

**ACTION MINUTES OF TULARE
CITY COUNCIL, CITY OF TULARE**

September 5, 2017

A regular session meeting of the City Council, City of Tulare was held on Tuesday, September 5, 2017, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.

COUNCIL PRESENT: Maritsa Castellanoz, Greg Nunley, Jose Sigala

COUNCIL ABSENT: Carlton Jones, David Macedo

STAFF PRESENT: Joe Carlini, Sarah Tobias, Janice Avila, Steve Bonville, Willard Epps, Wes Hensley, Rob Hunt, Josh McDonnell, Michael Miller, Darlene Thompson, Trisha Whitfield, Melissa Hermann

I. CALL TO ORDER REGULAR SESSION

Mayor Pro Tem Castellanoz called the regular meeting to order at 7:01 p.m.

II. PLEDGE OF ALLEGIAND AND INVOCATION

Council Member Sigala led the Pledge of Allegiance and an invocation was given by Ben Brubaker.

III. CITIZEN COMMENTS

Mayor Pro Tem Castellanoz requested those who wish to speak on matters not on the agenda within the jurisdiction of the Council, or to address or request a matter be pulled from the consent calendar to do so at this time. He further stated comments related to general business matters would be heard at the time that matter is addressed on the agenda.

There were no Citizen Comments.

IV. COMMUNICATIONS

There were no items for this section of the agenda.

V. CONSENT CALENDAR:

It was moved by Council Member Sigala, seconded by Council Member Nunley, and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of item(s) 3, 4, 9, 10.

- (1) **Authorization to read ordinances by title only.**
- (2) **Approve minutes of August 15, 2017 regular meeting(s).**
- (3) **Receive informational report on current City of Tulare, City Council 2016/2017 travel budget.** Council Member Sigala pulled this item to inquire about the deficits shown in certain district budgets. Finance Director provided a response thereto. Council Member Sigala suggested looking into the policy regarding the Council budgets. It was moved by Council Member Nunley, seconded by Council Member Sigala and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to accept the item as presented.
- (4) **Authorize staff to initiate an amendment to Municipal Code Section 10.120 “Design Review” for future Planning Commission and City Council consideration.** Council Member Sigala pulled this item to thank staff for moving forward to make it easier for people to do business in the City. It was moved by Council Member Sigala, seconded by Council Member Nunley and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to accept the item as presented.
- (5) **Appoint the Community & Economic Development Director, Josh McDonnell, to serve as the City’s representative on the Tulare County Association of Governments’ Regional Transportation Plan / Sustainable Communities Strategy Roundtable, and designate the City Engineer, Michael Miller, to serve as his alternate.**
- (6) **Adopt Resolution of Intent 17-39 to initiate proceedings and set a public hearing date for October 17, 2017, to consider the vacation of a portion of “M” Street (also known as Oak Street) from a point approximately 343 feet north of the centerline of Cartmill Avenue to the northern property lines of Assessor’s Parcel Numbers 149-080-038 & 149-230-017 and reserving from the vacated street public access and utility access easements; direct the City Clerk to publish a Public Hearing Notice and direct staff to post a Notice of Vacation along the subject portion of “M” Street.**
- (7) **Conditionally approve the Parcel Map filed by Cornelius Vander Eyk for the division of land located at the southwest corner of Paige Avenue and Blackstone Street for recordation, and accept all easements and dedications offered to the City subject to receipt of the signed parcel map, all fees, and other required items prior to November 6, 2017.**
- (8) **Approve a twelve (12) month extension to the improvement agreement between the City and Evaristo and Emma Aguayo for the construction of an on-site storm drainage basin and the installation of a streetlight along the frontage of 1773 N. “E” Street.**

- (9) Authorize the City Manager to sign a contract with Provost & Pritchard Consulting Group of Visalia, CA in an amount not to exceed \$345,300.00 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0076, a street and utility improvement project on 'O' Street. Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$34,530) of the contract award amount.** Council Member Nunley pulled this item along with Item 10 to have Senior Project Manager Nick Bartsch speak on the contingency amount used on various projects. Following discussion, it was moved by Council Member Nunley, seconded by Vice Mayor Castellanoz and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to accept Items 9 and 10 as presented.
- (10) Authorize the City Manager to sign a contract with Peters Engineering Group of Clovis, CA in an amount not to exceed \$437,490.00 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0077, a street and utility improvement project on Cherry Street, Bash Alley and Lyndale Drive. Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$43,749) of the contract award amount.** Item addressed during Item 9 discussion.
- (11) Receive Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) for the fiscal year that ended June 30, 2016.**
- (12) Receive, review, and file the Monthly Investment Report for July 2017.**
- (13) Adopt Resolution 17-40 and authorize Mayor to execute an agreement with the Tulare County Association of Government for the city to expand and/or increase transit service within the city areas during fiscal year 2017/18.**
- (14) Purchase a 2009 StarCraft bus from MV Transportation as a replacement for Cutaway Transit Bus Unit #2018 in the amount of \$18,000.**

VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) Accept donation in the amount of \$30,000 toward the \$1 million dollar pledge made by the Tulare Library Foundation.** Community Services Director Rob Hunt introduced John Thomas, President of the Tulare Library Foundation, who presented a check for \$30,000 to the City.

VII. MAYOR'S REPORT

There were no items for this section of the agenda.

VIII. STUDENT REPORTS

There were no items for this section of the agenda.

IX. CONVENE JOINTLY AS TULARE CITY COUNCIL AND TULARE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE TULARE REDEVELOPMENT AGENCY –

Mayor Pro Tem Castellanoz convened jointly at 7:26 p.m.

(1) Successor Agency:

- a. **Accept and recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency (“Oversight Board”) for purchase of Assessor Parcel Number (“APN”) 181-040-014/15, Property #24 for the amount of \$130,000.00, and to authorize the City Manager to sign all documents required for the sale and Legal Counsel to make any minor conforming changes.** Following presentation by General Services Director Steve Bonville, it was moved by Council Member Sigala, seconded by Council Member Nunley and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to accept the item as presented.

X. ADJOURN AS TULARE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND REMAIN SEATED AS THE TULARE CITY COUNCIL –

Mayor Pro Tem Castellanoz adjourned the joint meeting, but remained seated as the Tulare City Council at 7:29 p.m.

XI. GENERAL BUSINESS

Comments related to General Business Items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Council.

(1) City Manager:

- a. **Consideration for appointment members to the City of Tulare Measure I Oversight Committee and Planning Commission.** Council Member Sigala requested to appoint his selection for the Measure I Committee. It was moved by Council Member Sigala, seconded by Vice Mayor Castellanoz and

unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to appoint Richard Dituri to the Measure I Committee.

Vice Mayor Castellanoz invited Mr. Richard Dituri to speak. He addressed the Council regarding his desire to serve on the Measure I Committee.

Vice Mayor Castellanoz invited all who had applied to the Measure I Committee to speak. Ms. Dawn “Michelle” Rowsey addressed the Council regarding her background and desire to serve on the committee. It was moved by Vice Mayor Castellanoz, seconded by Council Member Nunley and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to appoint Dawn “Michelle” Rowsey to the Measure I Committee.

It was the consensus of the Council to move this item to the next scheduled meeting for the remainder of the appointments to the Measure I Committee and Planning Commission.

- b. Review the Annual League of California Cities Conference Resolutions providing input/direction to the City’s voting delegate.** It was moved by Council Member Sigala, seconded by Council Member Nunley and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to adopt the League of City’s recommendation and direct Mayor Jones (voting delegate) to vote in favor of the two resolutions.

(2) Community & Economic Development:

- a. Council consideration of the City of Tulare’s continued participation in the Tulare County Economic Development Corporation.** City Manager Joe Carlini provided a report for the Council’s review and consideration. Following discussion, it was moved by Council Member Nunley, seconded by Vice Mayor Castellanoz and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to terminate the City of Tulare’s participation in the Tulare County Economic Development Corporation.

XII. COUNCIL/STAFF UPDATES, REPORTS OR ITEMS OF INTEREST – GC 54954.2(3)

Council Member Sigala requested a letter from the City to the Chairman of the State Audit Committee to perform a formal audit on the Tulare hospital bonds and operations. It was the consensus of the Council to agendaize this item for the next Council meeting.

Council Member Sigala requested a letter from the City Council to the local congress members regarding the DACA issue urging them to do all they can legislatively to ensure a permanent solution for the young people affected by this. It was the consensus of the Council to agendaize this item for the next Council meeting.

XIII. ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION(S):

Mayor Pro Tem Castellanoz adjourned to closed session at 8:17 p.m.

- (a) 54956.8b Conference with Real Property Negotiators**
Property: Located in Tulare California at the South East Corner of East Alpine Avenue and Nelder Grove Street (Portion of APN 172-040-079)
Under Negotiation: Price, terms, conditions regarding disposition of property
Negotiating Parties: Joseph Carlini, Steve Bonville, Mike Miller, Darlene Thompson, Rob Hunt, Sarah Tobias

- (b) 54956.9(5) Conference with Legal Counsel – Anticipated Litigation**
Case name unspecified: Disclosure would jeopardize service of process or existing settlement negotiations

XIV. RECONVENE FROM CLOSED SESSION

Mayor Pro Tem Castellanoz reconvened from closed session at 8:30 p.m.

XV. CLOSED SESSION REPORT (if any)

Mayor Pro Tem Castellanoz advised the Closed Session items have been moved to the next meeting.

XVI. ADJOURN REGULAR MEETING

Mayor Pro Tem Castellanoz adjourned the regular meeting at 8:30 p.m.

President of the Council and Ex-Officio
Mayor of the City of Tulare

ATTEST:

Chief Deputy City Clerk and Clerk of the
Council of the City of Tulare

AGENDA ITEM:

**CITY OF TULARE, CA
AGENDA ITEM TRANSMITTAL SHEET**

Submitting Department: Engineering / Project Management

For Council Meeting of: September 19, 2017

Documents Attached: Ordinance Resolution Staff Report Other None

AGENDA ITEM:

Authorize the City Manager or his designee to sign a contract amendment with Willdan Engineering of Fresno, CA in the amount of \$54,960 for additional design services on the EN0064 - 'E'. St. Improvements project between Bardsley Avenue and Rainier Court.

IS PUBLIC HEARING REQUIRED: Yes No

BACKGROUND/EXPLANATION:

EN0064 is a street and utility improvement project on 'E' Street between Bardsley Avenue and Rainier Court. The project includes ADA compliance improvements to intersection curb returns and alley/sidewalk intersections that fall within the project limits. Additionally, it addresses necessary water, sewer and storm drain improvements within those limits. The need for the project was identified through the City's Pavement Management System and through a review of the conditions of the City's utility infrastructure. The project is included in the City's approved transportation and utilities CIP program.

Willdan Engineering of Fresno, CA is included on the list of pre-qualified on-call Engineering consultants, and a contract for the design of this project was approved in August of 2016. Willdan Engineering was awarded a contract for \$200,035 for the design and construction support services related to this project. Subsequently, with additional funding available through the adoption of the new water and sewer rates, City Staff identified additional needed improvements adjacent to the project limits that were able to be incorporated into the project scope. Completing these additional improvements in conjunction with the original project scope provides cost savings through economy of scale. These changes were proposed and approved by the City Council and Board of Public Utilities in September of 2016, increasing Willdan Engineering's total proposed fee to \$227,449. The additional improvements addressed the last remaining segments of 'E' St. between Bardsley and Prosperity that had undeveloped and/or deteriorating roadway conditions, or needed utility improvements.

As the design process progressed and specific questions arose, further investigation by the Water and Sewer Departments provided new information regarding the condition and alignment of some of the existing utilities which posed some unforeseen conflicts with the intended improvements. After review there were numerous existing storm drain inlets and laterals that conflicted with the alignment and elevations of the new sewer and water mainlines. Additionally, through the review of existing street geometry and alignment concerns, and with further analysis of current and proposed traffic volumes, it was found that it was necessary, advantageous and cost effective to incorporate with this project, intersection widening and traffic signal improvements at 'E' St. and Cross Ave. with this project. An effort to establish and maintain consistency between City improvements and development standards was made to resolve

non-standard grade and slope issues. Finally, through coordination with Caltrans during their encroachment permit application process for the intersection of 'E' St. and SR137 (Inyo Ave.), additional accommodations and allowances required supplemental design work to successfully obtain the encroachment permit. Caltrans has agreed to participate in funding up to \$20,000 of some of these improvements through the Cooperative Agreement that was approved by the City Council at the June 20, 2017 meeting. Unfortunately, the additional design costs associated with these changes were not identified and communicated by Willdan until recently. The cost of the transportation related design changes total \$54,960, based on the provided hourly rate breakdown of time spent to perform the work. A similar amendment containing comparable and associated utility related changes was provided to the Board of Public Utilities and was approved at their September 7, 2017 meeting. City Staff has evaluated Willdan's total fee including the proposed amendment in relation to the current construction cost estimate, and has determined that the fee is still well within reason and is in line with industry standards for this type of work.

The approved project budget includes a contingency to address potential issues of this type. As a result, adequate funding is available within the current project budget to cover these costs. No additional funding is required at this time. However, these changes are being brought to the City Council for approval because they exceed the amount previously designated for approval by City Staff.

STAFF RECOMMENDATION:

Authorize the City Manager or his designee to sign a contract amendment with Willdan Engineering of Fresno, CA in the amount of \$54,960 for additional design services on the EN0064 - 'E'. St. Improvements project between Bardsley Avenue and Rainier Court.

CITY ATTORNEY REVIEW/COMMENTS: Yes N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: Yes No N/A

FUNDING SOURCE/ACCOUNT NUMBER:

EN0064-040-0202

Submitted by: Nick Bartsch

Title: Sr. Project Manager

Date: September 7, 2017

City Manager Approval: _____

August 30, 2017

Michael W. Miller, City Engineer
City of Tulare
411 East Kern Avenue
Tulare, CA 93274

Subject: Addendum #4 to Proposal for Project EN0064
E Street from Rainier Court to Bardsley Avenue
Surveying, Geotechnical, and Engineering Design Services

Thank you for all your efforts to work with us to resolve the services and fees for the surveying and engineering design services for the E Street from Rainier Court to Bardsley Avenue project.

Please, consider this document as an addendum to the above named proposal. It concerns additional tasks that have been added to the street design scope of the surveying, and engineering design services as we have discussed.

SCOPE OF SERVICES ADDITIONS INCLUDED:

Widening south of Cross Avenue

The City directed Willdan to redesign the intersection of E Street at Cross Avenue. The revisions involved redesigning the south approach leg by widening so that the curb lines align with those on the north approach leg. Left turn lanes were added on the northbound and southbound approaches. The widening involved right-of-way determination, street redesign, utility and storm drain relocations, signing, striping, and traffic signal modifications. Additional field survey was also required.

Cost = \$18,851.00

Street Design at San Joaquin Avenue

The City directed Willdan to redesign the street cross section south of San Joaquin to minimize the cross fall slopes. Willdan prepared different alternatives for this design. Ultimately, the City decided that the design include raising the curb and gutters south of San Joaquin. In order to accomplish this, additional alternatives were prepared and submitted to the City for review. The City decided that the design include a combination of raising curbs, revising curb ramps, and relocating storm drains. The design revisions involved revising the digital surface design to accommodate raising the curbs, adjusting driveways, revising curb ramps, relocating

the storm drain system, and special design of gutter pan at the curb returns to accommodate the drop inlets.

Cost = \$10,802.00

Traffic improvements at Inyo Avenue

Addition of loop detectors and access ramp replacements at the intersection of E Street and Inyo Avenue (SR 137). This work required several sheets of traffic control plans.

Cost = \$6,090.00

Storm Drain Drop Inlet Replacement

The original scope of the project included replacement of approximately 6 drop inlets. As the project progressed, the City directed Willdan to replace all drop inlets within the project area that do not meet the current City standard. Additionally, the City directed Willdan to replace all existing 8" storm drain laterals and upsize them to 12". This work required additional field observation to determine nonstandard drop inlets, subsequent design and drafting.

Cost = \$15,004.00

Storm Drain at Tulare

As mentioned above, the City added to the scope of work a waterline crossing at Tulare Avenue. During the design of this new waterline, it was determined that the waterline would conflict with the existing storm drain lateral. The City also expressed concern that the existing storm drain lateral will fall within the proposed pavement section and therefore must be replaced. Subsequent design and drafting effort was expended for this extra work.

Cost = \$4,213.00

Our fee for the additional civil design services for the work indicated above is \$54,960. Please refer to the attached fee sheet for a detailed breakdown of the additional scope of work items involved and the associated fees.

If there are any questions regarding this addendum, please don't hesitate to contact me at:

559-443-5290 Office

559-901-9000 Cell

dwilson@willdan.com

Thank you for your assistance in resolving the additional fees and your on-going assistance in our efforts to develop plans for a successful project.



Respectfully submitted,

Willdan Engineering

A handwritten signature in blue ink, appearing to read "Doug Wilson".

