



# CITY of CLOVIS

## AGENDA • CITY COUNCIL MEETING

Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2060  
[www.cityofclovis.com](http://www.cityofclovis.com)

October 5, 2020

6:00 PM

Council Chamber

In compliance with the Americans with Disabilities Act, if you need special assistance to access the City Council Chamber to participate at this meeting, please contact the City Clerk or General Services Director at (559) 324-2060 (TTY – 711). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the Council Chamber.

### **\*SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19\***

Given the current Shelter-in-Place Order covering the State of California and the Social Distance Guidelines issued by Federal, State, and Local Authorities, the City is implementing the following changes to participate in Council meetings until notified otherwise. The Council chambers will be open to the public but we will be implementing social distancing policies and will limit the number of people who may be in the Council chambers. Face masks are required to attend. We are encouraging residents to participate virtually following the directions below. If you are sick, please do not attend the meeting. Any member of the City Council may participate from a remote location by teleconference.

- The meeting will be webcast and accessed at: <https://cityofclovis.com/government/city-council/city-council-agendas/>

### **Written Comments**

- Members of the public are encouraged to submit written comments at: <https://cityofclovis.com/government/city-council/city-council-agendas/> at least two (2) hours before the meeting (4:00 p.m.). You will be prompted to provide:

- Council Meeting Date
- Item Number
- Name
- Email
- Comment



- Please submit a separate form for each item you are commenting on.
- A copy of your written comment will be provided to the City Council noting the item number. If you wish to make a verbal comment, please see instructions below.

- Please be aware that any written comments received that do not specify a particular agenda item will be marked for the general public comment portion of the agenda.
- If a written comment is received after 4:00 p.m. on the day of the meeting, efforts will be made to provide the comment to the City Council during the meeting. However, staff cannot guarantee that written comments received after 4:00 p.m. will be provided to City Council during the meeting. All written comments received prior to the end of the meeting will be made part of the record of proceedings.

### **Verbal Comments**

- If you wish to speak to the Council on an item by telephone, you should contact the City Clerk at (559) 324-2060 no later than 4:00 p.m. the day of the meeting.
- You will be asked to provide your name, phone number, and your email. You will be emailed instructions to log into Webex to participate in the meeting. Staff recommends participants log into the Webex at 5:30 p.m. the day of the meeting to perform an audio check.
- All callers will be placed on mute, and at the appropriate time for your comment your microphone will be unmuted.
- You will be able to speak to the Council for up to three (3) minutes.

### **Webex Participation**

- Reasonable efforts will be made to allow written and verbal comment from a participant communicating with the host of the virtual meeting. To do so, a participant will need to chat with the host and request to make a written or verbal comment. The host will make reasonable efforts to make written and verbal comments available to the City Council. Due to the new untested format of these meetings, the City cannot guarantee that these written and verbal comments initiated via chat will occur. Participants desiring to make a verbal comment via chat will need to ensure that they accessed the meeting with audio transmission capabilities.

### **CALL TO ORDER**

### **FLAG SALUTE - Councilmember Whalen**

### **ROLL CALL**

### **PRESENTATIONS/PROCLAMATIONS**

1. Presentation of Proclamation condemning racism, discrimination, bigotry, bias, and hate speech in our community.
2. Presentation and Update on the Community Development Block Grant Funded Senior Meal Program.

**Public Comments** - This is an opportunity for the members of the public to address the City Council on any matter within the City Council's jurisdiction that is not listed on the Agenda. In order for everyone to be heard, please limit your comments to 5 minutes or less, or 10 minutes per topic. Anyone wishing to be placed on the Agenda for a specific topic should contact the City Manager's office and submit correspondence at least 10 days before the desired date of appearance.

**ORDINANCES AND RESOLUTIONS** - With respect to the approval of resolutions and ordinances, the reading of the title shall be deemed a motion to waive a reading of the complete resolution or ordinance and unless there is a request by a Councilmember that the resolution or ordinance be read in full, further reading of the resolution or ordinance shall be deemed waived by unanimous consent of the Council.

**CONSENT CALENDAR** - Items considered routine in nature are to be placed upon the Consent Calendar. They will all be considered and voted upon in one vote as one item unless a Councilmember requests individual consideration. A Councilmember's vote in favor of the Consent Calendar is considered and recorded as a separate affirmative vote in favor of each action listed. Motions in favor of adoption of the Consent Calendar are deemed to include a motion to waive the reading of any ordinance or resolution on the Consent Calendar. For adoption of ordinances, only those that have received a unanimous vote upon introduction are considered Consent items.

- [3.](#) Administration - Approval - Minutes from the September 14, 2020 and September 21, 2020 Council Meetings.
- [4.](#) Fire – Approval – Res. 20-\_\_\_, Amending the 2020-2021 FY Public Utilities and General Services budget to allocate funds for the purchase of four (4) command vehicles for the Fire Department, waive the formal bidding requirements, and authorize the purchase of four (4) Ford F250 3/4 Ton Crew Cab Pickups and associated equipment to outfit the vehicles.
- [5.](#) General Services - Approval – Res. 20-\_\_\_, Renewing Medical Plan Options for Eligible Retirees and Restating the Eligibility Requirements for Participation in the Plan.
- [6.](#) Planning and Development Services - Approval – Bid Award for CIP 19-10, Sidewalk Improvements – W. Rialto and Villa Avenues; and Authorize the City Manager to execute the contract on behalf of the City.
- [7.](#) Planning and Development Services – Approval – Final Acceptance for Final Map for Tract 6080, located at the southwest area of Ashlan and Highland Avenues (Ashlan/Highland No. 1, LP – McCaffrey Homes).
- [8.](#) Planning and Development Services - Approval - Final Acceptance for CIP 18-10 Armstrong Avenue Reconstruction
- [9.](#) Planning and Development Services - Approval - Final Acceptance for CIP 18-13, Sunnyside Avenue Street Improvements.
- [10.](#) Police – Approval – Res. 20\_\_\_, Amending the 2019-20 Police Department Budget to reflect the award of the Edward Byrne Memorial Justice Assistance Grants (JAG) Program in the amount of \$15,431.
- [11.](#) Police – Approval – Res. 20\_\_\_, Amending the Police Department's Budget for FY 2020-2021 to reflect the award from the Office of Traffic Safety Selective Enforcement Traffic Program Grant in the amount of \$75,000.00 and the Office of Traffic Safety Traffic Records Improvement Project in the amount of \$51,800.00.

**PUBLIC HEARINGS** - A public hearing is an open consideration within a regular or special meeting of the City Council, for which special notice has been given and may be required. When a public hearing is continued, noticing of the adjourned item is required as per Government Code 54955.1.

12. Consider Approval – Res. 20-\_\_\_\_, Amending the City’s Master Administrative Fee Schedule to Eliminate Clovis Transit Fares.

**Staff:** Amy Hance, General Services Manager

**Recommendation:** Approve

13. Consider Approval – Res. 20-\_\_\_\_, Accepting the Staffing for Adequate Fire and Emergency Response (SAFER) Grant award in the amount of \$3,989,655 to staff nine (9) firefighters for a period of three (3) years and amending the 2020 – 2021 FY City Budget and Position Allocation for the required additional Fire Personnel.

**Staff:** John Binaski, Fire Chief

**Recommendation:** Approve

14. Consider Approval – Res. 20-\_\_\_\_, Accepting the Assistance to Firefighter Grant (AFG) and amending the 2020-2021 FY City Budget to reflect \$144,147.27 in grant funding awarded to funding the purchase of Source Capture Extraction Systems (SCES) for City fire stations.

**Staff:** John Binaski, Fire Chief

**Recommendation:** Approve

15. Consider Approval – Various Actions Associated with the Acquisition of Fire Apparatus.

a. Consider Approval – Waive the City’s formal bidding requirements and authorize the sole-source purchase of one Pierce Triple Combination Pumper Fire Apparatus from Golden State Fire Apparatus in Sacramento, CA for a total purchase price of \$748,277.25.

b. Consider Approval – Res. 20-\_\_\_\_, Amend the Public Utilities Department and General Services budget to provide funding for the purchase of one Pierce Triple Combination Pumper Fire Apparatus.

**Staff:** John Binaski, Fire Chief

**Recommendation:** Approve

**ADMINISTRATIVE ITEMS-** Administrative Items are matters on the regular City Council Agenda other than Public Hearings.

16. Receive and File – Update on Fire Station 2 located at 2300 Minnewawa Avenue

**Staff:** John Binaski, Fire Chief

**Recommendation:** Receive and File

**WORKSHOP** - For the Clovis City Council to conduct a workshop to discuss the impact on ongoing City operations during the COVID-19 State of Emergency as declared by the Federal Government, State of California, County of Fresno, and City of Clovis; and to explore actions the City may take in response to the crisis.

**CITY MANAGER COMMENTS**

**COUNCIL COMMENTS**

**CLOSED SESSION** - A “closed door” (not public) City Council meeting, allowed by State law, for consideration of pending legal matters and certain matters related to personnel and real estate transactions.

- 17. Government Code Section 54956.9(d)(2)  
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
SIGNIFICANT EXPOSURE TO LITIGATION – One Case

**ADJOURNMENT**

**MEETINGS AND KEY ISSUES**

Regular City Council Meetings are held at 6:00 P.M. in the Council Chamber. The following are future meeting dates:

- Oct. 12, 2020 (Mon.)
- Oct. 19, 2020 (Mon.)
- Nov. 2, 2020 (Mon.)
- Nov. 9, 2020 (Mon.)
- Nov. 16, 2020 (Mon.)

CITY *of* CLOVIS  
**PROCLAMATION**  
**CONDEMNING RACISM, DISCRIMINATION, BIGOTRY, BIAS,  
 AND HATE SPEECH IN OUR COMMUNITY**

**WHEREAS**, on Saturday, September 26, 2020, events occurred in our community that neither represent our values nor reflect the views of those who live here. Through the lens of that event, and events occurring around the country, we hereby adopt this resolution to publicly condemn bias and hate in all forms and to reaffirm our community values of respect, inclusivity, civility and equity for all---and urge every organization in our community to stand with us.

**WHEREAS**, the City of Clovis' Vision Statement is, "A City that is committed to the Clovis Community Family, their needs, their values, and a quality way of life for all; reflecting that commitment in how it develops and in the activities it undertakes". The City of Clovis' commitment to a "quality way of life for all" means everyone who lives in, works in, does business in, or visits Clovis regardless of race or ethnicity; and

**WHEREAS**, our community was founded by families with traditions from around the world---alongside of the indigenous people native to this region. Early Clovis High School class photos remind us of the diversity on which this community was built; and

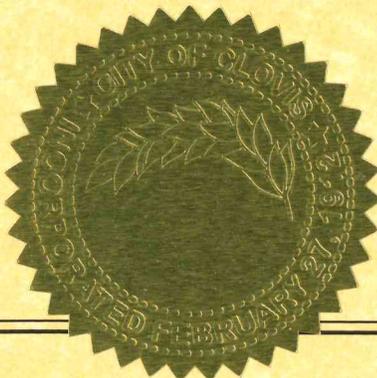
**WHEREAS**, racism causes discrimination and disparate outcomes in housing, education, employment, criminal justice, health, and leads to economic hardships; and racism, bias, and hate have no place in our society or in our community. We must protect the constitutional rights of everyone in our community and foster a community that is welcoming to all people regardless of race, ethnicity, religion, or sexual orientation; and

**WHEREAS**, we recognize that a resolution or a single action, in and of itself, will not change a community but rather that we are all responsible, both individually and collectively, for creating and fostering an anti-racist and unbiased community in our words and actions, and that we must actively acknowledge and stand-up against bias and discrimination of any kind.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Clovis on behalf of the citizens of Clovis as follows:

1. The City Government of Clovis, along with the citizens of our community, have a shared value that all men and women are created equal, and we will defend anyone who is mistreated because of their race, ethnicity, sexual preference, religion, or any other reason; and
2. The City of Clovis strongly condemns all forms of racism, discrimination, bigotry, bias, and hate speech in our community; and
3. The City of Clovis stands steadfast in our commitment to foster an inclusive civil environment where everyone in our community is treated with dignity and respect.

**IN WITNESS THEREFORE**, I hereunto set my hand and cause the official seal of the City of Clovis to be affixed the 5<sup>th</sup> day of October, 2020.



*Drew M. Bosson*  
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 Mayor

**CLOVIS CITY COUNCIL MEETING**

**September 14, 2020**

**6:00 P.M.**

**Council Chamber**

Meeting called to order by Mayor Bessinger  
Flag Salute led by Councilmember Flores

Roll Call: Present: Councilmembers Ashbeck, Flores, Mouanoutoua, Whalen  
Mayor Bessinger  
Absent: None

ITEM 1 - 6:04 P.M. – PRESENTATION OF PROCLAMATION DECLARING SEPTEMBER 6TH AS "JASWANT SINGH KHALRA DAY".

Councilmember Mouanoutoua presented a Proclamation to Harman Singh declaring September 6<sup>th</sup> as "Jaswant Singh Khalra Day".

PUBLIC COMMENTS - None

6:09 - CONSENT CALENDAR

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, that the items on the Consent Calendar be approved. Motion carried by unanimous vote.

2. Finance – Received and Filed – Investment Report for the Month of May 2020.
3. Finance – Received and Filed – Treasurer’s Report for the Month of May 2020.
4. Finance - Approved – **Res. 20-120**, Amending the 2020-2021 Budget to Reappropriate Carryover Funding from the 2019-2020 Budget.
5. Police - Approved - Authorize the Purchase of the Intrado Viper 9-1-1 Phone System for the Police Department Alternate (backup) Dispatch Site.
6. Public Utilities – Approved - Waive formal bidding requirements and authorize the purchase of a Grapple Truck off the Sourcewell Purchasing Contract from Nixon-Egli Equipment Company

**ADMINISTRATIVE ITEMS**

ITEM 7 – 6:10 - APPROVED – FOR THE CITY COUNCIL TO PROVIDE POLICY DIRECTION REGARDING A REQUEST BY WILSON PREMIER HOMES FOR COUNCIL TO AUTHORIZE STAFF TO BEGIN THE PROCESS TO AMEND THE CITY OF CLOVIS SPHERE OF INFLUENCE TO ALLOW FUTURE URBANIZATION OF APPROXIMATELY 825 ACRES NORTH OF SHEPHERD AVENUE GENERALLY BETWEEN SUNNYSIDE AVENUE AND NORTH CARSON AVENUE (BIG DRY CREEK DAM).

Senior Planner Ricky Caperton presented a report on a request for the City Council to provide policy direction regarding a request by Wilson Premier Homes for Council to authorize staff to begin the process to amend the City of Clovis Sphere of Influence to allow

future urbanization of approximately 825 acres north of Shepherd Avenue generally between Sunnyside Avenue and North Carson Avenue (Big Dry Creek Dam). On March 2, 2020, Council provided authorization to move forward with preparation of environmental studies for the expansion and urbanization of approximately 75 acres at the northeast corner of Shepherd and Sunnyside Avenues. Since then, the applicant put the project on hiatus through the Spring as a result of COVID-19. The applicant has recently decided to move forward again and requested to further expand the SOI boundary from what was previously considered to include an additional 750 acres, for a total of approximately 825 acres.

Ricky Caperton provided an update to the March 2, 2020 hearing, and requests Council's authorization to move forward with a revised SOI amendment to now include approximately 825 total acres rather than the approximately 75 acres previously requested. With the Council's concurrence, staff will schedule a public meeting to gather input from the owners in the revised SOI boundary, plus the Dry Creek Preserve area, before returning to the Council to consider a formal resolution initiating the SOI expansion application. Further details were provided in the letter of justification provided by the applicant's representative, Dirk Poeschel of Land Development Services, Inc.

Charles Kellis, area resident spoke in opposition to the proposal due to concerns with light, noise, traffic, and not wanting to be in the city. Dirk Poeschel, representing the applicant, spoke in support. Norman Morrison, area resident, spoke in opposition to the sphere expansion. Arakel Arisian, representing the Ricchiuti family, commented on the proposal. Jared Callister, area resident, spoke in opposition. Jan Kull, area resident, spoke in opposition. Discussion by the Council.

Motion by Councilmember Mouanoutoua, seconded by Councilmember Flores, for the Council to authorize staff to begin the process to amend the City of Clovis Sphere of Influence to allow future urbanization of property generally bounded by Shepherd Avenue to the south, Sunnyside Avenue to the west, Behymer Avenue to the north, and North Carson Avenue (Big Dry Creek Dam) to the east with further direction to provide noticing to the area being considered, the Dry Creek Preserve, and 800 feet south of Shepherd Avenue when items related to this project are being considered. Motion carried 4-1 with Councilmember Whalen voting no.

**ITEM 8 – 7:40 - RECEIVED AND FILED – UPDATE ON THE CITY OF CLOVIS INVESTMENT PORTFOLIO STRATEGY**

Deputy Finance Director Jeff Blanks presented an update on the City of Clovis Investment Portfolio Strategy. In accordance with the City's investment policy, as well as California Government Code sections 53601 and 53601.6, the City may invest its excess cash in a variety of investment instruments. The City currently invests in U.S. agency securities, certificates of deposit, and deposits with the California Local Agency Investment Fund, as well as an overnight sweep account with Union Bank. Due to the current interest rate environment, and in the interest of seeking greater yield (without sacrificing significant safety or liquidity), the City is seeking to invest in municipal bonds, which are allowable per the investment policy and the California Government Code. This change in strategy requires reporting to the City Council. There being no public comment, Mayor Bessinger

closed the public portion. Discussion by the Council. It was the consensus of City Council to receive and file the report.

**COUNCIL ITEMS**

**ITEM 9 – 7:53 - RECEIVED AND FILED - CHANGE TO COUNCIL CONFLICT OF INTEREST DISCLOSURE REQUIREMENTS AT COUNCIL MEETINGS**

City Attorney David Wolfe updated city council on recent changes to state law that requires council members to state they have a conflict of interest in an item should they arrive late or leave early from a council meeting. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. It was the consensus of City Council to receive and file the report.

**ITEM 10 – 7:56 - APPROVED – DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES’ ANNUAL CONFERENCE AND BUSINESS MEETING ON OCTOBER 7-9, 2020.**

Luke Serpa presented a report on a request to have council identify voting delegates for the for the League of California Cities’ annual conference and business meeting on October 7-9, 2020. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, for the council to appoint Mayor Bessinger as the voting delegate and Councilmember Flores as the alternate. Motion carried by unanimous vote.

**ITEM 11 – 7:59 - APPROVED - THE LEAGUE OF CALIFORNIA CITIES’ ANNUAL RESOLUTION SET FOR APPROVAL AT THE ANNUAL CONFERENCE ON OCTOBER 7-9, 2020**

City Manager Luke Serpa presented a report for the council to consider the League of California Cities’ Annual Resolution set for consideration at the Virtual Annual Conference and Business Meeting held on October 7 – 9, 2020, and provide policy direction for voting delegate. Each year at the Annual Business Meeting of the League of California Cities, each city has a voting delegate to vote on various resolutions that will guide policy actions of the League Board of Directors. The City Council should review the annual resolution and provide policy direction to the City’s voting delegate. The proposed resolution states that the League of California Cities should urge Congress to amend Section 230 of the Federal Communications Decency Act of 1996 (CDA) to limit the immunity provided to online platforms where their forums enable criminal activity to be promoted. Ultimately, the policy objectives proposed under this resolution, if enacted, would incentivize social media companies to establish and implement a reasonable program to identify and remove content that solicits criminal activity. Section 230 of the CDA immunizes websites from legal liability for the comments of their users. When Congress enacted Section 230 in 1996, it wisely recognized that holding websites legally responsible for user-generated content would cripple the rapidly developing online world. Section 230 defines Internet culture as we know it: It’s the reason why websites can offer platforms for critical and controversial speech without constantly worrying about getting sued.

There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Flores, for the council to direct the voting delegates to have discretion based on what they hear at the League of California Cities' annual conference on how they should vote on this item. That, as a city, we are expressing our support with the idea that we do our best to make online platforms hypersensitive to responses from law enforcement in identification and apprehension of persons that are using the services of the platforms to solicit and engage in criminal activity. Motion carried by unanimous vote.

**WORKSHOP – 8:12**

City Manager Luke Serpa provided Council an update on COVID-19 numbers in Clovis and Fresno County.

Mayor Bessinger adjourned the meeting of the Council to September 21, 2020

Meeting adjourned: 8:38 p.m.

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Mayor

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City Clerk

**CLOVIS CITY COUNCIL MEETING**

**September 21, 2020**

**6:00 P.M.**

**Council Chamber**

Meeting called to order by Mayor Bessinger  
Flag Salute led by Councilmember Mouanoutoua

Roll Call: Present: Councilmembers Ashbeck, Flores, Mouanoutoua, Whalen  
Mayor Bessinger  
Absent: None

PRESENTATION – 6:02

**ITEM 1 - PRESENTATION OF PROCLAMATION RECOGNIZING FRESNO IRRIGATION DISTRICT'S 100TH ANNIVERSARY.**

City Council presented a proclamation to representatives of the Fresno Irrigation District recognizing the District's 100<sup>th</sup> anniversary.

PUBLIC COMMENTS – 6:20

Marcus Alvara, resident, complained about a neighbor who put his trash out too soon for community clean up.

Resident, raised concerns about the protest going on nationwide.

CONSENT CALENDAR – 6:34

Motion by Councilmember Ashbeck, seconded by Councilmember Flores, that the items on the Consent Calendar be approved. Motion carried by unanimous vote.

2. Administration - Approved - Minutes from the September 8, 2020 Council Meeting.
3. Administration - Approved – Request from Business Organization of Old Town to Extend Friday Night Farmer's Market Street Closure from October 2, 2020 Through April 30, 2021.
4. Administration - Received and Filed – Community and Economic Development Department July 2019 – June 2020 Report and Department Overview.
5. General Services – Approved – **Res. 20-121**, Amending the Management and Executive Management Benefit Summary by Amending the Safety Command Staff Extraordinary Event Leave to Public Safety Extraordinary Incident Stipend; and rewording the explanation to provide a more appropriate description of the compensation; and updating the Management Benefit Summary to include the Public Affairs and Information Manager Classification to the Public Safety Extraordinary Incident Stipend; and Authorizing the City Manager to Execute the Agreement.
6. Police – Approved – **Res. 20-122**, Amending the 2020-2021 Police Department Budget to reflect the Award of the Department of Justice Bureau of Justice Assistance FY 2020 Coronavirus Emergency Supplemental Funding Program in the Amount of \$55,621.

7. Police - Approved - **Res. 20-123**, Amending the Police Department's Budget for FY 2020-2021 to reflect the Department of Alcoholic Beverage Control 2019-2020 GAP Grant Award in the amount of \$44,765.
8. Planning and Development Services – Approved – **Res. 20-124**, Final Map Tract 6255, located at the southwest corner of Ashlan Avenue and Highland Avenue (Wilson Premier Homes, Inc.).
9. Planning and Development Services – Approved – **Res. 20-125**, Annexation of Proposed Tract 6255, located at the southwest corner of Ashlan Avenue and Highland Avenue to the Landscape Maintenance District No. 1 of the City of Clovis. (Wilson Premier Homes, Inc.).
10. Public Utilities – Approved – Waive formal bidding requirements and authorize the purchase of a flatbed truck with liftgate off of the Sourcewell Purchasing Contract from Pape Kenworth; and Approved – **Res. 20-126**, Amending the 2020-2021 Public Utilities Department Community Sanitation budget to allocate funds for the purchase of the flatbed truck.

**PUBLIC HEARINGS**

ITEM 11 – 6:37 - CONSIDER APPROVAL - **RES. 20-127**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS CONFIRMING ASSESSMENT FOR ADMINISTRATIVE FINES FOR PROPERTY RELATED NUISANCES, 2153 WINDSOR AVENUE, CLOVIS, CA, APN NO: 550-222-18.

Assistant City Manager John Holt presented a report on a request for Council to approve a resolution confirming assessment for administrative fines for property related nuisances for 2153 Windsor Avenue, Clovis, CA. Beginning in approximately September of 2014, the City of Clovis has been compelled to issue numerous administrative citations in the total amount of Nineteen Thousand Eight Hundred Thirty Dollars and Zero Cents (\$19,830.00) as a result of ongoing property related nuisances at 2153 Windsor Avenue ("Property"). The Property occupant, Daren McDaniel, has ignored these citations and the City's demands to abate the underlying property nuisances for nearly six (6) years. At this time, the City is entitled to recover its enforcement costs from Mr. McDaniel and the Property, pursuant to Clovis Municipal Code ("CMC") section 5.29.103. Approval of the resolution will confirm these costs as an assessment and regular lien against the Property if not paid within 15 days of the passage of the Resolution. Police Corporal Josh Kirk provided an overview of activity at that address over the past five years.

