 improvements.

Mr. Rauch stated this legislation is an LPA agreement with ODOT for Spinning Road and explains what grants are being awarded for the project and needs to be in place to proceed with the project.

Deputy Mayor Denning moved, seconded by Ms. Lommatzsch, to approve Resolution No. 22-R-2760. All were in favor. **Motion carried.**

II) Resolution No. 22-R-2761 – A resolution amending Resolution No. 21-R-2667 for the purchase of one 2022 Freightliner Truck Chassis through Stoops Freightliner purchased through the Ohio Cooperative Bid Program and (1) Henderson Single Axle Build package be purchased through Henderson Truck and Equipment for use by the service department.

Mr. Rauch stated this resolution is housekeeping as this is related to the inflationary pressures everyone is experiencing. It was in production while steel and other costs rose. The resolution increases the original amount by \$23,000 that will be amortized with the loan.

Deputy Mayor Denning moved, seconded by Mrs. Franklin, to approve Resolution No. 22-R-2761. All were in favor. **Motion carried.**

III) Resolution No. 22-R-2762 – A resolution by the Council of the City of Riverside, Ohio authorizing the city manager to enter into a contract for the purchase of Code Red Emergency Notification Services.

Mr. Rauch stated that Code Red is an opt in system for people to receive a call or text for any emergency message from the city. They plan to use it with fire, police, and public service. The cost is \$30,000 for five years and will use ARP funds to pay for it.

Deputy Mayor Denning moved, seconded by Ms. Lommatzsch, to approve Resolution No. 22-R-2762. All were in favor. **Motion carried.**

Ms. Lommatzsch stated they have been trying to get something like this for awhile and is glad to see it come to fruition.

Mrs. Franklin ask how people will be notified to sign up Chief Stitzel stated they will have a marketing blitz. Home phones are automatically in the system, but people will sign up if

they want it on their cell phone or an email. Deputy Mayor Denning stated they walked away from this in the past over concern of phone numbers being public records that anyone can request. Mr. Rauch stated the city doesn't have phone numbers, Code Red does; therefore, the city does not have the record. Mr. Joseph asked who would be sending messages. Chief Stitzel stated only a few will have access and it will be limited on the message sharing. Discussion continued on the uses of Code Red and messages that can be shared.

IV) Resolution No. 22-R-2763 – A resolution by the Council of the City of Riverside, Ohio authorizing the city manager to enter into a lease renewal agreement with Goodrich Corporation/Collins Aerospace.

Mr. Rauch stated this resolution is a lease renewal with Goodrich Corporation/Collins Aerospace; it extends it for another year term with option for another year.

Deputy Mayor Denning moved, seconded by Mrs. Franklin, to approve Resolution No. 22-R-2763. All were in favor. **Motion carried.**

V) Resolution No. 22-R-2764 – A resolution authorizing the city manager to enter into a contract for the purchase of in-car and body worn cameras for use by the police department.

Mr. Rauch stated this allows them to use a no match grant they received from the state for \$38,000 for body cameras. They can replace the body and in-car cameras all at once. This package will get them in the cloud and do more modern data back-up. They will use the grant with remaining funds coming from money budgeted to buy radios, but they used funds from last year to buy radios already. They will just buy cameras instead of radios.

Deputy Mayor Denning moved, seconded by Mr. Maxfield, to approve Resolution No. 22-R-2764. All were in favor. **Motion carried.**

VI) Resolution No. 22-R-2765 – A resolution authorizing the city manager to enter into a contract for the purchase of financial software from Software Solutions, Inc.

Mr. Rauch recommends moving forward with Software Solutions, Inc. for the financial software package for the city. He feels they are the best and most competitive and responsive better to the proposal.

Ms. Lommatzsch moved, seconded by Deputy Mayor Denning, to approve Resolution No. 22-R-2765. Six were in favor. Mr. Joseph abstained. **Motion carried.**

PUBLIC COMMENT ON NON-AGENDA ITEMS: No one was present for comment.

COUNCIL MEMBER COMMENTS: Deputy Mayor Denning thanked the fire department where they were at multiple Easter egg hunts. The hunt at Beverly Gardens has been going on 42 years and they were there.

Ms. Fry thanked the mayor for the proclamation declaring National Autism Acceptance Month and thanked Mr. Schlotman for coming to receive it. It is near and dear to her.

Deputy Mayor Denning stated there is a shred it event at 1213 Old Harshman this Saturday. Residents and businesses of Riverside can come. If not a resident, a donation is requested for Christmas programs. It is sponsored by the Jaycees, Domescik Realty, and the Chamber.

Mayor Williams stated he forgot to thank the police department at the last meeting for coming to Carroll High School to come and do an active shooter simulation. It is a scary topic most parents don't want to think about, but they need to be prepared for. He thanked the police chief and staff for doing that. He announced that the Burkhardt Library opens on Monday. It is in Dayton but serves the Riverside community. He is excited it will serve the community and has a community room and places for people to stop by. He recalled his childhood and the kids he met as a child when he would go to the Burkhardt Library after school. He has many great memories with his older brother there.

Mr. Joseph stated that they have a really good team in the city. The reports were lengthy, and it is visible how much work is going on in the city on a daily basis. He thanked staff for all they do. He stated it will get nice out this weekend and to look out for people on motorcycles/bikes. He added that if you are mowing not to push it out into the street. He wants everyone to be safe and not have an accident. He stated there are also open spots on boards and commissions, especially, the budget committee.

Mrs. Franklin stated she attended the land use steering committee meeting and really enjoyed it. She wants residents to know they still want input from them. There is a survey on the website and try to be a part of the process to move the city forward. The more ideas they receive will help them to know where the community wants to go.

Mr. Maxfield congratulated the three new alumni inducted to the Stebbins Alumnus. They were selected last night. He stated that this weekend is prom for Stebbins so students out driving be careful and safe and smart. Make it a fun and happy event.

EXECUTIVE SESSION: Ms. Lommatzsch moved, seconded by Deputy Mayor Denning, to go into executive session for personnel matters. Roll call went as follows: Ms. Lommatzsch, yes; Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Mr. Joseph, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion carried.** Council went into executive session at 7:08 pm.

RECONVENE: Council reconvened at 7:36 pm.

ADJOURNMENT: Mr. Joseph moved, seconded by Mr. Maxfield, to adjourn. All were in favor. The meeting adjourned at 7:37 pm.

Peter J. Williams, Mayor

Clerk of Council

CITY COUNCIL CALENDAR

2022 City Council Calendar

March 24, 2022 – WORK SESSION

- Stormwater Utility Update (Josh)
- 2022 Paving Program (Kathy)
- Crack Sealing (Kathy)
- 2022 Mowing (Kathy)

April 7, 2022 – Items Due March 30

- Monthly Update: Finance, Administration, Community Development, and CM Report
- Proclamation: Arab-American Month
- Liquor License: Blue Nile Transfer
- Ordinance: Northern Circle Rezoning First Reading (Josh/Nia)
- Resolution: 2022 Paving Program (Kathy)
- Resolution: Crack Sealing (Kathy)
- Resolution: Grass Assessment (Tom)

April 14, 2022 – WORK SESSION - CANCELED

April 21, 2022– Items Due April 13

- Monthly Update: Police, Fire, Public Services, and CM Report
- Monthly Financial Report
- Proclamation: Autism Acceptance Month
- Ordinance: Northern Circle Rezoning - Second Reading (Josh/Nia)
- Ordinance: Adoption of post-issuance compliance policies and procedures (Tom)
- Resolution: Revision to Resolution 21-R-2667 price increase (Tom)
- Resolution: LPA agreement with ODOT – Spinning Rd. Phase 2 improvements (Kathy)
- Resolution: Code Red
- Resolution: Police Cameras
- Resolution: Lease renewal – Goodrich
- Resolution: Financial Software
- Executive Session: Personnel

April 30, 2022 – SPECIAL MEETING

- Council Orientation/Tours of Community and City Facilities

May 5, 2022– Items Due April 27

- Monthly Update: Finance, Administration, Community Development, and CM Report
- Appointment: BZA Vacancy
- Ordinance: Adoption of post-issuance compliance policies and procedures (Tom) – 2nd reading
- Ordinance: Planned Unit Development – 1st reading

2022 City Council Calendar

- Ordinance: Source Water Protection – 1st reading
- Resolution: OneOhio Region 8 Participation
- Resolution: Paint Striping Contract (Kathy)
- Resolution: Eastman Change Order (Kathy)
- Resolution: Amending Resolution to purchase PD cameras using grant
- Executive Session: Personnel

May 12, 2022 – WORK SESSION

- NatureWorks Grant: Pickle Ball Court (Kathy)
- OPWC Applications: Spinning from Linden to Eastman, Urban Paving Program (Kathy)
- HSIP Application: Guardrail Replacement (Kathy)
- Crosswalk Design Standard – Choice One Presentation (Kathy)
- Fireworks
- New Turnout Gear
- Ordinance – TO Change – Community Development
- Executive Session: Personnel

May 19, 2022 – Items Due May 11

- Monthly Financial Report
- Monthly Update: Police, Fire, Public Services, and CM Report
- Welcome – Finance Administrator
- Ordinance: Planned Unit Development – Second Reading
- Ordinance: Source Water Protection – Second Reading
- Ordinance: TO Change – Community Development – First Reading
- Resolution: New Turnout Gear (Dan)
- Executive Session: Personnel

June 2, 2022 – Items Due May 25

- Monthly Update: Finance, Administration, Community Development, and CM Report
- Ordinance: TO Change – Community Development – Second Reading
- Resolution: Necessity for Street Lighting (Chris)
- Resolution: Advancing funds to Permissive Tax Fund (Tom)???
- Resolution: NatureWorks Grant: Pickle Ball Court (Kathy)

June 9, 2022 – WORK SESSION

- TID Update: Woodman Phase 4 (Kathy)
- State Representatives
- Montgomery County Solid Waste Park Applications (Kathy)
- Health and Safety Commissions

LEGISLATION

MEETING DATE: May 5, 2022

AGENDA ITEM: Old Business

TO: Riverside City Council

FROM: Tom Garrett, Finance Director

SUBJECT: Ordinance No. 22-O-793 – An ordinance adopting policies for post debt issuance continuing financial disclosure.

EXPLANATION:

Federal securities regulations require continuing disclosure of ongoing city financial activities to provide updated information to investors in city issued bonds for the life of the bonds.

Ordinance 22-O-793 establishes internal city policies to consistently monitor city activities relating to issued debt and organize city efforts to meet required public reporting.

Our Bond Counsel requests we establish these policies to better meet regulatory requirements.

RECOMMENDATION

It is respectfully recommended that the Mayor and City Council approve the attached resolution.

FISCAL IMPACT

- Does this item require a new appropriation? No
- What is the total cost, if applicable? No additional cost, as Federal regulations require periodic disclosure after debt issuance. City staff will continue to perform these tasks.
- What is the net cost impact to the Department/City?

SOURCE OF FUNDS

Which fund/line item will be used to pay for this, if applicable? Not Applicable

AN ORDINANCE PROVIDING FOR THE ADOPTION OF POST-ISSUANCE COMPLIANCE POLICIES AND PROCEDURES FOR TAX EXEMPT OBLIGATIONS AND CONTINUING DISCLOSURE OBLIGATIONS.

WHEREAS, the City of Riverside, Ohio (herein called the “City”), a municipality created and existing under the laws of the State of Ohio, is authorized and has from time to time issued obligations (the “Obligations”), in accordance with the provisions of the Ohio Revised Code, to fund the cost of various capital projects and improvements; and

WHEREAS, certain Obligations receive favorable tax treatment pursuant to the provisions of the Internal Revenue Code of 1986, as amended, and the Regulations promulgated thereunder (together, the “Rules”); and

WHEREAS, the City wishes to comply with all applicable Rules to maintain such favorable tax treatment of all of such outstanding and future Obligations; and

WHEREAS, certain Obligations are subject to certain primary and secondary disclosure requirements set forth in Securities and Exchange Commission Rule 15c2-12 (“15c2-12”).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

- Section 1: The Council hereby adopts the Post-Issuance Compliance Policies and Procedures for Tax-Exempt Obligations, attached hereto as Exhibit A, and Post Issuance Continuing Disclosure Compliance Policies and Procedures, attached hereto as Exhibit B together with the Post-Issuance Compliance Policies and Procedures for Tax-Exempt Obligations (the “Post-Issuance Compliance Polices”).
- Section 2: That upon adoption of the Post-Issuance Compliance Policies, the Finance Director and the City Manager are hereby authorized to take all actions necessary to adhere to the provisions set forth in such Post-Issuance Compliance Policies.
- Section 3: That it is found and determined that all formal actions of this council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this board, and that all deliberations of this council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- Section 4: This Ordinance shall take effect and be in full force from and after the earliest date allowed by law.

PASSED THIS DAY OF _____.

22-O-793

APPROVED:

MAYOR

ATTEST:

CLERK

CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 22-O-793 passed by the Riverside City Council on _____.

IN TESTIMONY WHEREOF, witness my hand and official seal this day _____.

CLERK

City of Riverside, Ohio
Post-Issuance Compliance Policies and Procedures
For Tax-Exempt Obligations

Adopted _____

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SECTION 1. Purpose.

It is the policy of the City of Riverside, Ohio (the “Issuer”) to comply with all applicable federal tax rules related to its tax-exempt debt. The applicable federal tax rules include compliance with all applicable federal tax documentation and filing requirements, yield restriction limitations, arbitrage rebate requirements, use of proceeds and financed projects limitations and recordkeeping requirements. Given the increasing complexity of the federal tax law applicable to the Issuer’s tax-exempt debt, the Issuer hereby formally adopts the following policies and procedures concerning its tax-exempt obligations (the “TE Policies and Procedures”).

These TE Policies and Procedures are intended to serve as a guide for the Issuer to facilitate compliance with federal tax law applicable to the Issuer’s outstanding tax-exempt debt (including conduit tax-exempt obligations). In the event these policies and procedures conflict, in whole or in part, with the federal tax agreement or federal tax certificate prepared on behalf of the Issuer in connection with a tax-exempt debt issuance (the “Tax Certificate”), the terms of the applicable Tax Certificate shall control.

SECTION 2. Responsibility of City of Riverside Officials

Except as otherwise described herein, the Issuer’s Executive Officers have primary responsibility for ensuring that the Issuer’s outstanding tax-exempt debt issuances are, and will remain, in compliance with federal tax law. The Finance Director (the “Compliance Officer”) of the Issuer will be the specific individual having primary responsibility for the implementation of these policies and procedures. The Compliance Officer will consult with third-party professionals (e.g., the Issuer’s bond counsel and arbitrage calculating agent), as necessary, to ensure compliance with such rules, including these policies and procedures.

The Issuer is an issuer of governmental obligations and from time to time may serve as a conduit issuer of certain tax-exempt obligations. When the Issuer serves as a conduit issuer, a substantial portion of the post-issuance compliance duties will be imposed on the conduit borrower. Specifically, the conduit borrower will have primary responsibility for ensuring compliance with all matters concerning the tax-exempt status of the tax-exempt obligations except those matters that are under federal tax law exclusively limited to actions of the Issuer (e.g., information return filings).

SECTION 3. Closing of Tax-Exempt Obligation Issuances

I. *Tax Certificates*

The Issuer’s bond counsel for that transaction (the “Bond Counsel”), with assistance from the Issuer and other professionals associated with the financing, shall prepare a Tax Certificate in connection with each tax-exempt debt issuance issued by the Issuer, to the extent required by law, to be executed by the Issuer, and any other relevant parties determined by Bond Counsel, at closing. The Tax Certificate shall serve as the operative document for purposes of establishing the Issuer’s reasonable expectations as of the date of issue for the tax-exempt obligation and may provide a summary of the federal tax rules applicable to such issuance. The Compliance Officer,

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in consultation with Bond Counsel and, if applicable the Issuer's counsel, will review the Tax Certificate prepared for each of the Issuer's tax-exempt obligation before the closing of the issue.

The Tax Certificate will be included as part of the transcript for each tax-exempt obligation issued, and in all events the Issuer will keep a copy of the final executed version of the Tax Certificate in accordance with the provision of Section 7, "Recordkeeping," of these TE Policies and Procedures.