Doug Wilson, PE
Principal Project Manager

Enclosure: Addendum #4 Fee Sheet

CITY OF TULARE

PROJECT EN0064

FEE SCHEDULE - ADDENDUM #4

(Add Left Turn Lanes at E St. at Cross Ave., Traffic Imps. At Inyo Ave., Upgrade Drop Inlets/Laterals, Street Design at San Joaquin, DI's at Tulare)
 Tuesday, August 29, 2017

SUMMARY TASK	WILLDAN								Estimated Hours	Estimated Cost
	Deputy Director	Principal Project Manager	Senior Engineer II	Senior Design Manager	Senior Designer II	Senior Designer I	Associate Engineer I	Utility Coordinator		
	\$200	\$190	\$154	\$156	\$145	\$138	\$132	\$138		
TASK 1 - PROJECT KICKOFF AND MANAGEMENT MEETINGS										
Project Kickoff Meeting	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
Management Meetings	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
TASK 2 - PRELIMINARY ENGINEERING										
2.1 Asbuilt Research	0.0	0.0	0.0	0.0	14.0	4.0	0.0	4.0	22.0	\$ 3,134.00
2.2 Utility Notification / Coordination	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.0	2.0	\$ 276.00
2.3 Caltrans Coordination	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2.4 Field Design Survey	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2.5 Potholing (2 potholes estimated)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2.6 Geotechnical Services (field work, traffic control, analysis, testing and reporting)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
Drilling Cost	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
Traffic Control	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
Laboratory Testing	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2.7 Preliminary Design (30%) Memorandum and Cost Estimate	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
Report	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
Preliminary Cost Estimate	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
TASK 3 - FINAL PS&E										
3.1 Design Plans	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
Street Improvement Plan (40-scale plan view)	0.0	3.0	1.0	4.0	16.0	36.0	0.0	0.0	60.0	\$ 8,636.00
Storm Drain Improvement Plan (20-scale plan & profile)	0.0	3.0	2.0	4.0	58.0	76.0	0.0	0.0	143.0	\$ 20,400.00
Sewer Improvement Plan (20-scale plan & profile)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
Water Improvement Plan (20-scale plan & profile)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
Signing & Striping Plans & TS Mod. Plan (40-scale plan view)	2.0	2.0	2.0	67.0	0.0	4.0	0.0	0.0	77.0	\$ 12,092.00
Pedestrian Crossing Plan (Santa Fe Trail Crossing) (20-scale plan view)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
Street Lighting Plan (Optional) (40-scale plan view)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
3.2 Specifications	2.0	3.0	0.0	11.0	9.0	2.0	4.0	0.0	31.0	\$ 4,795.00
3.3 Cost Estimate	0.0	0.0	0.0	3.0	5.0	2.0	2.0	0.0	12.0	\$ 1,733.00
TASK 4 - CONSTRUCTION ENGINEERING										
4.1 Bid Period Assistance (Time and Material Based)	0.0	0.0	0.0	3.0	4.0	1.0	0.5	0.0	8.5	\$ 1,252.00
4.2 Construction Assistance (Time and Material Based)	0.0	0.0	0.0	3.0	4.0	1.0	0.5	0.0	8.5	\$ 1,252.00
4.3 As-Built Plans	0.0	0.0	0.0	3.0	4.0	2.0	0.5	0.0	9.5	\$ 1,390.00
TOTAL	4.0	11.0	5.0	98.0	114.0	128.0	7.5	6.0	373.5	\$54,960

CITY OF TULARE
PROJECT EN0064
FEE SCHEDULE - ADDENDUM #4
(Add Left Turn Lanes at E St. at Cross Ave.)
Tuesday, August 29, 2017

SUMMARY TASK	WILLDAN								Estimated Hours	Estimated Cost
	Deputy Director	Principal Project Manager	Senior Engineer II	Senior Design Manager	Senior Designer II	Senior Designer I	Associate Engineer I	Utility Coordinator		
	\$200	\$190	\$154	\$156	\$145	\$138	\$132	\$138		
TASK 1 - PROJECT KICKOFF AND MANAGEMENT MEETINGS										
<i>Project Kickoff Meeting</i>									0.0	\$ -
<i>Management Meetings</i>									0.0	\$ -
TASK 2 - PRELIMINARY ENGINEERING										
<i>2.1 Asbuilt Research</i>					4.0	4.0		4.0	12.0	\$ 1,684.00
<i>2.2 Utility Notification / Coordination</i>								2.0	2.0	\$ 276.00
<i>2.3 Caltrans Coordination</i>									0.0	\$ -
<i>2.4 Field Design Survey</i>									0.0	\$ -
<i>2.5 Potholing (2 potholes estimated)</i>									0.0	\$ -
<i>2.6 Geotechnical Services (field work, traffic control, analysis, testing and reporting)</i>									0.0	\$ -
<i>Drilling Cost</i>									0.0	\$ -
<i>Traffic Control</i>									0.0	\$ -
<i>Laboratory Testing</i>									0.0	\$ -
<i>2.7 Preliminary Design (30%) Memorandum and Cost Estimate</i>										
<i>Report</i>									0.0	\$ -
<i>Preliminary Cost Estimate</i>									0.0	\$ -
TASK 3 - FINAL PS&E										
<i>3.1 Design Plans</i>									0.0	\$ -
<i>Street Improvement Plan (40-scale plan view)</i>		1.0	1.0			16.0			18.0	\$ 2,552.00
<i>Storm Drain Improvement Plan (20-scale plan & profile)</i>			1.0		8.0				9.0	\$ 1,314.00
<i>Sewer Improvement Plan (20-scale plan & profile)</i>									0.0	\$ -
<i>Water Improvement Plan (20-scale plan & profile)</i>									0.0	\$ -
<i>Signing & Striping Plans & TS Mod. Plan (40-scale plan view)</i>	2.0	2.0	2.0	40.0		4.0			50.0	\$ 7,880.00
<i>Pedestrian Crossing Plan (Santa Fe Trail Crossing) (20-scale plan view)</i>									0.0	\$ -
<i>Street Lighting Plan (Optional) (40-scale plan view)</i>									0.0	\$ -
<i>3.2 Specifications</i>	1.0	1.0		6.0	4.0	2.0	4.0		18.0	\$ 2,710.00
<i>3.3 Cost Estimate</i>				2.0	2.0		2.0		6.0	\$ 866.00
TASK 4 - CONSTRUCTION ENGINEERING										
<i>4.1 Bid Period Assistance (Time and Material Based)</i>				2.0	1.0		0.5		3.5	\$ 523.00
<i>4.2 Construction Assistance (Time and Material Based)</i>				2.0	1.0		0.5		3.5	\$ 523.00
<i>4.3 As-Built Plans</i>				2.0	1.0		0.5		3.5	\$ 523.00
TOTAL	3.0	4.0	4.0	54.0	21.0	26.0	7.5	6.0	125.5	\$18,851.00

CITY OF TULARE
PROJECT EN0064
FEE SCHEDULE - ADDENDUM #4
(Street Design at San Joaquin)
Tuesday, August 29, 2017

SUMMARY TASK	WILLDAN				Estimated Hours	Estimated Cost
	Principal Project Manager	Senior Design Manager	Senior Designer II	Senior Designer I		
	\$190	\$156	\$145	\$138		
TASK 1 - PROJECT KICKOFF AND MANAGEMENT MEETINGS						
<i>Project Kickoff Meeting</i>					0.0	\$ -
<i>Management Meetings</i>					0.0	\$ -
TASK 2 - PRELIMINARY ENGINEERING						
<i>2.1 Asbuilt Research</i>					0.0	\$ -
<i>2.2 Utility Notification / Coordination</i>					0.0	\$ -
<i>2.3 Caltrans Coordination</i>					0.0	\$ -
<i>2.4 Field Design Survey</i>					0.0	\$ -
<i>2.5 Potholing (2 potholes estimated)</i>					0.0	\$ -
<i>2.6 Geotechnical Services (field work, traffic control, analysis, testing and reporting)</i>					0.0	\$ -
<i>Drilling Cost</i>					0.0	\$ -
<i>Traffic Control</i>					0.0	\$ -
<i>Laboratory Testing</i>					0.0	\$ -
<i>2.7 Preliminary Design (30%) Memorandum and Cost Estimate</i>						
<i>Report</i>					0.0	\$ -
<i>Preliminary Cost Estimate</i>					0.0	\$ -
TASK 3 - FINAL PS&E						
<i>3.1 Design Plans</i>					0.0	\$ -
<i>Street Improvement Plan (40-scale plan view)</i>	2.0	4.0	16.0	16.0	38.0	\$ 5,532.00
<i>Storm Drain Improvement Plan (20-scale plan & profile)</i>	1.0	2.0	12.0	8.0	23.0	\$ 3,346.00
<i>Sewer Improvement Plan (20-scale plan & profile)</i>					0.0	\$ -
<i>Water Improvement Plan (20-scale plan & profile)</i>					0.0	\$ -
<i>Signing & Striping Plans & TS Mod. Plan (40-scale plan view)</i>					0.0	\$ -
<i>Pedestrian Crossing Plan (Santa Fe Trail Crossing) (20-scale plan view)</i>					0.0	\$ -
<i>Street Lighting Plan (Optional) (40-scale plan view)</i>					0.0	\$ -
<i>3.2 Specifications</i>	1.0	2.0	2.0		5.0	\$ 792.00
<i>3.3 Cost Estimate</i>			1.0	1.0	2.0	\$ 283.00
TASK 4 - CONSTRUCTION ENGINEERING						
<i>4.1 Bid Period Assistance (Time and Material Based)</i>			1.0	1.0	2.0	\$ 283.00
<i>4.2 Construction Assistance (Time and Material Based)</i>			1.0	1.0	2.0	\$ 283.00
<i>4.3 As-Built Plans</i>			1.0	1.0	2.0	\$ 283.00
TOTAL	4.0	8.0	34.0	28.0	74.0	\$10,802.00

CITY OF TULARE
PROJECT EN0064
FEE SCHEDULE - ADDENDUM #4
(Traffic Imps. At Inyo Ave.)
Tuesday, August 29, 2017

SUMMARY TASK	WILLDAN				Estimated Hours	Estimated Cost
	Deputy Director	Principal Project Manager	Senior Design Manager	Senior Designer I		
	\$200	\$190	\$156	\$138		
TASK 1 - PROJECT KICKOFF AND MANAGEMENT MEETINGS						
<i>Project Kickoff Meeting</i>					0.0	\$ -
<i>Management Meetings</i>					0.0	\$ -
TASK 2 - PRELIMINARY ENGINEERING						
<i>2.1 Asbuilt Research</i>					0.0	\$ -
<i>2.2 Utility Notification / Coordination</i>					0.0	\$ -
<i>2.3 Caltrans Coordination</i>					0.0	\$ -
<i>2.4 Field Design Survey</i>					0.0	\$ -
<i>2.5 Potholing (2 potholes estimated)</i>					0.0	\$ -
<i>2.6 Geotechnical Services (field work, traffic control, analysis, testing and reporting)</i>					0.0	\$ -
<i>Drilling Cost</i>					0.0	\$ -
<i>Traffic Control</i>					0.0	\$ -
<i>Laboratory Testing</i>					0.0	\$ -
<i>2.7 Preliminary Design (30%) Memorandum and Cost Estimate</i>						
<i>Report</i>					0.0	\$ -
<i>Preliminary Cost Estimate</i>					0.0	\$ -
TASK 3 - FINAL PS&E						
<i>3.1 Design Plans</i>					0.0	\$ -
<i>Street Improvement Plan (40-scale plan view)</i>				4.0	4.0	\$ 552.00
<i>Storm Drain Improvement Plan (20-scale plan & profile)</i>					0.0	\$ -
<i>Sewer Improvement Plan (20-scale plan & profile)</i>					0.0	\$ -
<i>Water Improvement Plan (20-scale plan & profile)</i>					0.0	\$ -
<i>Signing & Striping Plans & TS Mod. Plan (40-scale plan view)</i>			27.0		27.0	\$ 4,212.00
<i>Pedestrian Crossing Plan (Santa Fe Trail Crossing) (20-scale plan view)</i>					0.0	\$ -
<i>Street Lighting Plan (Optional) (40-scale plan view)</i>					0.0	\$ -
<i>3.2 Specifications</i>	1.0	1.0	2.0		4.0	\$ 702.00
<i>3.3 Cost Estimate</i>			1.0		1.0	\$ 156.00
TASK 4 - CONSTRUCTION ENGINEERING						
<i>4.1 Bid Period Assistance (Time and Material Based)</i>			1.0		1.0	\$ 156.00
<i>4.2 Construction Assistance (Time and Material Based)</i>			1.0		1.0	\$ 156.00
<i>4.3 As-Built Plans</i>			1.0		1.0	\$ 156.00
TOTAL	1.0	1.0	33.0	4.0	39.0	\$6,090.00

CITY OF TULARE
PROJECT EN0064
FEE SCHEDULE - ADDENDUM #4
(Upgrade Drop Inlets/Laterals)
Tuesday, August 29, 2017

SUMMARY TASK	WILLDAN				Estimated Hours	Estimated Cost
	Principal Project Manager	Senior Engineer II	Senior Designer II	Senior Designer I		
	\$190	\$154	\$145	\$138		
TASK 1 - PROJECT KICKOFF AND MANAGEMENT MEETINGS						
<i>Project Kickoff Meeting</i>					0.0	\$ -
<i>Management Meetings</i>					0.0	\$ -
TASK 2 - PRELIMINARY ENGINEERING						
<i>2.1 Asbuilt Research</i>			8.0		8.0	\$ 1,160.00
<i>2.2 Utility Notification / Coordination</i>					0.0	\$ -
<i>2.3 Caltrans Coordination</i>					0.0	\$ -
<i>2.4 Field Design Survey</i>					0.0	\$ -
<i>2.5 Potholing (2 potholes estimated)</i>					0.0	\$ -
<i>2.6 Geotechnical Services (field work, traffic control, analysis, testing and reporting)</i>					0.0	\$ -
<i>Drilling Cost</i>					0.0	\$ -
<i>Traffic Control</i>					0.0	\$ -
<i>Laboratory Testing</i>					0.0	\$ -
<i>2.7 Preliminary Design (30%) Memorandum and Cost Estimate</i>						
<i>Report</i>					0.0	\$ -
<i>Preliminary Cost Estimate</i>					0.0	\$ -
TASK 3 - FINAL PS&E						
<i>3.1 Design Plans</i>					0.0	\$ -
<i>Street Improvement Plan (40-scale plan view)</i>					0.0	\$ -
<i>Storm Drain Improvement Plan (20-scale plan & profile)</i>	1.0	1.0	30.0	60.0	92.0	\$ 12,974.00
<i>Sewer Improvement Plan (20-scale plan & profile)</i>					0.0	\$ -
<i>Water Improvement Plan (20-scale plan & profile)</i>					0.0	\$ -
<i>Signing & Striping Plans & TS Mod. Plan (40-scale plan view)</i>					0.0	\$ -
<i>Pedestrian Crossing Plan (Santa Fe Trail Crossing) (20-scale plan view)</i>					0.0	\$ -
<i>Street Lighting Plan (Optional) (40-scale plan view)</i>					0.0	\$ -
<i>3.2 Specifications</i>			2.0		2.0	\$ 290.00
<i>3.3 Cost Estimate</i>			1.0		1.0	\$ 145.00
TASK 4 - CONSTRUCTION ENGINEERING						
<i>4.1 Bid Period Assistance (Time and Material Based)</i>			1.0		1.0	\$ 145.00
<i>4.2 Construction Assistance (Time and Material Based)</i>			1.0		1.0	\$ 145.00
<i>4.3 As-Built Plans</i>			1.0		1.0	\$ 145.00
TOTAL	1.0	1.0	44.0	60.0	106.0	\$15,004.00

CITY OF TULARE
PROJECT EN0064
FEE SCHEDULE - ADDENDUM #4
(DI's at Tulare)
Tuesday, August 29, 2017

SUMMARY TASK	WILLDAN				Estimated Hours	Estimated Cost
	Principal Project Manager	Senior Design Manager	Senior Designer II	Senior Designer I		
	\$190	\$156	\$145	\$138		
TASK 1 - PROJECT KICKOFF AND MANAGEMENT MEETINGS						
<i>Project Kickoff Meeting</i>					0.0	\$ -
<i>Management Meetings</i>					0.0	\$ -
TASK 2 - PRELIMINARY ENGINEERING						
<i>2.1 Asbuilt Research</i>			2.0		2.0	\$ 290.00
<i>2.2 Utility Notification / Coordination</i>					0.0	\$ -
<i>2.3 Caltrans Coordination</i>					0.0	\$ -
<i>2.4 Field Design Survey</i>					0.0	\$ -
<i>2.5 Potholing (2 potholes estimated)</i>					0.0	\$ -
<i>2.6 Geotechnical Services (field work, traffic control, analysis, testing and reporting)</i>					0.0	\$ -
Drilling Cost					0.0	\$ -
Traffic Control					0.0	\$ -
Laboratory Testing					0.0	\$ -
<i>2.7 Preliminary Design (30%) Memorandum and Cost Estimate</i>						
Report					0.0	\$ -
Preliminary Cost Estimate					0.0	\$ -
TASK 3 - FINAL PS&E						
<i>3.1 Design Plans</i>					0.0	\$ -
Street Improvement Plan (40-scale plan view)					0.0	\$ -
Storm Drain Improvement Plan (20-scale plan & profile)	1.0	2.0	8.0	8.0	19.0	\$ 2,766.00
Sewer Improvement Plan (20-scale plan & profile)					0.0	\$ -
Water Improvement Plan (20-scale plan & profile)					0.0	\$ -
Signing & Striping Plans & TS Mod. Plan (40-scale plan view)					0.0	\$ -
Pedestrian Crossing Plan (Santa Fe Trail Crossing) (20-scale plan view)					0.0	\$ -
Street Lighting Plan (Optional) (40-scale plan view)					0.0	\$ -
<i>3.2 Specifications</i>		1.0	1.0		2.0	\$ 301.00
<i>3.3 Cost Estimate</i>			1.0	1.0	2.0	\$ 283.00
TASK 4 - CONSTRUCTION ENGINEERING						
<i>4.1 Bid Period Assistance (Time and Material Based)</i>			1.0		1.0	\$ 145.00
<i>4.2 Construction Assistance (Time and Material Based)</i>			1.0		1.0	\$ 145.00
<i>4.3 As-Built Plans</i>			1.0	1.0	2.0	\$ 283.00
TOTAL	1.0	3.0	15.0	10.0	29.0	\$4,213.00

TRANSPORTATION PROJECT (PMS)

PROJECT #EN0064 (enR2015-3)	ACCT # 643-4643-6841
'E' St. - Badsley to Pleasant	610-4610-6841
R-EN.16.17 PMS E Alpine to Tulare	615-4615-6841
(CIP)	647-4647-6841

PROJECT MANAGER: Nick Bartsch

PROJECT DESCRIPTION & PURPOSE: Pavement Management System project on E Street between Bardsley Avenue and Pleasant Avenue. Includes ADA Concrete work and Water facilities.

KEY POINTS: Traffic safety; Relief from potential liability concerns; Compliance to the American Disabilities Act

PROJECT STATUS: *Construction: Summer 2017* ; Approved by TMT on 2/27/15

PROJECTED START DATE: 3/1/2016

PROJECTED END DATE: 6/30/2018

FUTURE M & O: None

CRITERIA (1-8): Criteria 7: Project addresses regulatory, safety, or environmental requirements that could threaten in whole or in part the City's ability to operate a core program or function at some future time if not replaced or repaired.

Costs Description	Fiscal Year					Total	Unfunded
	2016/17	2017/18	2018/19	2019/20	2020/21		
001 - Conceptual	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0	\$0.00
002 - Preliminary Design	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0	\$0.00
003 - Environmental	\$6,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,000	\$0.00
004 - Final Design	\$375,266.31	\$0.00	\$0.00	\$0.00	\$0.00	\$375,266	\$0.00
005 - Construct/Impliment	\$0.00	\$5,124,428.49	\$0.00	\$0.00	\$0.00	\$5,124,428	\$0.00
006 - Close Out	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0	\$0.00
Total Costs:	\$381,266.31	\$5,124,428.49	\$0.00	\$0.00	\$0.00	\$5,505,695	\$0.00
Funding Sources							
022 - Gas Tax	\$210,359.81	\$2,437,351.34	\$0.00	\$0.00	\$0.00	\$2,647,711	\$0.00
077 - CDBG	\$0.00	\$390,000.00	\$0.00	\$0.00	\$0.00	\$390,000	\$0.00
021 - Measure 'R' Local	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0	\$0.00
010 - Water Bonds CIP	\$77,806.74	\$1,045,765.32	\$0.00	\$0.00	\$0.00	\$1,123,572	\$0.00
615 - Sewer/Wastewater CIP	\$29,916.48	\$402,093.87	\$0.00	\$0.00	\$0.00	\$432,010	\$0.00
647 - Surface Water CIP	\$63,183.28	\$849,217.96	\$0.00	\$0.00	\$0.00	\$912,401	\$0.00
Total Funding:	\$381,266.31	\$5,124,428.50	\$0.00	\$0.00	\$0.00	\$5,505,695	\$0.00

AGENDA ITEM:

**CITY OF TULARE
AGENDA ITEM TRANSMITTAL SHEET**

Submitting Department: Finance

For Council Meeting of: September 19, 2017

Documents Attached: Ordinance Resolution Staff Report Other None

AGENDA ITEM:

Adopt Resolution 17-___ to accept the Title VI Program for the City of Tulare transit service.

IS PUBLIC HEARING REQUIRED: Yes No

BACKGROUND/EXPLANATION:

The Title VI Program outlines the City’s procedure to comply with the 1964 Civil Rights Act that states that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participating in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Federal Transit Administration (FTA). The program is divided into eight major sections:

- 1. Notice to the Public
- 2. Complaint Procedures
- 3. Public Participation Plan
- 4. Limited English Proficiency (LEP) Plan
- 5. Participation Table
- 6. Equity Analysis
- 7. System-Wide Standards and Policies
- 8. Council Resolution

The program is being updated from the June, 2014 program with minor changes which was prepared by Tulare County Association of Governments with the assistance from the short range transit plan that was prepared by Moore & Associates. The program was prepared to comply with Title VI of the Civil Rights Act of 1964, including new provisions detailed in U.S. Department of Transportation’s FTA Circular 4702.1B, “Title VI Requirements and Guidelines for Federal Transit Administration recipients.” Attached is the City’s program to meet FTA requirement so the City may continue to receive Federal financial assistance for its transit services.

STAFF RECOMMENDATION:

Adopt Resolution 17-___ to accept the Title VI Program for the City of Tulare transit service.