Chip Wipfler, area resident, spoke in support approving the resolution. Maggie Leong, area resident, commented on the negative activity at that location for the past five years. Bill Scott, area resident, spoke in support approving the resolution. Brandon Leong, area resident, commented on the negative activity at that location for the past five years.

Discussion by the Council. Motion by Councilmember Ashbeck, seconded by Councilmember Mouanoutoua, for the Council to approve a resolution confirming assessment for administrative fines for property related nuisances for 2153 Windsor Avenue, Clovis, CA with additional direction to considering lowering the threshold below the current \$20,000 and consider adding staff time versus just the dollar value of the citations. Motion carried by unanimous vote.

ITEM 12 – 7:22 - APPROVED - **RES. 20-128**, SPR2018-005A2, A REQUEST TO CONSIDER AN APPEAL OF THE SITE PLAN REVIEW DENIAL FOR AN ADDITIONAL ACCESS POINT ON WILLOW AVENUE FOR A PREVIOUSLY APPROVED COMMERCIAL CENTER LOCATED AT THE NORTHEAST CORNER OF WILLOW AND ALLUVIAL AVENUES. EL CENTRO CORNER PETROLEUM LLC, OWNER/APPLICANT.

Associate Planner Lily Cha presented a report SPR2018-005A2, a request to consider an appeal of the site plan review denial for an additional access point on Willow Avenue for a previously approved commercial center located at the northeast corner of Willow and Alluvial Avenues. City Engineer Mike Harrison provided an overview of options and reasoning for staff's recommended denial. SPR2018-005A2 was denied by the Director of Planning and Development Services on June 17, 2020. The request was denied based upon the established goals and policies of the General Plan and Municipal Code coupled with the jointly developed access plan between the City of Fresno and Clovis that identifies a limited number of access points along the Willow Avenue corridor. On July 23, 2020, the request was brought before the Planning Commission as an appeal to the Director's decision, where the Planning Commission upheld the Director's denial of the third project access point. The appellant has requested this appeal for Council's consideration of the additional access point. After review of the applicant's reasons for appeal, staff's findings remain consistent with the initial site plan review denial and therefore staff recommends that the City Council make a finding to deny the appeal. The Project is considered a ministerial review that does not require environmental review based on Section 9.56.060 of the Municipal Code.

Dirk Poeschel, representing the applicant, Rick Ameran, commercial real estate broker, Jay Virk, business owner, Peggy Sulane, representing the applicant, Applicant, as well as two other Real Estate Brokers, all spoke in support of the additional access point on Willow Avenue for a previously approved commercial center located at the northeast corner of Willow and Alluvial Avenues. Trevor Beal, area business owner, spoke in opposition due to concerns with city allowing exceptions in city processes. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Mouanoutoua, for the Council to approve the resolution provided to City Council on the dais this evening identified as the resolution not recommended by staff, thus allowing the additional access point on Willow Avenue at the northeast corner of Willow and Alluvial Avenues. Motion carried by unanimous vote.

ITEM 13 – 9:56 - APPROVED - **RES. 20-129**, ADOPTION OF THE CITY OF CLOVIS 2019-2020 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR EXPENDITURE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

Community and Economic Development Director Andy Haussler presented a report on the City of Clovis 2019-2020 Consolidated Annual Performance and Evaluation Report (CAPER) for expenditure of Community Development Block Grant Funds. The U. S. Department of Housing and Urban Development (HUD) requires the City to adopt the attached 2019-2020 CAPER reporting on the expenditure of Community Development Block Grant Funds. Andy Haussler provided an overview of the projects completed for 2019-2020. There being no public comment, Mayor Bessinger closed the public portion. Discussion by the Council. Motion by Councilmember Whalen, seconded by Councilmember Ashbeck, for the Council to approve a

resolution adopting the City of Clovis 2019-2020 Consolidated Annual Performance and Evaluation Report for expenditure of Community Development Block Grant Funds. Motion carried by unanimous vote.

**COUNCIL ITEMS**

ITEM 14 – 10:01 - CONTINUED – **RES. 20-XX**, A REQUEST FROM THE TORRANCE CITY COUNCILMEMBER MIKE GRIFFITHS REGARDING A REQUEST FOR THE CLOVIS CITY COUNCIL TO APPROVE A RESOLUTION IN SUPPORT OF “CALIFORNIA CITIZENS FOR LOCAL CONTROL”

City Manager Luke Serpa presented a report on a request from the Torrance City Councilmember Mike Griffiths regarding a request for the Clovis City Council to approve a resolution in support of “California Citizens for Local Control”. Staff has drafted a resolution for City Council consideration based on an email from Torrance City Councilmember Mike Griffiths regarding a request for the Council to approve a resolution in support of “California Citizens for Local Control”. Councilmember Griffiths is leading a grass roots movement of volunteers from the southern California on a mission to spread awareness and enlist support to ensure cities can continue to manage their own land use and zoning issues. It appears to be driven by state laws being considered and recently passed regarding housing and removing local control on how cities manage their development. Councilmember Griffiths indicates that there is currently a “... volunteer group of about 40 passionate people” involved in the grass roots effort. To date, nine cities have approved a similar resolution, and one city opposed. The nine cities are Torrance, Manhattan Beach, Lawndale, Palos Verdes Estates, Rolling Hills, Rolling Hills Estates, Rancho Palos Verdes, and El Segundo. The opposition letter was from Redondo Beach. The Mission Statement of the League of California Cities which the City of Clovis is a member of that appears to be similar in nature to Councilmember Griffiths’ “California Citizens for Local Control”. Staff is presenting this item at the direction of Council for consideration to approve the resolution or not approve due to the perceived redundancy with the mission of the League of California Cities which the City of Clovis is a member of.

Discussion by the Council. It was the consensus of City Council to table this item until at least after the League of California Cities annual conference in October.

**WORKSHOP**

ITEM 15 – 10:15 - CONSIDERED – A REQUEST FROM THE CITY AND COUNTY OF FRESNO TO ADD THE CITY OF CLOVIS AS A SIGNATORY ON A LETTER TO GOVERNOR NEWSOM URGING THE REOPENING OF RESTAURANTS AND COMMITTING THE CITY TO USE CODE ENFORCEMENT TO ENFORCE GUIDELINES FOR OPERATING OF RESTAURANTS TO ENSURE COMPLIANCE WITH STATE AND COUNTY GUIDELINES.

Mayor Bessinger presented a report on a request from the City and County of Fresno to add the City of Clovis as a signatory on a letter to Governor Newsom urging the reopening of restaurants and committing the city to use code enforcement to enforce guidelines for operating of restaurants to ensure compliance with state and county guidelines. Mayor Bessinger provided an overview of his communications with the City and County of Fresno regarding a proposed letter to the governor. He indicated that the letter had gone out last week

less Clovis' signature and he was concerned about the use of code enforcement to enforce guidelines for operating of restaurants to ensure compliance with state and county guidelines. Discussion by the Council. There being no public comment, Mayor Bessinger closed the public portion. It was the consensus of City Council to take no action on this item at this time.

City Manager Luke Serpa provided City Council an update on the COVID-19 pandemic numbers in the City of Clovis.

**CITY MANAGER COMMENTS – 10:37**

City Manager Luke Serpa commented on the city supporting Fresno County with the fires with building inspections, and assistance with the Shaver Lake sewage treatment plant.

**COUNCIL COMMENTS – 10:39**

Councilmember Ashbeck commented on: 1. Former City Manager's Allen Goodman wife's passing; 2. Queried if staff is evaluating what happens post COVID-19, such as planning, retail space, etc.; 3. Asked if we could use volunteers for community service; and 4. Noting Bryson DeChambeau's winning of the U.S. Open on Sunday.

Councilmember Mouanoutoua commented on how the city could celebrate Bryson DeChambeau's winning the U.S. Open on Sunday, and asked about recognition of a police officer recently recognized for saving lives.

Mayor Bessinger noted that he had spoken at a pro-business rally in Fresno on Monday morning.

**CLOSED SESSION – 10:48**

City Attorney David Wolfe noted that Item 17 was added to the agenda because the city had received a demand letter from an attorney regarding the California Voters Right Act and challenging the city's current at large election process.

- 16. Government Code Section 54956.9(d)(1)  
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Brienne Glick v. City of Clovis, et. al.;  
Fresno County Superior Court case # 19CECG00122
  
- 17. Government Code Section 54956.9(d)(2)  
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
SIGNIFICANT EXPOSURE TO LITIGATION – One Case

Mayor Bessinger adjourned the meeting of the Council to October 5, 2020

Meeting adjourned: 10:59 p.m.

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Mayor

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City Clerk



# CITY of CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Fire Department

DATE: October 5, 2020

SUBJECT: Fire – Approval – Res. 20-\_\_\_\_, Amending the 2020-2021 FY Public Utilities and General Services budget to allocate funds for the purchase of four (4) command vehicles for the Fire Department, waive the formal bidding requirements, and authorize the purchase of four (4) Ford F250 3/4 Ton Crew Cab Pickups and associated equipment to outfit the vehicles.

ATTACHMENTS: 1. Res. 20-\_\_\_\_

### CONFLICT OF INTEREST

None.

### RECOMMENDATION

For the City Council to approve a resolution amending the 2020-2021 FY Budget for Public Utilities and General Services to provide for the purchase of four (4) 3/4 ton Ford Crew Cab F250 Pickups as well as waive the formal bidding requirements and authorize the purchase of said vehicles.

### EXECUTIVE SUMMARY

The Fire Department has a need to replace four (4) staff vehicles. Four (4) Ford F250's will be purchased from Downtown Ford of Sacramento. The total cost of the four (4) vehicles and required equipment (which includes camper shells, radios, Code 3 package, general outfitting, and decals) will be approximately \$399,764.

The cost breakdown is \$56,200 each (total of \$224,800) for a 2021 Ford F250 ¾ Ton Crew Cab Pickup with XLT package and \$43,741 each (total of \$174,964) for the Code 3 lighting, radios, stripping, camper shell, and other fire-related items.

The price quote from Downtown Ford meets the price awarded for the same vehicle which is identified in the publically bided State of California Contract 1-18-23-20A. The Fire Department requested quotes from other dealerships, including those locally, and the price

from Downtown Ford was the lowest cost, and therefore most cost-effective for the City and Department.

### **BACKGROUND**

The Fire Department is in need of replacing four (4) of their current command vehicles so these existing vehicles can be used for Out of County responses to wildland fires and other disasters. Currently the Fire Department is utilizing 2004 Chevrolet Tahoe's for out of county responses and they have unfortunately reached their end of life. When the Department responds to emergency incidents outside the local area, the City is reimbursed for the use of these vehicles. Over the past seven years, the Department has been reimbursed approximately \$271,000 to offset a portion of the cost for the replacement of these vehicles.

### **FISCAL IMPACT**

The total purchase cost for four (4) new Ford F250 Fire command vehicles is approximately \$399,997.00. The recommended vehicles meet the required specifications and the need of the Fire Department. The funds will be transferred from the General Services budget to the Public Utilities Enterprise Fund for Fleet to purchase the new vehicles.

### **REASON FOR RECOMMENDATION**

The Fire Department is requesting to replace four (4) existing command vehicles due to vehicle age and condition. These vehicles have been in use since 2004 and are at the end of their serviceable life.

Staff has evaluated the available equipment and has determined that the proposed vehicles and equipment will meet the Fire Department needs. The proposed method of purchasing the equipment is cost effective and funds are available.

### **ACTIONS FOLLOWING APPROVAL**

Staff will prepare purchase orders for the vehicles or the City Manager's approval and the vehicles will be ordered and outfitted.

Prepared by: Jim Damico, Battalion Chief

Reviewed by: City Manager *[Signature]*

**RESOLUTION 20-\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS APPROVING AMENDMENTS TO THE 2020-2021 FY PUBLIC UTILITIES AND GENERAL SERVICES BUDGET AND AUTHORIZING THE CITY MANAGER TO SIGN THE PURCHASE AGREEMENT AND RELATED DOCUMENTS**

**WHEREAS**, the City Council of the City of Clovis approved the 2020-2021 FY Budget on June 1, 2020; and

**WHEREAS**, the City of Clovis Fire Department has a need for four Ford F250 ¾ Ton Crew Cab Pickups to service the City of Clovis; and

**WHEREAS**, the City Council finds that the expenditure is necessary; and

**NOW THEREFORE, BE IT RESOLVED** that City of Clovis amend the 2020-2021 FY Budget for Public Utilities and General Services as shown in Attachment A.

\* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on \_\_\_\_\_, 2020 by the following vote, to wit.

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

DATED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**SUMMARY OF EXPENDITURES BY DEPARTMENT**  
2020-21

<b>Department</b>	
Public Utilities	\$ 399,764
<b>Total</b>	<u><u>\$ 399,764</u></u>

**SUMMARY OF EXPENDITURES BY FUND**  
2020-2021

<b>Fund</b>	
Enterprise	\$ 399,764
<b>Total</b>	<u><u>\$ 399,764</u></u>

**SUMMARY OF TRANSFERS BY FUND**  
2020-2021

**Transfer In**

Fund	
Fleet	\$ 399,764
<b>Total</b>	<u><u>\$ 399,764</u></u>

**Transfer Out**

Fund	
General	\$ 399,764
<b>Total</b>	<u><u>\$ 399,764</u></u>



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: General Services

DATE: October 5, 2020

SUBJECT: General Services - Approval – Res. 20-\_\_\_, Renewing Medical Plan Options for Eligible Retirees and Restating the Eligibility Requirements for Participation in the Plan.

ATTACHMENTS: 1. Resolution Retiree Medical

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

For City Council to approve Resolution 20-\_\_\_; renewing the City's Retiree Medical Plan options for eligible retirees and restating eligibility requirements for participation in the plan.

### **EXECUTIVE SUMMARY**

The City has sponsored a group retiree medical plan for retirees who meet certain eligibility requirements for many years. Approval of the attached Resolution renews the retiree medical plan for the 2021 plan year.

### **BACKGROUND**

For many years, the City has offered employees who retire from City service the option of purchasing the same medical and prescription drug benefit package offered to full-time, regular employees. The retiree medical plan option is renewed annually at the discretion of the Council. This option provides qualifying retirees (those with a minimum of five (5) years of full-time City service immediately preceding retirement) with the opportunity to continue participation in the City's medical/prescription plans. Eligibility requirements for participation in the plan and rate information are listed in the attached (Attachment A of Attachment 1).

### **FISCAL IMPACT**

The retiree medical plan option is rated separately from the active City employee medical plan. In addition, monthly premiums are paid entirely by the retirees. Consequently, there is not a fiscal impact to the City for offering this program.

**REASON FOR RECOMMENDATION**

Council action is necessary to renew the retiree medical plan option for eligible retirees for the 2021 plan year.

**ACTIONS FOLLOWING APPROVAL**

Upon approval, the program renewal will become effective with the 2021 plan year, i.e., January 1, 2021. Eligible retirees will be provided with an open enrollment notice of their available options during the City's open enrollment period (i.e., October 19 through November 13, 2020). Additionally, employees who retire and become eligible during the 2021 plan year will be provided with similar notice at the time of retirement.

Prepared by: Lori Shively/Personnel Risk Manager

Reviewed by: City Manager AA

**RESOLUTION 20-\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS  
APPROVING AMENDING THE RETIREE MEDICAL/PRESCRIPTION PLAN SUMMARY**

**WHEREAS**, the City offers a retiree health plan that allows retirees to purchase medical and prescription coverage; and

**WHEREAS**, the City has established eligibility requirements for participation in the plan listed in the attached Attachment A of Attachment 1; and

**WHEREAS**, the City also desires that these options be renewed for another year; and

**WHEREAS**, the City continues offering the retiree health plan that is determined on an annual basis at the discretion of the Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Clovis, hereby renews the Retiree Medical Plan Option and rates effective January 1, 2021, as summarized in Attachment A of Attachment 1.

\* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on October 5, 2020 by the following vote, to wit.

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

DATED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

## Retiree Medical/Prescription Plan Summary For the 2021 Plan Year

### Retiree Benefits

Effective January 1, 2021, retirees of the City of Clovis will be allowed to continue in a City sponsored Retiree Medical/Prescription Plan at their own expense, provided they meet the plan eligibility requirements. Enrolled retirees will participate in the annual open enrollment for the medical/prescription plans.

### Eligibility Requirements

To be eligible for the Retiree Medical/Prescription Plan, a retired/retiring employee must meet the following eligibility requirements:

1. Been continuously covered in the medical/prescription portion of the City's health plan through December 31, 2020, as a full-time regular employee or a retired enrollee; or, was continuously covered by a City-approved group medical/prescription plan as a full-time regular City employee immediately preceding retirement from the City.
2. Be eligible to retire in accordance with CalPERS age and service requirements, including disability retirement.
3. Have a minimum of five (5) years of service with the City of Clovis as a full-time regular employee immediately preceding employment separation with the City of Clovis.
4. Retired employees and their dependents are eligible for City coverage ***until they become eligible for Medicare***. Retired employees and/or their dependents that become eligible for Medicare are no longer eligible to remain on the City's retiree plans. They have the option of enrolling in Medicare and may seek supplemental coverage other than through the City's plan.
  - a. If a retired employee becomes Medicare eligible, and has a spouse who is not Medicare eligible or a dependent child under the age of 26, the spouse and child may continue City coverage even after the retired employee becomes Medicare eligible and enrolls in Medicare and a supplemental plan.
  - b. A spouse who becomes Medicare eligible, or a dependent child who reaches the age of 26, will not be eligible to continue in the City's Retiree Medical/Prescription Plan.

5. An eligible employee who plans on retiring must enroll in the Retiree Medical/Prescription Plan within thirty (30) calendar days of the effective date of employment separation. If an eligible employee fails to enroll, or waives enrollment, they shall not be eligible to enroll in the plan at a future date. A dependent who enrolls or has been enrolled in an alternative insurance plan for a period of time, may be added to the retiree's plan upon loss of other coverage or during open enrollment if the retiree has maintained continuous coverage with the City under this plan.
6. Eligibility for dependents normally extends through the retiree. Dependents may only be enrolled for coverage if the retiree is concurrently enrolled (except as provided for in 4-a. above). Dependents of a retiree lose eligibility for coverage under the Retiree Medical/Prescription Plan when a non-Medicare eligible retiree elects to discontinue coverage. Upon the death of a covered retiree or the death of a covered employee who was eligible to retire, a spouse or covered child may continue coverage until the spouse is Medicare eligible and the child reaches the age of 26 respectively.
7. A retiree or eligible dependent that enrolls in the Retiree Medical/Prescription Plan shall not be allowed to re-enroll in the plan if they drop coverage in the plan or fail to make their monthly premium payment within thirty (30) days of the due date.
8. Continued enrollment in the Retiree Medical/Prescription Plan is also subject to terms and conditions set forth in the Evidence of Coverage/Disclosure Document of the medical plan in which the retiree and dependents are enrolled.

A Retiree who returns to work for the City and enrolls in an active plan because of reinstatement from retirement or who has returned as an elected official, will again be eligible for retiree coverage upon retiring subject to the normal retiree requirements.

#### Dental and Vision Coverage

Dental and/or Vision Coverage is not available to retirees through the City of Clovis Retiree Medical/Prescription Plan.

**Pre 65 Retiree Health Plan Monthly Rates charged by Vendor  
for the 2021 Program Year**

	<b><u>Blue Cross HMO 15</u></b>	<b><u>Kaiser HMO 15</u></b>
Retiree Only	\$1,046.34	\$ 914.34
Retiree & Spouse	\$2,162.11	\$1,892.11
Retiree & Child(ren)	\$1,877.81	\$1,625.81
Retiree & Family	\$3,128.01	\$2,694.01

	<b><u>Blue Cross PPO 80</u></b>
Retiree Only	\$1,008.34
Retiree & Spouse	\$2,113.11
Retiree & Child(ren)	\$1,814.91
Retiree & Family	\$3,017.01

	<b><u>Blue Cross HDHP</u></b>	<b><u>Kaiser HDHP</u></b>
Retiree Only	\$ 729.34	\$ 717.34
Retiree & Spouse	\$1,526.11	\$1,483.11
Retiree & Child(ren)	\$1,332.81	\$1,274.81
Retiree & Family	\$2,180.01	\$2,112.01



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: October 5, 2020

SUBJECT: Planning and Development Services - Approval – Bid Award for CIP 19-10, Sidewalk Improvements – W. Rialto and Villa Avenues; and Authorize the City Manager to execute the contract on behalf of the City.

ATTACHMENTS: 1. Vicinity Map

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

1. For the City Council to award a contract for CIP 19-10, Sidewalk Improvements – W. Rialto and Villa Avenues to Witbro, DBA Seal Rite Paving in the amount of \$123,752.00; and
2. For the City Council to authorize the City Manager to execute the contract on behalf of the City.

### **EXECUTIVE SUMMARY**

Staff is recommending that City Council authorize the City Manager to award and execute the contract to Witbro, DBA Seal Rite Paving, who was the lowest responsible bidder from a bid opening that took place on September 15, 2020.

This project involves improvements along Rialto Avenue from Villa Avenue to Lind Avenue and along Villa Avenue from Rialto Avenue to Gettysburg Avenue. Construction will consist of installation of new concrete sidewalk and ADA curb returns as well as demolition, modification, and reconstruction of existing drive approaches along Rialto Avenue and Villa Avenue for ADA compliance.

**BACKGROUND**

The following is a summary of the bid results as of September 15, 2020:

BIDDERS	BASE BIDS
Witbro, DBA Seal Rite	\$123,752.00
Advanced Concrete	\$147,299.44
Clean Cut Landscaping	\$161,617.00
V&G Builders, Inc.	\$181,046.50
JT2 Inc., DBA Todd Companies	\$182,750.00
American Paving Co.	\$186,116.00
Eslick Construction, Inc.	\$190,911.00
HBC Enterprises	\$195,703.70
<b>ENGINEER'S ESTIMATE</b>	<b>\$ 176,858.00</b>

All bids were examined and the bidder's submittals were found to be in order. Staff has validated the lowest bidder contractor's license status.

**FISCAL IMPACT**

This project is budgeted in the Community Investment Program 2020-2021 fiscal year budget and is fully funded by the Community Development Block Grant (CDBG) program.

**REASON FOR RECOMMENDATION**

Witbro, DBA Seal Rite Paving is the lowest responsible bidder. There are sufficient funds available for the anticipated costs of this project.

**ACTIONS FOLLOWING APPROVAL**

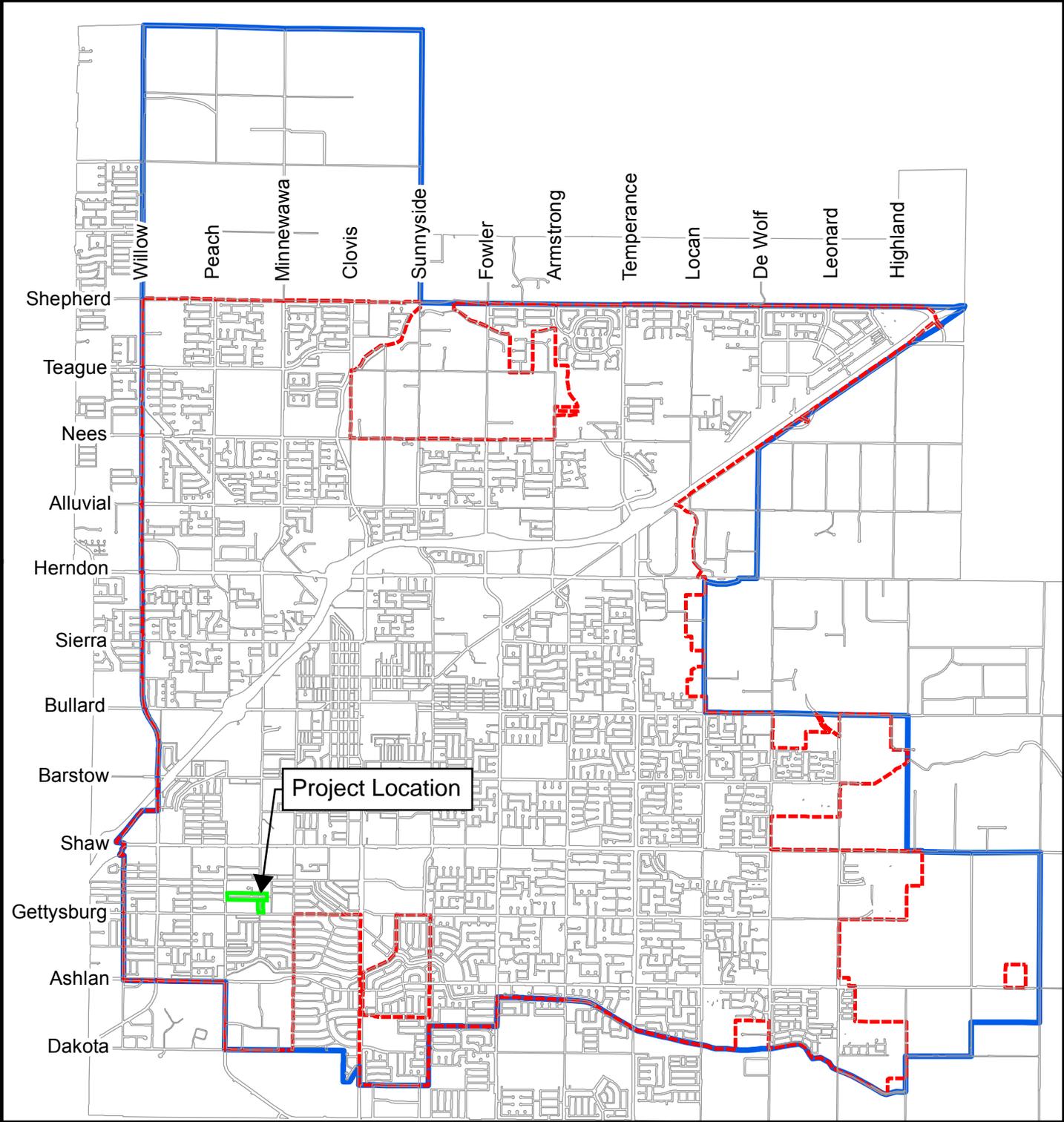
1. The Contract will be prepared and executed, subject to the contractor providing performance security that is satisfactory to the City.
2. Construction will begin approximately two (2) weeks after contract execution and be completed in twenty five (25) working days thereafter.