II. *Internal Revenue Service Form 8038, 8038-G, 8038-GC – Tax-Exempt Bonds*

Bond Counsel, with assistance from the Issuer and other professionals associated with the financing, shall prepare an Internal Revenue Service Form 8038, Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038-G, Information Return for Tax-Exempt Governmental Obligations, or Form 8038-GC, Informatory Return for Small Tax-Exempt Governmental Bond Issuer, Loans, and Installment Sales, as applicable, in connection with each tax-exempt obligation issued by the Issuer, which the Compliance Officer or its designee will review prior to closing. Each Internal Revenue Service Form 8038, 8038-G or 8038-GC, as applicable, prepared for a tax-exempt obligation will be filed with the Internal Revenue Service no later than the 15th day after the 2nd calendar month after the close of the calendar quarter in which the tax-exempt obligation to which such Form 8038, 8038-G or 8038-GC, as applicable, relates is issued. All Form 8038s, 8038-Gs, and 8038GCs shall be filed by Bond Counsel with the Internal Revenue Service at the address required by such Form or the Internal Revenue Service, which is currently Internal Revenue Service Center, Ogden, UT 84201 (the "Ogden Submission Processing Center").

The Internal Revenue Service Form 8038, 8038-G, 8038-GC, as applicable, will be included as part of the transcript for each tax-exempt obligation issued by the Issuer, and in all events the Issuer will keep a copy of the final executed version of the Internal Revenue Service Form 8038, 8038-G, 8038-GC, as applicable, in accordance with the provisions of Section 7, "Recordkeeping," of the TE Policies and Procedures.

III. *Late Filing of Information Returns*

The Issuer may request an extension of time to file Forms 8038, 8038-G, or 8038-GC, as applicable, if the failure to file the return on time was not due to willful neglect. To request an extension, the Issuer will follow the procedures outlined in Revenue Procedure 2002-48, 2002-37 I.R.B. 531. These procedures generally require that the Issuer: 1) attach a letter to the return filed (such as Form 8038, 8038-G, 8038-GC) briefly explaining when the return was required to be filed, why the return was not timely submitted, and whether or not the bond issue is under examination; 2) enter on top of the return "Request for Relief under Section 3 of Revenue Procedure 2002-48;" and 3) file the letter and the return with the IRS at the applicable IRS address, currently the Ogden Submission Processing Center.

IV. *Volume Cap Limit*

The volume cap limit for certain qualified private activity bonds, as set forth in section 146 of the Code, limits the Issuer to a maximum amount of tax-exempt bonds that can be issued

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to finance a particular qualified purpose during a calendar year. If, during a given year, the Issuer issues qualified private activity bonds in excess of its applicable volume cap limit, the tax-exempt status of those bonds is jeopardized. The Issuer will monitor volume cap allocations in order to properly file information returns and make carryforward elections. Certain types of qualified private activity bonds do not require volume cap allocations. In addition, certain current refunding bonds do not require volume cap allocations to the extent the amount of refunding bonds does not exceed the outstanding amount of the refunded bonds.

Certain governmental bonds and 501(c)(3) bonds may also require volume cap if certain requirements are met. The Issuer will review or cause Bond Counsel to review governmental bonds and 501(c)(3) bonds to ensure that no volume cap is needed in connection with the issuance of those bonds.

In the event of drawdown bonds or similar arrangement, the requirement of Notice 2011-63 must be satisfied.

V. *Carryforward of Unused Volume Cap*

The Issuer may elect to carry any unused volume cap of a calendar year forward for three years. This election can be made for each of the carryforward purposes described in section 146 of the Code. These purposes generally include the qualified private activity bond purposes subject to volume cap except for the purpose of issuing qualified small issue bonds. This election is made by filing IRS Form 8328, Carryforward Election of Unused Private Activity Bond Volume Cap, by the earlier of February 15th following the year in which the unused amount arises or the date of issue of any bonds pursuant to the carryforward election. Once Form 8328 is filed, the Issuer may not revoke the carryforward election or amend the carryforward amounts shown on the form. Errors on this form cannot be corrected through an amended filing. The conduit issuer will file a TEB Voluntary Closing Agreement Program request to correct mathematical, typographical, and similar errors. See Notice 2008-31, 2008-11 I.R.B. 592, and section 7.2.3 of the Internal Revenue Manual.

VI. *Public Approval Requirement*

Generally, prior to issuance, qualified private activity bonds (including qualified 501(c)(3) bonds) must be approved by an applicable elected representative for the governmental entity issuing the bonds and, in some cases, for each governmental entity having jurisdiction over the area in which the bond-financed facility is to be located. The public approval must occur after the holding of a public hearing following reasonable public notice in advance of the public hearing and must be completed within a prescribed period. As such, the Issuer is involved in certain aspects of the public approval process. Public approval by a governmental unit may also be by voter referendum. Section 147(f) of the Code and Section 5f.103-2 of the Treasury Regulations define the specific rules for this requirement. The Issuer will cause Bond Counsel to ensure that the public approval requirements applicable to the bonds are satisfied.

VII. *Limitations Relating to Fees Charged by the Conduit Issuer*

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In conduit bond issues, the Issuer may charge fees payable either out of the bond proceeds or by the conduit borrower. Such fees may be used by the Issuer to offset all or a portion of the costs payable by the Issuer related to its role and may also be used to raise funds for governmental purposes of the Issuer. Such fees may increase the effective yield of the conduit loan when viewed by the Issuer as a purpose investment. Section 148 of the Code generally limits the yield on purpose investments to the yield on the bonds plus a spread. This limitation effectively limits the size of the fees that may be charged by the Issuer regardless of whether paid periodically or up front. The Issuer will ensure that the yield on the conduit loan does not exceed the yield on the bonds by more than the permitted spread in order to prevent the bonds from becoming arbitrage bonds.

VIII. *Certification Regarding Expectations for Use and Investment of Proceeds*

The Treasury regulations generally require the Issuer to make a certification regarding its expectations in certain bond deals. Section 1.148-2(b)(2)(i) provides that an officer of the Issuer responsible for issuing the bonds must, in good faith, certify the Issuer's reasonable expectations as of the issue date. The certification must state the facts and estimates that form the basis of the issuer's expectations. The certification is evidence of the Issuer's expectations but does not establish any conclusions of law or any presumptions regarding either the Issuer's actual expectations or their reasonableness. This certification is not required if the Issuer reasonably expects, as of the issue date, that there will be no unspent gross proceeds after the issue date, other than gross proceeds in a bona fide debt service fund or the issue price of the bond issue does not exceed \$1,000,000. The Issuer will review bond issuances to make sure that the certification requirements described above are satisfied.

IX. *Reimbursement Declarations of Official Intent*

Under section 1.150-2 of the Treasury regulations, the Issuer or the conduit borrower, in conduit issues, is permitted to use bond proceeds to reimburse certain expenditures paid before the date of issuance subject to certain requirements. One requirement is that the Issuer must adopt a declaration of official intent to reimburse expenditures not later than 60 days after the reimbursed expenditure is paid. In the case of qualified 501(c)(3) bonds only, the conduit borrower may adopt a declaration of official intent instead of the Issuer. Accordingly, for virtually all types of qualified private activity bonds the Issuer must act to adopt declarations of official intent to permit reimbursement financing. If a bond issue will provide for reimbursement, the Issuer will make sure an official intent is adopted timely.

X. *Qualified Hedge*

An issuer pursuant to section 1.148-4(h) of the Treasury regulations must identify a qualified hedge on its books and records maintained for the hedged bonds not later than three (3) days after the date on which the conduit issuer (or conduit borrower) and the hedge provider enter into a hedge contract. If the Issuer or the conduit borrower enter into a hedge, the Issuer will verify whether the hedge is intended to be a qualified hedge and ensure Bond Counsel takes appropriate steps.

SECTION 4. Use of Debt Proceeds – Tax-Exempt Bonds

I. *Overview*

The Issuer will review its uses of its tax-exempt debt financed facilities for “private business use” and the conduit borrowers will review their use of tax-exempt debt financed facilities for compliance with application use restrictions on such facilities. In addition, the Issuer will consult, as needed, with its bond counsel regarding the applicable federal tax limitations imposed on its outstanding tax-exempt debt issuances and whether arrangements with third parties give rise to private business use of the financed projects. For these purposes, the Issuer will monitor all uses of its tax-exempt debt financed facilities, including but not limited to uses pursuant to a management contract, operating agreement, license, lease, sublease, naming rights agreement, research agreement, clinical trial agreement, and joint venture or partnership arrangement. In the event the Issuer enters into an arrangement involving a facility for which tax-exempt debt is outstanding, and that gives rise to private business use, the Issuer will consult its bond counsel regarding the arrangement and whether such arrangement impacts the tax-exempt status of the Issuer’s outstanding debt, as applicable.

II. *Private Use Generally*

The Issuer will not knowingly take or permit to be taken any action that would cause any of its outstanding tax-exempt debt issuances to become “private activity bonds,” as described below. Generally, an issue of tax-exempt debt will be considered “private activity bonds” if more than 10% of the proceeds of the debt are used directly or indirectly in any trade or business carried on by a private business user and more than 10% of the debt service on the debt is directly or indirectly (1) secured by any interest in property used or to be used in any trade or business carried on by a private business user, or (2) derived from payments made in respect of property used or to be used in any trade or business carried on by a private business user.

III. *Leases and Subleases*

The Issuer will track all leases and subleases that involve the use of tax-exempt debt financed projects, including the name of the lessee (or sublessee), the term of the lease (or sublease), the amount of the rent paid by the lessee (or sublessee) and the square footage of space used by the lessee (or sublessee) relative to the square footage of the debt-financed facility. If the Issuer desired to enter into a lease or sublease related to the use of tax-exempt debt financed property, it will consult with its bond counsel to determine what impact, if any, such lease or sublease would have on the tax status of the Issuer’s outstanding tax-exempt debt.

IV. *Sale of Debt-Finance Property*

It is the Issuer’s policy to finance projects using tax-exempt debt that the Issuer intends to own for the entire term of the debt issue financing the projects. Prior to selling or otherwise disposing of any tax-exempt debt financed project for which debt remains outstanding, the Issuer will consult with its bond counsel to determine what impact, if any, such agreement would have on the tax status of the Issuer’s outstanding tax-exempt debt.

V. *Remedial Actions*

The Issuer is aware of the remedial action rules contained in Treasury Regulations Section 1.141-12, providing the Issuer with the ability, in certain circumstances, to voluntarily remediate violations of the private business tests or private loan financing test. Although the Issuer intends that none of its tax-exempt debt issuances will require the application of the remedial action rules, prior to taking any action that would cause one or more of its outstanding tax-exempt debt issuances to, absent a remedial action, violate the private business tests or private loan financing test, the Issuer will consult with its bond counsel regarding the applicability of the remedial action rules to such action and the ability to remediate the impacted tax-exempt debt.

VI. *Private Loans*

The Issuer will not take or permit to be taken any action that would cause any of its tax-exempt debt issuances to be considered taxable “private loan bonds.” The Issuer debt will be considered “private loan bonds” if more than 5% of the proceeds of the issue are used directly or indirectly to make or finance loans to private persons. The Issuer will not loan the proceeds of any of the Issuer’s debt issuance to a third party except in connection with conduit bond issuances.

SECTION 5. – Arbitrage Limitations Imposed on Debt Issuances

I. *Arbitrage Calculating Agent*

The Issuer will retain or cause the conduit borrower to retain an arbitrage calculating agent to review its outstanding tax-exempt debt issuances, unless, in the judgment of the Issuer, and in compliance with these policies and procedures and the Tax Certificate entered into in connection with a tax-exempt debt issuance, there is no reasonable prospect of any arbitrage rebate or yield reduction payment liability. The arbitrage calculating agent will perform calculations to ascertain whether the Issuer or the conduit borrower owes an arbitrage rebate payment or yield reduction payment to the Internal Revenue Service, including whether the tax-exempt debt issuance in question qualifies for an exception to the arbitrage rebate rules.

II. *Payment of Arbitrage Rebate and Yield Reduction Liability*

In the event the Issuer owes arbitrage rebate or has accrued a yield reduction payment liability to the Internal Revenue Service, the Issuer will timely submit Internal Revenue Service Form 8038-T, Arbitrage Rebate Yield Reduction and Penalty in Lieu of Arbitrage Rebate, to be prepared by the arbitrage calculating agent, together with payment in the amount equal to the arbitrage rebate or yield reduction payment liability calculated by the arbitrage calculating agent in accordance with the Tax Certificate related to such debt issue. For these purposes, within 60 days after each installment computation date, the Issuer will cause to be paid to the Internal Revenue Service at least 90% of the amount of arbitrage rebate and yield reduction payment liability owed, determined in accordance with the provisions of the Tax Certificate related to such tax-exempt debt issuance and the applicable federal tax rules, and based on calculations performed by the arbitrage calculating agent.

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In addition, within 60 days after the final installment computation date, the Issuer will cause to be paid to the Internal Revenue Service 100% of the amount of arbitrage rebate and yield reduction payment liability owed, determined in accordance with the provisions of the Tax Certificate related to such tax-exempt debt issuance and the applicable federal tax rules, and based on calculations performed by the arbitrage calculating agent.

Each completed Internal Revenue Service Form 8038-T, Arbitrage Rebate Yield Reduction and Penalty in Lieu of Arbitrage Rebate, together with full payment in the amount equal to the arbitrage rebate or yield reduction payment liability calculated by the arbitrage calculating agent in accordance with the Tax Certificate related to such debt issue, shall be filed with the Internal Revenue Service at the applicable address currently, Internal Revenue Service Center, Ogden, UT 84201.

III. *Yield Restriction Limitations*

Each Tax Certificate prepared for the Issuer's tax-exempt debt issuances shall contain the applicable yield restriction investment limitations, including the applicable investment limitations imposed on proceeds of the debt issuance and any temporary periods during which the Issuer may invest proceeds of the debt issuance at an unrestricted yield.

IV. *Monitoring Yield Restriction Limitations*

The Issuer or the conduit borrower will ensure that each debt obligation complies with the yield restriction limitations outlined in the Tax Certificate entered into by the Issuer in connection with a tax-exempt debt issuance, including any exceptions to yield restriction described therein.

V. *Expenditure of Tax-Exempt Debt Proceeds*

It is the policy of the Issuer to expend tax-exempt debt proceeds as promptly and diligently as possible within the confines of these policies and procedures and the Tax Certificate entered into by the Issuer in connection with a particular debt issuance. For these purposes, it is the Issuer's policy not to finance projects using the proceeds of tax-exempt debt for which the Issuer expects that the tax-exempt debt proceeds will not be fully spent within 3 years of the date of issue of the debt unless otherwise approved by bond counsel.

VI. *Arbitrage Rebate Exceptions*

Each Tax Certificate prepared for the Issuer's tax-exempt debt issuances shall contain the arbitrage rebate exception(s) applicable to the debt issuance, which arbitrage rebate exceptions will be applied by the arbitrage calculating agent in assessing whether the Issuer owes arbitrage rebate.

VII. *Verification Agent*

The Issuer will continue to retain a third-party verification agent for each of its advance refunding bond issues. The verification agent will verify the arbitrage yield on the tax-exempt

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debt issuance, the arbitrage yield on the investments acquired as part of the refunding escrow established using gross proceeds of the tax-exempt debt issuance, and the sufficiency of the refunding escrow.

VIII. *Establishment of Advance Refunding Escrows and Trustee Responsibilities*

The Issuer will deposit tax-exempt debt proceeds (and any other amounts) to be used to advance refund prior Issuer debt into one or more separate escrow trust accounts established with the trustee selected for the transaction. Working with the Issuer's bond counsel, and in accordance with the documentation prepared for the refunding transaction, the Issuer will impose primary responsibility for initiating actions required to be taken with respect to the refunding escrow (including the reinvestment of amounts within the escrow and disbursing funds from the escrow) on the trustee. In the event of an omission on the part of the trustee, an error in the documentation or procedures establishing the escrow, or an investment to be acquired as part of the refunding escrow is not available for purchase, the Issuer will timely consult with the Issuer's bond counsel, as applicable, to determine the impact, if any, on the tax-exempt status of the obligations.

IX. *Acquiring Investments for Advance Refunding Escrows*

It is the policy of the Issuer to maximize the investment return on all investments acquired with tax-exempt bond proceeds and to acquire such investments at fair market value. When funding deposits to advance refunding escrows using tax-exempt debt proceeds, it is the Issuer's policy to acquire United States Treasury Securities – State and Local Government Series (SLGS) or securities purchased on the open market in accordance with the terms of the Issuer's bond documents.

In the event the Issuer chooses to fund an advance refunding escrow using securities purchased on the open market, the Issuer will retain a third-party investment bidding agent to solicit bids from providers of qualifying securities in accordance with the limitations described in the "3-bid" safe harbors set forth in Treasury Regulations Section 1.148-5(d)(6).

X. *Interest Rate Hedges*

The Issuer will engage a third-party swap advisor for all interest rate hedges entered into by the Issuer, irrespective of whether any such hedge is acquired through a direct negotiation with the provider or procured through a bidding process. In all cases, the Issuer will obtain appropriate certifications from its swap advisor and/or the hedge provider to establish the fair market value of the product. The Issuer will consult with its bond counsel with respect to all interest rate hedging transactions related to an outstanding or prospective debt issuance prior to the date on which the interest rate hedging transaction is entered into.