CITY ATTORNEY REVIEW/COMMENTS: Yes No N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: Yes No N/A

FUNDING SOURCE/ACCOUNT NUMBER:

Submitted by: Darlene Thompson **Title:** Finance Director

Date: September 11, 2017 **City Manager Approval:** _____

RESOLUTION 17-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TULARE
AUTHORIZING THE TITLE VI COMPLIANCE PLAN FOR THE AGENCY**

WHEREAS, City of Tulare desires to comply with Title VI of the Civil Rights Act of 1964, including new provisions detailed in U.S. Department of Transportation’s FTA Circular 4702.1B, “Title VI Requirement and Guidelines for Federal Transit Administration Recipients.”

WHEREAS, the City Council wished to authorized approval of the compliance plan developed by staff to comply with necessary provisions of the Civil Rights Act,

NOW, THEREFORE, BE IT RESOLVED, by City Council of the City of Tulare as follows:

1. The City Manager or his designee are authorized to implement the components of the plan in order to meet Federal requirements.
2. The City Manager or his designee are authorized to implement policies that may be necessary to comply with subsequent revisions or interpretations to the Civil Rights Act.

PASSED, ADOPTED AND APPROVED this 19th day of September, 2017.

President of the Council and Ex-Officio
Mayor of the City of Tulare

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF TULARE)
CITY OF TULARE)

I, Joseph Carlini, City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 17-___ passed and adopted by the City Council of the City of Tulare at a regular meeting held on September 5, 2017, by the following vote:

Ayes(s) _____

Noes(s) _____ Abstention(s) _____

Dated: JOSEPH CARLINI, CITY CLERK

By: Roxanne Yoder, Chief Deputy



City of Tulare

Federal Transit Administration TITLE VI PROGRAM

Adopted: **September 19, 2017**

Resolution No. 17-xx

City of Tulare
411 E. Kern Ave.
Tulare, CA 93274
(559) 684-4227

This document was prepared to comply with Title VI of the Civil Rights Act of 1964, including new provisions detailed in U.S. Department of Transportation's FTA Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients."

CITY OF TULARE

2017 CITY COUNCIL

Carlton Jones, Mayor (District 3)
Maritsa Castellanoz, Vice Mayor (District 2)
Jose Sigala, Council Member (District 1)
David Macedo, Council Member (District 4)
Greg Nunley, Council Member (District 5)



CITY STAFF (TRANSIT)

Joseph Carlini, City Manager
Paul Melikian, Deputy City Manager
Darlene Thompson, Finance Director/Title VI Administrator
Steve Bonville, General Services Director
Paul Echevarria, Transit Analyst



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SECTION 1: NOTICE TO THE PUBLIC

The City of Tulare provides both fixed route and demand-response transit service to the general public. The service is marketed as Tulare InterModal Express (TIME). The City is committed to ensuring that no person shall be excluded from the equal distribution of TIME services and amenities because of race, color or national origin in accordance with Title VI of the Civil Rights Act of 1964.



Notifying the Public of Rights Under Title VI The City of Tulare



The City of Tulare operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Tulare.

For more information on the City of Tulare's civil rights program, and the procedures to file a complaint, contact (559) 684-4227 or visit our office at 411 E. Kern Ave., Tulare.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 28590.

If information is needed in another language, contact (559) 684-4227.

This public notice has also been translated into Spanish, and will be displayed alongside the English version with the following wording:

Notificando al Público de Derechos en Virtud del Título VI

Ciudad de Tulare

La Ciudad de Tulare opera sus programas sin distinción de raza, color y origen nacional, de conformidad con el Título VI del Acta de Derechos Civiles. Cualquier persona que cree que él o ella han sido agraviada por cualquier práctica discriminatoria ilegal bajo el Título VI, puede presentar una queja ante la Ciudad de Tulare.

Para obtener más información sobre el programa de derechos civiles de la Ciudad Tulare, y los procedimientos para presentar una queja, contacte a (559) 684-4227 o visite nuestra oficina en 411 E. Kern Ave. Tulare.

La persona con la queja puede presentar la queja directamente con la Administración Federal de Tránsito mediante la Oficina de Derechos Civiles, Atención: Coordinador de Programa del Título VI, East Building, 5th Floor-TCR, 1200 New Jersey Avenue, SE, Washington, DC 28590.

Si se necesita información en otro idioma, contacte (559) 684-4227.

Passenger Rights

The City of Tulare operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Tulare.

For more information on the City's civil rights program, and the procedures to file a complaint, contact (559) 684-4227 or visit our office at 411 E. Kern Ave, Tulare



Los Derechos de Pasajeros

La ciudad de Tulare opera sus programas sin consideración a raza, color de piel, nacionalidad o origen de acuerdo con Título VI del Acto de Derechos Civiles. Cual quiere persona que siente que se la ha descaminado puede exponer su queja con la Ciudad de Tulare.

Para más información sobre el programa de derechos civiles de la Ciudad y los procedimientos para presentar una queja, contacte a (559) 684-4227 o visite nuestra oficina en

411 E. Kern Ave, Tulare

The City of Tulare’s general Title VI non-discrimination policy is posted in all City government buildings in places that are easily accessible and generally visited by the general public and City/transit employees.

- Tulare City Hall
411 E. Kern Ave., Tulare, CA 93274
- Tulare Transit Center
360 N. “K” St., Tulare, CA 93274
- TIME Fleet Maintenance Center
3981 S. “K” St., Tulare, CA 93274

The Title VI public notice for passengers is posted on every transit vehicle utilized by the City of Tulare for purposes of public transportation. The notice is posted in both English and Spanish. Spanish is the predominate language spoken by residents within the service area who do not speak English as their first language.

- Tulare Transit Center
360 N. “K” St., Tulare, CA 93274
- Inside all TIME vehicles.
- The City of Tulare’s website (transit page)

www.tulare.ca.gov/departments/finance/transit

SECTION 2: COMPLAINT PROCEDURES

How to File a Title VI Complaint with the City of Tulare

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin with regard to any City of Tulare transit service, program, activity, or facility may file a Title VI complaint by completing and submitting the Tulare InterModal Express Title VI Complaint Form. A complaint may be filed by the individual or by a representative. Complaints must be filed within 180 days after the date of the alleged discrimination. The complaint form is available in accessible and alternative formats, such as large print, TDD and Spanish. The complainant or her/his representative will sign all complaints. The City of Tulare will promptly investigate all complete complaints; complaints received with incomplete information may result in delayed investigations and responses.

Complaint forms (and instructions) can be obtained at:

- Tulare Transit Center, 360 N. "K" St., Tulare, CA 93274
- Tulare City Hall, 411 E. Kern Ave., Tulare, CA 93274
- City of Tulare website (transit page)
www.tulare.ca.gov/departments/finance/transit

All complaints alleging discrimination should be submitted in writing directly to the City at the address listed below. The complainant will be contacted within 10 business days of the City's receipt of the complaint form. A lead investigator, assigned by the City's Title VI Administrator, shall be responsible for overseeing investigations and responses to complaints of discrimination.

City of Tulare
Attn: Transit Division
411 E. Kern Ave.
Tulare, CA 93274

The investigation generally will be conducted and completed within 60 days of receipt of a complete complaint form. The investigation may include discussion(s) of the complaint with all affected parties to determine the nature of the problem. Based on all information received, an investigation report will be submitted to the City's Transit Title VI Administrator.

After investigation of a complaint, a written statement of findings summarizing the allegations and outlining a process for resolution of the complaint will be provided to the complainant. If no action is taken, the response will state the reasons for the decision and the procedures for the complainant to appeal the decision. City employees' and service contractor personnel files are confidential; therefore, specific information on disciplinary actions resulting from complaints will not be divulged.

The complainant may also file a complaint directly with the Federal Transit Administration, by contacting:

FTA Office of Civil Rights
Attn: Title VI Program Coordinator
East Building, 5th Floor – TRC
1200 New Jersey Ave., SE
Washington, DC 20590
www.fta.dot.gov/civilrights/12328_5104.html

TIME Title VI Complaint Form



Re: TIME Title VI Discrimination Complaint Form

Dear Tulare InterModal Express (TIME) Customer:

Title VI of the Civil Rights Act of 1964 requires that “No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

The City of Tulare is committed to ensuring that no person shall be excluded from the equal distribution of its services and amenities because of race, color or national origin as protected by Title VI, as amended. If you believe you have been subjected to discrimination under Title VI, you may file a written complaint.

Please complete the enclosed form to initiate a formal complaint and investigation process. The form is available in accessible and alternative formats, such as large print, TDD and Spanish. Your completed form should be returned to us at:

City of Tulare, Transit Division
411 E. Kern Ave
Tulare, CA 93274

This form must be filed within 180 calendar days of the alleged discriminatory incident. After the form is submitted, you will be contacted within 10 business days of our receipt of the form. A lead investigator will be assigned to the complaint. If you or another person identified as the primary contact for the complaint does not get confirmation of receipt of the complaint form within 10 business days, please visit our office or contact us at (559) 684-4227

Español al otro lado

Tulare InterModal Express Title VI Complaint Form



The City of Tulare is committed to ensuring that no person shall be excluded from the equal distribution of its services and amenities because of race, color, or national origin. Any person who believes they have been discriminated against based on one of these categories may file a complaint. Complaints must be filed within 180 calendar days of the incident.

Within 10 working days of receipt of your completed complaint form, the City of Tulare will contact you to confirm receipt of your complaint form and begin an investigation (unless the complaint has been filed with an external entity first of simultaneously). The investigation may include discussion(s) of the complaint with all affected parties to determine the nature of the problem. The investigation generally will be conducted and completed within 60 days of receipt of a complete complaint form. Based on all information received, an investigation report will be submitted to the Director of Finance. The complainant will receive a letter stating the City of Tulare's final decision by the end of the 60-day time period.

Please complete the form below and send to:

City of Tulare, Transit Division
411 E. Kern Ave.
Tulare, CA 93274

Section 1: Contact Information

Name: <input type="text"/>		
Address: <input type="text"/>		
City: <input type="text"/>	State: <input type="text"/>	Zip: <input type="text"/>
Phone (Home): <input type="text"/>	Phone (Cell): <input type="text"/>	
<i>Please note if any of the phone numbers are for TDD or TTY</i>		
Email: <input type="text"/>		

Section 2: Filing for Another Person

Are you filing this complaint on your own behalf? Yes No

If you answered yes, go to section 3

If not, please supply the name and relationship of the person for whom you are filing the complaint:

Please explain why you have filed for a third party:

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party

Yes

No

Section 3: Discrimination Complaint

Which of the following describes the reason you believe the discrimination took place? Was it because of your:

Race

Color

National Origin

Please describe the race, color, or national origin of the aggravated party:

Date and Time of the alleged discrimination (Month, day, year):

Where did the discrimination take place? Specific information is helpful (e.g. route or vehicle number)

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. Attach additional paper if necessary.

Section 4: Previous or Existing Complaints

Have you previously filed a complaint with the City of Tulare?

Yes, for this incident Yes, for a different incident No

Have you filed this complaint with any other agencies or a court?

Yes No

If yes, please check all that apply:

Federal Agency

Federal Court

State Court

State Agency

Local Agency

Please provide contact person information for the agency/court where the complaint was filed:

Name/Office: _____

Address: _____

City: _____

State: _____

Zip Code: _____

Phone number: _____

Section 5: Signature

Please sign below to attest to the truthfulness of the above. You may attach any written materials or other information that you think is relevant to your complaint.

Signature _____

Date _____

TIME Title VI Complaint Form (Spanish)**Re: TIME Formulario de Queja Título VI Discriminación**

Querido Tulare Intermodal Express (TIME) Cliente:

Título VI del Acta de Derechos Civiles de 1964 requiere que " Ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional , ser excluida de participar en, ser negado los beneficios de, o ser sujeto a discriminación bajo cualquier programa o actividad que reciba asistencia financiera federal. "

La Ciudad de Tulare está compromete a garantizar que ninguna persona debe ser excluida de la distribución equitativa de sus servicios e instalaciones por motivos de raza, color u origen nacional como protegida por el Título VI, en su versión modificada. Si usted cree que ha sido sujeto a discriminación bajo el Título VI, puede presentar una queja por escrito.

Por favor complete el formulario adjunto para iniciar un proceso de denuncia y de investigación formal. El formulario está disponible en formatos accesibles y alternativos, tales como letra grande, TDD y español. Su formulario completo debe ser devuelto a nosotros en:

City of Tulare; Transit Division
411 E. Kern Ave.
Tulare, CA 93274

Este formulario debe ser presentado dentro de los 180 días calendario del incidente discriminatorio alegado. Después de enviar el formulario, nos comunicaremos con usted dentro de los 10 días hábiles de haber recibido de la forma. Un investigador principal será asignado a la queja. Si usted u otra persona identificada como contacto principal para la queja no obtiene la confirmación de la recepción del formulario de queja dentro de 10 días hábiles, por favor visite nuestra oficina o comuníquese con nosotros al (559) 684 -4227.

English on other side

Tulare InterModal Express Formulario de Queja Discriminación según el Título VI



La ciudad de Tulare está comprometido a garantizar que ninguna persona sea excluida de la distribución equitativa de servicios y instalaciones por cuestiones de raza, color o origen nacional. Cualquier persona que se sienta víctima de discriminación en alguna de las categorías anteriores puede presentar una queja. Las quejas deben presentarse dentro de los 180 días calendario a partir del incidente.

Dentro de los siguientes 10 días hábiles de recepción del formulario de queja, la ciudad de Tulare le contactará para confirmar la recepción de su queja y comenzará una investigación (a menos que la queja sea presentada ante una entidad externa antes o simultáneamente). La investigación puede incluir debate(s) acerca de la queja con todas las partes afectadas para determinar la naturaleza del problema. Por lo general, la investigación se llevará a cabo dentro de los 60 días siguientes a partir de la recepción del formulario de queja completo. En base a toda la información recibido, un reporte de investigación sera presentado a la Directora de Finanzas. El reclamante recibirá una carta con la decisión final de La ciudad de Tulare al finalizar los 60 días del tiempo límite.

Por favor proporcione la información requerida abajo y enviarlo a la División de Tránsito de la Ciudad:

City of Tulare, Transit Division
411 E. Kern Ave.
Tulare, CA 93274

Sección 1: Información de contacto

<i>Nombre:</i> <input style="width: 90%;" type="text"/>		
<i>Domicilio:</i> <input style="width: 90%;" type="text"/>		
<i>Ciudad:</i> <input style="width: 45%;" type="text"/>	<i>Estado:</i> <input style="width: 20%;" type="text"/>	<i>Código postal:</i> <input style="width: 30%;" type="text"/>
<i>Teléfono (Casa):</i> <input style="width: 60%;" type="text"/>	<i>Teléfono (móvil):</i> <input style="width: 60%;" type="text"/>	
Señale si alguno de los números telefónicos son TDD o TTY		
<i>E-correo:</i> <input style="width: 90%;" type="text"/>		

Sección 2: Llenado del formulario para otra persona

¿Está llenando este formulario por usted mismo? Si No

Si la respuesta es "sí", vaya Sección 3

Si la respuesta es "no", proporcione el nombre y su relación con la persona para quien llena el formulario:

Explique la razón por la que presenta la queja como tercera persona:

Confirme que cuenta con el permiso de la parte agraviada para presentar esta queja como tercera persona

Si No

Sección 3: Queja de Discriminación

¿Cuál de las siguientes opciones describe la razón por la que cree que la discriminación se llevó a cabo? ¿Fue por su:

Raza Color Origen nacional

Describa la raza, color u origen nacional de la parte agraviada:

Fecha y hora de la supuesta discriminación:

¿Dónde ocurrió la discriminación? Información Específica es útil (por ejemplo, ruta o número del vehículo):

Explique mayor claridad posible lo que pasó y por qué cree que fue discriminado. Describa de todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de la persona que(s) quién lo discriminó (si se conoce), además de nombre e información de contacto de los testigos. Adjunte más papeles si es necesario.

Sección 4: Las denuncias anteriores o existentes

¿Cuenta con alguna queja previa sobre discriminación según el Título VI con la ciudad de Tulare?

Sí, por este incidente

Sí, por otro incidente

No

¿Ha llevado esta queja a alguna otra agencia o a una corte?

Sí

No

En caso afirmativo, por favor marque todas las que apliquen::

Agencia federal

Corte federal

Corte estatal

Agencia estatal

Agencia local

Otro (especifique)

Por favor proporcione la información de contacto de la persona que lo atendió en la agencia/corte donde presentó la queja:

Nombre / Oficina: _____

Domicilio: _____

Ciudad: _____

Estado: _____

Código postal: _____

Teléfono: _____

Sección 5: Firma

Por favor firme a continuación para dar fe de la información anterior. Puede incluir escrito adicional y relevante información que con su queja.

Firma

Fecha

List of Transit-Related Title VI Investigations, Complaints, and Lawsuits

The City of Tulare has received no complaints, conducted no investigations and been a party to no lawsuits regarding Civil Rights violations since its last report to FTA.

SECTION 3: PUBLIC PARTICIPATION PLAN

Introduction

The City of Tulare is committed to providing an open and visible decision-making process for its Tulare InterModal Express (TIME) services, by offering ample opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transit-related decisions. This includes implementing strategies for engaging minority, low-income, and Limited English Proficient (LEP) populations in the course of conducting public outreach activities, in accordance with Federal Transit Administration (FTA) Circular 4702.1B Chapter III-5 *Promoting Inclusive Public Involvement*.

The City of Tulare's Public Participation Plan for TIME establishes strategies for involving the public in TIME planning efforts to ensure that all groups are represented and their needs considered. The City of Tulare is committed to ensuring it serves its residents fairly, consistently and in the most cost-efficient and appropriate manner within available resources. Through collaboration with riders, prospective riders, and the community at-large, the City will be able to assess the quality of its service, measure potential impacts to the community from TIME planning and decision-making activities and ensure that it is providing valuable transit services to the residents and visitors of Tulare.

Identification of Affected Stakeholders

In developing the Public Participation Plan, the City analyzed the demographics for minority, low-income, and LEP populations of the TIME service area (Tulare city limits, plus the census designated places (CDPs) of East Tulare Villa, and the Matheny Tract).

Minority Populations

According to the U.S. Census Bureau, racial and ethnic minority populations are defined as persons other than "non-Hispanic White alone." Table 3-1 (on the following page) shows a breakdown of the TIME's service area population by race and ethnicity.

Minority populations comprise over 65% of the population within the TIME service area. Hispanics are the largest minority, with nearly 58% of the total population. Black or African Americans comprise the next largest minority group at 3.3% of the service area's total population.

Low-Income Populations

According to the U.S. Census Bureau, low-income households are classified as below poverty "if their total family income or unrelated individual income was less than the poverty threshold specified for the applicable family size, age of householder, and number of related children under 18 present." Low-income populations are less likely to have access to a vehicle making them more dependent on transit for their travel needs.

Table 3-1: TIME Service Area Population by Race/Ethnicity

Category	Tulare City Limits	East Tulare Villa (CDP)	Matheny Tract (CDP)	Service Area Total	Percent
<i>Total Population</i>	59,278	778	1,212	61,268	100.0%
Hispanic	34,062	428	890	35,380	57.7%
White	20,597	316	250	21,163	34.5%
Black or African American	1,987	8	34	2,029	3.3%
American Indian and Alaska Native	296	5	14	315	0.5%
Asian	1,144	10	4	1,158	1.8%
Native Hawaiian and Other Pacific Islander	52	0	0	52	<0.1%

Source: U.S. Census Bureau, 2010 Census

Census data from the 2011-2015 American Community Survey (ACS) indicates that 18.2% of families living in Tulare, 16.4% of families living in East Tulare Villa, and 29.5% of families living in the Matheny Tract were living below the poverty level during the 12 months prior to data collection. In addition, 40.6% of single mothers residing in Tulare live below the poverty level. Low-income populations are less likely to have access to a vehicle making them more dependent on transit for their travel needs.