Prepared by: Colleen Vidinoff, Engineer II

Reviewed by: City Manager AA

# VICINITY MAP

## CIP 19-10 Sidewalk Improvements - W. Rialto and Villa Avenue



# ATTACHMENT 1



CITY LIMITS
  SPHERE OF INFLUENCE



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: October 5, 2020

SUBJECT: Planning and Development Services – Approval – Final Acceptance for Final Map for Tract 6080, located at the southwest area of Ashlan and Highland Avenues (Ashlan/Highland No. 1, LP – McCaffrey Homes).

ATTACHMENT: 1. Vicinity Map

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

1. Accept the public improvements for Tract 6080, and authorize recording of the Notice of Completion; and
2. Authorize release of the Performance Surety immediately and then release of the Labor and Materials Surety ninety (90) days after the recordation of the Notice of Completion, provided no liens have been filed; and release of Public Improvements Maintenance Surety upon the expiration of the one-year warranty period, and provided any defective work has been repaired to the City's satisfaction.

### **EXECUTIVE SUMMARY**

The owner, McCaffrey Homes, has requested final acceptance of the public improvements constructed or installed in conjunction with this tract. The public improvements include all those shown on the subdivision improvement plans approved by the City Engineer. The construction or installation of the public improvements is complete. The owner has requested final acceptance. Staff is recommending approval of their request.

### **FISCAL IMPACT**

The costs for periodic routine maintenance, as well as repairs needed as the improvements deteriorate with age and usage, will be incorporated into the annual maintenance budget of the Public Utilities Department as these costs are identified.

**REASON FOR RECOMMENDATION**

The Subdivision Map Act requires that once construction of the required improvements has been completed in compliance with all codes, plans and specifications, and all other required documents have been completed and submitted, final acceptance is required and the appropriate sureties are released.

**ACTIONS FOLLOWING APPROVAL**

Record the Notice of Completion and release the Performance, Labor and Materials, and Maintenance Sureties as appropriate.

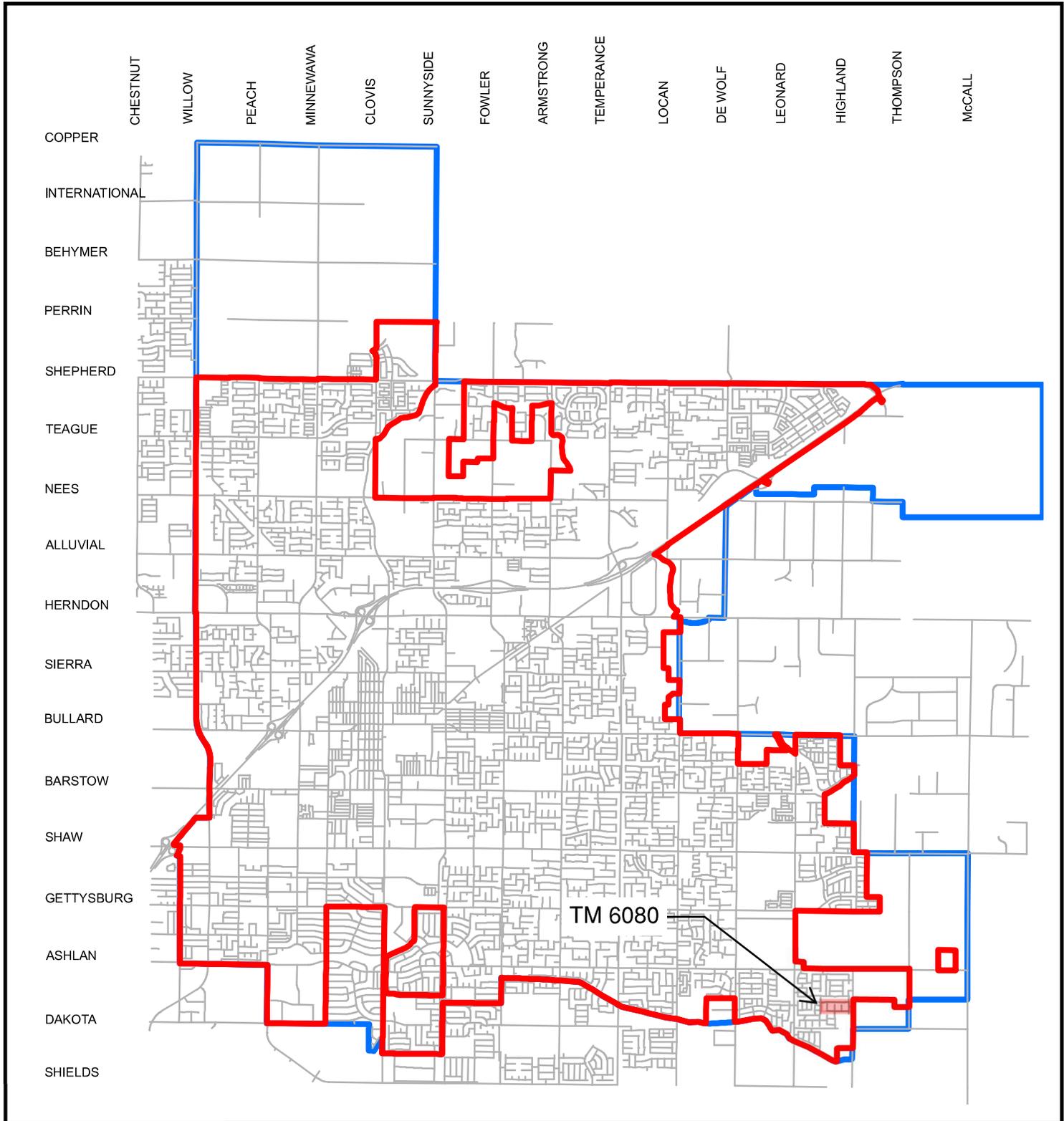
Prepared by: David Gonzalez, Civil Engineer

Reviewed by: City Manager    *AH*

# VICINITY MAP

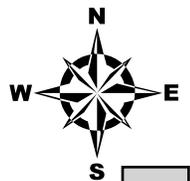
AGENDA ITEM NO. 7.

TM 6080



## ATTACHMENT 1

 City Limits     Sphere of Influence





# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning Development Services Department

DATE: October 5, 2020

SUBJECT: Planning and Development Services - Approval - Final Acceptance for CIP 18-10 Armstrong Avenue Reconstruction

ATTACHMENT: 1. Vicinity Map

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

For the City Council to accept the work performed as complete and authorize recording of the notice of completion.

### **EXECUTIVE SUMMARY**

The project involved reconstructing the pavement of Armstrong Avenue from Herndon to Tollhouse Avenues. Other improvements included ADA curb returns, signal loops and pavement striping. The project was funded by Measure C Pass through funds.

### **BACKGROUND**

Bids were received on June 16, 2020 and City Council pre-authorized the City Manager to award the project to the low bidder on June 15, 2020. The low bidder was AJ Excavation, Inc. The project was completed in accordance with the construction documents and the contractor has submitted a request for acceptance of the project.

**FISCAL IMPACT**

1.	Award	\$ 187,679.00
2.	Cost increases/decreases resulting from differences between estimated quantities used for award and actual quantities installed.	\$ 8,672.96
3.	Contract Change Orders	<u>\$ 1,670.00</u>

**Final Contract Cost** **\$ 198,021.96**

This project was budgeted in the Community Investment Program 2019-2020 fiscal year budget. The project is supported by Measure C Pass through funds.

**REASON FOR RECOMMENDATION**

The Public Utilities Department, the City Engineer, the engineering inspector, and the project Engineer agree that the work performed by the contractor is in accordance with the project plans and specifications, and has been deemed acceptable. The contractor, AJ Excavation, Inc. has requested final acceptance from City Council.

**ACTIONS FOLLOWING APPROVAL**

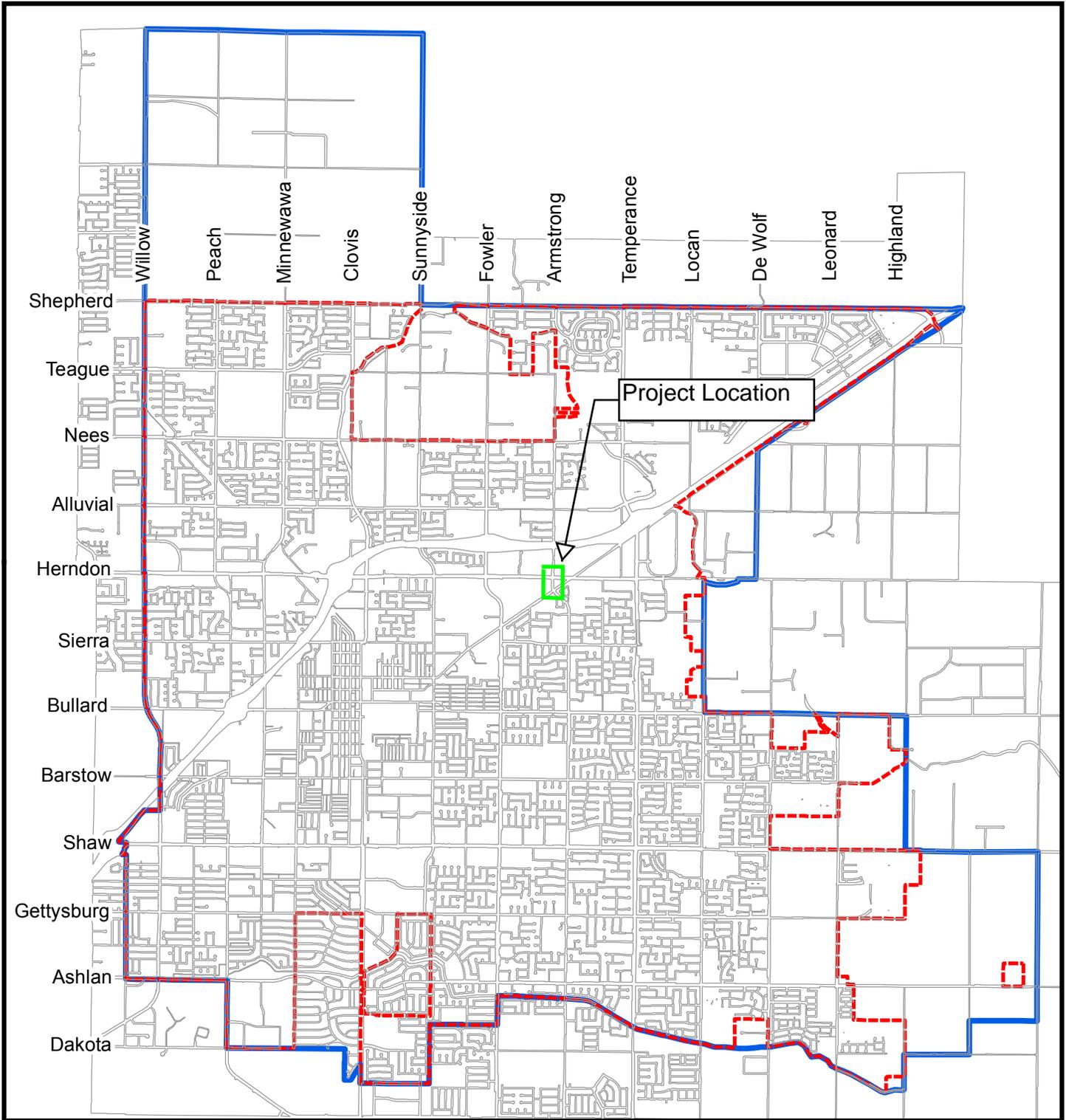
1. The notice of completion will be recorded; and
2. All remaining retention funds will be released 35 calendar days following recordation of the notice of acceptance, provided no liens have been filed. Retention funds may be released within 60 days after the date of completion, provided no liens have been filed, with "completion" defined as the earlier of either (a) beneficial use and occupancy and cessation of labor, or (b) acceptance by the City Council per Public Contract Code Section 7107(c)(2).

Prepared by: Kevin Gross, Civil Engineer

Reviewed by: City Manager *[Signature]*

# VICINITY MAP

## CIP 18-10 Armstrong Avenue Reconstruction



# ATTACHMENT 1



 CITY LIMITS  SPHERE OF INFLUENCE



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services Department

DATE: October 5, 2020

SUBJECT: Planning and Development Services - Approval - Final Acceptance for CIP 18-13, Sunnyside Avenue Street Improvements.

ATTACHMENTS: 1. Vicinity Map

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

For the City Council to accept the work performed as complete and authorize recording of the notice of completion.

### **EXECUTIVE SUMMARY**

This project is located on Sunnyside Avenue from SR-168 to Alluvial Avenue. The work for the project addressed pavement deficiencies, ADA compliance, and improved bicycle user safety by adding bikes lanes in each direction. The project was funded by Measure C Pass through funds.

### **BACKGROUND**

Bids were received on June 16, 2020 and City Council pre-authorized the City Manager to award the project to the low bidder on June 15, 2020. The low bidder was Dave Christian Construction, Inc. The project was completed in accordance with the construction documents and the contractor has submitted a request for acceptance of the project.

**FISCAL IMPACT**

1.	Award	\$ 411,820.50
2.	Cost increases/decreases resulting from differences between estimated quantities used for award and actual quantities installed.	\$ -10,389.90
3.	Contract Change Orders	<u>\$ 5,250.00</u>

**Final Contract Cost** **\$ 406,680.60**

This project was approved in the 2019-2020 fiscal year budget and is supported by Measure C pass through funds.

**REASON FOR RECOMMENDATION**

The Public Utilities Department, the City Engineer, the Engineering Inspector, and the Project Engineer agree that the work performed by the contractor is in accordance with the project plans and specifications, and has been deemed acceptable. The contractor, Dave Christian Construction, Inc. has requested final acceptance from City Council.

**ACTIONS FOLLOWING APPROVAL**

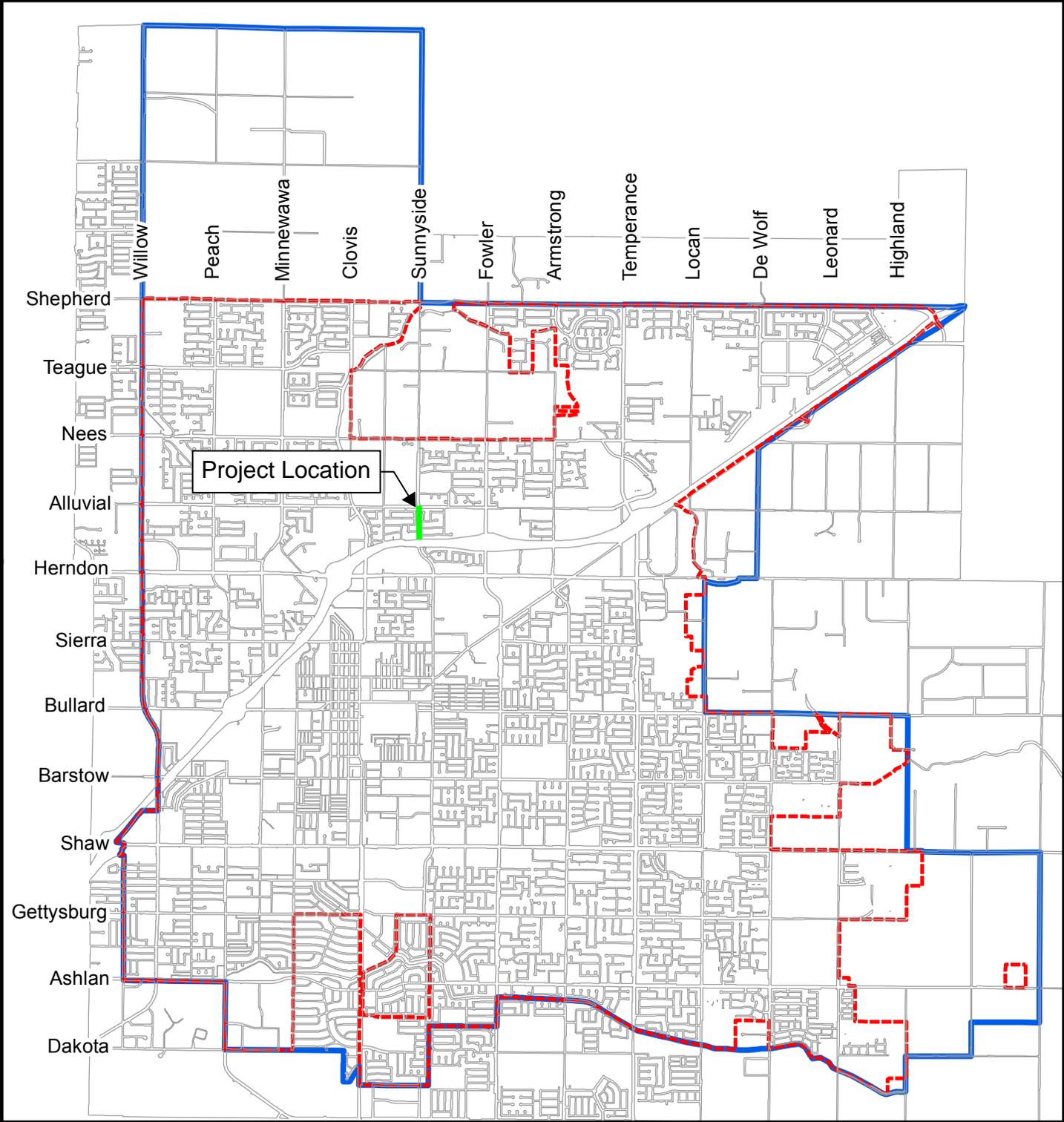
1. The notice of completion will be recorded; and
2. All remaining retention funds will be released 35 calendar days following recordation of the notice of acceptance, provided no liens have been filed. Retention funds may be released within 60 days after the date of completion, provided no liens have been filed, with "completion" defined as the earlier of either (a) beneficial use and occupancy and cessation of labor, or (b) acceptance by the City Council per Public Contract Code Section 7107(c)(2).

Prepared by: John Armendariz, Civil Engineer

Reviewed by: City Manager AA

# VICINITY MAP

## CIP 18-13 Sunnyside Avenue Street Improvements



# ATTACHMENT 1



 CITY LIMITS  SPHERE OF INFLUENCE



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Police Department

DATE: October 5, 2020

SUBJECT: Police – Approval – Res. 20\_\_\_, Amending the 2019-20 Police Department Budget to reflect the award of the Edward Byrne Memorial Justice Assistance Grants (JAG) Program in the amount of \$15,431.

ATTACHMENTS: 1. Resolution

### **CONFLICT OF INTEREST**

None

### **RECOMMENDATION**

For the City Council to approve a Resolution amending the 2020-2021 Police Department Budget to reflect the grant award from the Department of Justice Edward Byrne Memorial Justice Assistance Program in the amount of \$15,431.

### **EXECUTIVE SUMMARY**

The Clovis Police Department has been awarded the amount of \$15,431 from the JAG Program to fund one part-time community service officer. The grant period starts October 1, 2020 and ends September 30, 2021.

### **BACKGROUND**

The funds are provided through the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program. This program furthers the Department of Justice's mission by assisting state and local efforts to prevent and/or reduce crime and violence. The Clovis Police Department will maintain one part-time community service officer to assist patrol in several functions within the Police Department. These functions could include, but not be limited to, patrol field work, jail duties, animal services duties in patrol, community events, and other duties which would prevent and reduce crime.

**FISCAL IMPACT**

Acceptance of this grant is not expected to have any impact on the allocation of funds in the city budget.

**REASON FOR RECOMMENDATION**

To approve the amendment of the FY 2020-2021 Police Department Budget to reflect the award of Justice Assistance Grant funds in the amount of \$15,431.

**ACTIONS FOLLOWING APPROVAL**

After the Council approval, the 2020-2021 Police Department Annual Budget will be amended as described. Program objectives will begin Oct 1, 2020.

Prepared by: Sandra Macy, Management Analyst

Reviewed by: City Manager AA

RESOLUTION NO. 20-\_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS  
APPROVING AN AMENDMENT TO THE ANNUAL BUDGET FOR THE FISCAL  
YEAR 2020-2021**

**WHEREAS**, the City Council of the City of Clovis approved the 2019-2020 Budget on May 18, 2020; and

**WHEREAS**, the Police Department requests approval of the City Council to apply for and use grant funds from the Bureau of Justice Assistance Grant (JAG); and

**WHEREAS**, the Police Department has need for one part-time Community Service Officer; and

**WHEREAS**, the Police Department will receive JAG funds in the amount of \$15,431 to use towards law enforcement services; and

**WHEREAS IT IS AGREED**, that the City Council determines that the expenditures are necessary.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Clovis that the 2020-2021 Budget be amended as provided in the Attachment A of Attachment 1 "Summary of Expenditures by Department" "Summary of Expenditures by Fund."

**BE IT FURTHER RESOLVED** that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

\* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on October 5, 2020 by the following vote to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

DATED: October 5, 2020

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**SUMMARY OF EXPENDITURES BY DEPARTMENT**

DEPARTMENT

POLICE	\$15,431
TOTAL DEPARTMENT	\$15,431

**SUMMARY OF EXPENDITURES BY FUND**

GENERAL FUND	\$15,431
TOTAL FUND	\$15,431

All expenditures will be out of the grant budget 56300.



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Police Department

DATE: October 5, 2020

SUBJECT: Police – Approval – Res. 20\_\_, Amending the Police Department's Budget for FY 2020-2021 to reflect the award from the Office of Traffic Safety Selective Enforcement Traffic Program Grant in the amount of \$75,000.00 and the Office of Traffic Safety Traffic Records Improvement Project in the amount of \$51,800.00.

ATTACHMENTS: 1. Resolution  
2. Copy of Grant Contracts

### CONFLICT OF INTEREST

None

### RECOMMENDATION

For the City Council to approve a Resolution amending the 2020-2021 Budget for the Police Department to reflect the grant awards from the Office of Traffic Safety.

### EXECUTIVE SUMMARY

The Clovis Police Department has been awarded the amount of \$75,000 for the Selective Traffic Enforcement Program (STEP) and \$51,800 for the Traffic Records Improvement Project (TRIP) from the Office of Traffic Safety. These funds are for overtime operations related to traffic safety, pedestrian education, and traffic enforcement; and the implementation of a traffic crash reporting and records management system. The Grant period starts October 1, 2020 and ends September 30, 2021.

### BACKGROUND

The department applied for these grants through the State of California. The STEP grant will fund officers' overtime, and training to conduct DUI saturation details, warrant details, seat belt enforcement details, bicycle/pedestrian classroom workshops, child-passenger car seat details, and distracted driving enforcement operations. The OTS Traffic Records Improvement Project grant will allow for the purchase and implementation of a complete

electronic crash reporting system, which will have the capability of exporting crash report records to the California Highway Patrol's Statewide Integrated Traffic Records.

