

**ALL CELL PHONES AND ELECTRONIC DEVICES MUST BE
TURNED OFF IN THE COUNCIL CHAMBERS**

**A G E N D A
REEDLEY CITY COUNCIL MEETING**

7:00 P.M.

TUESDAY, August 27, 2019

**Meeting Held in the Council Chambers
845 "G" Street, Reedley, California**

The Council Chambers are accessible to the physically disabled. Requests for additional accommodations for the disabled, including auxiliary aids or services, should be made one week prior to the meeting by contacting the City Clerk at 637-4200 ext. 212.

Any document that is a public record and provided to a majority of the City Council regarding an open session item on the agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such documents may be posted on the City's website.

Unless otherwise required by law to be accepted by the City at or prior to a Council meeting or hearing, no documents shall be accepted for Council review unless they are first submitted to the City Clerk by the close of business one day prior to said Council meeting/hearing at which the Council will consider the item to which the documents relate, pursuant to the adopted City Council Protocols.

City of Reedley's Internet Address is www.reedley.ca.gov

Frank Piñon, Mayor

Mary Fast, Mayor Pro Tem
Anita Betancourt, Council Member

Robert Beck, Council Member
Ray Soleno, Council Member

MEETING CALLED TO ORDER

INVOCATION – Micah Thiesen, Middle School Director

PLEDGE OF ALLEGIANCE

ROLL CALL

AGENDA APPROVAL – ADDITIONS AND/OR DELETIONS

PRESENTATION

1. INTRODUCTION OF NEW POLICE OFFICER, KALLEE OLIVAS. – Police
2. INTRODUCTION OF NEW ADMINISTRATIVE ASSISTANT, KAYLA CHENEY-Community Services
3. INTRODUCTION OF ASAMI NELSON AND ERIKA SOSA AS THE 2019/2020 COMMUNITY SERVICES COMMISSION YOUTH REPRESENTATIVES. – Community Services
4. VIDEO PRESENTATION BY ERIK VALENCIA, GREATER REEDLEY CHAMBER OF COMMERCE EXECUTIVE DIRECTOR.

PUBLIC COMMENT – Provides an opportunity for members of the public to address the City Council on items of interest to the public within the Council's jurisdiction and which are not already on the agenda this evening. It is the policy of the Council not to answer questions impromptu. Concerns or complaints will be referred to the City Manager's office. Speakers should limit their comments to not more than three (3) minutes. No more than ten (10) minutes per issue will be allowed. For items which are on the agenda this evening, members of the public will be provided an opportunity to address the Council as each item is brought up for discussion.

NOTICE TO PUBLIC

CONSENT AGENDA items are considered routine in nature and voted upon as one item. Under a **CONSENT AGENDA** category, a recommended course of action for each item is made. Any Council Member may remove any item from the **CONSENT AGENDA** in order to discuss and/or change the recommended Course of action, and the Council can approve the remainder of the **CONSENT AGENDA**. A Council Member's vote in favor of the **CONSENT AGENDA** is considered and recorded as a separate affirmative vote in favor of each action listed. Motions in favor of the **CONSENT AGENDA** are deemed to include a motion to waive the full reading of any ordinance on the **CONSENT AGENDA**. For **adoption of ordinances**, only those that have received a unanimous vote upon introduction are considered **CONSENT** items.

CONSENT AGENDA (Item 5- 9)

Motion _____ 2nd _____

5. MINUTES OF THE REGULAR COUNCIL MEETINGS OF JUNE 25, 2019, AND SPECIAL MEETING OF JUNE 11, 2019. – (City Clerk)
Staff Recommendation: Approve
6. APPROVE AND AUTHORIZE THE CITY MANAGER TO SUBMIT AN APPLICATION ON BEHALF OF THE POLICE DEPARTMENT FOR THE FY2019/20 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FROM THE UNITED STATES OFFICE OF JUSTICE PROGRAMS. – (Police)
Staff Recommendation: Approve
7. RATIFICATION OF APPROVAL FOR COUNCIL MEMBER FAST TO ATTEND THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE IN OCTOBER 2019 AND DESIGNATE HER AS THE CITY OF REEDLEY'S VOTING DELEGATE AT THE LEAGUE OF CALIFORNIA CITIES ANNUAL BUSINESS MEETING. – (Administrative Services)
Staff Recommendation: Approve
8. ADOPT RESOLUTION NO. 2019-064 APPROVING AND AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH VRPA TECHNOLOGIES, INC. FOR THE FORMULATION OF A FARMLAND PRESERVATION PROGRAM FOR THE CITY OF REEDLEY. – (Community Development)
Staff Recommendation: Approve

9. ADOPT RESOLUTION 2019-075 DECLARING LISTED VEHICLES AND EQUIPMENT AS SURPLUS.- (Public Works)
Staff Recommendation: Approve

ADMINISTRATIVE BUSINESS

10. ADOPT RESOLUTION NO. 2019-059 APPROVING THE SUBDIVISION MAP IMPROVEMENT AGREEMENT AND FINAL MAP FOR PHASE ONE OF VESTING TENTATIVE SUBDIVISION MAP 6196. - Report, discussion and/or other Council action to approve, modify, and/or take other action as appropriate. -(Community Development)
Staff Recommendation: Approve
11. ADOPT RESOLUTION NO. 2019-074 AMENDING THE FY 2019-20 ADOPTED BUDGET TO APPROPRIATE \$11,077 IN ADDITIONAL UTILITY ENTERPRISE FUNDS FOR PROGRAMMING UPDATES TO CITY UTILITY BILLING SOFTWARE TO BE COMPLIANT WITH SB998 REQUIREMENT EFFECTIVE FEBRUARY 1, 2020. - Report, discussion and/or other Council action to approve, modify, and/or take other action as appropriate. - (Administrative Services)
Staff Recommendation: Approve
12. ADOPT RESOLUTION NO. 2019-076 OF THE CITY COUNCIL OF THE CITY OF REEDLEY DECLARING A FISCAL EMERGENCY IN ORDER TO PLACE A GENERAL PURPOSE TAX BALLOT MEASURE ON THE MARCH 3, 2020 STATEWIDE PRIMARY ELECTION AND REQUEST THE CITY ATTORNEY TO PREPARE AN ORDINANCE FOR PLACEMENT ON THE MARCH 2020 BALLOT, AND ALL NECESSARY DOCUMENTS IN SUPPORT THEREOF. - Report, discussion and/or other Council action to approve, modify, and/or take other action as appropriate. -(Administrative Services)
Staff Recommendation: Approve

COUNCIL REPORTS

13. BRIEF REPORT BY COUNCIL MEMBERS ON CITY RELATED ACTIVITIES AS AUTHORIZED BY THE BROWN ACT AND REQUESTS FOR FUTURE AGENDA ITEMS.

STAFF REPORTS

14. UPDATES AND/OR REPORTS BY CITY MANAGER AND/OR STAFF MEMBERS.

ADJOURNMENT

Dates to Remember:

September 10, 2019 – Regular Council Meeting- Potentially going dark.
September 24, 2019 – Regular Council Meeting

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing revised agenda was posted in accordance with the applicable legal requirements. Dated this 22nd day of August 2019.


Sylvia B. Plata, City Clerk

Item #5

REEDLEY CITY COUNCIL MEETING – June 25, 2019

A complete audio record of the minutes is available at www.reedley.ca.gov

The regular meeting of the Reedley City Council meeting was called to order by Mayor Frank Piñon at 7:00 p.m. on Tuesday, June 25, 2019 in the City Hall Council Chambers, 845 “G” Street, Reedley, California.

INVOCATION – Malcolm Light, Pastor of the Reedley Mennonite Brethren Church

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Council Member Fast.

ROLL CALL

Council Members

Present: Robert Beck, Anita Betancourt, Mary Fast, Ray Soleno, Frank Piñon.

Absent: None.

AGENDA APPROVAL – ADDITIONS AND/OR DELETIONS

Council Member Betancourt moved, Mayor Piñon seconded to accept and approve agenda.

Motion unanimously **carried**.

PRESENTATION

1. **PARKS & RECREATION MONTH PROCLAMATION – Community Services**

Sarah Reid, Community Services Director, Recreation Coordinators Ruben Castaneda and Madison Leighty, along with several members from various Community Services Department programs provided highlighted from their specific programs. Summer Interns from KCUSD read the Parks & Recreation Month Proclamation which was approved by Council.

PUBLIC COMMENT

None.

CONSENT AGENDA (Item 2-5)

Motion _____ 2nd _____

Council Member Mary Fast asked to remove agenda item #4 and #5 for discussion.

Council Member Betancourt moved, Council Member Soleno seconded to accept, approve and adopt all items listed under the **CONSENT AGENDA** as follow:

- 2. **MINUTES OF THE REGULAR COUNCIL MEETINGS OF FEBRUARY 26, 2019 – *Approved***
- 3. **APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE A ONE YEAR AGREEMENT WITH THE FRESNO COUNTY RURAL TRANSIT AGENCY FOR LAW ENFORCEMENT SERVICES ON TRANSIT VEHICLES. - *Approved***
- 4. **APPROVE AND AUTHORIZE CITY MANAGER TO EXECUTE ALL DOCUMENTS PERTAINING TO ACQUISITION AND FINANCING OF SOLID WASTE AND STREET MAINTENANCE EQUIPMENT WITH APPROPRIATIONS PREVIOUSLY APPROVED.**
 - A) **AUTHORIZE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO COMPLETE DEBT FINANCING LEASE-PURCHASE AGREEMENT WITH FIVE STAR BANK FOR FINANCING OF SOLID WASTE AND STREET MAINTENANCE EQUIPMENT.**

REEDLEY CITY COUNCIL MEETING – June 25, 2019

- B) AUTHORIZE THE PURCHASE OF ONE (1) CNG PETERBILT FRONT LOADER REFUSE TRUCK.
- C) AUTHORIZE THE PURCHASE OF TWO (2) CNG PETERBILT SIDE LOADER REFUSE TRUCKS.
- D) AUTHORIZE THE PURCHASE OF ONE (1) CATERPILLAR INC. MODEL 918M WHEEL LOADER.

Removed for discussion

5. AMENDMENT OF ITEMS PERTAINING TO THE FY 2018-19 AND FY 2019-20 ADOPTED BUDGETS

- A) ADOPT BUDGET RESOLUTION NO. 2019-060 AMENDING VARIOUS FUNDS IN THE FISCAL YEAR 2019-2020 ADOPTED BUDGET NECESSARY FOR THE TRANSITION OF DIAL-A-RIDE TRANSIT SERVICES TO THE FRESNO COUNTY RURAL TRANSIT AGENCY EFFECTIVE JULY 1, 2019.
- B) ADOPT BUDGET RESOLUTION NO. 2019-061 APPROPRIATING \$16,000 IN THE FISCAL YEAR 2018-2019- ADOPTED BUDGET ALLOCATING AVAILABLE FCTA MEASURE 'C' FLEXIBLE FUNDING AND FIRE FACILITIES DEVELOPMENT IMPACT FEES FOR REMAINING COSTS FOR THE CRICKET HOLLOW BOAT LAUNCH PROJECT.

Removed for discussion

Remaining consent items approved with the motion unanimously carried.

- 4. APPROVE AND AUTHORIZE CITY MANAGER TO EXECUTE ALL DOCUMENTS PERTAINING TO ACQUISITION AND FINANCING OF SOLID WASTE AND STREET MAINTENANCE EQUIPMENT WITH APPROPRIATIONS PREVIOUSLY APPROVED.
 - A) AUTHORIZE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO COMPLETE DEBT FINANCING LEASE-PURCHASE AGREEMENT WITH FIVE STAR BANK FOR FINANCING OF SOLID WASTE AND STREET MAINTENANCE EQUIPMENT.
 - B) AUTHORIZE THE PURCHASE OF ONE (1) CNG PETERBILT FRONT LOADER REFUSE TRUCK.
 - C) AUTHORIZE THE PURCHASE OF TWO (2) CNG PETERBILT SIDE LOADER REFUSE TRUCKS.
 - D) AUTHORIZE THE PURCHASE OF ONE (1) CATERPILLAR INC. MODEL 918M WHEEL LOADER.

Council Member Fast expressed her concern for the use of the Vehicle Impact Fee and wanted the public to be aware of funds being used.

Russ Robertson, Public Works Director responded to Council Member Soleno's question regarding the need to replace older trucks.

Council Member Soleno moved, Council Member Beck seconded to accept, APPROVE AND AUTHORIZE CITY MANAGER TO EXECUTE ALL DOCUMENTS PERTAINING TO ACQUISITION AND FINANCING OF SOLID WASTE AND STREET MAINTENANCE EQUIPMENT WITH APPROPRIATIONS PREVIOUSLY APPROVED.

REEDLEY CITY COUNCIL MEETING – June 25, 2019

- E) AUTHORIZE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO COMPLETE DEBT FINANCING LEASE-PURCHASE AGREEMENT WITH FIVE STAR BANK FOR FINANCING OF SOLID WASTE AND STREET MAINTENANCE EQUIPMENT.
- F) AUTHORIZE THE PURCHASE OF ONE (1) CNG PETERBILT FRONT LOADER REFUSE TRUCK.
- G) AUTHORIZE THE PURCHASE OF TWO (2) CNG PETERBILT SIDE LOADER REFUSE TRUCKS.
- H) AUTHORIZE THE PURCHASE OF ONE (1) CATERPILLAR INC. MODEL 918M WHEEL LOADER.

Motion unanimously **carried**.

5. AMENDMENT OF ITEMS PERTAINING TO THE FY 2018-19 AND FY 2019-20 ADOPTED BUDGETS

- A) ADOPT BUDGET RESOLUTION NO. 2019-060 AMENDING VARIOUS FUNDS IN THE FISCAL YEAR 2019-2020 ADOPTED BUDGET NECESSARY FOR THE TRANSITION OF DIAL-A-RIDE TRANSIT SERVICES TO THE FRESNO COUNTY RURAL TRANSIT AGENCY EFFECTIVE JULY 1, 2019.
- B) ADOPT BUDGET RESOLUTION NO. 2019-061 APPROPRIATING \$16,000 IN THE FISCAL YEAR 2018-2019- ADOPTED BUDGET ALLOCATING AVAILABLE FCTA MEASURE 'C' FLEXIBLE FUNDING AND FIRE FACILITIES DEVELOPMENT IMPACT FEES FOR REMAINING COSTS FOR THE CRICKET HOLLOW BOAT LAUNCH PROJECT.

Paul Melikian, Assistant City Manager responded to Council's question regarding fiscal impact and the possibility of gains to the Roads and Street Maintenance Fees.

Council Member Beck moved, Council Member Soleno seconded to accept, approve AMENDMENT OF ITEMS PERTAINING TO THE FY 2018-19 AND FY 2019-20 ADOPTED BUDGETS.

- A) ADOPT BUDGET RESOLUTION NO. 2019-060 AMENDING VARIOUS FUNDS IN THE FISCAL YEAR 2019-2020 ADOPTED BUDGET NECESSARY FOR THE TRANSITION OF DIAL-A-RIDE TRANSIT SERVICES TO THE FRESNO COUNTY RURAL TRANSIT AGENCY EFFECTIVE JULY 1, 2019.
- B) ADOPT BUDGET RESOLUTION NO. 2019-061 APPROPRIATING \$16,000 IN THE FISCAL YEAR 2018-2019- ADOPTED BUDGET ALLOCATING AVAILABLE FCTA MEASURE 'C' FLEXIBLE FUNDING AND FIRE FACILITIES DEVELOPMENT IMPACT FEES FOR REMAINING COSTS FOR THE CRICKET HOLLOW BOAT LAUNCH PROJECT.

Motion unanimously **carried**.

PUBLIC HEARING

6. ADOPT RESOLUTION NO. 2019-063 LEVYING THE FISCAL YEAR 2019-2020 ANNUAL ASSESSMENTS FOR THE CITY OF REEDLEY LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 1.

John Robertson, City Engineer stated that the item before Council was the last step in the process needed in levying the annual assessment required by state law for properties that fell within the city's Landscape and Lighting Maintenance District. Mr. Robertson provided a brief overview of the full process, responded to Council's questions and asked that after the public hearing Council adopt Resolution 2019-063 approving the levying of the annual assessment for Reedley Landscape and Lighting Maintenance District No. 1.

REEDLEY CITY COUNCIL MEETING – June 25, 2019

Opening of Public Hearing: 7:23 p.m.

Closing of Public Hearing: 7:23 p.m.

Council Member Soleno moved, Council Member Fast seconded to accept, approve and ADOPT RESOLUTION NO. 2019-063 LEVYING THE FISCAL YEAR 2019-2020 ANNUAL ASSESSMENTS FOR THE CITY OF REEDLEY LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 1.

Motion unanimously **carried**.

ADMINISTRATIVE BUSINESS

7. ADOPT RESOLUTION 2019-062, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY IN SUPPORT OF THE COUNTY OF FRESNO HOMELESSNESS PRIORITIES FOR CALENDAR YEAR 2019.

Nicole Zieba, City Manager asked that Council approve Resolution 2019-062 that listed fourteen priorities that had been unanimously approved by the Fresno County Board of Supervisors and would be used as a foundation for developing a comprehensive plan related to homelessness. She stated that County had asked all incorporated cities in Fresno County to affirm their support for the priorities, and commitment to work collaboratively with the County to address this issue. Ms. Zieba said that at this time no specific commitments were being made through the adoption of resolution and as the County developed their plan to address homelessness, staff would bring items forward to Council if any of the plan elements impacted the City or required any commitment on the part of the City.

City Manager introduced and thanked Sonia De La Rosa, Fresno County Principal Administrative Analyst who was essential to the City in the coordination with California Department of Fish and Games in dealing with the homeless issue during the river clean-up efforts.

Ms. De La Rosa spoke to Council regarding her visit to each of the fifteen cities in her efforts to follow up for the adoption of resolution providing support to the County on this issue. They were expecting to share funds from the State and as they received those funds they wanted to make sure that there would be opportunities for services in our area whether it was in a form of outreach or any of the fourteen items that were listed in those priorities.

Council Member Fast moved, Council Member Beck seconded to accept, approve and ADOPT RESOLUTION 2019-062, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY IN SUPPORT OF THE COUNTY OF FRESNO HOMELESSNESS PRIORITIES FOR CALENDAR YEAR 2019.

Motion unanimously **carried**.

RECEIVE INFORMATION & REPORTS

These items are formal transmittals of information to the Reedley City Council. They are not voted upon by the Reedley City Council. Members of the public who have questions on these items are suggested to call City staff members during regular business hours.

8. MINUTES OF THE REGULAR MEETING OF MARCH 21, 2019 OF THE REEDLEY PLANNING COMMISSION. - Community Development

COUNCIL REPORTS

9. BRIEF REPORT BY COUNCIL MEMBERS ON CITY RELATED ACTIVITIES AS AUTHORIZED BY THE BROWN ACT AND REQUESTS FOR FUTURE AGENDA ITEMS.

Council Member Soleno

- Attended the Southeast Regional Solid Waste Commission and provided brief report.

Council Member Betancourt

- Attending several Little League games and noted several things that need repairs at the park and hoped there would be funds for the repairs need.

REEDLEY CITY COUNCIL MEETING – June 25, 2019

Council Member Fast

- Attended the drought water meeting and thanked staff for a good job in getting the information out to them.
- Attended “Good Morning Reedley” hosted by ACE Hardware.
- Attended Kings River GSA meeting and provided a brief reporting.
- She noticed that there were several holes by the stop signs and asked if staff could take a look.
- She had read the Fresno County census plan and encouraged staff to get involved perhaps to be a focal point as the eastside center for questions and coordination for the census. She thought it was important.
- She liked the mural on the Bank of America building.

Mayor Piñon

- Also attended the Town Hall meeting and said it was very informative. Thanked Russ and his staff.

STAFF REPORTS

10. UPDATES AND/OR REPORTS BY CITY MANAGER AND/OR STAFF MEMBERS.

City Manager, Nicole Zieba

- Thursday night she would be attending the EDC’s Strategic Planning meeting with all the Board Members.
- She had the opportunity to meet Dr. Buckley, President of Reedley College and shared some of their conversation and shared his thoughts on some of the possible enhancements to the college.
- Fresno County is getting ready to take ownership of the property for the Reedley Library sometime in August and it would be brought to Council.
- Notified Council that because no appeal for the River Harvest Church CUP had been received, there would not be any meeting on July 9, 2019.
- Council would be going Dark on July 9, 2019 with the next meeting scheduled for July 23, 2019.

Russ Robertson, Director of Public Works

- Reported that from Immanuel High School north to 11th Street, a type III slurry seal had been done and project was now finished with the road open to traffic again.

ADJOURNMENT

Mayor Piñon adjourned the regular meeting at 8:00 p.m.

Frank Piñon, Mayor

ATTEST:

Sylvia B. Plata, City Clerk

REEDLEY CITY COUNCIL SPECIAL MEETING – June 11, 2019

Item # 5

A complete audio record of the minutes is available at www.reedley.ca.gov

The special meeting of the Reedley City Council was called to order by Mayor Piñon at 6:00 p.m. on Tuesday, June 11, 2019 in the City Hall Council Chambers, 845 “G” Street, Reedley, California.

ROLL CALL

Council Members

Present: Robert Beck, Anita Betancourt, Ray Soleno, Frank Piñon

Absent: Mary Fast.

WORKSHOP

MEETING CALLED TO ORDER

ROLL CALL

WORKSHOP

1. RECEIVE RESULTS FROM FAIRBANK, MASLIN, MAULLIN, METZ & ASSOCIATES CONSULTING.

City Manager briefed Council on the presentation for the evening. She reminded Council that staff had previously approached Council about PERS and other budgetary issues and that staff had been researching looking for supplementing revenue sources and what could be possible. She mentioned that Measure “G” currently was a half cent tax that brought in approximately 1.2 million dollars and wondered if the public was asked, how would they feel about rounding out the amount to an entire cent for services. City Manager said that after Council’s approval to move forward, Fairbank, Maslin, Maullin, Metz & Associates was hired. Ms. Zieba stated that this firm was originally hired to do the initial Measure “G” polling and that their polling data was almost to the percentage point accurate of what ended up as the final election results.

Ms. Zieba introduced John Fairbank who provided Council with a presentation with the results of the survey conducted by their firm April 6-17, 2019.

ADJOURNMENT

Mayor Piñon adjourned the special meeting at 8:40 p.m.

Frank Piñon, Mayor

ATTEST:

Sylvia B. Plata, City Clerk



REEDLEY CITY COUNCIL

- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing

ITEM NO: 6

DATE: August 27, 2019

TITLE: APPROVE AND AUTHORIZE THE CITY MANAGER TO SUBMIT AN APPLICATION ON BEHALF OF THE POLICE DEPARTMENT FOR THE FY2019/20 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FROM THE UNITED STATES OFFICE OF JUSTICE PROGRAMS.

PREPARED: Marc A. Ediger, Police Lieutenant

SUBMITTED: Jose L. Garza, Chief of Police

APPROVED: Nicole R. Zieba, City Manager

RECOMMENDATION

Authorize the City Manager to submit an application on behalf of the police department for the FY 2019/2020 Edward Byrne Memorial Justice Assistance Grant from the United States Office of Justice Programs.

EXECUTIVE SUMMARY

The JAG Program, administered by the Bureau of Justice Assistance and authorized under Public Law 109-162, is the leading source of federal justice funding to state and local jurisdictions. The JAG Program provides states, tribes, and local governments with critical funding necessary to support a range of program areas including law enforcement, prosecution and courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, planning, evaluation, technology improvement, and crime victim and witness initiatives.

If awarded, the Police Department's intent is to use these grant funds to purchase (5) Taser less than lethal devices, including batteries, cartridges and holsters. The Department also intends to use grant funds to purchase a DJI Dual Enterprise UAV (drone) that includes a dual camera with thermal/"night vision" capabilities. This front-line patrol equipment will enhance officer safety and add additional night operation capabilities to the existing UAV program

within the Police Department. The equipment purchased through this grant will directly impact and benefit front-line patrol officers.

BACKGROUND

This federal Justice Assistance Grant has historically been open to local law enforcement agencies to apply on a yearly basis. This specific grant funding source can be used to purchase front line law enforcement equipment.

FISCAL IMPACT

The 2019-20 Edward Byrne Memorial JAG Grant Application is for \$10,868. There are no match funds required for the application and implementation of this grant.

PRIOR COUNCIL ACTIONS:

Approved application for JAG grant in 2017/18 with a successful application submission and grant awarded in the amount of \$13,100.

ATTACHMENTS: N/A

Motion: _____
Second: _____



U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2019 Local Solicitation

CFDA #: 16.738

Solicitation Release Date: July 25, 2019

Application Deadline: 8:00 p.m. eastern time on August 23, 2019

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) is seeking applications for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal law enforcement efforts to prevent or reduce crime and violence.

This solicitation incorporates the OJP Grant Application Resource Guide by reference. The OJP Grant Application Resource Guide provides guidance to applicants for the preparation and submission to OJP of applications for funding. **If this solicitation expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this solicitation as to that provision.**

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the "Limitation on Use of Award Funds for Employee Compensation; Waiver" provisions in the "Financial Information" section of the OJP Grant Application Resource Guide.

Eligibility

Only units of local government may apply under this solicitation. By law, for purposes of the JAG Program, the term "unit of local government" includes a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may be a federally recognized Indian tribal government that performs law enforcement functions (as determined by the Secretary of the Interior). A unit of local government also may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes; for example, in Louisiana, a unit of local government means a district attorney or parish sheriff.

A JAG application is not complete, and a unit of local government may not access award funds, unless the chief executive of the applicant unit of local government (e.g., a mayor)

properly executes, and the unit of local government submits, the "Certifications and Assurances by Chief Executive of Applicant Government" attached to this solicitation as Appendix A.

Eligible allocations under JAG are posted annually on the JAG web page.

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

Contact Information

For technical assistance with submitting an application, contact the Grants Management System (GMS) Support Hotline at 888-549-9901, option 3, or via email at GMS.HelpDesk@usdoj.gov. The GMS Support Hotline operates 24 hours a day, 7 days a week, including on federal holidays.

An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline must email the National Criminal Justice Reference Service (NCJRS) Response Center at grants@ncjrs.gov **within 24 hours after the application deadline** in order to request approval to submit its application after the deadline. For information on reporting technical issues, see "Experiencing Unforeseen GMS Technical Issues" under **How to Apply (GMS)** in the OJP Grant Application Resource Guide.

For assistance with any other requirement of this solicitation, applicants may contact the NCJRS Response Center by telephone at 1-800-851-3420; via TTY at 301-240-6310 (hearing impaired only); by email at grants@ncjrs.gov; by fax to 301-240-5830, or by web chat at https://webcontact.ncjrs.gov/ncjchat/chat.jsp. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date. Applicants also may contact the appropriate BJA State Policy Advisor.

Post-Award Legal Requirements Notice

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, and all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

For additional information on these legal requirements, see the "Administrative, National Policy, and Other Legal Requirements" section in the OJP Grant Application Resource Guide.

Deadline details

Applicants must register in the OJP Grants Management System (GMS) at https://grants.ojp.usdoj.gov/ prior to submitting an application under this solicitation. All applicants must register, even those that previously registered in GMS. Select the "Apply Online" button associated with the solicitation title. All registrations and applications are due by 8 p.m. eastern time on August 23, 2019.

For additional information, see the "**How to Apply (GMS)**" section in the OJP Grant Application Resource Guide.

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Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2019 Local Solicitation CFDA #16.738

A. Program Description

Overview

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to states and units of local government. BJA will award JAG Program funds to eligible units of local government under this FY 2019 JAG Program Local Solicitation. (A separate solicitation will be issued for applications to BJA directly from states.)

Statutory Authority: The JAG Program is authorized by Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law No. 90-351 (generally codified at 34 U.S.C. 10151-10726), including subpart 1 of part E (codified at 34 U.S.C. 10151 - 10158); see also 28 U.S.C. 530C(a).

Program-specific Information

Permissible uses of JAG Funds – In general

In general, JAG funds awarded to a unit of local government under this FY 2019 solicitation may be used to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for **criminal justice**, including any one or more of the following:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs (other than compensation)
- Mental health programs and related law enforcement and corrections programs

Additionally, JAG funds awarded to a unit of local government under this FY 2019 solicitation may be used for any purpose indicated [Appendix D](#).

In connection with all of the above purposes (including those indicated in the appendix), it should be noted that the statute defines “criminal justice” as “activities pertaining to crime prevention, control, or reduction, or the enforcement of the criminal law, including, but not limited to, police efforts to prevent, control, or reduce crime or to apprehend

criminals, including juveniles, activities of courts having criminal jurisdiction, and related agencies (including but not limited to prosecutorial and defender services, juvenile delinquency agencies and pretrial service or release agencies), activities of corrections, probation, or parole authorities and related agencies assisting in the rehabilitation, supervision, and care of criminal offenders, and programs relating to the prevention, control, or reduction of narcotic addiction and juvenile delinquency."

Limitations on the use of JAG funds

Prohibited uses of funds – JAG funds may not be used (whether directly or indirectly) for any purpose prohibited by federal statute or regulation, including those purposes specifically prohibited by the JAG Program statute as set out at 34 U.S.C. § 10152.

JAG funds may not be used (directly or indirectly) for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Additionally, **JAG funds may not be used (directly or indirectly) to pay for any of the following items unless the BJA Director certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order:**

- Vehicles, vessels, or aircraft*
- Luxury items
- Real estate
- Construction projects (other than penal or correctional institutions)
- Any similar items

*Police cruisers, police boats, and police helicopters are allowable vehicles under JAG and do not require BJA certification.

For information about requesting BJA certification for a listed prohibited item (including Unmanned Aircraft, Unmanned Aerial Vehicles and/or Unmanned Aerial System purchases) or for examples of allowable vehicles that do not require BJA certification, refer to the JAG FAQs.

Cap on use of JAG award funds for administrative costs – Up to 10 percent of a JAG award, including up to 10 percent of any earned interest, may be used for costs associated with administering the award.

Prohibition of supplanting; no use of JAG funds as match – JAG funds may not be used to supplant state or local funds but must be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities. See the JAG FAQs for examples of supplanting.

Although supplanting is prohibited, as discussed under What An Application Should Include, leveraging of federal funding is encouraged.

Absent specific federal statutory authority to do so, JAG award funds may not be used as a match for the purposes of other federal awards.

Other restrictions on use of funds – If a unit of local government chooses to use its FY 2019 JAG funds for particular, defined types of expenditures, it must satisfy certain preconditions.

- **Body-Worn Cameras (BWC)** - A unit of local government that proposes to use FY 2019 JAG award funds to purchase BWC equipment, or to implement or enhance BWC programs, must provide OJP with a certification(s) that each unit of local government law enforcement agency receiving the equipment or implementing the program has policies and procedures in place related to BWC equipment usage, data storage and access, privacy considerations, and training. The certification form related to BWC policies and procedures can be found at: <https://www.bja.gov/Funding/BodyWornCameraCert.pdf>.

A unit of local government that proposes to use JAG funds for BWC-related expenses will have funds withheld until the required certification is submitted and approved by OJP. If the unit of local government proposes to change project activities to utilize JAG funds for BWC-related expenses after the award is accepted, the unit of local government must submit the signed certification to OJP at that time.

Further, before making any subaward for BWC-related expenses, the unit of local government JAG recipient must collect a completed BWC certification from the proposed subrecipient. Any such certifications must be maintained by the unit of local government JAG recipient, and made available to OJP upon request.

The BJA BWC Toolkit provides model BWC policies and best practices to assist departments in implementing BWC programs.

Apart from the JAG Program, BJA provides funds under the Body-Worn Camera Policy and Implementation Program (BWC Program). The BWC Program allows jurisdictions to develop and implement policies and practices required for effective program adoption and address program factors, including the purchase, deployment, and maintenance of camera systems and equipment; data storage and access; and privacy considerations. Interested units of local government may wish to refer to the [BWC web page](#) for more information. Units of local government should note, however, that JAG funds may not be used as any part of the 50 percent match required by the BWC Program.

- **Body Armor** - Body armor purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the following requirements are met: The body armor must have been tested and found to comply with the latest applicable National Institute of Justice (NIJ) ballistic or stab standards. In addition, body armor purchased must be made in the United States. Finally, body armor purchased with JAG funds must be "uniquely fitted vests," which means protective (ballistic or stab-resistant) armor vests that conform to the individual wearer to provide the best possible fit and coverage, through a combination of: 1) correctly-sized panels and carrier, determined through appropriate measurement, and 2) properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features. The requirement that body armor be "uniquely fitted" does not necessarily require body armor that is individually manufactured based on the measurements of an individual wearer. In support of OJP's efforts to improve officer safety, the American Society for Testing and Materials (ASTM) International has made available the [Standard Practice for Body Armor Wearer Measurement and Fitting of Armor](#) (Active Standard ASTM E3003) available at no cost. The [Personal Armor Fit Assessment checklist](#) is excerpted from ASTM E3003.

A unit of local government that proposes to use FY 2019 JAG award funds to purchase body armor must provide OJP with a certification(s) that each unit of local government

law enforcement agency receiving body armor has a written "mandatory wear" policy in effect. See 34 U.S.C. § 10202(c). The certification form related to mandatory wear can be found at: www.bja.gov/Funding/BodyArmorMandatoryWearCert.pdf. There are no requirements regarding the nature of the policy other than it specify when mandatory wear is required for uniformed officers on duty. FAQs related to the mandatory wear policy requirement can be found at ojp.gov/bvpbasi/docs/FAQsBVP MandatoryWearPolicy.pdf. A mandatory wear concept and issues paper and a model policy are available at the BVP Customer Support Center, at vests@usdoj.gov or toll free at 1-877-758-3787.

A unit of local government that proposes to use JAG funds to purchase body armor will have funds withheld until the required certification is submitted and approved by OJP. If the unit of local government proposes to change project activities to utilize JAG funds to purchase body armor after the award is accepted, the unit of local government must submit the signed certification to OJP at that time.

Further, before making any subaward for the purchase of body armor, the unit of local government JAG recipient must collect a completed mandatory wear certification from the proposed subrecipient. Any such certifications must be maintained by the local government JAG recipient, and made available to OJP upon request.

Apart from the JAG program, BJA provides funds under the Bulletproof Vest Partnership (BVP) Program. The BVP Program is designed to provide a critical resource to state and local law enforcement agencies for the purchase of ballistic-resistant and stab-resistant body armor. For more information on the BVP Program, including eligibility and application, refer to the [BVP web page](#). Units of local government should note, however, that JAG funds may not be used as any part of the 50 percent match required by the BVP Program. It is also important to note that **pursuant to the BVP program statute, at 34 U.S.C. § 10532(c), the use of JAG funding by a unit of local government may impact its eligibility for funding under the BVP program. If a unit of local government uses JAG funds to purchase armor vests, that unit of local government cannot also receive funding under the BVP program in the same fiscal year.** For additional information on the BVP Program and eligibility restrictions related to receipt of JAG funding, review the [BVP FAQs](#).

- **Interoperable Communications** - Units of local government (and any subrecipients) that use FY 2019 JAG funds to support emergency communications activities (including the purchase of interoperable communications equipment and technologies such as Voice over Internet Protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission [FCC] Waiver Order) should review current SAFECOM guidance at: <https://www.dhs.gov/safecom>. This guidance is updated annually to provide current information on emergency communications policies, eligible costs, best practices, and technical standards for state, local, tribal, and territorial grantees investing federal funds in emergency communications projects. Additionally, emergency communications projects funded with FY 2019 JAG funds should support the Statewide Communication Interoperability Plan (SCIP) and be coordinated with the full-time statewide interoperability coordinator (SWIC) in the state of the project. As the central coordination point for a state's interoperability effort, the SWIC plays a critical role and can serve as a valuable resource. SWICs are responsible for the implementation of SCIP through coordination and collaboration with the emergency response community. The U.S. Department of Homeland Security Office

of Emergency Communications maintains a list of SWICs for each of the states and territories. Contact OEC@hq.dhs.gov for more information. All communications equipment purchased with FY 2019 JAG Program funding should be identified during quarterly performance metrics reporting.

Further, information-sharing projects funded with FY 2019 JAG funds must comply with DOJ's [Global Justice Information Sharing Initiative](#) guidelines, as applicable, in order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community. Recipients (and subrecipients) must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. Recipients (and subrecipients) will be required to document planned approaches to information sharing and describe compliance with GSP and an appropriate privacy policy that protects shared information or provide detailed justification for why an alternative approach is recommended.

For JAG applicants considering implementing communications technology projects, it is worthwhile to consider the First Responder Network Authority (FirstNet) Program. The Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. §§ 1401 *et seq.*) established FirstNet as an independent authority within the National Telecommunications and Information Administration (NTIA). FirstNet's statutory mission is to take all actions necessary to ensure the establishment of a nationwide public safety broadband network (NPSBN). NPSBN will use the 700 MHz D block spectrum to provide Long-Term Evolution (LTE)-based broadband services and applications to public safety entities. The network is based on a single, national network architecture that will evolve with technological advances and initially consist of a core network and radio access network. While mission-critical voice communications will continue to occur on land mobile radio (LMR), in time, FirstNet is expected to provide public safety entities with mission-critical broadband data capabilities and services including, but not limited to: messaging, image sharing, video streaming, group text, voice, data storage, applications, location-based services, and quality of service, priority, and preemption. This reliable, highly secure, interoperable, and innovative public safety communications platform will bring 21st century tools to public safety agencies and first responders, allowing them to get more information quickly and helping them to make faster and better decisions. For more information on FirstNet services, the unique value of the FirstNet network to public safety, and how to subscribe for the FirstNet service, should your state or territory opt in, visit www.FirstNet.gov. To learn about FirstNet's programs and activities, including its consultation and outreach with public safety, the state planning process, FirstNet's history and promise and how it plans to ensure that the FirstNet network meets the needs of public safety, visit www.FirstNet.gov or contact info@firstnet.gov.

- DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database - If JAG Program funds will be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS, the national DNA database operated by the Federal Bureau of Investigation (FBI) by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non- governmental DNA database without prior express written approval from BJA.

In addition, funds may not be used for purchase of DNA equipment and supplies when the resulting DNA profiles from such technology are not acceptable for entry into CODIS.

Entry of Records into State Repositories - As appropriate and to the extent consistent with law, a condition will be imposed that would require the following: with respect to any "program or activity" that receives federal financial assistance under this solicitation that is likely to generate or upgrade court dispositions or other records that are relevant to National Instant Background Check System (NICS) determinations (which includes any dispositions or records whatsoever that involve any "alien [who] is illegally or unlawfully in the United States" (18 U.S.C. § 922(g)(5)(A) (generally prohibiting any such alien to possess any firearm or ammunition)), a system must be in place to ensure that all such NICS-relevant dispositions or records that are generated or upgraded are made available in timely fashion to state repositories/databases that are accessed by NICS.