Limited English Proficient Populations

Limited English Proficient (LEP) persons are individuals for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. This definition includes people who reported to the U.S. Census that they do not speak English “very well” or do not speak English at all.

Census data from the 2011-2015 ACS revealed that 12,604 persons (23% of the overall population) residing in Tulare have limited English proficiency; that is, they speak English less than “very well”. Of those persons with limited English proficiency, 11,110 (20% of Tulare’s population) speak Spanish; the remaining 1,494 respondents speak fourteen other languages, with Portuguese accounting for slightly over 1% with of the remaining languages accounting for less than 1% of the population. Therefore, under the Department of Justice’s Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LEP populations that constitute at least 5% (or 1,000 persons, whichever is less) of the total population being served, the City of Tulare is required to translate all vital TIME documents into Spanish.

Outreach Plan to Engage Minority, Low-income, and LEP Populations

The public participation process will be considered at the earliest stages of any City of Tulare transit project or decision that may impact the surrounding community, TIME riders, or

potential riders. Project specific outreach efforts will be tailored to the populations affected and the type of plan, project, or service under consideration.

The City will maintain contacts with local non-profit organizations, advocacy groups, and public agencies that provide assistance to minority, low-income, and LEP clients. Such non-profits, advocacy groups, and agencies have insight into the transportation needs of their clients and prove invaluable in overcoming barriers to public participation.

Public Outreach Strategies

The following strategies will ensure that public input is invited and all foreseeable impacts to the community are considered for all transit projects. The City may elect to use all or some of these outreach strategies as deemed appropriate to the specific project.

At a minimum, City transit staff will implement the following outreach strategies:

- Public meetings will be held in locations that are accessible to transit riders and people with disabilities, and will be scheduled at times that are convenient for members of the public to attend.
- Public meetings and hearings will be broadly advertised in the community in both English and Spanish through posters at the Transit Center, onboard TIME buses, at major transit stops, on the City's website, and in the local newspaper.
- Notification will be provided regarding the availability of language assistance at public meetings and hearings. Spanish interpretation or translation at public meetings will be provided by City staff, or an outside interpreter, as is appropriate and necessary.

In addition, City staff should consider implementing the following outreach strategies to complement minimum requirements, as appropriate:

- Advertise public meetings at additional venues (libraries, community centers, senior centers, human service organizations, schools, etc.), through email blasts, and radio announcements (if funding allows).
- Presentations to schools, non-profit and community organizations, public agencies, businesses, etc.
- Attend already existing community meetings and events, such as school meetings, fairs/festivals, faith-based events, and other community activities in order to invite participation from minority, low-income, and LEP populations who may not attend City hosted public events.
- Conduct rider and non-rider surveys.

City staff may consult FTA Circular 4703.1 ("Environmental Justice Policy Guidance for Federal Transit Administration Recipients") for additional strategies that may be incorporated into the Public Participation Plan.

Public Comment for Fare Increases and Major Service Changes

The FTA requires that all transit agencies operating in urbanized areas hold a public hearing prior to the implementation of a fare increase or a major service change. A “major” service change is defined as a modification that affects 25% or more of a single route, or 25% or more of all routes.

The public hearing will be scheduled as part of a regular Tulare City Council meeting. The hearing will be broadly advertised in the community in both English and Spanish through posters at the Transit Center, onboard TIME buses, and at major transit stops, on the City’s website, and in the local newspaper. The hearing will also be advertised through targeted outreach to community organizations and individuals, as appropriate to the proposed change. The public hearing will consist of a staff report before the City Council, followed by public testimony. Public comments may be submitted in person at the hearing, or may be submitted prior to the meeting date. All comments will be presented to the City Council prior to Council approval of the proposed fare increase or major service change.

Summary of Outreach Efforts

The City of Tulare currently conducts the following public outreach for TIME services and activities:

Published Timetables

The TIME schedule is included in the Tulare County Transit Guide. The Transit Guide includes English and Spanish sections, and is available on the City of Tulare’s website (transit page).

Bilingual Outreach

Currently, the City’s transit program has eleven contracted employees (MV Transportation) that are fluent in Spanish as well as English, and one that is fluent in Portuguese and English. There are six full-time drivers who are fluent in Spanish. At least one is on duty during all service/operating hours. A bilingual employee is also available at the Transit Center to answer phone inquiries and provide Spanish-speaking customers with information on public transit services. Bilingual assistance is also utilized at public meetings/hearings when needed and appropriate.

In addition, the Green Line Call Center provides information in Spanish; the Green Line is a toll-free help line that provides information (route schedules, route transfers, etc.) for all public transit services within Tulare and County, including TIME.

Monthly Transit Meetings

The general public is invited to attend monthly meetings of the City of Tulare’s public transit program (TIME), hosted by City transit staff at the Tulare Transit Center. Meetings are held the second Tuesday of each month.

These meetings afford the general public an opportunity to learn more about the City's transit program, provide insights and recommendations on improving the program, and to file concerns and complaints regarding service, routes, schedules and other transit-related topics.

The City encourages participation from all residents and is particularly eager to receive feedback and participation from persons who are disabled, minority populations, persons who have limited English proficiency, low-income persons, seniors, and any individual who relies heavily on public transit services.

Outreach efforts to encourage public attendance include posting notices of meetings at the Transit Center in English and Spanish, and having drivers provide information to riders.

Short Range Transit Plan (SRTP)

The City of Tulare completes a SRTP for TIME at least every five years. The *City of Tulare 2014 Short Range Transit Plan* was completed in June 2014. Both onboard and community awareness surveys were conducted to garner information from riders and the public regarding their perceptions of public transportation and public transportation needs. All surveys were printed in both English and Spanish.

Annual Unmet Transit Needs Process

The Tulare County Association of Governments (TCAG), as the regional transportation planning agency for Tulare County, is required under the California Transportation Development Act (TDA) to conduct an annual formal hearing process that solicits information about transit needs within Tulare County. Public participation is a key component of the TDA. Prior to making any allocation to member agencies (such as the City of Tulare) not directly related to public transportation services, specialized transportation services, or facilities provided for the exclusive use of pedestrians and bicycles, TCAG must annually identify the unmet transit needs of all residents in the County and those needs that are reasonable to meet. This process involves public outreach and a public hearing before the TCAG Board to solicit comments on unmet needs that might be reasonable to meet by establishing or expanding public transportation services, and the adoption by resolution of findings related to public comments. The City of Tulare is responsible for implementing service changes to accommodate any unmet needs within its jurisdiction that are found to be "reasonable to meet," prior to receiving TDA funding for that year.

Public comments are invited through a wide array of mailing lists and agency contacts, by surface mail or email, and through testimony received in-person, by phone, or at the hearing. Bilingual posters and comment cards are posted at key stakeholder agencies and community organizations, as well as at all transit centers and onboard all buses that operate within Tulare County. The hearing is conducted in both English and Spanish, and Spanish interpreters are present to assist with public testimony.

SECTION 4: LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address the City of Tulare's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1B dated October 1, 2012 which states that no person shall be subjected to discrimination on the basis of race, color or national origin.

On August 11, 2000, President Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," which indicates that differing treatment based upon a person's inability to speak, read, write, or understand English is a type of national origin discrimination. The Executive Order requires agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. The Order applies to all state and local agencies which receive federal funds.

In addition, the Department of Transportation (DOT) has adopted the Department of Justice's (DOJ) Safe Harbor Provision which stipulates that a recipient of DOT funds must provide written translation of vital documents for all eligible LEP language groups that constitute "five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered." Vital documents are documents that convey information that critically affects the ability of the customer to make informed decisions about her/his participation in the program, such as: consent and complaint forms; application forms; written notices of rights; notices of denials, losses, or decreases in benefits or services; and notices advertising LEP individuals of free language assistance services.

Plan Summary

The City of Tulare is the public transit operator within its jurisdictional boundaries, operating as Tulare InterModal Express (TIME). The City of Tulare lies within the Visalia Urbanized Area (UZA), so the TIME service area includes the Tulare City Limits, as well as two census-designated places (CDP), the Matheny Tract and East Tulare Villa, that lie just outside of city limits, but within the UZA. The City has developed this LEP plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by TIME. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, how to notify LEP persons that assistance is available, and staff training that may be required to assist LEP persons.

In order to prepare this plan, the City undertook the U.S. Department of Transportation (U.S. DOT) four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by TIME.
2. The frequency with which LEP persons come in contact with TIME services.
3. The nature and importance of services provided by TIME to the LEP population.
4. The resources available to the City and overall costs associated with providing LEP assistance.

Four-Factor Analysis

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the City of Tulare's transit services.

To identify the languages spoken by individuals within the TIME service area the City used available U.S. Census data. A review of the 2011-2015 American Community Survey (ACS) revealed that 24,674 persons (44% of the population) in the City of Tulare speak a language other than English. Of those 24,674 persons 12,604 (44%, or 23% of the overall population) have limited English proficiency; that is, they speak English less than "very well." Of those persons with limited English proficiency, 11,110 (20% of Tulare's total population) speak Spanish; the remaining 1,494 respondents speak fourteen other languages, Portuguese accounting for slightly over 1% with each of the remaining languages accounting for less than 1% of the population.

As shown in Table 4-1 below, Spanish is the only language that falls within the Safe Harbor Provision of over 5% or 1,000 persons (whichever is less) of the total population within the service area, with regards to the written translation requirements of vital documents. While no language data is available for the two census designated areas contained within the TIME service area, 2010 census demographic information indicates that Hispanics make up the majority of the population in both the Matheny Tract and East Tulare Villa. Seventy-three percent (73%) of people living in the Matheny Tract (890 out of a total population of 1,212), and 55% of people living in East Tulare Villa are Hispanic (428 out of a total population of 778). No other groups exist within the CDPs that would warrant additional languages to be included within Tulare's Safe Harbor Provision requirements.

Ability to Speak English	Population	Percent of Total
<i>Total Population (5 years and older)</i>	55,631	100.00%
Speak only English	30,957	55.65%
Language other than English	24,674	44.35%
Speaks English less than “very well”	12,604	22.66%
Spanish	11,110	19.97%
Portuguese	689	1.24%
“Other” West Germanic	11	0.02%
Russian	9	0.02%
Serbo-Croatian	27	0.05%
Persian	8	0.01%
“Other” Indic	34	0.06%
Chinese	142	0.26%
Japanese	11	0.02%
Hmong	82	0.15%
Vietnamese	34	0.06%
“Other” Asian	343	0.62%
Tagalog	76	0.14%
Arabic	15	0.03%
African	13	0.02%

Source: U.S. Census Bureau, 2011-2015 American Community Survey

2. The frequency with which LEP persons come into contact with the City’s transit services.

The City of Tulare used several strategies to assess the frequency with which staff and drivers have, or could have, contact with LEP persons, including staff interviews (both city and service contractor staff) and reviewing recent onboard and community awareness surveys.

The most frequent contact with LEP persons is experienced by bus drivers, dispatch, and City transit staff at the Transit Center. Spanish-speaking individuals are regular users of the City’s transit services. Currently, the City’s transit program has eleven contracted employees (MV Transportation) that are fluent in Spanish as well as English, and one that is fluent in Portuguese and English. There are six full-time drivers who are fluent in Spanish and English. At least one is on duty during all service/operating hours. TIME currently has no Spanish-speaking dispatchers.

Onboard passenger surveys conducted in September of 2013 for the *City of Tulare 2014 Short Range Transit Plan* indicated that a large percentage of TIME passengers speak Spanish; when asked what languages were spoken at home almost half of respondents

(34%) indicated that Spanish is spoken in their homes, underscoring the need for all transit information to be made available in both English and Spanish. However, all survey forms were made available in both English and Spanish, and only 10% of riders surveyed filled out the Spanish language version, indicating that many Spanish-speaking TIME riders are bilingual.

A companion community awareness survey was conducted to gauge the general public's perceptions of TIME services. Community intercept surveys were conducted at the Tulare Farmers market and Tulare County Fair in September of 2013. The survey was also distributed to a random-sampling of 250 Tulare households, as well as made available on the City's website. Forty-eight percent (48%) of riders and 34% of non-riders indicated that they speak Spanish at home. All survey forms were made available in both English and Spanish, and conducted by a survey team comprised of bilingual (English/Spanish) surveyors. Twenty-four percent (24%) of community survey respondents (both riders and non-riders) elected to take the survey in Spanish.

Based on the above information, City staff will continue to incorporate bilingual staff, work with local community service agencies identified as having LEP (Spanish-speaking) clients, and ensure that TIME information is posted in Spanish in high volume areas, such as onboard buses, at the Transit Center, and on the City's transit webpage.

3. The nature and importance of Tulare's transit services to affected LEP populations.

To help gauge how important TIME services are to LEP individuals, the onboard passenger surveys conducted in September of 2013 for the *City of Tulare 2014 Short Range Transit Plan* were reviewed. The largest population of LEP individuals in the TIME service area is Spanish. Although only 10% of riders surveyed filled out the Spanish language version, 60% of respondents identified themselves as Hispanic, and 34% indicated that Spanish is spoken in their homes. Of total respondents, 60% indicated that they did not have a car available to make the trip if the bus was not available, and 80% indicated that their household income was below \$20,000 demonstrating that TIME may be the only transportation option available to LEP riders. When asked the purpose of their trip, respondents indicated that they use TIME to get to work, school, and medical appointments, and for shopping trips, indicating that LEP riders are using TIME services for life-sustaining purposes.

Overall, the onboard and community surveys indicated that there are multiple non-English languages commonly spoken in Tulare, most notably Spanish and Portuguese. Census data reinforced this finding. However, Spanish speakers are most likely to depend on TIME and face language-related barriers to using the City's public transit services. Therefore, in terms of outreach, the City is committed to continue its efforts to address language-related barriers faced by the Spanish-speaking population, such as ensuring vital TIME documents are translated, and bilingual staff members are available as needed. Vital documents are those that demonstrate where and how to use TIME services, how to access services and

additional information, and information about TIME's Americans with Disabilities Act (ADA) services and Title VI program. Implementation for translating these vital documents is detailed within this LEP plan.

4. The resources available to the City of Tulare to provide adequate outreach to LEP populations to enable those populations to use the City's transit services, as well as the costs associated with that outreach.

To minimize the language barriers faced by the Spanish-speaking LEP population, and to fulfill the LEP requirements required under the Safe Harbor Provision, the City provides staff, written materials, and phone services in Spanish.

Currently, the City's transit program has eleven contracted employees (MV Transportation) that are fluent in Spanish as well as English, and one that is fluent in Portuguese and English. There are six full-time drivers who are fluent in Spanish. At least one is on duty during all service/operating hours. Bilingual staff is also available via phone to assist Spanish-speaking patrons with general customer service inquiries (559-685-2322 or 559-688-5706), and Spanish service information for TIME is available via the county-wide customer service line, the Green Line (1-877-40 GOGREEN). The City does not currently have a translation feature as part of its website, but transit information (which is presented as a link to a .pdf of the bilingual Tulare County Transit Guide) is available online. City staff is available to provide translation services at public hearings, as needed.

Supplementing the City's bilingual personnel are written translations of essential rider forms and service notice documents. Such documents include bus schedules (the Tulare County Transit Guide), all notices related to service changes/updates and public meetings/hearings, rider and community surveys, ADA application, and TIME's Title VI documents (notice to the public, complaint form/procedures, and notice regarding language assistance services).

Total cost figures for existing translation services are unavailable, though phone translation services cost approximately three dollars (\$3) per minute, and the translation of written materials costs approximately fourteen cents (14¢) per minute for Spanish. Oral translation is included within City staff and service contractor salaries. The Tulare County Transit Guide is published and paid for by TCAG through local contributions.

The *City of Tulare 2014 Short Range Transit Plan* recommended that 5% of TIME's overall operating budget be dedicated to marketing and outreach efforts. Some of these funds could be used for Spanish-language publications and radio spots, as needed.

Implementation Plan

Language Assistance Measures

The City of Tulare provides numerous language assistance services for LEP persons, including both oral and written measures.

- Provide bilingual staffing (both City transit and service contractor employees) to provide Spanish-speaking interpretation at the Transit Center, City Hall, via the TIME customer service phone lines, onboard TIME buses, and at City Council meetings;
- Provide all essential written material related to rider information in Spanish (including, but not limited to TIME schedules, public notices, ADA application and Title VI documents and procedures);
- Place statements in public notices that interpreter services are available at these public meetings;
- Develop relationships with local non-profit and community organizations, and public agencies that provide services to LEP individuals and seek opportunities to provide information about TIME services;
- Survey front-line transit staff (both City and service contractor employees) on an annual basis regarding their experiences with LEP individuals;
- Post and provide the TIME Title VI Policy and LEP Plan, Title VI Discrimination Complaint Forms and Instructions on the City's website, and at the Tulare Transit Center, www.tulare.ca.gov/departments/finance/transit;
- When an interpreter is needed, for a language other than Spanish, the City will utilize a professional interpreter service.

Providing Notice to LEP Persons

In order to ensure that LEP individuals are aware of the language assistance measures related to TIME, the City provides the following:

- Bilingual transit staff during most TIME service hours for in-person and phone assistance;
- TIME schedules (in the Tulare County Transit Guide) including Spanish translation;
- All vital TIME documents printed and posted in Spanish at the Tulare Transit Center, on the City's website (transit webpage), and on all TIME buses. Such notices may also be posted or announced with local stakeholders, community centers, and at transit stops/shelters.
- A notice of the right to free language assistance on important outreach documents, at the Tulare Transit Center, and on the City's website (transit webpage).

Staff LEP Training

The following training is provided to City of Tulare transit staff:

- Information on the City's TIME Title VI Program (including language assistance services) and the City's LEP responsibilities;
- How to document language assistance requests;
- How to assist TIME riders and the public in obtaining Title VI information, including how to file a complaint, and how to obtain translation services;
- How to handle a potential Title VI/LEP complaint.

The following training is provided to current service contractor (MV Transportation) staff:

- Annual "Sensitivity Training" that includes direction on how to manage non-English speaking persons.

Monitoring and Updating the LEP Plan

The City of Tulare will update this LEP plan as required by the DOT. At a minimum, the plan will be reviewed and updated every three years in conjunction with the City's Title VI submission, or when it is clear that higher concentrations of LEP individuals are present in the TIME service area, or as requested by the FTA or Caltrans. The City will monitor the LEP plan through the following techniques, and update the plan accordingly:

- Assign the day-to-day administration of the LEP program to the City Finance Director, and/or designated Title VI administrator ensuring compliance and correct implementation;
- Add a question to all transit surveys to assess respondent's English proficiency and primary spoken language;
- Maintain on-going communication with organizations and agencies serving LEP populations;
- Review demographic changes reported by the U.S. Census;
- Maintain internal monitoring of City and service contractor staff regarding their interaction with LEP persons;
- Determine whether TIME's financial resources are sufficient to fund needed language assistance resources.

Dissemination of the LEP Plan

A link to the City of Tulare/TIME Title VI Program (including the City's LEP Plan) is included on the City of Tulare website at:

www.tulare.ca.gov/departments/finance/transit

Alternatively, any person or agency may request a copy of the LEP plan via telephone, mail, or in person and shall be provided a copy of the plan at no cost. The City will provide translated copies of the LEP plan to LEP persons upon request, if feasible.

Any questions or comments regarding this LEP Plan should be directed to:

Title VI Administrator
City of Tulare
411 E. Kern Ave.
Tulare, CA 93274
Phone: (559) 684-4227

SECTION 5: PARTICIPATION TABLE

Table Depicting the Membership of Non-Elected Committees and Councils

The City of Tulare does not currently have any transit-related non-elected planning boards, advisory councils or committees. Therefore, the City does not monitor the racial makeup of said entities. These functions are conducted through TCAG's Social Services Transportation Advisory Council (SSTAC).