**FISCAL IMPACT**

Acceptance of this grant is not expected to have any impact on the allocation of funds in the City budget.

**REASON FOR RECOMMENDATION**

In compliance with the requirements of the Office of Traffic Safety Grant, the City Council must approve the acceptance of these grants and amend the Police Department budget.

**ACTIONS FOLLOWING APPROVAL**

After the Council approval, the 2020-2021 Police Department Annual Budget Resolution will be amended as described. Grant program objectives will begin on October 1, 2020.

Prepared by: Sandra Macy, Management Analyst

Reviewed by: City Manager AA

**RESOLUTION NO. 20-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS  
APPROVING AN AMENDMENT TO THE ANNUAL BUDGET FOR THE FISCAL  
YEAR 2020-2021**

**WHEREAS**, the City Council of the City of Clovis approved the 2020-2021 Budget on May 18, 2020; and

**WHEREAS**, the Police Department is to be awarded \$126,800 from the California Office of Traffic Safety to fund traffic operations; and

**WHEREAS**, the Police Department has a need for enforcement, traffic safety, and education; and an electronic traffic records system; and

**WHEREAS IT IS AGREED**, that the City Council determines that the expenditures are necessary.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Clovis that the 2020-2021 Budget be amended as provided in the Attachment A of Attachment 1 "Summary of Expenditures by Department" "Summary of Expenditures by Fund."

**BE IT FURTHER RESOLVED** that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

\* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on October 5, 2020, by the following vote to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

DATED: October 5, 2020

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**SUMMARY OF EXPENDITURES BY DEPARTMENT**

DEPARTMENT

POLICE	\$126,800
TOTAL DEPARTMENT	\$126,800

**SUMMARY OF EXPENDITURES BY FUND**

GENERAL FUND	\$126,800
TOTAL FUND	\$126,800

All expenditures will be out of the grant budget 56300.

<b>1. GRANT TITLE</b> Selective Traffic Enforcement Program (STEP)	
<b>2. NAME OF AGENCY</b> Clovis	<b>3. Grant Period</b> From: 10/01/2020 To: 09/30/2021
<b>4. AGENCY UNIT TO ADMINISTER GRANT</b> Clovis Police Department	
<b>5. GRANT DESCRIPTION</b> Best practice strategies will be conducted to reduce the number of persons killed and injured in crashes involving alcohol and other primary crash factors. The funded strategies may include impaired driving enforcement, enforcement operations focusing on primary crash factors, distracted driving, night-time seat belt enforcement, special enforcement operations encouraging motorcycle safety, enforcement and public awareness in areas with a high number of bicycle and pedestrian crashes, and educational programs. These strategies are designed to earn media attention thus enhancing the overall deterrent effect.	
<b>6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$75,000.00</b>	
<b>7. TERMS AND CONDITIONS:</b> The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: <ul style="list-style-type: none"> <li>Schedule A – Problem Statement, Goals and Objectives and Method of Procedure</li> <li>Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable)</li> <li>Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable)</li> <li>Exhibit A – Certifications and Assurances</li> <li>Exhibit B* – OTS Grant Program Manual</li> <li>Exhibit C – Grant Electronic Management System (GEMS) Access</li> </ul> <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto.</p> <p>These documents can be viewed at the OTS home web page under Grants: <a href="http://www.ots.ca.gov">www.ots.ca.gov</a>.</p> <p>We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.</p> <p>IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.</p>	
<b>8. Approval Signatures</b>	
<b>A. GRANT DIRECTOR</b>  NAME: Sandra Macy TITLE: Grant Manager EMAIL: sandram@cityofclovis.com PHONE: (559) 324-3405 ADDRESS: 1233 Fifth Street Clovis, CA 93612   _____ (Signature)	<b>B. AUTHORIZING OFFICIAL</b>  ADDRESS: Curt Fleming Chief curtf@cityofclovis.com (559) 324-2407 1233 Fifth Street Clovis, CA 93612   _____ (Signature)
Aug 4, 2020 _____ (Date)	Aug 4, 2020 _____ (Date)
<b>C. FISCAL OFFICIAL</b>  ADDRESS: Jay Schengel Finance Director jays@cityofclovis.com (559) 324-2800 1233 Fifth Street Clovis, CA 93612   _____ (Signature)	<b>D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY</b>  ADDRESS: Barbara Rooney Director barbara.rooney@ots.ca.gov (916) 509-3030 2208 Kausen Drive Suite 300 Elk Grove, CA 95758   _____ (Signature)
Aug 4, 2020 _____ (Date)	Aug 5, 2020 _____ (Date)

<p><b>E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY</b></p> <p>NAME: Carolyn Vu          ADDRESS: 2208 Kausen Drive, Suite 300          Elk Grove, CA 95758</p>	<p><b>9. DUNS INFORMATION</b></p> <p>DUNS #: 039926725          REGISTERED ADDRESS: 1233 Fifth Street          CITY: Clovis          ZIP+4: 93612-1313</p>
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10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
164 AL-21	20.608	0521-0890-101	2020	2020	BA/20	\$50,000.00
402PT-21	20.600	0521-0890-101	2020	2020	BA/20	\$25,000.00
					<b>AGREEMENT TOTAL</b>	<b>\$75,000.00</b>
					AMOUNT ENCUMBERED BY THIS DOCUMENT	
					<b>\$75,000.00</b>	
					PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT	
					<b>\$ 0.00</b>	
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED		TOTAL AMOUNT ENCUMBERED TO DATE	
 <small>Carolyn Vu (Aug 4, 2020 14:01 PDT)</small>			Aug 4, 2020		<b>\$75,000.00</b>	

**1. PROBLEM STATEMENT**

The City of Clovis borders Fresno, the largest city in the Central Valley. It covers approximately 26 square miles with a population of just over 109,000, and plans to increase its sphere of influence approximately 5 square miles over the next 5 years. Comprised mostly of suburban single-family dwellings, the city is primarily a bedroom community for the city of Fresno but has experienced steady growth in commercial development as well as housing. The resulting population growth has had a significant impact on traffic congestion and impaired and distracted driving on our city streets that has led to more traffic-related crashes.

Having completed its first phase of construction, a new California Health Sciences University campus will soon host 250 resident students. Alongside this campus will be the Community Regional Medical Center complete with a Cancer Center and three new medical services buildings. This complex alone will provide 94,000 square feet of in- and out-patient medical care, and additional traffic enforcement by the City of Clovis Police Department will be required to maintain a safe commute through this soon-to-be congested area. In addition, there are also several square miles of new residential construction just outside the city limits. This expanded service area will require enforcement personnel to monitor traffic speeds throughout an increased jurisdiction. The California Office of Traffic Safety (OTS) grant funding would allow for overtime traffic enforcement operations to be conducted more frequently, especially in dangerous roadway and pedestrian areas.

Development in the SoFi Downtown District revitalization area has brought new restaurants and bars to Old Town Clovis. The increase in drinking establishments has significantly impacted the Department with an increase in driving under the influence (DUI) violations, in addition to an increase in the number of serious alcohol-related traffic crashes. There has also been an increase in drug-related and impaired driving traffic crashes as well. The Department anticipates that these occurrences will rise yet again as this area makes plans to expand in the near future. Funding from an OTS traffic safety grant would allow for extended saturation and high-visibility enforcements, which could act as a deterrent to all forms of impaired driving, including expanded Drug Recognition Expert (DRE) training for our traffic enforcement personnel.

The City of Clovis has maintained the small-town community spirit envisioned by its founders, exemplified in such community events as the annual Rodeo Days, Big Hat Days, and Clovisfest celebrations. This community pride, combined with the city's unique growth opportunities, continues to attract new residents, developers, businesses, and industries to our city. However, as the congestion of major thoroughfares increases, the primary crash factors (PCF) of unsafe speed, improper turning, and failure to stop at red lights will increase correspondingly, and the expectation is that fatal and injury traffic crashes will rise dramatically as a result. Continued traffic safety enforcement and education will be crucial to reducing these PCF-related crashes, and the funding received from this grant would allow the Department to address these vehicle code violations that are a common cause of traffic crashes involving motorists, as well as bicyclists and pedestrians.

**2. PERFORMANCE MEASURES**

**A. Goals:**

1. Reduce the number of persons killed in traffic crashes.
2. Reduce the number of persons injured in traffic crashes.
3. Reduce the number of pedestrians killed in traffic crashes.
4. Reduce the number of pedestrians injured in traffic crashes.
5. Reduce the number of bicyclists killed in traffic crashes.
6. Reduce the number of bicyclists injured in traffic crashes.
7. Reduce the number of persons killed in alcohol-involved crashes.
8. Reduce the number of persons injured in alcohol-involved crashes.
9. Reduce the number of persons killed in drug-involved crashes.
10. Reduce the number of persons injured in drug-involved crashes.
11. Reduce the number of persons killed in alcohol/drug combo-involved crashes.
12. Reduce the number of persons injured in alcohol/drug combo-involved crashes.
13. Reduce the number of motorcyclists killed in traffic crashes.

- 14. Reduce the number of motorcyclists injured in traffic crashes.
- 15. Reduce hit & run fatal crashes.
- 16. Reduce hit & run injury crashes.
- 17. Reduce nighttime (2100 - 0259 hours) fatal crashes.
- 18. Reduce nighttime (2100 - 0259 hours) injury crashes.

B. Objectives:	Target Number
1. Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.	1
2. Participate and report data (as required) in the following campaigns, National Walk to School Day, National Teen Driver Safety Week, NHTSA Winter Mobilization, National Distracted Driving Awareness Month, National Motorcycle Safety Month, National Bicycle Safety Month, National Click it or Ticket Mobilization, NHTSA Summer Mobilization, National Child Passenger Safety Week, and California's Pedestrian Safety Month.	10
3. Develop (by December 31) and/or maintain a "HOT Sheet" program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. Updated HOT sheets should be distributed to patrol and traffic officers monthly.	12
4. Send law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) (minimum 16 hours) POST-certified training.	4
5. Send law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) 16 hour POST-certified training.	2
6. Send law enforcement personnel to the Drug Recognition Expert (DRE) training.	1
7. Send law enforcement personnel to the DRE Recertification training.	1
8. Send law enforcement personnel to SFST Instructor training.	2
9. Send law enforcement personnel to DRE Instructor training.	1
10. Conduct DUI/DL Checkpoints. A minimum of 1 checkpoint should be conducted during the NHTSA Winter Mobilization and 1 during the Summer Mobilization. To enhance the overall deterrent effect and promote high visibility, it is recommended the grantee issue an advance press release and conduct social media activity for each checkpoint. For combination DUI/DL checkpoints, departments should issue press releases that mention DL's will be checked at the DUI/DL checkpoint. Signs for DUI/DL checkpoints should read "DUI/Driver's License Checkpoint Ahead." OTS does not fund or support independent DL checkpoints. Only on an exception basis and with OTS pre-approval will OTS fund checkpoints that begin prior to 1800 hours. When possible, DUI/DL Checkpoint screeners should be DRE- or ARIDE-trained.	5
11. Conduct DUI Saturation Patrol operation(s).	9
12. Conduct Traffic Enforcement operation(s), including but not limited to, primary crash factor violations.	9
13. Conduct highly publicized Distracted Driving enforcement operation(s) targeting drivers using hand held cell phones and texting.	2
14. Conduct highly publicized pedestrian and/or bicycle enforcement operation(s) in areas or during events with a high number of pedestrian and/or bicycle crashes resulting from violations made by pedestrians, bicyclists, and drivers.	2
<b>3. METHOD OF PROCEDURE</b>	
<b>A. Phase 1 – Program Preparation (1<sup>st</sup> Quarter of Grant Year)</b>	
<ul style="list-style-type: none"> <li>• The department will develop operational plans to implement the "best practice" strategies outlined in the objectives section.</li> <li>• All training needed to implement the program should be conducted this quarter.</li> <li>• All grant related purchases needed to implement the program should be made this quarter.</li> <li>• In order to develop/maintain the "Hot Sheets," research will be conducted to identify the "worst of the worst" repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. The Hot Sheets may include the driver's name, last known address, DOB,</li> </ul>	

description, current license status, and the number of times suspended or revoked. Sheets should be updated and distributed to traffic and patrol officers at least monthly.

- Implementation of the STEP grant activities will be accomplished by deploying personnel at high crash locations.

Media Requirements

- Issue a press release announcing the kick-off of the grant by November 15, but no earlier than October 1. If unable to meet the November 15 date, communicate reasons to your OTS Coordinator. The kick-off press releases and any related media advisories, alerts, and materials must be emailed for approval to the OTS Public Information Officer at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), and copied to your OTS Coordinator, 14 days prior to the issuance date of the release.

**B. Phase 2 – Program Operations (Throughout Grant Year)**

- The department will work to create media opportunities throughout the grant period to call attention to the innovative program strategies and outcomes.

Media Requirements

- Send all grant-related activity press releases, media advisories, alerts and general public materials to the OTS Public Information Officer (PIO) at [pio@ots.ca.gov](mailto:pio@ots.ca.gov), with a copy to your OTS Coordinator. The following requirements are for grant-related activities and are different from those regarding any grant kick-off release or announcement.
- If an OTS-supplied, template-based press release is used, there is no need for pre-approval, however, the OTS PIO and Coordinator should be copied when at the same time as the release is distributed to the press.
- If an OTS-supplied template is not used, or is substantially changed, a draft press release shall be sent to the OTS PIO for approval. Optimum lead-time would be 10 days prior to the release distribution date, but should be no less than 5 working days prior to the release distribution date.
- Press releases reporting the immediate and time-valued results of grant activities such as enforcement operations are exempt from the recommended advance approval process, but still should be copied to the OTS PIO and Coordinator when the release is distributed to the press.
- Activities such as warrant or probation sweeps and court stings that could be compromised by advanced publicity are exempt from pre-publicity, but are encouraged to offer embargoed media coverage and to report the results.
- Use the following standard language in all press, media, and printed materials: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Email the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator at least 30 days in advance, a short description of any significant grant-related traffic safety event or program so OTS has sufficient notice to arrange for attendance and/or participation in the event.
- Submit a draft or rough-cut of all printed or recorded material (brochures, posters, scripts, artwork, trailer graphics, etc.) to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator for approval 14 days prior to the production or duplication.
- Space permitting, include the OTS logo, on grant-funded print materials; consult your OTS Coordinator for specifics and format-appropriate logos.
- Contact the OTS PIO or your OTS Coordinator, sufficiently far enough in advance of need, for consultation when deviation from any of the above requirements might be contemplated

**C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)**

1. Prepare and submit invoice claims (due January 30, April 30, July 30, and October 30)
2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)
  - Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
  - Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
  - Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
  - Collect, analyze and report statistical data relating to the grant goals and objectives.

**4. METHOD OF EVALUATION**

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" for the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

**5. ADMINISTRATIVE SUPPORT**

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

**GRANT AGREEMENT**

**PT21020**

Schedule B

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
164AL-21	20.608	Minimum Penalties for Repeat Offenders for Driving While Intoxicated	\$50,000.00
402PT-21	20.600	State and Community Highway Safety	\$25,000.00

COST CATEGORY	FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT
<b>A. PERSONNEL COSTS</b>				
Positions and Salaries				
<u>Straight Time</u>				\$0.00
<u>Overtime</u>				
DUI/DL Checkpoints	164AL-21	\$5,600.00	5	\$28,000.00
DUI Saturation Patrols	164AL-21	\$1,260.00	9	\$11,340.00
Traffic Enforcement	402PT-21	\$1,260.00	9	\$11,340.00
Distracted Driving	402PT-21	\$840.00	2	\$1,680.00
Pedestrian and Bicycle Enforcement	402PT-21	\$1,680.00	2	\$3,360.00
AL Overtime Benefits @ 18.45%	164AL-21	\$39,340.00	1	\$7,258.00
PT Overtime Benefits @ 18.45%	402PT-21	\$16,380.00	1	\$3,022.00
Category Sub-Total				\$66,000.00
<b>B. TRAVEL EXPENSES</b>				
In State Travel	402PT-21	\$2,598.00	1	\$2,598.00
				\$0.00
Category Sub-Total				\$2,598.00
<b>C. CONTRACTUAL SERVICES</b>				
Phlebotomist	164AL-21	\$400.00	6	\$2,400.00
Category Sub-Total				\$2,400.00
<b>D. EQUIPMENT</b>				
				\$0.00
Category Sub-Total				\$0.00
<b>E. OTHER DIRECT COSTS</b>				
DUI Checkpoint Supplies	164AL-21	\$1,002.00	1	\$1,002.00
Changeable Message Radar	402PT-21	\$3,000.00	1	\$3,000.00
Category Sub-Total				\$4,002.00
<b>F. INDIRECT COSTS</b>				
				\$0.00
Category Sub-Total				\$0.00
<b>GRANT TOTAL</b>				<b>\$75,000.00</b>

<b>BUDGET NARRATIVE</b>
<b>PERSONNEL COSTS</b>
DUI/DL Checkpoints - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
DUI Saturation Patrols - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
Traffic Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
Distracted Driving - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
Pedestrian and Bicycle Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
AL Overtime Benefits @ 18.45% - Total Benefits 17.00% Pension 1.45% Medicare
PT Overtime Benefits @ 18.45% - Total Benefits 17.00% Pension 1.45% Medicare
<b>TRAVEL EXPENSES</b>
In State Travel - Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include the Lifesavers 2021 Conference. All conferences, seminars or training not specifically identified in the Budget Narrative must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.
<b>CONTRACTUAL SERVICES</b>
Phlebotomist - To draw and collect blood samples from suspected DUI drivers on scene as evidence in support of DUI convictions in a court of law.
<b>EQUIPMENT</b>
-
<b>OTHER DIRECT COSTS</b>
DUI Checkpoint Supplies - On-scene supplies needed to conduct sobriety checkpoints. Costs may include 28 traffic cones, MUTCD compliant traffic signs, MUTCD compliant high visibility vests (maximum of 10), traffic counters (maximum of 2), generator, gas for generators, lighting, reflective banners, electronic flares, PAS device supplies, heater, propane for heaters, fan, anti-fatigue mats, and canopies. Additional items may be purchased if approved by OTS. The cost of food and beverages will not be reimbursed.
Changeable Message Radar - To measure the speed of motor vehicles. This device will be used for speed enforcement.
<b>INDIRECT COSTS</b>
-
<b>STATEMENTS/DISCLAIMERS</b>
There will be no program income generated from this grant.

Nothing in this "agreement" shall be interpreted as a requirement, formal or informal, that a police enforcement officer issue a specified or predetermined number of citations in pursuance of the goals and objectives here under.

**CERTIFICATIONS AND ASSURANCES  
HIGHWAY SAFETY GRANTS**

**(23 U.S.C. CHAPTER 4 AND SEC. 1906, PUB. L. 109-59, AS AMENDED)**

Failure to comply with applicable Federal statutes, regulations, and directives may subject Grantee Agency officials to civil or criminal penalties and/or place State in a high-risk grantee status in accordance with 49 CFR 18.12.

The Officials named on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include but are not limited to the following:

**GENERAL REQUIREMENTS**

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 49 CFR Part 18- Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs

**NONDISCRIMINATION**

**(applies to subrecipients as well as States)**

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

"During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- e. To insert this clause, including paragraphs (a) through (e), in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

#### **POLITICAL ACTIVITY (HATCH ACT)**

**(applies to subrecipients as well as States)**

The state will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

#### **CERTIFICATION REGARDING FEDERAL LOBBYING**

**(applies to subrecipients as well as States)**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### **RESTRICTION ON STATE LOBBYING**

**(applies to subrecipients as well as States)**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

### **CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

**(applies to subrecipients as well as States)**

Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

*Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions*

(1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the information set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

*Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:*

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**BUY AMERICA ACT****(applies to subrecipients as well as States)**

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

**PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE****(applies to subrecipients as well as States)**

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

**POLICY ON SEAT BELT USE**

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at [www.trafficsafety.org](http://www.trafficsafety.org). The NHTSA website ([www.nhtsa.gov](http://www.nhtsa.gov)) also provides information on statistics, campaigns, and program evaluations and references.

**POLICY ON BANNING TEXT MESSAGING WHILE DRIVING**

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

**INSTRUCTIONS FOR ADDING OR UPDATING GEMS USERS**

1. Each agency is allowed a total of **FIVE (5) GEMS Users**.
2. GEMS Users listed on this form will be authorized to login to GEMS to complete and submit Quarterly Performance Reports (QPRs) and reimbursement claims.
3. Complete the form if adding, removing or editing a GEMS user(s).
4. The Grant Director must sign this form and return it with the Grant Agreement.

<b>GRANT DETAILS</b>	
Grant Number:	PT21020
Agency Name:	Clovis Police Department
Grant Title:	Selective Traffic Enforcement Program (STEP)
Agreement Total:	\$75,000.00
Authorizing Official:	Curt Fleming
Fiscal Official:	Jay Schengel
Grant Director:	Sandra Macy

**CURRENT GEMS USER(S)**

**1. Richard Ashcraft**

Title: Traffic Division Corporal  
Phone: (559) 324-2800  
Email: richarda@cityofclovis.com

Media Contact: No

**2. Calli Biaggi**

Title: Crime Analyst Supervisor  
Phone: (559) 324-2532  
Email: callib@cityofclovis.com

Media Contact: No

**3. Mark Bradford**

Title: Patrol  
Phone: (559) 324-3436  
Email: markb@cityofclovis.com

Media Contact: Yes

**4. Sandra Macy**

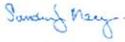
Title: Grant Manager  
Phone: (559) 324-3405  
Email: sandram@cityofclovis.com

Media Contact: No

Complete the below information if adding, removing or editing a GEMS user(s)

AGENDA ITEM NO. 11.

<b>GEMS User 1</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input checked="" type="checkbox"/>	Remove Access <input type="checkbox"/>		
Sandra Macy		Grant Manager	
Name		Job Title	
sandram@cityofclovis.com		559-324-3405	
Email address		Phone number	
<b>GEMS User 2</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input checked="" type="checkbox"/>	Remove Access <input type="checkbox"/>		
Antonio Ferguson		Program Official/Officer	
Name		Job Title	
antoniof@cityofclovis.com		559-324-2400	
Email address		Phone number	
<b>GEMS User 3</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input checked="" type="checkbox"/>	Remove Access <input type="checkbox"/>		
Jay Schengel		Finance Director	
Name		Job Title	
jays@cityofclovis.com		559-324-2200	
Email address		Phone number	
<b>GEMS User 4</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
<b>GEMS User 5</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
Form completed by: <u>Sandra J. Macy</u> <small>Sandra J Macy (Aug 4, 2020 11:11 PDT)</small>		Date: Aug 4, 2020	
As a signatory I hereby authorize the listed individual(s) to represent and have GEMS user access.			
<u>Sandra J. Macy</u> <small>Sandra J Macy (Aug 4, 2020 12:12 PDT)</small>		Sandra J Macy	
Signature		Name	
Aug 4, 2020		Grant Director	
Date		Title	

<b>1. GRANT TITLE</b> Traffic Records Improvement Project	
<b>2. NAME OF AGENCY</b> Clovis	<b>3. Grant Period</b> From: 10/01/2020 To: 09/30/2021
<b>4. AGENCY UNIT TO ADMINISTER GRANT</b> Clovis Police Department	
<b>5. GRANT DESCRIPTION</b> State and local agencies need timely, accurate, complete, accessible, and uniform traffic records to identify and prioritize traffic safety issues, to choose appropriate safety countermeasures and evaluate their effectiveness. Traffic records improvement grants provide traffic safety stakeholders with the ability to plan and initiate traffic records improvement projects such as the purchase and implementation of traffic crash reporting systems as well as electronic citation equipment and software.	
<b>6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$51,800.00</b>	
<b>7. TERMS AND CONDITIONS:</b> The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: <ul style="list-style-type: none"> <li>• Schedule A – Problem Statement, Goals and Objectives and Method of Procedure</li> <li>• Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable)</li> <li>• Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable)</li> <li>• Exhibit A – Certifications and Assurances</li> <li>• Exhibit B* – OTS Grant Program Manual</li> <li>• Exhibit C – Grant Electronic Management System (GEMS) Access</li> </ul> <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto.</p> <p>These documents can be viewed at the OTS home web page under Grants: <a href="http://www.ots.ca.gov">www.ots.ca.gov</a>.</p> <p>We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.</p> <p>IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.</p>	
<b>8. Approval Signatures</b>	
<b>A. GRANT DIRECTOR</b>  NAME: Sandra Macy TITLE: Grant Manager EMAIL: sandram@cityofclovis.com PHONE: (559) 324-3405 ADDRESS: 1233 Fifth Street Clovis, CA 93612   _____ (Signature)	<b>B. AUTHORIZING OFFICIAL</b>  ADDRESS: Curt Fleming Chief curtf@cityofclovis.com (559) 324-2407 1233 Fifth Street Clovis, CA 93612   _____ (Signature)
 <b>C. FISCAL OFFICIAL</b>  ADDRESS: Jay Schengel Finance Director jays@cityofclovis.com (559) 324-2800 1233 Fifth Street Clovis, CA 93612   _____ (Signature)	 <b>D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY</b>  ADDRESS: Barbara Rooney Director barbara.rooney@ots.ca.gov (916) 509-3030 2208 Kausen Drive Suite 300 Elk Grove, CA 95758   _____ (Signature)
 _____ (Date)	 _____ (Date)
 _____ (Date)	 _____ (Date)

<p><b>E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY</b></p> <p>NAME: Carolyn Vu          ADDRESS: 2208 Kausen Drive, Suite 300          Elk Grove, CA 95758</p>	<p><b>9. DUNS INFORMATION</b></p> <p>DUNS #: 039926725          REGISTERED ADDRESS: 1233 Fifth Street          CITY: Clovis          ZIP+4: 93612-1313</p>
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10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
405c TR-21	20.616	0521-0890-101	2020	2020	BA/20	\$51,800.00
					<b>AGREEMENT TOTAL</b>	<b>\$51,800.00</b>
					AMOUNT ENCUMBERED BY THIS DOCUMENT	
					<b>\$51,800.00</b>	
					PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT	
					<b>\$ 0.00</b>	
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED	TOTAL AMOUNT ENCUMBERED TO DATE		
 <small>Carolyn Vu (Aug 10, 2020 10:46 PDT)</small>			Aug 10, 2020	<b>\$51,800.00</b>		

**1. PROBLEM STATEMENT**

The City of Clovis has a population of just over 109,000 citizens and borders the largest city in the Central Valley, Fresno. The City encompasses approximately 26 square miles and plans to increase its sphere of influence approximately 5 square miles over the next 5 years. It is primarily a suburban, single-family residential bedroom community that has experienced steady growth in housing and commercial development. This population growth has had a significant impact on the amount of traffic on the roadways.