SECTION 6. – Accounting for Debt Proceeds

I. *General*

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Except as otherwise described below and in the Tax Certificate entered into by the Issuer in connection with a tax-exempt debt issuance, it is the policy of the Issuer to apply a direct tracing method of accounting for and allocating its tax-exempt debt proceeds. However, the Issuer reserves the right to apply to any tax-exempt debt issuance any other reasonable accounting and allocation method allowable under the law.

II. *Investment of Proceeds*

Proceeds of the Issuer's capital borrowings shall be held in a separate fund or account and will be invested in accordance with the permitted investments as determined by the indenture, the authorizing legislation or state law. The Compliance Officer has primary responsibility for ensuring that the Issuer's outstanding tax-exempt debt proceeds are, and will remain, invested in accordance with the bond documents.

III. *Expenditure of Debt Proceeds on Capital Projects*

All invoices and records of payment are retained by the Compliance Officer in accordance with Section 7, "Recordkeeping," below.

The Issuer shall maintain an active ledger, updated with each payment of an expenditure from tax-exempt debt proceeds that for each outstanding debt issuance shows:

- a) The name and date of issue of the tax-exempt debt issue to which the proceeds relate;
- b) The projects financed with the proceeds of the issue;
- c) The authorized amount of proceeds to be used to finance each project;
- d) The amount of proceeds of the debt issuance used to date to finance each project;
- e) The amount of unspent proceeds of the debt issuance to be used to finance each project;
and
- f) The date on which the debt proceeds related to each project were fully expended.

SECTION 7. – Recordkeeping

I. *General*

The Issuer is aware of its ongoing recordkeeping responsibilities associated with its tax-exempt debt issuances. Each Tax Certificate prepared on behalf of the Issuer for a tax-exempt debt issuance shall provide for a description of the records to be maintained by or on behalf of the Issuer and period of time such records must be maintained. In addition, the Issuer is familiar with the Internal Revenue Service's Compliance Guide for Tax-Exempt Organizations related to the recordkeeping requirements for tax-exempt debt, a copy of which is available on the Internal Revenue Service's website at www.irs.gov.

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II. *Means of Maintaining Records*

The Issuer may maintain all records required to be held as described in this Section 7 in paper and/or electronic (e.g., CD, disks, tapes) form. It is the policy of the Issuer to maintain as much of its records electronically as feasible.

III. *Transcript and Use of Debt Proceeds*

The Issuer shall maintain, or cause to be maintained, all records relating to the tax-exempt status of its tax-exempt debt issuances and the representations, certifications and covenants set forth in its respective Tax Certificates until the date three years after the last outstanding obligation of the issue to which such records and Tax Certificate relate has been retired. The records that must be retained include, but are not limited to: (1) basic records and documents relating to the obligations (including the transcript, which shall include, among other records, the Tax Certificate, Internal Revenue Service Form 8038, 8038-G, 8038-GC or 8038-B, verification report, authorizing resolution(s), trust indenture, loan agreement, record of public approval, and the opinion of bond counsel), (2) documentation evidencing the expenditure of debt proceeds, (3) documentation evidencing the use of debt financed projects by public and private sources, including copies of all arrangements described in Section 6 of these policies and procedures, (4) documentation evidencing all sources of payment or security for the debt issuance; (5) documentation pertaining to any investment of debt proceeds (including the purchase and sale of securities, SLGS subscriptions, yield calculations for each class of investments, actual investment income received from the investment of proceeds, guaranteed investment contracts, and rebate calculations).

IV. *Investment Records*

The Issuer shall maintain detailed records with respect to every investment acquired with proceeds of its tax-exempt debt, including the: (1) purchase date, (2) purchase price, (3) information establishing fair market value on the date such investment became allocated to gross proceeds of the debt, (4) any accrued interest paid, (5) face amount, (6) coupon rate, (7) periodicity of interest payments, (8) disposition price, (9) any accrued interest received, (10) disposition date, (11) broker's fees paid (if at all) or other administrative costs with respect to each such nonpurpose investment. The Issuer shall maintain all such records until the date three years after the last outstanding obligation of the issue to which such records and nonpurpose investments relate has been retired.

V. *Arbitrage Rebate and Yield Reduction Payment Records*

The Compliance Officer shall maintain all records of arbitrage rebate payment and yield reduction payment calculations performed by the arbitrage calculating agent (irrespective of whether the Issuer owed any amount to the Internal Revenue Service), and records related to any arbitrage rebate payments or yield reduction payments made to the Internal Revenue Service, including the calculations performed by the arbitrage calculating agent substantiating such payments, together with the Internal Revenue Service Form 8038-T, Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate, that accompanied all such payments, until

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the date three years after the last outstanding obligation of the issue to which such records and rebate payments relate has been retired.

VI. *Overpayment of Arbitrage Rebate Records*

If the Issuer has overpaid to the United States an arbitrage rebate or yield reduction payment liability, the Issuer shall maintain all records of such arbitrage rebate payments or yield reduction payments, including calculations performed by the arbitrage calculating agent, together with the Internal Revenue Service Form 8038-R, Request for Recovery of Overpayments Under Arbitrage Rebate Provisions, that accompanied the request for recovery of such over payment until the date three years after the last outstanding obligation of the issue to which such records and rebate overpayments relate has been retired.

VII. *Other Records*

In addition to the records described above, the Issuer will maintain the following records, to the extent applicable to a particular tax-exempt debt offering, until the date 3 years after the last outstanding obligation of the issue to which such relate has been retired: (1) minutes and resolutions authorizing the issuance of, or the reimbursement of expenditures using proceeds of, the financing, (2) appraisals, demand surveys and feasibility studies related to financed or refinanced property, (3) documentation relating to any third-party funding for a project to which tax-exempt debt proceeds will be applied (including government grants), (4) records of any Internal Revenue Service audit(s) or compliance check(s), or any other Internal Revenue Service inquiry related to the debt.

VIII. *Applicability of Recordkeeping Requirement in the Event of a Refunding*

If the Issuer issues tax-exempt debt to retire prior Issuer debt, the Issuer shall maintain all of the records described in the Section 7 with respect to the refunded debt until the date that is three years after the last outstanding tax-exempt obligation of the issue the proceeds of which were used to retire the refunded debt has been retired. For example, if the Issuer issues tax-exempt obligations in 2009 (2009 Bonds) to refund tax-exempt obligations issued in 2004 (2004 Bonds), the Issuer will maintain the records described in the Section 7 with respect to the 2004 Bonds until the date 3 years after the date the last outstanding 2009 Bond has been retired. If the 2004 Bonds themselves refunded prior Issuer debt, the Issuer shall also maintain records related to such prior Issuer debt for the same period of time.

SECTION 8. – Voluntary Closing Agreement Program

The Issuer is aware of its ability, pursuant to Internal Revenue Service Notice 2008-31 or a successor Notice, to request a voluntary closing agreement with the Internal Revenue Service to correct failures on the part of the Issuer to comply with the federal tax rules related to tax-exempt debt issuances. A copy of Internal Revenue Service Notice 2008-31 is available on the Internal Revenue Service's website at www.irs.gov.

SECTION 9. – Continuing Education

The Issuer will continue to consult with its bond counsel regarding the federal tax rules applicable to its outstanding tax-exempt debt and changes to the federal tax law, and the Issuer will update these policies and procedures as needed to reflect any such changes.

SECTION 10. – Miscellaneous

The Issuer reserves the right to amend or withdraw these TE Policies and Procedures at any time and from time to time to reflect changes in federal tax laws or other applicable laws concerning its tax-exempt obligations. The Issuer shall consult with bond counsel as it deems necessary to ensure the applicable federal tax law requirements are satisfied. These TE Policies and Procedures do not, and are not intended to, limit the actions of the Issuer to solely those federal tax matters listed above, but are intended to provide the Issuer with broad discretion in addressing any and all federal tax matters that may affect its tax-exempt obligations.

SECTION 11. – Consultation with Bond Counsel

Should the City have further questions regarding the Post-Issuance Compliance Policies and procedures or any other questions concerning tax-exempt obligations, please contact Dinsmore & Shohl LLP at 513-639-9217.

**CITY OF RIVERSIDE
POST-ISSUANCE
CONTINUING DISCLOSURE COMPLIANCE
POLICIES AND PROCEDURES**

Adopted _____

22-O-793 Exhibit B

This Continuing Disclosure Policy (“Disclosure Policy”) of City of Riverside (the “Issuer”), is intended to ensure that the Disclosure Documents, as listed in Exhibit A to this Disclosure Policy, are accurate and comply with all applicable federal and state securities laws in connection with the issuance of the Issuer’s debt offerings. In the event this Disclosure Policy conflicts, in whole or in part, with the continuing disclosure certificate or agreement executed by the Issuer in connection with the issuance of its debt offerings (a “Disclosure Certificate”), the terms of the applicable Disclosure Certificate will control.

In addition, the Issuer intends to comply with its obligations under each Disclosure Certificate to provide annual financial information and notices of the occurrence of certain events set forth in Rule 15c2-12, promulgated by the SEC (as defined below) under the Securities and Exchange Act of 1934.

ARTICLE I **DEFINITIONS**

General. The definitions set forth herein shall apply to any capitalized term used in this Disclosure Policy unless otherwise defined herein. In addition, as used in this Disclosure Policy, the following capitalized terms shall have the following meanings:

“Annual Financial Information” means the financial information and/or operating data, prepared annually by the Issuer, which shall include, if prepared, audited financial statements, including a statement of net assets, a statement of revenues, expenses and changes in net assets and a statement of cash flow. All such financial information shall be prepared using generally accepted accounting principles and audited by a certified public accountant or the Auditor of the State of Ohio.

“City Council” means the City Council of City of Riverside, Ohio.

“Disclosure Documents” means the list of documents attached hereto as Exhibit A, including the Annual Financial Information and Operating Data.

“Division” means the Division of Enforcement of the SEC.

“EMMA” means the Electronic Municipal Market Access system of the MSRB.

“Finance Department” means the Finance Director’s Office of City of Riverside.

“Fiscal Officer” means the Finance Director of City of Riverside.

“General Counsel” means the law director of City of Riverside.

“MSRB” means the Municipal Securities Rulemaking Board or any other board or entity which succeeds to the functions currently delegated to the Municipal Securities Rulemaking Board by the Rule.

“Operating Data” means the Issuer’s operating data disclosed pursuant to its Disclosure Certificates, and which consists of certain information contained in the offering document distributed in connection with the issuance of the Issuer’s obligations.

“Rule” means Rule 15c2-12, promulgated by the SEC under the Securities and Exchange Act of 1934.

“SEC” means the U.S. Securities and Exchange Commission and any successor federal agency having jurisdiction over the purchase, sale and offering by broker-dealers of securities such as those issued by the Issuer.

ARTICLE II

PARTICIPANTS AND RESPONSIBILITIES

Disclosure Coordinator. The Fiscal Officer shall select and appoint a disclosure coordinator, who may be the Fiscal Officer (the “Disclosure Coordinator”). The Disclosure Coordinator is responsible for:

- (a) Serving as a “point person” for personnel to communicate issues or information that should be or may need to be included in any Disclosure Document;
- (b) Collecting and preparing, or coordinating the collection and preparation of, the Annual Financial Information and Operating Data required to be submitted to the MSRB under each Disclosure Certificate;
- (c) Ensuring that the City Council has reviewed any Disclosure Document prior to such being submitted to the MSRB or otherwise released to the investing public;
- (d) Reviewing, approving, and submitting to the MSRB any Disclosure Documents the Issuer is obligated to submit pursuant to the Disclosure Certificates, as well as maintaining copies of all such Disclosure Documents with the Issuer;
- (e) Reviewing and approving any Disclosure Certificate to which the Issuer is a party to ensure compliance with the Rule, and maintaining a file with the Issuer which includes each such Disclosure Certificate executed by the Issuer;
- (f) Monitoring compliance by the Issuer with this Disclosure Policy and the Rule, including timely dissemination of the Annual Financial Information, including the Operating Data, and Listed Event filings;
- (g) Evaluating the effectiveness of and recommending changes to this Disclosure Policy to the Fiscal Officer as necessary or appropriate;
- (h) Communicating with third parties, including coordination with the Issuer’s disclosure or bond counsel, in the preparation and dissemination of Disclosure Documents to make sure that the filings are made on a timely basis and are accurate;

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- (i) In anticipation of preparing Disclosure Documents, soliciting “material” information (as defined for purposes of federal securities law) from departments of the Issuer;
- (j) Reviewing annually the Issuer’s status and compliance with continuing disclosure undertakings including filings of Disclosure Documents; and
- (k) Ensuring compliance with training procedures as described below.

The Disclosure Coordinator may file with the MSRB those Disclosure Documents that the Issuer is contractually obligated to file with the MSRB as a result of the occurrence of a Listed Event (as defined below) or as a result of the timely failure to file the required annual report. The Disclosure Coordinator shall consult with the Issuer’s disclosure or bond counsel to the extent the Disclosure Coordinator considers appropriate. Whether or not a particular document or other communication is a Disclosure Document shall be determined by the Disclosure Coordinator. Following receipt of a Disclosure Document from the Financing Group (as defined below), the Disclosure Coordinator shall evaluate the Disclosure Document for accuracy and compliance with federal and state securities laws.

The Issuer will encourage the Disclosure Coordinator to attend continuing education events and conferences, as needed, pertaining to the Issuer’s continuing disclosure obligations under the Rule. In addition, separate training sessions shall be conducted by the Issuer’s disclosure or bond counsel, with the assistance of the General Counsel, for the members of the City Council and/or the Finance Department. The Disclosure Coordinator shall ensure that the City Council and/or the Finance Department are properly trained and educated to understand and perform their responsibilities.

Financing Group. The Fiscal Officer shall identify a Financing Group (the “Financing Group”) for each debt offering (the composition of which may differ for each such offering), which may include the following:

- (a) General Counsel;
- (b) Fiscal Officer;
- (c) The Issuer’s outside bond counsel and disclosure counsel;
- (d) The Issuer’s financial advisor (if any);
- (e) The Issuer’s underwriter (if any); and
- (f) Such other members that the Fiscal Officer or other members of the Financing Group determine to be appropriate.

It is the Issuer’s policy to establish continuing working relationships with professional advisors with expertise in the area of public finance and federal securities laws applicable to the issuance of securities by the Issuer.

ARTICLE III
REVIEW AND APPROVAL OF DISCLOSURE DOCUMENTS

Responsibilities of the Financing Group. The Financing Group shall (i) confirm that the Official Statement accurately states all material information relating to both the Issuer and the particular obligations being issued and that all such information has been critically reviewed by an appropriate person, (ii) confirm that all information in the Official Statement other than the information described in the previous clause will be addressed by a closing certificate or opinion by an appropriate person, (iii) report any significant disclosure issues and concerns to the Financing Group, and (iv) confirm that the Official Statement is in substantially final form and is in a form ready to be “deemed final” by the City Council and/or the Fiscal Officer pursuant to the Rule.

Responsibilities of the General Counsel. The General Counsel shall review the Official Statement and shall draft for the Official Statement descriptions of (i) any material current, pending, or threatened litigation, (ii) any material settlements or court orders and (iii) any other legal issues that are material information for purposes of the Official Statement.

Responsibilities of the Fiscal Officer. The Fiscal Officer shall review the Official Statement, identify any material difference in presentation of financial information from the Annual Financial Information, and ensure there are no misstatements or omissions of material information in any sections that contain descriptions of information prepared by the Fiscal Officer (or the Finance Department) or of relevance to the finances of the Issuer.

Review and Approval by the Financing Group. The Financing Group shall evaluate the Official Statement for accuracy and compliance with federal and state securities laws.

ARTICLE IV
CONTINUING DISCLOSURE FILINGS

Under each Disclosure Certificate the Issuer has entered into in connection with its debt offerings, the Issuer is required each year to file annual reports with the MSRB. Such annual reports are required to include the Issuer’s audited financial statements and the Operating Data (if any). The Issuer is also required under each Disclosure Certificate to file notices of certain events with EMMA.

The Disclosure Documents required to be submitted to the MSRB pursuant to each Disclosure Certificate shall be submitted in an electronic format, and shall be accompanied by identifying information, in the manner prescribed by the MSRB, or in such other manner as is consistent with the Rule.