The City does convene a monthly meeting of the public on transit issues to garner feedback, receive concerns or complaints, and solicit responses to changes in schedules, routes and fees. Participants are also encouraged to provide feedback on drivers, administrators, service, etc. No information is collected on the race of participants at these meetings. An administrative recommendation of the *City of Tulare 2014 Short Range Transit Plan*, developed by Moore & Associates, Inc. was the formation of a Technical Advisory Committee (TAC) based on this monthly roundtable. If such a committee is formed, the City will need to monitor its racial makeup.

SECTION 6: EQUITY ANALYSIS

Title VI Equity Analysis

The City of Tulare has no current plans for constructing any new transit-related facilities (including storage and maintenance facilities, and operation centers). The City has not engaged in any construction of facilities in support of its public transit program since 2008. In light of the absence of construction, the City does not presently have an equity analysis to report.

SECTION 7: SYSTEM-WIDE STANDARDS & POLICIES

System-wide service standards (quantitative) and service policies (qualitative) are required of all fixed-route transit providers of public transportation that receive federal financial assistance. While TIME does operate within an Urbanized Area (UZA) of 200,000 people or more (the Visalia Urbanized Area), it operates less than 50 fixed-route vehicles in peak service, and is therefore not subject to any additional requirements contained within Chapter IV of the FTA Circular 4702.1B.

TIME Service Standards

Vehicle Load Standards

The average for all loads during the peak operating period should not exceed 1.25 passengers per seat (one standee for every four occupied bus seats).

Vehicle Type	Average Passenger Capacities			
	Seated	Standing	Total	Maximum Load Factor
25' Cutaway	16	4	20	1.25
33'-35' Transit Bus	30	7	37	1.25

Vehicle Headway Standards

Service headways should be such that passenger load standards are not exceeded on a continual basis. Current TIME headways are as follows:

TIME Local Routes

TIME operates six local fixed-routes Monday through Sunday during the following hours:

Monday – Friday	6:15 am to 9:15 pm
Saturday	8:15 am to 6:30 pm
Sunday	8:15 pm to 6:30 pm

Fixed-route service is provided every 30 minutes Monday through Saturday. Local service operates on 60-minute headways on Sunday.

TIME Intercity Route

TIME operates an express route (Route 11X) between Tulare and Visalia every 30 minutes with stops at College of the Sequoias (in Visalia) and the Visalia Transit Center. Service is provided Monday through Sunday during the following hours:

Monday – Friday	6:30 am to 9:30 pm
Saturday	8:30 am to 6:30 pm
Sunday	8:30 am to 6:30 pm

TIME Route 11X service is provided every 30 minutes Monday through Sunday during operating hours. Route 11X is jointly operated by the City of Tulare and the City of Visalia. Tulare operates trips that serve the Tulare Transit Center at the bottom of the hour while Visalia operates trips that serve the Tulare Transit Center at the top of the hour, resulting in 30-minute headways between each transit center.

On-time Performance Standards

Ninety (90%) percent of all fixed route revenue bus trips must complete their established runs no more than 5 minutes late and 0 minutes early in comparison to the published schedule.

Service Availability Standards

The local TIME system will be designed such that 85% of activity centers in Tulare will be within one-quarter (1/4) mile of the fixed route system.

TIME Service Policies

Vehicle Assignment Policy

TIME vehicles are assigned to routes based on the operating characteristics of the routes. Many of the TIME routes attract a greater number of riders, and as such require larger buses. Routes with lower ridership are assigned smaller vehicles to improve fuel efficiency. Given Tulare's strict standards with respect to maintenance, age does not serve as a viable proxy for diminished quality. All vehicles within the TIME fleet are lift-equipped, with heating and air conditioning.

Transit Amenities Policy

Transit amenity improvements are prioritized based on critical repairs, ADA compliance, passenger activity, and safety.

SECTION 8: COUNCIL RESOLUTION

See following page for resolution.

City of Tulare, California



Proclamation

RELAY FOR LIFE of TULARE

Whereas, Relay for Life is the American Cancer Society's nationwide signature event; and,

Whereas, while primarily a fund-raising event, Relay for Life's theme is to honor cancer survivors in each community, and remember and honor those who have lost their battle; and,

Whereas, teams of friends, business associates, students or family members join together for 24 hours and walk, jog, or run, one team member at a time; and,

Whereas, Relay for Life is a positive, inspirational, and emotionally engaging activity involving camaraderie, entertainment, food and games.

Now, therefore, I, Carlton Jones, Mayor of the City of Tulare, do hereby proclaim Saturday, October 14, 2017 and Sunday, October 15, 2017, as **Relay for Life of Tulare 2017** in this community and urge all citizens to honor survivors and remember those who have lost their battle to cancer.

Dated this 19th day of September, 2017.

Carlton Jones, Mayor

Maritsa Castellanoz, Vice Mayor

David Macedo, Council Member

Greg Nunley, Council Member

Jose Sigala, Council Member

AGENDA ITEM:

**CITY OF TULARE
AGENDA ITEM TRANSMITTAL SHEET**

Submitting Department: Economic and Community Development

For Council Meeting of: September 19, 2017

Documents Attached: Ordinance Resolution Staff Report Other None

AGENDA ITEM:

Public Hearing to adopt Resolution 17-__ adopting a Mitigated Negative Declaration for General Plan Amendment No. 2017-02 and Zone Amendment No 720 and adopt Resolution 17-__ to approve General Plan Amendment No. 2017-02 providing for a change in land use designation on approximately 19.5 acres, located on the east side of Mooney Boulevard approximately 1,700 feet north of Tulare Avenue, from Community Commercial and Medium Density Residential to Low Density Residential, and pass-to-print Ordinance 17-__ approving Zone Amendment No. 720, changing the existing zoning from the C-3 (Retail Commercial) and R-M-2 (Multi-Family Residential) zone districts to the R-1-6 (Single Family Residential, 6,000 square foot minimum lot size) zone district.

IS PUBLIC HEARING REQUIRED: Yes No

BACKGROUND/EXPLANATION:

Great Valley Land Builders, LLC, (Applicant) proposed to develop approximately 19.5 acres of property located on the east side of Mooney Boulevard between Tulare Avenue and Seminole Avenue. The project would develop an 88-lot single-family-residential subdivision (The Greens at Oak Creek).

The applicant proposes to amend the General Plan land use designations and the Zoning to allow for the subdivision and development of the 19.5 acre parcel (APNs 172-100-001, and 172-070-003). The General Plan Amendment is a request to change the land use designations from Community Commercial on the western half of the parcel, and Medium Density Residential on the eastern half of the parcel, to Low Density Residential on the entire parcel. The Zone Amendment is a request to change the existing zone districts from R-M-2 on the eastern half of the parcel, and C-3 on the western half of the parcel to the R-1-6 zone district on the entire parcel.

No opposition to the proposed project or associated amendments was received at the August 28, 2017, Planning Commission meeting. The Planning Commission voted to recommend that the City Council approve the General Plan Amendment and Zone Amendment.

STAFF RECOMMENDATION:

1. Adopt Resolution 17-__ approving a mitigated negative declaration for General Plan Amendment No. 17-02 and Zone Amendment No. 720.
2. Adopt Resolution 17-__ approving General Plan Amendment No. 17-02 providing for a change in the land use designation on 19.5 acres from the Community Commercial and Medium Density Residential (MDR, 7.1 to 14 units/acre) to Low Density Residential (LDR, 3.1 to 7 units/acre).
3. Pass-to-Print Ordinance 17-__ approving Zone Amendment No. 720, changing the zoning on 19.5 acres from the C-3 (Retail Commercial) and R-M-2 (Multi-Family Residential) zone districts to the R-1-6 (Single Family Residential, 6,000 square foot minimum lot size) zone district.

CITY ATTORNEY REVIEW/COMMENTS: Yes N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: Yes No N/A

FUNDING SOURCE/ACCOUNT NUMBER: N/A

Submitted by: Josh McDonnell

Title: Community & Economic
Development Director

Date: September 19, 2017

City Manager Approval: _____

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

August 28, 2017

**GENERAL PLAN AMENDMENT 2017-02
ZONE AMENDMENT NO. 720**

PROJECT PLANNER: Dawn E. Marple, Contract Planner

APPLICANT: Great Valley Land Builders, LLC

LOCATION: Property is approximately 19.5 acres located approximately 1,700 feet north of Tulare Avenue, east of Mooney Boulevard

APN: 172-100-001, 172-070-003

ZONING CLASSIFICATION: R-M-2 (Residential Multi-Family)
C-3 (Retail Commercial)
Project proposes a Zone Change to Single Family Residential (R-1-6)

GENERAL PLAN DESIGNATION: Community Commercial, Medium Density Residential (7.1 – 14 units/acre), *Project proposes a General Plan Amendment to Low Density Residential.*

SURROUNDING LAND USES AND ZONING:

North: Vacant; Multi-Family	R-M-2
South: Vacant; Community Commercial	C-4
West: Mooney Blvd; Single Family Residential	M-2
East: Residential Development; Single Family Residential	R-1-7

RELATED PROJECTS ON CURRENT AGENDA:

Subdivision Map: Averill Subdivision R.M. 3-22
Tentative Subdivision Map: The Greens at Oak Creek

REQUEST:

Request by Great Valley Land Builders, LLC., for approval of a General Plan Amendment and Zone Amendment on the approximately 19.5 acre parcel.

DETAILS OF THE PROPOSAL:

The applicant proposes to amend the General Plan land use designations and the Zoning to allow for the subdivision and development of one 19.5 acre parcel (APNs 172-100-001, and 172-070-003). The General Plan Amendment is a request to change the land use designations from Community Commercial on the western half of the parcel, and Medium Density Residential on the eastern half of the parcel, to Low Density Residential on the entire parcel. The Zone Amendment is a request to change the existing zone districts from R-M-2 on the eastern half of the parcel, and C-3 on the western half of the parcel to the R-1-6 zone district on the entire parcel.

General Plan Amendment:

From: Community Commercial and Medium Density Residential
To: Low Density Residential

Zone Amendment:

From: Retail Commercial (C-3) and Multi-Family (R-M-2)
To: Single Family Residential (R-1-6)

STAFF COMMENTS:

The property is currently vacant, with the exception of one rural residence, and is located directly east of Mooney Boulevard, approximately 1,700 feet north of Tulare Avenue. The project is proposed on an approximately 19.5 acre lot (APNs 172-100-001, and 172-070-003) and is currently zoned C-3 and R-M-2.

The City of Tulare General Plan (2035) density standard for Low Density Residential ranges from 3.1 to 7.0 dwelling units per acre. The proposed Tentative Subdivision Map illustrates a density of approximately 4.51 dwelling units per acre, which is within the required density range for the Low Density Residential land use designation. The proposed R-1-6 zone district development standards apply to the Tentative Subdivision Map as well as the design standards of the Subdivision Regulations. The minimum lot size for the R-1-6 zone district is 6,000 square feet. Front yard setbacks are a 20-foot minimum and side and rear yard setbacks are five feet, with the exception of corner lots, which have a 10-foot side yard minimum. The minimum lot dimensions required are as follows:

<i>District</i>	<i>Interior Lot Width</i>	<i>Corner Lot Width</i>	<i>All Lots Depth</i>
R-1-6	60 feet	70 feet	100 feet

Cul-de-sac lots shall have minimum street frontage of 40-feet, and shall have a minimum width as depicted in the table above, at a point along both side property lines, midway between the front and rear property lines.

No comments have been received by staff during the public comment period.

ENVIRONMENTAL:

On Monday, July 25, 2017, the Environmental Impact Review Committee recommended a Mitigated Negative Declaration for this project. The City of Tulare was the lead agency on the preparation of the Mitigated Negative Declaration. A notice of Public Hearing on General Plan Amendment 2017-02, Zone Amendment 720, Tentative Subdivision Map and Intent to Adopt the Mitigated Negative Declaration was published on August 5, 2017.

No comments have been received during the public review period.

Mitigation measures are set forth in the attached Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and incorporated herein as though fully set forth.

RECOMMENDED FINDINGS:

Staff recommends that the Planning Commission make the following findings with regards to General Plan Amendment 2017-02 and Zone Amendment No. 720:

Environmental:

- 1) That the Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act.
- 2) That the Planning Commission has considered the proposed Mitigated Negative Declaration and finds that there is no substantial evidence that the project will have a significant effect on the environment.
- 3) The Planning Commission finds that the proposed Mitigated Negative Declaration reflects the independent judgment of the lead agency.

General Plan Amendment 2017-02:

- 1) That the proposed amendment is in the public interest.
- 2) That the proposed amendment is consistent and compatible with the general plan and implementation programs which may be affected.
- 3) That the proposed amendment impacts have been adequately assessed and have not been determined to be detrimental to public health.
- 4) That the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).

Zone Amendment No. 720:

- 1) That the proposed action will promote the objectives of the Zoning Title as prescribed in Section 10.04.020 of the Tulare City Code.
- 2) That the proposed request will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 3) That the expected environmental impacts resulting from the proposed amendment will not have a significant impact on the environment.

RECOMMENDATIONS:

Based on the approved findings, staff recommends that General Plan Amendment 2017-02 and Zone Amendment No. 720 be approved subject to the following conditions:

- 1) Adopt a Mitigated Negative Declaration for General Plan Amendment 2017-02 and Zone Amendment No. 720.
- 2) Recommend to City Council to approval of General Plan Amendment 2017-02 providing for a change in land use designation on approximately 19.5 acres from Community Commercial and Medium Density Residential to Low Density Residential (LDR, 3.1 to 7 units/acre)
- 3) Recommend to City Council approval of Zone Amendment No. 720, changing the zoning on 19.5 acres from C-3 (Community Commercial) and R-M-2 (Multi-family residential, 3,750 sf lot area per unit) to R-1-6 (Single Family Residential, 6,000 sf minimum lot area)

Attachments:

- I. Project Vicinity Map
- II. Tentative Subdivision Map
- III. Engineering Comments
- IV. Fire Comments
- V. Caltrans Letter, dated May 9, 2017
- VI. IS/MND The Greens Tentative Subdivision Map
- VII. Resolution

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No. -

August 28, 2017

THE GREENS AT OAK CREEK – TENTATIVE SUBDIVISION MAP

PROJECT PLANNER: Dawn E. Marple, Contract Planner

APPLICANT: Great Valley Land Builders, LLC

ENGINEER: AW Engineering

LOCATION: Property is approximately 19.5 acres located approximately 1,700 feet north of Tulare Avenue, east of Mooney Boulevard

APN: 172-100-001, 172-070-003

ZONING CLASSIFICATION: RM-2 (Residential Multi-Family)
C-3 (Retail Commercial)
Project proposes a Zone Change to Single Family Residential (R-1-6)

GENERAL PLAN DESIGNATION: Community Commercial, Medium Density Residential (7.1 – 14 units/acre), *Project proposes a General Plan Amendment to Low Density Residential.*

SURROUNDING LAND USES AND ZONING:

North: Vacant; Multi-Family	R-M-2
South: Vacant; Community Commercial	C-4
West: Mooney Blvd; Single Family Residential	M-2
East: Residential Development; Single Family Residential	R-1-7

RELATED PROJECTS:
Averill Subdivision R.M. 3-22
Zone Amendment No. 720
General Plan Amendment No. 2017-02

REQUEST AND DETAILS OF THE PROPOSAL:

Request by Great Valley Land Builders, LLC., to subdivide 19.5 acres into an 88-lot single-family residential subdivision.

The Applicant proposes an 88-lot single-family residential subdivision of R-1-6 (Single Family Residential – 6,000 square foot minimum lot area) density in three phases:

Phase 1 (R-1-6, 6,000 sf min lot area)	33 lots
Phase 2 (R-1-6, 6,000 sf min lot area)	25 lots
Phase 3 (R-1-6, 6,000 sf min lot area)	<u>30 lots</u>
	88 lots

The property is currently vacant, with the exception of one rural residence, and is located directly east of Mooney Boulevard, approximately 1,700 feet north of Tulare Avenue. The project is proposed on an approximately 19.5 acre lot (APNs 172-100-001, and 172-070-003) located on the east side of Mooney Boulevard, north of Tulare Avenue and south of Seminole Avenue. The main entry access points to the development will be off of the future Aberdeen Street, and Muirfield Avenue. Aberdeen Street and the Muirfield Avenue connection will both be developed with Phase 1 of the subdivision map. A 10-foot block wall with landscaping will be installed along the western boundary of the project site, adjacent to Mooney Boulevard. Access to the site off the future Aberdeen Street, will feed off of Seminole Avenue from Mooney Boulevard. This will require the existing dedicated turn lane on north bound Mooney Boulevard to be lengthened to at least 580 feet. Backing lot treatment is also proposed along Mooney Boulevard. The backing lot treatment consists of a block wall with landscaping and will be maintained through a Landscape Maintenance District.

STAFF COMMENTS:

The proposed Tentative Subdivision Map has been reviewed in accordance with the § 8.24 – Subdivision Regulations of the City of Tulare Code of Ordinances. In addition, the proposed Tentative Subdivision Map is in compliance with the Subdivision Map Act. The applicant is also proposing a General Plan Amendment and a Zone Amendment to facilitate the proposed Tentative Subdivision Map. The General Plan Amendment proposes to change the land use designation from the medium density residential and community commercial land uses to low density residential land use. The Zone Amendment proposes to change the zoning designations from the R-M-2 (Multi-Family Residential, 3,000 square feet) and C-3 (Retail Commercial) zone districts to the R-1-6 (Single Family Residential, 6,000 square feet) zone district

The development standards of the R-1-6 zone district apply to the Tentative Subdivision Map as well as the design standards of the Subdivision Regulations. The minimum lot size for the R-1-6 zone district is 6,000 square feet. Front yard setbacks are a 20-foot minimum and side and rear yard setbacks are five feet, with the exception of corner lots, which have a 10-foot side yard minimum. The minimum lot dimensions required are as follows:

<i>District</i>	<i>Interior Lot Width</i>	<i>Corner Lot Width</i>	<i>All Lots Depth</i>
R-1-6	60 feet	70 feet	100 feet

Cul-de-sac lots shall have minimum street frontage of 40-feet, and shall have a minimum width as depicted in the table above, at a point along both side property lines, midway between the front and rear property lines.

According to § 8.24.440(2), key lots shall be avoided where possible and are subject to the approval of the Planning Commission or City Council. The Tentative Subdivision Map contains four key lots (lots 23, 59, 83, and 88). Key lots are defined by §8.24.130(K) as any lot placed in a block, facing a different direction and plotted more or less at right angles to the normal pattern for that block.

The Site Plan Review Committee reviewed this project with the applicant on May 17, 2017, and on June 21, 2017. In addition, the proposed project has been reviewed by the Public Works Director and City Engineer, who have determined that the proposed project will not have a significant impact on the existing water system. The water distribution system within the project site would be provided and maintained by the City. Sanitary sewer service, including wastewater treatments, will be provided to the project site by the City. Existing water mains are located along Muirfield Avenue, sewer mains are located along Seminole Avenue, the proposed Tentative Subdivision Map will provide connections to the existing water and sewer lines. The Tentative Subdivision Map will be required to construct a stormwater basin as shown on the map, north of the subdivision. Stormwater collection from the subdivision will be required to connect to the stormwater basin.

Electrical and gas service to the Project site would be provided by the Southern California Edison and the Gas Company. AT&T would provide telephone service and cable television service would be provided by Comcast. The Applicant will be required to extend the services to the project site.

A Mitigated Negative Declaration was prepared for this project for public review pursuant to provisions of the Public Resources Code, State of California, Section 210000 to 21177 of the California Environmental Quality Act (CEQA).

No comments have been received by staff during the public comment period.

ENVIRONMENTAL:

On Monday, July 25, 2017, the Environmental Impact Review Committee recommended a Mitigated Negative Declaration for this project. The City of Tulare was the lead agency on the preparation of the Mitigated Negative Declaration. A notice of Public Hearing on Zone Amendment 720, General Plan Amendment 2017-02, Tentative Subdivision Map and the Notice of Intent to Adopt the Mitigated Negative Declaration was published on August 5, 2017.