Requirements specific to "disparate" jurisdictions

According to the JAG program statute, a "disparity" may exist between the funding eligibility of a county and its associated municipalities. See 34 U.S.C. § 10156(d)(4). Three different types of disparities may exist:

- The first type is a zero-county disparity. This situation exists when one or more municipalities within a county are eligible for a direct award but the county is not, yet the county is responsible for providing criminal justice services (such as prosecution and incarceration) for the municipality. In this case, the county is entitled to part of the municipality's award because it shares the cost of criminal justice operations, although it may not report crime data to the FBI. This is the most common type of disparity.
- A second type of disparity exists when both a county and a municipality within that county qualify for a direct award, but the award amount for the municipality exceeds 150 percent of the county's award amount.
- The third type of disparity occurs when a county and multiple municipalities within that county are all eligible for direct awards, but the sum of the awards for the individual municipalities exceeds 400 percent of the county's award amount.

Jurisdictions identified by BJA as disparate must identify a fiscal agent that will submit a joint application for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. A memorandum of understanding (MOU) that identifies which jurisdiction will serve as the applicant or fiscal agent for joint funds must be completed and signed by the authorized representative for each participating jurisdiction. The signed MOU should be attached to the application. For a sample MOU, see: www.bja.gov/Funding/JAGMOU.pdf.

Once an award is made, the fiscal agent will be responsible for distributing award funds to the other jurisdictions in the disparate group through subawards that include all appropriate award conditions. Unless specified differently, any reference in this solicitation to "applicant" or "recipient" includes each fiscal agent applying on behalf of a disparate group. Further, "subrecipients" includes those disparate jurisdictions that receive award funding from the fiscal agent, rather than directly from OJP.

Required compliance with applicable federal laws

By law, the chief executive (e.g., the mayor) of each unit of local government that applies for an FY 2019 JAG award must certify that the unit of local government will "comply with all

provisions of [the JAG Program statute] and all other applicable Federal laws.” To satisfy this requirement, each unit of local government applicant must submit a properly executed Certifications and Assurances by the Chief Executive of the Applicant Government using the form shown in Appendix A.

All applicants should understand that OJP awards, including certifications provided in connection with such awards, are subject to review by DOJ, including by OJP and by the DOJ Office of the Inspector General. Applicants also should understand that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in a certification submitted to OJP in support of an application may be the subject of criminal prosecution, and also may result in civil penalties and administrative remedies for false claims or otherwise. Administrative remedies that may be available to OJP with respect to an FY 2019 award include suspension or termination of the award, placement on the DOJ high risk grantee list, disallowance of costs, and suspension or debarment of the recipient.

National Incident-Based Reporting System (NIBRS) 3 percent set-aside

In FY 2016, the Federal Bureau of Investigation (FBI) formally announced its intention to sunset the Uniform Crime Reporting (UCR) Program’s traditional Summary Reporting System (SRS) and replace it with the UCR Program’s National Incident-Based Reporting System (NIBRS). By January 1, 2021, the FBI intends for NIBRS to be the law enforcement crime data reporting standard for the nation.

By statute, JAG Program awards are calculated using summary Part 1 violent crime data from the FBI’s UCR Program. See 34 U.S.C. § 10156. Once SRS has been replaced by NIBRS, JAG award amounts will be calculated using NIBRS data. In preparation for the FBI’s 2021 NIBRS compliance deadline, beginning in FY 2018, BJA requires, through the application of a special condition, that direct JAG award recipients not certified by their state (or, as applicable, the FBI) as NIBRS compliant to dedicate 3 percent of their JAG award toward achieving full compliance with the FBI’s NIBRS data submission requirements under the UCR Program. The 3 percent requirement will assist state and local jurisdictions in working toward compliance to ensure they continue to have critical criminal justice funding available through JAG when SRS is replaced by NIBRS in FY 2021.

The requirement for a NIBRS set-aside will be applicable to all jurisdictions in a disparate group, but will not otherwise be applied to subawards. That is, the unit of local government serving as fiscal agent for a disparate group will be required by special condition to require each of the other jurisdictions in the disparate group to set aside 3 percent of FY 2019 JAG funds received by that jurisdiction to be used for NIBRS compliance activities, unless that jurisdiction has had the requirement waived by BJA, as described below. Units of local government must clearly indicate in their application narratives and budgets what projects will be supported with this 3 percent set-aside.

The following are examples of costs and projects that relate to NIBRS implementation at the state or local level that could be funded under the JAG Program: software, hardware, and labor that directly support or enhance a state or agency’s technical capacity for collecting, processing, and analyzing data reported by local law enforcement (LE) agencies and then submitting NIBRS data to the FBI; training personnel responsible for the state’s Incident Based Reporting (IBR) program on receiving, processing, analyzing, and validating incident-based data from local LE agencies in their state; training local agencies in how to collect and submit NIBRS data; and technical assistance for LE agency personnel responsible for (1) managing

the agency's crime incident data, (2) processing and validating the data, and (3) extracting and submitting IBR data to the state UCR Program, according to the states, and/or directly to the FBI, according to the NIBRS standard.

BJA will waive the set-aside requirement for units of local government that have been certified as NIBRS compliant by their state, or directly by the FBI, as of the posting date of this solicitation. Units of local government that achieve full compliance with NIBRS after receiving an award should email evidence of NIBRS compliance (certification of NIBRS compliance from their state or the FBI) to their State Policy Advisor listed in OJP's Grants Management System (GMS). Upon review of the documentation submitted, BJA will confirm the NIBRS compliance and then issue a Grant Adjustment Notice (GAN) to clear any withholding special condition associated with the NIBRS set-aside requirement. Units of local government must retain documentation on file that demonstrates the certification of NIBRS compliance. Such documentation must be made available for BJA review, upon request. Please note that in order for a state to certify NIBRS compliance of a unit of local government, that state must first be certified as NIBRS compliant by the FBI. In FY 2019 and forward, this requirement is applicable to all JAG recipients, meaning tribal jurisdictions must set aside the 3 percent for NIBRS compliance.

BJA Areas of Emphasis

BJA recognizes that many state and local criminal justice systems currently face challenging fiscal environments, and that an important, cost-effective way to relieve those pressures is to share or leverage resources through cooperation between federal, state, and local law enforcement. BJA intends to focus much of its work on the areas of emphasis described below, and encourages each recipient of an FY 2019 JAG award to join federal law enforcement agencies in addressing these challenges.

Reducing Violent Crime – Recognizing that crime problems, including felonious possession and use of a firearm and/or gang violence, illegal drug sales and distribution, human trafficking, and other related violent crime, vary from community to community, BJA encourages units of local government to tailor their programs to the local crime issues, and to be data-informed in their work. Units of local government should consider investing JAG funds in programs to combat illegal gun violence, and to improve the process for ensuring that persons prohibited from purchasing guns (see, e.g., 18 U.S.C. § 922(g)) are prevented from doing so, by utilizing technology such as eTrace and NIBIN to analyze evidence as well as by enhancing complete, accurate, and timely reporting to the FBI's NICS. Units of local government are also encouraged to coordinate with United States Attorneys Offices and Project Safe Neighborhood (PSN) grantees in order to leverage funding for violence reduction projects, and to coordinate their law enforcement activities with those of federal law enforcement agencies, such as the FBI, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Drug Enforcement Administration, the United States Marshals Service, and the Department of Homeland Security.

Officer Safety and Wellness – The issue of law enforcement safety and wellness is an important priority for BJA and DOJ. According to the 2018 Preliminary End-of-Year Law Enforcement Fatalities Report, released by the National Law Enforcement Officers Memorial Fund (NLEOMF), 2018 saw 144 law enforcement law enforcement line-of-duty deaths nationwide. This is a 12 percent increase over 2017, which had 129 line-of-duty deaths. Firearms-related deaths were the leading cause of law enforcement deaths (52) – a

13 percent increase when compared to 2017. Among those deaths, 14 occurred during an attempt to arrest a suspect, 8 while conducting an investigative activity, 6 while responding to a domestic or public disturbance, and 5 as a result of being ambushed. Additionally, there were 50 traffic-related deaths. Forty-two officers died due to circumstances other than firearms or traffic, the majority being job-related illnesses.

Based on the latest report (2017) from the FBI's Law Enforcement Officers Killed and Assaulted (LEOKA) data, there appeared to be a continuing increase in assaults against law enforcement officers between 2016 and 2017. In 2017 there were 60,211 assaults versus 57,180 assaults in 2016. Of those assaulted, 17,476 were injured compared to 16,535 injured in 2016. The 2017 LEOKA data show that 21 officers died as a result of investigative or enforcement duties, 6 during pursuits, and 5 were ambushed.

BJA sees a vital need to continue to focus on tactical officer safety concerns as well as on the health and wellness of law enforcement as that may have a direct effect on officer performance and safety. It is important for law enforcement to have the tactical skills necessary, and also to be physically and mentally well, to perform, survive, and be resilient in the face of the demanding duties of the profession. BJA encourages units of local government to use JAG funds to address these needs by providing training, and paying for tuition and travel expenses related to attending trainings such as those available through the BJA VALOR Initiative and soon to be available through the National Officer Safety Initiative program, as well as funding for health and wellness programs for law enforcement officers.

Southwest Border Rural Law Enforcement – Securing U.S. borders (and internationally accessible waterways and airports) is critically important to the reduction, intervention, and prevention of transnational drug-trafficking networks, gangs, and combating all forms of human trafficking and related sexual assaults within the United States (including sex and labor trafficking of foreign nationals and U.S. citizens of all sexes and ages). Smuggling and trafficking operations to, from, and within the United States contribute to a significant increase in violent crime and U.S. deaths, to include law enforcement. BJA encourages units of local government using JAG funds to support law enforcement hiring, training, and technology enhancement, as well as information sharing, cooperation, and coordination among federal, state, local, tribal, and territorial law enforcement agencies to help address these problems.

Responding to the Opioid Crisis – The opioid crisis is a public health emergency and responding to the crisis is one of DOJ's top priorities. In 2017, more than 72,000 Americans lost their lives to drug overdoses, according to the Centers for Disease Control and Prevention (CDC). In 2016, 63,632 Americans died from fatal drug overdoses and 52,404 died in 2015 (CDC). The majority of these deaths can be attributed to opioids. Law enforcement plays a vital role in efforts to stem overdoses, save lives, and fight illegal opioid distribution and abuse. BJA encourages local governments to use JAG funds to support law enforcement actions to fight the opioid epidemic such as addressing the supply of both diverted prescription drugs and illegal drugs, and supporting first responders when encountering overdoses. JAG funds can also be used for training and safety measures to prepare for potential encounters with synthetic opioids such as fentanyl. This may include covering the cost of providing naloxone to all officers and the cost of fentanyl detection testing.

Objectives

In general, the FY 2019 JAG Program is designed to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice. Although the JAG Program provides assistance directly to states, through pass-through (and similar) requirements, the JAG Program also is designed to assist units of local government with respect to criminal justice.

As discussed in more detail in the [General Information about Post-federal Award Reporting Requirements](#) discussion, a unit of local government that receives an FY 2019 JAG award will be required to produce various types of reports and to submit data related to performance measures and accountability. The objectives are directly related to the JAG Program accountability measures at <https://bjapmt.ojp.gov/help/jagdocs.html>.

The Objectives are directly related to the performance measures that demonstrate the results of the work completed, as discussed under [What an Application Should Include](#).

Evidence-based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices, see the [OJP Grant Application Resource Guide](#).

A useful matrix of evidence-based policing programs and strategies is available through BJA's [Matrix Demonstration Project](#). BJA offers a number of program models designed to effectively implement promising and evidence-based strategies through the BJA "Innovation Suite" of programs including Innovations in Policing, Prosecution, Supervision, Reentry, and others (see <https://www.bja.gov/Programs/CRPPE/innovationsuite.html>). BJA encourages units of local government to use JAG funds to support these "crime innovation" strategies, including effective partnerships with universities and research partners and with non-traditional criminal justice partners.

Information Regarding Potential Evaluation of Programs and Activities

Applicants should note OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. For additional information, see the [OJP Grant Application Resource Guide](#) section, entitled, "Information Regarding Potential Evaluation of Programs and Activities."

BJA Success Stories

The BJA-sponsored [Success Stories](#) web page features projects that have demonstrated success or shown promise in reducing crime and positively impacting communities. This web page is a valuable resource for states, localities, territories, tribes, and criminal justice professionals who seek to identify and learn about JAG and other successful BJA-funded projects linked to innovation, crime reduction, and evidence-based practices. **BJA strongly encourages the recipient to submit success stories annually (or more frequently).**

If a unit of local government has a success story it would like to submit, it may be submitted through [My BJA account](#), using "Add a Success Story" and the Success Story Submission form. Register for a My BJA account using this [registration](#) link.

B. Federal Award Information

BJA estimates that it will make up to 1,147 local awards totaling an estimated \$84,500,000.

Awards of at least \$25,000 are 4 years in length, and performance periods will be from October 1, 2018 through September 30, 2022. Extensions beyond this period may be made on a case-by-case basis at the discretion of BJA and must be requested via GMS no fewer than 30 days prior to the grant end date.

Awards of less than \$25,000 are 2 years in length, and performance periods will be from October 1, 2018 through September 30, 2020. Extensions of up to 2 years can be requested for these awards via GMS no fewer than 30 days prior to the grant end date, and will be automatically granted upon request.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by statute.

Type of Award

BJA expects that any award under this solicitation will be in the form of a grant. See the "Administrative, National Policy, and Other Legal Requirements" section of the [OJP Grant Application Resource Guide](#) for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

JAG awards are based on a statutory formula as described below:

Once each fiscal year's overall JAG Program funding level is determined, BJA works with the Bureau of Justice Statistics (BJS) to begin a four-step grant award calculation process, which, in general, consists of:

- (1) Computing an initial JAG allocation for each state, based on its share of violent crime and population (weighted equally).
- (2) Reviewing the initial JAG allocation amount to determine if the state allocation is less than the minimum award amount defined in the JAG legislation (0.25 percent of the total). If this is the case, the state is funded at the minimum level, and the funds required for this are deducted from the overall pool of JAG funds. Each of the remaining states receives the minimum award plus an additional amount based on its share of violent crime and population.
- (3) Dividing each state's final award amount (except for the territories and District of Columbia) between the state and its units of local governments at a rate of 60 and 40 percent, respectively.
- (4) Determining unit of local government award allocations, which are based on their proportion of the state's 3-year violent crime average. If the "eligible award amount" for a particular unit of local government, as determined on this basis, is \$10,000 or more, then the unit of local government is eligible to apply directly to OJP (under the JAG Local solicitation) for a JAG award. If the "eligible award amount" to a

particular unit of local government, as determined on this basis, is less than \$10,000, however, the funds are not made available for a direct award to that particular unit of local government, but instead are added to the amount that otherwise would have been awarded to the state. (Additional requirements related to "disparate" jurisdictions are summarized above).

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities¹) must, as described in the Part 200 Uniform Requirements² as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. See OJP Grant Application Resource Guide for additional information.

Budget Information

Trust Fund – Units of local government may draw down JAG funds either in advance or on a reimbursement basis. Non-federal entities must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 CFR 200.305(b)(8)). Subrecipients that draw down JAG funds in advance are subject to the same requirement and must first establish an interest-bearing account.

Tracking and reporting regarding JAG funds used for administrative costs – As indicated earlier, up to 10 percent of a JAG award, including up to 10 percent of any earned interest, may be used for costs associated with administering the award. Administrative costs (when utilized) must be tracked separately; a recipient must report in separate financial status reports (SF-425) those expenditures that specifically relate to each particular JAG award during any particular reporting period.

No commingling – Both the unit of local government recipient and all subrecipients of JAG funds are prohibited from commingling funds on a program-by-program or project-by-project basis. **For this purpose, use of the administrative JAG funds to perform work across all active awards in any one year is not considered commingling.**

Cost Sharing or Match Requirement

The JAG Program does not require a match. However, if a successful application proposes a voluntary match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.

For additional cost sharing and match information, see the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm>.

Pre-agreement Costs (also known as Pre-award Costs)

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the grant award.

OJP does **not** typically approve pre-agreement costs. An applicant must request and obtain the prior written approval of OJP for any such costs. All such costs incurred prior to award and prior to approval of the costs are incurred *at the sole risk* of the applicant. (Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact listed on the title page of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent

with the recipient's approved budget and applicable cost principles. See the section on "Costs Requiring Prior Approval" in the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm> for more information.

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events. See the [OJP Grant Application Resource Guide](#) for information.

Costs Associated with Language Assistance (if applicable)

See the [OJP Grant Application Resource Guide](#) for information on costs associated with language assistance that may be allowable.

C. Eligibility Information

For information on eligibility, see the title page.

For information on cost sharing or match requirements, see [Section B. Federal Award Information](#).

D. Application and Submission Information

What an Application Should Include

See the "Application Elements and Formatting Instructions" section of the [OJP Grant Application Resource Guide](#) for information on, among other things, what happens to an application that does not contain all the specified elements. (This solicitation expressly modifies the "Application Elements and Formatting Instructions" section of the OJP Grant Application Resource Guide by not incorporating paragraph two of that section (referring to nonresponsive applications or applications missing critical elements not "[proceeding] to peer review").)

1. Application for Federal Assistance (Standard Form (SF)-424)

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the [OJP Grant Application Resource Guide](#) for additional information on completing the SF-424.

Intergovernmental Review: This solicitation ("funding opportunity") is subject to [Executive Order 12372](#). An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: https://www.whitehouse.gov/wp-content/uploads/2017/11/Intergovernmental_-Review-_SPOC_01_2018_OFFM.pdf. If the applicant's State appears on the SPOC list, the applicant must contact the State SPOC to find out about, and comply with, the State's process under E.O. 12372. In completing the SF-424, an applicant whose State appears on the SPOC list is to make the appropriate selection in response to question 19, once the applicant has complied with its State E.O. 12372 process. (An applicant whose State does not appear on the SPOC list should answer question 19 by selecting the response that the: "Program is subject to E.O. 12372, but has not been selected by the State for review.").

2. Project Identifiers

Applications should identify at least three and no more than ten project identifiers that would be associated with proposed project activities. The list of identifiers can be found at www.bja.gov/funding/JAGIdentifiers.pdf.

3. Program Narrative

The following sections **should** be included as part of the program narrative¹:

- (a) Description of the Issues – Identify the unit of local government's strategy/funding priorities for the FY 2019 JAG funds, the subgrant award process and timeline, and a description of the programs to be funded over the grant period. Units of local government are strongly encouraged to prioritize the funding on evidence-based projects.
- (b) Project Design and Implementation – Describe the unit of local government's strategic planning process, if any, that guides its priorities and funding strategy. This should include a description of how the local community is engaged in the planning process and the data and analysis utilized to support the plan; it should identify the stakeholders currently participating in the strategic planning process, the gaps in the needed resources for criminal justice purposes, and how JAG funds will be coordinated with state and related justice funds.
- (c) Capabilities and Competencies – Describe any additional strategic planning/coordination efforts in which the units of local government participates with other criminal justice juvenile justice agencies in the state.
- (d) Plan for Collecting the Data Required for this Solicitation's Performance Measures – OJP will require each successful applicant to submit specific performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the objectives identified under "Objectives" in Section A. Program Description.

Post award, recipients will be required to submit quarterly performance metrics through BJA's Performance Measurement Tool (PMT), located at: <https://bjapmt.ojp.gov>. The application should describe the applicant's plan for collection of all of the performance measures data listed in the JAG Program accountability measures at: <https://bjapmt.ojp.gov/help/jagdocs.html>.

Applicants should visit OJP's performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP.

The application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the

¹ For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under Section D. Application and Submission Information.

required data should it receive funding.

Please note that applicants are **not** required to submit performance data with the application. Performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should follow the guidance under Note on Project Evaluations in the OJP Grant Application Resource Guide.

4. Budget and Associated Documentation

See the Budget Preparation and Submission Information section of the OJP Grant Application Resource Guide for details on the Budget Detail Worksheet, and on budget information and associated documentation, such as information on proposed subawards, proposed procurement contracts under awards, and pre-agreement costs. **Please note that the budget narrative should include a full description of all costs, including funds set aside for NIBRS project(s) and administrative costs (if applicable).**

General requirement for federal authorization of any subaward; statutory authorizations of subawards under the JAG Program statute. Generally, a recipient of an OJP award may not make subawards ("subgrants") unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) particular subawards, a recipient must have authorization from OJP before it may make a subaward.

JAG subawards that are required or specifically authorized by statute (see 34 U.S.C. § 10152(a) and 34 U.S.C. § 10156) do not require prior approval to authorize subawards. This includes subawards made by states under the JAG Program.

A particular subaward may be authorized by OJP because the recipient included a sufficiently detailed description and justification of the proposed subaward in the application as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation, and is not sufficiently described and justified in the application as approved by OJP, the recipient will be required, post-award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, and those subawards are not specifically authorized (or required) by statute or regulation, the applicant should: (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative but also in the Budget Detail Worksheet and budget narrative.

5. Indirect Cost Rate Agreement (if applicable)

See the Budget Preparation and Submission Information section of the OJP Grant Application Resource Guide for information.

6. Tribal Authorizing Resolution (if applicable)

The following two paragraphs in this solicitation expressly modify the "Tribal Authorizing Resolution" provisions in the OJP Grant Application Resource Guide. An applicant is to follow the guidance in these two paragraphs instead of the guidance stated under the "Tribal Authorizing Resolution" heading in the Guide.

An application in response to the solicitation may require inclusion of information related to a tribal authorizing resolution. A tribe, tribal organization, or third party that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for an award on behalf of a tribe or multiple specific tribes, the application should include appropriate legal documentation, as described above, from all tribes that would receive services or assistance under the award. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

An applicant unable to submit an application that includes a fully executed (i.e., signed) copy of legal appropriate documentation, as described above, consistent with the applicable tribe's governance structure, should submit an unsigned, draft version of such legal documentation as part of its application (except for cases in which, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, OJP will make use of and access to award funds contingent on receipt of the fully executed legal documentation.

7. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)

Every OJP applicant (other than an individual applying in his or her personal capacity) is required to download, complete, and submit the OJP Financial Management and System of Internal Controls Questionnaire (Questionnaire) at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> as part of its application. See the OJP Grant Application Resource Guide for additional information and submission instructions for this Questionnaire.

8. Disclosure of Lobbying Activities

Each applicant must complete and submit this information. See the OJP Grant Application Resource Guide for additional information and submission instructions for this disclosure.

9. Certifications and Assurances by the Chief Executive of the Applicant Government

A JAG application is not complete, and a unit of local government may not access award funds, unless the chief executive of the applicant unit of local government (e.g., the mayor) properly executes, and the unit of local government submits, the "Certifications and Assurances by the Chief Executive of the Applicant Government" attached to this solicitation as Appendix A.

Please note that this certification takes the place of the review narrative attachment and contains assurances that the governing body notification and public comment requirements, which are required under the JAG statute (at 34 U.S.C. § 10153(a)(2)), have been satisfied. More specifically, this certification documents that the JAG application was made available for review by the governing body of the unit of local government, or by an organization designated by that governing body, for a period that was not fewer than 30 days before the application was submitted to BJA and that that an opportunity to comment on this application was provided to citizens prior to the application submission to the extent applicable law or established procedures make such opportunity available.

OJP will not deny an application for an FY 2019 award for failure to submit these "Certifications and Assurances by the Chief Executive of the Applicant Government" by the application deadline, but a unit of local government will not be able to access award funds (its award will include a condition that withholds funds) until it submits these certifications and assurances, properly-executed by the chief executive of the unit of local government (e.g., the mayor).

10. Applicant Disclosure of Pending Applications

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation, and (2) would cover any identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. For additional information on the submission requirements for this disclosure, see the [OJP Grant Application Resource Guide](#).

11. Applicant Disclosure and Justification – DOJ High Risk Grantees²(if applicable)

An applicant that is designated as a DOJ High Risk Grantee is to submit in GMS, as a separate attachment to its application, information that OJP will use, among other pertinent information, to determine whether it will consider or select the application for an award under this solicitation. The file should be named "DOJ High Risk Grantee Applicant Disclosure and Justification." (See, also, "Review Process," below, under Section E. Application Review Information, for a brief discussion of how such information may be considered in the application review process.) See the [OJP Grant Application Resource Guide](#) for additional information and submission instructions for this disclosure.

12. Research and Evaluation Independence and Integrity

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. For additional information regarding demonstrating research/evaluation independence and integrity, including appropriate safeguards, see the [OJP Grant Application Resource Guide](#).

13. Information regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE)

Each applicant must provide responses to the following questions as an attachment to the application:

² A "DOJ High Risk Grantee" is a recipient that has received a DOJ High-Risk designation based on a documented history of unsatisfactory performance, financial instability, management system or other internal control deficiencies, or noncompliance with award terms and conditions on prior awards, or that is otherwise not responsible.

- (1) Does your jurisdiction have any laws, policies, or practices related to whether, when, or how employees may communicate with DHS or ICE?
- (2) Is your jurisdiction subject to any laws from a superior political entity (e.g., a state law that binds a city) that meet the description in question 1?
- (3) If yes to either:
 - Please provide a copy of each law or policy.
 - Please describe each practice.
 - Please explain how the law, policy, or practice complies with 8 U.S.C. § 1373.

See [Appendix C](#) for a template that applicants may use to prepare this attachment.

How to Apply

An applicant must submit its application through the [Grants Management System \(GMS\)](#), which provides support for the application, award, and management of awards at OJP. Find information, registration and submission steps on how to apply in GMS in response to this solicitation under **How to Apply (GMS)** in the [OJP Grant Application Resource Guide](#).

E. Application Review Information

Review Process

OJP is committed to ensuring a fair and open process for making awards. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation. See the [OJP Grant Application Resource Guide](#) for information on the application review process for this solicitation.

In addition, if OJP anticipates that an award will exceed \$250,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

Important note on FAPIIS: An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant.

Absent explicit statutory authorization or written delegation of authority to the contrary, the Assistant Attorney General will make all final award decisions.

F. Federal Award Administration Information

Federal Award Notices

See the [OJP Grant Application Resource Guide](#) for information on award notifications and instructions.

Administrative, National Policy, and Other Legal Requirements

OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application. See the [OJP Grant Application Resource Guide](#) for additional information on administrative, national policy, and other legal requirements.

Information Technology (IT) Security Clauses

An application in response to this solicitation may require inclusion of information related to information technology security. See the [OJP Grant Application Resource Guide](#) for information on information technology security.

Statutory and Regulatory Requirements; Award Conditions

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with award conditions, as well as all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed at the time of award acceptance).

OJP strongly encourages prospective applicants to review information on post-award legal requirements generally applicable to FY 2019 OJP awards and common OJP award conditions **prior** to submitting an application.

Individual FY 2019 awards made pursuant to this solicitation will, as appropriate and to the extent consistent with law, include conditions that will require the recipient (and any subrecipient) that accepts the award to do various things, with respect to the "program or activity" that would receive federal financial assistance thereunder. **Although the specific terms of each of those conditions are what will govern the awards**, included among such conditions will be some that, **generally speaking**, will require the recipient (and any subrecipient) that accepts the award to do some or all of the following:

- Not to violate 8 U.S.C. § 1373 (prohibiting restrictions on—
(1) communication to/from the Department of Homeland Security (DHS) of information regarding the citizenship or immigration status of any individual; and
(2) maintaining, or exchanging with any government entity, information regarding the immigration status of any individual).
- Not to violate 8 U.S.C. § 1644 (prohibiting restrictions on communication to/from DHS of information regarding the immigration status of an alien).
- Not to publicly disclose federal law enforcement information in an attempt to conceal, harbor, or shield certain individuals from detection, including in violation of 18 U.S.C. §§ 1071 or 1072, or 8 U.S.C. § 1324(a).
- Not to impede the exercise of the authority of the federal government under 8 U.S.C. § 1266(a) & (c) (authorizing arrest and detention of certain aliens and providing that the federal government "shall take into custody" certain criminal aliens "when the alien is released") and 8 U.S.C. § 1231(a)(4) (relating to removal from the United States of aliens after detention/confinement at the federal, state, and local level), specifically by requiring such recipients to provide (where feasible) at least 48 hours' advance notice to DHS regarding the scheduled release date and time of an alien in the recipient's custody when DHS requests such notice in order to take custody of the alien pursuant to the Immigration and Nationality Act.
- Not to impede the exercise by DHS agents, "anywhere in or outside the United States" (8 C.F.R. § 287.5(a)(1)), of their authority under 8 U.S.C. § 1357(a)(1) to "interrogate any alien or person believed to be an alien as to his right to be or to remain in the United States," specifically by requiring such recipients to permit DHS agents to have access to any

correctional facility in order to meet with an alien (or an individual believed to be an alien) and inquire as to his right to be or remain in the United States.

The reasonable costs (to the extent not reimbursed under any other federal program) of complying with these conditions, including honoring any duly authorized request from DHS that is encompassed by these conditions, will be allowable costs under the award.

General Information about Post-federal Award Reporting Requirements

In addition to the deliverables described in Section A. Program Description, any recipient of an award under this solicitation will be required to submit the following reports and data.

Required reports. Recipients typically must submit quarterly financial status reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

See the OJP Grant Application Resource Guide for additional information on specific post-award reporting requirements, including performance measures data.

Accountability metrics data must be submitted through BJA's Performance Measurement Tool (PMT), available at <https://bjapmt.ojp.gov>. The accountability measures are available at: <https://bjapmt.ojp.gov/help/jagdocs.html>. (Note that if a law enforcement agency receives JAG funds from a state, the state must submit quarterly accountability metrics data related to training that officers have received on use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.)

OJP may restrict access to award funds if a recipient of an OJP award fails to report required performance measure data in a timely manner.

G. Federal Awarding Agency Contact(s)

For OJP contact(s), see the title page of this solicitation.

For contact information for GMS, see the title page.

H. Other Information

Freedom of Information and Privacy Act (5 U.S.C. § 552 and 5 U.S.C. § 552a)

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. See the OJP Grant Application Resource Guide for information on DOJ and OJP processes with regard to application information requested pursuant to FOIA.

Provide Feedback to OJP

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. See the OJP Grant Application Resource Guide for information on providing solicitation feedback to OJP.

Appendix A

Certifications and Assurances by the Chief Executive of the Applicant Government

Template for use by the chief executive of the applicant unit of local government.

Visit <https://www.bja.gov/Funding/FY2019LocalJAGCEOCertification.pdf> to download the most up-to-date version.

Note: By law, for purposes of the JAG Program, the term "states" includes the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the U.S. Virgin Islands, Guam, and American Samoa.

**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS**

Edward Byrne Justice Assistance Grant Program FY 2019 Local Solicitation

Certifications and Assurances by the Chief Executive of the Applicant Government

On behalf of the applicant unit of local government named below, in support of that locality's application for an award under the FY 2019 Edward Byrne Justice Assistance Grant ("JAG") Program, and further to 34 U.S.C. § 10153(a), I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief executive of the applicant unit of local government named below, and I have the authority to make the following representations on my own behalf as chief executive and on behalf of the applicant unit of local government. I understand that these representations will be relied upon as material in any OJP decision to make an award, under the application described above, to the applicant unit of local government.
2. I certify that no federal funds made available by the award (if any) that OJP makes based on the application described above will be used to supplant local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.
3. I assure that the application described above (and any amendment to that application) was submitted for review to the governing body of the unit of local government (e.g., city council or county commission), or to an organization designated by that governing body, not less than 30 days before the date of this certification.
4. I assure that, before the date of this certification— (a) the application described above (and any amendment to that application) was made public; and (b) an opportunity to comment on that application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure made such an opportunity available.
5. I assure that, for each fiscal year of the award (if any) that OJP makes based on the application described above, the applicant unit of local government will maintain and report such data, records, and information (programmatic and financial), as OJP may reasonably require.
6. I have carefully reviewed 34 U.S.C. § 10153(a)(5), and, with respect to the programs to be funded by the award (if any), I hereby make the certification required by section 10153(a)(5), as to each of the items specified therein.

Signature of Chief Executive of the Applicant Unit of
Local Government

Date of Certification

Printed Name of Chief Executive

Title of Chief Executive

Name of Applicant Unit of Local Government

Appendix B

Certain relevant federal laws, as in effect on April 8, 2019

8 U.S.C. § 1373

Communication between government agencies and the Immigration and Naturalization Service

(a) In general

Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

(b) Additional authority of government entities

Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual:

- (1) Sending such information to, or requesting or receiving such information from, the Immigration and Naturalization Service.
- (2) Maintaining such information.
- (3) Exchanging such information with any other Federal, State, or local government entity.

(c) Obligation to respond to inquiries

The Immigration and Naturalization Service shall respond to an inquiry by a Federal, State, or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by law, by providing the requested verification or status information.

8 U.S.C. § 1644

Communication between State and local government agencies and Immigration and Naturalization Service

Notwithstanding any other provision of Federal, State, or local law, no State or local government entity may be prohibited, or in any way restricted, from sending to or receiving from the Immigration and Naturalization Service information regarding the immigration status, lawful or unlawful, of an alien in the United States.

8 U.S.C. § 1226(a) & (c)

Apprehension and detention of aliens

(a) Arrest, detention, and release

On a warrant issued by the Attorney General, an alien may be arrested and detained pending a decision on whether the alien is to be removed from the United States. Except as provided in subsection (c) and pending such decision, the Attorney General--

- (1) may continue to detain the arrested alien; and
- (2) may release the alien on--
 - (A) bond of at least \$1,500 with security approved by, and containing conditions prescribed by, the Attorney General; or
 - (B) conditional parole; but
- (3) may not provide the alien with work authorization (including an "employment authorized" endorsement or other appropriate work permit), unless the alien is lawfully admitted for permanent residence or otherwise would (without regard to removal proceedings) be provided such authorization.

(c) Detention of criminal aliens

(1) Custody

The Attorney General shall take into custody any alien who--

- (A) is inadmissible by reason of having committed any offense covered in section 1182(a)(2) of this title,
- (B) is deportable by reason of having committed any offense covered in section 1227(a)(2)(A)(ii), (A)(iii), (B), (C), or (D) of this title,
- (C) is deportable under section 1227(a)(2)(A)(i) of this title on the basis of an offense for which the alien has been sentence¹ to a term of imprisonment of at least 1 year, or
- (D) is inadmissible under section 1182(a)(3)(B) of this title or deportable under section 1227(a)(4)(B) of this title,

when the alien is released, without regard to whether the alien is released on parole, supervised release, or probation, and without regard to whether the alien may be arrested or imprisoned again for the same offense.

(2) Release

The Attorney General may release an alien described in paragraph (1) only if the Attorney General decides pursuant to section 3521 of Title 18 that release of the alien from custody is necessary to provide protection to a witness, a potential witness, a person cooperating with an investigation into major criminal activity, or an immediate family member or close associate of a witness, potential witness, or person cooperating with such an investigation, and the alien satisfies the Attorney General that the alien will not pose a danger to the safety of other persons or of property and is likely to appear for any scheduled proceeding. A decision relating to such release shall take place in accordance with a procedure that considers the severity of the offense committed by the alien.

8 U.S.C. § 1231(a)(4)

(a) Detention, release, and removal of aliens ordered removed

4) Aliens imprisoned, arrested, or on parole, supervised release, or probation

(A) In general

Except as provided in section 259(a) of title 42 and paragraph (2), the Attorney General may not remove an alien who is sentenced to imprisonment until the alien is released from imprisonment. Parole, supervised release, probation, or possibility of arrest or further imprisonment is not a reason to defer removal.

(B) Exception for removal of nonviolent offenders prior to completion of sentence of imprisonment

The Attorney General is authorized to remove an alien in accordance with applicable procedures under this chapter before the alien has completed a sentence of imprisonment-

- i. in the case of an alien in the custody of the Attorney General, if the Attorney General determines that (I) the alien is confined pursuant to a final conviction for a nonviolent offense (other than an offense related to smuggling or harboring of aliens or an offense described in section 1101(a)(43)(B), (C), (E), (I), or (L) of this title and (II) the removal of the alien is appropriate and in the best interest of the United States; or
- ii. in the case of an alien in the custody of a State (or a political subdivision of a State), if the chief State official exercising authority with respect to the incarceration of the alien determines that (I) the alien is confined pursuant to a final conviction for a nonviolent offense (other than an offense described in section 1101(a)(43)(C) or (E) of this title), (II) the removal is appropriate and in the best interest of the State, and (III) submits a written request to the Attorney General that such alien be so removed.

(C) Notice

Any alien removed pursuant to this paragraph shall be notified of the penalties under the laws of the United States relating to the reentry of deported aliens, particularly the expanded penalties for aliens removed under subparagraph (B).

(D) No private right

No cause or claim may be asserted under this paragraph against any official of the United States or of any State to compel the release, removal, or consideration for release or removal of any alien.

8 U.S.C. § 1324(a)

Bringing in and harboring certain aliens

(a) Criminal penalties

(1)(A) Any person who—

- i. knowing that a person is an alien, brings to or attempts to bring to the United States in any manner whatsoever such person at a place other than a designated port of entry or place other than as designated by the Commissioner, regardless of whether such alien has received prior official authorization to come to, enter, or reside in the United States and regardless of any future official action which may be taken with respect to such alien;
- ii. knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, transports, or moves or attempts to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law;
- iii. knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation;

- iv. encourages or induces an alien to come to, enter, or reside in the United States, knowing or in reckless disregard of the fact that such coming to, entry, or residence is or will be in violation of law; or
 - v. (v)(I) engages in any conspiracy to commit any of the preceding acts, or
 - vi. (II) aids or abets the commission of any of the preceding acts, shall be punished as provided in subparagraph (B).
- (B) A person who violates subparagraph (A) shall, for each alien in respect to whom such a violation occurs—
- I. in the case of a violation of subparagraph (A)(i) or (v)(I) or in the case of a violation of subparagraph (A)(ii), (iii), or (iv) in which the offense was done for the purpose of commercial advantage or private financial gain, be fined under title 18, imprisoned not more than 10 years, or both;
 - II. in the case of a violation of subparagraph (A)(ii), (iii), (iv), or (v)(II), be fined under title 18, imprisoned not more than 5 years, or both;
 - III. in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) during and in relation to which the person causes serious bodily injury (as defined in section 1365 of title 18) to, or places in jeopardy the life of, any person, be fined under title 18, imprisoned not more than 20 years, or both; and
 - IV. in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) resulting in the death of any person, be punished by death or imprisoned for any term of years or for life, fined under title 18, or both.
- (C) It is not a violation of clauses (ii) or (iii) of subparagraph (A), or of clause (iv) of subparagraph (A) except where a person encourages or induces an alien to come to or enter the United States, for a religious denomination having a bona fide nonprofit, religious organization in the United States, or the agents or officers of such denomination or organization, to encourage, invite, call, allow, or enable an alien who is present in the United States to perform the vocation of a minister or missionary for the denomination or organization in the United States as a volunteer who is not compensated as an employee, notwithstanding the provision of room, board, travel, medical assistance, and other basic living expenses, provided the minister or missionary has been a member of the denomination for at least one year.