Disclosure of Listed Events. Pursuant to the Rule, the Issuer is obligated to disclose to the MSRB notice of certain specified events with respect to the Issuer’s securities (a “Listed Event”). The Financing Group may meet to discuss any event and determine, in consultation with the Issuer’s disclosure or bond counsel to the extent determined by the Disclosure Coordinator, whether a filing is required or is otherwise desirable. If such a filing is deemed necessary, the Disclosure Coordinator shall cause a notice of the Listed Event (a “Listed Event

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Notice”) that complies with the Rule to be prepared, and the Disclosure Coordinator shall file the Listed Event Notice as required by the Rule. For securities issued on or after December 1, 2010, and variable rate demand obligations issued at any time but which convert from a mode exempted from the Rule to a mode not so exempted on or after December 1, 2010, each such related Disclosure Certificate should contain Listed Events as listed in Exhibit B to this Disclosure Policy.

Noncompliance with the Rule. From time to time, the Disclosure Coordinator, in consultation with the Issuer’s disclosure or bond counsel, shall determine whether the Issuer has materially complied or failed to comply with its obligations under the Rule. The failure of the Issuer to comply with such obligations constitutes a “Material Lapse.” Upon the Disclosure Coordinator’s determination that a Material Lapse has occurred, the Disclosure Coordinator shall present such findings to the Financing Group within ten (10) days of such determination. Upon review and a majority consensus of the Financing Group that a Material Lapse has occurred, the Fiscal Officer shall be authorized to report such Material Lapse by submitting a failure to file notice with the MSRB. The Fiscal Officer shall consult with the Issuer’s disclosure or bond counsel in completing any such failure to file notice.

ARTICLE V **PUBLIC STATEMENTS REGARDING FINANCIAL INFORMATION**

Financial Statements. Whenever the Issuer makes statements or releases information relating to its finances to the public that are reasonably expected to reach investors and the trading markets (including, without limitation, all Listed Event Notices, statements in the Annual Financial Information, and other financial reports and statements of the Issuer), the Issuer is obligated to ensure that such statements and information are complete, true, and accurate in all material respects.

ARTICLE VI **MISCELLANEOUS**

Amendments. Any provision of this Disclosure Policy may be waived or amended at any time by written confirmation by the Fiscal Officer.

EXHIBIT A
DISCLOSURE DOCUMENTS

1. Preliminary and final official statements, private placement memoranda and remarketing memoranda relating to the Issuer's securities, together with any supplements.
2. Financial Statements (including audited financial reports).
3. Filings made by the Issuer with the MSRB, whether made pursuant to a Disclosure Certificate to which the Issuer is a party or otherwise, and receipts of such filings.
4. Any other communications that are reasonably expected, in the determination of the Disclosure Coordinator, in consultation with the Issuer's disclosure or bond counsel, to reach investors and the trading markets for municipal securities.

EXHIBIT B

LISTED EVENTS

The Disclosure Coordinator should review this list at least once each week to determine whether any event has occurred that may require a filing with the MSRB. For securities issued prior to December 1, 2010, please refer to the applicable Disclosure Certificate for information regarding the events which trigger a requirement to file on EMMA.

For securities (subject to the Rule) issued on or after December 1, 2010, or for variable rate demand bonds that are converted from a mode currently exempted from the Rule to a mode not so exempted on or after December 1, 2010, the following events automatically trigger a requirement to file on EMMA within ten (10) business days of their occurrence, without regard to the materiality of the event:

1. Principal and interest payment delinquencies
2. Unscheduled draws on debt service reserves reflecting financial difficulty
3. Unscheduled draws on credit enhancements reflecting financial difficulty
4. Substitution of credit or liquidity providers, or their failure to perform
5. Adverse tax opinions or events affecting the tax-exempt status of the security
6. Tender offers
7. Defeasances
8. Rating changes
9. Bankruptcy, insolvency, receivership or similar event of the Issuer
10. Failure to provide in a timely manner notice to provide required annual financial information by the date specified in any Disclosure Certificate

The following events trigger a requirement to file notice of their occurrence on EMMA within a reasonable period of time after their occurrence, once they are determined to be material by the Financing Group:

1. Non-payment related defaults
2. Modifications to the rights of security holders
3. Bond calls
4. Release, substitution or sale of property securing repayments of the securities

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5. The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms
6. Appointment of a successor or additional trustee or the change of name of a trustee
7. The incurrence of a material financial obligation of the Issuer or obligated person, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a financial obligation of the issuer or obligated person, any of which affect security holders
8. The default, event of acceleration, termination event, modification of terms or other similar events under the terms of a financial obligation of the issuer or obligated person, any of which reflect financial difficulties

MEETING DATE: May 5, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Nia Holt, Zoning Administrator

SUBJECT: Ordinance No. 22-O-794 – An ordinance by the council of the City of Riverside, Ohio approving a change in the water protection overlay district boundaries as shown on the zoning map of the City of Riverside, Ohio for the Source Water Protection Area within the City of Riverside.

EXPLANATION:

The City of Dayton implemented the Source Water Protection Program (SWPP) through a 1985 Memorandum of Understanding with the Ohio EPA. In 1989, Mad River Township (now the City of Riverside) became a member of the SWPP. The City of Riverside adopted the original Wellfield Protection (WP) Overlay in 2017 as part of a series of text amendments.

Every five years, Ohio EPA requires water suppliers to review their Source Water Protection Programs relative to actual or potential future changes in the boundaries based on changes in water supply operations or pumping demand. Ohio EPA also requires that water suppliers update their delineation model if there have been significant changes in pumping demand and operations. Significant changes in water operations have occurred at the well fields and a review of the source water protection boundaries was required. New technology was used to develop the current model and determine the new boundaries in 2018 (see below chart). The model found the boundaries expanded in some areas and contracted in others.

RECENT MODEL	1986 & 1987 MODELS
5-Layer Model, 3-Layer Aquifer	3-Layer Model, 2-Layer Aquifer
Modeled Combined Well Fields	Modeled Well Fields Separately
Geology based on over 800 wells or borings throughout entire source water protection area	Geology based on 160 wells or borings (78 for 1986 Study and 82 for 1987 Study)
Over 2,500 Hydrogeological Data Points including all 3 aquifers and numerous points identifying bedrock	Very few data points outside of well fields. Little information representing lower aquifer or bedrock
Modeled scenarios based on Water Efficiency Master Plan's water demand projections which are almost double the current pumping rates	Modeled scenarios based on treatment plant capacities in lieu of water demand projections from the 1984 Ten-Year Master Plan

The current Overlay covers the area closest to the wells (1-year time of travel boundary). The updated boundaries will include the entire Source Water Protection Area in the City of Riverside. The name of the overlay will be changed from *Wellfield Protection* to *Water Protection* to remain consist with the terminology used throughout the region. The Water Protection Area (1-year time of travel) and the 1,000 foot buffer around this area will be regulated. The Water Resource Area (5-year time of travel) will be map, but not regulated at this time.



RECOMMENDATION

It is respectfully recommended that the Mayor and City Council approve the attached ordinance.

FISCAL IMPACT

None

SOURCE OF FUNDS

N/A

22-O-794

AN ORDINANCE BY THE COUNCIL OF THE CITY OF RIVERSIDE, OHIO APPROVING A CHANGE IN THE WATER PROTECTION OVERLAY DISTRICT BOUNDARIES AS SHOWN ON THE ZONING MAP OF THE CITY OF RIVERSIDE, OHIO FOR THE SOURCE WATER PROTECTION AREA WITHIN THE CITY OF RIVERSIDE.

WHEREAS, the City of Riverside Planning Commission has approved and recommended P.C. Case #22-0008 on April 18, 2022, pursuant to Section 1105.07 Development Procedures of the Zoning Ordinance initiating changes in the Zoning District Map to establish the updated zoning district boundaries for the Source Water Protection Area (Water Protection Overlay); and

WHEREAS, the Planning Commission of the City of Riverside, Ohio has held at least one public hearing thereon, after notice of the time and place thereof had been given as required by law; and

WHEREAS, the Council of the City of Riverside, Ohio has held a public hearing thereon, after notice of the time and place thereof had been given as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That the **Planning Commission** having **recommended Approval of the rezoning** of the parcels within the Source Water Protection Area; it is the legislative determination and decision of this Council that the recommendation of the Planning Commission be and of the same is hereby approved and the area wide rezoning initiated by P.C. Case #22-0008 is hereby approved and adopted into the district boundaries of the Zoning Map of the City of Riverside, Ohio; and said map is hereby amended and changed to incorporate such change as set forth in “Exhibit A” of this Ordinance.

Section 2: That the Clerk of Council is directed to forward a certified copy of this Ordinance to the Zoning Administrator of the City of Riverside, Ohio, and said official is directed to amend the Official Zoning Map of the City of Riverside, Ohio, to reflect the changes enacted by this Ordinance.

Section 3: That this Ordinance shall take effect and be in force from and after the earliest date allowed by law.

PASSED THIS DAY OF _____.

APPROVED:

MAYOR

22-O-794

ATTEST:

CLERK

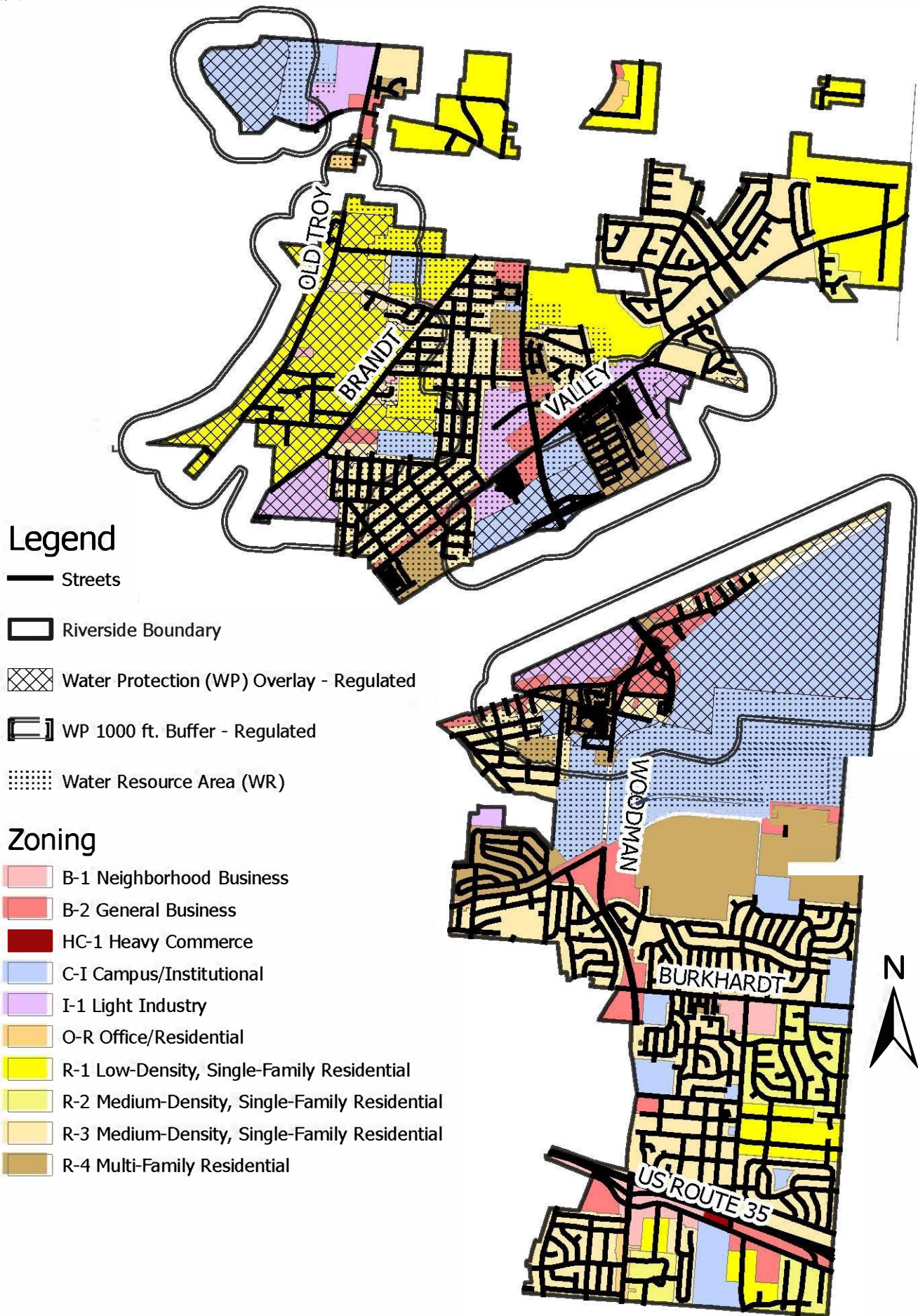
CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 22-O-794 passed by the Riverside City Council on _____.

IN TESTIMONY WHEREOF, witness my hand and official seal this day _____.

CLERK

Exhibit A: Source Water Protection Area Riverside 2022



MEETING DATE: May 5, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Nia Holt, Zoning Administrator

SUBJECT: Ordinance No. 22-O-795 – An ordinance establishing Chapter 1119 Planned Unit Development Districts in the Unified Development Ordinance (UDO) of the City of Riverside.

EXPLANATION:

A planned unit development (PUD) is a large-scale, integrated development involving a single lot or several lots only separated by streets. The PUD adheres to the community's comprehensive plan and allows for a degree of flexibility in land planning and site design in large developments. PUDs are advantageous for allowing mixed uses, housing type diversity, preserving open space and environmentally sensitive areas. A rezoning process is employed to review and approve a PUD development plan. The final plans are typically approved by the local legislative body (City Council).

The proposed text amendment for a planned unit development (PUD) zoning district includes language for discretionary review. The proposed *Chapter 1119 Planned Development Districts* has six (6) sections:

- Purpose
- Definitions
- Establishment of PUD
- Procedures
- Submission Requirements
- Plan Approval Criteria

Staff will work with the developer to create a preliminary plan for the PUD which will become the base zoning for the site. The change in zoning (preliminary plan) will need to be reviewed by Planning Commission and approved by the City Council. The standards for final PUD approval will be based on existing design regulations in the zoning code (e.g. subdivisions, landscaping, stormwater, etc.), but general enough for creative site design. The final plan(s) for any proposed PUD will be reviewed by Staff using the preliminary plan, zoning code, and Comprehensive Land Use Plan. The Planning Commission will then approve the final plan.

RECOMMENDATION

It is respectfully recommended that the Mayor and City Council approve the attached ordinance.

FISCAL IMPACT

None

SOURCE OF FUNDS

N/A

22-O-795

AN ORDINANCE ESTABLISHING CHAPTER 1119 PLANNED UNIT DEVELOPMENT DISTRICTS IN THE UNIFIED DEVELOPMENT ORDINANCE (UDO) OF THE CITY OF RIVERSIDE.

WHEREAS, the City of Riverside Planning Commission has recommended establishing Chapter 1119 Planned Unit Development Districts in Unified Development Ordinance; and

WHEREAS, the Planning Commission has held at least one public hearing thereon, after notice of the time and place thereof had been given as required by law; and

WHEREAS, the Council of the City of Riverside, Ohio has held a public hearing thereon after notice of the time and place thereof had been given as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That Chapter 1119 Planned Unit Development Districts be established by adding Planned Unit Development regulations as stated in “Exhibit A” of this Ordinance.

Section 2: That this Ordinance shall take effect and be in force from and after the earliest date allowed by law.

PASSED THIS DAY OF _____.

APPROVED:

MAYOR

ATTEST:

CLERK

CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 22-O-795 passed by the Riverside City Council on _____.

IN TESTIMONY WHEREOF, witness my hand and official seal this day _____.

CLERK

EXHIBIT A

Chapter 1119 PLANNED DEVELOPMENT DISTRICTS

1119.01 PURPOSE AND APPLICATION.

A. *Purpose.* The Planned Development District (PD) regulations are based on the premise that the ultimate quality of a built environment or development proposal is determined not only by the type, character and allocation of land uses but also by the way in which such land uses are executed. In many cases, the subdivision regulations and standard zoning district regulations and procedures do not adequately regulate the design of buildings or enable the range of uses in a single zoning district that are appropriate in or meet the needs of the City of Riverside.