With more motorists on the road and distractions competing for their attention, there is a heightened danger for those sharing the road, especially for law enforcement officers trying to keep everyone safe. The City of Clovis Police Department is seeking grant funding to update our roadway safety and traffic crash reporting process and improve our traffic data collection method. This upgraded technology can provide a bigger picture and more in-depth insight into our community's unsafe roads, dangerous intersections and areas needing better traffic signaling. The need for an electronic crash (eCrash) data system could empower our officers to capture, store and transfer crash data in real time in order to provide that data to other agencies and courts in an instant. With an eCrash reporting system, data is always legible and secure and allow us to transition to a standardized reporting solution which is used by hundreds of agencies and courts throughout the U.S.

An eCrash traffic reporting system offers numerous other benefits as well by bringing simplicity and efficiency to the handling of crash reports. Our current procedure is to manually enter traffic information into a report writing computer system. Officers must collect crash information and transfer that data into another system for analyzing. With this process, our ability to timely access and measure crash data and reporting is slow and cumbersome. Too often, our data collection process for traffic crash information is delayed. An eCrash traffic reporting system could assist us in providing timeliness, accuracy, completeness, uniformity, integration, and accessibility to other agencies and insurance institutions. Automating our reporting process by providing a highly secure, electronic data management resource could help our agency deliver faster crash report data while advancing traffic safety and the quality of life for the people we protect and serve. This improved productivity frees officers from time-consuming administrative tasks so they can focus on serving and protecting our community. Also, with the rising administrative cost of preparing and processing traffic reports, an eCrash traffic reporting and data collection system would be a financially beneficial solution for our agency.

The eCrash traffic reporting and data system not only holds the basic data critical to developing and deploying effective traffic safety countermeasures, but it can serve as the hub through which other systems are connected. The benefits, and overall utility, derived from other traffic records systems are significantly enhanced by reliable, valid statewide crash data. Linking other systems' data with eCrash data enables invaluable opportunities for analysis. An eCrash data reporting system would be an innovative force multiplier in public safety for our Department, and this California Office of Traffic Safety grant funding could translate to time not spent on the roadside and more time spend on proactive enforcement programs.

**2. PERFORMANCE MEASURES**

**A. Goals:**

1. Reduce the number of persons killed in traffic crashes.
2. Reduce the number of persons injured in traffic crashes.

**B. Objectives:**

	<b>Target Number</b>
1. Purchase and implement a complete electronic crash reporting system with the capability of exporting complete crash report records to a departmental records management system and the California Highway Patrol's Statewide Integrated Traffic Records System.	1
2. Purchase and implement a complete electronic citation solution that includes the capability of exporting data to both a departmental records management system (RMS) as well as the local court records system.	1

**3. METHOD OF PROCEDURE**

**A. Phase 1 – Program Preparation (1<sup>st</sup> Quarter of Grant Year)**

- Determine specific system requirements.
- Determine specific equipment requirements.
- Request vendor price quotation per host agency requirements.
- Procure an electronic crash reporting system with the following functionalities:
  - System licensing with installation and training.
  - GIS based mapping.
  - Segment crash diagraming tool.
  - Ability to create or import crash reports.
  - Ability to import and export agency RMS files.
  - Ability to perform complete analysis of crash reports.
  - Secure database accessible by appropriate agency personnel.
  - Ability to export complete crash report to the California Highway Patrol's Statewide Integrated Traffic Records System.
- Procure an electronic citation system with the following functionalities:
  - System licensing with installation and training.
  - Ability to import and export to agency RMS files.
  - Ability to perform complete analysis of citation reports.
  - Secure database accessible by appropriate agency personnel.
  - Ability to export complete citation reports to the local county court.

**B. Phase 2 – Program Operations (Throughout Grant Year)**

- Select vendor for system development, implementation, and installation.
- Monitor and oversee progress of system/software development.

**C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)**

- Prepare and submit invoice claims (due January 30, April 30, July 30, and October 30).
  - Successful project completion and confirmation of successful transmission by the California Highway Patrol is required before submission of invoice claims seeking reimbursement from OTS.
- Prepare and submit quarterly performance reports (due January 30, April 30, July 30, and October 30).
  - Collect and report quarterly appropriate data that supports the progress of goals and objectives.
  - Provide a summary of quarterly accomplishments and explanations for objectives not completed.
  - Collect, analyze, and report statistical data relating to the grant goals and objectives.

**4. METHOD OF EVALUATION**

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

**5. ADMINISTRATIVE SUPPORT**

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
405c TR-21	20.616	State Traffic Safety Information System Improvements	\$51,800.00

COST CATEGORY	FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT
<b>A. PERSONNEL COSTS</b>				
Positions and Salaries				
<u>Straight Time</u>				\$0.00
<u>Overtime</u>				\$0.00
Category Sub-Total				\$0.00
<b>B. TRAVEL EXPENSES</b>				
				\$0.00
				\$0.00
Category Sub-Total				\$0.00
<b>C. CONTRACTUAL SERVICES</b>				
				\$0.00
Category Sub-Total				\$0.00
<b>D. EQUIPMENT</b>				
Complete Traffic Citation and Crash Database System	405c TR-21	\$51,800.00	1	\$51,800.00
Category Sub-Total				\$51,800.00
<b>E. OTHER DIRECT COSTS</b>				
				\$0.00
Category Sub-Total				\$0.00
<b>F. INDIRECT COSTS</b>				
				\$0.00
Category Sub-Total				\$0.00
<b>GRANT TOTAL</b>				<b>\$51,800.00</b>

<b>BUDGET NARRATIVE</b>	
<b>PERSONNEL COSTS</b>	-
<b>TRAVEL EXPENSES</b>	-
<b>CONTRACTUAL SERVICES</b>	-
<b>EQUIPMENT</b>	<p>Complete Traffic Citation and Crash Database System - A traffic crash database and geographic information system (GIS) to collect, analyze and display crash and enforcement data, including a full featured module for analysis, allowing queries for top ranking lists of locations, breakdowns by cause, type, injury, conditions and many other attributes. System includes capability of exporting complete crash report records to a departmental records management system (RMS) and the California Highway Patrol's Statewide Records System (SWITRS). The system also provides for exportation of data Queries and Reports will be provided in a variety of formats including pie charts, bar charts, and summaries. The system provides for crash mapping on Google Earth, ESRI GIS, or similar mapping products. Costs may include a data storage server, laptop/desktop computer(s), electronic citation devices, printers and printer supplies/accessories, audio recorder, camera, docking/charging stations, training, and associated software, licenses, office supplies, shipping and taxes. However, no extended warranties beyond the term of this grant agreement will be covered.</p>
<b>OTHER DIRECT COSTS</b>	-
<b>INDIRECT COSTS</b>	-
<b>STATEMENTS/DISCLAIMERS</b>	There will be no program income generated from this grant.

**CERTIFICATIONS AND ASSURANCES**  
**HIGHWAY SAFETY GRANTS**  
**(23 U.S.C. CHAPTER 4 AND SEC. 1906, PUB. L. 109-59, AS AMENDED)**

Failure to comply with applicable Federal statutes, regulations, and directives may subject Grantee Agency officials to civil or criminal penalties and/or place State in a high-risk grantee status in accordance with 49 CFR 18.12.

The Officials named on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include but are not limited to the following:

**GENERAL REQUIREMENTS**

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 49 CFR Part 18- Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs

**NONDISCRIMINATION**

**(applies to subrecipients as well as States)**

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

"During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- e. To insert this clause, including paragraphs (a) through (e), in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

#### **POLITICAL ACTIVITY (HATCH ACT)**

**(applies to subrecipients as well as States)**

The state will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

#### **CERTIFICATION REGARDING FEDERAL LOBBYING**

**(applies to subrecipients as well as States)**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**RESTRICTION ON STATE LOBBYING  
(applies to subrecipients as well as States)**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

**CERTIFICATION REGARDING DEBARMENT AND SUSPENSION  
(applies to subrecipients as well as States)**

Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

*Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions*

(1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the information set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

*Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:*

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**BUY AMERICA ACT****(applies to subrecipients as well as States)**

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

**PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE****(applies to subrecipients as well as States)**

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

**POLICY ON SEAT BELT USE**

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at [www.trafficsafety.org](http://www.trafficsafety.org). The NHTSA website ([www.nhtsa.gov](http://www.nhtsa.gov)) also provides information on statistics, campaigns, and program evaluations and references.

**POLICY ON BANNING TEXT MESSAGING WHILE DRIVING**

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

**INSTRUCTIONS FOR ADDING OR UPDATING GEMS USERS**

1. Each agency is allowed a total of **FIVE (5) GEMS Users**.
2. GEMS Users listed on this form will be authorized to login to GEMS to complete and submit Quarterly Performance Reports (QPRs) and reimbursement claims.
3. Complete the form if adding, removing or editing a GEMS user(s).
4. The Grant Director must sign this form and return it with the Grant Agreement.

<b>GRANT DETAILS</b>	
Grant Number:	TR21008
Agency Name:	Clovis Police Department
Grant Title:	Traffic Records Improvement Project
Agreement Total:	\$51,800.00
Authorizing Official:	Curt Fleming
Fiscal Official:	Jay Schengel
Grant Director:	Sandra Macy

**CURRENT GEMS USER(S)**

**1. Richard Ashcraft**

Title: Traffic Division Corporal  
Phone: (559) 324-2800  
Email: richarda@cityofclovis.com

Media Contact: No

**2. Calli Biaggi**

Title: Crime Analyst Supervisor  
Phone: (559) 324-2532  
Email: callib@cityofclovis.com

Media Contact: No

**3. Mark Bradford**

Title: Patrol  
Phone: (559) 324-3436  
Email: markb@cityofclovis.com

Media Contact: Yes

**4. Sandra Macy**

Title: Grant Manager  
Phone: (559) 324-3405  
Email: sandram@cityofclovis.com

Media Contact: No

Complete the below information if adding, removing or editing a GEMS user(s)

<b>GEMS User 1</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Sandra Macy		Grant Manager	
Name		Job Title	
sandram@cityofclovis.com		559-324-3405	
Email address		Phone number	
<b>GEMS User 2</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
<b>GEMS User 3</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
<b>GEMS User 4</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
<b>GEMS User 5</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
Form completed by: <u>Sandra J Macy</u> <small>Sandra J Macy (Aug 10, 2020 07:51 PDT)</small>		Date: Aug 10, 2020	
As a signatory I hereby authorize the listed individual(s) to represent and have GEMS user access.			
		Sandra J Macy	
Signature		Name	
Aug 10, 2020		Grant Director	
Date		Title	

# Grant Agreement - TR21008

Final Audit Report

2020-08-11

Created:	2020-08-07
By:	Elsie Machado (elsie.machado@ots.ca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAzxcQPTz-i-GPeV66b3fjC8cdUOUq9Cy7

## "Grant Agreement - TR21008" History

-  Document created by Elsie Machado (elsie.machado@ots.ca.gov)  
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-  Document emailed to Sandra J Macy (sandram@cityofclovis.com) for signature  
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-  Email viewed by Sandra J Macy (sandram@cityofclovis.com)  
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-  Document e-signed by Sandra J Macy (sandram@cityofclovis.com)  
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-  Email viewed by Curt Fleming (curtf@cityofclovis.com)  
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-  Document emailed to Carolyn Vu (carolyn.vu@ots.ca.gov) for signature  
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-  Document e-signed by Carolyn Vu (carolyn.vu@ots.ca.gov)  
Signature Date: 2020-08-10 - 5:46:09 PM GMT - Time Source: server- IP address: 76.20.59.121
  
-  Document emailed to Barbara Rooney (barbara.rooney@ots.ca.gov) for signature  
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-  Document e-signed by Barbara Rooney (barbara.rooney@ots.ca.gov)  
Signature Date: 2020-08-11 - 8:30:39 PM GMT - Time Source: server- IP address: 74.46.253.92
  
-  Signed document emailed to Carolyn Vu (carolyn.vu@ots.ca.gov), Barbara Rooney (barbara.rooney@ots.ca.gov), Sandra J Macy (sandram@cityofclovis.com), Elsie Machado (elsie.machado@ots.ca.gov), and 3 more  
2020-08-11 - 8:30:39 PM GMT



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council  
 FROM: General Services Department  
 DATE: October 5, 2020  
 SUBJECT: Consider Approval – Res. 20-\_\_\_\_, Amending the City's Master Administrative Fee Schedule to Eliminate Clovis Transit Fares.

**Staff:** Amy Hance, General Services Manager  
**Recommendation:** Approve

ATTACHMENTS: 1. Resolution 20-\_\_\_\_,

### CONFLICT OF INTEREST

None

### RECOMMENDATION

For the City Council to approve a resolution revising the City's Master Administrative Fee Schedule to eliminate Clovis Transit fares.

### EXECUTIVE SUMMARY

Staff proposes a change to the City's Master Administrative Fee Schedule with the elimination of Clovis Transit bus fares for Stageline fixed-route service and Round Up paratransit service. Currently, Clovis Transit charges \$1.25 per passenger for Stageline service, and \$1.25 to \$2.75 per passenger for Round Up service depending upon the destination. Children under 6 years of age, adults 65 and over, and passengers with disabilities and their attendants ride for free.

Clovis Transit receives annual Transit Development Act (TDA) Funding allocations through two separate programs: State Transit Assistance (STA) and Local Transit Funding (LTF). STA is funded through a statewide excise tax on diesel fuel and LTF funding comes from a statewide retail sales tax allocation. As an efficiency metric, TDA requires Clovis Transit to maintain a farebox ratio recovery formula which is a set percentage of total operation costs of the service. The Stageline bus service is required to maintain a 20% farebox recovery ratio, and Round Up bus service has a 10% farebox recovery ratio requirement. Historically, Clovis Transit has never met the required TDA farebox recovery ratio and has used local Measure C funds to supplement farebox revenue to meet the State requirement.

Currently, the revenue collected from fares represents between 2% - 4% of the operational costs associated with providing public transit services. The process to collect, count, and secure the cash requires multiple employees over several days, and over 1,100 work hours each year. This is equivalent to at least one part-time employee. In addition, bus pass sales, contract maintenance for student fares with local educational institutions and regional service centers, and required external revenue tracking increases the time spent managing the revenue.

## **BACKGROUND**

The City of Clovis has been operating transit services since July, 1980. Originally offered as demand-responsive service, the operation progressed through different iterations until 1999 when City staff took over all operations and Clovis Transit was created. Since then, the City has offered two forms of public transit: fixed-route bus service known as Stageline, and paratransit service known as Round Up. Throughout its history, Clovis Transit has charged a fare for each passenger and the revenue from the farebox was used to satisfy the required TDA farebox ratio.

Clovis Transit uses a portion of its annual allocation of Measure C to meet the required TDA farebox ratio. Without Measure C, Clovis Transit Stageline fares would escalate from \$1.25 to approximately \$9.00 per ride to meet the farebox ratio requirements. In 2011, the Clovis City Council voted to include those 65 years of age and older to the existing free rides categories which includes children younger than 6 (with a fare-paying adult) and those with disabilities. Approximately 60% of bus riders do not pay a fare and until recently, Clovis Transit had a contract with State Center Community College and California State University Fresno to provide bus fare at a discounted rate.

Public transit is an important component of a thriving community and provides an avenue for people to pursue educational opportunities, gain access to health care, and travel to employment centers. It also has a direct impact on the health of the residents by decreasing greenhouse gas emissions (GHG) through the reduction in vehicles on the roadway. In 2019, the City of Clovis completed the federally required Analysis of Impediments to Fair Housing Choice. This study identified that the City's transit system is critical to low-income households accessing jobs, services, and housing. The study listed a goal to improve accessibility to the transit system (5.1). Zero-fare transit services would remove any financial barrier experienced by low-income individuals and families that rely on public transit to lead their lives. According to the American Community Survey, 20% of Clovis residents have an income level below 150% of poverty level, and those residents without access to a vehicle are more likely to be depending on transit.

In FY 2019-2020, Clovis Transit used grant funding to provide zero-fare rides during August, September, and October on Stageline and Round Up bus services. Ridership increased an average of 26% over all three months, and the highest monthly increase was 37%. The program clearly demonstrated that when bus fares are eliminated, transit becomes a more attractive option for our citizens.

In early April of 2020, bus fares were eliminated in response to the coronavirus pandemic. This was done for two reasons: to provide a safer environment for the bus operators by eliminating the need to handle cash, and to provide some economic relief to the community during the shut-down. As schools and work sites moved to a virtual environment, ridership in April, May, and June was at an historic low. During the first quarter of FY 2020-2021, ridership remains down about 30% on Stageline and 50% on Round Up, but as schools start to re-open, ridership will increase and passengers will again use the bus to travel.

In 2018, the California State Legislature requested the California Transit Association to assemble a task force to study the challenges experienced by many public transit operators in attaining the required farebox ratio. The task force began its work and just prior to the COVID-19 pandemic, published a set of draft recommendations which included development of alternative efficiency standards that would assist transit operators in attracting passengers. While the task force group is still meeting about possible revisions to the TDA farebox requirement, Assembly Bill 90 was passed in June 2020, which eliminates the farebox ratio efficiency requirement for FY 2019-2020 and FY 2020-2021 due to the pandemic. For the legislature to suspend the farebox ratio garners potential for future revisions or elimination of the farebox recovery ratio requirement under the TDA.

### **FISCAL IMPACT**

Currently, Clovis Transit uses a portion of the annual Measure C allocation to supplement fare revenue and meet the minimum farebox ratio. However, since the requirement is suspended for FY 2019-2020 and FY 2020-2021, Measure C funds will be utilized for overall operations instead of supplementing farebox recovery. If Clovis Transit fares are eliminated, a larger amount of Measure C, approximately \$150,000, would be necessary to meet farebox requirements starting in FY 2021-2022, unless the legislature removes or revises the requirement. This additional Measure C allocation toward fares would not impact levels of service.

### **REASON FOR RECOMMENDATION**

Zero-fare bus rides remove a financial barrier for low-income individuals and families to access public transportation. The tasks associated with the oversight, management, and security of bus fares are onerous considering the funds collected. Zero-fares have been demonstrated to increase ridership, which has a direct impact on greenhouse gas emission reductions.

### **ACTIONS FOLLOWING APPROVAL**

The annual Measure C claim will be adjusted appropriately to satisfy the required TDA farebox revenue ratio.

Prepared by: Amy Hance, General Services Manager

Reviewed by: City Manager LS

RESOLUTION 20-\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS  
APPROVING CHANGES TO THE MASTER ADMINISTRATIVE FEE SCHEDULE

**WHEREAS**, Clovis Transit has demonstrated an increase in ridership when transit fares are eliminated; and

**WHEREAS**, the City recognizes the value of public transit in the mitigation of greenhouse gas emissions and the pursuit of cleaner air in the valley; and

**WHEREAS**, the elimination of transit fares will remove a financial burden from low income individuals and families traveling to work sites, healthcare facilities, and educational institutions; and

**WHEREAS**, Clovis Transit will utilize a portion of its annual Measure C allocation to meet the required Transportation Development Act farebox revenue recovery ratio.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Clovis does hereby authorize changes to the Master Administrative Fee Schedule as it relates to the General Services Department Transit Fares as described in Attachment A of Attachment 1.

\* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on October 5, 2020 by the following vote, to wit.