(2) Any person who, knowing or in reckless disregard of the fact that an alien has not received prior official authorization to come to, enter, or reside in the United States, brings to or attempts to bring to the United States in any manner whatsoever, such alien, regardless of any official action which may later be taken with respect to such alien shall, for each alien in respect to whom a violation of this paragraph occurs-

- (A) be fined in accordance with title 18 or imprisoned not more than one year, or both; or
- (B) in the case of-
 - (i) an offense committed with the intent or with reason to believe that the alien unlawfully brought into the United States will commit an offense against the United States or any State punishable by imprisonment for more than 1 year,
 - (ii) an offense done for the purpose of commercial advantage or private financial gain, or
 - (iii) an offense in which the alien is not upon arrival immediately brought and presented to an appropriate immigration officer at a designated port of entry,

be fined under title 18 and shall be imprisoned, in the case of a first or second violation of subparagraph (B)(iii), not more than 10 years, in the case of a first or second violation of

subparagraph (B)(i) or (B)(ii), not less than 3 nor more than 10 years, and for any other violation, not less than 5 nor more than 15 years.

(3)(A) Any person who, during any 12-month period, knowingly hires for employment at least 10 individuals with actual knowledge that the individuals are aliens described in subparagraph (B) shall be fined under title 18 or imprisoned for not more than 5 years, or both.

(B) An alien described in this subparagraph is an alien who-

- (i) is an unauthorized alien (as defined in section 1324a(h)(3) of this title), and
- (ii) has been brought into the United States in violation of this subsection.

(4) In the case of a person who has brought aliens into the United States in violation of this subsection, the sentence otherwise provided for may be increased by up to 10 years if-

- (A) the offense was part of an ongoing commercial organization or enterprise;
- (B) aliens were transported in groups of 10 or more; and
- (C)(i) aliens were transported in a manner that endangered their lives; or
- (ii) the aliens presented a life-threatening health risk to people in the United States.

8 U.S.C. § 1357(a)

Powers of immigration officers and employees

(a) Any officer or employee of the Service authorized under regulations prescribed by the Attorney General shall have power without warrant—

- (1) to interrogate any alien or person believed to be an alien as to his right to be or to remain in the United States;
- (2) to arrest any alien who in his presence or view is entering or attempting to enter the United States in violation of any law or regulation made in pursuance of law regulating the admission, exclusion, expulsion, or removal of aliens, or to arrest any alien in the United States, if he has reason to believe that the alien so arrested is in the United States in violation of any such law or regulation and is likely to escape before a warrant can be obtained for his arrest, but the alien arrested shall be taken without unnecessary delay for examination before an officer of the Service having authority to examine aliens as to their right to enter or remain in the United States;
- (3) within a reasonable distance from any external boundary of the United States, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle, and within a distance of twenty-five miles from any such external boundary to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States;
- (4) to make arrests for felonies which have been committed and which are cognizable under any law of the United States regulating the admission, exclusion, expulsion, or removal of aliens, if he has reason to believe that the person so arrested is guilty of such felony and if there is likelihood of the person escaping before a warrant can be obtained for his arrest, but the person arrested shall be taken without unnecessary delay before the nearest available officer empowered to commit persons charged with offenses against the laws of the United States; and
- (5) to make arrests-
- (6) for any offense against the United States, if the offense is committed in the officer's or employee's presence, or

- (7) for any felony cognizable under the laws of the United States, if the officer or employee has reasonable grounds to believe that the person to be arrested has committed or is committing such a felony,
- (8) if the officer or employee is performing duties relating to the enforcement of the immigration laws at the time of the arrest and if there is a likelihood of the person escaping before a warrant can be obtained for his arrest.

Under regulations prescribed by the Attorney General, an officer or employee of the Service may carry a firearm and may execute and serve any order, warrant, subpoena, summons, or other process issued under the authority of the United States. The authority to make arrests under paragraph (5)(B) shall only be effective on and after the date on which the Attorney General publishes final regulations which (i) prescribe the categories of officers and employees of the Service who may use force (including deadly force) and the circumstances under which such force may be used, (ii) establish standards with respect to enforcement activities of the Service, (iii) require that any officer or employee of the Service is not authorized to make arrests under paragraph (5)(B) unless the officer or employee has received certification as having completed a training program which covers such arrests and standards described in clause (ii), and (iv) establish an expedited, internal review process for violations of such standards, which process is consistent with standard agency procedure regarding confidentiality of matters related to internal investigations.

8 U.S.C. § 1366(1) & (3)

Annual report on criminal aliens

Not later than 12 months after September 30, 1996, and annually thereafter, the Attorney General shall submit to the Committees on the Judiciary of the House of Representatives and of the Senate a report detailing—

- (1) the number of illegal aliens incarcerated in Federal and State prisons for having committed felonies, stating the number incarcerated for each type of offense;

- (3) programs and plans underway in the Department of Justice to ensure the prompt removal from the United States of criminal aliens subject to removal;

Appendix C

Information regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE)

Each applicant must provide responses to the following questions as an attachment to the application:

- (1) Does your jurisdiction have any laws, policies, or practices related to whether, when, or how employees may communicate with DHS or ICE?
- (2) Is your jurisdiction subject to any laws from a superior political entity (e.g., a state law that binds a city) that meet the description in question 1?
- (3) If yes to either:
 - Please provide a copy of each law or policy;
 - Please describe each practice; and
 - Please explain how the law, policy, or practice complies with section 1373.

Note: Responses to these questions must be provided by the applicant to BJA as part of the JAG application. Further, the requirement to provide this information applies to all tiers of JAG funding, for all subawards made to state or local government entities, including public institutions of higher education. All subrecipient responses must be collected and maintained by the direct recipient of JAG funding and must be made available to DOJ upon request. Responses to these questions are not required from subrecipients that are either a tribal government/organization, a nonprofit organization, or a private institution of higher education.

Appendix D

Additional purposes for which JAG funds awarded to a unit of local government under this FY 2019 solicitation may be used:

(a) To enforce state and local laws that establish offenses similar to offenses established in 21 U.S.C. § 801 et seq., to improve the functioning of the **criminal justice** system, with emphasis on violent crime and serious offenders, by means including providing additional personnel, equipment, training, technical assistance, and information systems for the more widespread apprehension, prosecution, adjudication, detention, and rehabilitation of persons who violate these laws, and to assist the victims of such crimes (other than compensation), including—

- (1) demand-reduction education programs in which law enforcement officers participate;
- (2) multi-jurisdictional task-force programs that integrate federal, state, and local drug-law-enforcement agencies and prosecutors for the purpose of enhancing inter-agency co-ordination and intelligence, and facilitating multi-jurisdictional investigations;
- (3) programs designed to target the domestic sources of controlled and illegal substances, such as precursor chemicals, diverted pharmaceuticals, clandestine laboratories, and cannabis cultivations;
- (4) providing community and neighborhood programs that assist citizens in preventing and controlling crime, including special programs that address the problems of crimes committed against the elderly and special programs for rural jurisdictions;
- (5) disrupting illicit commerce in stolen goods and property;
- (6) improving the investigation and prosecution of white-collar crime, organized crime, public-corruption crimes, and fraud against the government, with priority attention to cases involving drug-related official corruption;
- (7)(A) improving the operational effectiveness of law enforcement through the use of crime-analysis techniques, street-sales enforcement, schoolyard-violator programs, and gang-related and low-income-housing drug-control programs; and
- (B) developing and implementing anti-terrorism plans for deep-draft ports, international airports, and other important facilities;
- (8) career-criminal prosecution programs, including the development of proposed model drug-control legislation;
- (9) financial investigative programs that target the identification of money-laundering operations and assets obtained through illegal drug trafficking, including the development of proposed model legislation, financial investigative training, and financial information-sharing systems;
- (10) improving the operational effectiveness of the court process, by expanding prosecutorial, defender, and judicial resources, and implementing court-delay-reduction programs;
- (11) programs designed to provide additional public correctional resources and improve the corrections system, including treatment in prisons and jails, intensive-supervision programs, and long-range corrections and sentencing strategies;
- (12) providing prison-industry projects designed to place inmates in a realistic working and training environment that will enable them to acquire

marketable skills and to make financial payments for restitution to their victims, for support of their own families, and for support of themselves in the institution;

(13) providing programs that identify and meet the treatment needs of adult and juvenile drug-dependent and alcohol-dependent offenders;

(14) developing and implementing programs that provide assistance to jurors and witnesses, and assistance (other than compensation) to victims of crimes;

(15)(A) developing programs to improve drug-control technology, such as pretrial drug-testing programs, programs that provide for the identification, assessment, referral to treatment, case-management and monitoring of drug-dependent offenders, and enhancement of state and local forensic laboratories; and

(B) developing programs to improve **criminal justice** information systems (including automated fingerprint identification systems) to assist law enforcement, prosecution, courts, and corrections organizations;

(16) innovative programs that demonstrate new and different approaches to enforcement, prosecution, and adjudication of drug offenses and other serious crimes;

(17) addressing the problems of drug trafficking and the illegal manufacture of controlled substances in public housing;

(18) improving the criminal and juvenile justice system's response to domestic and family violence, including spouse abuse, child abuse, and abuse of the elderly;

(19) drug-control evaluation programs that the state and units of local government may utilize to evaluate programs and projects directed at state drug-control activities;

(20) providing alternatives to prevent detention, jail, and prison for persons who pose no danger to the community;

(21) programs of which the primary goal is to strengthen urban enforcement and prosecution efforts targeted at street drug sales;

(22) programs for the prosecution of driving while intoxicated charges and the enforcement of other laws relating to alcohol use and the operation of motor vehicles;

(23) programs that address the need for effective bindover systems for the prosecution of violent 16- and 17-year-old juveniles, in courts with jurisdiction over adults, for the crimes of—

(A) murder in the first degree;

(B) murder in the second degree;

(C) attempted murder;

(D) armed robbery when armed with a firearm;

(E) aggravated battery or assault when armed with a firearm;

(F) criminal sexual penetration when armed with a firearm; and

(G) drive-by shootings as described 18 U.S.C. § 36;

(24) law-enforcement and prevention programs relating to gangs or to youth who are involved or at risk of involvement in gangs;

(25) developing or improving, in a forensic laboratory, a capability to analyze DNA for identification purposes; and

(26) developing and implementing anti-terrorism training programs and procuring equipment for use by local law-enforcement authorities; and

- (b) To reduce crime and improve public safety, including but not limited to, the following:
- (1)(A) hiring, training, and employing on a continuing basis new, additional law enforcement officers and necessary support personnel;
 - (B) paying overtime to presently-employed law enforcement officers and necessary support personnel for the purpose of increasing the number of hours worked by such personnel; and
 - (C) procuring equipment, technology, and other material directly related to basic law-enforcement functions;
- (2) enhancing security measures—
- (A) in and around schools; and
 - (B) in and around any other facility or location that is considered by the unit of local government to have a special risk for incidents of crime;
- (3) establishing crime-prevention programs that may, though not exclusively, involve law-enforcement officials and that are intended to discourage, disrupt, or interfere with the commission of criminal activity, including neighborhood-watch and citizen-patrol programs, sexual-assault and domestic-violence programs, and programs intended to prevent juvenile crime;
- (4) establishing or supporting drug courts;
- (5) establishing early-intervention and -prevention programs for juveniles, in order to reduce or eliminate crime;
- (6) enhancing the adjudication process of cases involving violent offenders, including violent juvenile offenders;
- (7) enhancing programs under (a), above;
- (8) establishing co-operative task forces between adjoining units of local government to work co-operatively to prevent and combat criminal activity, particularly criminal activity that is exacerbated by drug- or gang-related involvement; and
- (9) establishing a multi-jurisdictional task force, particularly in rural areas, composed of law-enforcement officials representing units of local government, that works with Federal law-enforcement officials to prevent and control crime.

**Appendix E
Application Checklist**

**Edward Byrne Memorial Justice Assistance Grant (JAG) Program:
FY 2019 Local Solicitation**

This application checklist has been created as an aid in developing an application.

What an Applicant Should Do:

Prior to Registering in GMS:

- Acquire a DUNS Number (see the [OJP Grant Application Resource Guide](#))
- Acquire or renew registration with SAM (see the [OJP Grant Application Resource Guide](#))

To Register with GMS:

- For new users, acquire a GMS username and password* (see the [OJP Grant Application Resource Guide](#))
- For existing users, check GMS username and password* to ensure account access (see the [OJP Grant Application Resource Guide](#))
- Verify SAM registration in GMS (see the [OJP Grant Application Resource Guide](#))
- Search for correct funding opportunity in GMS (see the [OJP Grant Application Resource Guide](#))
- Select correct funding opportunity in GMS (see the [OJP Grant Application Resource Guide](#))
- Register by selecting the "Apply Online" button associated with the funding opportunity title (see the [OJP Grant Application Resource Guide](#))
- Read OJP policy and guidance on conference approval, planning, and reporting available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm (see the [OJP Grant Application Resource Guide](#))
- If experiencing technical difficulties in GMS, contact the NCJRS Response Center (see page 2)

*Password Reset Notice – GMS users are reminded that while password reset capabilities exist, this function is only associated with points of contact designated within GMS at the time the account was established. Neither OJP nor the GMS Help Desk will initiate a password reset unless requested by the authorized official or a designated point of contact associated with an award or application.

Overview of Post-Award Legal Requirements:

- Review the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2019 Awards](#)" in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

Scope Requirement:

- The federal amount requested is within the allowable limit(s) of the FY 2019 JAG Allocations List as listed on BJA's [JAG web page](#).

Eligibility Requirement: Only units of local government may apply under this solicitation. By law, for purposes of the JAG Program, the term “units of local government” includes a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may be a federally recognized Indian tribal government that performs law enforcement functions (as determined by the Secretary of the Interior). A unit of local government also may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes.

What an Application Should Include:

_____ Application for Federal Assistance (SF-424)	(see page 17)
_____ Intergovernmental Review	(see page 17)
_____ Project Identifiers	(see page 18)
_____ Program Narrative	(see page 18)
_____ Budget and Associated Documentation	(see page 19)
_____ Indirect Cost Rate Agreement (if applicable)	(see page 19)
_____ Tribal Authorizing Resolution (if applicable)	(see page 20)
_____ Financial Management and System of Internal Controls Questionnaire	(see page 20)
_____ Disclosure of Lobbying Activities (SF-LLL) (if applicable)	(see page 20)
_____ Certifications and Assurances by Chief Executive	(see Appendix A)
_____ Information regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE)	(see Appendix C)
_____ OJP Certified Standard Assurances	(see page 20)
_____ Applicant Disclosure of Pending Applications	(see page 21)
_____ Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable)	(see page 21)
_____ Research and Evaluation Independence and Integrity (if applicable)	(see page 21)



REEDLEY CITY COUNCIL

- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing

ITEM NO: 7

DATE: August 27, 2019

TITLE: RATIFICATION OF APPROVAL FOR COUNCILMEMBER FAST TO ATTEND THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE IN OCTOBER 2019 AND DESIGNATE HER AS THE CITY OF REEDLEY'S VOTING DELEGATE AT THE LEAGUE OF CALIFORNIA CITIES ANNUAL BUSINESS MEETING.

SUBMITTED: Paul A. Melikian, Assistant City Manager

APPROVED: Nicole R. Zieba, City Manager

RECOMMENDATION

Request the City Council ratify approval for Councilmember Fast to attend the League of California Cities Annual Conference in October 2019. Staff would also recommend that Council Member Fast be appointed as the Voting Delegate, representing the City of Reedley at the Annual Business meeting and adopt the League's recommendation on the 2019 Annual Conference Resolution since she is the only Council Member able to attend.

EXECUTIVE SUMMARY

Councilmember Fast is the only Council Member available to attend the 2019 League of California Cities Annual Conference and to take advantage of the Early Bird pricing, registration had to be done before August 14, 2019. The City's *Expense Reimbursement and Travel/Conference Policy for Legislative Officials*, adopted December 2018, allows for registration to occur as long as the City Council ratifies their approval of attendance at the conference at the next available Council meeting.

Section 8 of the policy states: "*Travel Authorization Process: Conference and overnight travel by a Legislative official shall be pre-approved by having the item placed on the City Council Consent Calendar. If time does not permit pre-approval, then the Council shall be asked to ratify the approval at a subsequent Council meeting...*"

Although there was still time for pre-approval to take place, staff believed that taking advantage of the Early Bird pricing discount was sufficient justification for registration and placement of a ratification of approval on the next Council meeting agenda. In addition since Council Member Fast will be the only Council Member attending, Staff recommends that Council designate Council Member Fast as the Voting Delegate, representing the City of Reedley at the Annual Business meeting.

FISCAL IMPACT

No new appropriations are needed for this reimbursement as limited conference attendance for elected officials is included in the annual City budget.

ATTACHMENT

Excerpt from the League of California Cities Annual Conference Guide

REGISTRATION INFORMATION

Pre-Registration Deadline: October 2, 2019
After this date, please register onsite.



Conference Location

The 2019 Annual Conference & Expo will be held at the Long Beach Convention Center, located downtown at 300 East Ocean Boulevard. All sessions will be held at the convention center unless otherwise noted.

Full Registration Includes:

- Admission to Expo and education sessions (*unless otherwise indicated*)
- Wednesday host city reception; Thursday grab-and-go breakfast; Thursday lunch with exhibitors; Friday closing luncheon
- Admission to CitiPAC and Diversity Caucus Receptions
- Electronic access to all program materials

Online Registration (credit card): Visit www.cacities.org/AC

Mail-in Registration (pay by check): Contact mdunn@cacities.org to request a registration form.

NOTE: Conference Registration is required to attend all conference activities including Department and Division meetings and the General Assembly. Sharing of registration is prohibited.

Full Conference Registration Fees

	Early Bird Through August 14	After August 14 and onsite
City Delegate		
Member City	\$550	\$600
Non-Member City	\$1550	\$1600
Public Official		
State/County/Public Official	\$625	\$675
All Others	\$725	\$775

One-Day Registration Fees

Early Bird rates are not available for one-day registration

City Delegate	
Member City	\$325
Non-Member City	\$1325
Public Official	
State/County/Public Official	\$375
All Others	\$425



REEDLEY CITY COUNCIL

- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing

ITEM NO: 8

DATE: August 27, 2019

TITLE: ADOPT RESOLUTION NO. 2019-064 APPROVING AND AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH VRPA TECHNOLOGIES, INC. FOR THE FORMULATION OF A FARMLAND PRESERVATION PROGRAM FOR THE CITY OF REEDLEY

SUBMITTED: Rob Terry, AICP 
Community Development Director

APPROVED: Nicole R. Zieba 
City Manager

RECOMMENDATION

Approve and authorize the City Manager to make non-substantive changes and/or sign the attached draft agreement with VRPA Technologies, Inc. for formulation of a Farmland Preservation Program for the City of Reedley.

EXECUTIVE SUMMARY

In accordance with the accepted Sustainable Agricultural Lands Conservation Program (SALCP) awarded to the City of Reedley to facilitate the formulation of a Farmland Preservation Program (FPP), as detailed within the General Plan Mitigation and Monitoring Program, staff conducted a Request for Proposal process to identify a preferred consultant to provide technical assistance for the FPP. Proposals were due July 12, 2019, with two proposals received. Following review and analysis of the received proposals, staff is recommending that Council authorize entering into an agreement with VRPA Technologies, Inc., based upon the quality of their proposal (see Attachment 2). Total compensation for the services would not exceed \$52,766.48, with services rendered from the date of approval through June 30, 2020. All consultant agreement costs will be covered through the SALCP grant awarded to the City through the California Department of Conservation and Strategic Growth Council.

BACKGROUND

On February 25, 2014, the Reedley City Council (via Resolution 2014-015) certified the Final Environmental Impact Report (FEIR - SCH No. 2010031106) associated with the Reedley General Plan Update 2030. Along with the certification came the approval of a Mitigation and

Monitoring Program, as required by Public Resources Code Section 2108.6 and CEQA Guidelines Section 15091. In July of 2017, via Resolution 2017-070, Council approved the submission of a grant application for the Sustainable Agricultural Lands Conservation Program (SALCP) to establish the City's Farmland Preservation Program, as identified within the City's General Plan Update 2030 Mitigation and Monitoring Program. On March 12, 2019, via Resolution 2019-019, Council officially accepted the SALCP grant in the amount of \$100,000 to cover consultant services and associated staff time and materials. Through the SALCP, the Community Development Department will work to formulate such a program for the Council's consideration and adoption, in-line with the policies and strategies approved within the Mitigation and Monitoring Program.

FISCAL IMPACT

Total compensation for the services would not exceed \$52,766.48, with services rendered from date of approval through June 30, 2020. All consultant agreement costs will be covered through the SALCP grant awarded to the City through the California Department of Conservation and Strategic Growth Council, and are appropriately identified within the adopted 2019/20 City of Reedley Budget.

PRIOR COUNCIL ACTIONS

In July of 2017, via Resolution 2017-070, Council approved the submission of a grant application for the Sustainable Agricultural Lands Conservation Program (SALCP) to establish the City's Farmland Preservation Program, as identified within the City's General Plan Update 2030 Mitigation and Monitoring Program. On March 12, 2019, via Resolution 2019-019, Council officially accepted the SALCP grant in the amount of \$100,000 to cover consultant services and associated staff time and materials.

ATTACHMENTS

1. Resolution 2019-064
2. VRPA Technologies, Inc. – Draft Professional Services Agreement

Motion: _____

Second: _____

RESOLUTION NO. 2019-064

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF REEDLEY, APPROVING AND AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH VRPA TECHNOLOGIES, INC. FOR THE FORMULATION OF A FARMLAND PRESERVATION PROGRAM FOR THE CITY OF REEDLEY.

WHEREAS, in July of 2017, via Resolution No. 2017-070, the City Council of the City of Reedley authorized the submission of a grant application for the Sustainable Agricultural Lands Conservation Program (SALCP) to establish the City's Farmland Preservation Program, as identified within the City's General Plan Update 2030 Mitigation and Monitoring Program; and

WHEREAS, the California Department of Conservation and Strategic Growth Council identified the City of Reedley as a successful SALCP grant awardee; and

WHEREAS, in March of 2019, via Resolution 2019-019, the City Council of the City of Reedley officially accepted the SALCP grant in the amount of \$100,000 to cover consultant services and associated staff time and materials associated with the formulation of a Farmland Preservation Program (FPP) for the City; and

WHEREAS, City Staff conducted a Request for Proposal (RFP) process to identify a preferred consultant to provide technical assistance during formulation of the FPP; and

WHEREAS, Staff has identified such a consultant based on the quality and content of their submitted proposal, in accordance with the RFP process.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Reedley using their independent judgment hereby resolves as follows:

1. Approves and authorizes the City Manager to make non-substantive changes and/or sign an agreement with VRPA Technologies, Inc. for the formulation of a Farmland Preservation Program for the City of Reedley, in accordance with the services and details provided within the "Response to Request for Proposal for City of Reedley Consulting Services for Formulation of a Farmland Preservation Program," dated July 12, 2019.

This foregoing resolution is hereby approved the 27th day of August, 2019, in the City of Reedley, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank Piñon, Mayor

ATTEST:

Sylvia B. Plata, City Clerk

**PROFESSIONAL SERVICES AGREEMENT BETWEEN
CITY OF REEDLEY AND VRPA TECHNOLOGIES, INC.
FOR CONSULTANT PLANNING SERVICES**

This agreement is made and entered into effective on _____, 2019, by and between the City of Reedley, a California municipal corporation (hereinafter referred to as "CITY") and VRPA Technologies, Inc. (hereinafter referred to as "CONSULTANT").

RECITALS

WHEREAS, CITY desires to obtain consultant services in connection with environmental analysis, land use and planning; and

WHEREAS, CONSULTANT is engaged in the business of furnishing technical and expert services in the fields of land use and planning, and hereby represents that it desires to and is professionally and legally capable of performing the services called for by this Agreement; and

WHEREAS, this Agreement will be administered for CITY by City Manager Nicole Zieba, with Project Management overseen by Community Development Director Rob Terry.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals which are part of this Agreement and the terms and conditions hereinafter contained, it is mutually agreed as follows:

1. Scope of Services. CONSULTANT shall perform to the satisfaction of CITY services as requested by CITY relating to pursuant to Exhibit "A" which is incorporated herein by reference.

2. Term of Agreement. This Agreement shall be effective from the date first set forth above and shall continue in full force and effect through June 30, 2020 subject to any earlier termination in accordance with this Agreement.

3. Compensation. CONSULTANT'S sole compensation for satisfactory performance of all services required or rendered pursuant to this Agreement shall be pursuant to Exhibit "A," which is incorporated herein by reference.

4. Termination. Either party may terminate this Agreement at any time by giving notice of such termination (including the effective termination date) at least thirty (30) calendar days before the effective date of such termination. In the event of termination, all finished or unfinished documents, reports, or other materials prepared by CONSULTANT under this Agreement shall become CITY'S property. CONSULTANT shall be entitled to receive compensation for all satisfactory work completed prior to the effective date of termination.

5. Indemnification.

(a) Indemnity for Professional Liability: When the law establishes a professional standard of care for CONSULTANT'S Services, to the fullest extent permitted by law, CONSULTANT shall indemnify, protect, defend, and hold harmless the CITY and any and

all of its officials, employees and agents (“Indemnified Parties”) from and against any and all losses, liabilities, damages, costs, and expenses, including legal counsel’s fees and costs to the extent same are caused in whole or in part by any negligent or wrongful act, error, or omission of CONSULTANT, its officers, agents, employees, or Subconsultants (or any Agency or individual that CONSULTANT shall bear the legal liability thereof) in the performance of professional services under this Agreement.

(b) Indemnity for Other Than Professional Liability: Other than in the performance of professional services and to the full extent permitted by law, CONSULTANT shall indemnify, defend, and hold harmless the CITY, and any and all of its employees, officials and agents from and against any liability (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including legal counsels fees and costs, court costs, interest, defense costs, and expert witness fees), where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, the negligent performance of this Agreement by CONSULTANT or by any individual or Agency for which CONSULTANT is legally liable, including, but not limited to, officers, agents, employees, or subcontractors of CONSULTANT.

6. Insurance.

(a) Throughout the life of this Agreement, CONSULTANT shall pay for and maintain in full force and effect all insurance as required in Exhibit “B” or as may be authorized, and any additional insurance as may be required, in writing by City Manager or her designee at any time and in her sole discretion.

(b) If at any time during the life of the Agreement or any extension, CONSULTANT or any of its subcontractors fail to maintain any required insurance in full force and effect, all services and work under this Agreement shall be discontinued immediately, and all payments due or that become due to CONSULTANT shall be withheld until notice is received by CITY that the required insurance has been restored to full force and effect and that the premiums therefore have been paid for a period satisfactory to CITY. Any failure to maintain the required insurance shall be sufficient cause for CITY to terminate this Agreement. No action taken by CITY pursuant to this section shall in any way relieve CONSULTANT of its responsibilities under this Agreement. This phrase “fail to maintain any required insurance” shall include, without limitation, notification received by CITY that an insurer has commenced proceedings, or has had proceedings commenced against it, indicating that the insurer is insolvent.

7. Nondiscrimination. To the extent required by controlling federal, state, and local law, CONSULTANT shall not employ discriminatory practices in the provision of services, employment of personnel, or in any other respect on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran, or veteran of the Vietnam era.

8. Independent Contractor. In the furnishing of the services provided for herein, CONSULTANT is acting solely as an independent contractor. Neither CONSULTANT, nor any of its officers, agents, or employees shall be deemed an officer, agent, employee, joint venture, partner, or associate of CITY for any purpose. CITY shall have no right to control or supervise

or direct the manner or method by which CONSULTANT shall perform its work and functions. However, CITY shall retain the right to administer this Agreement so as to verify that CONSULTANT is performing its obligations in accordance with the terms and conditions thereof.

9. Notices. Any notice required or intended to be given to either party under the terms of this Agreement shall be in writing and shall be deemed to be duly given if delivered personally, transmitted by facsimile followed by telephone confirmation of receipt, or sent by United States registered or certified mail, with postage prepaid, return receipt requested, addressed to the party which notice is to be given at the party's address set forth on the signature page of this Agreement or at such other address as the parties may from time to time designate by written notice. Notices served by United States mail in the manner above described shall be deemed sufficiently served or given at the time of mailing thereof.

10. Assignment. This agreement is personal to CONSULTANT and there shall be no assignment by CONSULTANT of its rights of obligations under this Agreement without the prior written approval of the City Manager or her designee.

11. Compliance with Law. In providing the services required under this Agreement, CONSULTANT shall at all times comply with all applicable laws of the United States, the State of California, and CITY, and with all applicable regulations promulgated by federal, state, regional, or local administrative and regulatory agencies, now in force and as they may be enacted, issued, or amended during the term of this Agreement.

12. Waiver. The waiver by either party of a breach by the other of any provision of this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of either the same or a different provision of this Agreement. No provisions of this Agreement may be waived unless in writing and signed by all parties to this Agreement. Waiver of any one provision herein shall not be deemed to be a waiver of any other provision herein.

13. Governing Law and Venue. This Agreement shall be governed by, and construed and enforced in accordance with, the laws of the State of California, excluding, however, any conflict of laws rule which would apply the law of another jurisdiction. Venue for purposes of the filing of any action regarding enforcement or interpretation of this Agreement and any rights and duties hereunder shall be Fresno County, California.

14. Headings. The section headings in this Agreement are for convenience and reference only and shall not be construed or held in any way to explain, modify, or add to the interpretation or meaning of the provisions of this Agreement.

15. Severability. The provisions of this Agreement are severable. The invalidity or unenforceability of any one provision in this Agreement shall not affect the other provisions.

16. Interpretation. The parties acknowledge that this Agreement in its final form is the result of the combined efforts of the parties and that, should any provision of this Agreement be found to be ambiguous in any way, such ambiguity shall not be resolved by

construing this Agreement in favor of or against either party, but rather by construing the terms in accordance with their generally accepted meaning.

17. Attorneys' Fees. If either party is required to commence any proceeding or legal action to enforce or interpret any term, covenant, or condition of this Agreement, the prevailing party in such proceeding or action shall be entitled to recover from the other party its reasonable attorneys' fees and legal expenses.

18. Exhibits. Each exhibit and attachment referenced in this Agreement is, by the reference, incorporated into and made a part of this Agreement.

19. Precedence of Documents. In the event of any conflict between the body of this Agreement and any Exhibit or Attachment hereto, the terms and conditions of the body of this Agreement shall control and take precedence over the terms and conditions expressed within the Exhibit or Attachment. Furthermore, any terms or conditions contained within any Exhibit or Attachment hereto which purport to modify the allocation of risk between the parties, provided for within the body of this Agreement shall be null and void.

20. Cumulative Remedies. No remedy or election hereunder shall be deemed exclusive but shall, wherever possible, be cumulative with all other remedies at law or in equity.

21. No Third Party Beneficiaries. The rights, interests, duties and obligations defined within this Agreement are intended for the specific parties hereto as identified in the preamble of this Agreement. Notwithstanding anything stated to the contrary in this Agreement, it is not intended that any rights or interests in this Agreement benefit or flow to the interest of any third parties.

22. Ownership of Documents and Data.

(a) Ownership of Documents: All original papers and documents, produced as a result of this Agreement, shall become the property of the CITY. In addition, CITY shall be provided with access and use of any other papers and documents consistent with the purpose and scope of services covered by this Agreement. Any additional copies, not otherwise provided for herein, shall be the responsibility of the CITY. Documents, including spreadsheets, calculations, drawings and specifications, prepared by CONSULTANT pursuant to this Agreement, are not intended or represented to be suitable for reuse by CITY or others on extensions of the PROJECT or on any other project. Any use of the completed documents for other projects and any use of incomplete documents without the specific written authorization from CONSULTANT will be at CITY's sole risk and without liability to CONSULTANT. Further, any and all liability arising out of changes made to CONSULTANT's deliverables under this Agreement by CITY or persons other than CONSULTANT is waived as against CONSULTANT, and the CITY assumes full responsibility for such changes made by the CITY or its agents unless the CITY has given CONSULTANT prior notice and has received from CONSULTANT written consent for such changes.

(b) Publication: No report, information, or other data given or prepared or assembled by the CONSULTANT pursuant to this Agreement, shall be made available to any

individual or organization by the CONSULTANT without the prior written approval of the CITY. Notwithstanding the foregoing, however, the CONSULTANT shall not be required to protect or hold in confidence and confidential information which (1) is or becomes available to the public with the prior written consent of the CITY; (2) must be disclosed to comply with law; or (3) must be disclosed in connection with any legal proceedings.

(c) Copyrights: The CONSULTANT shall be free to copyright material developed under this Agreement with the provision that the CITY be given a nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use the material for government or public purposes.

(d) Notwithstanding the paragraphs above, all computer financial models including without limitation compilations of formulas and spreadsheet models used or developed by the CONSULTANT in performing its work are proprietary and shall remain property owned solely by the CONSULTANT.

CITY OF REEDLEY, a
a California municipal corporation

VRPA TECHNOLOGIES, INC.

By: _____
Nicole Zieba, City Manager

By: _____
Georgiena Vivian, President

Date: _____

Date: _____

ATTEST:

By: _____
Sylvia Plata, City Clerk

Exhibit "A"

VRPA Response to Request for Proposal for
City of Reedley Consulting Services for Formulation of a Farmland Preservation Program
dated July 12, 2019



Response to Request for Proposal for

City of Reedley
Consulting Services for Formulation of a
Farmland Preservation Program



Prepared for:

**Rob Terry, Community Development
Director**



City of Reedley

Community Development Department
1733 Ninth Street
Reedley, CA 93654



July 12, 2019

Prepared by:

VRPA Technologies, Inc.

4630 W. Jennifer, Suite 105

Fresno, CA 93722

Office: (559) 271-1200

Fax: (559) 271-1269

www.vrpatechnologies.com



In Association With:

Provost & Pritchard Consulting Group

July 12, 2019

Rob Terry, Community Development Director
City of Reedley
Community Development Department
1733 Ninth Street
Reedley, CA 93654

Re: Request for Proposal for Consulting Services for Formulation of a Farmland Preservation Program

Dear Mr. Terry:

VRPA Technologies, Inc. (VRPA) is pleased to submit this proposal for the City of Reedley Consulting Services for Formulation of a Farmland Preservation Program (FPP). This proposal has been prepared in accordance with the Request for Proposal (RFP) issued June 10, 2019.

VRPA has successfully completed a wide variety of planning and community engagement projects involving both rural and urban areas throughout California. VRPA maintains a broad client base including both the public and private sectors consisting of State governments, regional agencies, counties and cities, as well as private planning/engineering firms. Specifically, VRPA has completed, assisted with, or is currently involved in several projects directly related to the proposed effort including:

- ✓ Fresno Council of Governments (Fresno COG) Circuit Planner Program – 2015 through June 2019
- ✓ Fresno COG Circuit Rider Planner and Program Supervisor – 1978 through 1988 (completed by Ms. Vivian as Fresno COG staff)
- ✓ Fresno COG 1978 through 1988 Regional Transportation Plans (RTPs) (completed by Ms. Vivian as Fresno COG staff); 1994 RTP; 1994 Environmental Impact Report (EIR); 2004 RTP Assistance and 2004 RTP EIR; 2006 Measure C Extension Expenditure Plan and EIR; 2007 RTP EIR; 2011 RTP Subsequent EIR; 2014 RTP/Sustainable Communities Strategy (SCS) EIR; and RTP/SCS Project Prioritization using Fresno Trak; and 2018 RTP/SCS EIR and RTP/SCS Project Prioritization using Fresno Trak
- ✓ Madera, Fresno, Kings and Tulare County Blueprint Programs – Phase 1 and 2 Outreach and Technical Assistance
- ✓ Senate Bill (SB) 743 Tracking and Analysis Support – Representing California Institute of Transportation Engineers (ITE) Sections Statewide
- ✓ Measure C ½% Sales Tax Strategic Implementation Plan, Handbooks, and Public Education Program Assistance
- ✓ Numerous Air Quality, Global Warming, Traffic, and Noise Assessments for regional and local urban and rural communities throughout Fresno County, the San Joaquin Valley, and the State of California
- ✓ Circulation Elements for numerous Fresno, Madera, Kings, Tulare, Riverside, Merced, and Kern Counties and Cities
- ✓ Old Fig Garden Transportation and Land Use Study – Traffic, Traffic Calming, Complete Streets, and Outreach
- ✓ Goshen Transportation and Community Plan – Transportation Planning and Outreach
- ✓ Improved Data and Tools for Integrated Land Use and Transportation Planning in California

With over 30 years of transportation planning and engineering experience, the firm has demonstrated a wide range of technical and outreach skills that are directly related as required to successfully complete professional consulting services for the City of Reedley, including the following:

- ✓ Financing Plans and Development Impact Fee studies
- ✓ SCS projects that promote well thought-out planning with sustainable communities
- ✓ Directly related experience with integrated land use and transportation modeling tools, transportation planning land use and economic analysis, and geographic information systems (GIS)
- ✓ Understanding and applying the requirements of Assembly Bill (AB) 32 and SB 375

Mr. Rob Terry
July 12, 2019
Page 2

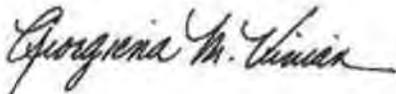
- ✓ Public Outreach and Education Programs related to Projects and Programs
- ✓ Environmental Documents for Planning Studies and Projects
- ✓ Applying California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) guidelines
- ✓ Directing the activities of advisory committees, conducting public outreach and consensus building programs, and developing implementable and sustainable plans and policies
- ✓ Establishing key relationships with public officials, key agency staff members, and community decision-makers

VRPA's team for this project includes a highly qualified subconsultant, Provost & Pritchard. Key Provost & Pritchard staff assigned to this project are:

- ✓ Sara Allinder, a Senior Planner with nearly 20 years' experience assisting local governments on both long-range and current planning. Sara is a Fresno native has helped many San Joaquin Valley jurisdictions meet complex planning challenges. Her experience includes General Plans, Site Plan Reviews, Conditional Use Permits, Variances, Rezones, Plan Amendments, Subdivision Maps, Annexations, and Sphere of Influence Amendments as well as the associated environmental review. Ms. Allinder has also provided contract staffing for numerous local planning agencies.
- ✓ Brynae Emerzian joined Provost and Pritchard as a planner after more than six years working with a private residential developer. Her experience in the private development industry, her experience researching best practices for land development, and her design background will enhance the development of the FPP.