1. The purposes of the Planned Development District regulations are to:
 - a. Provide an opportunity for a mix of land uses and structure types otherwise not permitted within the standard municipal zoning district classifications.
 - b. Encourage a development pattern which preserves and utilizes natural topography, geologic features, scenic features, trees and other vegetation and which prevents the disruption of natural drainage patterns.
 - c. Enable greater review of design characteristics to ensure that the development project is properly integrated into its surroundings and is compatible with adjacent development.
 - d. Assure compatibility between proposed land uses within and around the Planned Development District through appropriate development controls.
 - e. Pursue the housing and economic development goals of the city.
 - f. Promote economical and efficient use of land and reduce infrastructure costs through unified development.
 - g. Provide for more usable and suitably located recreation facilities, open space and other public and common facilities than would otherwise be provided under conventional land development regulations.
 - h. Establish objective criteria for development plan review that ensure conformity to community and district standards and allow for consistent treatment throughout.
2. The procedures established for Planned Development Districts are designed to encourage:

- a. Unified development projects that exhibit creative planning and design in ways that cannot be achieved through a standard zoning district or subdivision regulation, yet are consistent with all applicable plans, including but not limited to, the Land Use Plan, infrastructure system, contiguous land uses, and the intent of this Unified Development Ordinance (UDO).
- b. Imaginative architectural design.
- c. Flexibility in building styles and types.
- d. Proper relationships between buildings, developments and structures and between the land in scale, bulk, coverage, and character within Planned Development District and the surrounding area.
- e. The development of the land in an orderly, coordinated and comprehensive manner consistent with accepted land planning, landscape architecture practices and engineering principles according to approved development plans.

B. *Application.* The Planned Development District regulations assist in accomplishing these purposes by establishing review steps that combine the request for a zoning amendment with the development plan review process, and when applicable, the subdivision process. Subsequent plan review following the zoning amendment also requires simultaneous review of subdivision plats.

1. Each Planned Development District shall be considered a separate and unique zoning district wherein a preliminary development plan, including associated text depicting the specific development standards, is adopted simultaneously with the amendment of the zoning map to apply the PD designation. The preliminary development plan shall apply only to the property within that particular Planned Development District.
2. Planned Development Districts adopted and established in accordance with the provisions of this chapter and the requirements contained herein shall take precedence over any conflicting regulations contained in the UDO and Subdivision Regulations.

C. *Ownership.* The Planned Development District shall be an integrated, unified development project wherein the entire project area shall be in joint ownership or control at the time the application is made for the PD designation so that all property owners are applicants. Any transfer of land within the development resulting in ownership within the development by two or more parties after an application has been filed shall not alter the applicability of the regulations contained herein. A preliminary development plan approved in accordance with these regulations for a Planned

Development District shall be binding upon the owners, their successors and assigns and shall limit and control the issuance and validity of all certificates of zoning compliance.

1119.03 DEFINITIONS.

A. **Definitions.** The following definitions shall apply unless the context clearly indicates or requires a different meaning. The definitions in Chapter 1117 of this UDO shall apply to those terms used in this chapter.

B. Plan definitions.

1. **CONCEPT PLAN.** A plan that generally indicates the overall design of a proposed PUD project with sufficient information to enable the applicant and the city to discuss the concept for the proposed development and to determine if the proposal is generally consistent with the Land Use Plan.
2. **FINAL DEVELOPMENT PLAN.** A detailed plan showing the location of all site improvements, including easements, utilities, buildings, parking areas, circulation routes, points of ingress and egress, transportation and other public improvements (both on- and off-site), landscaping, architectural drawings, loading and unloading zones, service areas, ground signage, directional signage, location of refuse containers, lighting and accessory structures, and may include a subdivision plat. Critical dimensions are shown unless otherwise indicated.
3. **PLANNED DEVELOPMENT (PD).** Any unified development project for which a specific plan for development and related set of development regulations has been adopted concurrent with the zoning designation for a planned development.
4. **PLANNED UNIT DEVELOPMENT (PUD).** A form of a planned development that includes one or more uses permitted by right or as conditional uses and which is established according to the requirements of Section 1119.05.
5. **PRELIMINARY DEVELOPMENT PLAN.** A plan document, submitted at the time of rezoning, outlining permitted and conditional land use development sites, major circulation patterns, critical natural areas to be preserved, open space areas and linkages, buffer areas, entryways, and major utilities and their relationship with surrounding uses. For the purposes of Sections 1119.01 through 1119.11, a preliminary development plan shall include a composite plan and

any other development plan adopted prior to effective date of these regulations that are still in force.

1119.05 ESTABLISHMENT OF PLANNED DEVELOPMENT DISTRICT.

A. *Planned Development Districts adopted after the effective date of these regulations.* A Planned Development District that is adopted after the effective date of these regulations shall be established according to the following:

1. All rezonings to a Planned Development District shall be designated as Planned Unit Development Districts (PUD).
2. A request for rezoning land to a Planned Unit Development District designation shall be made according to Section 1105.07.
3. A preliminary development plan shall be reviewed by the Planning Commission and City Council according to Section 1119.07 and a preliminary development plan and supporting documentation shall be adopted at the time of rezoning.
4. Detailed final development plans shall be reviewed and acted upon by the Planning Commission according to Chapter 1113 Site Design and Improvement Standards.
5. A preliminary subdivision plat may be reviewed simultaneously with a preliminary development plan. A final subdivision plat shall be reviewed simultaneously with a final development plan, unless a final plat has already been approved or is not required for completion of the project. All subdivision plats shall be reviewed and approved by the Planning Commission according to Chapter 1111, Subdivision Development Standards, except as otherwise addressed in Section 1119.01 through 1119.11.

B. *General development criteria.* A PUD shall be designed and depicted on the preliminary development plan and final development plan in accordance with the following general development criteria:

1. Plan Design. The proposed PUD shall be designed in accordance with accepted planning principles, including the planning and development principles included in this section, to ensure that the use of land, buildings and other structures; the building location, bulk, layout, arrangement, design, and height; the percentages of lot areas that may be occupied; the setback of buildings; the sizes of yards and other spaces; and the density of population are in

compliance with the purposes and objectives of the PD regulations as set forth in Section 1119.01.A.

2. Permitted and Conditional Uses. A PUD may include any combination of uses when such use(s) are found to be compatible with one another and in keeping with the intent of these general development criteria, provided the proposed location of the uses will not adversely affect adjacent property and/or the public health, safety and general welfare.
 - a. The list of specific uses to be included in the proposed PUD shall be clearly delineated in the preliminary development plan and its supporting documentation.
 - b. Uses shall be identified as either permitted uses or conditional uses.
 - c. Listed uses shall be defined by their customary name or identification, except where they are specifically defined or limited in this UDO.
 - d. Any listed use may be limited to areas delineated in the preliminary development plan.
3. Planning and Development Principles. The proposed PUD shall be designed in accordance with the following planning and development principles:
 - a. Arrangement of Use Areas.
 1. Buildings and uses within the proposed development shall be located to reduce any adverse influences and to protect and enhance the character of areas adjacent to the development;
 2. Whenever a proposed development includes areas of a higher intensity than that permitted in adjacent areas, the location and arrangement of use areas shall include appropriate buffers, open spaces, setbacks, or other transitional areas to ensure compatibility with the lower intensity areas.
 3. Buildings, structures and parking areas shall be designed and located within the PUD in ways that conserve environmentally sensitive or unique natural, historic, or cultural features, and minimize environmental impacts.
 - b. Arrangement of Buildings and Yards.
 1. The physical relationship of buildings and other site improvements to one another and the surrounding open space, as created by building size, mass, height, shape, and setback, shall result in a harmonious development within the PUD and adjacent to it.

2. The bulk and height of buildings within the proposed development shall be compatible with the surrounding development and sufficiently buffered from the surrounding development to mitigate any potential adverse impact(s).

c. Landscaping, Screening and Buffering.

1. The pattern of landscaping shall be coordinated in design and type of materials, mounding and fencing used. Landscaping may vary in density, spacing and other treatments to reflect variations of topography, existing landscape or land uses.
2. Privacy for residential buildings shall be maintained through the use of landscaping, screening and buffering.
3. Appropriate buffer zones with adequate landscaping shall be provided between the proposed development and adjacent areas.
4. Alternative design approaches to meet the intent of the landscape regulations may be incorporated.

d. Open space. Adequate open spaces shall be integrated throughout the development to meet the goals of the Land Use Plan and shall comply with the open space requirements set forth in Chapter 1111, Subdivision Development Standards. PUDs that include residential uses shall include open space that is located and designed as follows:

1. Open space shall be sufficiently aggregated to create large useable areas of planned open space.
2. Open space shall conserve significant natural features within the PUD to the extent practicable.
3. Open space shall provide a scenic natural environment along existing public streets characterized by large building setbacks that enable the preservation of natural features.
4. All open space shall be easily accessible to residents of the PUD.
5. Where possible, open space areas shall be connected with open space areas on abutting parcels, and wherever possible, by open space corridors.

e. Protection of Natural Features.

1. Trees shall be preserved, protected, and replaced in compliance with the requirements set forth in Chapter 1113, Site Design and Improvement Standards.
2. A riparian buffer shall be provided along the entire length and on both sides of a river or perennial stream channel. Walkways may be permitted to be located within riparian

buffers when the City Engineer determines that such will create minimal change to the riparian buffer.

3. Floodplains shall be protected in compliance with Chapter 1113.19. Floodplain Design Standards.
4. Wetlands that are to be retained in their natural state within the PUD shall be protected. A buffer area not less than 20 feet in width measured from the edge of the delineated wetland shall be provided along the entire perimeter of the designated wetland. The buffer area shall not be disturbed and shall be retained in its natural state. Minimum building and pavement setbacks to protect such wetlands and buffer areas shall be established and shall be measured from the edge of such wetlands.
- f. Pedestrian Circulation Systems. A pedestrian circulation system shall be included and designed to provide convenient and safe pedestrian access throughout the PUD, and to connect to neighboring developments and community facilities. The pedestrian circulation system may include sidewalks and other walkways not located along streets. Trails with public right of passage should be incorporated in the pedestrian circulation system.
- g. Bike Paths and Other Trail Systems. Trail systems for bikes and other purposes shall be included and designed in accordance with the city's and/or region's plan for bike paths. Such trail system shall have a minimum width of eight feet and be properly buffered from any adjacent residential areas.
- h. Street Design and Vehicular Circulation.
 1. The proposed vehicular circulation system shall provide adequate connections to the existing street network.
 2. The area of the project devoted to streets and related pavement should be the minimum necessary to provide adequate and safe movement and access.
 3. Street alignments should be designed to conserve natural features and minimize the need for cut and fill practices.
 4. The function of adjacent thoroughfares shall be maintained by limiting access points to the minimum needed, relating them to existing access points, the street patterns on surrounding development and the intensity of proposed uses.
 5. Private streets as a common easement may be used to provide access to clustered lots and/or structures.

6. Street lighting and street signs shall be adequate for safety and security as determined in consultation with the Director of Public Service.
7. The applicant shall provide and construct on-site and off-site street improvements for the PUD in accordance with the requirements of Chapter 1111, Subdivision Development Standards and consistent with recommendations included in traffic studies and with any agreements submitted as supporting documentation for the PUD.
8. The design and locations of streets and parking areas shall comply with the requirements set forth in Chapter 1113.17, Stormwater and Drainage Standards and must be approved by the Director of Public Service.
- i. Off-Street Parking. The layout of parking areas, service areas, and related entrances, exits, signs, lighting, noise sources or other potentially adverse influences shall be designed and located to protect the character of the area and as well as those areas adjacent to the development.
- j. Signs. All signs and graphics within the PUD shall be compatible in size, location, height, material, shape, color and illumination.
 1. A sign plan for the entire PUD shall set forth the design parameters for the entire project to ensure a consistent and comprehensive character throughout the project. The sign plan shall include the design, layout, and dimensions of all ground, window and wall signs as well as distances from rights-of-way and the type and intensity of illumination.
 2. Signs should contribute to an overall cohesive design, reflect simplicity, and avoid visual clutter.
 3. The overall design and placement of buildings should take into account the general placement of signs so that all permanent signs and their associated lighting fixtures complement the appearance and architecture of the buildings and the PUD.
 4. Ground signs should be designed to relate to and share common design elements with the building.
 5. The materials and colors of the sign, sign background and sign frame should be compatible with the building's materials and colors.
- k. Utilities. The applicant shall provide and construct on-site and offsite water, sewer and other infrastructure improvements for the PUD in accordance with the requirements of Chapter 1111, Subdivision Development Standards and consistent with any agreements submitted as supporting documentation for the PUD.

1. **Project Phasing.** If the PUD is to be implemented in phases, each phase shall have adequate provision for access, parking, storm water management, utilities, and other public improvements to serve the development in accordance with the applicable criteria set forth above. Each phase shall be provided with temporary and/or permanent transitional features, buffers, or protective areas in order to prevent any adverse impact on completed phases, future phases, and adjoining property. Open space areas shall be reasonably proportioned in each phase of the project, and the proposed construction of any recreation facilities shall be clearly identified on a phasing plan.
2. **Common Facilities.** Common facilities and park areas, regardless of ownership, may be required to be maintained. Adequate access shall be provided at all times to vehicular traffic so that fire, police, health, sanitation, and public utility vehicles can serve the properties contiguous or adjacent thereto. All streets and roadways not dedicated to the public shall be operated and maintained at no expense to any governmental unit.

C. Compliance with Existing Development Standards. Unless otherwise stated and varied in the development standards text, the standards contained in the City of Riverside Unified Development Ordinance that pertain to the specific uses or land development in the PUD shall be applicable. Such standards include, but are not limited to:

1. Floodplain protection set forth in Chapter 1113.19.
2. Landscaping requirements set forth in Chapter 1113.07.
3. Tree preservation, protection and replacement requirements set forth in Chapter 1111, Subdivision Development Standards, and Section 1113.17.D.10.
4. Sign regulations set forth in Chapter 1115.09.
5. Off-street parking and loading requirements set forth in Chapter 1113.11.
6. Subdivision requirements set forth in Chapter 1111.
7. Requirements for storm water management set forth in Chapter 1113.17.

D. Unique Requirements and Guidelines for PUD. Requirements and guidelines that are necessary to ensure that the proposed PUD complies with the intent of these Planned Development District regulations shall be clearly delineated in the development standards text submitted as part of the preliminary development plan. Elements of the development standards text shall include:

1. All requirements that are necessary to ensure the PUD is consistent with the Land Use Plan and compatible with the surrounding development, including, but not limited to:
 - a. The list of permitted and conditional uses;
 - b. The maximum density for each use area;
 - c. Standards for the protection of natural features;
 - d. The major vehicular, pedestrian and bike circulation system;
 - e. Setbacks and buffer standards for the perimeter of the PUD district and between subareas and differing land uses; and
 - f. Any unique development standards or other standards that are determined essential for the project.
2. All other provisions that set forth the methods for complying with the general development criteria set forth in Section 1119.05(B).

1119.07 PROCEDURES.

A. *Purpose.* The purpose of this section is to provide adequate review of applications for planned developments.

B. *General Provisions.* Review of applications for Planned Development Districts shall be conducted in compliance with the following general provisions:

1. Review for Completeness. Each planned development application shall be reviewed for completeness and compliance with the applicable submission requirements, unless specific items are determined by staff to be inapplicable or unnecessary. If the application is deemed insufficient, the staff shall notify the applicant of the deficiencies. Only complete applications shall be placed on the Planning Commission agenda. When the application is determined complete and all applicable fees have been paid, the staff shall officially accept the application for consideration. This shall include either a preliminary development plan as set forth in Part D.1. of this section or a final development plan as set forth in Part E. of this section.
2. Subdivision Plat Approval. If the proposed development includes the subdivision of land, the development shall be subject to the requirements of the plat approval process in accordance with Chapter 1111 Subdivision Development Standards, including any subsequent changes to subdivision plats. Preliminary development plan approval and preliminary subdivision plat approval may proceed simultaneously. Final development plan approval and final plat approval

shall proceed simultaneously, unless a final plat has already been approved or is not required for completion of the project.

C. *Zoning Amendment Pre-Application Meeting with Concept Plan.* The applicant shall meet with the appropriate staff of the Community Development Department. This can include the Technical Review Committee (TRC), for review of a concept plan prior to submitting an application for a Planned Development District zoning amendment. The concept plan is intended to outline the basic scope, character and nature of a proposed project. The review is to provide input in the formative stages of design.

1. The applicant shall submit a concept plan for review by the staff. The concept plan shall include the elements indicated in Section 1119.09.A.
3. The applicant may request review and feedback from the Planning Commission and/or City Council prior to preparing a preliminary development plan. This will be scheduled during a work session for either body.
4. No discussions, opinions, or suggestions provided on any aspect of the concept plan shall bind the applicant, or the city, or be relied upon by the applicant to indicate subsequent approval or disapproval by the city.

D. *Zoning Amendment Request.* An application for a zoning amendment to the Planned Development District shall be submitted according to Section 1105.07. In addition to the submission requirements for zoning amendments, the applicant shall also submit a preliminary development plan and supporting documentation as required below.

1. Preliminary Development Plan Review Procedures. The application, including all submission requirements for preliminary development plans set forth in Section 1119.09(B), shall be reviewed and distributed according to the following procedures. A preliminary subdivision plat may be reviewed simultaneously provided all the required plat information is submitted.
 - a. Staff Review. After determining that an application is complete according to Part B.1. of this section, the staff shall forward the application to the Technical Review Committee and, if determined necessary, professional consultants for review and comment.
 1. The application shall be reviewed for compliance with the Land Use Plan, other adopted plans or studies, and the requirements of this UDO and other applicable city codes.