No comments have been received during the public review period.

Mitigation measures are set forth in the attached Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and incorporated herein as though fully set forth.

RECOMMENDED FINDINGS:

Staff recommends that the Planning Commission make the following findings with regards to The Greens at Oak Creek Tentative Subdivision Map:

Environmental:

- 1) That the Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act.
- 2) That the Planning Commission has considered the proposed Mitigated Negative Declaration and finds that there is no substantial evidence that the project will have a significant effect on the environment.
- 3) The Planning Commission finds that the proposed Mitigated Negative Declaration reflects the independent judgment of the lead agency.

Tentative Subdivision Map:

- 1) That the proposed subdivision map is consistent with applicable Tulare General Plan.
- 2) That the design or improvements of the proposed subdivision are consistent with the Tulare General Plan.
- 3) That the site is physically suitable for the type of development proposed.
- 4) That the site is physically suitable for the density of the development.
- 5) That the design of the subdivision or the type of improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.
- 6) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
- 7) That a Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act of 1970 and State CEQA Guidelines.
- 8) That the proposed subdivision map is consistent with the Tulare City Code.

RECOMMENDED CONDITIONS:

Based on the approved findings, staff recommends that The Greens at Oak Creek Tentative Subdivision Map, be approved subject to the following conditions:

- 1) Final subdivision map proposed to be recorded shall be in substantial conformance with the approved tentative map.
- 2) Applicant to comply with conditions as required by the Engineering/Public Works Department, Fire Department, and Recreation, Parks & Library Department.
- 3) Comply with the requirements outlined in the Caltrans letter dated, May 9, 2017.
- 4) Adequate permanent or temporary fire protection facilities as approved by the Fire Chief, shall be installed prior to the issuance of any building permits and prior to the storage of combustible materials on site.
- 5) Final acceptance of the tract shall be contingent upon the subdividers providing within and/or outside the tract, drainage disposal facilities, as required to receive drainage and dispose for drainage and storm waters from this tract. Said facilities shall be subject to the approval of the Public Works/Engineering Department.
- 6) Six-foot public utility easements shall be granted along all front yards as required for public utilities.
- 7) Final subdivision map shall depict all easements.
- 8) The applicant shall comply with the requirements of the Public Works Director and City Engineer regarding sewage disposal and water supply facilities.
- 9) All lots shall meet the provisions of the applicable zoning district.
- 10) Street names will be consistent with street names approved by the Street Naming Committee, and approved by the Community & Economic Development Director.
- 11) Applicant to record a "Right to Farm" notice on final map.
- 12) Applicant shall establish a landscape maintenance district prior to recordation of the final map. All landscape plans within the landscape maintenance district shall be consistent with city standards and approved by the Community & Economic Development Director and/or Community Services Director.

- 13) Applicant shall record a document notifying homeowners that the subject property is within a landscape maintenance district.
- 14) Applicant shall submit four copies of a landscape and irrigation plan consistent with the City's landscape ordinance.
- 15) A 10-foot block wall is required along the west boundary of the project site, adjacent to Mooney Boulevard. Final block wall design is subject to the Community & Economic Development Director approval.
- 16) Noise buffering in new development along major streets, highways, and railroad tracks is required.
- 17) Applicant shall record a note on final map indicating that all residential lots are subject to a landscape maintenance district pursuant to the Landscape and Lighting Act.
- 18) Applicant to comply with San Joaquin Valley Air Pollution Control District regulations regarding dust control during construction.
- 19) Applicant to comply with San Joaquin Valley Air Pollution Control District Rule 9510 for the final map.
- 20) Recording of the final map is subject to the approval of General Plan Amendment 2017-02 and Zone Amendment No. 720.
- 21) Applicant to comply with all conditions within the MND Mitigation Monitoring and Reporting Program per adopted Resolution 5248.
- 22) Applicant to provide and locate mailbox clusters as approved by the U.S. Postmaster, Tulare.
- 23) Any changes to phase lines or order of phasing is subject to approval from the Community & Economic Development Director and City Engineer.
- 24) The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of

Government Code Section 66020, the Owner/Developer will be legally barred from later changing such exactions.

- 25) Applicant to provide a retaining wall where ever adjacent lot grades exceed six inches.

APPEAL INFORMATION:

Decisions of the Planning and Building Director or Planning Commission may be appealed by filing a letter with the City Clerk no later than ten days after the day on which the decision was made. The appeal shall state the name of the person making the appeal, the decision that is being appealed and the reasons for the appeal, including an error, abuse of discretion or a decision that is not supported by the evidence in the record.

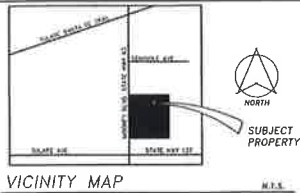
Attachments:

- I. Project Vicinity Map
- II. Tentative Subdivision Map
- III. Engineering Comments
- IV. Fire Comments
- V. Caltrans Letter, dated May 9, 2017
- VI. IS/MND The Greens Tentative Subdivision Map
- VII. Resolution 5248



EST. 1968
PROVOST & PRITCHARD
CONSULTING GROUP
An Employee Owned Company

 Project Site (APE)



LEGEND/NOTES:

- (E) EXISTING
- (P) PROPOSED
- T.B.R. TO BE REMOVED
- CONCRETE
- ASPHALT CONCRETE
- (P) STREET LIGHT
- (C) STREET LIGHT
- (P) FIRE HYDRANT
- (E) FIRE HYDRANT

EXIST. USE: VACANT/SFR
 PROPOSED USE: RESIDENTIAL
 SEWAGE DISPOSAL: CITY OF TULARE
 WATER SUPPLY: CITY OF TULARE
 STORM DRAINAGE: OFF SITE POND
 TOTAL LOTS: 88
 EXIST. ZONING: C-3 RETAIL COMMERCIAL AND R-14-2 RAIL-FAMILY
 PROPOSED ZONING: R-1-S SINGLE FAMILY
 GROSS TOTAL AREA: 19.88 ACRES
 LOT SIZE: 8,000 S.F. (MIN) / 14,466 S.F. (MAX) / 8,778 S.F. (AVG)
 FLOOD ZONE: X COMMUNITY PANEL 060107C1276E
 1. ALL EXISTING ON-SITE IRRIGATION PIPES SHALL BE CRUSHED AND REMOVED.

**THE GREENS AT OAK CREEK
 TENTATIVE SUBDIVISION**

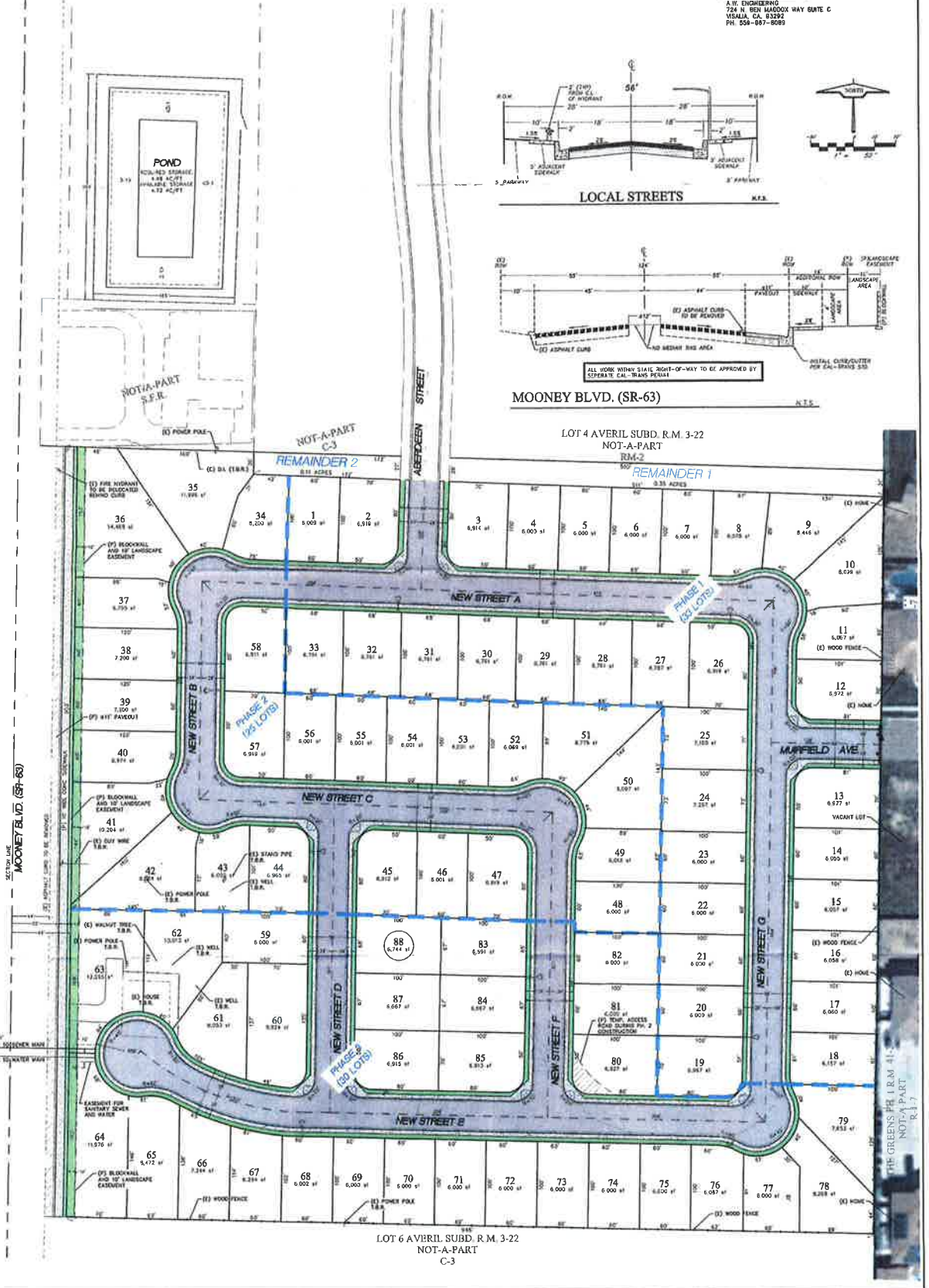
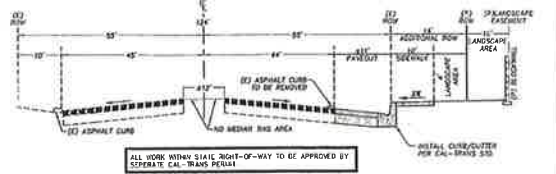
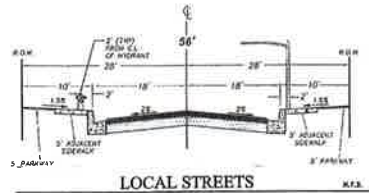
A DIVISION OF A PORTION OF THE NORTH 1/4 OF THE SW 1/4 SEC. 6, TOWNSHIP 20 SOUTH, RANGE 25 EAST, MOUNT Diablo BASE AND MERIDIAN, IN THE CITY OF TULARE, COUNTY OF TULARE, STATE OF CALIFORNIA 6/23/17

OWNER:

MOONEY PROPERTY'S LLC
 1809 WILLIAM
 TULARE, CA 93274
 559-798-8993

ENGINEER:

A.E. ENGINEERING
 728 N. 25th MARIQUO WAY SUITE C
 VISALIA, CA 93292
 PH 559-867-8069





INTEROFFICE MEMORANDUM

Engineering Department

Michael W. Miller, City Engineer

TO: Planning and Building Division
FROM: Engineering Division
SUBJECT: Engineering Considerations - Tentative Map of **The Greens at Oak Creek** Subdivision
LOCATION: East side of Mooney Blvd. (SR63) north of Tulare Avenue
SUBDIVIDER: Great Valley Land Builders, LLC
DATE: August 23, 2017

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

SOILS:

The Subdivider shall submit a preliminary soils report for structural foundation, which shall be prepared by a Registered Civil Engineer based upon adequate soil test borings. Said report shall be submitted to the City Engineer or Chief Building Official.

The Subdivider shall have the soils investigated and make recommendations as to the correct method of trench backfill for the soils encountered in the subdivision so as to assure 90% relative compaction between the select bedding around the pipe to within 2 feet of the subbase. The top 2 feet shall be compacted to 95% relative compaction. Compaction tests are required on all trenches. All soils testing shall be performed at the sole cost of the Subdivider. The Subdivider shall establish an account with a licensed and certified soil-testing firm acceptable to the City Engineer prior to the start of construction for compaction testing of trench backfill and fills. The City shall order and direct all compaction tests.

STREETS:

Street widths shall be as shown on approved tentative map, unless otherwise noted in Attachment "A."

R-Value tests shall be taken for the design of all pavement areas to be constructed by this project. The spacing of said R-Value tests shall not be more than 400 feet apart, per linear foot of paving.

The structural section of all streets shall be not less than the thicknesses shown in Item 1 of Attachment "A," except that a greater thickness may be required by soils test results and engineered structural section calculations. The design of the pavement structural section for streets shall be asphalt concrete over aggregate base materials.

All streets shall have the City standard cross section with curb, gutter and sidewalk.

All utility services shall be placed in the streets prior to paving.

Compaction tests are required on all street subgrades. All soil testing shall be performed at the sole cost of the Subdivider.

Knuckles and transition curves to knuckles shall have 50-foot radii.

The centerlines of all streets shall be the continuations of the centerlines of existing streets, or shall be offset at least two hundred (200) feet.

The centerline curve radius for roadway design shall be a minimum of 250 feet for local streets, 600 feet for collector streets, and 1,200 feet for arterial streets. Provision for a smaller radius shall be subject to the approval of the City Engineer.

Street monuments shall be installed at locations as required by the City Engineer.

Driveway widths and spacing shall conform to City Code requirements.

Side lines of all lots wherever practicable shall be at right angles or radials to the centerline of the street.

Property line radii are to be 20 feet at all street intersections.

The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For Landscape and Lighting Act District parcels, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

Turnarounds are required at all dead end streets, except where refuse pickup on lot frontages does not require the refuse collection vehicle to back up.

A barricade and a 2" x 8" rough redwood header shall be provided at dead end streets. As an option, an additional 1-foot of paving beyond the required limits of paving may be installed in lieu of a redwood header.

In conformance with Section 8.24.040 (A) 7 of the City of Tulare Municipal Code, "each street intersection shall be as near to a right angle as practicable."

If work by the Subdivider or his contractors render any existing City street to be in a condition unacceptable to the City Engineer, or his authorized representatives, said street must be restored to a condition as good as or better than before the development's construction activities began. Said repair work must be completed within 2 weeks of the damage having occurred, or in accordance with a schedule authorized by the City Engineer. Thenceforth, the Subdivider shall maintain the street in its repaired state for the duration of the development's construction activities.

The City shall reimburse the Subdivider for oversize street improvement costs, which are limited to those improvements included in the City's current development impact fee program. These include:

- Asphalt concrete and aggregate base material costs associated with arterial street pave-out widths greater than 20 feet (i.e., Subdivider is responsible for first 20 feet), and/or structural section thicknesses that exceed what would have been required for a collector standard roadway
- Modifications to the median island in Mooney Boulevard (State Route 63)
- Traffic signal improvements

All street improvements for which oversize reimbursement will be requested are subject to review and approval of costs by the City Engineer prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

UTILITY RELOCATIONS AND UNDERGROUNDING REQUIREMENTS:

The Subdivider shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed

underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the subdivision bonds.

SANITARY SEWERS:

Sanitary sewers shall be installed to City standards.

Sewer laterals shall be installed to the property lines of all lots before the streets are surfaced. Laterals shall be located 8 feet from the centerline of each lot, unless otherwise approved to accommodate driveway approach locations.

All sewer lines shall pass both mandrel and air pressure tests, and shall be subject to video inspection by the City. The cost of one video inspection of the Development's entire sewer line improvements shall be paid prior to recordation of the final map at the rate established at the time of recordation of the final map. The cost of any additional video inspections required shall be paid at the rate established at the time of inspection.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

STORM DRAINAGE:

The storm drain layout shall be designed to City standards.

All pipe sizes where necessary shall be adjusted to carry the design flow at the final design slope.

All gutter runs shall be limited to 1000 feet by installing pipe and storm water inlets.

The minimum fall around curb returns shall be 0.3 foot.

All storm drain lines shall be subject to video inspection by the City. The cost of one video inspection of the Development's entire storm drain line improvements shall be paid prior to recordation of the final map at the rate established at the time of recordation of the final map. The cost of any additional video inspections required shall be paid at the rate established at the time of inspection.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

FIRE HYDRANTS:

Fire hydrants are to be located as required by the Fire Chief and City Engineer.

EASEMENTS:

Easements will be required for all utilities outside of dedicated rights-of-way. Six-foot Public Utility Easements will be required along all street frontages.

The Subdivider shall submit to the City of Tulare a title report for areas outside of the parcel to be developed where easements are to be dedicated for City utilities.

WATER SUPPLY:

Water mains shall be installed to City standards.

Water services shall be installed to the property line of all lots before the streets are surfaced. Services shall be located either 8 feet from the centerline of each lot or 2 feet from property line. The minimum horizontal distance between water services and sewer laterals shall be 10 feet.

The Engineer shall propose locations for water services that will accommodate ultimate driveway approach locations.

Individual 1" polyethylene water services with meter boxes and meter idlers per City standards shall be installed to all single-family residential lots.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Subdivider.

STREET NAMES:

Street names shall be approved by the Director of Planning and Building.

Street name sign posts shall be installed at each intersection as required by the City Traffic Engineer, and the Subdivider shall pay for the new street name signs and mounting hardware prior to recordation of the final map, at the rate established at the time of recordation of the final map. Actual installation of the street name signs shall be completed by City personnel at such time that the development reaches a sufficient state of completion.

TRAFFIC SIGNS:

Types, sizes and locations of traffic signs shall be as required by the City Traffic Engineer and City standards.

PAVEMENT DELINEATION:

The Subdivider shall install traffic striping, pavement markers, and pavement markings as required by the City Traffic Engineer.

STREET LIGHTS AND ELECTRICAL SERVICE:

The Subdivider must make provisions for the underground installation of electrical services and street lighting. Pole type shall be marbelite. Fixture type shall be LED unless otherwise approved by City Engineer. Design of the street lighting system shall comply with applicable City standards, and shall be subject to the approval of the City Engineer. Subdivider shall provide the City Engineer with an AutoCAD drawing file used as the basis of street light layout. The cost of the systems shall be included in the subdivision bonds.

GAS SERVICE:

The Subdivider must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.

PRIVATE IRRIGATION PIPELINES:

Existing private irrigation pipelines will need to be removed within street right of ways.

IRRIGATION CANALS:

Other than TID's Main Canal, if any portion of an existing irrigation canal (including ditch banks and maintenance access roads) falls within the development, said ditch shall be piped, relocated, or abandoned and shall be so designated on the plan drawings. The proposed method of piping shall be shown on one of the master plans, if full piping does not occur within the first phase. Alternatively, irrigation canals may be incorporated into a landscaped trail if approved by the City of Tulare and the affected irrigation district. The TID Main Canal can be left open, with the installation of fencing and an adjacent 25' alley or multi-use trail, as approved by the City and TID.

TELEPHONE/CABLE:

The Subdivider must make provisions for the installation of underground telephone and cable service.

EXISTING STRUCTURES:

Any existing structures within the subdivision boundary shall be removed.

WELLS:

Any existing wells on the site shall be abandoned and sealed in accordance with City standards.

ELEVATIONS:

Any elevations shall be based on the official City of Tulare datum.

GENERAL CONDITIONS:

All design and construction shall be in accordance with all applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering considerations are intended to deal with major issues apparent to this office while reviewing this tentative map. Nothing in these conditions precludes our office from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.