We appreciate the opportunity to submit this proposal and we look forward to providing services to the City of Reedley. This proposal shall be a firm offer, valid 90-days from date of this letter. VRPA President and Project Manager, Georgiena Vivian, can accept and sign a contract for the firm and is available to discuss this proposal through one of the following: 4630 W. Jennifer, Suite 105, Fresno, CA 93722 | Phone: (559) 271-1200 | Cell Phone: (559) 259-9257 | Email: gvivian@vrpatechnologies.com.

Sincerely,



Georgiena M. Vivian, President
VRPA Technologies, Inc.

GV/hg

Enclosure

**Request for Proposal for
City of Reedley
Consulting Services for Formulation of a
Farmland Preservation Program**

July 12, 2019

Prepared for:

City of Reedley
Community Development Department
1733 Ninth Street
Reedley, CA 93654

Prepared by:

VRPA Technologies, Inc.
4630 W. Jennifer, Suite 105
Fresno, CA 93722
(559) 259-9257
Georgiena M. Vivian,
President

Georgiena M. Vivian



In Association with:

Provost & Pritchard Consulting Group



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Introduction/Project Understanding

The City of Reedley's economy continues to be predominantly based upon agricultural production and agriculturally-oriented industry. The undeveloped lands in the City's Sphere of Influence (SOI) boundaries are predominantly agricultural. Farmland quality on the periphery varies but much is Prime Farmland and not all is under Williamson Act contracts (see Figure 1).

There is significant pressure for conversion of farmland to urban uses. To preserve agricultural activities, minimize the impact of urban development on agriculture, and enhance Reedley's unique small city character, the City is seeking assistance in formulating a Farmland Preservation Program (FPP) in accordance with the specifications, terms and conditions delineated in its June 10, 2019 Request for Proposal (RFP).

The VRPA team will work closely with City Staff to assess and evaluate existing programs utilized throughout the state (e.g., the City of Davis' 25-year experience with FPP). We will then develop a menu of options for consideration and discussion, and conduct a well-targeted public outreach campaign regarding FPP issues. The VRPA team will then identify a preferred program for consideration by the Reedley Planning Commission and City Council.

Development of a FPP is called for in the City's 2014 General Plan Conservation and Open Space (COSP) Element. The General Plan identifies two broad goals for the FPP:

- ✓ COSP 4.3A - To preserve as long as possible the prime farmland, farmland of statewide importance and farmland of local importance within the General Plan Update (GPU) Sphere of Influence.
- ✓ COSP 4.3B - To provide a greenbelt around the City's perimeter to maintain the physical separation between the City of Reedley and the Cities of Dinuba and Parlier as well as existing agricultural uses within the County of Fresno but outside the City's Sphere of Influence.

We understand that the City has entered into a Sustainable Agricultural Lands Conservation Program grant agreement with the State of California Department of Conservation to support the formulation and implementation of a Farmland Preservation Program. Funding for this project is being provided through this program, and the VRPA team will conform to the regulations of the program.





Scope of Work

The VRPA team will work closely with City of Reedley staff to develop a feasible, efficient and effective Farmland Preservation Program (FPP), aligned with the City's goals and policies embodied in the 2030 General Plan. We will research existing FPP programs throughout California, with an emphasis on City-based and Central Valley FPP programs. We will then develop a menu of options (alternatives) for consideration and discussion. These alternatives will be vetted via a robust public outreach campaign. Based on the findings of our research, the results of the outreach, and discussions with City staff, we will devise a preferred program for consideration and potential adoption by the Reedley Planning Commission and City Council.

Detailed task by task descriptions of the proposed work are provided below.

Task 0 Project Management

VRPA will prepare and submit monthly progress reports and invoices to the City of Reedley Project Manager, which will include the following: progress made during the previous month, specific accomplishments of each task, percent complete of each task, difficulties encountered, any recommended project schedule adjustments, costs incurred during the month and costs to date. Notwithstanding the Progress Report, VRPA will immediately inform the City of Reedley of any conditions or situations that could affect the scope of services, budget or schedule.

VRPA and City of Reedley staff will conduct status calls on a monthly basis. Monthly coordination meetings will be held in person when necessary. Subconsultant staff will attend when necessary at key points in the project.

Deliverables:

0.1: Invoicing and progress reporting, project status conference calls

Schedule: Monthly, Project Duration

Task 1 Project Kick-off

During the first week following contract initiation, VRPA staff and team members will coordinate a project kick-off meeting with City of Reedley staff to review and refine the scope of services outlined in this proposal, discuss the proposed project schedule, discuss data needs, identify the expectations, roles, and responsibilities of both the VRPA team and City of Reedley, decide on a format for reports and other deliverables, and outline the next few steps in the project development process. The VRPA team will document the results of the meeting and provide meeting notes within one (1) week to the City of Reedley Project Manager. A detailed communication plan will also be discussed including recommended status conference calls and meetings between the City of Reedley and VRPA.

Deliverables:

1.1: Kick-off meeting synopsis

Schedule: Within one (1) week of the completed kick-off meeting

Task 2 Preliminary Tasks

Within one month of the kick-off meeting, the VRPA Team will identify:

- ✓ Best practices for Farmland Preservation Programs.



- ✓ Examples of other programs in California.
- ✓ Other relevant background information regarding FPP development and implementation, such as current mitigation fees.

We have identified and obtained several resources that will facilitate these tasks. These include the documentation for the California **Land Evaluation and Site Assessment (LESA)** Model that is the basis for Appendix G of the California Environmental Quality Act (CEQA) Guidelines concerning agricultural lands. The LESA Model incorporates six different factors. Including measures of soil resource quality and measures of a project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands.

The California Council of Land Trusts (CCLT) *Conserving California's Harvest A Model Mitigation Program and Ordinance for Local Governments* coalesces input from experts in the fields of local governance, agriculture, conservation, law and mitigation. We are grateful for their time and resources. This will be a valuable resource for developing Reedley's FPP.

The City of Davis was a pioneer among City's with respect to Farmland Preservation Programs. We have acquired several documents chronicling Davis's expanding Farmland program, including evaluations from 1995 to the present.

Deliverables:

2.1: Identification of best practices and relevant background information for Farmland Preservation Programs development and implementation, documenting examples of other Farmland Preservation Programs in California

Schedule: October 2019

Task 3 Collect Local Data

The VRPA Team will create an inventory of local farmland [defined as within the City's Sphere of Influence (SOI)], including soil types, irrigation and other data points relevant to agricultural operations and production.

We will also collect economic and demographic data, e.g.:

- ✓ Average farm size,
- ✓ Industry trends,
- ✓ Land use patterns, and
- ✓ Existing and planned infrastructure affecting farms

Relevant environmental issues affecting local farmland will be collected, summarized and analyzed. Key information will be summarized in both tabular format and on maps.

Deliverables:

3.1: Data collection and creation of inventory

Schedule: November 2019

Task 4 Address Program Goals

The VRPA Team will articulate a program to:



- ✓ Avoid unnecessary conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance within the Reedley SOI.
- ✓ Secure the permanent preservation of other Prime Farmland, Unique Farmland, and Farmland of Statewide Importance within Fresno County on a 1 for 1 basis when Prime Farmland, Unique Farmland, and Farmland of Statewide Importance within the City's SOI is being converted to urban uses.

Deliverables:

4.1: Organize program to secure preservation of farmland when City of Reedley's Sphere of Influence (SOI) is being converted to urban use

Schedule: February 2020

Task 5 Address Policy Linkages

To ensure the policies identified within the adopted General Plan are specifically addressed, the VRPA team will develop a set of policies, standards and goals stemming from the Program Goals. We will provide a discussion memorandum summarizing each proposed policy, standard or measure regarding:

- ✓ How the policy would minimize a potential detrimental effect caused by urban development.
- ✓ Whether and how the policy would assist in avoiding the premature conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance.
- ✓ How the policy, standard or measure would be integrated into the City of Reedley's entitlement process.
- ✓ How the policy, standard or measure would be enforced through the regulatory environment, e.g. zoning and CEQA mitigation monitoring.

Deliverables:

5.1: Memorandum summarizing proposed policies, standards or measures

Schedule: February 2020

Task 6 Address Implementation Measures

To ensure the minimum implementation measures called for in the General Plan are appropriately addressed, the VRPA team will incorporate the following measures into the proposed FPP:

- ✓ **Designate** the Community Development Department as the department responsible for preparation and implementation of the FPP, once adopted.
- ✓ **Prepare a report template** to facilitate annual reporting to the City Council describing implementation of the final FPP.
- ✓ Outline an **ongoing community outreach program** to encourage current agricultural landowners' continuing participation in programs that preserve farmland, including the Williamson Act, conservation easements, and United State Department of Agriculture (USDA) funded conservation practices.
- ✓ Incorporate the use of the **Land Evaluation and Site Assessment (LESA) model** into the City's land use entitlement application process for farmland proposed for conversion.
- ✓ Develop a **fee program structure** consistent with the requirements of the Mitigation Fee Act that will require applicants seeking to annex Farmland within the City's SOI to pay a fee to the City of Reedley equivalent to the cost of preserving Important Farmland on a 1 to 1 basis with land converted to urban uses. The City shall use the fees to fund an irrevocable instrument (e.g. an easement) to permanently preserve farmlands via a Trust for Farmland Funds Disbursements.
- ✓ The fee structure we develop will include an initial fee range. The final level of the fee may need to be determined by additional research beyond the scope of this project, e.g.: detailed appraisal of agricultural



land within and beyond the City SOI. Experience elsewhere has found that fees can attract additional funding from state and federal and non-profit organizations which can reduce FPP costs borne by landowners and developers.

- ✓ Develop an **alternative to payment** of the fee described in subsection (c) of General Plan Conservation and Open Space Policy 4.3.4, where the applicant shall provide documentation satisfactory to the City that demonstrates that the applicant has entered into a binding agreement with one or more property owners or a third-party organization acceptable to the City of Reedley to permanently preserve farmland equivalent in acreage to the Farmland proposed for annexation into the City. All agreements shall identify an irrevocable instrument that will be recorded against the preserved property.
- ✓ Create or link to an existing **database** containing a current list of organizations and owners of Farmland that can facilitate the acquisition of conservation easements. This can reduce delays in the annexation of the land into the City.

Deliverables:

6.1: Annual reporting template, outline an ongoing community outreach program, incorporate Land Evaluation and Site Assessment (LESA) model, develop fee program structure, database listing of organizations and owners of Farmland that can facilitate the acquisition of conservation easements

Schedule: March 2020

Task 7 Conduct Public Outreach

The VRPA team will facilitate three (3) public outreach meetings during the process. We endorse the idea of combining outreach workshops with Planning Commission meetings. This will facilitate using the City's notification lists, which we will supplement with our own extensive email lists. By overlapping with regular commission meetings, attendance by landowners, developers and other interested parties will be greatly enhanced.

- ✓ The first outreach event will take place during the Preliminary Task and Data Collection portions of the process. This meeting should definitely in conjunction with a Planning Commission meeting.
- ✓ We recommend that the second outreach meeting also coincide with a Planning Commission meeting. It will be scheduled prior to release of the Public Review Draft of the Plan, and will focus on receiving community feedback regarding concerns, questions, comments and suggestions regarding the FPP.
- ✓ The third outreach meeting will take place following the acceptance of the Administrative/Draft Plan. This outreach meeting will include analysis and responses to feedback from the first two outreach meetings and will aim to build consensus regarding the final FPP. This meeting can also be conducted in conjunction with a Planning Commission meeting or a joint Planning Commission and City Council workshop.

Following the three public outreach events, the VRPA team will be available to assist with City staff's presentation to both the Planning Commission and City Council, concerning acceptance/adoption activities.

All materials associated with public outreach activities (PowerPoints, flyers, etc.) will be provided in both English and Spanish, and bilingual staff will attend each outreach meeting.

VRPA staff will develop most of the informational graphics needed in PowerPoint format, to minimize production costs while maximizing flexibility in formats and presentation. As required, the presentation graphics can be incorporated into print materials, including draft and final plan documents.



Deliverables:

7.1: *Facilitation of three (3) public outreach meetings, public outreach meeting noticing, meeting presentation and display materials, meeting photographs, written summary of comments and input received at public outreach meetings, Spanish translation of all public outreach activities materials*

Schedule: October 2019 – June 2020

Task 8 Administrative/Draft/Final Plan

The key outcomes and findings of the foregoing tasks will be summarized in a Farmland Preservation Plan. The VRPA team will provide City staff with both an Administrative Draft Plan, and a Public Review Draft Plan, at least two weeks prior to the Planning Commission meeting to be held in conjunction with the second public outreach activity. The Administrative Draft shall contain track changes, notations and questions specific to the drafting process. The Public Review Draft shall be a clean draft of the aforementioned Administrative Draft, minus the notations, changes, etc. The Draft Plans will include all previously notated data/analysis, policy language and implementation measures identified within this RFP, and identified within consequent contracts, team meetings, etc.

Following acceptance of the Draft Plan by the Reedley City Council, VRPA will provide a Final Plan; acceptance/adoption resolution materials will be appended to the Final Plan.

Deliverables:

8.1: *Administrative Draft Plan, Public Review Draft Plan and Final Plan*

Schedule: Administrative Draft Plan - March 2020; Public Review Draft Plan - May 2020;
Final Plan - June 2020

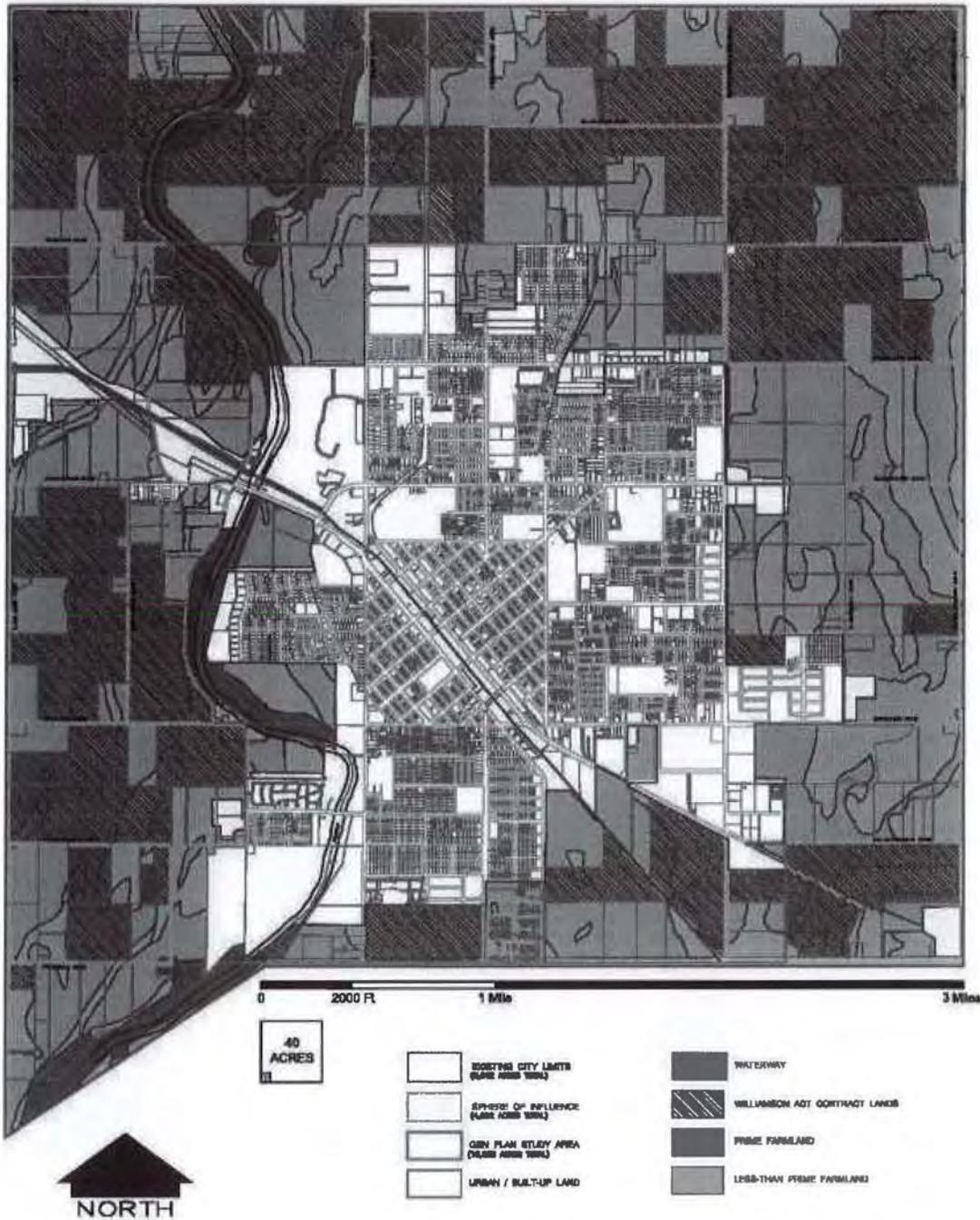




Figure 1 – Williamson Act Contract with Prime Farmland in Reedley and Surrounding County Lands



WILLIAMSON ACT CONTRACT WITH PRIME FARMLAND IN REEDLEY AND SURROUNDING COUNTY LANDS

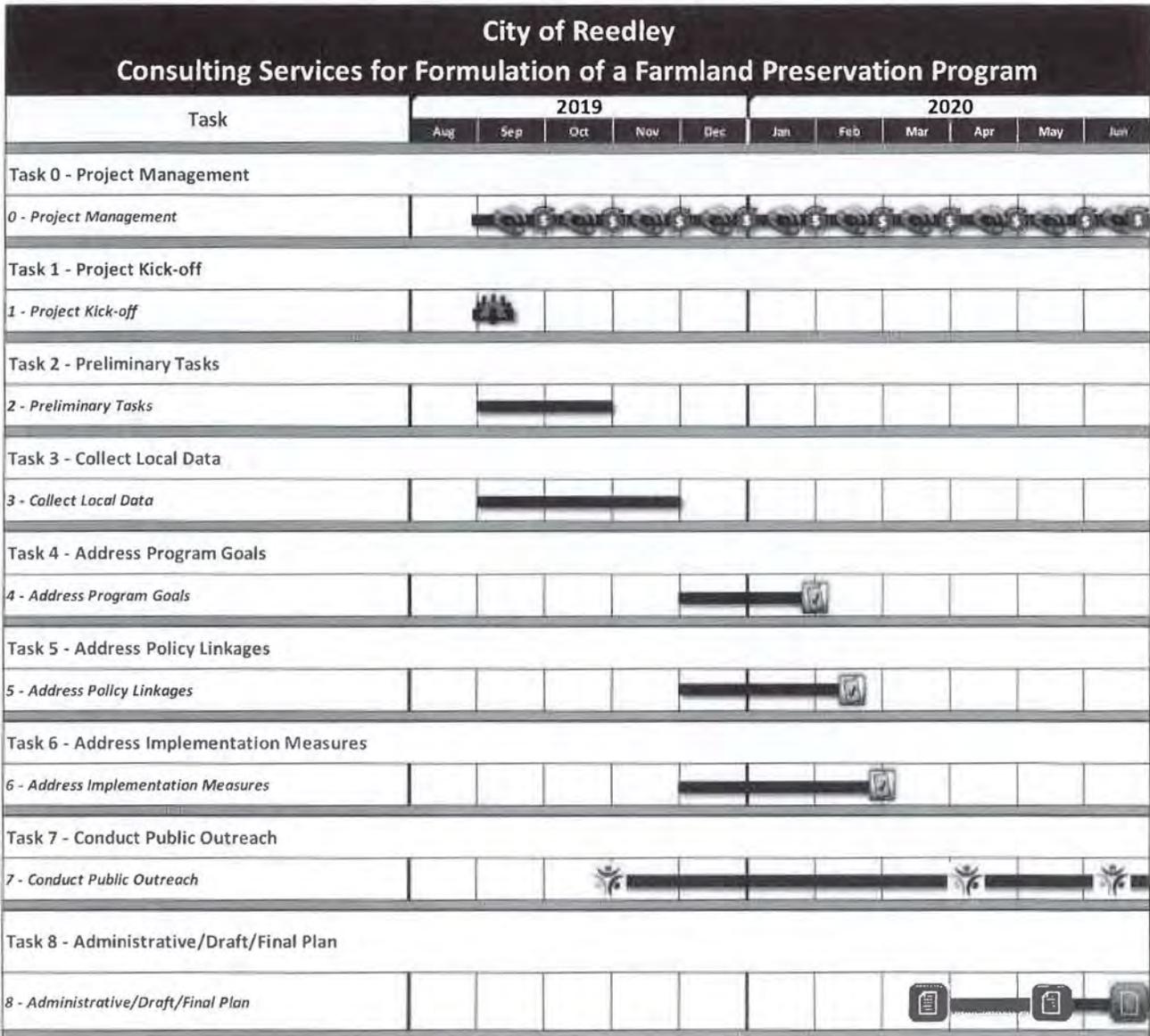


FIGURES DO NOT ACCOUNT FOR THE OPEN SPACE PROGRAM



Detailed Project Schedule

A summary of the proposed project schedule is included on the following page. A work program schedule is also included showing estimated completion dates as well as responsible project manager information.



LEGEND:

- Work Activity
- Kick-Off Meetings
- Public Outreach Meetings
- Status Meetings
- Report or Technical Memorandum
- Administrative Draft Plan
- Public Review Draft Plan
- Final Plan
- Progress Reporting and Invoicing



Work Program Schedule

Task	Responsible Party	Estimated Completion Date
Task 0 - Project Management	Georgiena Vivian, VRPA Dena Graham, VRPA	<ul style="list-style-type: none"> Project Reporting, Invoicing and Coordination - <i>Project Duration</i>
Task 1 – Project Kick-off	Georgiena Vivian, VRPA Richard Lee, VRPA	<ul style="list-style-type: none"> Project Kick-off meeting and synopsis - <i>September 2019</i>
Task 2 – Preliminary Tasks	Richard Lee, VRPA Sara Allinder, Provost & Pritchard	<ul style="list-style-type: none"> Best practices and relevant background information for Farmland Preservation Programs - <i>October 2019</i>
Task 3 – Collect Local Data	Richard Lee, VRPA Sara Allinder, Provost & Pritchard	<ul style="list-style-type: none"> Data collection and creation of Inventory - <i>November 2019</i>
Task 4 – Address Program Goals	Georgiena Vivian, VRPA Richard Lee, VRPA	<ul style="list-style-type: none"> Organize program to secure preservation of farmland when City of Reedley’s SOI is being converted to urban use – <i>February 2020</i>
Task 5 – Address Policy Linkages	Georgiena Vivian, VRPA Richard Lee, VRPA	<ul style="list-style-type: none"> Memorandum summarizing proposed policies, standards or measures – <i>February 2020</i>
Task 6 – Address Implementation Measures	Georgiena Vivian, VRPA Richard Lee, VRPA Sara Allinder, Provost & Pritchard	<ul style="list-style-type: none"> Incorporate implementation measures into the Farmland Preservation Program – <i>March 2020</i>
Task 7 – Conduct Public Outreach	Georgiena Vivian, VRPA Jason Ellard, VRPA	<ul style="list-style-type: none"> Public Outreach Meetings – <i>June 2020</i>
Task 8 – Administrative/Draft/Final Plan	Georgiena Vivian, VRPA Richard Lee, VRPA	<ul style="list-style-type: none"> Administrative Draft Plan – <i>March 2020</i> Public Review Draft Plan – <i>May 2020</i> Final Plan - <i>June 2020</i>

Management Approach

Identification of Consulting Services for Formulation of a Farmland Preservation Program Project Manager

VRPA Technologies (VRPA) recognizes the importance on an effective project management program. To ensure that our projects are well-managed, VRPA has an established, formal, documented structure that is followed in the management of all projects. VRPA’s project management program:

- ✓ Provides day-to-day project control for staffing, technical activities, schedule, and budget
- ✓ Provides technical and administrative oversight ensuring that products are on-time and within budget



- ✓ Ensures that quality control procedures are enforced at all levels of the Project, by all staff
- ✓ Ensures effective, open communication and coordination with the client
- ✓ Ensures that documentation quality is maintained during the full course of the Project

VRPA's project management approach includes the designation of a Project Manager. VRPA's Project Manager for the City of Reedley's Consulting Services for Formulation of a Farmland Preservation Program effort will be Ms. Georgiena Vivian, President and firm Principal. For over 40 years, Ms. Vivian has consistently delivered, on-time and within budget, projects that met or exceeded the client's expectations. While sound methodology and strong project tracking tools are needed, Ms. Vivian understands that leadership and people skills are just as important in the success of a project. She knows that communication is vital in all aspects and strives to complete project requirements with the available resources. A confident leader, Ms. Vivian embraces top-down direction and upward influence, identifies clear strategies and priorities and focuses on the big picture. As Project Manager, Ms. Vivian's project management strategies will include:

- ✓ **Open Communications** with effective use of e-mails, meetings, and status reports to communicate ideas, get decisions made, and resolve problems
- ✓ **Effective Coordination** utilizing individual characteristics to strengthen the team dynamic with clear accountability and authority
- ✓ **Constructive Conflict Resolution** collaborating with all Invested stakeholders to a successful end goal

Specifically, Ms. Vivian will bring overall direction and guidance to the Project, as well as quality control. She will provide vital technical and coordination expertise ensuring adherence to the Project schedule and the timely preparation of work products. Ms. Vivian will be the key contact for the City of Reedley and will attend all meetings. Ms. Vivian will oversee work activity and staff to ensure that work products are prepared in accordance with the approved Scope of Work and coordinated with team members, appropriate City of Reedley staff, other area staff and representatives, and other affected agencies.

In addition to Ms. Vivian, Dr. Richard Lee, VRPA Director of Innovation and Sustainability, will act as Assistant Project Manager for this effort. He will coordinate with Ms. Vivian and carry out the day to day tasks with support from other VRPA staff.

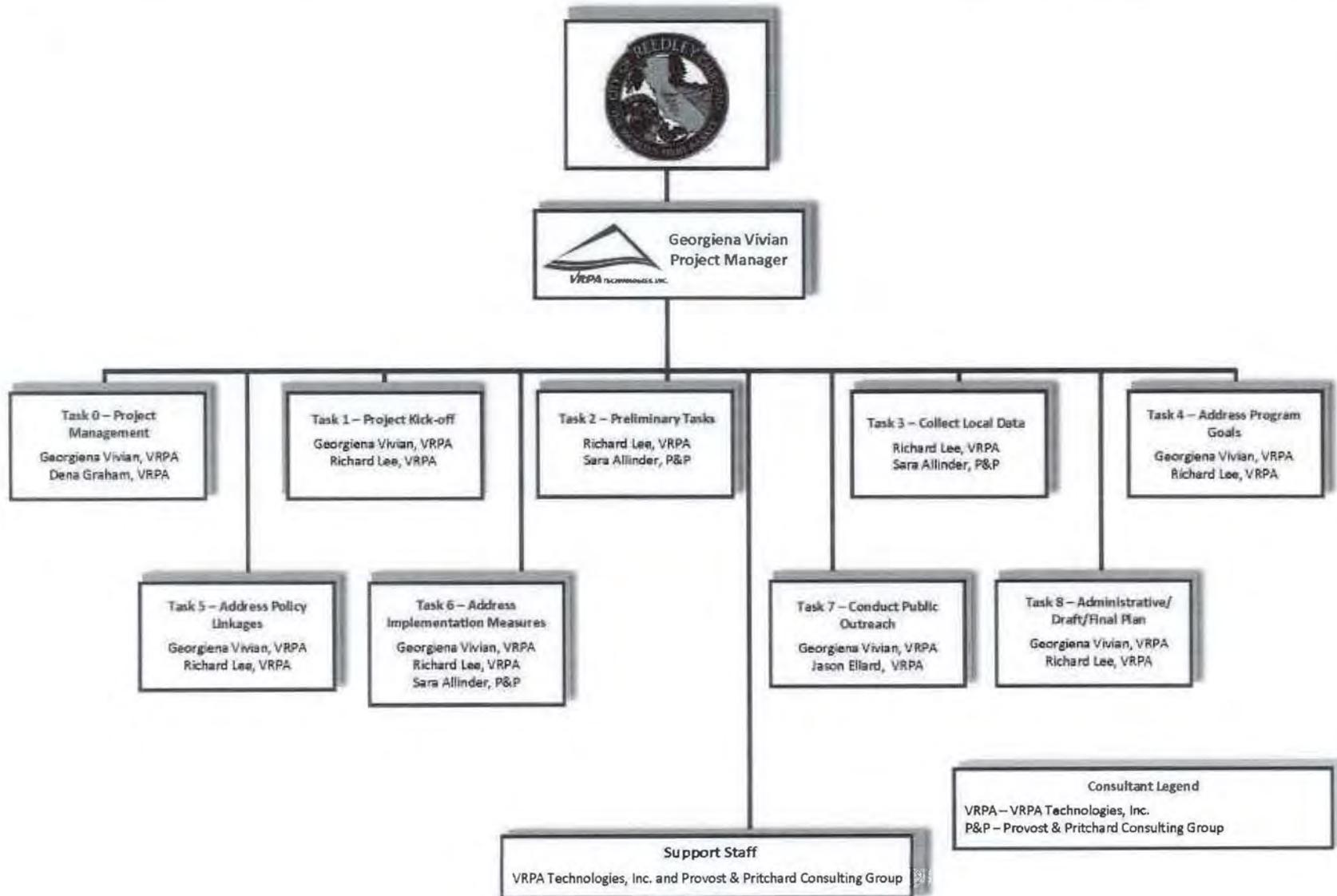
Regular status meetings and invoicing tasks will be part of the overall project management as noted in Task 0 above.

The work will be accomplished by a team of professionals. Specific qualifications of the team members can be found on their respective resumes found in the Appendix. The Cost Proposal submittal of the proposal includes a summary of hours proposed for each staff member as well as a detailed breakdown of hours by task. No substitutions of the project manager or team members will be made without the prior approval of the City of Reedley.

VRPA's Team organization chart can be found on the following page. VRPA proposes a flexible approach to this project. We have provided a detailed scope of work, schedule, and budget, but we are open to working with the City of Reedley and other project partners to revise any of the proposal elements to best suit the needs of the City.

Organization Chart

The VRPA Team organization chart is shown on the following page.





Qualifications of Key Personnel

Prime Consultant – VRPA Technologies, Inc.



GEORGIENA VIVIAN, PRESIDENT – PROJECT MANAGER

Ms. Vivian, President of VRPA Technologies, Inc. founded VRPA Technologies in 1988. Prior to founding VRPA, Ms. Vivian was employed by the Fresno Council of Governments between 1978 and 1988 and was responsible for regional planning programs and studies. She has over 46 years of experience in transportation planning and financing, congestion management, traffic engineering, transportation demand management and transportation systems management (TDM/TSM) activities, sustainable communities planning, environmental planning, air quality, climate change, and noise analysis and extensive public outreach specifically related to statewide, regional and local transportation planning and engineering studies, plans, reports and programs.

Ms. Vivian's experience also includes the preparation of regional and local transportation plans including Congestion Management Programs (CMPs), local and regional land use and transportation Smart Growth studies, local and regional travel forecast modeling, Regional Transportation Plans (RTPs), RTP Environmental Impact Reports (EIRs), Sales Tax Measure Expenditure Plans and Programs, traffic impact fee studies, interchange feasibility studies, and associated outreach programs. Specifically, Ms. Vivian has led the preparation of RTPs and associated EIRs for five (5) San Joaquin Valley Counties (Fresno, Madera, Merced, Tulare, and Kern Counties), including the 2018 RTP/SCS EIR for Fresno COG, Merced Association of Governments (MCAG) and the Madera County Transportation Commission RTP/SCS and PEIR, the La Quinta TSM/TDM Study, Smart Growth studies including the Fresno General Plan Activity Center and Intensification Corridor Study and the Metro Rural Loop Study, which was incorporated into the preferred Blueprint Scenario for Fresno County, successful Sales Tax Measure Expenditure Plans and Outreach Programs for two Valley Counties (Fresno and Madera Counties), and the San Joaquin Growth Response Study, which was the first application of land use modeling tools in the San Joaquin Valley. Corridor studies led by Ms. Vivian include the Fresno-Madera East/West Corridor Study and the Tulare County East-West Corridor Study. Ms. Vivian has also participated in other corridor studies including the State Route 198 Corridor Study and the Cross Valley Corridor Plan for Tulare County Association of Governments. Ms. Vivian assisted with the implementation of the California High-Speed Rail Outreach Program for Segment 6 between Fresno and Lancaster during development of the EIR/Environmental Impact Statement (EIS) and was the project manager for the Caltrans Statewide Public Engagement Project which involved a wide variety of outreach efforts for transportation programs and projects for Caltrans Districts including application of environmental justice (EJ) outreach strategies. Finally, Ms. Vivian is currently responsible for preparation of Riverside County's first Long-Range Transportation Plan, continued update of the Measure "C" Implementation Plan, assisting with traffic analysis for the California High-Speed Rail Project between Bakersfield and Palmdale, was the project manager for the Fresno COG Circuit Planner program, led development of the Goshen Land Use and Transportation Study, and assisted with transportation issues and the outreach program for the Old Fig Garden Land Use and Transportation Study. Ms. Vivian is a leading transportation planner, transportation engineer, and public outreach specialist providing services throughout California and the western United States.



RICHARD W. LEE, PH.D., AICP – DIRECTOR OF INNOVATION AND SUSTAINABILITY

Mr. Lee will be an advisor to the study and will assist in the majority of work activities. He has over 30 years of experience as a transportation consultant and academic. His consulting experience includes management of Regional Transportation Plans, General Plan studies, rail and transit projects and smart growth transportation studies, as well as a wide variety of traffic impact analysis, travel demand management, and transportation policy studies. The majority of his recent work focuses on quantitative analysis of the transportation effects of the New Urbanism, including its efficacy in

promoting transit and alternative modes. Richard works extensively with local, regional and state agencies as well as private developers to analyze the effects of infrastructure and land development projects and to develop feasible alternatives that address issues of circulation and community needs. He has assisted Fresno COG, Madera County Transportation Commission, and five (5) other California Metropolitan Planning Organizations on Regional Transportation Plan/Sustainable Community Strategies and associated Environmental Impact Reports.

Richard has taught transportation planning and led major transportation research projects at several universities, including Massey University in New Zealand, UC-Berkeley, UC-Davis and San José State University. From 1999 – 2002 Dr. Lee taught transportation planning at Cal Poly San Luis Obispo. During that time, he served on SLOCOG, campus and City transportation committees. Currently a resident of Berkeley, he is very familiar with transportation planning issues and opportunities prevalent in university communities.



JASON ELLARD – TRANSPORTATION ENGINEER

Mr. Ellard has over 15 years of traffic engineering/design experience. Mr. Ellard specializes in traffic impact and circulation assessments and has completed numerous impact assessments in the cities of Fresno, Madera, Bakersfield, Shafter, and Indian Wells, and Fresno, Tulare, Madera, Riverside, San Joaquin, and Kern Counties. Mr. Ellard was instrumental in the completion of the traffic study for Fresno Council of Government's Golden State Corridor Economic Development Infrastructure Improvements Project. Mr. Ellard also completed the traffic study for the Fresno 40

Shopping Center Development located in the City of Fresno as well as the Vulcan Pink City Hot-Mix Asphalt Plant Development. Mr. Ellard was instrumental in the completion of the State Route 198 Corridor Study, the City of Hanford Downtown East Precise Plan, and the first three (3) phases of the Peach Avenue Widening Project in the City of Fresno. Mr. Ellard provided technical support for the Fresno Council of Governments 2018 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) and the Madera County Transportation Commission 2018 RTP/SCS. Mr. Ellard is currently leading efforts to prepare traffic, air, and noise impact assessments throughout the San Joaquin Valley and in Riverside and San Diego Counties for new development and new transportation projects and studies.



DENA GRAHAM – RESEARCH | OUTREACH SPECIALIST

With over 11 years of transportation planning and outreach experience, Ms. Graham provides services in the areas of public outreach, proposal and contract writing for planning, environmental and construction projects, marketing, and administrative resources. Currently, Ms. Graham is assisting with coordination of outreach meetings and events as well as outreach materials for the Fresno Council of Governments (Fresno COG) Transportation Network Vulnerability Assessment. She assisted with outreach

meetings and materials such as webpage design, project fact sheets and newsletters, and transit noticing for the



recently completed Tulare County Association of Governments Cross Valley Corridor Plan and the Madera County Transportation Commission Active Transportation Plan. Ms. Graham is currently serving as the technical editor for the Transportation Technical Report for the California High-Speed Rail Authority Bakersfield to Palmdale Draft Environmental Impact Report/Environmental Impact Statement. She has also assisted as the technical editor for the Fresno COG Long Range Transit Plan, Fresno COG 2014 and 2018 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) EIR, and the Madera County Transportation Commission 2014 and 2018 RTP/SCS' and EIRs. Ms. Graham assisted with the coordination of ***outreach materials and activities*** for the Statewide Public Engagement Contract with Caltrans, the City of Fresno Active Transportation Plan, the Atwater Merced Expressway, and the Manning Avenue Bridge Replacement Project. She assisted with the coordination of stakeholder meetings and the development of project fact sheets for the Metropolitan Bakersfield Long-Range Transit Plan project. She coordinated with the project manager on a \$50 million-dollar freeway contract funded through "Measure C" and was a ***member of the Outreach Team*** for the High-Speed Rail Authority. In addition, Ms. Graham assisted with development of the outreach program for the Metro Rural Loop project, with the draft synopsis reports for the San Joaquin Valley Blueprint Planning Program for Fresno and Madera Counties and with development of the San Joaquin Valley Blueprint Implementation Toolkit.

VRPA Support Staff includes: Reyna Castellanos, Bilingual Outreach Specialist; Hector Guerra, Technician/Research Assistant; and Technical | Research Interns.

Subconsultant – Provost & Pritchard Consulting Group



Sara Allinder, AICP, is a Senior Planner with Provost & Pritchard who has nearly 20 years of experience in both current and long-range planning. During her career she has been involved in and led the development of general plans updates as well as development code updates. She has also processed entitlement applications including Site Plan Reviews, Conditional Use Permits, Variances, Rezones, Plan Amendments, Subdivision Maps, Annexations, and Sphere of Influence Amendments as well as the associated environmental review and analysis. Ms. Allinder has also provided contract staffing for numerous local planning agencies.



Brynae Emerzian is an assistant planner at Provost & Pritchard with a Bachelor of Science degree in City and Regional Planning from California Polytechnic State University, San Luis Obispo. She comes to Provost and Pritchard after having spent over six years working as a designer with a private single and multifamily residential developer. Her experience in the private development industry, her experience researching best practices for land development, and her design background brings a unique perspective to all projects she works on. Brynae provides excellent service under high pressure timelines while maintaining client satisfaction.



Comprehensive Client List

A comprehensive client list identifying the specific projects worked on within the past five years can be found in the Appendix.