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:
  
- DATED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**MASTER ADMINISTRATIVE FEE SCHEDULE**  
**Effective Date: October 5, 2020**

* Insert arrow(s) to indicate change(s) <b>➔</b>			
<b>Description</b>			
Standard Photocopying for Black and White (per page – standard 8 ½ x 11)			Fee
Standard Photocopying for Color (per page– standard 8 ½ x 11)			\$10
			\$15
<b>Blue Line Map</b>			
24x36			\$4.00
30 x 48			\$5.00
Each successive sheet			\$2.50
Map of Developable Areas			\$30.00
Standard Specifications (per set)			\$20.00
Research Fee (1/2 hr. minimum)			\$45.00/hr
Facility Use Permit			(minimum) \$100.00
Lobbyist Registration (annual)			\$25.00
Amendment to Lobbyist Registration			\$10.00
Annual Financial Report			\$20.00
Annual Budget			\$20.00
Copy of Clovis Municipal Code (full copy)			\$125.00
Copy of Clovis Municipal Code Supplements			\$20.00
Video Tape Copy			\$25.00
Reproduction of Photographs			\$40.00
Administrative Charge pertaining to Administrative Citations			\$50.00
<b>Park Facility Reservation Fees</b>			
		<b>Half day rate</b>	<b>Full day rate</b>
	Picnic sites with 4 or fewer tables	\$41.00	\$82.00
	Picnic sites with 5 or more tables	\$53.00	\$106.00
<b>Hydrant Water Metered</b>			
	First 30 days, plus 5,000 gallons		\$20.00
	Per 1,000 gallons over 5,000 gallons		\$1.00
	Late Return Charge - Per day		\$15.00
	Lost or stolen meter		\$500.00
<b>General Services Department</b>			
<b>Community Services Division</b>			
<b>Transit Section</b>			
	Stageline Service		
➔	<b>General Public (age 6-64) (per one-way trip)</b>		<b>Free</b>
	Seniors age 65 and over with I.D. (per one-way trip)		Free
	Persons with disability with proof of disability (per one-way trip)		Free
	Attendant to assist a person with a disability (one attendant per disabled person)		Free
	Children under age 6 with fare paying adult (up to 4 children)		Free
➔	<b>10 ride pass</b>		<b>\$11.50</b>
➔	<b>FAX Metro Pass – Valid 31 days from first use</b>		<b>\$48.00</b>
	Roundup Service (Disabled residents of Clovis)		
➔	<b>Disabled Passenger Trip</b>		<b>Free</b>
	Trolley Fee Schedule		

	Non Holiday Hourly Rate (minimum of two hours)	\$125.00
	Holiday Hourly Rate (all holidays recognized by the City of Clovis, minimum of two hours)	\$140.00
	Reduced hourly rate after four hours at full rate	\$75.00
	Wait time (vehicle not in motion) after two hours at full rate	\$50.00
	Clean-up of any bodily fluid spills on a per incident basis	\$100.00
<b>Senior Services Section</b>		
	Banquet Hall Rental	\$900.00 for first 5 hours; \$100.00 each additional hour
	Banquet Hall Rental (non-profit rate)	\$100.00 per hour
	Classroom Rental	\$375.00 for first 5 hours; \$50.00 each additional hour
	Classroom Rental (non-profit rate)	\$50.00 per hour
	Senior Center Classes...	\$1.00 to \$5.00 per day per activity
	Senior Center Class Registration	Free to \$35.00 per 8-week session
	Ceramic Firing Fee (one class)	\$15.00 per month
	Ceramic Firing Fee (two or more classes)	\$20.00 per month
	Senior Trips and Tours	\$5.00 administrative fee plus actual activity cost
	Notary Public Service	\$5.00
	Event Table Sponsorship	\$75.00 to \$150.00
<b>Recreation Section</b>		
	Batting Range Fees	\$2.00-\$3.00 for 25 pitches, exclusive of special promotions
	Youth Program Fees	Fee Range: Free to \$90.00 per program
	Youth Leagues and Tournaments...	Fee Range: \$85.00 to \$150.00
	Adult Program Fees	Fee Range: \$5.00 to \$150.00 per program
	Adult Leagues and Tournaments	Fee Range: \$50.00 to \$500.00
	Special Events and Camps...	Fee Range: Free to \$250.00 per event/camp
	Recreation Facility Reservations (north portion of building)	Fee Range: \$50.00 to \$100.00
	Recreation Facility Reservations (south portion of building)	Fee Range: \$50.00 to \$100.00
	Sponsorship Banners...	\$150.00 to \$2,000.00
	Softball/baseball/soccer field at Bicentennial Park: Clovis Resident	\$25.00 per hour per field
	Softball/baseball/soccer field at Bicentennial Park: Non-Clovis Resident	\$35.00 per hour per field
	Field lighting	\$15.00 per hour
	Snack bar rental (in conjunction with other park facility rental)	\$100.00
<b>Police Department Fees</b>		
<b>Entertainment Permit Fees</b>		
	Application Fee	\$500.00
<b>Annual Permits</b>		
	Heavy Use (annual)	\$1,000.00 per year
	Medium Use (annual)...	\$500.00 per year
	Light Use (annual)...	\$250.00 per year
	Single Event Permit	\$250.00
<b>Appeal Fees</b>		
	Heavy Use (per appeal)	\$250.00 per appeal
	Medium Use (per appeal)	\$125.00 per appeal
	Light Use (per appeal)	\$60.00 per appeal
<b>Other Fees</b>		
	Copy of Police Report	\$5.00
	Fingerprinting (Clovis residents or works in Clovis only), per card	\$10.00

ABC License Review.	\$200.00		
ABC Permit - Special Event Alcohol Permit: Profit	\$22.00		
ABC Permit - Special Event Alcohol Permit: Non Profit	No Charge		
Local Background Check	\$40.00		
Audio Dispatch Recording (with case # and time of call)	\$39.00		
Audio/ Video Dispatch Recording (with name only) single camera view and time increment	\$68.00		
Audio/ Video Dispatch Recording (involving staff time up to 1.5 hrs)	\$247.00		
Audio or Video Dispatch Recording (involving staff time of 1.5 hrs+)	\$425.00		
Card Room Permit (includes fingerprinting)	\$258.00		
Card Room Permit Renewal (includes fingerprinting)	\$228.00		
Production of Records - Video Tapes, CD's, DVD's	\$54.00		
Reproduction of Photographs (Digital)	\$40.00		
Reproduction of Photographs (35 mm)...	\$142.00		
Report - Discovery (Reports or Audio or Video)	\$170.00		
Second Hand Dealer License	\$44.00		
Vehicle Impound Release	\$206.00		
Per Tow Administration Fee	\$40.00		
Gun Storage - Clovis Resident \$55.00 First Gun \$35 Each Additional Gun	\$55.00		
Gun Storage - Non-Clovis Resident \$75.00 First Gun \$35 Each Additional Gun	\$75.00		
Massage Therapist Permit Application Fee	\$250.00		
Shopping Cart Pick Up Fee	\$25.00		
Shopping Cart Daily Storage Fee	\$5.00		
<b>False Alarms</b>			
False Alarms, first 2 alarms	No Charge		
False Alarms, 3 – 5 alarms	\$100.00 each		
False Alarms, 6 or more	\$250.00 each		
<b>Animal Services Fees</b>			
Dog License (Unaltered)			
One year	\$25.00		
2years	\$50.00		
3 years	\$75.00		
Replacement Tag	\$1.00		
Dog and Vietnamese pot bellied pig License (Spayed or neutered or owned by Senior Citizen)			
One year	\$5.00		
2 years	\$10.00		
3 years	\$15.00		
<b>Additional Animal Fees</b>			
<b>Impound Fees</b>			
Type	1st Time	2nd Time	3rd & Subsequent
Altered dog with license	Free*	\$35.00*	\$65.00*
Unaltered dog with license	Free* & \$35 State	\$60.00* & \$50 State	\$85.00* & \$100 State
Altered dog – no license	\$35.00*	\$60.00*	\$85.00*
Unaltered dog – no license	\$35.00* & \$35 State	\$60.00* & \$50 State	\$85.00* & \$100 State
Altered Cat	Free *	\$30.00*	\$30*
Unaltered Cat	Free* & \$35 State	\$25.00 * & \$50 State	\$35.00 * & \$100 State
Other animals	Free*	\$30.00*	\$55.00*
Animal returned to owner by Field Officer	\$65.00*	\$65.00*	\$65.00*

<i>*plus \$15.00 per day board</i>		
<b>Other Animal Shelter Fees</b>		
Cat trap		\$60.00 deposit
Skunk trap...		\$100.00 deposit
Large Animal Trap Deposit		\$100.00
Owner surrendered altered dog		\$20.00
Owner surrendered unaltered dog		\$30.00
Owner surrendered altered cat		\$15.00
Owner surrendered unaltered cat		\$20.00
Owner surrendered litter		\$25.00
Owner surrendered Pocket Pets (hamster, mice guinea pig, etc)		\$5.00
Dog/cat euthanasia		\$100.00
Dead animal disposal (under 10 pounds)		\$10.00
Dead animal disposal (over 10 pounds)		\$20.00
Pick-up fee (surrender fee separate)		\$65.00
Dog Adoption		\$150.00
Transfer Dog License		\$5.00
Dog License Late Fee		\$10.00
Cat Adoption		\$75.00
Quarantined Animals – Daily board		\$25.00
After Hour Service		\$50.00
Dangerous and Vicious Animal Registration		\$100.00
Spay and Neuter Deposit		\$100.00
Obedience Training Deposit		\$100.00
<b>Fire Department Fees</b>		
<b>Front Counter Fees</b>		<b>Rate</b>
Fire Investigation Report and Photos (62000-46310)		\$159
<b>Construction Permits (62000-46001)</b>		<b>Rate</b>
Underground		\$496
Overhead (Up to 20 heads)		\$199
Overhead (21 – 50 heads)		\$347
Overhead (each additional 50 heads after 51+)		\$264
Fire Pump		\$562
Fire Standpipes (per standpipe)		\$363
Fire Alarm (Base Fee)		\$325
Fire Alarm (Per 25 Devices)		\$7/per additional device
Fire Sprinkler System Alarms		\$165
5yr Sprinkler System Certification (Compliant)		\$0
5yr Sprinkler System Certification (non-Compliant)		\$363
Fire Suppression Hood System		\$363
LP Gas		\$231
Above Ground Tank Installation		\$297
Plan Review Re-submittal (Ea. Additional 1/2 hour)		\$66
Re- Inspection Fee (Ea. Additional 1/2 hour)		\$99
Expedited Plan Review		\$132/hr.

Investigation Fee for Work Started Without Permits is the Total Cost of the Construction Permit Fee Doubled.	\$661
<b>Fireworks Fees (62000-46001)</b>	
<b>Fireworks Standby / Special Events Code Enforcement</b>	<b>Hourly Rate</b>
Fireworks Booth	\$300
Fireworks Shoot/Display (1 Prevention Unit; 3-hour minimum)	\$132/hr.
Fireworks Base Fee for 1/2 hour Plan Review, One (1) Inspection and Permit	\$132
Each Additional Plan Review Per 1/2 hour	\$66
Each Additional Inspection Per 1/2 hour	\$66
Prevention Staff (1 unit) (3 hour minimum)	\$132/hr.
<b>Annual Occupancy Fire and Life Safety Inspections (3rd Visit Non-Compliant)</b>	
<b>Annual Inspection - (Occupancy type: B, F, M, S) Factory/Industrial, Retail, Business/Office, except for combustible dust producing operations and repair garages. (62000-46001)</b>	<b>Rate</b>
Up to 5,000 sq. ft.	\$496
5,001 - 40,000 sq. ft.	\$535
40,001 sq. ft. and Above	\$958
<b>Annual Occupancy Fire and Life Safety Inspections (3rd Visit Non-Compliant; Schools 1st Visit) (62000-46001)</b>	
<b>Annual Inspection - (Occupancy type: A, E) Assembly (Theatre, Churches, Auditorium, Restaurant), Education (any school), Excessive Hazardous Material - Welding, Open - flame, High Hazard Storage:</b>	<b>Rate</b>
Up to 5,000 sq. ft.	\$377
5,001 - 20,000 sq. ft.	\$727
20,001 sq. ft. and Above	\$1,190
<b>Annual Occupancy Fire and Life Safety Inspection (3rd Visit Non-Compliant) (62000-46001)</b>	
<b>Annual Inspection - (Occupancy type: H) Excessive Hazardous Material - Welding, Open - flame, High Hazard Storage.</b>	<b>Rate</b>
Up to 5,000 sq. ft.	\$297
5,001+.	\$694
<b>Annual Occupancy Fire and Life Safety Inspections and Fire Clearances 1st Visit) (62000-46001) (Hospitals)</b>	
<b>Annual Inspection - (Occupancy type: I)* Hospitals, nursing homes with medical care, prisons and mental facilities.</b>	<b>Rate</b>
Hospitals	\$3,998
Other I Occupancies	\$430
Fire Clearances	\$231
<b>Annual Occupancy Fire and Life Safety Inspections (1st Visit ) (62000-46001)</b>	
<b>Annual Inspection / each per year - Occupancy type R-1 (Hotels/Motels)</b>	<b>Rate</b>
3 – 19 units	\$297
20 – 49 units	\$430
50 + units	\$562

<b>Annual Occupancy Fire and Life Safety Inspections (1st Visit ) (62000-46001)</b>	<b>Rate</b>
<i>Annual Inspection / each per year - Occupancy type R-2 (Apartments)</i>	
3 – 19 units	\$231
20 – 49 units	\$363
50 + units	\$430
<b>Residential Care Facilities Pre-Inspection (62000-46001)</b>	
6 or less clients	\$363
7 or more clients	\$694
<b>Fire Suppression Hood System – Existing (62000-46001)</b>	
Compliant	\$0
Non-Compliant (2 <sup>nd</sup> visit)	\$69
<b>Operational Permits (1-Day Event) (62000-46001)</b>	
Base Fee for 1/2 hour Plan Review and One (1) Inspection	\$215
Each Additional Plan Review Per 1/2 hour	\$66
Each Additional Inspection Per 1/2 hour	\$66
<b>False Alarm Response (62000-46001)</b>	
	<b>Hourly Rate</b>
Prevention (1 unit)	\$165
Suppression (1 BC unit)	\$316
<b>Plan Review (62000-46001)</b>	
Plan Review per ½ hours (1/2 hour minimum)	\$66
Inspection	\$66
<b>Miscellaneous Fees (62000-46001)</b>	
Emergency Response – Admin (plus equipment)	\$45
HazMat Response – Admin (plus equipment)	\$45
Electronic Gate	\$363
Firefighter Standby Fee	\$586



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Fire Department

DATE: October 5, 2020

SUBJECT: Consider Approval – Res. 20-\_\_\_\_, Accepting the Staffing for Adequate Fire and Emergency Response (SAFER) Grant award in the amount of \$3,989,655 to staff nine (9) firefighters for a period of three (3) years and amending the 2020 – 2021 FY City Budget and Position Allocation for the required additional Fire Personnel.

**Staff:** John Binaski, Fire Chief

**Recommendation:** Approve

ATTACHMENTS: 1. Res. 20 - \_\_\_\_

### CONFLICT OF INTEREST

None.

### RECOMMENDATION

For the City Council to accept the Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the amount of \$3,989,655 to staff nine (9) firefighters for a period of three (3) years and amend the 2020-2021 FY Fire Department Budget and Position Allocation to reflect the additional firefighter positions funded by the grant.

### EXECUTIVE SUMMARY

The Clovis Fire Department applied for the Staffing for Adequate Fire and Emergency Response (SAFER) grant to fully fund nine (9) firefighter positions across three (3) shifts in preparation for opening Fire Station 6 to serve the southeast growth area of Loma Vista. The grant fully funds the positions for a total of three (3) years. During the grant performance period we will be prohibited from laying off any firefighters and funds cannot be used to fund overtime. Commitment of the policy group, City Council, is required in order to accept the award. There are costs associated with staffing our 6th fire company that are not covered by this grant award. The SAFER Grant will fund nine (9) firefighters for three (3) years, but this will not meet the proper apparatus staffing requirements as outlined in the current MOU with the Clovis Firefighters Association (CFFA). Meeting industry best practices and the CFFA MOU will require the Department to add three (3) fire captains and three (3) fire engineer positions to our current Position Allocation Plan.

**BACKGROUND**

In March of 2020, the Fire Department applied to the U.S. Department of Homeland Security for the Staffing for Adequate Fire and Emergency Response (SAFER) grant to fund nine (9) firefighter positions. The goal of SAFER Grant program is to maintain local fire departments' ability to comply with staffing, response, and operational standards established by the National Fire Protection Association (NFPA) and the Occupational Safety and Health Administration (OSHA). Ultimately, SAFER grantees should achieve more efficient responses and a safer incident scene; thereby ensuring communities have improved protection from fire and fire-related hazards.

In the City of Clovis, the southeast growth area of Loma Vista has seen significant growth, which has placed additional service demands on our five (5) existing fire stations. As noted in the chart below, the number of housing units, calls for service, and response time metrics for that area have grown steadily over the past 5 years.

	2015	2016	2017	2018	2019
Single Family Homes	2,153	2,791	3,349	5,059	7,474
Calls for Service	278	326	371	410	731
Total Response Time	7:49	8:04	9:46	9:48	10:17

During this period, the Clovis Fire Department has continually monitored these data points to properly time the coordination of purchasing the land, designing of the fire station, acquiring the apparatus, building the fire station, and staffing to maintain adopted service levels.

On Wednesday, September 16, 2020, we received notice from FEMA that our grant application was approved in the amount of \$3,989,655. For this year, SAFER grant guidelines were amended significantly to help communities facing staffing challenges due to COVID-19 and the local economic impacts resulting from the protracted pandemic. SAFER performance elements include:

1. Remove the local cost-share requirement. SAFER now fully funds total employee compensation including benefits for the three year performance period.
2. During the grant performance period which runs until March 9, 2024, CFD will be prohibited from laying off any firefighters.
3. The grant cannot be used to fund overtime outside of the usual costs under the Fair Labor Standards Act (FLSA).
4. Allowance for an attrition waiver in the event that an agency experiences staff reductions via retirement resulting in reduced staffing beyond what the grant was intended to achieve.

If accepted, Clovis Fire will have the necessary staffing for a 6th company. The City is in the final plan check review process for the proposed Fire Station 6. Fire Station 6 is estimated to

be completed by December 2021 with a January 2022 opening. In the meantime, to help improve response times in the southeast growth area and throughout Clovis, the addition of a 6th fire company will be staffed at Station 5 or Station 1. This will be the first Fire Department expansion since 2004 when Station 5 was opened.

Having reviewed the City's budget, five-year forecast, and our performance data, it is appropriate that Council approve our SAFER award. With the grant performance period starting March 10, 2021, we have developed an outline to recruit, train, promote, and hire personnel within the prescribed period with the goal of hiring the nine (9) firefighters by April 5, 2021. This will then enable the Fire Department to place a 6th company into service effective June 16, 2021. The new personnel and apparatus will temporarily be housed at either Station 5 or Station 1 until Fire Station 6 is completed in approximately January 2022. As our staffing provides for a Captain, Engineer, and Firefighter at each station per shift, there will be a total salary and benefit increase of approximately \$140,000 per year for the three-year grant period.

Since the grant will reimburse the City for the salary and benefit cost of the nine (9) firefighters after the completion of each quarter it will require the City to spend the initial funds before being reimbursed. For the final quarter of fiscal year 2020-2021, a budget and position allocation amendment is required as outlined in Attachments A and B.

#### **FISCAL IMPACT**

By accepting the SAFER award, FEMA will reimburse the City of Clovis \$3,989,655 over a three-year grant period of March 10, 2021 – March 9, 2024. The fiscal impact to 2020-2021 FY is \$365,000 due to the timing of the quarterly reimbursement period that will not be reimbursed until 2021-2022 FY. In addition, the City will be required to increase the Fire Department budget for the grant period to make up the difference between the salary and benefit costs of a firefighter as compared to the required three (3) fire captains and three (3) fire engineers. It is estimated that this cost difference will be approximately \$140,000 per year.

#### **REASON FOR RECOMMENDATION**

SAFER provides a cost-effective means of staffing Station 6 to meet adopted service levels in the southeast growth area of Loma Vista and throughout the community.

#### **ACTIONS FOLLOWING APPROVAL**

1. Clovis Fire Department will inform FEMA of Council acceptance of SAFER.
2. The Clovis Fire Department will hire nine (9) firefighters.
3. The Clovis Fire Department will place its sixth fire company in service in June 2021.

Prepared by: John Binaski, Fire Chief

Reviewed by: City Manager *[Signature]*

RESOLUTION 20-\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS ACCEPTING THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT AWARD AND APPROVING AN AMENDMENT TO THE 2020-2021 FY FIRE DEPARTMENT BUDGET AND POSITION ALLOCATION PLAN

WHEREAS, the 2020-2021 FY Budget and Position Allocation for the Fire Department was approved as part of the City budget adoption process on June 1, 2020; and

WHEREAS, as a result of the 2019 SAFER Grant award, the staffing needs for the Fire Department requires amendment to add three (3) additional Fire Captains, three (3) additional Fire Engineers, and three (3) additional Firefighters; and

WHEREAS, amending the City’s adopted 2020-2021 FY City Budget and Position Allocation Plan requires City Council authorization.

NOW, THEREFORE, BE IT RESOLVED, that the City of Clovis shall amend the 2020-2021 FY City Budget and Position Allocation Plan for the Fire Department as noted in Attachments A and B.

\* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on \_\_\_\_\_, 2020 by the following vote, to wit.

- AYES:
NOES:
ABSENT:
ABSTAIN:

DATED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**SUMMARY OF EXPENDITURES BY DEPARTMENT**  
2020-2021

<b>Department</b>	
Fire (61000)	\$ 365,000
<b>Total</b>	<u>\$ 365,000</u>

**SUMMARY OF EXPENDITURES BY FUND**  
2020-2021

<b>Fund</b>	
General	\$ 365,000
<b>Total</b>	<u>\$ 365,000</u>

**POSITION ALLOCATION ADJUSTMENT BY DEPARTMENT**  
2020-2021 FY

<b>DEPARTMENT</b>	<b>NUMBER OF POSITIONS</b>		
Fire			
	Add:	Fire Captain	3.0
		Fire Engineer	3.0
		Firefighter	3.0



# CITY of CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Fire Department

DATE: October 5, 2020

SUBJECT: Consider Approval – Res. 20-\_\_\_\_, Accepting the Assistance to Firefighter Grant (AFG) and amending the 2020-2021 FY City Budget to reflect \$144,147.27 in grant funding awarded to funding the purchase of Source Capture Extraction Systems (SCES) for City fire stations.

**Staff:** John Binaski, Fire Chief

**Recommendation:** Approve

ATTACHMENTS: 1. Res. 20-\_\_\_\_

### CONFLICT OF INTEREST

None.

### RECOMMENDATION

For the City Council to approve a resolution accepting the AFG grant and amending the 2020-2021 City Budget to reflect the AFG grant funding for the purchase of a specialty exhaust system for the City fire stations.

### EXECUTIVE SUMMARY

The Clovis Fire Department applied for the Assistance to Firefighter Grant (AFG) to fund Source Capture Exhaust Extraction Systems (SCES) that remove the harmful vehicle exhaust particulate matter from the apparatus bay areas. Parts are no longer available for the 15 year old systems currently installed in the fire stations and attempts to fabricate have been unsuccessful to keep them operational and up to Cal OSHA standards. In order to prevent Fire Department staff from exposure to carcinogens, the City needs to update the equipment. In order to maintain firefighter health and safety and meet Cal OSHA standards, AFG funding was sought to replace the extraction systems at the fire stations. There is a cost share commitment of \$14,414.73 which is currently budgeted in the 2020-2021 FY Budget for General Government Facilities. Commitment of the policy group, City Council, is required in order to accept the award.

**BACKGROUND**

In March of 2020, we applied to the U.S. Department of Homeland Security for the Staffing for AFG grant to fund Source Capture Extraction Systems (SCES) for City fire stations. The goal of AFG awards is to enhance the safety of the public and firefighters with respect to fire and fire-related hazards. The AFG Program accomplishes this by providing financial assistance directly to eligible fire departments, non-affiliated emergency medical service (EMS) organizations, and State Fire Training Academies (SFTA) for critical training and equipment.

Currently Fire Personnel are exposed to exhaustion daily from the Department running over 10,500 calls for service annually and other daily duties that require personnel to leave and return to the station. Vehicle exhaust emissions generate cancer causing emissions. These emissions occur during startup, return to quarters, and routine pump testing in our facilities.

The current exhaust extraction systems were purchased and installed approximately 15 years ago, an example of CFD'S effort to be at the forefront of cancer prevention and firefighter health and safety. Over time, the systems have suffered wear and tear and they have been cost prohibitive to maintain or unable to repair due to the unavailability of parts. Due to financial constraints over the past years, we have not been able to secure funding to replace the systems.

Funding through AFG will allow us to eliminate this hazardous exposure and comply with NFPA 1500, Section A.9.1.6. Current changes in health and safety standards have clearly identified that vehicle exhaust emissions, in particular, whole diesel exhaust (PM10) is a cancer causing substance. Agencies documenting the hazards of diesel exhaust include but are not limited to: National Institute of Occupational Safety & Health (NIOSH), American Conference of General Industrial Hygienists (ACGIH), U.S. Department of Health (USDH), and Occupational Safety and Health Administration (OSHA).

With this grant, Clovis Fire will be implementing a key element identified by our Cancer Prevention Committee to improve health and safety. A collaborative effort between labor and management, the Committee determined four links in the cancer prevention chain to enhance firefighter safety: personal protective equipment (PPE), policies and procedures, apparatus, and facilities resulting in numerous cost-effective changes. PPE changes included phasing in a second set of turnouts for each personnel and the hood swap out procedure at the fire scene. Policy and procedure changes include: field decontamination after structure fires including the purchase of kits (buckets, brushes, hose and nozzles) for each engine, PPE removal and bagging at scenes, wipes for personnel on scene, personnel showering immediately after an incident, and a PVC decontamination shower at our training center for live fire drills. Apparatus changes include: apparatus cab decontaminating procedures and clean cab compartments on new apparatus.

The proposed system has been independently tested and verified to be capable of capturing 100% of the vehicle exhausts emissions at the point of generation (tailpipe) by making an airtight seal to the tailpipe of our apparatus. This fulfills the current NFPA 1500 – 2002 Edition

requirement “the need for elimination and containment of all vehicle exhaust emissions to a level of no less than 100% effective capture.”

Having reviewed the City’s budget, five-year forecast and occupational health/safety requirements of the aforementioned agencies, it is appropriate that Council approve our AFG award and budget amendment.

### **FISCAL IMPACT**

Accepting the AFG award will increase the FY 2020-2021 CIP-General Government Facilities budget by \$144,147.27. Matching funds of \$14,414.73 will be used from within the existing CIP-General Government Facilities budget allocation for equipment.

### **REASON FOR RECOMMENDATION**

AFG provides a cost effective means to replace obsolete equipment, bring our fire stations into compliance with NFPA and Cal-OSHA requirements, and improve the health/safety of our fire personnel.

### **ACTIONS FOLLOWING APPROVAL**

Clovis Fire Department will inform FEMA of Council acceptance of AFG. Staff will proceed to process purchase requests and order approved equipment in accordance with grant guidelines.

Prepared by: John Binaski, Fire Chief

Reviewed by: City Manager *JB*

RESOLUTION 20-\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS ACCEPTING THE ASSISTANCE FOR FIREFIGHTERS GRANT (AFG) AND APPROVING AMENDMENTS TO THE 2020-2021 BUDGET

WHEREAS, the City Council approved the 2020-2021 Budget on June 1, 2020; and

WHEREAS, the budget for the Fire Department did not include revenues associated with the Assistance to Firefighters Grant (AFG); and

WHEREAS, the Fire Department is responsible for providing public safety utilizing the most effective and cost efficient tools possible; and

WHEREAS, the Fire Department successfully competed for 2019 AFG funds to secure the necessary equipment to overhaul end-of-life vehicle emission systems; and

WHEREAS, the purchase expenses incurred by the City to install Source Capture Extrication Systems (SCES) for the City fire stations will be paid by the AFG Program at a rate of \$144,147.27; and

WHEREAS, the City can commit a \$14,414.73 match of the total project to meet the obligations of the grant award.