ADDITIONAL REQUIREMENTS:

Submit closures and tabulation of areas (square feet) of all lots within the subdivision. A blue line area shall also be submitted.

Provide the City of Tulare with three (3) prints of the final map of the subdivision, and three (3) prints of the improvement drawings for final checking.

Following approval of the final map, provide the City of Tulare with an electronic copy.

Following approval of the improvement drawings, provide the City of Tulare with one reproducible copy, four (4) prints and an electronic copy. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements. The reproducible copy of the improvement plans shall be on high-quality mylar.

Submit to the City of Tulare a title report for the parcel(s) to be developed.

The Subdivider's engineer will be required to certify in writing that all lot grading has been performed in accordance with the approved lot-grading plan prior to issuance of any building permits.

Prior to constructing any improvement that involves City reimbursements, the Subdivider shall submit to the City copies of their contractor's bid prices to be reviewed and approved by the City Engineer. If the Subdivider fails to obtain approval of reimbursable costs before the start of construction, the City reserves the right to reduce the reimbursable cost if deemed excessive by the City Engineer.

Prior to the start of construction, a meeting will be called by the City Engineer with the Subdivider, Contractor and all concerned including utility companies to coordinate and schedule work in order to avoid all possible delays due to conflicts of operation and to guarantee that all City requirements are met. The Contractor shall perform no construction in the field until after this meeting.

This project involves construction activity including clearing, grading and excavation which may require your filing a Notice of Intent with the State Water Resources Control Board under the General Permit to discharge storm water associated with construction activity, the preparation of a storm water pollution prevention plan, and monitoring program.

Approved By: Michael W. Miller, City Engineer

ATTACHMENT "A"

The engineering considerations checked below shall be made a condition of approval of the subject subdivision.

- 1) Roadway design criteria shall be as indicated below. Structural section design shall be based upon the indicated traffic index:

	Roadway	Classification	Traffic Index	Sidewalk Width	Sidewalk Configuration
a)	Mooney Blvd. (SR63)	Per State	Per State	10 ft	Adjacent
b)	Local Streets	-	-	5 ft	Adjacent

- The Subdivider shall be responsible for the following minimum Arterial improvements:
- Improvements to Mooney Blvd. (State Route 63) per Caltrans requirements.
- The Subdivider shall be responsible for the following minimum improvements along existing non-arterial streets adjacent to this development:
- Full paveout, from lip of gutter to the existing edge of pavement
 - Reconstruction of the following portions of existing pavement:
 - Rehabilitation of the following portions of existing pavement, by methods approved by the City Engineer
 - Other: Connection to existing Muirfield Avenue and Aberdeen Street
- 2) A master plan for street layout for the entire development shall be submitted for approval prior to approval of any portion thereof.
- 3) Backing lot treatment and formation of an assessment district for maintenance of block walls and landscaping improvements shall apply to the following frontages: Mooney Blvd. (State Route 63).
- 4) Waiver of direct access rights shall be provided as follows: Mooney Blvd. (State Route 63).
- 5) The development shall incorporate the following traffic calming measures: _____.
- 6) The development shall incorporate the following bicycle/pedestrian facilities: _____.
- 7) The development shall incorporate City standard bus turnout(s) at the following location(s): _____.
- 8) A Transportation Impact Study (TIS) identifying the project impacts and proposed mitigation measures shall be submitted to both the City and the Tulare County Association of Governments (TCAG) for review, and shall be subject to the approval of the City Engineer. The TIS shall conform to current CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. The TIS shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating the project's impact to existing roadway facilities, the TIS shall utilize the current transportation modeling forecasts provided by TCAG, and shall specifically address the project impacts and any appropriate mitigations to the following facilities: Intersection of Seminole Avenue and Mooney Blvd. (State Route 63).
- 9) The Subdivider shall submit a plan for landscaping/street trees and irrigation along streets with backing lot treatment to be approved by the Director of Parks and Community Services.
- 10) The sanitary sewer alignments shall be 6 feet north and/or east of street centerline, unless other alignments are approved by the City Engineer, or as follows: _____.
- 11) A master plan for sanitary sewer for the entire development shall be submitted for approval prior to approval of any portion of the system.

- 12) A master plan for storm drainage for the entire development shall be submitted for approval prior to approval of any portion of the system.
- 13) The storm drain alignments shall be 11 feet south and/or west of centerline unless other alignments are approved by the City Engineer, or as follows: _____.
- 14) The water main alignments shall be 6 feet south and/or west of street centerline, unless other alignments are approved by the City Engineer, or as follows: _____.
- 15) A master plan for water for the entire development shall be submitted for approval prior to approval of any portion of the system.
- 16) Individual water services (1 ½" minimum) with meter boxes shall be installed to all R-M-2 lots.
- 17) A water sampling station shall be installed as follows: _____.
- 18) Miscellaneous Comments:

An assessment district in conformance with the Landscaping and Lighting Act of 1972 shall be formed to provide funding for the maintenance and servicing of landscaping improvements, sidewalks, and fences/block walls within common lot areas (including areas of backing lot treatment), and for street maintenance on local streets within the project boundaries. Where feasible, the District should be set up to include adjacent areas of future development to take advantage of the operational efficiencies that result from a single district, thereby realizing cost savings to the assessed properties.

ATTACHMENT "B"

The Subdivider shall pay to the City at the time of approval of the final map all applicable fees, including, but not limited to, those checked below:

Benefit Districts

- 1) Sewer front foot charges: \$ 25.00 per front foot for frontages on _____.
- 2) Sewer Lift Station Fee of \$ _____ per acre.
- 3) Water front foot charges: \$ 17.50 per front foot for frontages on _____.
- 4) Street front foot charges: \$ _____ per front foot for frontages on _____.
- 5) Benefit District Creation Fee (if applicable): \$ 1,008.19 per district.
- 6) Other: _____

Special In-Lieu Fees

- 6) Traffic Signals Fee: \$ _____.
- 7) TID Ditch Piping Fee: \$ _____.
- 8) Sewer Main Fee: \$ _____.
- 9) Water Main Fee: \$ _____.
- 10) Street Fee: \$ _____.
- 11) Other Fees: \$ _____.

Plan Check, Inspection, and Impact Fees

- 12) Engineering Inspection Fee to be based on a percentage of the estimated cost of construction.
- 13) Development Impact Fees to be paid with Building Permit.
- 14) Engineering Plan Review Fee to be paid at time of submittal.
- 15) Final Map Plan Check Fee to be paid at time of submittal.

All fees shall be based on the current fee schedule in effect at the time of recordation of the final map.

**TULARE FIRE DEPARTMENT
FIRE PREVENTION BUREAU**

The Fire Prevention Bureau conveys the following *updated* comments for Tentative Subdivision Map 2017-07,
GPA 2017-02, ZA 720, LMD 2017-01:

1. The project must comply with all of the latest applicable codes and standards.
2. When any portion of the facility or building to be protected is more than 400 feet from an existing hydrant, on a fire apparatus access road as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains **shall** be provided where required by the fire code official.
3. Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required. Fire hydrant spacing shall be as follows:
 - a. **Commercial development**, one hydrant shall be installed at **300-foot** intervals.
 - b. **Residential development**, one hydrant shall be installed at **500-foot** intervals.

Or as required by Appendix C California Fire Code.

4. An approved water supply for fire protection **shall** be made available prior to combustible materials arriving on the site.
5. An approved fire apparatus access roads shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20' wide and have a minimum height clearance of 13'6"
6. All roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities and comply with CFC 2010 Section D102.1
7. Additional access may be required per CFC 2013 Chapter 5. The Fire Code Official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Areas identified as "Fire Lanes" must be identified as such per requirements set forth in the California Vehicle Code.
 - a. *The street configuration for phase one is approved as submitted. Phase two of the development will require the connection of the phase one roads so as not to impede emergency vehicle circulation.*
8. All dead-end access roads in excess of 150 feet must be provided with an approved turn-around complying with City standards.

Respectfully Submitted.

Ryan Leonardo
Fire Inspector III
June 19, 2017

DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 445-5868
FAX (559) 488-4088
TTY 711
www.dot.ca.gov



*Making Conservation a
California way of life.*

May 9, 2017

06-TUL-63-0.28
2135-IGR/CEQA
PRELIMINARY REVIEW
GREENS AT OAK CREEK
TENTATIVE SUBDIVISION

Ms. Amy M. Wilson
Contract Planning Technician
City of Tulare
411 East Kern Street
Tulare, CA 93274

Dear Ms. Wilson:

Thank you for the opportunity to provide a preliminary review of a Tentative Subdivision proposing 88 lots for single family development. The 19.5 acre site is located on the east side of State Route (SR) 63, approximately 1,100 feet north of SR 137 (Tulare Ave).

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development -Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the *following comments* consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. Alternative transportation policies should be applied to the development. An assessment of multi-modal facilities should be conducted. This assessment should be used to develop an integrated multi-modal transportation system to serve and help alleviate traffic congestion caused by the project and related development in this area of the City. The assessment should include the following:
 - a. Pedestrian walkways should link this subdivision to an internal project area walkways, transit facilities, as well as other walkways in the surrounding area.
 - b. The consideration of bicycles as an alternative mode of transportation needs more attention. The project should offer internal amenities to encourage bicycle use. These include parking, security, and/or lockers. However, internal bicycle paths should be

coordinated with local and regional pathways to further encourage the use of bicycles for commuter and recreational purposes.

- c. If transit is not available within ¼-mile of the site, transit should be extended to provide services within the vicinity of the project.
2. Based on the site plan, the project has no direct access to the State Highway System. The project has two indirect access points via the intersection of SR 63 at Seminole Avenue and via the intersection of SR 137 at Hazeltine Street.
3. The project is required to construct highway frontage improvements including: curb, gutter, and sidewalks. Please refer to the development north of Seminole Avenue for the sidewalk width.
4. A minimum of a 6-foot sidewalk (10- foot preferred), measured from the back of the curb is required.
5. All curb, gutter and sidewalk, and curb ramps need to meet current ADA standards or other applicable State or Federal accessibility and safety requirements.
6. Any portion of the sidewalk or any landscaping that is within the State Right of Way shall be maintained per a "District 6" approved maintenance agreement.
7. The project is required to construct a raised median along SR 63 throughout the project's frontage.
8. To accommodate the additional vehicle trips, the existing dedicated right turn lane on northbound SR 63 to eastbound Seminole Avenue should be lengthened to at least 580 feet.
9. According to our Transportation Concept Report (TCR), this segment of SR 63 in the vicinity of the proposed project is planned to be a 6-lane conventional highway within 138 feet of right of way (69 feet from the centerline). Caltrans right-of-way maps shows this segment existing at 110 feet (55 feet from the centerline). An irrevocable offer of dedication to Caltrans of 14 feet of right-of-way is needed to accommodate the ultimate configuration of SR 63. Dedications required by the Lead Agency need to be shown on a revised site plan and forwarded for our review. A summary of the requirements for right-of-way dedications is enclosed.
10. An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State highway rights-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is

Ms. Amy M. Wilson – Greens at Oak Creek Subdivision
May 9, 2017
Page 3

issued. The Streets and Highways Code Section 670 provides Caltrans discretionary approval authority for projects that encroach on the State Highway System. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, "Time Limitations." Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.

11. Dust control measures shall be implemented on the site in a manner to prevent dust from entering the State right-of-way.
12. No water from the proposed project shall flow into the State right-of-way without approval from the District Hydraulic Engineer.

If you have any other questions, please call David Deel, Associate Transportation Planner at (559) 488-7396.

Sincerely,



MICHAEL NAVARRO, Chief
Planning North Branch

Enclosure

DEPARTMENT OF TRANSPORTATION
CENTRAL REGION SOUTHEAST SURVEYS
RELINQUISHMENTS, VACATIONS, and DEDICATIONS
855 "M" STREET
SUITE 200
FRESNO, CA. 93721
ATTN: Kuldeep Brar
PHONE (559) 445-6573
FAX (559) 445-6560
E-mail: kuldeep_brar@dot.ca.gov



*Flex your power!
Be energy efficient!*

CALTRANS DISTRICT 6 **CENTRAL REGION SOUTHEAST SURVEYS OFFICE**

REQUIRED INFORMATION FOR R/W DEDICATIONS

1. A Copy of the vesting deed(s) for the subject property (or a copy of the Title Report, if you have one).
2. Copy of the Assessor's Map.
3. Assessor's Parcel Number (APN) of the property.
4. State whether the property is within city limits or in an unincorporated area.
5. If the property is a lot of a Tract or a parcel of a Parcel Map, provide a copy of the recorded map(s).
6. Provide copies of any record map or deed cited in the documents provided.
7. A Legal description of the dedication parcel signed and sealed by a Licensed Professional Land Surveyor or a Civil Engineer registered prior to 1982 on 8 1/2" X 11" paper. Label EXHIBIT "A" at the top of the legal description (see attached sample legal).
8. A Plat showing pertinent survey data, such as basis of bearings, bearings, distances, and curve data, where applicable, and the area of the dedication parcel on 8 1/2" X 11" or 11" X 17" paper. If the parcel is located in unsubdivided land, show ties to the nearest two section corners and/or quarter-section corners (see attached sample plat).
9. A Copy of the traverse calculations for the dedication parcel to include error of closure and area.

(continued)

10. A Copy of the **CONDITIONS OF APPROVAL** by the local agency (City/County) for the Parcel Map, Tract Map, or development plans describing the location and amount of right-of-way to be dedicated.
11. Any requirements from **CALTRANS PERMITS** or **CALTRANS PLANNING** describing the location and amount of right-of-way to be dedicated.

NOTE:

If any of the above listed items are not submitted, it will either cause a delay or halt in the Dedication process.

If there are any questions, please contact Kuldeep Brar, Caltrans Surveys Department, at 559-445-6573.

Mail packet of information to:

DEPARTMENT OF TRANSPORTATION
CENTRAL REGION SOUTHEAST SURVEYS
855 "M" STREET
SUITE 200
FRESNO, CA. 93721

ATTN: Kuldeep Brar

Rev. 1/25/11

RESOLUTION NO. 5245

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR
GENERAL PLAN AMENDMENT NO. 2017-02/ ZONE AMENDMENT NO. 720 AND
TENTATIVE SUBDIVISION MAP 2017-07- THE GREENS AT OAK CREEK**

WHEREAS, the City of Tulare Planning Commission held a regular meeting on August 28, 2017 to consider a request by Great Valley Land Builders, LLC to construct an 88-lot single family residential subdivision on 19.5 acres of vacant land, change the land use designations from Community Commercial on the western half of the parcel, and Medium Density Residential on the eastern half of the parcel, to Low Density Residential on the entire parcel and the Zone Amendment is to change the existing zone districts from R-M-2 on the eastern half of the parcel and C-3 on the western half of the parcel to R-1-6 zone district on the entire parcel. The project is located approximately 1,700 feet north of Tulare Avenue, east of Mooney Boulevard (APNs 172-100-001, 172-070-003); and

WHEREAS, an Initial Study was prepared and found that although the proposed project could have a significant effect on the environment, there will not be a significant environmental impact with mitigation measures incorporated; and

WHEREAS, the City of Tulare Planning Commission determined that a Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act; and,

WHEREAS, the City of Tulare Planning Commission considered the proposed Mitigated Negative Declaration and finds that there is no substantial evidence that the project will have a significant effect on the environment with mitigation measures incorporated; and,

WHEREAS, the City of Tulare Planning Commission determined that the proposed Mitigated Negative Declaration reflects the independent judgment of the lead agency; and,

NOW, THEREFORE, BE IT RESOLVED that the Mitigated Negative Declaration for General Plan Amendment No. 2017-02, Zone Amendment No. 720 and Tentative Subdivision Map 2017-07- The Greens at Oak Creek is hereby recommended to the City Council for adoption.

The IS/Mitigation Negative Declaration is attached hereto as Exhibit “A” and incorporated as fully set forth.

PASSED, APPROVED AND ADOPTED this twenty-eighth day of August, 2017 by the following recorded vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

JEFF KILLION, CHAIRMAN
City of Tulare Planning Commission

ATTEST:

JOSH MCDONNELL, SECRETARY
City of Tulare Planning Commission

RESOLUTION NO. 5246

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION
RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 2017-02**

WHEREAS, the City of Tulare Planning Commission at a regular meeting on August 28, 2017 considered a request by Great Valley Land Builders, LLC to amend the General Plan to change the land use designations from Community Commercial on the western half of the parcel, and Medium Density Residential on the eastern half of the parcel, to Low Density Residential on the entire parcel. The project is located approximately 1,700 feet north of Tulare Avenue, east of Mooney Boulevard (APNs 172-100-001, 172-070-003); and,

WHEREAS, the City of Tulare Planning Commission determined that the proposed amendment is in the public interest; and,

WHEREAS, the City of Tulare Planning Commission determined that the proposed amendment is consistent and compatible with the general plan and implementation programs which may be affected; and,

WHEREAS, an Initial Study was prepared and found that although the proposed project could have a significant effect on the environment, there will not be a significant environmental impact with mitigation measures incorporated; and

NOW, THEREFORE, BE IT RESOLVED that the City of Tulare Planning Commission determined that the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and,

BE IT FURTHER RESOLVED that the City of Tulare Planning Commission recommends that the City Council concur that although the proposed project could have a significant effect on the environment, there will not be a significant environmental impact with mitigation measures incorporated; and

BE IT FURTHER RESOLVED that General Plan Amendment No. 2017-02 is hereby recommended to the City Council for adoption.

PASSED, APPROVED AND ADOPTED this twenty-eighth day of **August, 2017**, by the following recorded vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

JEFF KILLION, CHAIRMAN
City of Tulare Planning Commission

ATTEST:

JOSH MCDONNELL, SECRETARY
City of Tulare Planning Commission

RESOLUTION NO. 5247

**A RESOLUTION OF THE CITY OF TULARE PLANNING
COMMISSION RECOMMENDING APPROVAL OF ZONE AMENDMENT NO.
720 TO THE CITY COUNCIL FOR ADOPTION**

WHEREAS, the City of Tulare Planning Commission at a regular meeting held on August 28, 2017 considered a request by Great Valley Land Builders, LLC to change the existing zone districts from R-M-2 on the eastern half of the parcel, and C-3 on the western half of the parcel to the R-1-6 zone district on the entire parcel. The project is located approximately 1,700 feet north of Tulare Avenue, east of Mooney Boulevard (APNs 172-100-001, 172-070-003); and

WHEREAS, the City of Tulare Planning Commission determined that the proposed amendment is in the public interest; and,

WHEREAS, the City of Tulare Planning Commission determined the proposed action will promote the goals and objectives of the Zoning Title as prescribed in Section 10.04.020 of the Tulare City Code; and,

WHEREAS, the City of Tulare Planning Commission determined that the proposed request will not be detrimental to the public health, safety, and welfare or be materially injurious to properties or improvements in the vicinity; and,

WHEREAS, an Initial Study was prepared and found that although the proposed project could have a significant effect on the environment, there will not be a significant environmental impact with mitigation measures incorporated; and

NOW, THEREFORE, BE IT RESOLVED by the City of Tulare Planning Commission that Zone Amendment Application No. 720 is hereby recommended to the City Council for adoption.