Resumes

Resumes for VRPA Team key staff can be found in the Appendix following the required attachments noted in the RFP.

Budget and Cost Breakdown

The proposal budget on the following page of this proposal provides generalized hours for each work plan task.





Detailed Project Budget by Task

VRPA CONSULTANT TEAM TASK BUDGET	TOTAL HOURS	TOTAL LABOR COSTS	TOTAL EXPENSES	TOTAL BUDGET	VRPA Technologies, Inc.									Prevost & Pritchard Consulting Group					
					Georgiana Vivian, President- Project Manager	Richard Lee, Ph.D., Director of Innovation and Sustainability	Dena Graham, Outreach/Research Specialist	Jason Ellard, Project Engineer	Bilingual Outreach/ Support Staff	Firm Hours	Firm Labor	Firm Expenses	Firm Budget	Sara J. Allinder, AICP, Senior Planner	Brynee Emerjian, Assistant Planner	Firm Hours	Firm Labor	Firm Expenses	Firm Budget
					\$307.65	\$183.32	\$136.96	\$133.64	\$85.00					\$172.00	\$81.00				
0 Project Management	13	\$ 2,234.70	\$ 100.00	\$ 2,334.70	2	1	8	0	0	11	\$ 1,894.70	\$ 50.00	\$ 1,944.70	2	0	2	\$ 340.00	\$ 50.00	390.00
1 Project Kick-off	10	\$ 2,278.04	\$ 100.00	\$ 2,378.04	4	2	0	0	0	6	\$ 1,598.04	\$ 50.00	\$ 1,648.04	4	0	4	\$ 680.00	\$ 50.00	730.00
2 Preliminary Tasks	58	\$ 6,646.10	\$ 150.00	\$ 6,796.10	2	8	4	0	24	38	\$ 4,670.10	\$ 100.00	\$ 4,770.10	4	18	20	\$ 1,976.00	\$ 50.00	2,026.00
3 Collect Local Data	62	\$ 7,054.66	\$ 150.00	\$ 7,204.66	2	4	4	6	24	40	\$ 4,738.66	\$ 100.00	\$ 4,838.66	6	16	22	\$ 2,316.00	\$ 50.00	2,366.00
4 Address Program Goals	28	\$ 3,863.96	\$ 150.00	\$ 4,013.96	4	2	2	0	4	12	\$ 2,211.96	\$ 100.00	\$ 2,311.96	4	12	16	\$ 1,652.00	\$ 50.00	1,702.00
5 Address Policy Linkages	22	\$ 2,924.26	\$ 150.00	\$ 3,074.26	2	2	2	0	4	10	\$ 1,596.26	\$ 100.00	\$ 1,696.26	4	8	12	\$ 1,328.00	\$ 50.00	1,378.00
6 Address Implementation Measures	64	\$ 9,564.10	\$ 150.00	\$ 9,714.10	10	8	2	8	12	40	\$ 6,908.10	\$ 100.00	\$ 7,008.10	8	16	24	\$ 2,656.00	\$ 50.00	2,706.00
7 Conduct Public Outreach	86	\$ 10,941.32	\$ 950.00	\$ 11,891.32	12	2	2	4	68	88	\$ 8,949.32	\$ 800.00	\$ 9,749.32	6	12	18	\$ 1,992.00	\$ 150.00	2,142.00
8 Administrative/Draft/Final Plan	50	\$ 7,259.34	\$ 330.00	\$ 7,589.34	6	8	8	0	12	34	\$ 5,429.34	\$ 280.00	\$ 5,709.34	6	10	16	\$ 1,830.00	\$ 50.00	1,880.00
TOTAL:	393	\$ 52,766.48	\$ 2,230.00	\$ 54,996.48	64	37	32	18	128	258	\$ 37,996.48	\$ 1,680.00	\$ 39,676.48	44	90	134	\$ 14,770.00	\$ 550.00	\$ 15,320.00



Summary of Qualifications and Relevant Project Experience

Prime Consultant VRPA Technologies, Inc.



VRPA Technologies, Inc. uniquely combines engineering expertise and professionalism with creative thinking and innovative problem solving. The result is extraordinary transportation engineering and

planning firm that possesses the essential expertise as well as the ability to look across disciplinary boundaries for solutions others may overlook. This innovative approach is evident by the expanse of services available to VRPA Technologies diverse clientele, which includes both the public and private sectors consisting of state governments, regional agencies, counties, and cities, as well as private planning/engineering firms. Each client receives what VRPA Technologies is known for...on time, on target, on budget professional service.

VRPA Technologies, Inc. offers comprehensive consulting services throughout California and other Western States. Specialized fields of service include transportation planning/modeling, circulation and traffic engineering analysis, transportation demand and systems management, infrastructure financial planning, Intelligent Transportation Systems (ITS) planning and integration, as well as mass transportation, bicycle, non-motorized, and aviation planning and design. Furthermore, VRPA Technologies, Inc. has extensive experience in public outreach, land use modeling, regional housing needs assessment, environmental analysis, and air quality and noise planning and modeling. VRPA has been very successful with development of complicated and controversial transportation projects because we also handle the public outreach components for those same projects with well-seasoned staff from around the State. In a position to utilize this broad experience base is an energetic staff equipped with the necessary tools and "can do" attitude to ensure a successful outcome to every challenge undertaken.

The staff of VRPA Technologies, Inc. has accumulated over one hundred and twenty-five (125) years of professional planning and engineering experience. From this existing experience base, VRPA Technologies continuously seeks to further expand the experience level of the firm and its staff. VRPA Technologies, Inc. prides itself on a desire to tackle unique projects from an innovative angle. One such specialized experience is VRPA's unique capability to convey technical engineering and planning information to the general public and political stakeholders. VRPA Technologies conducts all public outreach activities in-house and often

Consulting Services Offered

Transportation Planning

- ◆ Long-Range Transportation Plans
- ◆ Transportation and Land Use Integration Plans
- ◆ Mobility Elements
- ◆ Parking Studies
- ◆ Senate Bill 743 Analysis
- ◆ Transit Planning and Design

Traffic Engineering

- ◆ Preparation of Traffic Impact Studies & Assessments
- ◆ Vehicle Miles Traveled Analysis
- ◆ Congestion Management Programs
- ◆ Intelligent Transportation Systems
- ◆ Traffic Signal Timing and Design
- ◆ Bus Rapid Transit Planning and Design

Public Outreach

- ◆ Public outreach and education programs for transportation projects, plans and programs

Environmental Assessment

- ◆ Environmental documents for transportation projects (all modes)
- ◆ Greenhouse gas emission modeling and assessment for environmental documents



serves as a sub-consultant to other transportation firms for small and large projects.

VRPA Technologies, Inc. is always committed to providing continuous and direct consulting services to its clients and understands that the ability to respond to the immediate needs of its clients is often the key to a successful client/consultant relationship, resulting in viable projects of high quality.

Georgiena Vivian, President/Principal, founded VRPA Technologies, Inc. in 1988. Under Ms. Vivian’s leadership, the firm has completed over 1,000 successful transportation planning/modeling, environmental, air quality planning, engineering and Intelligent Transportation Systems (ITS) projects. With over forty-six (46) years of transportation planning, traffic engineering, public outreach, housing and land use planning, and environmental planning experience, Ms. Vivian has an unmatched knowledge of the transportation, planning and political environment in the Southern California and San Joaquin Valley regions. Ms. Vivian’s capabilities in meeting client needs and finishing projects on budget and schedule is demonstrated through successful completion of projects ranging from large regional transportation plans with large public outreach components and technical environmental assessment to small development traffic and environmental impact assessment projects for local Cities and Counties where communication and outreach to the public and various stakeholders is critical to the success of the project.

VRPA Technologies is a registered Disadvantaged Business Enterprise (DBE) under the California Unified Certification Program, certified as a Women Business Enterprise (WBE), qualifying as an Under-Utilized Disadvantaged Business Enterprise (UDBE), and is also a State of California Small Business/Microbusiness.

Work activities for VRPA will be managed out of the firm’s following locations:

Corporate Headquarters	Satellite Office	Satellite Office
4630 W. Jennifer, Suite 105 Fresno, CA 93722 (559) 271-1200	2625 Piedmont Avenue Berkeley, CA 94704 (510) 387-0996	1060 Penelope Court Lakeport, CA 95453 (707) 263-1735

VRPA has completed similar work for several public agencies, references for these work activities are listed below. Relevant project experience can be found on the following pages and also include references for the work performed.

References		
Rob Terry, Community Development Director City of Reedley 1733 Ninth Street Reedley, CA 93654 (559) 637-4200 Ext. 286 Rob.terry@reedley.ca.gov	Tony Boren, Executive Director Fresno Council of Governments 2035 Tulare Street, Suite 201 Fresno, CA 93721 (559) 233-4181 tboren@fresnocog.org	Hector Guerra, Chief Environmental Planner Tulare County Resource Management Agency 5961 S. Mooney Boulevard Visalia, CA 93277 (559) 624-7121 hguerra@co.tualre.ca.us



Relevant Project Experience

Fresno Council of Governments, Circuit Planner Services - Reedley Bicycle and Pedestrian Mobility Plan - Reedley, California

VRPA Technologies, Inc. (VRPA), through the Fresno Council of Governments (Fresno COG) Circuit Planner Program, assisted the City of Reedley with development of its Bicycle and Pedestrian Mobility Plan, an update to the City’s 2010 Bicycle Transportation Plan. The Mobility Plan considered existing policies, plans, and implementation programs contained in the 2010 Bicycle Transportation Plan and General Plan along with policies, plans and implementation programs contained in the recently approved Fresno County Regional Active Transportation Plan (ATP). In addition, VRPA reviewed other needed policies, facility designations, and funding and implementation programs and strategies to prepare a comprehensive Plan Update that would address the pedestrian and bicycle facility needs of the City of Reedley.



**Fresno Council
of Governments**

Project Reference: Meg Prince, Associate Regional Planner, Fresno Council of Governments, 2035 Tulare Street, Suite 201, Fresno, CA 93721, (559) 233-4148, mprince@fresnocoog.org

County of Madera, Traffic Impact Fee Program – Madera County, California

VRPA Technologies was responsible for the update of the County of Madera Traffic Impact Fee Program, which included both State Route (SR) 41 and County of Madera roadway facilities. The update of the Fee Program was necessary to address changes in land use and development patterns and to reflect changes in the traffic model. The update involved the identification and prioritization of transportation improvements within the unincorporated areas of the County, engineering cost estimates for priority projects, and review and update of the fee structure.



Project Reference: Jared Carter, Deputy Public Works Director – Capital Improvement Projects Division, County of Madera, 200 W. 4th Street, Madera, CA 93637, (559) 675-7811, jcarter@co.madera.ca.gov

City of Oceanside, Thoroughfare and Traffic Signal Fee Program – Oceanside, California

VRPA Technologies prepared a traffic impact fee study to update the City of Oceanside’s Thoroughfare and Traffic Signal Fee Program. In addition to updating the fee program for current conditions, the study included an evaluation of key issues such as pass-by trips and an equitable distribution of fees between commercial and residential developments. The study used SANDAG Series 13 land use projections as the basis of future land use forecasts and the City’s Circulation Element as the basis for needed roadway improvements. VRPA Technologies reviewed each potential roadway improvement in the field and made recommendations to the City on issues of feasibility and priority. Detailed cost estimates were prepared by VRPA in association with civil engineering design subconsultant, NV5. Comparisons were made between previous Oceanside fee programs and the fee programs of neighboring jurisdictions in order to ensure a reasonable level of fees from the point of view of the development community. The study’s final report included documentation of relevant state laws relating to fee programs.

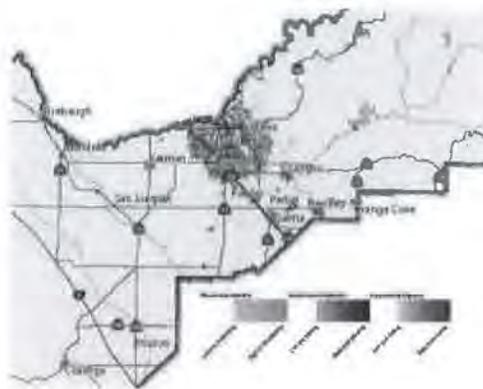




Project Reference: David DiPierro, City Traffic Engineer, City of Oceanside, 300 North Coast Highway, Oceanside, CA 92054, (760) 435-5114, ddi pierro@ci.oceanside.ca.us

1978 through 1988 Regional Transportation Plans (RTPs), 1978 through 1988 and 1994; including Environmental Impact Report (EIR) for the 1994 RTP, 2004 RTP Assistance and 2004 RTP EIR, 2006 Measure "C" Extension Expenditure Plan EIR, 2007 RTP EIR, 2011 RTP Subsequent EIR, 2014 RTP Sustainable Communities Strategy (SCS) EIR, 2018 RTP/SCS Program EIR, and Project Prioritization Program for Various RTP and Measure "C" Multimodal Candidate Project Listings – Fresno County, California

VRPA staff was responsible for preparing the Regional Transportation Plans between 1978 and 1988 during employment with Fresno COG. VRPA Technologies was retained to develop the Environmental Impact Report (EIR) for the 1994 Regional Transportation Plan (RTP), assisted with development of technical analysis incorporated into the 2004 RTP and prepared the 2004 RTP EIR. VRPA prepared the 2006 Measure "C" Extension Expenditure Plan and EIR, the 2007 RTP EIR, and the 2011 RTP EIR. The 2007 and 2011 RTP EIRs addressed requirements set forth in Assembly Bill (AB) 32. VRPA also prepared the 2014 and 2018 RTP SCS EIR including the newly required SCS component addressing state law requiring greenhouse gas emission reduction targets established by the California Air Resources Board. The documents were prepared in accordance with CEQA and



federal transportation and air quality requirements. Alternatives were assessed in terms of possible constraints on the environment and the ability of each alternative to meet State and federal Air Quality Conformity requirements.

VRPA Technologies also assisted Fresno COG staff with development of the Project Prioritization Methodologies for various RTPs and for the Measure "C" Expenditure Plan Project Listings. Finally, VRPA was involved with related Public Involvement Processes and directly participated in presenting the documents at public workshops held throughout the County. VRPA Technologies also attended and participated in RTP Steering Committee and Measure "C" Advisory Committee meetings to establish methodologies, procedures, and

directives related to the RTPs, the Measure Expenditure Plan and the EIRs. In addition, VRPA Technologies also assisted Fresno COG staff with development of public hearing materials and presentation formats.

Project Reference: Tony Boren, Executive Director, Fresno Council of Governments, 2035 Tulare Street, Suite 201, Fresno, CA 93721, (559) 233-4148, tboren@fresnocog.org.



Subconsultant – Provost & Pritchard Consulting Group

Provost & Pritchard Consulting Group (Provost & Pritchard) began a tradition of excellence in 1968. Over the course of 50 years, Provost & Pritchard has continued to expand the types of services we offer and the reach of our skilled staff with office locations throughout California, including Fresno, Clovis, Visalia, Bakersfield, Los Banos, Merced, Modesto, Sacramento, and Chico. With nearly 190 employees, our staff is diverse in its specialties and includes land use and environmental planners, civil and agricultural engineers, geologists and hydrogeologists, water resources specialists, environmental engineers, Geographic Information System specialists, land surveyors, construction managers and field representatives, and support personnel. This broad range of specialties equips us to better serve our clients in the Central Valley and beyond.

Provost & Pritchard's success relies in part on our approach to project management, which is integrated into each project we take on. Our approach focuses on the following key aspects:

- ✓ **Open Lines of Communication.** Listening to our clients, understanding their needs, and providing efficient and innovative solutions is our priority. We work diligently with not only our clients, but also with decision-makers, applicants, and other agencies to ensure that the needs and requirements of all projects are addressed.
- ✓ **Proactive Project Management and Issue Identification.** Our staff keeps projects organized and moving forward. We pride ourselves on our ability to meet or exceed client expectations, satisfy project objectives, and complete projects on time and within budget. Key to this success is proactive project management, where issues that may arise are identified early so an appropriate solution or change of course can be discussed with our client, minimizing surprises over the life of a project.
- ✓ **Coordinated Work Assignments and Team Management.** Our team approach to project management identifies a primary project manager with relevant experience suited to the needs of the project. Each project manager is supported by an integrated team of experts, allowing us to provide our clients with a cohesive, informed team that offers smooth and timely assistance.

Provost & Pritchard has one of the largest planning teams in the San Joaquin Valley with planners located in our Fresno, Visalia, and Bakersfield offices. While we understand the issues facing the San Joaquin Valley, much of our experience extends beyond the Valley, which provides us with additional perspectives and experiences that can enhance any project regardless of location. Most of our planners have experience working for public agencies, either through direct employment or as contract staff in addition to working with public agencies on behalf of our private clients. Provost & Pritchard's present and past project performance demonstrates that our dedicated team of planners is well-qualified to provide an outstanding level of planning services to our clients in local agency contract planning, long-range planning and implementation, and environmental document preparation.



Relevant Project Experience

City of Fowler, General Plan Update – Fowler, California

The City of Fowler has initiated its first comprehensive update to the General Plan since 1976. While some elements including Land Use, Circulation and Economic Development were updated or added in 2004, the City has not updated many of the existing elements in over 40 years. Considerations during the update process include a potential expansion of the planning area boundary to include an additional 750 acres as well as compatibility with current City priorities. The General Plan will be updated for consistency with state requirements for topics including air quality, flood mapping, fire hazards, military planning, environmental justice, and climate adaptation. The update effort also includes development of an implementation work plan and preparation of the associated environmental impact report.

Project Reference: Jeannie Davis, City Manager, City of Fowler, 128 S. 5th Street, Fowler, CA 93625, (559) 834-3113, jdavis@ci.fowler.ca.us

County of Mariposa, Strategic Implementation Work Plan – Mariposa County, California

The County of Mariposa initiated preparation of a Strategic Implementation Work Plan to prioritize and guide implementation of the 190 implementation measures identified in the General Plan. The Work Plan established a framework for how the implementation measures can be executed through specific work tasks, organized to reflect County priorities by fiscal year over a five-year time frame. The process for developing the Work Plan included critical discussions with and input from decision-makers about the scope of resources needed to implement the General Plan and how to prioritize those resources in a way that reflects the priorities of the County. The Work Plan is used by County staff and decision-makers to inform scheduling of staff resources, identify the need to augment staff with outside consultant services, and inform their budget planning process. The Work Plan also included a mechanism to efficiently monitor and report progress toward completion of specific work tasks. The Mariposa County General Plan Strategic Implementation Work Plan received the APA Central Section Best Practice Award for 2018.

Project Reference: Sarah Williams, Planning Director, Mariposa County, 5100 Bullion Street, Mariposa, CA 95338, (209) 742-1215, swilliams@mariposacounty.org

City of Taft, General Plan Update (Focused) – Taft, California

Provost & Pritchard staff prepared a focused update to the City of Taft General Plan, including revisions in the planning area boundaries and updates in response to recent state legislative requirements for general plans. The efforts also included preparation of a Climate Action Plan and an Addendum to a previously certified Program Environmental Impact Report.

Project Reference: Mark Staples, Director, City of Taft Planning & Development Services, 209 E. Kern Street, Taft, CA 93268, (661) 763-1221, mstaples@cityoftaft.org



Appendix



Comprehensive Client List



Comprehensive Client List

PROJECT #	PROJECT NAME	CLIENT
Year 2015		
15-011	Tehachapi Boulevard Intersection Improvements	City of Tehachapi
15-012	Love's Travel Center Recirculated DEIR and TIS Peer Review	Tom Terpstra
15-013	Interstate 5/SR-41 Interchange TIS (Kettleman City)	County of Kings
15-014	Children's Hospital Traffic Signal Warrant	Children's Hospital Central California
15-015	SJCOG Regional Transit Systems Plan (RTSP)	San Joaquin Council of Governments
15-016	Love's Travel Center EIR Project, Traffic Impact Study - Madera	City of Madera
15-016-01	Love's Travel Center EIR Project, Additional Analysis	City of Madera
15-017	Sequoia Gateway Commerce & Business Park	Tulare County Resource Management
15-018	Millerton Campus Project Senate Bill 743 Analysis	Granville Homes
15-019	Dave & Busters Family Entertainment Center Project Review	Tom Boland
15-020	MCTC Technical Planning/Modeling On-Call Services	Madera County Transportation Commission
15-020-01	MCTC Transportation Model Work Program	Madera County Transportation Commission
15-020-02	2014 RTP/SCS EIR Amendment	Madera County Transportation Commission
15-021	La Media Road Widening	City of San Diego
15-022	Valley Boulevard Bikeway	City of Tehachapi
15-023	Cabins at Tenaya Lodge Traffic Impact Study	Mariposa County
15-024	SANBAG CMP	San Bernardino Associated Governments
15-024-01	SANBAG CMP - Congestion Monitoring Tool Task 3.1 Data Collection	San Bernardino Associated Governments
15-025	SANDAG On-Call Modeling	San Diego Association of Governments
15-025-01	SANDAG Model Pricing Enhancements	San Diego Association of Governments
15-025-02	SANDAG Commercial Vehicle Model	San Diego Association of Governments
15-025-03	SANDAG Beach Surveys	San Diego Association of Governments
15-025-04	SANDAG Activity Based Model Calibration	San Diego Association of Governments
15-025-05	SANDAG Activity Based Model 2 Support	San Diego Association of Governments
15-026	Ohio DOT 2 Lane Operational Study	Ohio Department of Transportation
15-027	CA State Bicycle & Pedestrian Plan	Caltrans
15-028	Connected Corridors Program	Caltrans
15-029	Yosemite Plaza - Planning Level Cost Estimates	Yosemite Plaza Development
15-030	Friant Audubon Signal Plan Modification	Zinik
15-031	Low Income Weatherization Program	Fresno Economic Opportunities Commission
15-032	Fresno CDG Circuit Planner Services	Fresno Council of Governments
15-032-01	Dinuba Interchange Traffic Analysis	Fresno Council of Governments
15-032-02	Regional ATP Assistance	Fresno Council of Governments
15-033	Merced HSR Station Area Plan	City of Merced
15-034	National City Marina Land Use Plan	City of National City
15-035	Alameda CTC 2016 Countywide Transportation Plan	Alameda County Transportation Commission



Comprehensive Client List

PROJECT #	PROJECT NAME	CLIENT
Year 2016		
16-011	Save Mart Traffic Impact Study - Merced	City of Merced
16-012	City of Fresno ATP-BMP	City of Fresno
16-013	D1 On-Call Environmental Services	Caltrans, District 1
16-014	Van Cleave Project Traffic Technical Report	John Koster
16-015	Review of Omni Means TIS	Znkin
16-015-01	Omni Means Technical Memorandum Caltrans Improvements - Foxglove Commercial Project	Znkin
16-016	Madera County Safety Sales Tax Initiative	Madera County
16-017	MCTC Fastlane Grant Application	Madera County Transportation Commission
16-018	D2 & D3 Caltrans On-Call Environmental Services	Caltrans, District 2 & 3
16-018-01	SR 32 Roundabout Project	Caltrans, District 2 & 3
16-019	San Francisco Airport Commission Proposal Review	GO Lorie's Shuttle
16-020	Earlmar Community Plan Update - Traffic Circulation Impact Assessment	Tulare County Resource Management
16-021	Three Rivers Community Plan Update - Traffic Circulation and Noise Impact Assessment	Tulare County Resource Management
16-022	Kaweah Delta Health Care MND	City of Visalia
16-023	Granite's Coalinga Expansion Project Traffic Scoping Memorandum	Granite Construction Company
16-024	MCTC TIGER Grant Application	Madera County Transportation Commission
16-026	Fresno COG 2015 Congestion Management Process	Fresno Council of Governments
16-026-01	CMP Steering Committee Meeting	Fresno Council of Governments
16-026-02	CMP Volumes Data NPMRDS Arterial Network	Fresno Council of Governments
16-027	Mission Valley Community Plan	City of San Diego
16-027-01	MV Roadway Cost Estimates	City of San Diego
16-028	TCAG Tulare/Kings Regional HST Station Area Planning Project	Tulare County Association of Governments
16-029	Coast Highway Bridge Replacement Project	City of Oceanside
16-029-01	Traffic Analysis Report	City of Oceanside
16-030	V-5 Mini Storage Commercial Project	City of Selma
16-031	PG&E, Mod 4 Prime Contract 440010327 (see individual task orders)	PG&E
16-031-01	Midway-Andrew Central California Power Connect PEA	PG&E
16-032	HSR Construction Package 2-3 Traffic Study	California High-Speed Rail Authority
16-033	TCAG Intelligent Transportation Systems (ITS) Strategic Plan	Tulare County Association of Governments
16-034	Bayshore Bikeway Segment 6B - Lighting Design	San Diego Association of Governments, Contract 5001914
16-035	Gossamer Grove TIS	Lennar
16-036	HSR Mountain View Avenue Traffic Analysis	California High-Speed Rail Authority
16-037	Varsity Avenue Striping Plan Peer Review	City of Arvin
16-038	CUSD Proposed Elementary Site TIS	Central Unified School District
16-039	Fresno Parks Master Plan Update	City of Fresno
16-040	Smart Growth SR 41 Corridor Improvement Plan	County of Kings
16-041	Varsity Avenue Traffic Control Plan Submittal Review	City of Arvin
16-042	First Solar Task Orders	First Solar



Comprehensive Client List

PROJECT #	PROJECT NAME	CLIENT
Year 2016		
16-042-01	Little Bear Solar Traffic Technical Report	First Solar
16-043	MCTC FASTLANE Grant Reapplication	MCTC
16-044	Highway 41/Road 209 Mini-Mart Development TIS	Madera County Hardeep Gahunia
16-045	MTC Goods Movement Efficiency	Metropolitan Transportation Commission
16-045-01	MTC Goods Movement Task Order No. 1	Metropolitan Transportation Commission
16-045-02	MTC Goods Movement Task Order No. 2	Metropolitan Transportation Commission
16-046	MCTC Active Transportation Plan	Madera County Transportation Commission
Year 2017		
17-011	Arco Gas Station Development - Traffic Impact Study	Millennium Acquisitions LLC
17-012	Front Road at Shepherd Avenue Traffic Signal Modification Design Plan	Zinkin
17-013	County of Madera Traffic Impact Fee Program	County of Madera
17-014	City of Stockton Bicycle Master Plan	City of Stockton
17-015	San Joaquin Valley Air Quality Planning and Coordination	San Joaquin Council of Governments
17-016	Fresno COG Supplemental EIR for the 2018 RTP/SCS	Fresno Council of Governments
17-017	Rincon Fire Station TIS	California Department of General Services
17-018	Mid City Transit Signal Priority	SANDAG
17-019	MCAG 2018 RTP/SCS EIR	MCAG
17-020	Fresno COG Long Range Transit Plan	Fresno Council of Governments
17-021	Fresno EOC LIWP Solar PV Program Report	Fresno Economic Opportunities Commission
17-022	MCTC 2018 RTP and EIR	Madera County Transportation Commission
17-023	Fresno COG Active Transportation Plan	Fresno Council of Governments
17-024	Delano Long Range Transit Plan	City of Delano
17-025	RCTC Long Range Transportation Plan	Riverside County Transportation Commission
17-026	City of Salina Active Transportation Plan	City of Salina
17-027	El Monte Economic Vitality & Community Sustainability Plan	City of Dinuba
17-028	Redfield Subdivision	
17-028-01	Redfield Subdivision Traffic Impact Study	Ronald Redfield
17-028-02	Redfield Subdivision Noise Study Report	Ronald Redfield
17-029	Fresno COG 2018 RTP Call for Project Evaluation Process	Fresno Council of Governments
17-030	FAX Fixed Route Public Involvement	City of Fresno
17-031	Gossamer Grove TIS	Lennar Corporation Central Valley
17-032	Table Mountain Casino Relocation Traffic Impact Analysis	Analytical Environmental Services
17-033	Millerton Southwest Triangle Traffic Impact Study	Bonadelle Neighborhoods
17-034	Ziplines at Terraya Lodge Traffic Impact Study	Mariposa County
17-035	Reedley Health Clinic Annexation Project	City of Reedley
17-035-01	Reedley Health Clinic Air Quality Impact Assessment	City of Reedley
17-035-02	Reedley Health Clinic Traffic Impact Study	City of Reedley
17-036	KART Transit Station Site Selection Study	Kings County Association of Governments
17-037	Goshen Community Plan Update - Traffic Circulation Impact Assessment	Tulare County RMA
17-038	Three Rivers Hotel Project - Traffic Impact Study	Gautam Patel
17-039	Sessions Family Foundation AQ/GHG IA	City of Chowchilla



Comprehensive Client List

PROJECT #	PROJECT NAME	CLIENT
Year 2018		
18-011	Granite Construction On-Call Traffic Analysis	Granite Construction Company
18-012	Kings Canyon & Argyle Technical Memo	Law Offices of DeWayne Zinkin
18-013	Surf Ranch Noise Study Report (Kings County)	Kelly Slater Wave Company
18-014	Surf Ranch Air Quality/Greenhouse Gas Impact Analysis (Kings County)	Kelly Slater Wave Company
18-015	Castle Family Health Care Center	Merced County
18-015-01	Family Health Centers Traffic Assessment	Merced County
18-015-02	Castle Family Health Centers GHG/Climate Change Assessment	Merced County
18-016	San Diego VMT Fee	City of San Diego
18-017	Technical Memo for the Park Crossings Trip Generation Assessment	Law Offices of DeWayne Zinkin
18-018	Southern Blackstone Avenue Smart Mobility Plan	City of Fresno
18-019	Rio Mesa Network Analysis	County of Madera
18-020	Tract 8199 Grantland & Ashlan Noise Study	City of Fresno
18-021	Coalinga Speed Study	City of Coalinga
18-022	Fagundes Brothers General Plan Amendment Traffic Impact Study	Fagundes Brothers
18-023	SANDAG TDM TSM Toolbox	San Diego Association of Governments
18-024	SANDAG I-805 TSMO	San Diego Association of Governments
18-025	Surf Ranch Noise Monitoring	Kelly Slater Wave Company
18-026	City of Selma ATP Outreach	City of Selma
18-027	Whitmore Ranch Specific Plan Traffic Analysis Review	City of Ceres
18-028	Carlsbad Engineering Review Services	City of Carlsbad
18-029	Murieta General Plan Update	City of Murieta
18-030	Chowchilla Tank Air Quality/Greenhouse Gas Impact Analysis	City of Chowchilla
18-031	San Joaquin Valley Homes Residential Subdivision, TIS	City of Hanford
18-032	Surf Ranch Noise Monitoring WSL Surf Ranch Pro Event	Kelly Slater Wave Company
18-033	Lindsay and Farmersville Station Plan	Tulare County Association of Governments
18-034	Planada Wastewater Air Quality/Greenhouse Gas Impact Analysis	Planada Community Services District
18-035	SR 60 Truck Lanes Traffic Analysis	Riverside County Transportation Commission
18-036	Tree Fresno Community Landscape Plans	Fresno Council of Governments
18-037	Pacific Rock Quarry Expansion	Ventura County
18-038	Mendota Transloading Yard	Superior Soil Supplements
18-039	Tulare County Community Plan Updates	
18-039-01	Poplar-Cotton Center Community Plan Update Traffic Circulation Impact Assessment	Tulare County RMA
18-039-02	Ivanhoe community Plan Update Traffic Circulation Impact Assessment	Tulare County RMA
18-039-03	Cutler-Orosi Community Plan Update Traffic Circulation/Noise Impact Assessment	Tulare County RMA
18-040	MCTC 2018 On-Call Technical Services	Madera County Transportation Commission
18-041	Whitmore Ranch Specific Plan Final EIR/Traffic Analysis Review	City of Ceres
18-042	G & J Heavy Haul Truck Yard TTR - Kings County	G & J Heavy Haul
18-043	Yosemite Avenue Commercial Project	City of Madera
18-044	Lindsay Well Site Project AQIA	City of Lindsay



Comprehensive Client List

PROJECT #	PROJECT NAME	CLIENT
Year 2019		
19-011	St. Rita's Church Traffic Memorandum	
19-012	Fresno COG Transportation Network Vulnerability Assessment	Fresno Council of Governments
19-013	Deer Creek Rock Co. Expansion	Jaxon Enterprises
19-013-01	Deer Creek Rock Traffic Impact Study	Jaxon Enterprises
19-013-02	Deer Creek Rock Noise Study Report	Jaxon Enterprises
19-014	Little Bear Construction Traffic Management Plan	First Solar
19-015	Woodville Landfill Expansion	Tulare County RMA
19-015-01	Woodville Landfill Expansion Traffic Impact Study	Tulare County RMA
19-015-02	Woodville Landfill Expansion Noise Study Report	Tulare County RMA
19-016	Ewell White Fox Creek Traffic Evaluation	Ginder Development Company
19-017	Ewell Figarden Traffic Evaluation	Central Green Company
19-018	Crown Homes Development Traffic Impact Study	City of Madera
19-019	Madera County HSR Wye	Benchmark Resources
19-020	City of Fresno Commercial Cannabis EIR	City of Fresno
19-021	Goetz Road Improvements Traffic Engineering Design Services	City of Perris
19-022	Kings Canyon & Argyle Rezone Plan Amendment Traffic Impact Study	Law Offices of DeWayne Zinkin
19-023	Franklin County Water District Sewer Rehabilitation Project	County of Merced



Team Key Personnel Resumes



Georgiena M. Vivian

President

Professional Summary

Georgiena Vivian, President founded VRPA Technologies in 1988. Prior to founding VRPA, Ms. Vivian was employed by Fresno Council of Governments (Fresno COG) between 1978 and 1988. While with Fresno COG, Ms. Vivian was responsible for regional planning programs and studies. With over 46 years of experience in transportation planning and financing, congestions management, traffic engineering, transportation demand management and transportation systems management (TDM/TSM) activities, intelligent transportation systems (ITS) planning, sustainable communities planning, environmental planning, air quality, climate change, noise analysis and extensive public outreach. Ms. Vivian's experience also includes the preparation of regional and local transportation plans including Congestion Management Programs, County Blueprint Programs, local and regional land use and transportation Smart Growth studies, and associated outreach programs. In addition, Ms. Vivian has prepared numerous engineering, planning and outreach programs for regional planning projects.

Project Experience

- **Fresno Council of Governments, Circuit Planner Services – Reedley Bicycle and Pedestrian Mobility Plan:** Assisted the City of Reedley with development of its Bicycle and Pedestrian Mobility Plan, an update to the City's 2010 Bicycle Transportation Plan (BTP). The Mobility Plan considered existing policies, plans, and implementation programs contained in the City's 2010 BTP and the recently approved Fresno County Regional Active Transportation Plan (ATP). VRPA also reviewed other needed policies, facility designations, and funding and implementation programs and strategies to prepare a comprehensive Plan Update that would address the pedestrian and bicycle facility needs of the City of Reedley.
- **Fresno Council of Governments, Regional Transportation Plan (RTP), Measure C Sales Tax Measure Plan, and Associated RTP/SCS and Measure C Expenditure Plan Environmental Impact Reports (EIRs):** Assisted and/or led development of the 1978 through 2014 RTPs and associated EIR documents; developed the 2018 Supplemental EIR; developed the 2006 Measure C Expenditure Plan and EIR, as well as Measure C Handbooks and the Implementation Plan. Documents prepared conformed to regional State and federal transportation, air quality requirements; SCS, and CEQA requirements/guidance. Led development of prioritization criteria and methodologies for all modes of transportation and led or assisted with the public involvement process and Steering Committee meetings.
- **Manning Bridge Replacement:** As a subconsultant to Quincy Engineering, led the Community Outreach Program to address resident and business issues during construction activities; was responsible for the development of a project webpage for the City of Reedley website; the webpage included project and timeline information, construction advisories, and an area for stakeholders to provide comments; prepared and distributed letters to property owners; developed noticing in English and Spanish which were distributed using the City's automated messaging service; prepared and distributed commuter alerts and public service announcements via Eblast to the Project's media listing.

- **Fresno County Transportation Authority, 1988, 2002, 2004 and 2006 Measure “C” ½% Sales Tax Expenditure Plan and Environmental Impact Report, Measure “C” Outreach Program, Measure “C” Extension Handbooks and Strategic Implementation Plan:** Responsible for the development of the 1988 Measure “C” Expenditure Plan and corresponding 2002 Extension Plan; developed the 2004 and 2006 Measure “C” Expenditure Plan and Environmental Impact Report (EIR) in accordance with CEQA, federal transportation, and air quality requirements; assisted with the development of the Public Outreach and Involvement process and presented Plan and EIR related information at public workshops throughout Fresno County; attended, participated and assisted with facilitation of Expenditure Plan Steering Committee meetings; assisted with the development of public hearing materials and presentation formats; developed Handbook guides for implementation of the Expenditure Plan Programs, Subprograms, and Categories; currently assisting with the Strategic Implementation Plan update.
- **San Joaquin Valley Blueprint Outreach Program:** Multi-county, multi-agency effort with the ultimate goal of incorporating the counties’ recommendations into the Valleywide Blueprint Plan with the intention of preserving and improving the quality of life of the San Joaquin Valley to 2050; engaged communities in a vision process which was then incorporated into the valleywide vision; assisted with the land use and transportation modeling components of the Studies; drafted the framework for the San Joaquin Valley Blueprint Toolkit which when completed will assist the involved counties with implementation of the 12 Valleywide Blueprint Growth Principles.
- **Goshen Transportation and Community Plan:** As the lead firm, developed the Transportation and Community Plan (Plan) for the community of Goshen; utilized a collaborative approach to address pedestrian and transportation deficiencies; explored options to improve pedestrian and traffic safety, evaluated impacts of major transportation projects, and determined appropriate land use patterns; led community outreach, visioning and solution process; conducted two stakeholder meetings, a community survey and three community workshops.
- **Riverside County Transportation Commission, Long-Range Transportation Plan:** Analyzing Riverside County’s transportation needs in order to prepare the County’s first Long Range Transportation Plan; the Plan will build on local jurisdictions transportation planning efforts; work activities will include the preparation of an Existing and Future Conditions memo, and Issues and Strategies memo, project prioritization listing and coordination of an Advisory Committee.
- **Fresno County Regional Long-Range Transit Plan:** VRPA led the development of the first Fresno County Regional Long-Range Transit Plan (LRTP). The LRTP will guide transit and multimodal investments and services in the Fresno region through the year 2050. VRPA and its partners developed the LRTP in line with state and federal transportation goals, guidance and funding programs. The LRTP will integrate appropriate and effective public transportation planning and projects into the fabric of the region’s overall circulation networks and systems.
- **Kings County, Interstate 5/State Route 41 Interchange Area Circulation Study:** Prepared a Traffic Impact Study to analyze traffic conditions related to future commercial development in the Kettleman City area; identified impacts to the roadway network and needed improvements based on potential build out, prepared a phased analysis to determine the impacts and mitigation needed at various levels of development to aid the County with its project review process; the prepared study was a comprehensive planning level document.
- **Tulare County Association of Governments Cross Valley Corridor Plan:** As a subconsultant to Mott MacDonald, VRPA led public outreach efforts and assisting in the development of ridership forecasts by transit and other modes; developed tailored access strategies for key stations; was responsible for implementing a strategic outreach campaign that reached out to the broader community; participated in Work Plan Team and supporting stakeholders meetings, designed project branding pieces including a project logo, webpage,

newsletter and project fact sheet; facilitated early study workshops throughout the Tulare and Kings County areas.