2. During the course of their review, the staff may meet with the applicant to review the application, and the applicant may revise the preliminary development plan application in response to staff's comments.
 3. Within 90 days of the application being deemed complete or an extended time agreed to by the applicant, the application shall be placed on the agenda for a regularly scheduled meeting of the Planning Commission. The application and supporting documentation, administrative staff comments, any other reports prepared above and any accompanying documents (such as but not limited to letters from residents or maps) shall be transmitted to the Planning Commission prior to the meeting.
- b. Review and Action by Planning Commission. The Planning Commission shall review the application to determine if it complies with the approval criteria set forth in Section 1119.11(A). The Planning Commission shall take into consideration any submitted staff reports, comments, and expert opinions when reviewing the application.
1. Request for additional information/revisions. In their review of an application, the Planning Commission may request additional information they deem necessary to adequately review and evaluate the proposed development, and/or may request the applicant to revise elements of the application. When this occurs, the Planning Commission may table the application.
 2. Timeframe for review of tabled case. Within 60 days, the applicant will, upon written request to the Director of Community Development and/or Zoning Administrator be entitled to a fixed hearing date. The case will be scheduled for the next regular meeting of the Planning Commission
 3. Action by Planning Commission. The Planning Commission shall recommend to City Council one of the following:
 - a. That the preliminary development plan and its supporting documentation be approved as submitted;
 - b. That the preliminary development plan and its supporting documentation be approved with specific conditions set forth by the Planning Commission, and agreed to

by the applicant, to further protect and improve the proposed and surrounding developments; or

c. That the preliminary development plan be disapproved.

4. Transmission to Council. The Clerk of Council shall transmit the zoning amendment application and the preliminary development plan in the form of an ordinance along with all appropriate documentation, including their recommendation to City Council, within 30 days of taking action, unless otherwise requested by the applicant.

c. Review and Action by City Council. City Council shall review and act on the proposed ordinance(s), including conducting a public hearing, in accordance with City Council procedures and public notice provisions set forth in Section 1105.07.

1. In reviewing the ordinance(s), the City Council shall consider the approval criteria set forth in Section 1119.11(A).
2. Disapproval by City Council shall terminate the process. Another zoning amendment application pertaining to the land included in the disapproved application shall not be accepted within one year from the date of disapproval, unless there has been substantial change to warrant reconsideration. The Technical Review Committee shall determine if substantial changes have been made to the preliminary development plan.

2. Approval of the Planned Development District/Preliminary Development Plan.

- a. Adoption of the ordinance shall constitute a rezoning of the property included in the preliminary development plan to a Planned Development District, and the preliminary development plan and associated commitments become binding on the applicant.
- b. The Official Zoning Map shall be amended to reflect the zoning change.
- c. In the event City Council approves the preliminary development plan with modifications, the applicant shall incorporate such modifications into the appropriate documents and file the revised preliminary development plan with the staff within 60 days of the decision. No final development plan application will be processed until the revised preliminary development plan is submitted and approved.

3. Significance of Approved Plan. Approval or approval with recommended modifications of the preliminary development plan by the City Council shall:

- a. Establish the development framework for the project, including the general location of open space, use areas, densities, unit types, recreational facilities, and street alignments;
 - b. Permit the applicant to proceed with detailed planning of the final development plan; and
 - c. Authorize the applicant to apply for all other required regulatory approvals for the project or subsequent phases thereof.
4. Expiration of zoning approval. Given the nature of the Planned Development District process and the unique standards simultaneously adopted, the Planned Development District designation shall remain valid for three years from the date of City Council approval. During that time, the applicant shall prepare and submit a final development plan for review in compliance with Part E. below. In the event progress on the PUD is discontinued, the city may begin procedures to rezone the property to the zoning district in place prior to the Planned Development District or to another district as may be determined appropriate.
- a. For the purpose of this section, progress shall be considered discontinued when:
 1. The final development plan for the PUD, or for the first phase of the PUD, is not submitted within three years after approval by City Council of the preliminary development plan;
 2. The final development plan for the PUD, or for the latest phase of the PUD, is approved, but construction authorized by such final development plan is not begun within three years after approval of the final development plan; or
 3. A final development plan for the PUD is approved, and construction work is discontinued for a period of two years or for a longer period as may be agreed to as part of the PUD zoning amendment.
 - b. At any time, the Zoning Administrator may for good cause grant an extension to the above stated timeframes upon the submittal of a written request from the applicant. The written statement must include a detailed reason for the request for an extension and new project timeline. The Zoning Administrator may determine the extension request may need to be reviewed by the Planning Commission. In this case the extension request shall be scheduled for the Planning Commission's consideration at the next regularly scheduled meeting.
- E. *Final Development Plans.* An application for final development plan review shall include the submission requirements set forth in Section 1119.09 (C) and shall be submitted for review according

to the following. An application for final development plan review shall be required for each phase of development. The applicant shall also submit a final subdivision plat for simultaneous review unless a final plat has already been approved or is not required for completion of the project.

1. Area included in Final Development Plan. The area included in an application for final development plan review shall be in substantial compliance with the phasing plan approved as part of the preliminary development plan.
2. Review Procedures. The application, including any conditional use application, shall be reviewed according to the following procedures:
 - a. Staff review. After determining that an application is complete according to Part (B)(1) of this section, staff shall forward the application to the Technical Review Committee and, if determined necessary, professional consultants for review and comment.
 1. The application shall be reviewed for compliance with the approved preliminary development plan, the requirements of this UDO and other applicable city codes.
 2. During the course of their review, the staff may meet with the applicant to review the application, and the applicant may revise the final development plan application in response to staff's comments.
 3. The application and supporting documents, staff comments, any other reports and accompanying documents (such as, but not limited to, letters from residents or maps) shall be transmitted to the Planning Commission.
 - b. Review by Planning Commission. The Planning Commission shall review the application to determine if it complies with the approval criteria set forth in Section 1119.11 (B). The Planning Commission shall take into consideration any submitted staff reports when reviewing the application.
 1. Request for additional information/revisions. In their review of an application, the Planning Commission may request additional information they deem necessary to adequately review and evaluate the proposed development, and/or may request the applicant to revise elements of the application. When this occurs, the Planning Commission may table the application.
 2. Timeframe for review of tabled case. Within 90 days, the applicant will, upon written request to the Zoning Administrator be entitled to a fixed hearing date. The case will be


scheduled for the next regular meeting of the Planning Commission but not less than 60 days following receipt of the written request.

3. Conditional Use review. If the application includes conditional uses, the Planning Commission shall review the application according to the procedures set forth in Chapter 1105 including the requirement for a public hearing. During their review of a conditional use, the Planning Commission may prescribe appropriate conditions, stipulations, safeguards and limitations on the conditional use as they may deem necessary and in conformance with the intent and purposes of Section 1105.09(G).

- a. Requests for establishing a model home within the Planned Development District shall be reviewed according to the requirements of Section 1105.09 (G).

4. Compliance with the preliminary development plan. In reviewing the application, the Planning Commission shall determine if the final development plan substantially complies with all specific requirements, the purposes, intent and basic objectives of the preliminary development plan, and any commitments made or conditions agreed to with the adoption of the preliminary development plan and if it represents an expansion and delineation of the approved preliminary development plan.

- a. The Planning Commission may determine that the proposed plan complies with the preliminary development plan and may proceed to review the Final Development Plan in accordance with the procedures of this section.

- b.  The Planning Commission may, in reviewing the final development plan, approve a modification of a provision of the development standards text if they determine that all of the following provisions are satisfied:

- i. The Planning Commission determines that, for this PD, the UDO compliance is not needed in order to ensure that the PD is consistent with the Land Use Plan and compatible with existing, approved, or planned adjacent development;

- ii. The Planning Commission determines that the proposed modification does not significantly alter the list of permitted or conditional uses, cause an inappropriate increase in density or cause inconsistencies with the Land Use Plan;

- iii. The proposed modification results in a development of equivalent or higher quality than that which could be achieved through strict application of the requirement(s);
- iv. The principles of Section 1119.05 (B) are achieved; and
- v. The development, as proposed on the final development plan, will have no adverse impact upon the surrounding properties or upon the health, safety or general welfare of the community.

c. Any proposed modification to a preliminary development plan that fails to meet the above criteria shall require a zoning amendment to the preliminary development plan according to Section 1105.07.

5. **Compliance with Current City-Wide Standards.** In the event development standards or construction standards that apply city-wide are updated, all subsequently approved final development plans shall comply with the updated standards when the Planning Commission determines that such updated standard(s) will not cause undue hardship.

a. **Action by Planning Commission.** The Planning Commission shall take one of the following actions:

- 1. Approve the final development plan as submitted;
- 2. Approve the final development plan with modification(s) as agreed to by the applicant; or
- 3. Disapprove the final development plan when the application does not demonstrate that the required standards have been met. Disapproval of the final development plan shall terminate the process. The applicant may revise the final development to respond to the Planning Commission's concerns and resubmit the plan. Such action shall be considered a new application for review and shall contain all the information required for final development plans, including payment of the application fee.

F. **Zoning and Building Permits.** Following the approval of the final development plan, and recording of the final subdivision plat if applicable, the applicant may proceed with the Certificate of Zoning Compliance and building permit process, consistent with approval as granted, including any conditions and modifications made by the Planning Commission.

- 1. After approval of the final development plan, the applicant shall obtain a Certificate of Zoning Compliance and building permit(s) prior to construction.

2. A Certificate of Zoning Compliance and building permit(s) shall not be issued until the appropriate final plat has been recorded and the city has accepted any applicable land areas that are to be dedicated to the city.
3. All construction and development under any building permit shall be in accordance with the approved final development plan, except as may be permitted in Part (G) of this section. Any unauthorized departure from such plan shall be cause for revocation of the Certificate of Zoning Compliance. All required covenants, easements and restrictions shall be recorded prior to the approval of any construction permit in a location where such covenants, easements, or restrictions are intended to apply. A copy of the recorded document(s) shall be provided to the city prior to obtaining any construction or zoning permits.

G. *Modifications to Approved Final Development Plans.* Requested modifications to approved final development plans shall be reviewed according to the following:

1. Administrative approval. The Zoning Administrator, in administering the approved final development plan and development text, may authorize minor plan modifications to building layouts, parking arrangements, sign locations, lighting, and other site-related improvements that are required to correct any undetected errors or address changes to the site made necessary during construction, provided the modifications remain consistent with the purpose of the approved final development plan.
 - a. No modifications shall be made that increase the permitted density of development or add to the list of permitted or conditional uses.
 - b. Modifications deemed minor may include such changes as:
 1. Minor adjustments in lot lines provided no additional lots are created and required setbacks are maintained;
 2. Minor adjustments in the location of and layout of parking lots provided the perimeter setbacks, yards and buffers are maintained;
 3. Minor adjustments in building footprints up to 25% in total floor area of the originally approved building, building height(s) or floor plans, that do not alter the character or intensity of the use;
 4. Substitution of landscaping materials specified in the landscape plan with comparable materials of an equal or greater size;

5. Redesigning and/or relocating stormwater management facilities provided that general character and stormwater capacities are maintained;
6. Redesigning and/or relocating landscape mounds, provided that the same level and quality of screening is maintained;
7. Minor modifications to the sign face, landscaping and lighting, provided the other sign requirements of the final development plan are maintained;
8. Minor changes in building material or colors that are similar to and have the same general appearance comparable to or of a higher quality as the material approved on the final development plan;
9. Changes required by outside agencies such as the county, state, or federal departments; or
10. Other minor modifications deemed by the Director and/or Zoning Administrator that do not alter the basic design or any specific conditions imposed as part of the original approval.

c. The Zoning Administrator may report approved modifications to the Planning Commission. The Zoning Administrator may submit any modification to the Planning Commission that would otherwise be considered minor if the Zoning Administrator finds that the overall extent and effect of the proposed modification should be reviewed by the Commission.

2. Board of Zoning Appeals Variances.

- a. Any request for a variation to the development standards text that pertains to an individual lot shall be reviewed as a variance according to the procedures set forth in Section 1105.15, Variance Procedures.

3. Planning Commission Approval.

- a. Modifications other than those listed in Part G(1) and (2) above not determined by the Zoning Administrator to be minor shall be submitted to the Planning Commission. Modifications may be approved provided the Commission finds that the requested changes are compatible with the surrounding development and that the modifications remain consistent with the preliminary development plan.
- b. Any requested changes shall be indicated on an amended final development plan. An application for an amended final development plan shall follow the review procedures for final

development plan review set forth in Part (E) of this section. If approved, those amendments to the final development plan shall supersede the originally approved final development plan.

1119.09 SUBMISSION REQUIREMENTS.

A. *Contents of Concept Plan Pre-Application.* It is the intent of these regulations that the concept plan shall generally indicate overall design of the proposed project. Information submitted should be comprehensive enough to enable the staff to understand the existing site and concept for the proposed development. The applicant shall submit a number of copies as determined by the Zoning Administrator and one digital copy in a format approved by the Zoning Administrator. The information submitted should include the following:

1. Vicinity map indicating the location of the site in the city and the general location of principal thoroughfares.
2. Regional context map. A map indicating the proposed site and all areas within 2,000 feet in all directions showing both the basics of the proposed layout contained in the application and the property lines of the adjacent areas on a drawing that is 11 inches by 17 inches.
3. Map of existing conditions and features drawn to scale, with accurate boundaries of the entire project and a north arrow, including the property proposed for development, all adjacent rights-of-way and 100 feet of property immediately adjacent thereto, indicating:
 - a. Existing public improvements, permanent facilities, easements and property boundaries;
 - b. General indication of existing structures on the site and abutting properties;
 - c. Physical features and natural conditions of the site including the location of streams, tree masses, open spaces, etc.;
 - d. General topography;
 - e. Existing zoning district boundaries and jurisdictional boundaries;
 - f. Surface drainage and areas subject to flooding;
 - g. Existing public and private utility systems;
 - h. Regional transportation system.
4. The concept plan map, drawn to scale with accurate boundaries of the entire project and a north arrow, including the property proposed for development, all adjacent rights-of-way and 100 feet of property immediately adjacent thereto, indicating:

- a. Depiction of proposed land uses, including open space areas, indicating the approximate acreage by land use, density and type of buildings or dwelling units;
- b. The location of any lands to be dedicated to any public agency;
- c. The general circulation pattern;
- d. The relationship of the proposed project to the surrounding area.

B. **Contents of preliminary development plan application.** The application shall include the maps, plans, and supplementary documentation itemized below. The applicant shall submit a number of copies as determined by the Zoning Administrator and one digital copy in a format approved by the Zoning Administrator. The information submitted should include the following:

1. Completed application form along with the application fee. The application shall be signed by the property owner as defined in Section 1119.01(C) and notarized.
2. Vicinity map showing the relationship of the proposed PD to existing development and including existing property lines, easements, utilities, and street rights-of-way of the subject property and property within 500 feet of the site, zoning district boundaries, and existing land uses and structures.
3. Regional context map. A map of the proposed site and all areas within 2,000 feet in all directions showing both the basics of the proposed layout contained in the application and the property lines of the adjacent areas on a drawing that is 11 inches by 17 inches.
4. Legal description.
5. Map of existing conditions and features drawn to scale, with accurate boundaries of the entire project and a north arrow, including:
 - a. Boundaries of the area proposed for development, dimensions and total acreage;
 - b. Existing public rights-of-way, buildings, permanent facilities, access points and easements on, and adjacent to, the site;
 - c. Identification of any existing buildings or structures to be removed or demolished;
 - d. Existing zoning district boundaries and jurisdictional boundaries;
 - e. Existing utility systems and providers;
 - f. The location of existing topography showing contour lines at vertical intervals of not more than five feet, highlighting ridges, rock outcroppings and other significant topographical features and identifying any areas with slopes over 5%;

- g. Locations of all wooded areas, tree lines, hedgerows, and a description of significant existing vegetation by type of species, health, and quality;
 - h. Delineation of existing drainage patterns on the property;
 - i. Location of wetlands (and potential wetlands), the 100-year floodplain, floodway boundary, 20-foot buffer area beyond the floodway, and flood elevation as delineated by the Federal Emergency Management Agency maps including rivers and streams and their related river or stream bank, ponds, and water courses and as required by Chapter 1113.19, Floodplain Design Standards.
6. The preliminary development plan map shall include a plan for the entire area of the proposed project and shall be drawn to an appropriate scale with accurate boundaries of the entire project including a north arrow. The applicant shall submit a number of copies as determined by the Zoning Administrator and one digital copy in a format approved by the Zoning Administrator. The information submitted shall indicate:
- a. The proposed location, use and size of areas of residential, retail, office, industrial or institutional uses, community facilities, parks, playgrounds, school sites and other public areas and open spaces with the suggested ownership and maintenance provisions of such areas, and their related parking areas, and access points;
 - b. The general layout of the proposed internal road system, indicating the proposed vehicular right-of-way of all proposed public streets, general indication of private streets and pedestrian circulation, bike paths and other trail systems, access drive locations, improvements to existing streets, and traffic control requirements;
 - c. Any proposed off-site improvements and/or utility lines/extensions needed to serve the site;
 - d. Natural areas and other natural features to be conserved and any required buffer areas;
 - e. Natural features to be altered or impacted by the development and areas where new landscaping will be installed, etc.;
 - f. A summary table showing total acres of the proposed development; the number of acres devoted to each type of use, including streets and common areas; the number of dwelling units by type and density for each residential use area and the building height(s); and square footage as proposed for retail, office, industrial and institutional uses, by use area; and the number of parking spaces provided for each use area;
 - g. Space for signatures of the applicant and the Planning Commission Chair, and the dates of Planning Commission and Council approvals.