NOW, THEREFORE, BE IT RESOLVED, that the City of Clovis approve that the 2020-2021 Budget be amended as provided in Attachment A.

\* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on \_\_\_\_\_, 2020 by the following vote, to wit.

- AYES:
NOES:
ABSENT:
ABSTAIN:

DATED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**SUMMARY OF EXPENDITURES BY DEPARTMENT**  
2020-2021

<b>Department</b>	
General Government Facilities	\$ 144,147
<b>Total</b>	<u>\$ 144,147</u>

**SUMMARY OF EXPENDITURES BY FUND**  
2020-2021

<b>Fund</b>	
General	\$ 144,147
<b>Total</b>	<u>\$ 144,147</u>

**SUMMARY OF REVENUES BY DEPARTMENT**  
2020-2021

<b>Department</b>	
General Government Facilities	\$ 144,147
<b>Total</b>	<u>\$ 144,147</u>

**SUMMARY OF REVENUES BY FUND**  
2020-2021

<b>Fund</b>	
General	\$ 144,147
<b>Total</b>	<u>\$ 144,147</u>



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council  
 FROM: Fire Department  
 DATE: October 5, 2020  
 SUBJECT: Consider Approval – Various Actions Associated with the Acquisition of Fire Apparatus.

a. Consider Approval – Waive the City's formal bidding requirements and authorize the sole-source purchase of one Pierce Triple Combination Pumper Fire Apparatus from Golden State Fire Apparatus in Sacramento, CA for a total purchase price of \$748,277.25.

b. Consider Approval – Res. 20-\_\_\_\_, Amend the Public Utilities Department and General Services budget to provide funding for the purchase of one Pierce Triple Combination Pumper Fire Apparatus.

**Staff:** John Binaski, Fire Chief

**Recommendation:** Approve

ATTACHMENTS: 1. Resolution 20-\_\_\_\_  
 2. Quote from Golden State Apparatus

### CONFLICT OF INTEREST

None

### RECOMMENDATION

Approve the waiving of the City's formal bidding requirements and authorize the sole-source purchase of one Pierce Triple Combination Pumper Fire Apparatus for the amount of \$748,277.25 and adjust the 2020-2021 Public Utilities and General Services budgets to reflect the purchase.

### EXECUTIVE SUMMARY

Staff requests City Council approve the sole-source purchase of one 2021 Pierce Triple Combination Pumper Fire Apparatus as per the Clovis Fire Department's apparatus specifications. The new fire engine will be placed in service at the new Fire Station 6 located in the Loma Vista Community of Clovis and funding will come from Developer

Impact Fees. To attain the pre-payment discount pricing for the new fire engine, the City will purchase the fire engine and related equipment.

### **BACKGROUND**

Clovis Fire Department currently staffs a fleet four (4) frontline fire engines and one (1) fire truck. This purchase will add a 5<sup>th</sup> frontline fire engine into our daily staffing. Each apparatus has a reserve apparatus to serve when the primary apparatus is out-of-service for maintenance or repair. This is compliant with national standards for fire service fleets.

Our standard for fleet replacement, which was adopted by the City of Clovis in the mid-1990's and incorporated into the Fire Department's accreditation plan approved by the Center for Public Safety Excellence, is to use apparatus for twelve to fourteen years as frontline service apparatus and then place them in reserve for approximately six to eight years, in order to receive a twenty year service life.

The manufacturer of this apparatus, Pierce, remains consistent with the standard the Department established in 1996. Since that time we have continued our efforts to standardize all of the new fire apparatus chassis, engines, transmissions, and main fire pumps. This approach has served to increase firefighter safety, reduce training time, and reduce fleet maintenance costs and required parts inventory.

### **FISCAL IMPACT**

Purchase via sole-source is based on the characteristics of the apparatus. This purchase will provide standardization of chassis, which allows for more efficient training and reduces fleet maintenance and inventory costs. This sole-source purchase provides for a single source of warranty work and part ordering.

Base Price Cost Comparison: The Revised Base Price below does include applicable pre-payment discounts and sales tax as shown on price quote, Attachment 2. The total purchase price for the engine is \$748,277.25, saving the City \$34,440.75 on the vehicle purchase price by using the Fire Rescue GPO bid pricing and \$26,575.00 for the full pre-payment at time of order.

The requested budget amendment to the Public Utilities and General Services budgets will provide \$748,277.25 for the purchase of the Pierce Triple Combination Pumper Fire Apparatus and \$96,722.75 for the necessary tools and equipment to place the apparatus in service. Certain items, like 20 year-old fire hose and outdated tools currently in service, need to be replaced to ensure this apparatus meets the Clovis Fire Department's standardized equipment inventory, CPSE Accreditation, and NFPA safety standards. Delivery of the apparatus is typically within 300 to 365 calendar days after execution and acceptance of a contract or purchase order. In total the purchase price for one fire engine from Golden State Fire Apparatus is \$748,277.25 and the required equipment is \$96,722.75.

**REASON FOR RECOMMENDATION**

The fire engine being purchased will be utilized for the new Fire Station 6 within the Loma Vista community of Clovis scheduled to open January 2022. In the period between the delivery of the new engine and the opening of Fire Station 6, the engine will be staffed by personnel hired from the SAFER grant.

**ACTIONS FOLLOWING APPROVAL**

1. Finalize purchase contract with Pierce and order apparatus.
2. Upon delivery conduct an extensive apparatus acceptance test.
3. Order, receive, and mount all equipment on apparatus as needed.
4. Conduct an orientation of the apparatus before placing the unit in-service.

Prepared by: Jim Damico, Battalion Chief

Reviewed by: City Manager *JH*

RESOLUTION 20-\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS  
APPROVING THE AMENDMENT OF 2020-2021 FY BUDGET AND AUTHORIZING THE  
CITY MANAGER TO SIGN THE PURCHASE AGREEMENT AND RELATED DOCUMENTS

WHEREAS, the City Council approved the 2020-2021 FY budget on June 1, 2020; and

WHEREAS, the Fire Department has a need for one Triple Combination pumper fire engine to service the City of Clovis; and

WHEREAS, the Fire Department is responsible for providing public safety utilizing the most effective and cost efficient tools possible; and

WHEREAS, the fire engine will cost \$748,277.25 and the necessary tools and equipment \$96,722.75 for a total price of \$845,000; and

WHEREAS, the City Council finds that the expenditure is necessary.

NOW, THEREFORE, BE IT RESOLVED, that the City of Clovis amend the 2020-2021 FY Budget as provided in Attachment A.

\* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on \_\_\_\_\_, 2020 by the following vote, to wit.

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

DATED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**SUMMARY OF EXPENDITURES BY DEPARTMENT**  
2020-2021

<b>Department</b>	
Public Utilities	\$ 845,000
<b>Total</b>	<u>\$ 845,000</u>

**SUMMARY OF EXPENDITURES BY FUND**  
2020-2021

<b>Fund</b>	
Fleet	\$ 845,000
<b>Total</b>	<u>\$ 845,000</u>

**SUMMARY OF TRANSFERS BY FUND**  
2020-2021

**Transfer In**

<b>Fund</b>	
Fleet	\$ 845,000
<b>Total</b>	<u>\$ 845,000</u>

**Transfer Out**

<b>Fund</b>	
General Services	\$ 845,000
<b>Total</b>	<u>\$ 845,000</u>



**PROPOSAL PREPARED FOR:**

City of Clovis Fire Department  
1033 Fifth Street  
Clovis, CA 93612

Submitted Date:	August 21, 2020
Proposal Number:	30821-20
<b>Expiration Date:</b>	<b>January 31, 2021</b>
Sales Consultant:	Dewayne Young

We hereby propose and agree to furnish, after your acceptance of this proposal and the proper execution by the CITY OF CLOVIS FIRE DEPARTMENT, hereinafter called "Customer" and an officer of Golden State Fire Apparatus, Inc., hereinafter called "GSFA", the following fire apparatus and equipment, hereinafter called "Product":

#	Description	Unit Price
A	One (1) Pierce Manufacturing, Velocity PUC Pumper	754,015.75
B	Discount for same as HGAC / Fire Rescue GPO Pricing	(34,440.75)
C	Discount For 100% Pre-Payment at Time of Order	(26,575.00)
SUBTOTAL		693,000.00
7.975% State Sales Tax		55,266.75
California Tire Fee		10.50
<b>GRAND TOTAL</b>		<b>748,277.25</b>

**PROPOSAL SUMMARY**

This proposal includes the following items in accordance with the specifications hereto attached:

- Fire apparatus and equipment
- 100% performance bond
- Pre-delivery inspection/services by GSFA
- Delivery to GSFA service center in Sacramento
- Final delivery from service center to Customer
- Demonstration and familiarization of the Product

**PRODUCT COMPLETION**

Product shall be built in accordance with the specifications hereto attached, delays due to acts of God, strikes, war, or intentional conflict, failures to obtain chassis, materials, unusual weather conditions or other causes beyond GSFA's control not preventing, within approximately 330 to 360 CALENDAR DAYS after receipt of this order and the acceptance thereof at our Sacramento, California office. Within thirty (30) calendar days after receipt of this order and acceptance thereof, GSFA shall submit to Customer a production schedule including tentative pre-construction conference, final inspection and final delivery dates.

**DELIVERY LOCATION**

Product shall be shipped in accordance with the specifications hereto attached and be delivered to you at CLOVIS, CALIFORNIA. Proof of insurance must be demonstrated by the Customer to GSFA prior to transferring of the Product(s).

**ACCEPTING THIS PROPOSAL**

In the event Customer wishes to purchase the Product described in this Proposal and the attached specifications, then, prior to the expiration date listed on page 2 of this Proposal, Customer shall sign and return this Proposal. Thereafter, GSFA and Customer will endeavor to enter into a purchase agreement incorporating this Proposal and including additional terms (a "Purchase Agreement"). If Customer returns a signed copy of this Proposal alone, GSFA will send Customer its form of Purchase Agreement for Customer's review and signature. If Customer desires to use its standard form of purchase order as the Purchase Agreement, then Customer should return a signed copy of this Proposal along with a copy of such purchase order. All purchase orders shall be made out to GSFA. GSFA will review such purchase order and contact the Customer regarding any required revisions. Only upon a full execution of a Purchase Agreement shall GSFA and Customer be obligated to purchase and sell the Product set forth in this Proposal.

**TERMS AND CONDITIONS**

The following Terms and Conditions are hereby made part of this Proposal:

- 1. **Payment Terms, 100% Pre-Payment at Time of Order** – Customer shall pay the amount listed on page one of this Proposal, which includes: (i) the total price for the Product (the "Purchase Price"), (ii) the estimated state sales tax on the Product, and (iii) the California tire fee (together with the Purchase Price and estimated state sales tax, the "Grand Total") within fifteen (15) calendar days from the date on which the Purchase Agreement is fully executed. The proposed delivery timeframe for the Product, which is outlined on page one of this Proposal, shall not begin until full payment of the Grand Total is received. In the event Customer does not pay GSFA the Grand Total in the timeframe set forth in this Section 1, GSFA may, in its sole discretion, cancel the Purchase Agreement entered into between the parties.
- 2. **Multiple Unit Purchase** – If the Purchase Price includes pricing for multiple units, the price stated on this Proposal shall only be valid if the quantity of Products being proposed are purchased at the same time, pursuant to the same Purchase Agreement.
- 3. **Stock / Demo Units** – If applicable, any stock/demo units, including those identified by this Proposal, are available for sale on an as-is, first-come and first served-basis. Regardless of this Proposal, the first Customer to enter into a Purchase Agreement identifying any such stock/demo units shall obtain said units.
- 4. **Order Changes** – The Customer may request that GSFA incorporate a change to the Product or the Specifications for the Product by delivering a written change order to GSFA, which shall include a description of the proposed change sufficient to permit GSFA to evaluate the feasibility of such change (a "Change Order"). GSFA will provide Customer a written response (a "Response") stating (i) whether GSFA will accommodate such Change Order (which GSFA may decide in its sole and absolute discretion) and (ii) the terms of the modification to the order, including any increase or decrease in the Purchase Price resulting from such Change Order, and any effect on production scheduling or Delivery resulting from such Change Order. Customer shall have seven (7) days after receipt of the Response to notify GSFA as to whether Customer desires to make the changes GSFA has approved in the Response. In the event Customer counter-signs GSFA's Response, Customer shall pay the increase (or be refunded the decrease) in the Purchase Price prior to final delivery to Customer location.
- 5. **Force Majeure** – GSFA shall not be responsible nor deemed to be in default on account of delays in performance due to causes which are beyond GSFA's and manufacturer's control and which make GSFA's performance impracticable, including but not limited to wars, insurrections, strikes, riots, fires, storms, floods, other acts of nature, explosions, earthquakes, accidents, any act of government, delays in transportation, inability to obtain necessary labor supplies or manufacturing facilities, allocation regulations or orders affecting materials, equipment, facilities or completed products, failure to obtain any required license or certificates, acts of God or the public enemy or terrorism, failure of transportation, epidemics, quarantine restrictions, failure of vendors (due to causes similar to those within the scope of this clause) to perform their contracts or labor troubles causing cessation, slowdown, or interruption of work.
- 6. **Cancellation/Termination** – In the event Customer and GSFA enter into a Purchase Agreement and Customer thereafter cancels or terminates the Purchase Agreement, GSFA will charge a cancellation fee as follows: (a) 10% of the Purchase Price after order is accepted and entered by GSFA; (b) 20% of the Purchase Price after completion of the pre-construction phase of the order process; and (c) 50% of the Purchase Price after the requisition of any materials or commencement of any manufacturing or assembly of the Product by either GSFA or the manufacturer of the Product. The tier of cancellation fee applicable to any cancellation shall be in the sole and absolute discretion of GSFA.
- 7. **State Sales Tax** – Customer shall be responsible for the cost of state sales tax associated with, or attributable to the Product. The taxes owed by Customer for the Product is subject to adjustment for the applicable state sales tax rate in effect when the Product is delivered to the Customer. Therefore, the sales tax will be increased or decreased at the time of delivery if a change in the sales tax rate has occurred, in which case Customer shall pay GSFA (or be refunded by GSFA) the applicable change in sales tax.
- 8. **Proposal Expiration** – After the Expiration Date shown on page one of this Proposal, Customer shall require GSFA's written consent to accept this Proposal.
- 9. **Governing Law** – This Proposal is to be governed by and under the laws of the state of California.

Thank you for providing Golden State Fire Apparatus, Inc. with the opportunity to provide this proposal. If you have any questions regarding the options presented or need additional options, please contact me.

Sincerely,

I, \_\_\_\_\_ authorized representative of **CITY OF CLOVIS FIRE DEPARTMENT** agrees to purchase the proposed Product(s) and agree to the terms and conditions of this proposal and the specifications hereto attached.

Dewayne Young  
Golden State Fire Apparatus, Inc.

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_



# CITY *of* CLOVIS

## REPORT TO THE CITY COUNCIL

TO: Mayor and City Council  
 FROM: Fire Department  
 DATE: October 5, 2020  
 SUBJECT: Receive and File – Update on Fire Station 2 located at 2300 Minnewawa Avenue

**Staff:** John Binaski, Fire Chief  
**Recommendation:** Receive and File

ATTACHMENTS: 1. Field Observation Report from Associated Design and Engineering

### CONFLICT OF INTEREST

None.

### RECOMMENDATION

For the City Council to receive and file the Field Observation Report and findings by Associated Design and Engineering, Inc. outlining the current deficiencies of Fire Station 2 and the plan moving forward.

### EXECUTIVE SUMMARY

In late May of 2020, personnel from the City's Facilities Maintenance division were attempting to install required new electrical for an overhead garage door replacement project and access to the attic area of Fire Station 2. Upon entering the attic, it was recognized that several of the structural trusses were separating or broken. It was determined by City staff that the best course of action would be to hire an outside structural engineering firm to evaluate the current condition of the station.

On September 18, 2020, the City received the engineer's report and the findings are attached. Based on these findings, it is now apparent that immediate work needs to be done to repair the station or a plan developed for replacing the station. The station was built in 1977 and occupied in 1978. Minimal renovations have been completed over this time leaving the fire station unable to meet the current needs of the Fire Department.

**BACKGROUND**

After Facilities Maintenance discovered additional separated truss connections, broken trusses, and sagging portions of the building, the City contracted with Associated Design and Engineering to complete a non-destructive review of the structural integrity of Fire Station 2. A very extensive report was completed showing structural failures throughout the building. The engineer's report rated the priority of repairs from one to five, with one being needs to be repaired immediately. If all repairs listed in the report were made, the engineer estimates that this would only give the structure another five years of use.

City staff has reviewed the report and is currently working on two paths to move forward. The first is developing a realistic cost estimate to repair all of the required items. In addition, it is estimated that once repairs are started, additional items will need to be repaired since this engineer's study was non-destructive. As structural portions of the building are removed, additional items showing water damage or fatigue will then be noticed. A brief list of items needing repair is as follows:

1. All of the exterior fascia removed and replaced.
2. All of the ceiling in the apparatus bay removed, trusses repaired, and the ceiling reinstalled.
3. At a minimum, the first three rows of the tile roof will need to be removed and the underlayment replaced or repaired. Additional roof repairs are also required for the racking tiles.
4. A significant portion of the exterior siding will need to be removed.
5. All of the roof flashing will need to be removed and replaced.
6. Portions of the ceiling inside the living quarters will need to be removed, trusses repaired, and the ceiling repaired.
7. The area above the back patio (which holds the mechanical items of the building such as HVAC) will need to be strengthened and repaired. In addition, both structural supports will need to be removed and replaced.

Per the report (Attachment 1), numerous repairs are needed and it is estimated that the repair costs would be significant to just extend the life of the building for another five years. Also, the building does not have proper living quarters for a workforce with varying genders. The kitchen is original and the bathrooms are not single-use as required under current law. The open dorm room was converted into four bedrooms, but does not provide for adequate safety based on required exiting. Thus, staff is also working on a second plan.

The second plan would be to build a metal structure at the Training Center to house the three-person crew while the current site is cleared and a new fire station is built. This appears to be the preferred path for multiple reasons. We currently have a design with current specifications already in place for new Fire Station 6. This would save in design time and costs, and this project has already been valued engineered.

Building a new fire station would ensure 40 years of use and meet the needs of the Department as compared to the current 42 year old building. A new Fire Station 2 would include individual dorm rooms, single person bathrooms, modern kitchen, fire sprinklers, and more items that other stations in the City have, and the Department has included in their station needs.

Lastly, fire stations are considered essential service under the California Code and currently Fire Station 2 does not meet this standard. We have shoring in place in the apparatus bay to hold up the structure along with shoring the back patio to hold up the mechanical items, but this is not a long term solution.

**FISCAL IMPACT**

None at this time. City staff is cost estimating both options for further study to determine which plan would be more feasible.

**REASON FOR RECOMMENDATION**

Receive and file the attached structural engineering report outlining the current structural deficiencies of Fire Station 2.

**ACTIONS FOLLOWING APPROVAL**

City staff will develop realistic cost estimates for repairing or replacing Fire Station 2.

Prepared by: John Binaski, Fire Chief

Reviewed by: City Manager AA

September 17, 2020

ADE Job # I20.025.001

Mr. Stephen Frankian  
Facilities Maintenance & Purchasing Mngr.  
City of Clovis (Ref. Fire Station # 2)  
1033 5<sup>th</sup> Street  
Clovis, CA 93612

Subject: Field observations of Clovis Fire Station No. 2 located at 2300 Minnewawa Avenue, Clovis, CA 93612.

Dear Mr. Frankian,

As per your request, field observations were conducted at the aforementioned structure on at least two occasions beginning June 4, 2020 and ending on July 24, 2020. It is the understanding of this Engineer that the request for field observations initially emanated over concern about failed trusses reported to be present above the Apparatus Bay. That observation led to the temporary shoring of the ceiling in one Bay to allow continued use of the remaining station Apparatus Bays (See photo # 4-9 in Appendix 'D2' of this report).

The request for work was then expanded to include a review of other suspect trusses as well as other structure shell problem areas which might be noted while on the site visit to address the trusses as well as the short and long term maintenance needs of the predominantly wood structure with wood exterior finishes.

It is the understanding of this Engineer that the requested scope of work is to document the structural issues at the station as well as maintenance items which might be required in order to maintain the facility for the next 3 to 5 years while a longer term disposition plan is developed. The Repair Priority will be listed in the report on a scale of 1-5 with 1 being immediately required to maintain current usage to 5 being a repair that can be completed as part of a technical repair to meet some compliance desire for longer term performance. Priorities 1 and 2 would be considered as part of the minimum 3 to 5-year plan to maintain the facility until other options are implemented.

It was learned that the subject station was designed by Architect Armen Dervishian, AIA, in 1977 and constructed soon thereafter. The 1976 Uniform Building Code (UBC) would have been enforce at the time of this construction. That would make the current structure which has been expanded to add an Apparatus Bay along the south side of the station and enclose an easterly patio for offices and a workout room about 42-43 years old.

This report is limited to the requested scope. While additional comments may be provided, the additional comments are submitted as a courtesy and are not intended to expand the original scope of this Engineer's investigation.

The balance of this report contains field observations and a brief comment/response as deemed appropriate for each observation.

### FIELD OBSERVATIONS & REPAIR COMMENTS

**A. Roof:** The roof of the subject structure appears to be constructed with Monier "Villa" Style concrete roof tiles (See Appendix D4 photo # 9, 11, 112 & 176). The roof tiles were installed over what appears to be 30# asphalt saturated felt (See Appendix D2 photo # 137 & 138 and Appendix D4 photo # 167 & 169) secured to battens with nails over plywood sheathing supported by prefabricated roof trusses at approximately 24 inches on centers (See Appendix D2 photo # 10-16).

**1. Tile Roof Cover** – The tile roof was examined in various areas which appeared to display problematic conditions. The following presents those observations.

**a. Rake Tiles** – The cut rake tiles have slipped down slope (See Appendix D4 photo # 144, 153-156 & 157). In some cases, the tiles have slid far enough to expose the upper edge allowing leakage on to the roof felt (See Appendix D4 photo # 156). In other locations the slipped tiles have broken and become filled with debris pushing runoff over the rake flashing onto the felts (See Appendix D4 photo # 140-143).

**Comment/Response:** The tiles were not originally secured. The codes would have required them to be secured with nails, wire, or mastic.

**Repair Priority: Priority 1**, lift and clean the flashing and reset it into the proper lapped position as part of a leak resistance roof cover tune-up. **Priority 4** properly secure all of the rake tiles with mastic or an appropriate fastener.

**b. Anti-Ponding** – The felt at the lower edge of the roof tiles were not fitted with anti-ponding support and the 30# roof felt was cut too short to extend beyond the fascia allowing runoff to get behind the fascia causing rot (See Appendix D4 photo # 167-169).

**Comment/Response:** The eave was constructed with a raised fascia to cause the first tile to have a similar slope as the up-slope tiles. The eave roof felts were not fitted with a support adequate to cause a smooth transition of the roof felt over the fascia. This is accomplished by "Anti-ponding" metal or foam (See page x of the Monier Manual and Page 27 Detail 4 of the TRI/WSRCA Manual in Appendix 'E1 & E3' of this report) was not part of the typical installation methods for dry climates at the time the fire station was constructed in the late 1970's or early 1980's. It wasn't until the 1990's when a number of damage events resulted in improvements to the roof tile design and installations which included the anti-ponding devices below the roof felt.

**Repair Priority: Priority 1**, remove about 2 courses of tile at the overhang edge, remove 1 course of batten, clean the felt surface, cut off all water damaged felt, and extend a new piece of 30# roof felt lapped weatherboard with the existing felt extended at least 1 inch beyond the fascia vertical outer edge at the water damaged areas with anti-ponding eave support for the felt.

**Priority 3** install anti-ponding foam or metal flashing (Per the Monier and TRI/WSRCA Manuals) prior to installation of the new felt extension at all eave overhang locations.

**c. Chipped and Broken Tiles** – There are broken (See Appendix D4 photo # 140 & 153) and chipped roof tiles (See Appendix D4 photo # 161-163).

**Comment/Response:** The broken and chipped tiles which are out of conformance with Monier Technical Bulletin # 9 pose the risk of leakage (See the Bulletins in Appendix ‘E2’ of this report).