- **Kings County Association of Governments, State Route 198 Corridor Preservation and Improvement Strategic Plan:** As a subconsultant to Hatch Mott MacDonald, VRPA was responsible for completing traffic operations analysis and an evaluation of goods movement along the corridor; VRPA reviewed existing traffic and performance data as well as developing new data; new data was developed through collection of traffic counts; traffic accident data, and accident index allowing for the rating and comparison of different segments of the corridor; responsible for the evaluation of goods movement and potential benefits capacity and safety improvements may have on goods movement; assisted with development and performance measures, listing of potential projects and preparations of draft and final plans and associated public meetings to present the plan.
- **Old Fig Garden Transportation and Land Use Study:** Defined appropriate transitions from the established residential neighborhoods to adjacent City and State transportation corridors; developed transportation and outreach components including traffic calming, safe routes to school, bike and walking trail planning, and traffic issues associated with Christmas Tree Lane; completed existing and future year traffic analysis, Christmas Tree Lane attendee survey; stakeholder interviews; and initial outreach workshop.
- **Caltrans Statewide Public Engagement Contract:** Provided statewide outreach and communications services to enhance public outreach by facilitating public engagement for transportation planning activities; conducted various outreach activities such as workshops, stakeholder interviews; focus groups, Tribal Listening Sessions for transportation planning and engineering projects.

Professional Qualifications

Education

- California State University, Fresno 1976-1978, Master's Program – Urban and Regional Planning
- California State University, Fresno 1972-1976 (Fall), Bachelor of Arts – Special Major, Urban and Regional Planning

Professional Affiliations

- Institute of Transportation Engineers (ITE), Member, 1992-2015; ITE Council on ITS, 1992-2000, ITE Council of Transportation Planning, 1993-2000
- Chairperson, SJVUAPCD TCM Development Committee, 1989-1992
- Co-manager of the San Joaquin Valley Transportation Control Measure (TCM) Implementation, Monitoring, and Enforcement Program, 1992-1994, Member of the TCM Working Group, 1993-1994, both representing TCAG/TPA
- Chairperson, Statewide MINUTP Traffic Model Users' Group, 1988-1999
- Chairperson/Member - Southwest Region Transportation Model Users' Group (SRTMUG), 1990-2015
- Member – Women In Transportation – 1998-2005



Richard W. Lee

Director of Innovation and Sustainability

Professional Summary

Dr. Lee, Director of Innovation and Sustainability has over 30 years of experience as a transportation consultant and academic. His consulting experience includes management of Regional Transportation Plans, General Plan studies, rail and transit projects and smart growth transportation studies, as well as a wide variety of traffic impact analysis, travel demand management, and transportation policy studies.

His work focuses on analysis of the transportation effects of land use factors, including their efficacy in promoting transit and other alternative modes. Richard works extensively with local, regional and state agencies as well as private firms to analyze the effects of infrastructure and land development projects and to develop feasible alternatives that promote sustainable transportation choices and meet larger community goals. Richard currently teaches transportation and land use planning San José State University and has taught and led major transportation research projects at several universities, including Massey University (New Zealand) UC-Berkeley, UC-Davis, Cal Poly San Luis Obispo, and San José State University.

Project Experience

- **Fresno Council of Governments, Circuit Planner Services – Reedley Bicycle and Pedestrian Mobility Plan:** Assisted the City of Reedley with development of its Bicycle and Pedestrian Mobility Plan, an update to the City's 2010 Bicycle Transportation Plan (BTP). The Mobility Plan considered existing policies, plans, and implementation programs contained in the City's 2010 BTP and the recently approved Fresno County Regional Active Transportation Plan (ATP). VRPA also reviewed other needed policies, facility designations, and funding and implementation programs and strategies to prepare a comprehensive Plan Update that would address the pedestrian and bicycle facility needs of the City of Reedley.
- **Fresno Council of Governments, Regional Transportation Plan (RTP), Measure C Sales Tax Measure Plan, and Associated RTP/SCS and Measure C Expenditure Plan Environmental Impact Reports (EIRs):** Assisted and/or led development of the 1978 through 2014 RTPs and associated EIR documents; developed the 2018 Supplemental EIR; developed the 2006 Measure C Expenditure Plan and EIR, as well as Measure C Handbooks and the Implementation Plan. Documents prepared conformed to regional State and federal transportation, air quality requirements; SCS, and CEQA requirements/guidance. Led development of prioritization criteria and methodologies for all modes of transportation and led or assisted with the public involvement process and Steering Committee meetings.
- **Fresno County Regional Long-Range Transit Plan:** VRPA led the development of the first Fresno County Regional Long-Range Transit Plan (LRTP). The LRTP will guide transit and multimodal investments and services in the Fresno region through the year 2050. VRPA and its partners developed the LRTP in line with state and federal transportation goals, guidance and funding programs. The LRTP will integrate appropriate and effective public transportation planning and projects into the fabric of the region's overall circulation networks and systems.
- **Riverside County Transportation Commission, Long-Range Transportation Plan:** Analyzing Riverside County's transportation needs in order to prepare the County's first Long Range Transportation Plan; the Plan will build on local jurisdictions transportation planning efforts; work activities will include the preparation of an Existing and Future Conditions memo, and Issues and Strategies memo, project prioritization listing and coordination of an Advisory Committee.

- **Tulare County Community Plan Circulation Element Traffic Impact Analysis for the Unincorporated Communities of Goshen, Pixley and Traver:** VRPA completed detailed traffic impact studies addressing all transportation modes and issues as part of Community Plan Updates in three unincorporated communities. These were the first comprehensive Community Plan updates for Goshen, Pixley and Traver in over 20 years. VRPA's traffic impact analysis was used in the Environmental Impact Reports (EIRs) for the community plans, as were related Noise and Air Quality analyses, which were also performed by VRPA.
- **Improved Data and Tools for Integrated Land Use-Transportation Planning in California:** Among other duties, Dr. Lee convened and summarized the input of a panel of experts from both California universities, state and federal agencies as well as the private sector for this project. The Expert Panel advised on and reviewed "planning tools" to develop and analyze "integrated" land use and transportation plans and programs. Dr. Lee also co-lead a study team that conducted evaluations of these results using SLOCOG and other California MPOs as a proving ground. Dr. Lee was a lead author of an extensive literature review as well as of the users' guides and instructions for these tools. The study was completed in October 2012; all of its products were made freely available for use by California planning agencies. The tools assist these agencies to effectively comply with various State and Federal requirements – including SB 375, CEQA, and NEPA
- **Caltrans Smart Mobility Framework 2010:** This landmark study established guidelines for Caltrans and other State agencies to use in planning improvements to the State, regional and local transportation systems in a manner that integrates land use and transportation decisions and responds to the States economic, equity and environmental goals, including benefits to climate change and other sustainability concerns. Performance measures and evaluation criteria were developed aimed at delivering integrated land use and transportation plans and Sustainable Communities Strategies as stipulated under AB32 and SB375.

Professional Qualifications

Education

- University of California, Berkeley 1995, Ph.D., City and Regional Planning
- University of California, Berkeley 1986, Master of City and Regional Planning
- University of California, Berkeley 1984, Master of Science in Civil Engineering (Transportation)
- Carleton College, Minnesota 1978, Bachelor of Arts in History

Registration

- America Institute of Certified Planners

Professional Affiliations

- Institute of Transportation Engineers (ITE), Member American Planning Association
- Mineta Transportation Institute, Research Associate

Publications and Presentations (Selected)

- "Changing the Paradigm of Traffic Impact Studies: How Typical Traffic Studies Inhibit Sustainable Transportation", Co-author with Michelle DeRobertis, Joseph Kott and John Eels, *ITE Journal*, Vol. 84, no. 5, pp. 30-35. May 2014.
- *Active Travel Co-Benefits of Travel Demand Management Policies that Reduce Greenhouse Gas Emissions*, Co-author with Caroline Rodier et al, Mineta Transportation Institute, April 2014.
- *Improved Data and Tools for Integrated Land Use-Transportation Planning in California*, Co-author with others from UC Davis, SACOG and Fehr & Peers, State of California, September 2012.
- "Smart Growth Parking Requirements Review", with Robert Rees and Mackenzie Watten, *ITE Journal*, Vol. 80, no. 12, pp. 36-40. December 2010.
- *Connecting Transportation Decision Making with Responsible Land Use: State and Regional Policies, Programs, and Incentives* (co-author), Mineta Transportation Institute, 2008.



Jason Ellard

Transportation Engineer

Professional Summary

Jason Ellard, Transportation Engineer has completed numerous (200+) traffic, noise and air quality impact studies throughout the San Joaquin Valley. Mr. Ellard provided technical support for the Fresno Council of Governments 2018 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) Program Environmental Impact Report (PEIR), the Madera County Transportation Commission 2018 RTP/SCS and PEIR and the Merced County Association of Governments (MCAG) 2018 RTP/SCS PEIR, which included an analysis

of greenhouse gas (GHG) emissions consistent with SB 375 and AB 32. Mr. Ellard also assisted with the Hanford Downtown East Precise Plan and the Old Fig Garden Transportation and Land Use Study. Both included traffic calming, complete streets, and safe routes to school analysis and design conducted by VRPA.

Project Experience

- **Fresno Council of Governments, Circuit Planner Services – Reedley Bicycle and Pedestrian Mobility Plan:** Assisted the City of Reedley with development of its Bicycle and Pedestrian Mobility Plan, an update to the City's 2010 Bicycle Transportation Plan (BTP). The Mobility Plan considered existing policies, plans, and implementation programs contained in the City's 2010 BTP and the recently approved Fresno County Regional Active Transportation Plan (ATP). VRPA also reviewed other needed policies, facility designations, and funding and implementation programs and strategies to prepare a comprehensive Plan Update that would address the pedestrian and bicycle facility needs of the City of Reedley.
- **Fresno Council of Governments, Regional Transportation Plan (RTP), Measure C Sales Tax Measure Plan, and Associated RTP/SCS and Measure C Expenditure Plan Environmental Impact Reports (EIRs):** Assisted and/or led development of the 1978 through 2014 RTPs and associated EIR documents; developed the 2018 Supplemental EIR; developed the 2006 Measure C Expenditure Plan and EIR, as well as Measure C Handbooks and the Implementation Plan. Documents prepared conformed to regional State and federal transportation, air quality requirements; SCS, and CEQA requirements/guidance. Led development of prioritization criteria and methodologies for all modes of transportation and led or assisted with the public involvement process and Steering Committee meetings.
- **Tulare County Community Plan Circulation Element Traffic Impact Analysis for the Unincorporated Communities of Goshen, Pixley and Traver:** VRPA completed detailed traffic impact studies addressing all transportation modes and issues as part of Community Plan Updates in three unincorporated communities. These were the first comprehensive Community Plan updates for Goshen, Pixley and Traver in over 20 years. VRPA's traffic impact analysis was used in the Environmental Impact Reports (EIRs) for the community plans, as were related Noise and Air Quality analyses, which were also performed by VRPA.
- **Sessions Family Foundation Subdivision:** The Sessions Family Foundation Subdivision plans to develop a 200-lot single family residential subdivision on approximately 40 acres. VRPA conducted a thorough air quality analysis of the potential environmental impacts of the Project, including anticipated greenhouse gas and criteria pollutant emissions. VRPA evaluated short-term and long-term air quality impacts based on California Environmental Quality Act (CEQA) and San Joaquin Valley Air Pollution Control District (SJVAPCD) significance criteria.
- **Kelly Slater Wave Company, Surf Ranch Development Air Quality & Greenhouse Gas Impact Assessment:** The Surf Ranch Development plans to facilitate and permit a primary and secondary use for the 155-acre privately

owned site for the full-time maintenance and operation of the existing wave generation system and ancillary structures for research and development activities and surfing programs. VRPA conducted a thorough air quality analysis of the potential environmental impacts of the Project, including anticipated greenhouse gas and criteria pollutant emissions. VRPA evaluated short-term and long-term air quality impacts based on California Environmental Quality Act (CEQA) and San Joaquin Valley Air Pollution Control District (SJVAPCD) significance criteria.

- **Riverside County Transportation Commission, Long-Range Transportation Plan:** Analyzing Riverside County's transportation needs in order to prepare the County's first Long Range Transportation Plan; the Plan will build on local jurisdictions transportation planning efforts; work activities will include the preparation of an Existing and Future Conditions memo, and Issues and Strategies memo, project prioritization listing and coordination of an Advisory Committee.
- **Old Fig Garden Transportation and Land Use Study:** Defined appropriate transitions from the established residential neighborhoods to adjacent City and State transportation corridors; developed transportation and outreach components including traffic calming, safe routes to school, bike and walking trail planning, and traffic issues associated with Christmas Tree Lane; completed existing and future year traffic analysis, Christmas Tree Lane attendee survey; stakeholder interviews; and initial outreach workshop.
- **City of Fresno, Southern Blackstone Avenue Smart Mobility Plan:** The Smart Mobility Plan will provide a complete street environment that will emphasize all modes of travel and facilitate use of the recently implemented bus rapid transit (BRT) route; as a subconsultant to Community Design + Architecture, completed bicycle and pedestrian data collection, corridor and access analysis, and identification of multimodal transportation improvements; assisted with community outreach activities during Plan development.
- **Kings County, Smart Growth State Route 41 Corridor Improvement Plan:** Responsible for the development of a Traffic Technical Report for the section of the State Route 41 corridor located in the unincorporated community of Kettleman City, identified impacts to the roadway network by evaluating corridor deficiencies, identifying alternatives, and prioritizing proposed solutions based on a logical evaluation process; the prepared study was a comprehensive planning level document.
- **Kings County, Interstate 5/State Route 41 Interchange Area Circulation Study:** Prepared a Traffic Impact Study to analyze traffic conditions related to future commercial development in the Kettleman City area; identified impacts to the roadway network and needed improvements based on potential build out, prepared a phased analysis to determine the impacts and mitigation needed at various levels of development to aid the County with its project review process; the prepared study was a comprehensive planning level document.
- **Caltrans Statewide Public Engagement Contract:** Provided statewide outreach and communications services to enhance public outreach by facilitating public engagement for transportation planning activities; conducted various outreach activities such as workshops, stakeholder interviews; focus groups, Tribal Listening Sessions for transportation planning and engineering projects.

Professional Qualifications

Education

- California State University, Fresno 2000-2005, Bachelor of Science in Engineering (Civil Engineering)

Professional Affiliations

- Institute of Transportation Engineers (ITE)
- American Society of Civil Engineers, Member 2003-2005
- National Society of Black Engineers, Vice President/Member, 2001-2005



Dena Graham

Outreach | Research Specialist | Marketing | Accounting and Contract Administration

Professional Summary

Dena joined the VRPA Technologies, Inc. team in 2007 as an outreach and administrative consultant. In 2010, she came on board as a permanent member of the staff supporting the VRPA team with multi-disciplinary skills in the areas of accounting and contract administration, outreach, marketing, and research development. She brings over twenty years of team-based experience to the table supporting VRPA's partner approach to doing business. Prior to joining VRPA, she coordinated with the project manager on a multi-million-dollar freeway contract, supported a small construction company with subcontract administration, and was a member of the Outback Steakhouse team opening new locations in Northern California. She received her Bachelor of Science, Business Administration (Marketing) from San Diego State University and focused her lower division studies in the area of accounting. Dena's greatest strengths are her flexibility, drive, and willingness to take on any task. She thrives on challenges, particularly those that ensure the team's success. Dena has proven herself as an exceptional communicator and enjoys the "hands on" activities of outreach and marketing. At the same time, her attention to detail ensures a perfect fit on the accounting and contract side of the table.

Project Experience

- **Fresno Council of Governments, Circuit Planner Services – Reedley Bicycle and Pedestrian Mobility Plan:** Assisted the City of Reedley with development of its Bicycle and Pedestrian Mobility Plan, an update to the City's 2010 Bicycle Transportation Plan (BTP). The Mobility Plan considered existing policies, plans, and implementation programs contained in the City's 2010 BTP and the recently approved Fresno County Regional Active Transportation Plan (ATP). VRPA also reviewed other needed policies, facility designations, and funding and implementation programs and strategies to prepare a comprehensive Plan Update that would address the pedestrian and bicycle facility needs of the City of Reedley.
- **Fresno Council of Governments, Regional Transportation Plan (RTP), Measure C Sales Tax Measure Plan, and Associated RTP/SCS and Measure C Expenditure Plan Environmental Impact Reports (EIRs):** Assisted and/or led development of the 1978 through 2014 RTPs and associated EIR documents; developed the 2018 Supplemental EIR; developed the 2006 Measure C Expenditure Plan and EIR, as well as Measure C Handbooks and the Implementation Plan. Documents prepared conformed to regional State and federal transportation, air quality requirements; SCS, and CEQA requirements/guidance. Led development of prioritization criteria and methodologies for all modes of transportation and led or assisted with the public involvement process and Steering Committee meetings.
- **Manning Bridge Replacement:** As a subconsultant to Quincy Engineering, led the Community Outreach Program to address resident and business issues during construction activities; was responsible for the development of a project webpage for the City of Reedley website; the webpage included project and timeline information, construction advisories, and an area for stakeholders to provide comments; prepared and distributed letters to property owners; developed noticing in English and Spanish which were distributed using the City's automated messaging service; prepared and distributed commuter alerts and public service announcements via Eblast to the Project's media listing.
- **Fresno Council of Governments - Fresno County Regional Active Transportation Plan:** As a sub to Fehr & Peers, VRPA conducted Local Small Group Meetings for Fresno County and the county's 15 cities including materials and Spanish translation services; collected and compiled information on past expenditures for bicycle and

pedestrian facilities for each of the local jurisdictions; researched and draft report sections related to policies for maintaining bicycle and pedestrian facilities, bicycle parking policies, "Five E's (Education, Encouragement, Enforcement, Engineering, and Evaluation) Programs", and how the prepared Active Transportation Plan has been coordinated through the Regional Transportation Plan/Sustainable Communities Strategy and the local jurisdictions general plans.

- **City of Fresno Active Transportation Plan (ATP) and Bicycle, Pedestrian & Trails Master Plan (BPTMP) Update:** As a subconsultant to Fehr & Peers, VRPA providing outreach services related to the development of the City of Fresno's ATP and BPTMP Update. Responsible for the development of a Project Community Member Database; assisted with the development of a Stakeholder Advisory Committee (SAC) and implementation of SAC working session during strategic intervals of the Plan process; coordinating and assisting with development of two series of Public Workshops to gather input and present draft Plan documents.
- **Tulare County Association of Governments Cross Valley Corridor Plan:** As a sub to Mott Macdonald, VRPA led public outreach efforts and assisted in the development of ridership forecasts by transit and other modes; developed tailored access strategies for key stations; was responsible for implementing a strategic outreach campaign that reached out to the broader community; participated in Work Plan Team and supporting stakeholders meetings, designed project branding pieces including a project logo, webpage, newsletter and project fact sheet; facilitated early study workshops throughout the Tulare and Kings County areas.
- **Madera County Transportation Commission (MCTC) Active Transportation Plan (ATP):** As a subconsultant to Fehr & Peers, VRPA was responsible for an existing plan review and a health impact assessment including a related infographic; led public outreach activities and Stakeholder Advisory Committee meetings; outreach activities include attendance at pop-up events throughout Madera County and a public workshop; developed an online Survey Monkey stakeholder survey instrument in English and Spanish; developed content for the project webpage; will be undertaking a review and analysis of potential funding sources.
- **Caltrans Statewide Public Engagement Contract:** Provided statewide outreach and communications services to enhance public outreach by facilitating public engagement for transportation planning activities; conducted various outreach activities such as workshops, stakeholder interviews; focus groups, Tribal Listening Sessions for transportation planning and engineering projects.
- **California High-Speed Rail Authority Segment 6 Public Outreach Program:** Assisted with the implementation of the public outreach and education program related to California High-Speed Trains in the Central San Joaquin Valley; responsible for the development of the Scoping Workshop for the High-Speed Train Environmental Impact Report/Statement (EIR/EIS) conducted in March 2009; Assisted with outreach activities leading to the development and certification of the EIR/EIS.

Professional Qualifications

Education

- San Diego State University, 1991, Bachelor of Science – Business Administration, Marketing
- Palomar College, San Marcos, CA 1989, Associate of Arts, Business Administration, Accounting

Sara J. Allinder, AICP

Principal Planner

Education

- ✓ Master of City and Regional Planning, Emphasis in Land Use Planning, California State Polytechnic University, San Luis Obispo
- ✓ B.A., Liberal Arts
Major Emphasis: Environmental Science
Minor Emphasis: English
University of California, Riverside

Registration/Certifications

- ✓ American Institute of Certified Planners (AICP), 2003

Affiliations

- ✓ American Planning Association (APA)
- ✓ Association of Environmental Professionals (AEP)

Areas of Expertise

- ✓ General Plans
- ✓ Development Codes
- ✓ Strategic Implementation Plans
- ✓ Entitlement Applications
- ✓ Annexations
- ✓ Environmental Review
- ✓ Contract Staffing



Professional Summary

Sara Allinder, AICP, is a Principal Planner with Provost & Pritchard who has nearly 20 years of experience in both current and long-range planning. During her career she has been involved in and led the development of general plans updates as well as development code updates. She has also processed entitlement applications including Site Plan Reviews, Conditional Use Permits, Variances, Rezones, Plan Amendments, Subdivision Maps, Annexations, and Sphere of Influence Amendments as well as the associated environmental review and analysis. Ms. Allinder has also provided contract staffing for numerous local planning agencies.

Relevant Experience

Long-Range and Implementation Plans

General Plan Update, City of Fowler, California, Project Director – Ms.

Allinder is currently overseeing a comprehensive update to the City of Fowler's General Plan. This is the first comprehensive update to the City's General Plan in forty years and includes potential expansion of the City's sphere of influence by about 750 acres. The update will address all recent legislative updates to the requirements for general plans, including air quality, complete streets, fire hazards, military planning, environmental justice and other issues.

General Plan Update, City of Elk Grove, California, Assistant Project Manager and Consultant – Ms.

Allinder served as the Assistant Project Manager for the update to the City's General Plan including incorporation of vehicle miles traveled thresholds and environmental justice. Ms. Allinder currently provides consultation services to the prime consultant during the public review and adoption phase of the General Plan Update.

General Plan Strategic Implementation Work Plan, County of Mariposa, California, Assistant Project Manager – Ms.

Allinder worked to identify and prioritize primary work tasks for effective implementation of the existing General Plan. The work plan included development of preliminary scopes of work for primary work tasks, including anticipated project duration, budget, level of community engagement, and level of CEQA review. The Mariposa County General Plan Strategic Implementation Work Plan received the APA Central Section Best Practice Award for 2018.

General Plan Update (Focused), City of Taft, Project Manager – Ms.

Allinder managed a focused update to the City of Taft General Plan, including revisions in the planning area boundaries and updates in response to recent state legislative requirements for general plans. The efforts also included preparation of a Climate Action Plan and an Addendum to a previously certified Program Environmental Impact Report.

General Plan Update (Comprehensive), City of Taft, Project Manager – Ms.

Allinder managed the consultant project team and subconsultants, the project budget, preparation and review of the updated General Plan, and facilitation of public workshops. The General Plan update included an expansion of the existing Planning Area by over 200 square miles. It also included an implementation Plan. The updated City of Taft General Plan received the 2010 Regional Award of Merit from Kern Council of Governments.

General Plan Update, Metropolitan Bakersfield, Assistant Project Manager –

Duties included preparation of the Existing Setting Report and various draft General Plan elements, as well as management of staff and subconsultants. The

General Plan update process was a joint City/County effort and covers approximately 400 square miles in Kern County.

Preliminary RTP/SCS, Kern Council of Governments, Planner – Assisted in the preparation of Kern COG's Preliminary Regional Transportation Plan, which included the first Sustainable Community Strategy being developed for the region. Responsibilities included policy review and recommendations, as well as preparation of background information.

Zoning Ordinance and Development Code Updates

Zoning Ordinance Updates for Housing Element Compliance, City of Parlier, Project Manager – Ms. Allinder is coordinating required updates to the City of Parlier Zoning Ordinance for consistency with the Housing Element programs and actions.

Development (Zoning and Subdivision) Code Update, City of Menifee, Assistant Project Manager and Zoning Technical Manger – Ms. Allinder is establishing new code regulations for the City of Menifee, including zoning, subdivision and grading ordinances. The new regulations represent an update to the current standards and will establish Menifee-specific standards and procedures in a user-friendly format that implements the City's first adopted General Plan. Ms. Allinder is managing for client coordination, public outreach, analysis of existing regulations, and development of new regulations as part of the comprehensive update effort.

Development Code Update, City of Twentynine Palms, California, Project Manager – Ms. Allinder established new process procedures and reorganized the existing Development Code into a user-friendly document that implemented the General Plan goals and policies. The Development Code addressed both zoning and subdivision regulations.

Zoning Ordinance Update, City of Calimesa, Senior Planner – Revised portions of the existing zoning ordinance to achieve several objectives following adoption of a Housing Element and General Plan Update. Ordinance amendments included, but were not limited to, specific updates to comply with new Housing Element programs, addition of a mixed-use zone district, updates to the Second Dwelling Unit and Density Bonus ordinances to ensure compliance with state law, incorporation of a Downtown Business District, establishment of new administrative procedures for Zoning Clearance, Determination of Similar Use, and Specific Plan processing, and various other amendments to ensure internal consistency and improve entitlement processing.

Focused Zoning Ordinance Updates, City of Wasco, Project Manager – Initiated and processed approximately ten focused text amendments to clarify select portions of the existing Wasco Zoning Ordinance while acting as City staff. Text amendments addressed topics including, but not limited to, the allowance of fowl in the city limits, revisions to multi-family development regulations, and necessary amendments for compliance with the recently adopted Housing Element.

Current Planning

Development and Resource Management Department, City of Fresno, California, Special Projects Manager – Ms. Allinder processed entitlement applications and worked on special projects, including the establishment of new review procedures and the creation of informational brochures for use by staff and the public.

Contract Staffing and Application Processing Review and Update, City of Wasco, Acting Community Development Director – As acting community development director for the City of Wasco, Ms. Allinder managed the day-to-day operations of the planning, building, and code enforcement divisions, prepared department budgets, prepared and presented staff reports to the Planning Commission and City Council and acted as advisor to the city manager on special issues including high-speed rail.

Ms. Allinder also conducted a review of the current entitlement processing procedures, made recommendations for the improvement of entitlement processing, and implemented those recommendations. Process improvements included updates to the Planning and Building fee schedule, which revised existing fees and added new fees reflective of the current planning and building processes.

Contract Staffing and Special Project Planner, City of Chowchilla, Senior Planner – Provided staff support as the interim Community Development Director as well as acted as special project planner for a pre-application request involving a proposed race track and destination center. Duties included review of proposed materials for consistency with the General Plan and Zoning Code as well as preliminary environmental review.

Staff Support, City of Modesto, Senior Planner – Provided staff support, primarily on current planning projects. Duties included project management of various entitlement requests, management of environmental consultants, review of facilities master plans, and presentations to the Planning Commission and City Council. Also managed PMC staff planners assigned to work in the City of Modesto providing both on- and off-site support.

Brynae Emerzian

Assistant Planner

Education

- ✓ B.S. City & Regional Planning, California Polytechnic State University, San Luis Obispo

Expertise

- ✓ SketchUp
- ✓ Chief Architect
- ✓ InDesign
- ✓ Research

Professional Summary

Brynae Emerzian is an assistant planner at Provost & Pritchard with a Bachelor of Science degree in City and Regional Planning from California Polytechnic State University, San Luis Obispo. She comes to Provost and Pritchard after having spent over six years working as a designer with a private single and multifamily residential developer. Her experience in the private development industry, her experience researching best practices for land development, and her design background brings a unique perspective to all projects she works on. Brynae provides excellent service under high pressure timelines while maintaining client satisfaction.

Relevant Experience

Long Range and Implementation Plans

General Plan Update, City of Fowler, California, Assistant Planner – Ms. Emerzian is conducting background research and preparing existing setting information for the City of Fowler's General Plan update. She is also working on preparing a vision statement based on input from stakeholders in the community. This is the first comprehensive update to the City's General Plan in forty years and includes potential expansion of the City's sphere of influence by about 750 acres. The update will address all recent legislative updates to the requirements for general plans, including air quality, complete streets, fire hazards, military planning, environmental justice and other issues.

Virginia Smith Trust Specific Plan Application Submittal, County of Merced, California, Assistant Planner – Ms. Emerzian is assisting in the preparation of a Specific Plan submittal to the County of Merced for the Virginia Smith Trust. The approximately 650-acre project site is located just south of the University of California, Merced campus and would create a land use and circulation plan for development of a new community, including housing, recreation, employment centers, and a connected greenway system. The plan focuses on providing a range of housing types supported by a university community. In addition, the plan seeks to provide ample active transportation options and superior connectivity in support of a livable, dynamic, community that inspires innovation and diversity.

Housing Element Annual Progress Report, City of Mendota, Assistant Planner – Ms. Emerzian is conducting research and preparing data for The City of Mendota's required Housing Element annual progress report. The progress report will track progress on the Housing Element's implementation using forms and definitions adopted by the Department of Housing and Community Development. The progress report will incorporate all recent legislative updates to the requirements for Annual Progress Reports, including AB 879 and SB35.

Zoning Ordinance Updates

Zoning Text Amendment for Electric Guard Dog, LLC., City of Fowler, Assistant Planner – Ms. Emerzian prepared text amendments to the City of Fowler Zoning Ordinance to revise procedures for electrified fencing. This task included research, drafting of multiple ordinance alternatives for consideration by decision-makers, and preparation of the related staff reports and resolutions.

Tree Preservation Ordinance Update, City of Folsom, California, Assistant Planner – Provost & Pritchard is currently assisting the City of Folsom with their tree preservation ordinance update. The objectives for this update include preparing a tree preservation ordinance that is user-friendly, aligns with standards of other similar and neighboring jurisdictions in the region, and



incorporates best practices for tree preservation, mitigation, and enforcement. Ms. Emerzian is assisting in the consolidation of stakeholder input received during the public outreach and engagement portion of the project.

Environmental Documents

Environmental Compliance Document for Park's Crossing, Phase II, City of Parlier, Associate Planner – Working as a contract planner, Ms. Emerzian prepared an Initial Study/Mitigated Negative Declaration (IS/MND), for the Park's Crossing, Phase II project within the City of Porterville. The project will result in the construction of two commercial buildings and requires a General Plan amendment, zoning change and lot line adjustment.

Environmental Compliance Document for Terrazza Condominiums, City of Parlier, Associate Planner – Working as a contract planner, Ms. Emerzian prepared an Initial Study/Mitigated Negative Declaration (IS/MND), for the Terrazza Condominiums project within the City of Porterville. The project will result in the construction of multi-family housing, including tri-plex and four-plex units and requires a zoning change and subsequent General Plan Amendment.



VRPA TECHNOLOGIES, INC.

The logo for VRPA Technologies, Inc. is displayed on a black rectangular background. It features a large, white, stylized graphic consisting of a triangle with a wavy base, resembling a sail or a stylized letter 'V'. Below the graphic, the text "VRPA TECHNOLOGIES, INC." is written in a bold, white, sans-serif font.

Exhibit "B"

INSURANCE REQUIREMENTS

Consultant Agreement between City of Reedley and VRPA Technologies, Inc.

Minimum Scope of Insurance

Without limiting Consultant's indemnification of the City, and prior to commencement of Work, Consultant shall obtain, provide, and continuously maintain at its own expense during the term of this Agreement, and shall require any subconsultants to obtain and maintain, policies of insurance of the type and amounts described below and in a form satisfactory to the City.

- (a) Workers' Compensation. Consultant shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least one million dollars (\$1,000,000))
- (b) General Liability. Consultant shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, or equivalent, in an amount not less than one million dollars (\$1,000,000) per occurrence, two million dollars (\$2,000,000) general aggregate, for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability. General liability policies shall provide or be endorsed using Insurance Services Office forms CG 20 10 to provide that the City and its officers, officials, employees, and agents shall be additional insureds under such policies.
- (c) Automobile Liability. If Consultant (or subconsultants) utilizes automobiles in the performance of services under this agreement, Consultant shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the Consultant arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than one million dollars (\$1,000,000) combined single limit for each accident.
- (d) Professional Liability (Errors & Omissions). Consultant shall maintain professional liability insurance that insures against professional errors and omissions that may be made in performing the Services to be rendered in connection with this Agreement, in the minimum amount of one million dollars (\$1,000,000) Per claim and in the aggregate. Any policy inception date, continuity date, or retroactive date must be before the effective date of this agreement, and Consultant agrees to maintain continuous coverage through a period no less than one year after completion of the Services required by this Agreement.
- (e) Proof of Insurance. Consultant shall provide to City, certificates of insurance and endorsements, as required, as evidence of the insurance coverage required herein. Insurance certificates and endorsements must be approved by the City prior to commencement of performance. Current evidence of insurance shall be kept on file with the City at all times during the term of this Agreement. The City reserves the

right to require complete, certified copies of all required insurance policies, at any time.

- (f) Acceptable Insurers. All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance in the State of California, with an assigned policyholders' Rating of A- (or higher) and Financial Size Category Class VII (or larger), in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the City.
- (g) Enforcement of Contract Provisions (non estoppel). Consultant acknowledges and agrees that any actual or alleged failure on the part of the Cities to inform Consultant of non-compliance with any requirement imposes no additional obligations on the Cities, nor does it waive any rights hereunder.
- (h) Specifications not Limiting. Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type.
- (i) Notice of Cancellation. Consultant agrees to oblige its insurance agent or broker and insurers to provide to City with thirty (30) days' notice of cancellation (except for nonpayment for which ten (10) days' notice is required) or nonrenewal of coverage for each required coverage.
- (j) Self-insured Retentions. Any self-insured retentions must be declared to and approved by the City. City reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by the City.
- (k) Timely Notice of Claims. Consultant shall give City prompt and timely notice of claims made or suits instituted that arise out of or result from Consultant's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.



REEDLEY CITY COUNCIL

- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing

ITEM NO: 9

DATE: August 27, 2019

TITLE: ADOPT RESOLUTION 2019-075 DECLARING LISTED VEHICLES AND EQUIPMENT AS SURPLUS

SUBMITTED: Russ Robertson, Public Works Director *RR*

APPROVED: Nicole R. Zieba, City Manager *NZ*

RECOMMENDATION

It is recommended that the City Council adopt Resolution 2019-075 declaring the vehicles and equipment listed below as surplus. City policy requires the Council to adopt a resolution identifying all equipment and vehicles valued at over \$1,000 before it can be publically surplused.

EXECUTIVE SUMMARY

Staff is requesting that the following list of vehicles and equipment be declared as surplus:

- 2006 International with Vac-Con (combined vector/flush) body.
VIN No. 1HTWHAAT47J426766
This unit was used almost daily. It is 13 years old and has become cost prohibitive to upkeep and maintain. The City recently procured a replacement unit.
(Waste Water Division)
- 2000 Peterbilt side load garbage truck.
VIN No. 1NP-ZLOOX-3-YD712849
This garbage truck is beyond its useful life and repairs no longer make economic sense. It has been removed from service and is being replaced with a new unit which has already been budgeted for. (Solid Waste Division).
- 2006 Chevy Colorado
VIN No. 1GCC519668122375
This unit is beyond its useful life and is experiencing engine issues and electrical issues and has been placed out of service. It would be cost prohibitive to repair the unit at this point. The unit has been replaced with a new Chevrolet 1500 (Water Division).

- 1997 Caterpillar loader, Model IT14G
Serial No. 5HK58615
Loader is beyond its useful life and has become cost prohibitive to repair and maintain.
(Streets Maintenance Division)
- 1997 Balderson Loader Rake Implement
Serial No. 14790
Beyond its useful life. (Streets Maintenance Division)
- 2002 Cleasby Oil Jacketed Crack Sealer
Serial No. 12205
This 22 year old crack sealer is beyond its useful life and has become cost prohibitive to repair and maintain. A new crack sealer has already been procured. (Streets Maintenance Division)

FISCAL IMPACT

Revenues generated from the sale of surplus property will revert back to the appropriate Public Works division funds.

ATTACHMENTS

Resolution 2019-075

RESOLUTION NO. 2019-075

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY
DECLARING THE FOLLOWING EQUIPMENT AND VEHICLES AS
SURPLUS**

BE IT RESOLVED by the City Council of the City of Reedley as follows:

1. That the following City of Reedley vehicles and equipment are hereby declared as surplus:

- 2006 International with Vac-Con (combined vacator/flush) body, VIN No. 1HTWHAAT47J426766
- 2000 Peterbilt side load garbage truck, VIN No. 1NP-ZLOOX-3-YD712849
- 2006 Chevy Colorado, VIN No. 1GCC519668122375
- 1997 Caterpillar loader, Model IT14G, Serial No. 5HK58615
- 1997 Balderson Loader Rake Implement, Serial No. 14790
- 2002 Cleasby Oil Jacketed Crack Sealer, Serial No. 12205

2. That the Public Works Director, or designee, is hereby authorized to proceed with public surplus of these items to the best advantage for the City of Reedley.

The foregoing resolution is hereby approved on August 27, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank Piñon, Mayor

ATTEST:

Sylvia B. Plata, City Clerk



REEDLEY CITY COUNCIL

- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing

ITEM NO: 10

DATE: August 27, 2019

TITLE: ADOPT RESOLUTION NO. 2019-059 APPROVING THE SUBDIVISION MAP IMPROVEMENT AGREEMENT AND FINAL MAP FOR PHASE ONE OF VESTING TENTATIVE SUBDIVISION MAP 6196

SUBMITTED: Rob Terry *RT*
Community Development Director

John Robertson *JSR*
City Engineer

APPROVED: Nicole R. Zieba
City Manager *NZ*

RECOMMENDATION

Adopt Resolution No. 2019-059, Approving Phase One Final Map for Vesting Tentative Subdivision Map 6196, and authorizing the City Manager to make non-substantive changes to the attached draft agreement and sign final agreement with Self-Help Enterprises regarding Subdivision Map Improvement Agreement.