7. Preliminary plat, if appropriate, designed in compliance with the subdivision requirements set forth in Chapter 1111 Subdivision Development Standards. The required subdivision information may be included on the preliminary development plan.
8. Architectural drawings demonstrating the prototypical designs of the proposed buildings, to demonstrate the exterior design, character and general elements in sufficient detail to indicate the proposed visual character of the development.
9. Project phasing map. A phasing plan and schedule identifying the separate phases of the project, including utilities and any off-site improvements. Such schedule shall include the proposed use or reuse of existing features such as topography, structures, streets, easements and natural areas.
10. Proposed utilities including the proposed provision of water, sanitary sewer and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness, including verification of availability.
11. Traffic study indicating the impact of future traffic on the existing and proposed roadway system, as required by the City Engineer and/or Public Service Director.
12. Explanation of relationship of proposed development to existing and future land use in the surrounding area, the street system, community facilities and open space system, services and other public improvements. If the proposal is not fully consistent with the Land Use Plan, the applicant shall submit a letter justifying the proposed deviation from the Land Use Plan.
13. Development standards text. The development standards text identifying the requirements that are to govern the design and layout of the PUD.
 - a. The development standards text shall include signature and date lines for the applicant certifying the text.
 - b. Dimensions and/or acreages illustrated on the development plan shall be described in the development standards text.
 - c. Any dimensions or other provision that departs from any applicable standards set forth in the Riverside UDO, especially addressing signs, landscaping, appearance, and parking, shall be clearly described.
 - d. Adequate provision shall be made to establish a private organization (i.e.) homeowners association with direct responsibility to provide for the operation and maintenance of all common facilities that are part of the planned development, and, in such instance legal assurances shall be provided to show that the private organization is self-perpetuating.

C. *Contents of Final Development Plan Application.* The application shall include the maps, plans, designs and supplementary documents itemized below. Final development plans are intended to be detailed refinements for development and, as such, shall be accurate, detailed representations of the total aspects of the approved preliminary development plan. The applicant shall submit a number of copies as determined by the Zoning Administrator and one digital copy in a format approved by the Zoning Administrator. The information submitted shall include the following:

1. Completed application form along with the application fee.
2. Vicinity map showing the relationship of the area of the final development plan to the entire Planned Development District and including existing structures, property lines, easements, utilities, and street rights-of-way of the subject property and property within 500 feet of the site;
3. Regional context map. A map of the proposed site and all areas within 2,000 feet in all directions showing both the basics of the proposed layout contained in the application and the property lines of the adjacent areas on a drawing that is 11 inches by 17 inches.
4. Final subdivision plat. A final plat shall be submitted in accordance with Chapter 1111, Subdivision Development Standards, if the proposed development includes the subdivision of land and a final plat has not already been approved;
5. Legal description of the property, if a final plat is not submitted, with accurate distances and bearings from an established monument on the project to the three nearest established street lines or official monuments; and stamped or sealed evidence from a surveyor registered in the State of Ohio or engineer that the monuments actually exist and that all dimensional and geodetic details are correct;
6. Final development plan map prepared by a qualified professional such as a licensed architect, surveyor, engineer or landscape architect, and drawn to an appropriate scale indicating the following items, to the extent that the information is not already shown on the final subdivision plat or construction drawings for a subdivision:
 - a. A bar scale, north arrow, and total acreage of the area that is the subject of the final development plan, and accurate location of all monuments;
 - b. Radii, arcs, points of tangency, central angles for all curvilinear street, radii for all rounded corners, and length of all straight center line between curves on all public and private street;
 - c. The right-of-way lines of adjoining streets and alleys with their width and names, and indicating the edge of pavement and centerline;
 - d. All lot lines and easements with their dimensions;

- e. The dimensions and locations of proposed structures, buildings, streets, parking areas, yards, playgrounds, school sites and other public or private facilities; the proposed pedestrian and bike path systems; the arrangement of internal and in-out traffic movement including access roads and drives; lane and other pavement markings to direct and control parking and circulation; and the location of signs related to parking and traffic control;
 - f. Location of existing and proposed structures including fences, walls, signs, and lighting;
 - g. Location and layout of all proposed and existing outdoor storage areas including storage of waste materials and location of trash receptacles;
 - h. Sanitary sewers, water and other utilities including fire hydrants, as required, and proposed drainage and storm water management;
 - i. Delineation and identification of areas to be dedicated or reserved for public use, provided those areas are acceptable to the city, with the purposes indicated thereon, and of any area to be reserved by deed covenant for the common use of all property owners, listing who will maintain the acreage of such areas, or indicating if it is to be dedicated or reserved and the proposed timing of dedication or reservation;
 - j. Space for signatures of the owner, and applicant if different than the owner, and the Planning Commission Chair, and the date of Commission approval;
 - k. Summary table showing total acres of the proposed development, the number of acres devoted to each type of use including streets and open space, and the number of proposed dwelling units by type, building square footage, number of parking spaces, pavement coverage, impervious surface area and acreage devoted to open space, private streets, and other public facilities.
7. Proposed utilities. Verification of availability of all utilities, including water, sanitary sewer, gas, electric, cable, etc., and indication of all utility line extensions;
8. Additional plans for proposed development.
- a. Topographic maps showing existing and proposed grading contours, water courses, wetlands and flood plains and other flood hazard boundaries and information;
 - b. Landscaping, screening, and tree preservation plans as required by Chapter 1113.07.
 - c. A lighting plan, including but not limited to, light pole heights and locations, building accent lighting, pedestrian lighting, average footcandle calculations minimum foot-candles and maximum foot-candles.

- d. A dimensioned sign plan indicating the character, material, dimensions, location, shape, color(s) and type of illumination of signs;
 - e. Architectural plans for the proposed development, showing all exterior elevations and building floor plans, colors, materials, and other details to indicate the type of architectural style proposed for the development and conformity with applicable appearance standards, prepared by a licensed architect;
 - f. Construction plans for all public improvements, site grading, and required development practices specified by the city code.
9. Ownership. The ownership interests of the subject property, including liens and easements, and the nature of the developer's interest if not the owner.
10. Covenants, easements and restrictions.
- a. The substance of covenants, grants of easements, or other restrictions which will be imposed upon the use of the land, buildings, and structures, including proposed easements or grants for public utilities; and proper acknowledgment of owners and/or holders of mortgages accepting such restrictions.
 - b. For projects that include any area for common use of or to be maintained by multiple property owners, the association's bylaws or code of regulations, which shall include provisions that comply with the following requirements:
 - 1. Membership in the association shall be mandatory for all purchasers of lots in the development or units in a condominium;
 - 2. The association shall be responsible for maintenance, control, and insurance of common areas;
 - 3. The association shall have the power to impose assessments on members for the maintenance, control and insurance of common facilities, and have the power to place liens against individual properties for failure to pay assessments;
 - 4. The association shall have the authority to enforce reasonable rules and regulations governing the use of, and payment of assessments for maintenance, control and insurance of, common facilities by such means as reasonable monetary fines, suspension of the right to vote and the right to use any common recreational facilities, the right to suspend any services provided by the association to any owner, and the right to exercise self-help to cure violations;
 - 5. The conditions and timing of transfer of control from the developer to the unit or lot owners shall be specified;

6. The association shall convey to the city and other appropriate governmental bodies, after proper notice, the right to entrance to any common facilities for emergency purposes or in the event of nonperformance of maintenance or improvements affecting the public health, safety and welfare. The city shall have the right, after proper notice, to make improvements and perform maintenance functions. In addition, the city shall have the right to proceed against the association for reimbursements of said costs, including the right to file liens against individual condominium units, houses and vacant building lots.
- c. The provisions and authority for any required architectural review that may control any aspect of the project beyond the city requirements.
11. Modifications. A statement identifying any aspect of the final development plan in which the applicant is requesting a modification from the preliminary development plan, pursuant to Section 1119.07(G).
12. Updated existing conditions. An updated/revised map of existing conditions indicating all changes since the map was submitted with the preliminary development plan.
13. Table of contents. Table of contents or other index indicating where each of the plan submission requirements is located within the application package (page number of narrative or drawing).

1119.11 PLAN APPROVAL CRITERIA.

A. *Preliminary Development Plan.* In the review of proposed planned developments, the Planning Commission and City Council shall determine whether or not the preliminary development plan complies with the following criteria. In the event the Planning Commission determines that the proposed preliminary development plan does not comply with a preponderance of these criteria, the Planning Commission shall disapprove the application:

1. The proposed development is consistent with the purpose, intent and applicable standards of the UDO;
2. The proposed development is in conformity with Land Use Plan and other adopted plans or portions thereof as they may apply and will not unreasonably burden the existing street network;
3. The proposed development advances the general welfare of the city and immediate vicinity and will not impede the normal and orderly development and improvement of the surrounding areas;

4. The proposed uses are appropriately located in the city so that the use and value of property within and adjacent to the area will be safeguarded;
5. Proposed residential development will have sufficient open space areas that meet the objectives of the Land Use Plan;
6. The proposed development respects the unique characteristic of the natural features and protects the natural resources of the site;
7. Adequate utilities, access roads, drainage, retention and/or necessary facilities have been or are being provided;
8. Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets and to maximize public safety and to accommodate adequate pedestrian and bike circulation systems so that the proposed development provides for a safe, convenient and non-conflicting circulation system for motorists, bicyclists and pedestrians;
9. The relationship of buildings and structures to each other and to such other facilities provides for the coordination and integration of this development within the PD and the larger community and maintains the image of Riverside as a quality community;
10. The density, building gross floor area, building heights, setbacks, distances between buildings and structures, yard space, design and layout of open space systems and parking areas, traffic accessibility and other elements having a bearing on the overall acceptability of the development plans contribute to the orderly development of land within the city;
11. Adequate provision is made for storm drainage within and through the site so as to maintain, as far as practicable, usual and normal swales, water courses and drainage areas;
12. The design, site arrangement, and anticipated benefits of the proposed development justify any deviation from the standard development regulations included in the UDO or Subdivision Development Standards, and that any such deviations are consistent with the intent of the Planned Development District regulations;
13. The proposed building design meets or exceeds the quality of the building designs in the surrounding area and all applicable appearance standards of the city;
14. The proposed phasing of development is appropriate for the existing and proposed infrastructure and is sufficiently coordinated among the various phases to ultimately yield the intended overall development;

15. The proposed development can be adequately serviced by existing or planned public improvements and not impair the existing public service system for the area;
16. The applicant's contributions to the public infrastructure are consistent with any relevant adopted plans, have been reviewed by the Director of Public Service, and are sufficient to service the new development.

B. *Final Development Plan.* In the review of proposed planned developments, the Planning Commission shall determine whether or not the proposed development, as depicted on the final development plan, complies with the following:

1. The plan conforms in all pertinent respects to the approved preliminary development plan provided however, that the Planning Commission may authorize plans as specified in Section 1119.07(E)(4);
2. Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property;
3. The development has adequate public services and open spaces;
4. The development preserves and is sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in this UDO;
5. The development provides adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity;
6. The proposed signs, as indicated on the submitted sign plan, will be coordinated within the PUD and with adjacent development; are of an appropriate size, scale, and design in relationship with the principal building, site, and surroundings; and are located so as to maintain safe and orderly pedestrian and vehicular circulation;
7. The landscape plan will adequately enhance the principal building and site; maintain existing trees to the extent possible; buffer adjacent incompatible uses; break up large expanses of pavement with natural material; and provide appropriate plant materials for the buildings, site, and climate;
8. Adequate provision is made for storm drainage within and through the site which complies with the applicable regulations in this UDO and any other design criteria established by the city or any other governmental entity which may have jurisdiction over such matters;

9. If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage;
10. The Commission believes the project to be in compliance with all other local, state and federal laws and regulations.

MEETING DATE: May 5, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Kathy Bartlett, PE Public Services Director

SUBJECT: Resolution No. 22-R-2766 –A resolution authorizing the City Manager of the City of Riverside to sign documents related to this year's Paint Striping Project.

EXPLANATION:

- Bids were received from two companies through the Miami Valley Communication Council (MVCC) to paint all needed areas in Riverside including thoroughfares, state routes and residential streets.
- Paint Striping will be performed this Spring/Summer.
- The paint striping used will be paint in accordance to ODOT specifications. Not all roadways need painted because when they were constructed, thermoplastic material was placed. This material lasts approximately 5 years.
- The plan this year is to paint nearly every street and putting them on a two-year cycle such that few streets next year would be painted.

RECOMMENDATION

It is respectfully recommended that the Mayor and City Council approve the attached resolution.

FISCAL IMPACT

- Does this item require a new appropriation? No; All funds were accounted for in the 2022 budget.
- What is the total cost, if applicable? \$113,500
- Are we receiving any grants/offsets to reduce cost? No
- What is the net cost impact to the Department/City? \$113,500

SOURCE OF FUNDS

209.209.5641, 205.205.5378, and 702.702.5214

EXHIBITS

See attached Resolution

22-R-2766

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE A & A SAFETY CO. AS THE LOWEST AND BEST BIDDER FOR THE 2022 PAINT STRIPING PROJECT.

WHEREAS, the Miami Valley Communications Council (MVCC) has advertised for bids for the 2022 Paint Striping Project as a conglomerate for multiple cities; and

WHEREAS, the City Manager and Public Services Director does determine that A & A Safety Co. is the lowest and best bidder for the 2022 Paint Striping Project in accordance with its bid through the MVCC Cooperative bid.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That upon review and consideration of the bids that have been submitted, and in accordance with the recommendations of the City Manager and Public Services Director this Council does herewith determine that the A & A Safety Co. is the lowest and best bidder for the 2022 Paint Striping Project in accordance with its bid through Miami Valley Communications Council Cooperative bid in an amount not to exceed \$113,500. Accordingly, the City Manager is authorized to enter into said contract and said contract, together with all bid documents and specifications shall constitute the entire agreement between the parties. Said amounts shall be paid from accounts 209.209.5641 Permissive Tax, 205.205.5378, and 702.702.5214.

Section 2: That the Clerk be and is hereby authorized and directed to forward a certified copy of the within Resolution to the City Manager, Director of Public Services and the Finance Director.

Section 3: This Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS DAY OF _____.

APPROVED:

MAYOR

ATTEST:

CLERK

22-R-2766

CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 22-R-2766 passed by the Riverside City Council on _____.

IN TESTIMONY WHEREOF, witness my hand and official seal this day
_____.

CLERK

MEETING DATE: May 5, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Kathy Bartlett, PE Public Services Director

SUBJECT: Resolution No. 22-R-2767 –Authorizing the City Manager of the City of Riverside to sign documents related to Revisions to the 2022 Paving Program.

EXPLANATION:

At the very beginning of the construction project for Eastman Avenue, it became apparent that the existing curb we intended to salvage was not in good condition. This curb was overlaid with asphalt and when the asphalt was removed the curb was cracked and crumbling. An alternative to replace this curb was bid as part of the 2022 Paving Program. The difference is \$90,285.00.

This Resolution increases the not to exceed amount of – 22-R-2767 to \$1,964,280.10. Funds will come from budgeted amount for Eastman Ave. construction in the 702 account.

RECOMMENDATION

It is respectfully recommended that the Mayor and City Council approve the attached resolution.