**Repair Priority: Priority 1.** Remove and replace all tiles which are out of conformance with Monier Technical Bulletin # 9 (See the Bulletins in Appendix ‘E2’ of this report).

**d. Vent Pipe Roof Jacks** – The vent pipes were installed with a single lead roof jack and in some cases the lead upper edge was not folded over the vent pipe (Compare Appendix D4 photo # 116 & 117).

**Comment/Response:** The Monier specs have always required the lead roof jack sleeve to be folded over the vent pipe inside the lead roof jack sleeve. Failure to finish the installation will result in low levels of roof leakage at the interior. Current standards require that roof jacks be double jacked.

**Repair Priority: Priority 1.** Fold the upper part of the lead roof jack sleeve over the vent pipe inside the roof jack in conformance with Monier Installation & Technical Manual page x In Appendix E1 and the TRI/WSRCA Manual page 18 in Appendix E3 (See also the Bulletins in Appendix ‘E2’ of this report).

**Priority 4 or 5** Remove the roof tiles around all roof vents and install the double roof jacks as is currently required. Reinstall the tile as required.

**e. Parapet or Mansard Ridges** – There are parapet and ridges tiles installed without metal flashings or correctly installed bitumen flashing (See Appendix D4 photo # 111 & 112). The flexible bitumen flashing used was not properly weather protected and is badly aged. Leakage has been noted in the attic and at the interior ceilings in the past around the mechanical well and at other similar locations.

**Comment/Response:** The flashing should have been constructed with metal flashings lapped weather board with the wall weather resistive system prior to installing the roof tiles lapped weather board with the roof felts. The current flashing can be made temporarily watertight with annual maintenance.

**Repair Priority: Priority 1**, maintenance tune-up of the existing flashing to maintain a watertight barrier for the interior until a more permanent alternate is implemented.

**Priority 5** Remove the existing ridge or wall cap and replace the existing flashing with a concealed formed metal flashing or concealed bitumen flashing overlain by roof tiles.

2. **Apparatus Bay Roof Structure** – The roof of the subject structure appears to be constructed with Monier “Villa” Style concrete roof tiles installed over what appears to be 30# asphalt saturated felt (See Appendix D2 photo # 137 & 138 and Appendix D4 photo # 167 & 169) secured to battens with nails over plywood sheathing supported by prefabricated roof trusses at approximately 24 inches on centers (See Appendix D2 photo # 10-16). The roof structure also supports solar panels on the south slope (See Appendix D4 photo # 8, 9 & 15). The ceiling supports what appears to be R-19 insulation between the trusses (See Appendix D2 photo # 19-40).

A review of the original plans (See Appendix C) appears to indicate that the structure was originally designed for and constructed with roof tiles. At some point solar panels were added to the roof and a diesel exhaust recovery system was added supported from the ceiling. The roof truss layout and truss profile are as per the attached plans in Appendix ‘B1’ of this report (See photo # 10-14 in Appendix ‘D2’ of this report).

**a. Observations in the Field** – The following roof structure items were noted during the field observations (See Appendix B (Roof Plans), D2 (Apparatus Bay Photos), F Roof Truss Calcs) & G (Roof Truss Damage and Repair Plans) .

- i. There were at least 3 broken web members and one missing web member replaced by a 2x4 scab (See Appendix D2 photo # 17, 18, 52, 59, 79 & 80).
- ii. There were at least 13 webs to chord or chord to chord connector failures (See Appendix D2 photo # 19-32, 64-72, 81-84 & 97-101) or partial failures (See photo # 86, 89, 90 & 92-94).
- iii. There are at least 4 to 8 members with large knots (See Appendix D2 photo # 112, 114-116, 120, 121, 133, 134 & 135) or physical damage to the truss member (See Appendix D2 photo # 102, 109-111 & 113).
- iv. The lumber used to construct the trusses was found to be Hem Fir (HF) with Construction (CONST) and Standard (STD) grades for the 2x4 web members (See Appendix D2 photo # 126, 128, 130, 131) and #2 & #1 grades for the 2x6 top and the 2x4 bottom chords (See Appendix D2 photo # 123 & 125).
- v. There are truss lumber grade stamps which have been blacked out (See Appendix D2 photo # 120, 127 & 132).

**Comment/Response:** It is the opinion of this engineer that the subject truss construction materials utilized Hem Fir and were fabricated at a local plant no longer in business in the area but doing business at the time this structure was constructed (Late 1970’s Early 1980). That plant was known for cutting out what it called a bad spot in a piece of lumber, regrading what was left with a higher grade and using the regraded pieces in the construction of their trusses. Many times, the inferior piece of lumber also contained other problematic wood fiber conditions which made plating the truss problematic and resulted in lumber which readily twisted prying the connectors out of position. Further the truss connector plates used in the 1970’s at this plant, while approved for use, had a holding capacity much reduced over similar sized connector plates today. This engineer has experience with and prepared repairs for many trusses manufactured by this facility, in this manner with these materials.

**b. Truss Structural Evaluation** – The trusses were analyzed by manual calculation and by utilization of modern truss design software adjusting the program input to entice the program to complete the analysis when conditions arose which the program was designed to flag as problematic (See Appendix F). Those include weak axis buckling, lumber and grades not typically used for modern truss design, plate size and joint configuration mismatch and localized truss member overstresses.

**Comment/Response:** Besides the comments in item A.2.a. above it was noted that the failed diagonal web tension member AG or in the truss calcs member 5-7 is slightly overstressed, at the lower STD Grade, with the addition of the solar panels and slightly more overstressed with the addition of the Diesel Exhaust system. Had the flaws not existed in the lumber the truss members would not likely fail. Further the analysis seems to indicate that the connector plates in comparison to those required today are small and served to propagate other failures when they occurred due to overstress from adjacent load redistribution. The trusses can be repaired to allow continued use by removing the ceiling in the apparatus bay and implementing the suggested minimum repairs. Longer term repairs would be required if the facility is intended to provide service well beyond the 3 to 5-year minimum plan.

**Repair Priority: Priority 1 to Priority 5** The truss connection and the truss member failures must be repaired as per the repair details (See the Repair Details in Appendix B & G for Sheets A5-1, AD-1, AD-2 & S5-1).

**Priority 1** repairs are:

- i. Repair and or replace the broken web members at Truss 6,14 & 16 member 2AG and/or the missing web at truss 11 member 5BH. Also, the damaged webs at Truss 11 & 12 member 2ID.
- ii. The failed connections at Trusses 5, 7-13 & 15 at location 1G and 3B as well as the connections at 18, 19 & 24 at location 3B.
- iii. Simpson Screws SD9112 shall be added to all connectors at locations B, G, H & I where the ceiling will have a reinstalled Diesel Exhaust System.
- iv. Once the ceiling is down any other location of similar failure shall be added to this Priority 1 repair set.

**Priority 3** repairs are: Any remaining truss connections and or members not observed for repair as listed on the roof plan.

**Priority 5** repairs are: The improvements to the trusses recommended for the priority 1 repairs shall be implemented as long term truss performance repairs noted on the roof plan throughout the Apparatus Bay side of the roof structure.

3. **Dormitory Roof Structure** – The roof of the dormitory section of the subject structure appears to be constructed with Monier “Villa” Style concrete roof tiles were installed over what appears to be 30# asphalt saturated felt (See Appendix D2 photo # 137 & 138 and Appendix D4 photo # 167 & 169) secured to battens with nails over plywood sheathing supported by prefabricated roof trusses at approximately 24 inches on centers (See Appendix D3 photo # 7, 9, 10, 19, 21, 22,61 & 62). The trusses support drywall

A review of the original plans appears to indicate that the structure was designed for and constructed with roof tiles. The roof truss layout and truss profiles are as per the attached plans in Appendix 'B2' of this report (See Appendix 'D3' of this report).

**a. Observations in the Field** – The following roof structure items were noted during the field observations.

- i. There was at least 1 broken web member (See Appendix D3 photo # 11-13) and one bowed web member without the full length 2x4 stiffener scab (See Appendix D3 photo # 67). There are trusses which have bowed webs and or were installed out of plumb (See Appendix D3 photo # 36).
- ii. There were at least 6-9 web to chord or web to web connector failures or partial failures (See Appendix D3 photo # 11, 14, 15, 18, 23-25, 29-31, 33-35, 43 & 44) or partial failures (See Appendix D3 photo # , 37, 38, 48 & 49). There are also several repressed or over pressed connector plates (See Appendix D3 photo # 39, 40 & 48).
- iii. There are at least 4 to 8 members with large knots (See photo # 27, 28 & 69).
- iv. The lumber used to construct the trusses was found to be Hem Fir with Construction (CONST) and Standard (STD) grades for the 2x4 web members (See Appendix D3 photo # 15 – 45 & 46) and #2 & #1 grades for the 2x6 top and the 2x4 bottom chords (See Appendix D3 photo # & 71).
- v. There are truss lumber grade stamps which have been blacked out (See Appendix D3 photo # 16, 25, 31, 32, 34, 41, 42, 50-52 & 72).
- vi. There is water damage at some of the trusses in the vicinity of or supporting the mechanical well (See Appendix D3 photo # 56, 60, 63, 64 & 73).
- vii. The last or west most truss under the mechanical well supporting the framed wall appears to be a single ply truss (See Appendix D3 photo # 74). The inside of the mechanical well framing is open to the elements above the truss supporting the wall framing and some level of rot is apparent (See Appendix D4 photo # 88 & 99-103).

**Comment/Response:** Same comments as listed for the Apparatus Bay Trusses. In addition to those comments the weak axis buckling is significant at some trusses and lateral member bracing is required as it was originally inadequate or omitted all together. The poor-quality lumber led to member twisting which helped to dislodge poorly sized connector plates. Finally, the west gable truss supporting the wall framing for the mechanical well and the west gable is inadequate, exposed to the elements and sagging not to mention part of the plaster ceiling is separating (See Appendix D4 photo # 84-86 & 88).

**b. Truss Structural Evaluation** – The trusses were analyzed by manual calculation manipulation and by utilization of modern truss design software adjusting the program input to entice the program to complete the analysis when conditions arose which the program was designed to flag as problematic (See Appendix F). Those include weak axis buckling, lumber and grades not typically used for modern truss design, plate size and joint configuration mismatch and localized truss member overstresses.

**Comment/Response:** Besides the comments in item A.2.a. and A.3.a. above it was noted that the failed diagonal web compression member CF for Truss Type II or in the truss calcs member 3-8 is greatly overstressed especially at the lower STD Grade if the lateral stiffening is not provided. The similar member in Truss Type III is similarly overstressed. Additionally, the analysis seems to indicate that the connector plates in comparison to those required today are small and served to propagate other failures when they occurred due to overstress from adjacent load redistribution. The trusses can be repaired to allow continued use by removing the ceiling in the apparatus bay and implementing the suggested minimum repairs. Longer term repairs would be required if the facility is intended to provide service well beyond the 3 to 5-year minimum plan.

**Repair Priority: Priority 1** The truss connection and the truss member failures as listed below must be repaired as per the repair details (See the Repair Details Appendix B & G for Sheets A5-1, AD-1, AD-2 & S5-1) and as prioritized below.

**Priority 1** repairs are:

- i. Repair and or replace the missing web at Truss 5 member 2CF. Also, the buckled web at Truss 33 member 7BE.
- ii. The failed connections at Trusses 5-7, 15, 16, 19-21 & approximately 23 at location 1E as well as the connections at Truss 20 location 4F & Truss 21 at location 4B.
- iii. Simpson Screws SD9112 shall be added to all connectors at locations where the connectors look like they have begun to separate as a result of over pressing or other anomaly.
- iv. To make the repairs it is likely that access will be required through some ceiling locations. Once the ceiling is down in those locations any other location of similar failure shall be added to this Priority 1 repair set.
- v. It is suggested to more closely examine the west gable wall and soffit support as it appears that some type of simple temporary shoring support is required in addition to the repairs suggested for the Exterior Walls Section of this report for this item.

**Priority 3** repairs are: Any remaining truss connections and or members not observed for repair as listed on the roof plan.

**Priority 5** repairs are: The improvements to the trusses recommended for the priority 1 repairs shall be implemented as long term truss performance repairs noted on the roof plan throughout the Dormitory side of the roof structure. The improvements to the trusses recommended for long term truss performance and include the 1F, 1E, 4B, 4C and the 7BE repairs throughout the Dormitory side of the roof structure. Finally, the entire west wall and soffit should be examined for removal and replacement with an appropriate weather resistive exterior wall and gable support for the roof wall and mechanical well.

**B. Exterior Walls:** The exterior walls of the subject structure appear to be constructed with cement plaster or stucco (See Appendix D4 photo # 15, 53, 57, 61, 68, 88 and 151), T1-11 siding (See Appendix D4 photo # 17, 30-34, 45, 48-50, 149, 164 & 172), or Horizontal pressed board siding (See Appendix D4 photo # 17, 21, 34, 35, 37-43, 71, 80-82, 88, & 92-

94). The siding at most areas is bounded by wood trim (See Appendix D4 photo # & 34).

**1. Wood Trim and Outriggers** – The following was observed and noted as follows.

- a. The outriggers at most locations were not installed with caps and have developed rot with several already cutoff at or near to the face of the fascia (See Appendix D4 photo # 2, 8-14,51, 57-59, 74, 79 & 83-86).
- b. The fascia board at several areas is rotted (See Appendix D4 photo # 9-14, 21, 135 & 152). This rot is unrelated to fascia rot associated with the lack of anti-ponding roof felt support at the overhangs (See Appendix D4 photo # 163-164).
- c. The wood trim is partly flashed with many areas developing rot (See Appendix D4 photo # 21-52, 57-103, 113 & 164-172).
- d. The wood posts surrounded by trim show signs of rot and past termite infestations (See Appendix D4 photo # 74, 78, 79, 83, 128 & 129).

**Comment/Response:** The outriggers for the most part are none structural beyond the fascia and can be cut off and removed if desired or capped with a piece of sheet-metal at the top edge with adequate overhang. At this point the only outrigger of structural concern is the outrigger supporting the southerly edge of the mechanical well. The subject beam should be probed to determine the extent of the rot and an alternate temporary pressure treated post support added until the beam is either replaced or a suitable alternative is determined. Depending upon the repair selected the outrigger extension beyond the building should be removed and the remainder painted or capped with sheet-metal.

The fascia boards are not structural at this point, but some rotted areas may allow portions of the fascia to fall to the ground creating an overhead hazard.

The posts which are rotted have few alternatives and the removal and replacement is approaching the cost of most temporary repairs. The rotted posts should be removed and replaced with pressure treated replacements.

**Repair Priority:** Since there are multiple repairs, they would fit into the following priority repair categories.

**Priority 1** Post replacements, the outrigger supporting the mechanical well would be work required to correct a current instability. Especially, if the station were to remain in use for the next 3-5 years. If a lesser time of use is anticipated other options may be considered. The rotted fascia should be inspected, and the rotten areas cut away repair of the fascia would fit into a lower priority category. Rotted fascia associated with the anti-ponding has been discussed with the roof and is Priority 1 to keep water out of the structure and reduce organic growth from leakage. Rotted trim and adjacent siding would be repaired only as required to keep the structure dry.

**Priority 3-5** The longer-term look would be to provide metal caps for all remaining outriggers not otherwise replaced. Additionally, the fascia boards and trim throughout

should be removed and replaced as a part of removing and replacing the entire cladding at all wood finish areas. AGENDA ITEM NO. 16.

2. **Cement Plaster or Stucco** – The cement plaster was observed, and the following was noted.
  - a. There is cement plaster installed too close to the adjacent grade and without weep screeds at grade (See Appendix D4 photo # 8, 18-21, 53, 55, 64,70, 126 & 151) and at other areas (See Appendix D4 photo # 71, 74, 75 80, 84 & 88). The downspout in the southeast corner of the structure deposits runoff at the corner of the plaster (See Appendix D4 photo # 18).
  - b. There is cement plaster damage and impact cracking (See Appendix D4 photo # 63).
  - c. There is cement plaster cracking extending from the corners of wall openings (See Appendix D4 photo # 54 & 66).
  - d. There is cement plaster cracking in the wall beneath the south side of the mechanical well (See Appendix D4 photo # 68, 71-75, 80 & 88). There is cement plaster or stucco soffit separation at the ceiling of the west patio (See Appendix D4 photo # 83-86). The separation appears to have reached as much as  $\frac{3}{4}$  of an inch in one corner (See Appendix D4 photo # 85). There is significant cement plaster or stucco wall and soffit cracking with past repair (See Appendix D4 photo # 124 & 126).
  - e. The cement plaster soffit at the west soffit is beginning to separate (See Appendix D4 photo # 84-86 & 88).

**Comment/Response:** There are areas where code requirements have changed such as the use of weep screeds to separate the plaster from the adjacent horizontal surfaces to avoid water damage and rot. There are other areas such as the west gable wall where cracking and separations indicate the framing supporting the plaster is suffering the long-term effects of poor weather proofing.

**Repair Priority:** Since there are multiple repairs, they would fit into the following priority repair categories.

**Priority 1** Remove and replace the plaster over the rotted materials at the mechanical well or as a shorter-term option provide temporary support. Some means of temporary weather barrier is suggested as part of the Priority 1 repairs.

**Priority 5** Complete the current code required plaster screeds and flashings removing plaster as required and/or repairing the plaster. At locations where the plaster is at grade without weep space a decision to implement plaster removal with the installation of water proofing flashing is required to facilitate the repair.

3. **Wood Siding** – There are two types of wood siding on the structure, T1-11 vertically grooved plywood siding (See Appendix D4 photo # 17, 30-34, 45, 48-50, 149, 164 & 172) and Pressed Board horizontally grooved siding (See Appendix D4 photo #17, 21,

- a. T1-11 Siding – The following conditions were observed and noted as follows.
  - i. Siding is in direct contact with horizontal surfaces to include the concrete flatwork (See Appendix D4 photo #30-33, 148, 149 & 171-175).
  - ii. Siding was not primed at raw or cut edges (See Appendix D4 photo # 130 & 131).
  - iii. Siding is deteriorated or rotted (See Appendix D4 photo # 171-173).

**Comment/Response:** Typically, manufacturers of exterior siding require edges to be sealed and painted and where possible separated from the adjacent horizontal surfaces and flashings to avoid wicking prolonging the life of the siding. While the T1-11 siding at this structure has been painted frequently and is better condition than the pressed board siding, there are areas which have deteriorated or are not in compliance with common current practices.

**Repair Priority:** Since there are multiple repairs, they would fit into the following priority repair categories.

**Priority 1** Remove and replace the areas of rotted siding at the upper roof and at areas where leakage is apparent to repair the damage as well as correct the leakage. Some means of temporary weather barrier is suggested as part of the Priority 1 repairs if full repair of problem areas is not anticipated.

**Priority 5** Complete the current code and standard practices for quality siding installation required at the siding to separate the siding from horizontal surfaces and flashings. At locations where the siding is at grade without a weep space a decision to implement siding removal and replacement should include the installation of water proofing flashing at the base of the wall as required to facilitate the repair.

- b. Pressed Board horizontally grooved siding – The following conditions were observed and noted as follows.
  - i. Siding is in direct contact with horizontal surfaces at flashings or trim work (See Appendix D4 photo # 34-44, 57, 58, 81, 82 & 91-94).
  - ii. Siding is exposed on the backside to the weather with only a painted finish (See Appendix D4 photo # 99-103).
  - iii. Siding was not primed at raw or cut edges (See Appendix D4 photo # 37-40).
  - iv. Siding is deteriorated or rotted (See Appendix D4 photo # 34-44, 57, 58, 81, 82 & 91-94).

**Comment/Response:** Typically, manufacturers of exterior siding require edges to be sealed and painted and where possible separated from the adjacent horizontal surfaces and flashings to avoid wicking prolonging the life of the siding. The hard or pressed board siding at this structure has been painted frequently there are many areas where it is deteriorating. The areas which have deteriorated or are not in compliance with common current practices.

**Repair Priority:** Since there are multiple repairs, they would fit into the following priority repair categories.

**Priority 1** Remove and replace the areas of rotted siding at the upper walls and at areas where leakage is apparent to repair the damage as well as correct the leakage. Some means of temporary weather barrier is suggested as part of the Priority 1 repairs if full repair of problem areas is not anticipated. At the mechanical well it is suggested to remove all siding remove and replace all rotted framing and then construct a weather resistive wall on which siding can be installed inside and out. It is suggested to consider a Hardi-Plank cement board horizontal siding in lieu of the current pressed board siding.

**Priority 5** Complete the current code and standard practices for quality siding installation required at the siding to separate the siding from horizontal surfaces and flashings at all siding areas. At locations where the siding is at grade without a weep space a decision to implement siding removal and replacement should include the installation of water proofing flashing at the base of the wall as required to facilitate the repair.

**C. Interior Walls and Ceilings:** The interior walls and ceilings of the subject structure appear to be constructed with drywall over wood framing or truss bottom chords (See Appendix D4 photo # 4, 5, 177, 178 & 180-183). There are other ceiling areas constructed with a T-Bar ceiling grid suspended from the truss bottom chords (See Appendix D4 photo # 177-179).

1. There are a number of locations where water has stained the ceiling drywall and or T-Bar ceiling grid panel (See Appendix D4 photo # 178-181).

**Comment/Response:** The water damage indicates ongoing roof leakage. This damage should be used to locate roof leaks and verify if required with water testing. All roof leaks should be repaired. Any water damage drywall should be inspected from the attic for organic growth. If the attic access is difficult the drywall should be cut away under containment and inspected if growth is found the drywall should be removed and replaced as required by current mold remediation protocol.

**Repair Priority: Priority 1** Remove and replace all damage drywall or T-Bar ceiling panels once the leakage has been corrected.

2. There are a number of locations where water stains in the attic indicate that past leakage has occurred and may or may not have been permanently addressed as to cause (See Appendix D3 photo # 57, 58, 60, 63, 64 & 73).

**Comment/Response:** Water stains in the attic which do not correspond to water stains at the ceiling may mean that the ceiling was simply repaired, the leak was not bad enough to reach the ceiling or a past repair was completed which provided temporary relief. All such leaks should be evaluated as part of a longer-term repair and maintenance plan.

**Repair Priority: Priority 3-5** The above described work should be part of any longer-term plan for the station. While addressing other problem areas discussed in this report may correct a past leakage issue each occurrence should be verified to have been completed to produce a permanent resolution.

3. Accessibility was not addressed specifically. Evaluation of the plans, prepared constructed prior to current day accessibility requirements, does not appear to indicate compliance.

**Comment/Response:** Since the station and site does not appear to comply with current accessibility requirements it is likely that some level of compliance will be triggered by some of the repairs or improvements. The accessibility requirements can be evaluated further under separate contract.

**Repair Priority: Priority 1 to 5** While work repair items discussed herein may or may not trigger Accessibility improvements it is mentioned for consideration. A hardship level of ADA repair would be (20% of the cost of the triggering work put into the project in addition to the triggering cost for accessibility improvements. If the triggering costs exceed about \$150k then the hardship no longer applies, and full compliance may be required). Longer term station planning should include consideration for full accessibility compliance.

**D. Floors and Foundation:** The floors and foundation of the subject structure appear to be constructed with a concrete slab cast on grade monolithically with the shallow continuous concrete perimeter and interior footings (See Appendix D4 photo # 1, 2, 17 & 21).

1. The concrete foundation and perimeter footings are considered beyond the scope of this engineer's evaluation as the foundation will perform well beyond the proposed 5 year continued service life.

**Comment/Response:** No additional comment at this time.

### LIMITATIONS

Field observations of existing construction are characterized by the presence of the calculated risk that all conditions have been fully revealed by the field observations. The risk is further compounded by the inability to access all areas without special or destructive investigative techniques. This report is based on observations of external surfaces and may or may not indicate problems, not obvious from these types of observations.

The observations presented in this report are based on the assumption that the observed conditions do not vary significantly from those disclosed during our field investigation. If any variations or undesirable conditions are encountered during the period following the field investigation, the Engineer should be notified so that supplemental recommendations can be made.

The observations and conclusions of this report are intended to present a good overall picture for the possible cause or causes for the reported damages at the subject structure and possible repair.

The report does not include plumbing, mechanical or electrical which should be performed by others. The report is prepared in accordance with generally accepted engineering practices. The

report is limited to a period of one year from the date of preparation. No other warranties expressed or implied, are made as to the professional conclusions and evaluations rendered.

For further information, please feel free to contact this office at (559) 431-2389.

Respectfully Submitted,

Associated Design & Engineering Inc.

A handwritten signature in black ink, appearing to read 'MDJ', with a long horizontal stroke extending to the right.

Michael D. Jundt, S.E. S3396  
MDJ/mdj