EXECUTIVE SUMMARY

The owner of Vesting Tentative Subdivision Map 6196 is requesting the City Council approve the final map for Phase One associated with the project in accordance with Reedley Municipal Code 11-2-13, and approve entering into an Subdivision Improvement Agreement for timely completion of the public facilities associated with serving Phase One, in accordance with Reedley Municipal Code sections 11-2-11 and 11-2-19.

BACKGROUND

Vesting Tentative Subdivision Map 6196 was approved by the Reedley Planning Commission on December 14, 2017, via Resolution 2017-13; consisting of the development of 161 single-family residential units on 31.02 gross acres of land. On June 6, 2019, the Reedley Planning Commission, via Resolution 2019-7, approved amendments to the projects Conditions of Approval to allow the project to build in multiple phases by two separate developers. At this time, one partnering developer (Self-Help Enterprises) has submitted a final map for Phase

One of the project site for the City's approval in accordance with Reedley Municipal Code section 11-2-13. The City Engineer has reviewed the Phase One final map submission for conformance to boundaries, public easement locations, dedications, closure calculations and other required information. The City Engineer has consequently found the map to be in substantial compliance to the tentative map approval, has determined that the improvements required for Phase One have been properly identified, and submits said map to the Council for their approval consideration. Self-Help Enterprises held a public meeting on August 22, 2019 to discuss the specific project as well as their overall programs. Notices for the meeting were mailed to property owners in all adjacent neighborhoods (see Attachment 4 for event flyer and mailing map).

In regards to the completion of public improvements associated with Phase One of Vesting Tentative Subdivision Map 6196, the developer has requested to enter into a Subdivision Improvement Agreement (Attachment 2) for the development with the City of Reedley, as authorized by Reedley Municipal Code section 11-2-11. This action will allow for the filing of a final map for Phase One of the development (lots 1 through 67 of the total 161 approved) with the assurance that outstanding site improvements and activities identified within the project's amended conditions of approval will be completed within a given timeframe acceptable to the City. Such activities shall be secured by surety bond and other specifications, as contained within the agreement. Council may approve, approve with conditions, or disapprove the agreement. Actions associated with a final map for Phase Two of the project site will brought to Council at the appropriate time, and are not included within this action.

The developer has already provided signed initiation documentation associated with annexation into both the LLMD and CFD, as required within the agreement prior to final map recordation.

FISCAL IMPACT

All fees associated with the processing of Vesting Tentative Subdivision Map 6196 were paid prior to Planning Commission action. Phase One Final Map and Subdivision Improvement Agreement fees were paid by the applicant prior to Council actions.

PRIOR COUNCIL ACTIONS

No prior actions have been taken by Council in relation to VTSM 6196.

ATTACHMENTS

1. Resolution No. 2019-059
2. Draft Subdivision Improvement Agreement for Phase One of Vesting Tentative Subdivision Map 6196
3. Phase One Final Map – Tentative Subdivision Map 6196
4. Neighborhood Meeting Flyer and Mailing Map

Motion: _____

Second: _____

RESOLUTION NO. 2019-059

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY APPROVING THE SUBDIVISION MAP IMPROVEMENT AGREEMENT AND FINAL MAP FOR PHASE ONE OF VESTING TENTATIVE SUBDIVISION MAP 6196.

WHEREAS, Tentative Subdivision Map 6196, consisting of APN's 363-062-07S, 363-020-08S, 363-080-10, and 363-080-19, was approved by the Reedley Planning Commission on December 14, 2017; and

WHEREAS, the owner of Vesting Tentative Subdivision Map 6196 is requesting the City Council approve the final map for Phase One associated with the project in accordance with Reedley Municipal Code 11-2-13, and approve entering into an Subdivision Improvement Agreement for timely completion of the public facilities associated with serving Phase One, in accordance with Reedley Municipal Code sections 11-2-11 and 11-2-19.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Reedley using their independent judgment hereby resolves as follows:

1. That certain final map of Vesting Tentative Subdivision Map 6196 Phase One, having heretofore, on August 27, 2019, been certified by the City Engineer, that all provisions of law and of Chapters 31 through 42 of Title 8 of the Reedley City Code, have been complied with, and that said subdivision as shown is substantially the same as it appears on the tentative map thereof, as approved by the Planning Commission on December 14, 2017, by Resolution No. 2017-13, is hereby approved and the dedication of easements and right-of-ways made on said map are hereby accepted subject to the installation of improvements therein and in accordance with the following condition:

That prior to the recording of the final map the owner(s) of said subdivision shall enter into and execute that certain Subdivision Improvement Agreement for Phase One of Vesting Tentative Subdivision Map 6196 with the City of Reedley, as approved by the City Council.

2. Be it further resolved that those certain plans approved by the City Engineer of the City of Reedley entitled, "Plans for Construction of Tract No. 6196 Phase 1," all prepared by LandDesign Consulting, are now on file in the office of the City Engineer, and are hereby approved and adopted as the plans according to which the above mentioned improvements shall be done; and
3. Be it further resolved, that certain agreement between the City of Reedley and said owners or subdividers entitled "Subdivision Improvement Agreement for Phase One of Vesting Tentative Subdivision Map 6196" a copy of which is on file in the office of the City Engineer and to which reference is hereby made, is approved and the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Reedley; and
4. Be it further resolved that the City Council of the City of Reedley directs the

Clerk of the City of Reedley to execute the Final Map and transmit said Final Map and Subdivision Improvement Agreement to the subdividers in preparation of submission to the Fresno County Recorder's Office for recordation.

This foregoing resolution is hereby approved the 27th day of August, 2019, in the City of Reedley, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank Piñon, Mayor

ATTEST:

Sylvia Plata, City Clerk

Recorded by and for the
benefit of, and When
Recorded Mail to:

City of Reedley
Community Development Department
1733 9th Street
Reedley, CA 93654

Exempt from recording fees – Gov. Code Section 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**SUBDIVISION IMPROVEMENT AGREEMENT FOR PHASE ONE OF VESTING
TENTATIVE SUBDIVISION MAP 6196**

This Subdivision Improvement Agreement (“Agreement”) is made and entered into effective on _____, 2019 (“Effective Date”), by and between the City of Reedley, a municipal corporation, hereinafter referred to as “City” and SELF-HELP ENTERPRISES, INC, a California Non-Profit Public Benefit Corporation, hereinafter referred to as “Subdivider”.

RECITALS

WHEREAS, Subdivider is engaged in subdividing that certain tract of land known and designated as Phase One of Vesting Tentative Subdivision Map 6196, situated in the City of Reedley, County of Fresno, State of California; and

WHEREAS, a final map for Phase One of said Vesting Tentative Subdivision Map 6196 (VTSM 6196), has been filed with the City Clerk of the City of Reedley for presentation to the City Council for its approval, which map is hereby referred to and by such reference incorporated herein; and

WHEREAS, the City requires, as a condition precedent to the acceptance and approval of said final map, the dedication of such rights of way for streets, public places, and easements as are delineated and shown on said final map, and deems the same as necessary for the public use, and also requires that any and all rights of way for streets, public places, and easements delineated and shown on said final map shall be improved by the construction and the installation of the improvements hereinafter specified; and

WHEREAS, Section 11-2-11 of the Reedley Municipal Code allows, as a condition to City’s approval of the final subdivision map, for the City to require Subdivider to enter into a subdivision improvement agreement which provides for the Subdivider to complete improvements within a reasonable time following approval of the final map.

NOW, THEREFORE, in consideration of the foregoing recitals which are a substantive part of this Agreement, Subdivider and the City do hereby mutually agree as follows:

AGREEMENT

1. Subdivider shall, at its own cost and expense, construct all of the improvements, furnish all the materials and do all the work herein above hereinafter mentioned, all in accordance with the Standard Specifications of the City, and in accordance with and to the extent provided in those certain plans entitled "Plans for Construction of Tract No. 6196 Phase I" prepared by LandDesign Consulting, approved by the City Engineer and by the City Council by Resolution No. 2019-059 and now on file in the office of the said City Engineer ("the Plans"), to which Plans reference is hereby made, and the same are hereby adopted and incorporated herein the same as if fully set forth herein verbatim, and in compliance with the provisions of Title's 8 and 11 of the Reedley Municipal Code relating to regulations and standards for the subdivision of land in said City and for the preparation and presentation of subdivision maps therefor and in accordance with the listed items set forth on the Engineer's Estimate "Preliminary Engineer's Cost Estimate for Tract 6196 Phase 1", dated July 1, 2019 attached hereto and made a part hereof as Exhibit "A". Subdivider hereby agrees that the improvements required to be installed as set forth herein are necessary and will materially benefit the property within the Tract and shall complete the same no later than one (1) year from the Effective Date of this Agreement. Prior to recordation of the final map, Subdivider shall (i) petition and request that the City annex the Phase One of VTSM 6196 area into City's Landscape, Lighting and Maintenance District, Zone Z ("LLMD"), for the maintenance and operation of landscaping facilities, and (ii) petition and request that the City annex the Phase One VTSM 6196 area into the City's Community Facilities District No. 2005-1 ("CFD") for the maintenance and operation of public services and facilities. Annexation of the property comprising Phase One of VTSM 6196 into both the City's LLMD and CFD is a condition precedent to the City's obligation to issue a building permit for development or improvement of any parcel within VTSM 6196, and Subdivider acknowledges and agrees that if this property were not part of the CFD, the City might lack the financial resources to operate facilities and provide adequate public services to the property.

The Subdivider shall provide on-site improvements subject to review and approval of the City of Reedley. For purposes of this agreement, the term "improvements" shall mean only improvements in the public rights-of-way easements and property for streets, sidewalks, storm drains, sewer mains, water mains, landscaping, utilities and related facilities.

The Subdivider shall install all improvements specified in the Plans. In addition to said improvements, Subdivider shall install all improvements required by and otherwise comply with the Conditions of Approval adopted by the Reedley Planning Commission by Resolution No. 2017-13.

2. Any work required under this Agreement and not mentioned in the above-described Plans

and specifications shall be constructed in accordance with the Standard Specifications of the City of Reedley. If the City has no Standard Specifications for any of said work, it is agreed that the same shall be done and performed in accordance with the most current "Standard Specifications of the State of California, Division of Highways". All of said work, improvements and materials shall be completed, performed and installed under the supervision of and to the satisfaction of the City Engineer of the City of Reedley.

3. Subdivider shall provide for the installation of all gas, electric, telephone, Cable T.V., private irrigation pipelines and other public utility lines and facilities and shall grant easements therefor. All underground utilities and improvements in streets and alleys shall be installed before surfacing of said streets and alleys. The Subdivider shall comply with all requirements of Title 11 of the Reedley Municipal Code concerning installation of Cable T.V. lines and facilities, and shall give all notices required by that title.

4. Prior to the approval of said final map by the City Council, and as a condition precedent to the recordation thereof, and in order to secure for the City the faithful performance by Subdivider of all work and the construction of all improvements mentioned in this Agreement including the placement of all monuments as per said final map, within the time herein specified, Subdivider shall furnish the following to the City:

- i. a good and sufficient surety bond or other security acceptable to City securing the faithful performance of all work and the construction of all improvements herein mentioned in this agreement within the time specified and in the sum of two-million six-hundred ninety-one thousand four-hundred eighteen dollars and twenty cents (2,691,418.20); plus any amounts incurred by the City to enforce the secured obligation, including costs and reasonable expenses and fees (including reasonable attorney's fees); and
- ii. a good and sufficient surety bond or other security acceptable to City securing the payment by Subdivider of all bills for labor, work and materials incurred in the construction of all said improvements and the performance of all work herein agreed to be done by said Subdivider, and amounts due under the Unemployment Insurance Act with respect to such work or labor, the amount of said bond to be one-million three hundred forty-five thousand seven-hundred nine dollars and forty cents (\$1,345,709.40), plus any amounts incurred by the City to enforce the secured obligation, including costs and reasonable expenses and fees (including reasonable attorney's fees); and.

Before acceptance of the subdivision improvements and the release of the faithful performance bond and the labor and materials bond, the Subdivider shall file with the City Clerk a surety bond or

other security acceptable to the City to guarantee the repair of any of the improvements which may be found to be defective in work, labor, or materials within one (1) year after the written acceptance of the improvements by the City. Said Security shall be for two-hundred sixty-nine thousand one-hundred forty-one dollars and eighty-two cents (\$269,141.82), plus an amount for cost and reasonable expenses and fees, including reasonable attorney's fees incurred by the City to enforce the secured obligation; and

All bonds required by this section shall be issued by a corporate surety authorized to do surety business in California and shall be on forms acceptable to the City.

5. The Subdivider shall protect, indemnify, and hold harmless the City of Reedley, its officers, employees and volunteers thereof from any and all liability or claims (in contract, tort, strict liability or otherwise, including but not limited to personal injury, death at any time or property damage), because of or arising out of Subdivider's performance of this Agreement, or out of, any accident, occurrence, loss, damage or happening occurring upon or arising out of the construction of any of the improvements herein or the use by any person of any patent or patented articles in the construction of said work or improvements. The forgoing obligations shall survive completion or termination of this Agreement. The Subdivider agrees that the use of any and all streets and improvements herein above specified shall be, at all times prior to the final acceptance of said improvements by the City Council, the sole and exclusive risk of the Subdivider. The issuance of any occupancy permits by City for dwellings located within the said subdivision shall not be construed in any manner to be an acceptance and approval of any or all of said streets and/or improvements in said subdivision.

6. Subdivider, before commencing work pursuant to this Agreement, shall obtain and maintain in full force and effect during the performance of the work at his/her own expense and risk, policies of insurance as follows and shall furnish evidence of such insurance by filing a certificate of insurance with the City Clerk. Such insurance shall name the City of Reedley, its Council, officers, officials, employees and volunteers as insured or additional insureds, and shall indemnify the City and said persons against liability for loss or damage for personal injury including death, and property damage occasioned by the operations of the Subdivider or its employees, contractors or subcontractors under the terms of this agreement in the minimum limits as follows:

- i. **a) General Liability.** \$2,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
- b) Automobile Liability.** \$2,000,000 combined single limit per accident for

bodily injury and property damage.

c) **Worker's Compensation and Employer's Liability.** Worker's compensation limits as required by the Labor Code of the State of California and Employer's Liability limits of \$1,000,000 per accident.

ii. The policies are to contain, or be endorsed to contain, the following provisions:

a) General Liability and Automobile Liability Coverages.

i) The City, its officers, officials, employees and volunteers are to be covered as insureds as respects liability arising out of activities performed by or on behalf of the Subdivider, products and completed operations of the Subdivider, premises owned, occupied or used by the Subdivider, or automobiles owned, leased, hired or borrowed by the Subdivider. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, officials, employees, or volunteers.

ii) The Subdivider's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Subdivider's insurance and shall not contribute with it.

iii) Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its officers, officials, employees or volunteers.

iv) The Subdivider's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

b) Worker's Compensation and Employer's Liability Coverage. The insurer shall agree to waive all rights of subrogation against the City, its officers, officials, employees and volunteers for losses arising from work performed by the Subdivider under this agreement.

c) All Coverages. Each insurance policy required by this clause shall be issued by a corporate insurer authorized to do insurance business in California and shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City. Such notice requirement shall

not contain "shall endeavor", "best efforts" or similar qualifiers.

- iii. Verification of Coverage. Subdivider shall furnish the City with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. Where by statute the City's worker's compensation-related forms cannot be used, equivalent forms approved by the Insurance Commissioner are to be substituted. All certificates and endorsements are to be received and approved by the City before work commences. The City reserves the right to require complete, certified copies of all required insurance policies, at any time. If such insurance is provided in either case by a policy or certificate which covers the Subdivider or other entity or person than the City of Reedley, such policy shall contain the standard form of cross liability endorsement. Such insurance shall also specifically insure contractual liability assumed by Subdivider under the terms of this agreement.

7. Time is of the essence of this Agreement; provided, however, that in the event good cause is shown therefor to the City by Subdivider, City may extend the time in which the aforementioned improvements may be made and completed under this agreement. Said extensions of time, if any, may be granted without notice to the surety and any extensions so granted shall not relieve the surety bond or other security deposited with the City given to secure Subdivider's performance under this agreement. City shall be the sole and final judge as to whether or not good cause has been shown to entitle Subdivider to an extension of time hereunder.

8. All pipes and monuments shown on the final map hereinafter referred to which are destroyed or displaced during construction operations shall be replaced by Subdivider by the time of the final inspection of the improvements hereunder by the City.

9. It is agreed that title and ownership of any improvements constructed hereunder by Subdivider shall vest absolutely in City upon completion and acceptance of such improvements by the City Council.

10. It is mutually understood and agreed that neither Subdivider nor any of its agents, employees or contractors are or shall be considered to be agents of the City of Reedley in connection with the performance of Subdivider's obligations under this agreement.

11. Subdivider shall pay to the City, for all engineering, inspection and other services provided by City in accordance with this Subdivision, amounts as set forth by adopted City ordinance and resolution in effect at time of payment. City shall, at the completion of the improvements provided for herein, furnish the Subdivider with a statement of all charges for services performed by the City in the event said actual costs exceed the payment previously made by Subdivider for such services. The Subdivider shall complete payment for such charges within thirty (30) days after receipt of such statement of actual costs.

12. Subdivider agrees that if, within a period of one (1) year after final acceptance of the work done under this Agreement, any improvements or part of any improvement furnished and/or installed or constructed or caused to be constructed by Subdivider, or any of the work done under this Agreement, fails to fulfill any of the requirements of this Agreement or the Plans and other plans and specifications referred to herein, Subdivider shall, without delay and without any cost to the City, repair or replace or reconstruct any defective or otherwise unsatisfactory part or parts of the work or improvements. The terms of this section shall not apply to any damage caused by acts of God. Should Subdivider fail to act promptly or in accordance with this requirement, or fail to do the construction as agreed upon herein, or should the exigencies of the case require repairs or replacements to be made before the Subdivider can be notified, the City may, at its option, make the necessary repairs or replacements or perform the necessary work and the Subdivider shall pay to the City the actual cost of such repairs plus thirty percent (30%) to cover the City's indirect and overhead costs. If the Subdivider fails to pay to the City the cost repairs plus thirty percent (30%), the City may, without limiting the Subdivider's liability therefor, file a claim against the bond posted to guarantee and warrant the work.

13. The Subdivider and his/her contractors shall pay when due for any materials, wages, subcontracts, labor, provisions, or other supplies and items used in conjunction with the work performed for the subject subdivision including, but not limited to, unemployment insurance and any other incidentals arising out of any necessary work or labor.

14. The Subdivider shall comply with all Street, Plumbing, Building, Electrical, Zoning Codes and any other applicable Codes, ordinances, standards and regulations of the City. Subdivider shall submit the proposed conditions, covenants, and restrictions to sales of lots within this subdivision to the City of Reedley for review and approval prior to any execution thereof.

15. If Subdivider fails to construct the improvements upon the terms and within the time required, City may complete or cause completion of the required improvements and assess the actual cost of completing the required improvements and file a claim against the bond posted to secure faithful performance of the works.

16. When the improvements are completely installed and accepted by the City Council and there is full performance pursuant to this agreement, City agrees to release Subdivider and the described property from further obligation under this Agreement, except for those obligations, including but not limited to Section 6 and 13, that by their nature continue after termination or completion of this Agreement.

17. All covenants in this Agreement shall pertain to and run with the described real property and shall apply to, bind, and inure to the parties and the contractors, heirs, executors, administrators, assigns or successors in interest of the respective parties hereto.

18. Any notice required by law or by this Agreement shall be given by personal delivery of first class

U.S. Mail. Notice by personal delivery will be effective on delivery and notice by mail will be considered effective three days after it is deposited in the U.S. Mail, postage paid, addressed to the City of Reedley, 1733 Ninth Street, Reedley, CA 93654 or to Subdivider, Self-Help Enterprises, Inc., PO Box 6520, Visalia, CA 93290 at their respective addresses as of the date of this Agreement, unless written notice of change or address has been received by the other party. If any action is required to enforce the provisions of this Agreement, the prevailing party shall be entitled to an award of reasonable attorney fees to be determined by a Court.

19. The Subdivider shall have a record drawing prepared by a civil engineer which denotes the final disposition of the improvements as constructed for water, sewer, storm drain, curb and gutter, and streets. Said "as-built" drawing shall be prepared and submitted to, and approved by, the City Engineer prior to the City Council's acceptance of the improvements.

IN WITNESS WHEREOF, the parties have signed this agreement to be effective as of the Effective Date in the opening paragraph.

CITY OF REEDLEY, a municipal corporation

SELF-HELP ENTERPRISES, INC.,
a California Corporation

BY: _____
Nicole Zieba, City Manager
(Notary Acknowledgement to be Attached)

BY: _____
Tom Collishaw, President/CEO
(Notary Acknowledgement to be Attached)

ATTEST:

BY: _____
Sylvia Plata, City Clerk

APPROVED AS TO FORM:

BY: _____
Scott Cross, City Attorney

RECOMMEND APPROVAL:

BY: _____
Rob Terry,
Community Development Director

FINAL MAP OF TRACT NO. 6196

PHASE I OF VESTING TENTATIVE MAP NO. 6196

IN THE CITY OF REEDLEY, COUNTY OF FRESNO, STATE OF CALIFORNIA
SURVEYED AND PLATTED IN AUGUST 2018, BY LANDDESIGN CONSULTING
CONSISTING OF FIVE SHEETS
SHEET ONE OF FIVE



ACKNOWLEDGMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THIS DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF FRESNO

ON _____ BEFORE ME,

PERSONALLY APPEARED

AND PROMISE TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(ES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE _____

THIS PROJECT IS SUBJECT TO THE FOLLOWING:

- PREVIOUSLY DEEDED FOR GRANT OF EASEMENT FOR SEWER LINE, RECORDED AUGUST 27, 2015, AS DOC. NO. 2015-0110416-00, F.C.R. AND RECORDED AUGUST 27, 2015, AS DOC. NO. 2015-0110417-00, F.C.R.
- PREVIOUSLY GRANT DEEDED, RECORDED NOVEMBER 16, 1993 AS DOCUMENT NO. 93177360, F.C.R.
- PREVIOUSLY DEEDED FOR GRANT OF EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED NOVEMBER 20, 1994 UNDER RECORDER'S SERIAL NO. 94178930, F.C.R.
- PREVIOUSLY DEEDED FOR GRANT OF EASEMENT FOR IRRIGATION PIPE LINE, RECORDED NOVEMBER 15, 1995 IN BOOK 3, PAGE 24 OF RECORD OF SURVEYS, F.C.R. AND RECORDED JULY 15, 1947 IN BOOK 2543, PAGE 159 UNDER RECORDER'S SERIAL NO. 37436, F.C.R. AND RECORDED SEPTEMBER 14, 1956 IN BOOK 3621, PAGE 28 UNDER RECORDER'S SERIAL NO. 66197, F.C.R.
- PREVIOUSLY DEDICATED FOR STREET PURPOSES, RECORDED NOVEMBER 15, 1905 IN BOOK 3, PAGE 24 OF RECORD OF SURVEYS, F.C.R.
- PREVIOUSLY DEEDED FOR THE PERPETUAL RIGHT TO ENTER THE EAST 15 FEET FOR THE PURPOSE OF TAKING WATER FROM THE EXISTING PIPELINE, RECORDED AUGUST 16, 1959 IN BOOK 4262, PAGE 153 AS DOCUMENT NO. 57565, F.C.R.

SOILS CERTIFICATE:

A SOILS REPORT WAS PREPARED FOR THIS MAP BY KRAZAN & ASSOCIATES, INC. AND SIGNED BY DAVID R. JAROSZ, II, R.G.E. 2698/R.C.E. 50185 AND DATED JUNE 15, 2017. SAID REPORT HAS BEEN PLACED ON FILE WITH THE CITY OF REEDLEY.

SUBDIVISION AGREEMENT:

THIS SUBDIVISION TRACT IS AFFECTED BY AN AGREEMENT WITH THE CITY OF REEDLEY RECORDED _____ AS DOCUMENT NO. _____ OFFICIAL RECORDS OF FRESNO COUNTY.

LEGAL DESCRIPTION:

PARCEL ONE:

ADJUSTED PARCEL A OF LOT LINE ADJUSTMENT NO. 2018-2, ACCORDING TO THAT CERTAIN DOCUMENT RECORDED SEPTEMBER 26, 2018 AS DOCUMENT NO. 2018-0118790, FRESNO COUNTY RECORDS, AND AS PER GRANT DEED RECORDED OCTOBER 12, 2018 AS DOCUMENT NO. 2018-0125458, FRESNO COUNTY RECORDS; AND AS PER THAT CERTAIN "CERTIFICATE OF COMPLIANCE" RECORDED OCTOBER 23, 2018 AS DOCUMENT NO. 2018-0128350, FRESNO COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 15 SOUTH, RANGE 23 EAST, M.D.B. & M., CITY OF REEDLEY, COUNTY OF FRESNO, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOT 7 OF MERRITT COLONY, IN THE CITY OF REEDLEY, AS PER MAP RECORDED IN BOOK 3, PAGE 24 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF FRESNO COUNTY.

EXCEPTING THEREFROM THE EAST 625.55 FEET THEREOF.

ALSO EXCEPTING THEREFROM THAT PORTION OF LAND, IF ANY, LAYING WITHIN THE BOUNDARIES OF THE LAND DESCRIBED IN DEED DATED DECEMBER 30, 1958, FROM HENRY J. MEUFELD AND KATHERINE MEUFELD, HUSBAND AND WIFE AS JOINT TENANTS, RECORDED JANUARY 15, 1959 IN BOOK 4163, PAGE 175 AS DOCUMENT NO. 35611 OF OFFICIAL RECORDS.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCELS:

A STRIP OF LAND 100.00 FEET WIDE, SAID STRIP LYING 50.00 FEET ON EACH SIDE OF A LINE RUNNING NORTH AND SOUTH THROUGH THE CENTER OF THE EAST HALF OF SECTION 22, TOWNSHIP 15 SOUTH, RANGE 23 EAST, M.D.B. & M., CITY OF REEDLEY, COUNTY OF FRESNO, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22; THENCE SOUTH 00° 12' 31" WEST A DISTANCE OF 1321.71 FEET TO THE SOUTH LINE OF THE NORTH HALF OF NORTHEAST QUARTER OF SAID SECTION 22, ALSO SAID POINT IS TRUE POINT OF BEGINNING OF SAID CENTERLINE OF STRIP OF LAND 100.00 FEET WIDE, LYING 50.00 FEET ON EACH SIDE; THENCE CONTINUE SOUTH 00° 12' 31" WEST A DISTANCE OF 1321.71 FEET MORE OR LESS TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22, SAID POINT ALSO BEING POINT OF SAID CENTERLINE; THE SIDELINES OF SAID STRIP SHALL BE PROLONGED OR SHORTENED SO AS TO TERMINATE AT THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22.

EXCEPTING ALL MINERALS CONTAINED IN THE ABOVE-DESCRIBED LAND, INCLUDING, WITHOUT LIMITING THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, PROVIDED THAT SANTA FE SHALL NOT HAVE THE RIGHT TO GO UPON OR USE THE SURFACE OF SAID LAND, OR ANY PART THEREOF, FOR THE PURPOSE OF DRILLING FOR, MINING, OR OTHERWISE RECOVERING, ANY OF SAID MINERALS, SANTA FE MAY, HOWEVER, AND HEREBY RESERVES THE RIGHT TO REMOVE ANY OF SAID MINERALS FROM SAID LAND BY MEANS OF WELLS, SHAFTS, TUNNELS, OR OTHER MEANS OF ACCESS TO SAID MINERALS WHICH MAY BE CONSTRUCTED, DRILLED OR DUG FROM OTHER LAND, PROVIDED THAT THE EXERCISE OF SUCH RIGHTS BY SANTA FE SHALL IN NO WAY INTERFERE WITH OR IMPAIR THE USE OF THE SURFACE OF THE LAND HEREBY CONVEYED OR OF ANY IMPROVEMENTS THEREON, AS RESERVED IN THE DEED FROM THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, A DELAWARE CORPORATION, RECORDED NOVEMBER 16, 1993 IN OFFICIAL RECORDS, UNDER RECORDER'S SERIAL NO. 93177360.

ALSO TOGETHER WITH THAT PORTION OF LOT 8 OF SAID MERRITT COLONY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 8 OF SAID MERRITT COLONY; THENCE NORTH 89°44'20" WEST ALONG THE NORTH LINE OF SAID LOT 8 OF SAID MERRITT COLONY, A DISTANCE OF 72.22 FEET; THENCE SOUTH 00°06'55" EAST, A DISTANCE OF 660.91 FEET TO THE SOUTH LINE OF SAID LOT 8; THENCE SOUTH 89°44'11" EAST, A DISTANCE OF 74.71 FEET TO THE INTERSECTION WITH THE EAST LINE OF SAID LOT 8; THENCE NORTH 00°04'16" WEST ALONG SAID EAST LINE, A DISTANCE OF 862.90 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

EASEMENT GRANTED TO ITS PACKING CO., INC., A CALIFORNIA CORPORATION, IN THE EASEMENT AGREEMENT RECORDED AUGUST 27, 2015 IN OFFICIAL RECORDS UNDER RECORDER'S SERIAL NO. 2015-0110416, FOR AN ELECTRIC UTILITY LINE AND AN UNDERGROUND IRRIGATION PIPELINE, IN THE [REDACTED] SET FORTH IN EASEMENT TO, ATTACHED HERETO.

OWNER'S STATEMENT:

THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION, HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND OPEN FOR DEDICATION FOR PUBLIC USE THE RIGHT-OF-WAY FOR ROAD PURPOSES, OUTLOT A, AND EASEMENTS SPECIFIED ON SAID MAP AS INTENDED FOR PUBLIC USE FOR THE PURPOSES SPECIFIED THEREON.

SELF-HELP ENTERPRISES

BY:

THOMAS J. COLLISHAW, PRESIDENT/CEO OF SELF-HELP ENTERPRISES

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF Betsy McGovern-Garcia ON AUGUST 2018. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE ONE YEAR OF THE DATE THIS MAP IS RECORDED, AND THAT THE MONUMENTS ARE OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE REPEATED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

WILLIAM K. WICKRE, P.L.S. 1978

DATE

CITY ENGINEER'S CERTIFICATE:

I, JOHN S. ROBERTSON, REEDLEY CITY ENGINEER, DO HEREBY STATE THAT I HAVE EXAMINED THIS MAP, AND THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES APPLICABLE HAVE BEEN COMPLIED WITH.

BY:

JOHN S. ROBERTSON, R.C.E. 62292
CITY ENGINEER OF THE CITY OF REEDLEY

DATE

CITY SURVEYOR'S CERTIFICATE:

ON BEHALF OF THE CITY OF REEDLEY, I DOUGLAS "JOHN" JOHNSON, AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

BY:

DOUGLAS "JOHN" JOHNSON, P.L.S. 6360
CITY SURVEYOR FOR THE CITY OF REEDLEY

DATE

PLANNING COMMISSION CERTIFICATE:

I, ROB TERRY, HEREBY CERTIFY THAT ON DECEMBER 14, 2017, BY RESOLUTION NUMBER 2017-13, THE CITY OF REEDLEY APPROVED THE TENTATIVE MAP OF THIS SUBDIVISION MAP UPON WHICH THE FINAL MAP IS BASED.

BY:

ROB TERRY, COMMUNITY DEVELOPMENT DIRECTOR
CITY OF REEDLEY

DATE

CITY CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF REEDLEY BY RESOLUTION DID APPROVE THE WITHIN MAP AND ACCEPTED ON BEHALF OF THE PUBLIC ALL PARCELS OF LAND AND EASEMENTS OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

BY:

DIANA B. PULTE, CITY CLERK

DATE

RECORDER'S CERTIFICATE:

DOCUMENT NO. _____ FILED THIS _____ DAY OF _____ 2018, AS _____ AC. IN VOLUME _____ OF PLATS, IN PAGES _____ AND _____ F.C.R., AT THE REQUEST OF OLD IRREDUCIBLE TITLE COMPANY.

FRESNO COUNTY RECORDS
PAUL DAVIS, S.P.A.
RECORDER

BY:

DEPUTY

FINAL MAP OF TRACT NO. 6196

PHASE 1 OF VESTING TENTATIVE MAP NO. 6196

IN THE CITY OF REEDLEY, COUNTY OF FRESNO, STATE OF CALIFORNIA
SURVEYED AND PLATTED IN JUNE 2018, BY LANDDESIGN CONSULTING

CONSISTING OF FIVE SHEETS
SHEET TWO OF FIVE

BASIS OF BEARINGS

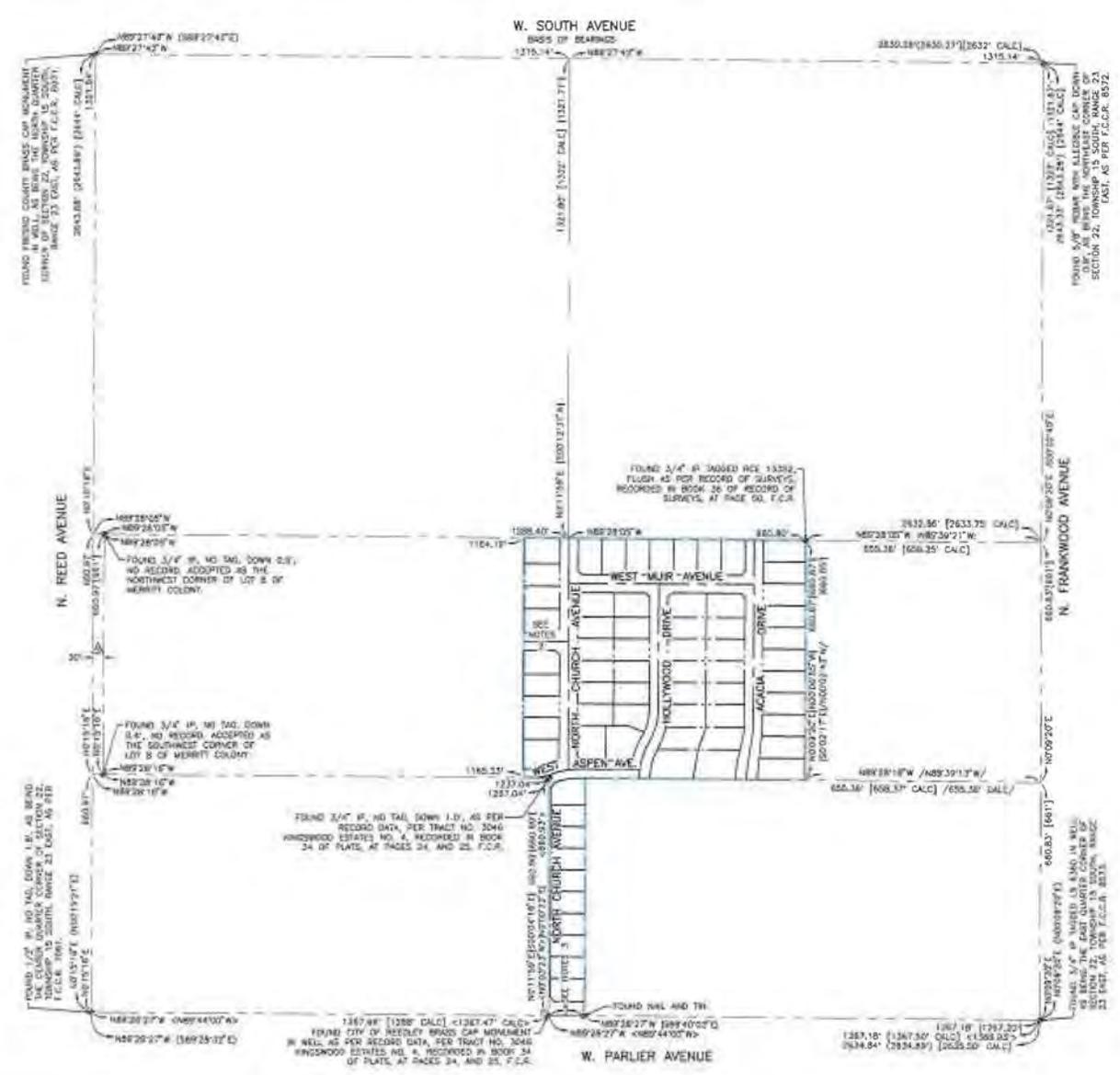
THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 23 EAST, MERID 2400' BASE & MERIDIAN TAKEN TO BE S89°27'42"E AS PER RECORD DATA PER RECORD OF SURVEY RECORDED IN BOOK 57 AT PAGE 41-47 OF RECORD OF SURVEYS, FRESNO COUNTY RECORDS.

NOTES

1. SET 3/4" I.D. STEEL PIPE 30" LONG AT DOWN BELOW-GROUND PER CITY OF REEDLEY STD. ST-41, TAGGED PLUS 7773 AT ALL LOT CORNERS AND ANGLE POINTS.
2. WEST ENDGREEN AVENUE.
3. N89°28'27"W (S89°44'42"E) (S89°40'02"E) (60.00') (109') (109')

LEGEND

- * ALIGNMENT FOUND AND ACCEPTED UNLESS OTHERWISE NOTED.
- ▲ PREVIOUSLY DEDICATED FOR STREET PURPOSES, RECORDED NOVEMBER 15, 1905 IN BOOK 3, PAGE 24 OF RECORD OF SURVEYS, F.C.R.
- () RECORD DATA PER RECORD OF SURVEY RECORDED IN BOOK 57 AT PAGE 41-47 OF RECORD OF SURVEYS, FRESNO COUNTY RECORDS.
- [] RECORD DATA PER MAP OF MERRITT COLONY RECORDED IN BOOK 3 AT PAGE 34 OF RECORD OF SURVEYS, FRESNO COUNTY RECORDS.
- | | RECORD DATA PER LOT LINE ADJUSTMENT NO. 2016-3, PAGE 2, A, RECORDED SEPTEMBER 28, 2016 AS DOCUMENT NO. 2016-011016, FRESNO COUNTY RECORDS.
- + + RECORD DATA PER TRACT 2817 WINDWOOD ESTATES NO. 3, RECORDED IN VOLUME 31 AT PAGE 87-88, OF PLATS, FRESNO COUNTY RECORDS.
- | | RECORD DATA PER TRACT 2741 VICTORIA SQUARE ESTATES, RECORDED IN VOLUME 47 AT PAGE 38-37, OF PLATS, FRESNO COUNTY RECORDS.
- \ \ RECORD DATA PER TRACT #139 VICTORIA SQUARE ESTATES PHASE I, RECORDED IN VOLUME 45 AT PAGE 78-79, OF PLATS, FRESNO COUNTY RECORDS.
- ∨ ∨ RECORD DATA PER TRACT 4586 COMBRIDGE ESTATES, RECORDED IN VOLUME 58 AT PAGE 38-36, OF PLATS, FRESNO COUNTY RECORDS.
- | | RECORD DATA PER RECORD OF SURVEY, RECORDED IN BOOK 38 AT PAGE 50, OF RECORD OF SURVEYS, FRESNO COUNTY RECORDS.
- CALC. CALCULATED FROM RECORD DATA.
- F.C.R. FRESNO COUNTY CORNER RECORDS.
- F.C.A. FRESNO COUNTY RECORDS.
- BLUE BORDER INDICATES THE LIMITS OF THIS SUBDIVISION.