FISCAL IMPACT

- Does this item require a new appropriation? No; these projects are in the 2022 budget.
- What is the total cost, if applicable? \$90,285.00
- Are we receiving any grants/offsets to reduce cost? yes
 - If yes, from whom, and how much? OPWC; approximately \$67,713.75
- What is the net cost impact to the Department/City? \$22,571.25

SOURCE OF FUNDS

Which fund/line item will be used to pay for this, if applicable?
702.702.5317

EXHIBITS

See attached Resolution

22-R-2767

A RESOLUTION AMENDING RESOLUTION NO. 22-R-2754 TO INCREASE THE 2022 PAVING PROGRAM BID NOT TO EXCEED AMOUNT CONTRACT WITH FILLMORE CONSTRUCTION LLC.

WHEREAS, the City of Riverside previously passed Resolution No. 22-R-2754 authorizing the City Manager to sign documents not to exceed \$1,873,955.10; and

WHEREAS, the City of Riverside has determined that the cost of the contract should be increased to an amount of \$1,964,280.10.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That upon review and consideration of the alternate bid that was submitted, and in accordance with the recommendations of the City Manager and Public Services Director this Council does herewith determine that Fillmore Construction LLC remains the lowest and best bidder for the 2022 Paving Program in accordance with its bid in an amount not to exceed \$1,964,280.10.

Section 2: That the Clerk be and is hereby authorized and directed to forward a certified copy of the within Resolution to the City Manager, Director of Public Services and the Finance Director.

Section 3: This Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS DAY OF _____.

APPROVED:

MAYOR

ATTEST:

CLERK

22-R-2767

CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 22-R-2767 passed by the Riverside City Council on _____.

IN TESTIMONY WHEREOF, witness my hand and official seal this day _____.

CLERK

MEETING DATE: May 5, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Josh Rauch, City Manager

SUBJECT: Resolution No. 22-R-2768 – A resolution by the council of the City of Riverside, Ohio approving participation in Region 8 governance structure under the OneOhio Memorandum of Understanding.

EXPLANATION

Montgomery County is requesting local jurisdictions to adopt a resolution of support for the Region 8 plan as part of the OneOhio Memorandum of Understanding (MOU). The OneOhio MOU describes how settlement proceeds related to major opioid crisis lawsuits will be disbursed throughout the state. The structure for disbursing funds is complex, and the Dayton Daily News provided recent coverage here: <https://www.daytondailynews.com/local/local-governments-set-up-systems-for-opioid-settlement-money/LLORJCVFVBZBM5JZ53TD7HX4M/>

In a nutshell, the OneOhio MOU establishes 19 regions across the state, as well as a state board. Local agencies will apply to their regional board for OneOhio opioid funding. The regional board will review and recommend applications to the state board for approval.

The attached resolution expresses support for Region 8 and conveys Riverside's intention to participate in the OneOhio process once a majority of local governments in our region have adopted the resolution.

RECOMMENDATION

It is respectfully recommended that the Mayor and City Council approve the Resolution No. 22-R-2768.

FISCAL IMPACT

None. There is no cost associated with the OneOhio process. Participation enables the City to potentially secure future grant funding for opioid mitigation.

SOURCE OF FUNDS

Not Applicable.

EXHIBITS

Legislation

**A RESOLUTION BY THE COUNCIL OF THE CITY OF RIVERSIDE, OHIO
APPROVING PARTIIPATION IN REGION 8 GOVERNANCE STRUCTURE
UNDER THE ONEOHIO MEMORANDUM OF UNDERSTANDING.**

WHEREAS, the City of Riverside is a Local Government that has adopted and approves The OneOhio Memorandum of Understanding (“The Memorandum”), which establishes a mechanism to disburse settlement proceeds from opioid litigation into Ohio’s communities to help abate the opioid crisis, including allocations to Local Governments and Regions through a statewide Foundation; and

WHEREAS, the City of Riverside is a participant in Region 8 as established by The Memorandum; and

WHEREAS, pursuant to The Memorandum each Region shall create their own governance structure so it ensures all Local Governments have input and equitable representation regarding regional decisions including representation on the statewide OneOhio Recovery Foundation, Inc. Board and selection of projects to be funded from the region’s regional share; and

WHEREAS, Regions have the responsibility to make submissions regarding the allocation of funds to projects that will equitably serve the needs of the entire Region; and

WHEREAS, it is found that the regional governance structure in **Region 8** will consist of a 12-member board of the individuals and organizations identified as community stakeholders for the Community Overdose Action Team as well as Local Governments & Businesses including representatives from:

Region’s Largest Municipality (two representatives)
Another City, as identified by the Greater Dayton Mayors and Managers Association
Township, as identified by the Montgomery County Township Association
Village, as identified by the Village most affected by overdose deaths
Montgomery County Commissioner
Dayton Area Chamber of Commerce
Montgomery County Alcohol, Drug Addiction & Mental Health Services
Public Health - Dayton & Montgomery County
Criminal Justice Council
Greater Dayton Area Hospital Association
Individual with Lived Experience, as identified by the Community Overdose Action
Team Backbone Support

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

22-R-2768

Section 1: That subject to and effective upon the concurrence of a majority of local governments (counties, cities, villages, townships) in Region 8, this legislative body hereby approves and enters into the regional governance agreement and supports the designated Region 8 Representative appointed to the OneOhio Recovery Foundation, Inc. Board.

Section 2: That the Clerk be and is hereby authorized and directed to forward a certified copy of this Resolution to the City Manager.

Section 3: This Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS DAY OF _____.

APPROVED:

MAYOR

ATTEST:

CLERK

CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 22-R-2768 passed by the Riverside City Council on _____.

IN TESTIMONY WHEREOF, witness my hand and official seal this day _____.

CLERK



MEETING DATE: May 5, 2022

AGENDA ITEM: New Business

TO: Riverside City Council

FROM: Frank Robinson, Chief of Police

SUBJECT: Resolution No. 22-R-2769 – A resolution to repeal and replace Resolution No. 22-R-2764 authorizing the city manager to enter into a contract for the purchase of in-car and body worn cameras for use by the police department.

EXPLANATION: A clerical error was made as costs for training and implementation were left out of the original resolution, 22-R-2764.

RECOMMENDATION

It is respectfully recommended that the Mayor and City Council approve the attached resolution.

FISCAL IMPACT

The total amount currently in 703.703.5531 is \$ 111,000.00. Although the amount is increasing, the line still has enough to accommodate the increase

	FY2022	FY2023	FY2024	FY2025	FY2026
Body Cams	\$33,613.24				
Car Cams	\$42,757.52				
Cloud Storage	\$17,280	17,280	\$17,280	17,280	\$17,280
Installation	\$8,440				
Training/implementation	\$8,300				
Total	\$110,390.76	\$17,280	\$17,280	\$17,280	\$17,280

Total expenses before grant = \$179,510.76

Total expenses after grant = \$145,897.52

SOURCE OF FUNDS

OCJS (Ohio Criminal Justice Services) = \$33,613.24

Fund 703.703.5531 = \$111,000

EXHIBITS

Resolution No. 22-R-2769

22-R-2769

A RESOLUTION TO REPEAL AND REPLACE RESOLUTION NO. 22-R-2764 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF IN-CAR AND BODY WORN CAMERAS FOR USE BY THE POLICE DEPARTMENT.

WHEREAS, the City of Riverside previously passed Resolution No. 22-R-2764 authorizing the city manager to enter into a contract with GETAC for the purchase of 13 GETAC in-car cameras, and 32 GETAC body worn cameras that include installation and first year cloud storage; and

WHEREAS, the cost was established not-to-exceed \$102,090.76; and

WHEREAS, it has been discovered through a clerical oversight that training and implementation costs were not included in the total cost; and

WHEREAS, the cost of training and implementation has been determined to be \$8,300, making the total cost of \$110,390.76;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RIVERSIDE, STATE OF OHIO:

Section 1: That the City Manager is hereby authorized to enter into said contract with GETAC for the purchase of 13 GETAC in-car cameras, and 32 GETAC body worn cameras that also includes installation, first year cloud storage, and training and implementation at a cost not-to-exceed \$110,390.76. Said amount shall be paid with OCJS grant monies of \$33,613.24 and the remaining amount of \$76,777.52 from Fund 703.703.5531.

Section 2: Accordingly, the City Manager is hereby authorized to enter into a 5-year cloud storage contract with GETAC with annual payments of \$17,280 starting in the second year thru year five of the contract.

Section 3: That the Clerk be and is hereby authorized and directed to forward a certified copy of the within resolution to the City Manager, and Police Chief and Finance Director.

Section 4: This Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS DAY OF _____.

22-R-2769

APPROVED:

MAYOR

ATTEST:

CLERK

CERTIFICATE OF THE CLERK

I, _____, Clerk of the City of Riverside, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 22-R-2769 passed by the Riverside City Council on _____.

IN TESTIMONY WHEREOF, witness my hand and official seal this day _____.

CLERK

CITY MANAGER

PREVIOUS

UPDATES

MEMORANDUM

TO: Honorable Mayor and Councilmembers
FROM: Josh Rauch, City Manager
DATE: April 22, 2022
SUBJECT: Weekend Update
CC: Department Directors, City Clerk, Law Director

City Manager's Office

- This week I returned to the office from quarantine on Wednesday, April 20th. Monday and Tuesday I worked from home.
- I had several virtual and in-person meetings with residents regarding a wide variety of neighborhood concerns, as well as developers regarding potential investments and opportunities in the City.
- I responded to a DDN request for information regarding redevelopment challenges and successes. I discussed Danis/Trey Landfill and Center of Flight as challenges due to environmental concerns, and highlighted Kroger and the Airway/Woodman corridor as examples of reinvestment.

Administration

- **Office 365-** ACM Lohr and MVECA are working together to plan a transition to Office 365. This is tentatively scheduled for May with employees and City Council beginning to use Office 365 in June.
- **Back Up Devices and Licensing-** Back up devices and licensing have been ordered. While the licensing is in hand, the back up devices are back ordered at least 4-6 weeks.

Community Development Department

- **Planning and Zoning** – Notice of Violation for expired zoning approvals has been sent to Mr. Todd Smith.
- BZA is next Tuesday (April 26th) at 6PM. There are 3 cases and legal training for the board members on the agenda..
- **Economic Development** – We had several meetings this week with developers expressing interest in a number of properties. These conversations are very preliminary, but an encouraging sign that investors are looking at Riverside.
- The Land Use Plan Steering Committee met this past Wednesday and had a very productive conversation. Additional information regarding future visioning and community meetings will be provided by MKSK in the coming weeks.

- **Code Enforcement** – We received trail cameras purchased through a reimbursable grant awarded earlier this year. The cameras will be installed at high-volume illegal dumping locations in the next week or two.

Finance Department

- We notified SSI that Council approved moving forward with their quoted financial software. The purchase agreement will be sent for legal review next week, and once executed scheduling will begin.

Fire Department

- We had two working fires this week. On Monday evening, Rock Castle Storage involving damage to a total of 12 storage units. The cause is under investigation but appears to be accidental. There were no injuries reported. The second was Wednesday afternoon on Barksdale. This involved a single family residence being renovated with one living there at the time. Appears to be accidental as well, involving the renovation efforts. Great job by all and huge thank you to our mutual aid neighbors.
- Tuesday thru Thursday, our crews joined Butler Twp., Vandalia, and Huber Heights Fire Departments for a joint Rapid Intervention Team training at Huber Heights Station 22. This training consists of using tools and techniques for rescuing trapped or down firefighters during structure fires. Crews reported this to be a great and worthwhile training with our neighbors. Thanks to Chief Knisley and HHFD to providing this training!
- This week, we promoted FF Jason Evans to Lieutenant effective on Monday the 18th and Hired Brian Taylor to fill the position of Battalion Chief. Brian will start with us on May 31st. Congrats to Both!
- We worked through some maintenance issues with Engine 5 this week and Engine 6 was out getting some warranty paint work done. This caused us to borrow an engine from Butler Twp. FD for a couple days to keep our service up. Big thank you to Chief Dan Alig and BTFD. All Engines are back in service now. Engine 5 will be leave next week to get it's warranty paint work done.
- Community Paramedic Balcom provided 22 vaccines and boosters to residents of Mad River Manor on Tuesday. She is continuing to meet with city residents identified as having a need for her assistance and working with outside agencies to provide that aid and home equipment. She is still researching health care partnerships that could help improve our program and increase the sustainability of the program.
- Crews attended three Easter egg hunts on Saturday and delivered the Easter Bunny to support the events and community
- In between fires, EMS calls, and trainings, crews are still completing the hydrant flushing and fire inspections. Busy week.
- Part time FF Mason Waite, who was involved in a serious motorcycle accident last November has been cleared to return to work with no restrictions, so we are very happy for him and excited to have him back..

Police Department

- Officer Alex Witt is now out of Field Training and has been assigned Sgt. Schmidt's day watch.
- Officers are completing Phase 2 training with the County. Taser, Handgun, Rifle and CPR this week.
- Staff members are continuing to work on 2 grants, SRO , and a Decrease violent crime grant.
- Tier 4 Lexipol policies have been released for the Department members to read and acknowledge.
- Due to military deployment creating a shortage in staffing, we will be rebidding shifts to ensure that we have proper coverage on each shift with Evidence Technicians, as well Officers in Charge.
- Contacted Jeremy Baldwin at Enterprise Rental. I am working to get all the information he needs for a vehicle lease proposal for the City.
- Continued working with HHPD regarding Motorola Premiere One (MARC's radios)
- Contacted AG's office about the BWC grant (monies will be applied for)
- Applied for IDEP/STEP grant re-imbusement for March. (\$1,300)
- Finalized planning for May 4th City of Riverside active shooter training (Safriet/Toscani)
- Sgt. Vance is currently enrolled on Police Executive Leadership College.

Public Service Department

- Bid opening for Harshman Wall Repairs was Thursday and we received no bids. We will look into rebidding at a later date.
- Montgomery County Soil and Water continue making weekly inspections of the Kroger site during construction for EPA compliance.
- Letters to residents along Eastman Avenue were sent out informing them of the construction to begin next week and letting them know that parking will permanently be eliminated from the north side of the street.

MEMORANDUM

TO: Honorable Mayor and Councilmembers
FROM: Josh Rauch, City Manager
DATE: April 29, 2022
SUBJECT: Weekend Update
CC: Department Directors, City Clerk, Law Director

City Manager's Office

- I'm looking forward to tomorrow morning's Council orientation meeting and tours – light refreshments will be provided. This is a great opportunity to see the environments our staff work in each day. I know it's a Saturday morning – we'll keep it as brief as possible.
- This week Lori and I met with the Land Bank to discuss development strategies, nuisance abatement, and how to best position the Center of Flight property for future development.
- I'm working to secure a broker for the Wright Point buildings.
- Several City Hall staff were ill this week.
- I facilitated the BZA meeting.
- I met with MKSK to discuss the land use planning process and broad contours for what deliverable(s) could look like.

Administration

- **HR** - Kelsey Logan, PT Administrative Assistant at City Hall, notified us this week that she will be leaving her position at the end of May. We are happy to have her for a few more weeks, and wish her and her family the best!

Community Development Department

- **Planning and Zoning** – PUD and Source Water Protection ordinances will be before Council May 5th. Please reach out to Josh/Nia with any questions regarding these ordinances.
- **Economic Development** – We continued conversations with developers expressing interest in several parcels in the City. Lori is exploring brokerage opportunities for Center of Flight.
- **Code Enforcement** – 363 cases have been initiated to-date. The City's contractor completed an abatement at 429 Rohrer this week which took four days to complete. A stop work order was issued for a driveway project without a permit on Warrendale.

Finance Department

- We are finalizing legal language related to our contract with SSI for finance software and will route the contract for signatures next week.

Fire Department

- We scheduled interviews for fulltime firefighter for May 4th this week. Conducting background and reference checks on the selected candidate being interviewed.
- We are updating our current specs for firefighter protective gear and met with our vendor to review the new changes in the technology and manufacturing of the gear.
- This week our crews have been busy doing their EMS protocol practical evaluations with our medical director, flushing and inspecting hydrants, conducting company inspections, completing the annual spring cleaning of the fire stations, and responded to 94 for calls for service.
- Paperwork for Code Red completed with scheduling training and implementation next.

Police Department

- 1 officer down/ broken foot on duty/ light duty
- Contacted Jeremy Baldwin at Enterprise Rental regarding fleet analysis. I was working to get all the information he needed. With Tom Garrett's assistance I was able to provide Mr. Baldwin with the necessary information for him to write out a proposal. Hopefully will see that in the next couple of weeks.
- Certified letters have gone out on 4/28/2022 in regard to monies in the property room safe.

Public Service Department

- Investigating adding school flashers to Valley East at Stebbins HS
- Investigating pavement preservation applications to less potholed streets
- Design work is underway for the rehabilitation of Spinning Phase 2 (Eastman to Burkhardt)
- IWorQs for Public Service implementation continues. Currently transferring pavement data into the software program
- Preparing Harshman Wall Repair Plans to rebid .