Prepared by: LANDDESIGN CONSULTING, 2018/06/20, 10:00 AM, Project No. 18-001-0001, Sheet No. 2 of 5

CURVES

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	TANGENT
C1	88.87	300.00	195°59'54"	25.17
C2	20.67	325.00	74°12'57"	10.24
C3	41.04	325.00	107°22'51"	20.58
C4	46.71	325.00	175°53'28"	23.44
C5	13.00	325.00	2°32'48"	5.00
C6	36.71	325.00	143°20'28"	26.50
C7	68.87	300.00	195°57'35"	36.78
C8	58.50	325.00	147°54'36"	28.44
C9	81.31	150.00	30°42'30"	41.18
C10	14.00	150.00	57°23'03"	7.00
C11	86.34	150.00	257°20'27"	53.72
C12	25.00	300.00	7°10'43"	12.50
C13	82.13	300.00	223°14'17"	41.00
C14	83.79	175.00	30°42'30"	48.05
C15	107.19	200.00	39°42'30"	54.02
C16	87.31	175.00	39°35'36"	44.69
C17	102.50	200.00	292°22'43"	62.42
C18	83.77	175.00	28°12'58"	43.70
C19	3.94	175.00	171°13'	1.71
C20	60.00	300.00	174°43'	31.29
C21	40.50	300.00	111°38'04"	20.32
C22	85.55	380.00	127°44'	23.82
C23	82.79	325.00	132°28'35"	26.52
C24	38.30	225.00	9°46'24"	19.24
C25	14.41	225.00	74°02'	7.21
C26	38.39	250.00	3°46'25"	18.18
C27	36.38	350.00	8°46'25"	18.18
C28	22.25	320.00	5°47'33"	11.12
C29	27.83	175.00	3°45'22"	13.87
C30	23.68	225.00	8°01'34"	11.84
C31	19.00	328.50	7°50'32"	7.78
C32	10.00	328.50	7°31'19"	5.00
C33	19.50	228.50	7°55'23"	7.78

LINE

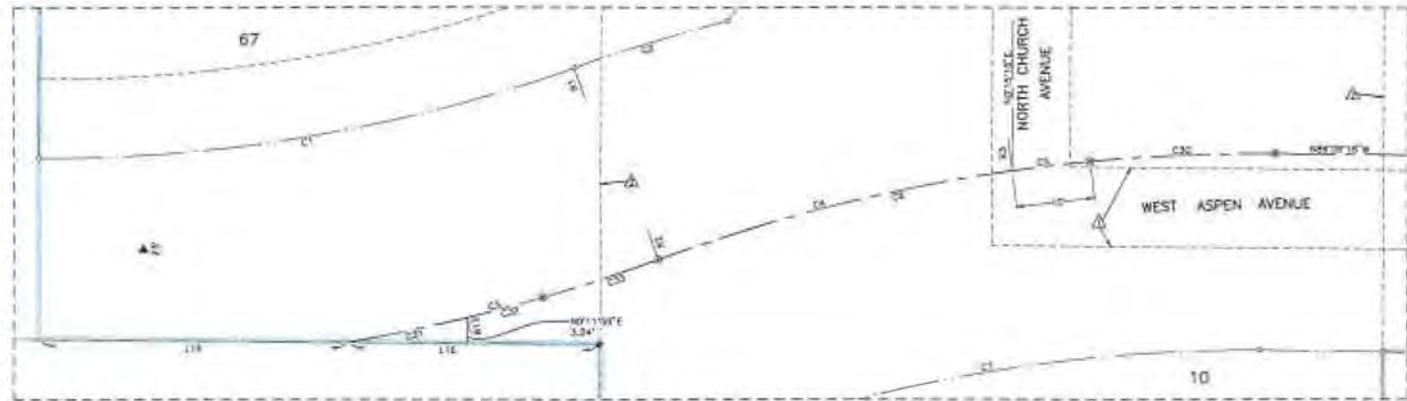
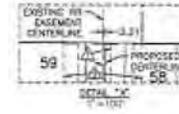
LINE TABLE		
LINE #	LENGTH	BEARING
L1	13.02	N44° 28' 14"W
L2	18.21	N26° 08' 42"E
L3	14.77	N30° 10' 22"E
L4	13.52	N44° 28' 32"W
L5	13.40	N48° 08' 44"W
L6	18.80	N45° 10' 14"E
L7	12.48	N44° 44' 44"W
L8	15.48	N45° 10' 18"E
L9	15.48	N44° 44' 44"W
L10	13.48	N45° 10' 18"E
L11	15.48	N44° 44' 44"W
L12	12.48	N45° 10' 18"E
L13	48.04	N67° 03' 12"W
L14	18.07	N27° 14' 38"E
L15	38.51	S69° 28' 18"E
L16	32.20	S89° 28' 18"E

RADIALS

RADIAL TABLE	
RADIAL #	DIRECTION
R1	S19° 25' 10"E
R2	S19° 34' 10"E
R3	S8° 03' 37"E
R4	S58° 02' 13"E
R5	N44° 24' 12"W
R6	N92° 34' 00"E
R7	S56° 02' 13"E
R8	S87° 31' 39"E
R9	N82° 22' 00"W
R10	N78° 08' 38"W
R11	N88° 04' 38"W
R12	N13° 28' 55"W

FINAL MAP OF TRACT NO. 6196

PHASE 1 OF VESTING TENTATIVE MAP NO. 6196
 IN THE CITY OF REEDLEY, COUNTY OF FRESNO, STATE OF CALIFORNIA
 SURVEYED AND PLATTED IN JUNE 2018, BY LANDDESIGN CONSULTING
 CONSISTING OF FIVE SHEETS
 SHEET FIVE OF FIVE



NOTE
 1. SEE SHEETS 3 AND 4 FOR ALL LEGEND WORKS.



SOURCE: S:\2018\1007\1007\1007.dwg (Map) 10/11/18 11:41 AM - 10/11/18 11:41 AM
 PLOT BY: [unclear] Date: 10/11/18 11:41 AM



YOU ARE CORDIALLY INVITED TO LEARN ABOUT SELF-HELP ENTERPRISES'

PLANS TO DEVELOP A SINGLE-FAMILY SUBDIVISION IN REEDLEY

Date: Thursday, August 22, 2019 **Time:** 5:30 PM
Location: Reedley Community Center - Senior Room
100 N. East Avenue Reedley, CA 93654

ABOUT THE PROJECT

The project location is a portion of the northeast corner of N. Reed Avenue and W. Aspen Drive. All members of the Reedley community are welcome. **Please come by and share your thoughts and ideas for the proposed project.**

ABOUT SELF-HELP ENTERPRISES

Self-Help Enterprises (SHE) is a nationally recognized community development organization dedicated to developing high-quality housing opportunities for working families throughout the San Joaquin Valley. SHE is the pioneer and leading provider of mutual self-help housing in the United States and their efforts today encompass a range of programs to build better homes and communities for families with limited incomes. Since 1965, SHE has helped more than 6,200 families to build their own homes, rehabilitated over 6,300 unsafe homes, developed over 1,400 units of affordable rental housing and has provided technical assistance for reliable access to safe drinking water and sanitary sewer infrastructures to more than 160 small communities.



FOR MORE INFORMATION, PLEASE CONTACT
KAREN SAUCEDA
PHONE: (559) 802-1670
EMAIL: KARENS@SELFHELPENTERPRISES.ORG

www.selfhelpenterprises.org



ESTÁ CORDIALMENTE INVITADO A APRENDER ACERCA DE NUESTROS

PLANES PARA CONSTRUIR NUEVAS VIVIENDAS EN REEDLEY

Fecha: Jueves 22 de agosto de 2019 **Hora:** 5:30 PM
Ubicación de la Reunión: Centro Comunitario de Reedley -
Salón para Personas Mayores
100 N. East Avenue Reedley, CA 93654

SOBRE EL PROYECTO

El proyecto será ubicado la esquina noreste de N. Reed Avenue y W. Aspen Drive. Todos los miembros de la comunidad de Reedley son bienvenidos. **Por favor venga y comparta sus pensamientos e ideas sobre el proyecto propuesto.**

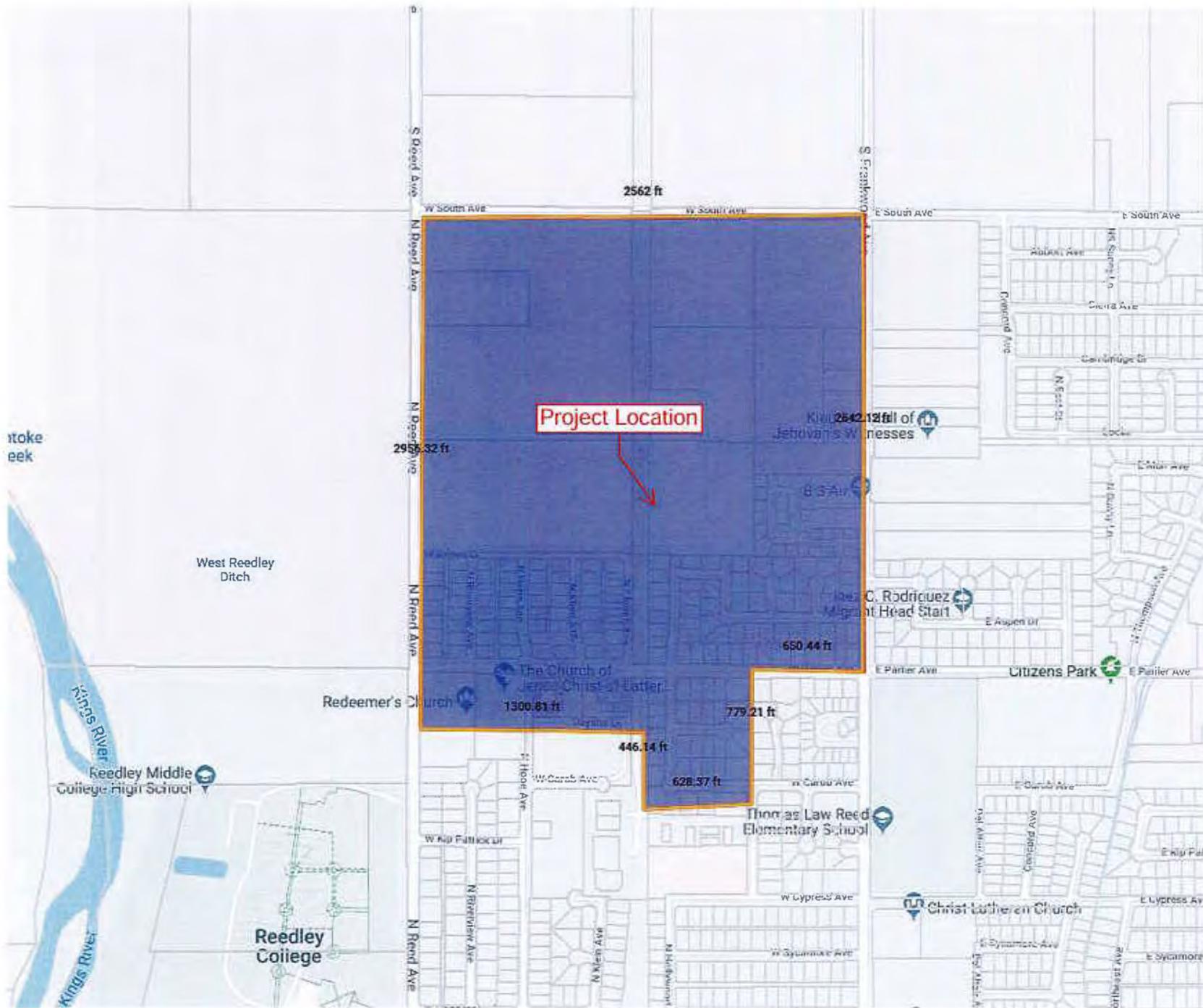
SOBRE NUESTRA ORGANIZACIÓN SELF-HELP ENTERPRISES

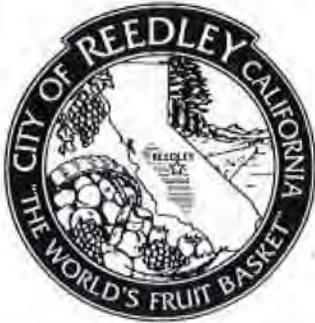
Self-Help Enterprises (SHE) es una organización dedicada al desarrollo comunitario reconocida a nivel nacional, que se enfoca en crear viviendas de alta calidad para familias trabajadoras en todo el Valle de San Joaquín. SHE es el líder de viviendas de autoayuda mutua en los Estados Unidos, en donde grupos de familias acuerdan ayudarse mutuamente a construir sus casas con la supervisión del personal de construcción de SHE. Desde 1965, SHE ha ayudado a más de 6,200 familias a construir sus propias casas, ha rehabilitado más de 6,300 viviendas inseguras, ha desarrollado más de 1,400 alquiler de apartamentos y ha brindado asistencia técnica para el acceso de agua potable e infraestructura cloacales a más de 160 comunidades rurales.



PARA MÁS INFORMACIÓN (EN ESPAÑOL), POR FAVOR CONTACTE A DIANA DIAZ
TELÉFONO: (559) 802-1624
CORREO ELECTRÓNICO:
DIANAD@SELFHELPENTERPRISES.ORG

www.selfhelpenterprises.org





REEDLEY CITY COUNCIL

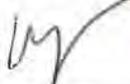
- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing

ITEM NO: 11

DATE: August 27, 2019

TITLE: ADOPT RESOLUTION NO. 2019-076 OF THE CITY COUNCIL OF THE CITY OF REEDLEY DECLARING A FISCAL EMERGENCY IN ORDER TO PLACE A GENERAL PURPOSE TAX BALLOT MEASURE ON THE MARCH 3, 2020 STATEWIDE PRIMARY ELECTION, AND REQUEST THE CITY ATTORNEY TO PREPARE AN ORDINANCE FOR PLACEMENT ON THE MARCH 2020 BALLOT, AND ALL NECESSARY DOCUMENTS IN SUPPORT THEREOF

SUBMITTED: Paul A. Melikian, Assistant City Manager 

APPROVED: Nicole R. Zieba, City Manager 

RECOMMENDATION

Request the City Council adopt Resolution No. 2019-076 declaring a fiscal emergency in order to place a General Purpose Tax ballot measure on the March 3, 2020 Statewide Primary Election, and request the City Attorney to prepare an ordinance for placement on the March 2020 ballot, and all necessary documents in support thereof.

EXECUTIVE SUMMARY

At a workshop on August 13, 2019, the City Council received an updated and detailed General Fund Forecast that built upon ongoing information presented to the Council regarding the City continuing to experience significant increases in expenses that outpace available revenue resources that ultimately will lead to a budget crises of unprecedented proportions if left unaddressed. The financial forecast, covering fiscal years 2020-2025, demonstrated that the City faces a known budget deficit of at least \$678,000 in the next fiscal year (Fiscal Year 2021) and a growing budget deficit in excess of \$2 million annually by Fiscal Year 2025 in the General Fund, the primary funding source for police and fire, among other critical services.

Pursuant to Article XIII C of the California State Constitution, the election required for a new or increased general tax must be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body. Unanimous approval of the attached resolution is needed in order for the City to bring the proposed General Purpose Tax ballot measure to the voters at the March 3, 2020 Statewide Primary Election. Without a unanimous declaration of a fiscal emergency, the City must wait until the next regular general election on November 5, 2020, to submit a general tax measure to the voters.

A general tax measure requires approval of a simple majority of the voters (50% + 1). City staff recommends this proposed tax measure be put to the voters at the earliest possible election to provide the City Council with direction prior to the development of the FY 2021 budget.

Should the attached resolution be approved, the next step will be for staff to work with the City Attorney on ballot measure language and the ordinance imposing a Transactions and Use Tax to be considered by the City Council in the next 30-45 days.

BACKGROUND

In April 2019, a Community Survey was conducted by a third party research firm, FM3 Research, Inc. The results of the survey showed that eight out of ten voters believe that Reedley has a great or some need for additional funding for City services. Residents expressed their desire to avoid further cuts in essential City services and programs such as: 911 emergency first responders, police protection, fire prevention, neighborhood patrols, anti-gang and drug programs, homelessness outreach programs, street and sidewalk repairs, storm drain repair, other infrastructure upkeep, park and open space maintenance, youth and after-school programs, senior citizen programs, retention and attraction of local businesses.

The fiscal situation outlined above and fiscal information previously presented to the City Council warrant consideration of a declaration of fiscal emergency. City staff recommends placing this proposed general tax measure on the March 3, 2020 ballot so the City Council will know the results of the election prior to development of the FY 2021 budget.

FISCAL IMPACT

The fiscal impact of this resolution is estimated to be approximately \$1 million in lost revenue from a delayed implementation of the tax measure.

ATTACHMENT

Resolution No. 2019-076

RESOLUTION 2019-076

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY DECLARING A FISCAL EMERGENCY IN ORDER TO PLACE A GENERAL PURPOSE TAX BALLOT MEASURES ON THE MARCH 3, 2020 STATEWIDE PRIMARY ELECTION

WHEREAS, pursuant to Article XIII C of the California State Constitution, the election for a general tax increase is required to be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body; and

WHEREAS, the City faces a budget crisis of unprecedented proportions; and

WHEREAS, the City has, and will continue to experience significant increases in expenses that outpace available revenue resources; and

WHEREAS, the City Council has already made significant reductions to the City budget in past fiscal years leaving few options but to reduce critical services to the community; and

WHEREAS, the City faces a known budget deficit of at least \$678,000 in the next fiscal year (Fiscal Year 2021) and a growing budget deficit in excess of \$2 million annually by Fiscal Year 2025; and

WHEREAS, additional reductions at the magnitude faced by the City in the next fiscal years will jeopardize the public health and safety of the residents of the City of Reedley by requiring the reduction of critical City services; and

WHEREAS, the residents of the City of Reedley have expressed their desire to avoid further cuts in essential City services and programs such as: 911 emergency first responders, police protection, fire prevention, neighborhood patrols, anti-gang and drug programs, homelessness outreach programs, street and sidewalk repairs, storm drain repair, other infrastructure upkeep, park and open space maintenance, youth and after-school programs, senior citizen programs, retention and attraction of local businesses; and

WHEREAS, the City's fiscal crisis herein described is of sufficient gravity and severity that the City must, at the earliest feasible juncture, propose revenue enhancement measures to the electorate in order, to the extent reasonably possible, to attempt to preserve the minimal level of governmental services necessary to protect and preserve the health and general welfare of the City's residents, workers, and visitors; and

WHEREAS, the City Council of the City of Reedley met at its regularly scheduled meeting of August 13, 2019, to review in a workshop format a detailed five year financial forecast, and review the need and timing for a potential general tax measure.

NOW, THEREFORE, the City Council of the City of Reedley hereby resolves as follows:

1. A fiscal emergency is hereby declared for the City of Reedley.

2. The City Attorney and City staff are hereby directed to prepare such documents and take such action as necessary to place a general purpose tax measure on the ballot for the March 3, 2020, statewide primary election and request consolidation of such election, and the measure shall propose to add up to three-quarters of one percent to the sales tax rate, or such lesser increase to the rate as determined by the City Council and adopted by subsequent resolution before the final ballot measure submission; and

This foregoing resolution is hereby approved and adopted at a regular meeting of the City Council of the City of Reedley held on the 27th day of August, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank Piñon, Mayor

ATTEST:

Sylvia B. Plata, City Clerk



REEDLEY CITY COUNCIL

- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing

ITEM NO: 12

DATE: August 27, 2019

TITLE: ADOPT RESOLUTION NO. 2019-074 AMENDING THE FY 2019-20 ADOPTED BUDGET TO APPROPRIATE \$11,077 IN ADDITIONAL UTILITY ENTERPRISE FUNDS FOR PROGRAMMING UPDATES TO CITY UTILITY BILLING SOFTWARE TO BE COMPLIANT WITH SB 998 REQUIREMENTS EFFECTIVE FEBRUARY 1, 2020

SUBMITTED: Paul A. Melikian, Assistant City Manager

APPROVED: Nicole R. Zieba, City Manager 

RECOMMENDATION

It is recommended that the City Council adopt Resolution 2019-074 to appropriate additional utility enterprise funding for programming updates to City utility billing software to be compliant with requirements set forth in Senate Bill (SB) 998 that are effective February 1, 2020.

EXECUTIVE SUMMARY

SB 998, Discontinuation of Residential Water Service, known as the Water Shutoff Protection Act was signed into law September 28, 2018. It requires all public water systems with more than 200 service connections provide certain notices and options be given to customers before residential water service may be terminated for nonpayment of a delinquent account. The effective date of the changes is February 1, 2020. Commercial service accounts are not affected by SB 998. Although the City has more lenient shut off practices than most surrounding communities, there are still many updates to operating procedures and billing practices that will require custom programming of the City's utility billing software and adoption of new policies. Staff is currently working diligently to have all required changes and updates in place ahead of the implementation date.

In 2016, staff evaluated the City's financial system for possible replacement and concluded that reinvestment into software upgrades of the existing system was the most cost effective solution. As part of the planned upgrades, the City utility bill was to be redesigned and the online payment portal improved. To date all planned upgrades have been completed with the exception of the utility billing module, which was saved for last. This fortunate decision allows staff to make the planned upgrades and incorporate the required changes due to SB 998 at the same time without having to 'pay twice' for the same work. The requested appropriations of \$11,077 represent the additional cost to complete the custom programming of the utility billing software required by SB 998 that is above and beyond the remaining encumbered dollars for the previously planned upgrades to the existing utility billing module and related systems.

BACKGROUND

The following discussion highlights the requirements of the new law with comparison to current City practices.

Discontinuation of Service

Under requirements set forth under SB 998, residential accounts must be at least 60-days delinquent before service is discontinued. Fortunately, this portion of the City's current shutoff practices currently align with the new law; however, no less than seven (7) business days before scheduled discontinuation, the customer named on the account must be notified and offered the written policy for continuation of service, including the date by which payment or arrangement for payment is required to be requested in order to avoid discontinuation of residential service. Currently the City notifies the account holder via special mailing approximately 10 calendar days before the minimum payment is due, with impending shutoff information, however payment arrangement information is not provided.

Per SB 998, residential service may be discontinued no sooner than five (5) business days after posting final notice of intent to disconnect service in a prominent and conspicuous location at the property, which is currently covered by the City's practice of delivering door hangers. This is a substantial increase in time to customers to pay their delinquent account before shutoff, as the City currently provides approximately two (2) business days' notice from the time of placing the door hanger before water service is ultimately shut off.

Notification of Tenant/Occupant

SB 998 requires that if the mailing address listed on the customer's account is not the same as the residential service address, an additional notice (with the same information requirements) must be addressed to "Occupant" and be sent to the service address. The City's current notification practices do not meet this requirement as the City does not notify the occupant if the physical address on the account is different than the mailing address. For example, if a landlord is delinquent in paying the utility bill for their rental property, the City will now be required to notify the tenant/occupant(s) of the delinquency, providing the amount owed and payment options for continuing service. In addition, all occupants of multi-family residential units serviced by a single meter (i.e. apartments, mobile home parks) must receive a good faith written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall inform the residential occupants that they have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

This is a significant departure from current door hanger notifications. For example, if a large apartment complex is delinquent, Public Works staff will now be required to place a door hanger on every single door as opposed to only the complex property manager.

Mandatory Deferred, Reduced and/or Alternative Payment Schedule

Certain conditions will now preclude discontinuation of service, and a viable payment option will be mandatory to be offered by the City. Specifically an alternative payment schedule is required to be offered if staff is provided a certification from a medical provider that discontinuation of service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises; or the customer demonstrates they are financially unable to pay if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children. Lastly the customer may simply declare that the household's annual income is less than 200 percent of the federal poverty level to qualify.

Under the requirements set forth in SB 998, at least one of the following payment options must be offered:

- Amortization of the unpaid balance
- Participation in an alternative payment schedule

- A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers
- Temporary deferral of payment

Due to the staff time involved with gathering the necessary financial information from utility customers, and the potential privacy issues that go along with this activity, staff is planning to offer an amortization of the delinquent balance for any customer who requests it, for a maximum 12-month period with 0% interest in accordance with SB 998. If a customer is under a repayment (amortization) arrangement they will still be required to pay in full by the due date their current service charges, and only one (1) active repayment agreement for delinquent balance at any given time for a customer will be allowed.

Currently the City considers repayment arrangements on a case by case basis, utilizing payment history of the account and specific circumstances. As a result, repayment arrangements are relatively rare with perhaps less than 10 occurrences annually. It is anticipated that the number of repayment arrangements for utility accounts will increase under SB 998. Should the City experience a large number of customers requesting repayment arrangements, there will be an inevitable impact to cash flow in the utility enterprise funds as a higher percentage of revenue collection would be delayed. This would impact fund balances that are needed to cover regular payments to vendors, employee payroll, and other service providers to maintain and operate the systems. Long term, should the adverse impact be sustained, the City may need to look at increasing its current 45 working capital policy and hold more funds in reserve to cover obligations while revenue collection is delayed.

Changes to City Utility Bill

SB 998 also requires a written policy on discontinuation of water service to residences for nonpayment be available in prescribed languages, specifically English and any other language spoken by at least 10% of the people residing in the service area. All written notices shall be provided in English and any other language spoken by at least 10% of the people residing in the service area. The shutoff policy must be available to customers in the office and posted on the City's website, and must include all of the following:

- A plan for deferred or reduced payments
- Alternative Payment schedules
- A formal mechanism for a customer to contest or appeal a bill
- A telephone number for a customer to contact to discuss options for averting discontinuation
- Procedures for requesting amortization of the unpaid balance
- Procedures for petitioning a review of the bill and appeal of the amount
- Procedures on how to reinstate and restore residential service

The City already has billing practices detailed on the back of every monthly utility bill, however it does not include all the information summarized above, and currently only printed in English. Going forward all affected documents will be published in English and Spanish, at a minimum. The bill also created a requirement for the City to publish an annual report on the number of discontinuations of residential service for inability to pay and post on the City's website.

Reconnection of Service

SB 998 also addresses reconnection fees set by water systems, specifically for those customers meeting economic conditions detailed above section on mandatory deferred, reduced and/or alternative payment schedules. The City has historically charged a disconnection fee, but not a fee for reconnection except if a customer wishes to have their water turned on outside of normal operating hours. The City currently charges a fee of either \$50.00 or \$100.00, depending on how late the request is received. The fees are used solely to recoup the overtime rates that are paid to Public Works employees performing the service. In any case, the City's current fees of \$50.00-\$100.00 for reconnection during non-operational hours are under the \$150.00 maximum set by SB 998.

FISCAL IMPACT

The requested additional funding of \$11,077 will be derived from Water, Wastewater, and Solid Waste Enterprise funds, proportionate to their share of the current base residential utility bill. Although the changes to billing practices and noticing pertains to residential water service, the project involves updating the entire billing software module within the City's financial system, of which all three utilities utilize, and would be consistent with the funding split used for the original planned upgrades to the system.

ATTACHMENTS

Budget Resolution 2019-074
SB 998 Language

BUDGET AMENDMENT RESOLUTION 2019-074

The City Council of the City of Reedley does hereby amend the 2019-20 Budget as follows:

SECTION I - ADDITIONS

Account Number	Account Description	Amount
050-4150.4037	Corbin Willits Software Enhancements	\$ 2,991
052-4153.4037	Corbin Willits Software Enhancements	\$ 3,323
053-4155.4037	Corbin Willits Software Enhancements	\$ 4,763
Total		\$ 11,077

Purpose: Programming updates to accommodate SB998 legal requirements

SECTION II - SOURCE OF FUNDING

Account Number	Account Description	Amount
050-2710	Water Fund Unallocated Fund Balance	\$ 2,991
052-2710	Sewer Fund Unallocated Fund Balance	\$ 3,323
053-2710	Solid Waste Fund Unallocated Fund Balance	\$ 4,763
Total		\$ 11,077

Impact: Reduces available fund balances

REVIEWED:



Assistant City Manager

RECOMMENDED:



City Manager

The foregoing resolution was approved by the City Council of the City of Reedley on August 27, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Frank Piñon

Sylvia Plata, City Clerk



Senate Bill No. 998

CHAPTER 891

An act to add Chapter 6 (commencing with Section 116900) to Part 12 of Division 104 of the Health and Safety Code, relating to water.

[Approved by Governor September 28, 2018. Filed with Secretary of State September 28, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 998, Dodd. Discontinuation of residential water service: urban and community water systems.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including water corporations. Existing law requires certain notice to be given before a water corporation, public utility district, municipal utility district, or a municipally owned or operated public utility furnishing water may terminate residential service for nonpayment of a delinquent account, as prescribed.

This bill would require an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment available in prescribed languages. The bill would require the policy to include certain components, be available on the system's Internet Web site, and be provided to customers in writing, upon request. The bill would provide for enforcement of these provisions, including making a violation of these provisions punishable by a civil penalty issued by the board in an amount not to exceed \$1,000 for each day in which the violation occurs, and would require the enforcement moneys collected by the board to be deposited in the Safe Drinking Water Account. The bill would prohibit an urban and community water system from discontinuing residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. The bill would require an urban and community water system to contact the customer named on the account and provide the customer with the urban and community water system's policy on discontinuation of residential service for nonpayment no less than 7 business days before discontinuation of residential service, as prescribed.

This bill would prohibit residential service from being discontinued under specified circumstances. The bill would require an urban and community

water system that discontinues residential service to provide the customer with information on how to restore service. The bill would require an urban and community water system to waive interest charges on delinquent bills for, and would limit the amount of a reconnection of service fee imposed on, a residential customer who demonstrates, as prescribed, to the urban and community water system household income below 200% of the federal poverty line. The bill would require an urban and community water system that furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit structure, mobilehome park, or permanent residential structure in a labor camp, and that the owner, manager, or operator of the dwelling, structure, or park is the customer of record, to make every good faith effort to inform the residential occupants by written notice that service will be terminated and that the residential occupants have the right to become customers, as specified. The bill would require an urban and community water system to report the number of annual discontinuations of residential service for inability to pay on its Internet Web site and to the board, and the bill would require the board to post on its Internet Web site the information reported. The bill would require an urban water supplier, as defined, or an urban and community water system regulated by the commission, to comply with the bill's provisions on and after February 1, 2020, and any other urban and community water system to comply with the bill's provisions on and after April 1, 2020. The bill would provide that the provisions of the bill are in addition to the provisions in existing law duplicative of the bill and that where the provisions are inconsistent, the provisions described in the bill apply.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares as follows:

- (a) All Californians have the right to safe, accessible, and affordable water as declared by Section 106.3 of the Water Code.
- (b) It is the intent of the Legislature to minimize the number of Californians who lose access to water service due to inability to pay.
- (c) Water service discontinuations threaten human health and well-being, and have disproportionate impact on infants, children, the elderly, low-income families, communities of color, people for whom English is a second language, physically disabled persons, and persons with life-threatening medical conditions.
- (d) When there is a delinquent bill, all Californians, regardless of whether they pay a water bill directly, should be treated fairly, and fair treatment includes the ability to contest a bill, seek alternative payment schedules, and demonstrate medical need and severe economic hardship.
- (e) The loss of water service causes tremendous hardship and undue stress, including increased health risks to vulnerable populations.
- (f) It is the intent of the Legislature that this act provide additional procedural protections and expand upon the procedural safeguards contained

in the Public Utilities Code and Government Code as of January 1, 2018, relating to utility service disconnections.

SEC. 2. Chapter 6 (commencing with Section 116900) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

CHAPTER 6. DISCONTINUATION OF RESIDENTIAL WATER SERVICE

116900. This chapter shall be known, and may be cited, as the Water Shutoff Protection Act.

116902. For the purposes of this chapter, the following definitions apply:

(a) "Board" means the State Water Resources Control Board.

(b) "Public water system" has the same meaning as defined in Section 116275.

(c) "Residential service" means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.

(d) "Urban and community water system" means a public water system that supplies water to more than 200 service connections.

(e) "Urban water supplier" has the same meaning as defined in Section 10617 of the Water Code.

116904. (a) An urban water supplier not regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020.

(b) An urban and community water system regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020. The urban and community water system regulated by the Public Utilities Commission shall file advice letters with the commission to conform with this chapter.

(c) An urban and community water system not described in subdivision (a) or (b) shall comply with this chapter on and after April 1, 2020.

116906. (a) An urban and community water system shall have a written policy on discontinuation of residential service for nonpayment available in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by at least 10 percent of the people residing in its service area. The policy shall include all of the following:

(1) A plan for deferred or reduced payments.

(2) Alternative payment schedules.

(3) A formal mechanism for a customer to contest or appeal a bill.

(4) A telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.

(b) The policy shall be available on the urban and community water system's Internet Web site, if an Internet Web site exists. If an Internet Web site does not exist, the urban and community water system shall provide the policy to customers in writing, upon request.

(c) (1) The board may enforce the requirements of this section pursuant to Sections 116577, 116650, and 116655. The provisions of Section 116585

and Article 10 (commencing with Section 116700) of Chapter 4 apply to enforcement undertaken for a violation of this section.

(2) All moneys collected pursuant to this subdivision shall be deposited in the Safe Drinking Water Account established pursuant to Section 116590.

116908. (a) (1) (A) An urban and community water system shall not discontinue residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. No less than seven business days before discontinuation of residential service for nonpayment, an urban and community water system shall contact the customer named on the account by telephone or written notice.

(B) When the urban and community water system contacts the customer named on the account by telephone pursuant to subparagraph (A), it shall offer to provide in writing to the customer the urban and community water system's policy on discontinuation of residential service for nonpayment. An urban and community water system shall offer to discuss options to avert discontinuation of residential service for nonpayment, including, but not limited to, alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and petition for bill review and appeal.

(C) When the urban and community water system contacts the customer named on the account by written notice pursuant to subparagraph (A), the written notice of payment delinquency and impending discontinuation shall be mailed to the customer of the residence to which the residential service is provided. If the customer's address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to "Occupant." The notice shall include, but is not limited to, all of the following information in a clear and legible format:

- (i) The customer's name and address.
- (ii) The amount of the delinquency.
- (iii) The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service.
- (iv) A description of the process to apply for an extension of time to pay the delinquent charges.
- (v) A description of the procedure to petition for bill review and appeal.
- (vi) A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges, consistent with the written policies provided pursuant to subdivision (a) of Section 116906.

(2) If the urban and community water system is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned through the mail as undeliverable, the urban and community water system shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment and the urban and community water system's policy for discontinuation of residential service for nonpayment.

(b) If an adult at the residence appeals the water bill to the urban and community water system or any other administrative or legal body to which such an appeal may be lawfully taken, the urban and community water system shall not discontinue residential service while the appeal is pending.

116910. (a) An urban and community water system shall not discontinue residential service for nonpayment if all of the following conditions are met:

(1) The customer, or a tenant of the customer, submits to the urban and community water system the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.

(2) The customer demonstrates that he or she is financially unable to pay for residential service within the urban and community water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

(3) The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment, consistent with the written policies provided pursuant to subdivision (a) of Section 116906, with respect to all delinquent charges.

(b) (1) If the conditions listed in subdivision (a) are met, the urban and community water system shall offer the customer one or more of the following options:

(A) Amortization of the unpaid balance.

(B) Participation in an alternative payment schedule.

(C) A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.

(D) Temporary deferral of payment.

(2) The urban and community water system may choose which of the payment options described in paragraph (1) the customer undertakes and may set the parameters of that payment option. Ordinarily, the repayment option offered should result in repayment of any remaining outstanding balance within 12 months. An urban and community water system may grant a longer repayment period if it finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case.

(3) Residential service may be discontinued no sooner than 5 business days after the urban and community water system posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances:

(A) The customer fails to comply with an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges for 60 days or more.

(B) While undertaking an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges, the customer does not pay his or her current residential service charges for 60 days or more.

116912. An urban and community water system that discontinues residential service for nonpayment shall provide the customer with information on how to restore residential service.

116914. (a) For a residential customer who demonstrates to an urban and community water system household income below 200 percent of the federal poverty line, the urban and community water system shall do both of the following:

(1) Set a reconnection of service fee for reconnection during normal operating hours at fifty dollars (\$50), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For the reconnection of residential service during nonoperational hours, an urban and community water system shall set a reconnection of service fee at one hundred fifty dollars (\$150), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

(2) Waive interest charges on delinquent bills once every 12 months.

(b) An urban and community water system shall deem a residential customer to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

116916. (a) This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

(b) If an urban and community water system furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobilehome park, or permanent residential structure in a labor camp as defined in Section 17008, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the urban and community water system shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become

customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

(c) The urban and community water system is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the urban and community water system's rules and tariffs. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the urban and community water system, or if there is a physical means legally available to the urban and community water system of selectively terminating service to those residential occupants who have not met the requirements of the urban and community water system's rules and tariffs, the urban and community water system shall make service available to those residential occupants who have met those requirements.

(d) If prior service for a period of time is a condition for establishing credit with the urban and community water system, residence and proof of prompt payment of rent or other credit obligation acceptable to the urban and community water system for that period of time is a satisfactory equivalent.

(e) Any residential occupant who becomes a customer of the urban and community water system pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the urban and community water system for those services during the preceding payment period.

(f) In the case of a detached single-family dwelling, the urban and community water system may do any of the following:

(1) Give notice of termination at least seven days prior to the proposed termination.

(2) In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code.

116918. An urban and community water system shall report the number of annual discontinuations of residential service for inability to pay on the urban and community water system's Internet Web site, if an Internet Web site exists, and to the board. The board shall post on its Internet Web site the information reported.

116920. (a) The Attorney General, at the request of the board or upon his or her own motion, may bring an action in state court to restrain by temporary or permanent injunction the use of any method, act, or practice declared in this chapter to be unlawful.

(b) For an urban and community water system regulated by the Public Utilities Commission, the commission may bring an action in state court to restrain by temporary or permanent injunction the use by an urban and community water system regulated by the commission of any method, act, or practice declared in this chapter to be unlawful.

116922. All written notices required under this chapter shall be provided in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the urban and community water system's service area.

116924. Where provisions of existing law are duplicative of this chapter, compliance with one shall be deemed compliance with the other. Where those provisions are inconsistent, the provisions of this chapter shall apply. Nothing in this chapter shall be construed to limit or restrict the procedural safeguards against the disconnection of residential water service existing as of December 31, 2018.

116926. This chapter does not apply to the termination of a service connection by an urban and community water system due to an unauthorized action of a customer.