PASSED, APPROVED AND ADOPTED this twenty-eighth day of August, 2017 by the following recorded vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

JEFF KILLION, CHAIRMAN
City of Tulare Planning Commission

ATTEST:

JOSH MCDONNELL, SECRETARY
City of Tulare Planning Commission

RESOLUTION NO. 5248

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION
APPROVING TENTATIVE SUBDIVISION MAP 2017-07-
THE GREENS AT OAK CREEK**

WHEREAS, the City of Tulare Planning Commission held a regular meeting on August 28, 2017 to consider a request by Great Valley Land Builders, LLC to subdivide 19.5 acres into an 88-lot single family residential subdivision on property located approximately 1,700 feet north of Tulare Avenue, east of Mooney Boulevard (APN 172-100-001, 172-070-003); and

WHEREAS, the City of Tulare Planning Commission determined that the proposed subdivision map is consistent with applicable Tulare General Plan; and,

WHEREAS, the City of Tulare Planning Commission determined that the design or improvements of the proposed subdivision are consistent with the Tulare General Plan; and,

WHEREAS, the City of Tulare Planning Commission determined that the site is physically suitable for the type of development proposed; and,

WHEREAS, the City of Tulare Planning Commission determined that the site is physically suitable for the proposed density of the development; and

WHEREAS, the City of Tulare Planning Commission determined that the design of the subdivision or the type of improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat; and,

WHEREAS, the City of Tulare Planning Commission determined that the design of the proposed subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision; and,

NOW, THEREFORE, BE IT RESOLVED, the City of Tulare Planning Commission determined that a Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act of 1970 and State CEQA Guidelines; and,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission of the City of Tulare makes the following specific findings based on the evidence presented:

1. That the proposed location of the Tentative Subdivision Map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed location of the Tentative Subdivision Map and the conditions under which it would be built or maintained will not be detrimental to the public health, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the proposed Tentative Subdivision Map will be in keeping with existing and future land uses on the site.
4. That an Initial Study was prepared for the project, which disclosed that environmental impacts are determined to be not significant, with mitigation, and that the Mitigated Negative Declaration is hereby adopted (Resolution 5245).

BE IT FURTHER RESOLVED, that the Planning Commission hereby approves Tentative Subdivision Map 2017-07, subject to the following:

- 1) Final subdivision map proposed to be recorded shall be in substantial conformance with the approved tentative map.
- 2) Applicant to comply with conditions as required by the Engineering/Public Works Department, Fire Department, and Recreation, Parks & Library Department.
- 3) Comply with the requirements outlined in the Caltrans letter dated, May 9, 2017.
- 4) Adequate permanent or temporary fire protection facilities as approved by the Fire Chief, shall be installed prior to the issuance of any building permits and prior to the storage of combustible materials on site.
- 5) Final acceptance of the tract shall be contingent upon the subdivider's providing within and/or outside the tract, drainage disposal facilities, as required to receive drainage and dispose for drainage and storm waters from this tract. Said facilities shall be subject to the approval of the Public Works/Engineering Department.
- 6) Six-foot public utility easements shall be granted along all front yards as required for public utilities.
- 7) Final subdivision map shall depict all easements.
- 8) The applicant shall comply with the requirements of the Public Works Director and City Engineer regarding sewage disposal and water supply facilities.
- 9) All lots shall meet the provisions of the applicable zoning district.

- 10) Street names will be consistent with street names approved by the Street Naming Committee, and approved by the Economic & Community Development Director.
- 11) Applicant to record a "Right to Farm" notice on final map.
- 12) Applicant to establish a landscape maintenance district prior to recordation of the final map. All landscape plans within the landscape maintenance district shall be consistent with city standards and approved by the Economic & Community Development Director and/or Community Services Director.
- 13) Applicant shall submit four copies of a landscape and irrigation plan consistent with the City's landscape ordinance.
- 14) A 10-foot block wall is required along the west boundary of the project site, adjacent to Mooney Boulevard. Final block wall design is subject to the Economic & Community Development Director approval.
- 15) Noise buffering in new development along major streets, highways, and railroad tracks is required.
- 16) Applicant shall record a note on final map indicating that all residential lots are subject to a landscape maintenance district pursuant to the Landscape and Lighting Act.
- 17) Applicant to comply with San Joaquin Valley Air Pollution Control District regulations regarding dust control during construction.
- 18) Applicant to comply with San Joaquin Valley Air Pollution Control District Rule 9510 for the final map.
- 19) Recording of the final map is subject to the approval of General Plan Amendment 2017-02 and Zone Amendment No. 720.
- 20) Applicant to comply with all conditions within the MND Mitigation Monitoring and Reporting Program per adopted Resolution 5245.
- 21) Applicant to provide and locate mailbox clusters as approved by the U.S. Postmaster, Tulare.
- 22) Any changes to phase lines or order of phasing is subject to approval from the Community & Economic Development Director and City Engineer.
- 23) The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of

the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later changing such exactions.

- 24) Applicant to provide a retaining wall where ever adjacent lot grades exceed six inches.
- 25) All mitigation measures from the Mitigated Negative Declaration (Resolution 5245) are hereby incorporated as Conditions of Approval.

Engineering:

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

SOILS:

The Subdivider shall submit a preliminary soils report for structural foundation, which shall be prepared by a Registered Civil Engineer based upon adequate soil test borings. Said report shall be submitted to the City Engineer or Chief Building Official.

The Subdivider shall have the soils investigated and make recommendations as to the correct method of trench backfill for the soils encountered in the subdivision so as to assure 90% relative compaction between the select bedding around the pipe to within 2 feet of the subbase. The top 2 feet shall be compacted to 95% relative compaction. Compaction tests are required on all trenches. All soils testing shall be performed at the sole cost of the Subdivider. The Subdivider shall establish an account with a licensed and certified soil-testing firm acceptable to the City Engineer prior to the start of construction for compaction testing of trench backfill and fills. The City shall order and direct all compaction tests.

STREETS:

Street widths shall be as shown on approved tentative map, unless otherwise noted in Attachment "A."

R-Value tests shall be taken for the design of all pavement areas to be constructed by this project. The spacing of said R-Value tests shall not be more than 400 feet apart, per linear foot of paving.

The structural section of all streets shall be not less than the thicknesses shown in Item 1 of Attachment "A," except that a greater thickness may be required by soils test results and engineered structural section calculations. The design of the pavement structural section for streets shall be asphalt concrete over aggregate base materials.

All streets shall have the City standard cross section with curb, gutter and sidewalk.

All utility services shall be placed in the streets prior to paving.

Compaction tests are required on all street subgrades. All soil testing shall be performed at the sole cost of the Subdivider.

Knuckles and transition curves to knuckles shall have 50-foot radii.

The centerlines of all streets shall be the continuations of the centerlines of existing streets, or shall be offset at least two hundred (200) feet.

The centerline curve radius for roadway design shall be a minimum of 250 feet for local streets, 600 feet for collector streets, and 1,200 feet for arterial streets. Provision for a smaller radius shall be subject to the approval of the City Engineer.

Street monuments shall be installed at locations as required by the City Engineer.

Driveway widths and spacing shall conform to City Code requirements.

Side lines of all lots wherever practicable shall be at right angles or radials to the centerline of the street.

Property line radii are to be 20 feet at all street intersections.

The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For Landscape and Lighting Act District parcels, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

Turnarounds are required at all dead end streets, except where refuse pickup on lot frontages does not require the refuse collection vehicle to back up.

A barricade and a 2" x 8" rough redwood header shall be provided at dead end streets. As an option, an additional 1-foot of paving beyond the required limits of paving may be installed in lieu of a redwood header.

In conformance with Section 8.24.040 (A) 7 of the City of Tulare Municipal Code, "each street intersection shall be as near to a right angle as practicable."

If work by the Subdivider or his contractors render any existing City street to be in a condition unacceptable to the City Engineer, or his authorized representatives, said street must be restored to a condition as good as or better than before the development's construction activities began. Said repair work must be completed within 2 weeks of the damage having occurred, or in accordance with a schedule authorized by the City Engineer. Thenceforth, the Subdivider shall maintain the street in its repaired state for the duration of the development's construction activities.

The City shall reimburse the Subdivider for oversize street improvement costs, which are limited to those improvements included in the City's current development impact fee program. These include:

- Asphalt concrete and aggregate base material costs associated with arterial street pave-out widths greater than 20 feet (i.e., Subdivider is responsible for first 20 feet), and/or structural section thicknesses that exceed what would have been required for a collector standard roadway
- Modifications to the median island in Mooney Boulevard (State Route 63)
- Traffic signal improvements

All street improvements for which oversize reimbursement will be requested are subject to review and approval of costs by the City Engineer prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

UTILITY RELOCATIONS AND UNDERGROUNDING REQUIREMENTS:

The Subdivider shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the subdivision bonds.

SANITARY SEWERS:

Sanitary sewers shall be installed to City standards.

Sewer laterals shall be installed to the property lines of all lots before the streets are surfaced. Laterals shall be located 8 feet from the centerline of each lot, unless otherwise approved to accommodate driveway approach locations.

All sewer lines shall pass both mandrel and air pressure tests, and shall be subject to video inspection by the City. The cost of one video inspection of the Development's entire sewer line improvements shall be paid prior to recordation of the final map at the rate established at the time of recordation of the final map. The cost of any additional video inspections required shall be paid at the rate established at the time of inspection.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be

made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

STORM DRAINAGE:

The storm drain layout shall be designed to City standards.

All pipe sizes where necessary shall be adjusted to carry the design flow at the final design slope.

All gutter runs shall be limited to 1000 feet by installing pipe and storm water inlets.

The minimum fall around curb returns shall be 0.3 foot.

All storm drain lines shall be subject to video inspection by the City. The cost of one video inspection of the Development's entire storm drain line improvements shall be paid prior to recordation of the final map at the rate established at the time of recordation of the final map. The cost of any additional video inspections required shall be paid at the rate established at the time of inspection.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

FIRE HYDRANTS:

Fire hydrants are to be located as required by the Fire Chief and City Engineer.

EASEMENTS:

Easements will be required for all utilities outside of dedicated rights-of-way. Six-foot Public Utility Easements will be required along all street frontages.

The Subdivider shall submit to the City of Tulare a title report for areas outside of the parcel to be developed where easements are to be dedicated for City utilities.

WATER SUPPLY:

Water mains shall be installed to City standards.

Water services shall be installed to the property line of all lots before the streets are surfaced. Services shall be located either 8 feet from the centerline of each lot or 2 feet from property line. The minimum horizontal distance between water services and sewer laterals shall be 10 feet.

The Engineer shall propose locations for water services that will accommodate ultimate driveway approach locations.

Individual 1" polyethylene water services with meter boxes and meter idlers per City standards shall be installed to all single-family residential lots.

The City shall reimburse the Subdivider for oversize costs for any facilities designated "masterplan facilities" by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Subdivider.

STREET NAMES:

Street names shall be approved by the Director of Planning and Building.

Street name sign posts shall be installed at each intersection as required by the City Traffic Engineer, and the Subdivider shall pay for the new street name signs and mounting hardware prior to recordation of the final map, at the rate established at the time of recordation of the final map. Actual installation of the street name signs shall be completed by City personnel at such time that the development reaches a sufficient state of completion.

TRAFFIC SIGNS:

Types, sizes and locations of traffic signs shall be as required by the City Traffic Engineer and City standards.

PAVEMENT DELINEATION:

The Subdivider shall install traffic striping, pavement markers, and pavement markings as required by the City Traffic Engineer.

STREET LIGHTS AND ELECTRICAL SERVICE:

The Subdivider must make provisions for the underground installation of electrical services and street lighting. Pole type shall be marbelite. Fixture type shall be LED unless otherwise approved by City Engineer. Design of the street lighting system shall comply with applicable City standards, and shall be subject to the approval of the City Engineer. Subdivider shall provide the City Engineer with an AutoCAD drawing file used as the basis of street light layout. The cost of the systems shall be included in the subdivision bonds.

GAS SERVICE:

The Subdivider must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.

PRIVATE IRRIGATION PIPELINES:

Existing private irrigation pipelines will need to be removed within street right of ways.

IRRIGATION CANALS:

Other than TID's Main Canal, if any portion of an existing irrigation canal (including ditch banks and maintenance access roads) falls within the development, said ditch shall be piped, relocated, or abandoned and shall be so designated on the plan drawings. The proposed method of piping shall be shown on one of the master plans, if full piping does not occur within the first phase. Alternatively, irrigation canals may be incorporated into a landscaped trail if approved by the City of Tulare and the affected irrigation district. The TID Main Canal can be left open, with the installation of fencing and an adjacent 25' alley or multi-use trail, as approved by the City and TID.

TELEPHONE/CABLE:

The Subdivider must make provisions for the installation of underground telephone and cable service.

EXISTING STRUCTURES:

Any existing structures within the subdivision boundary shall be removed.

WELLS:

Any existing wells on the site shall be abandoned and sealed in accordance with City standards.

ELEVATIONS:

Any elevations shall be based on the official City of Tulare datum.

GENERAL CONDITIONS:

All design and construction shall be in accordance with all applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering considerations are intended to deal with major issues apparent to this office while reviewing this tentative map. Nothing in these conditions precludes our office from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.

ADDITIONAL REQUIREMENTS:

Submit closures and tabulation of areas (square feet) of all lots within the subdivision. A blue line area shall also be submitted.

Provide the City of Tulare with three (3) prints of the final map of the subdivision, and three (3) prints of the improvement drawings for final checking.

Following approval of the final map, provide the City of Tulare with an electronic copy.

Following approval of the improvement drawings, provide the City of Tulare with one reproducible copy, four (4) prints and an electronic copy. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements. The reproducible copy of the improvement plans shall be on high-quality mylar.

Submit to the City of Tulare a title report for the parcel(s) to be developed.

The Subdivider's engineer will be required to certify in writing that all lot grading has been performed in accordance with the approved lot-grading plan prior to issuance of any building permits.

Prior to constructing any improvement that involves City reimbursements, the Subdivider shall submit to the City copies of their contractor's bid prices to be reviewed and approved by the City Engineer. If the Subdivider fails to obtain approval of reimbursable costs before the start of construction, the City reserves the right to reduce the reimbursable cost if deemed excessive by the City Engineer.

Prior to the start of construction, a meeting will be called by the City Engineer with the Subdivider, Contractor and all concerned including utility companies to coordinate and schedule work in order to avoid all possible delays due to conflicts of operation and to guarantee that all City requirements are met. The Contractor shall perform no construction in the field until after this meeting.

This project involves construction activity including clearing, grading and excavation which may require your filing a Notice of Intent with the State Water Resources Control Board under the General Permit to discharge storm water associated with construction activity, the preparation of a storm water pollution prevention plan, and monitoring program.

ATTACHMENT "A"

The engineering considerations checked below shall be made a condition of approval of the subject subdivision.

- 1) Roadway design criteria shall be as indicated below. Structural section design shall be based upon the indicated traffic index:

	Roadway	Classification	Traffic Index	Sidewalk Width	Sidewalk Configuration
a)	Mooney Blvd. (SR63)	Per State	Per State	10 ft	Adjacent
b)	Local Streets	-	-	5 ft	Adjacent

- The Subdivider shall be responsible for the following minimum Arterial improvements:

- Improvements to Mooney Blvd. (State Route 63) per Caltrans requirements.

- The Subdivider shall be responsible for the following minimum improvements along existing non-arterial streets adjacent to this development:

- Full paveout, from lip of gutter to the existing edge of pavement
- Reconstruction of the following portions of existing pavement:
- Rehabilitation of the following portions of existing pavement, by methods approved by the City Engineer
- Other: Connection to existing Muirfield Avenue and Aberdeen Street

- 2) A master plan for street layout for the entire development shall be submitted for approval prior to approval of any portion thereof.

- 3) Backing lot treatment and formation of an assessment district for maintenance of block walls and landscaping improvements shall apply to the following frontages: Mooney Blvd. (State Route 63).

- 4) Waiver of direct access rights shall be provided as follows: Mooney Blvd. (State Route 63).

- 5) The development shall incorporate the following traffic calming measures: _____.

- 6) The development shall incorporate the following bicycle/pedestrian facilities: _____.

- 7) The development shall incorporate City standard bus turnout(s) at the following location(s): _____.

- 8) A Transportation Impact Study (TIS) identifying the project impacts and proposed mitigation measures shall be submitted to both the City and the Tulare County Association of Governments (TCAG) for review, and shall be subject to the approval of the City Engineer. The TIS shall conform to current CEQA “state of the practice” standards, the Caltrans “Guide For The Preparation of Traffic Impact Studies”, and City of Tulare General Plan requirements. The TIS shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating the project’s impact to existing roadway facilities, the TIS shall utilize the current transportation modeling forecasts provided by TCAG, and shall specifically address the project impacts and any appropriate mitigations to the following facilities: Intersection of Seminole Avenue and Mooney Blvd. (State Route 63).
- 9) The Subdivider shall submit a plan for landscaping/street trees and irrigation along streets with backing lot treatment to be approved by the Director of Parks and Community Services.
- 10) The sanitary sewer alignments shall be 6 feet north and/or east of street centerline, unless other alignments are approved by the City Engineer, or as follows: _____.
- 11) A master plan for sanitary sewer for the entire development shall be submitted for approval prior to approval of any portion of the system.
- 12) A master plan for storm drainage for the entire development shall be submitted for approval prior to approval of any portion of the system.
- 13) The storm drain alignments shall be 11 feet south and/or west of centerline unless other alignments are approved by the City Engineer, or as follows: _____.
- 14) The water main alignments shall be 6 feet south and/or west of street centerline, unless other alignments are approved by the City Engineer, or as follows: _____.
- 15) A master plan for water for the entire development shall be submitted for approval prior to approval of any portion of the system.
- 16) Individual water services (1 ½” minimum) with meter boxes shall be installed to all R-M-2 lots.
- 17) A water sampling station shall be installed as follows: _____.
- 18) Miscellaneous Comments:
An assessment district in conformance with the Landscaping and Lighting Act of 1972 shall be formed to provide funding for the maintenance and servicing of landscaping improvements, sidewalks, and fences/block walls within common lot areas (including areas of backing lot treatment), and for street maintenance on local streets within the project boundaries. Where feasible, the District should be set up to include adjacent areas of future development to take advantage of the operational efficiencies that result from a single district, thereby realizing cost savings to the assessed properties.

ATTACHMENT "B"

The Subdivider shall pay to the City at the time of approval of the final map all applicable fees, including, but not limited to, those checked below:

Benefit Districts

- 1) Sewer front foot charges: \$ 25.00 per front foot for frontages on _____.
- 2) Sewer Lift Station Fee of \$ _____ per acre.
- 3) Water front foot charges: \$ 17.50 per front foot for frontages on _____.
- 4) Street front foot charges: \$ _____ per front foot for frontages on _____.
- 5) Benefit District Creation Fee (if applicable): \$ 1,008.19 per district.
- 6) Other: _____

Special In-Lieu Fees

- 6) Traffic Signals Fee: \$ _____.
- 7) TID Ditch Piping Fee: \$ _____.
- 8) Sewer Main Fee: \$ _____.
- 9) Water Main Fee: \$ _____.
- 10) Street Fee: \$ _____.
- 11) Other Fees: \$ _____.

Plan Check, Inspection, and Impact Fees

- 12) Engineering Inspection Fee to be based on a percentage of the estimated cost of construction.
- 13) Development Impact Fees to be paid with Building Permit.
- 14) Engineering Plan Review Fee to be paid at time of submittal.
- 15) Final Map Plan Check Fee to be paid at time of submittal.

All fees shall be based on the current fee schedule in effect at the time of recordation of the final map.

Fire:

The Fire Prevention Bureau conveys the following *updated* comments for Tentative Subdivision Map 2017-07, GPA 2017-02, ZA 720, LMD 2017-01:

1. The project must comply with all of the latest applicable codes and standards.
2. When any portion of the facility or building to be protected is more than 400 feet from an existing hydrant, on a fire apparatus access road as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains *shall* be provided where required by the fire code official.
3. Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required. Fire hydrant spacing shall be as follows:
 - a. **Commercial development**, one hydrant shall be installed at **300-foot** intervals.
 - b. **Residential development**, one hydrant shall be installed at **500-foot** intervals.

Or as required by Appendix C California Fire Code.

4. An approved water supply for fire protection *shall* be made available prior to combustible materials arriving on the site.
5. An approved fire apparatus access roads shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20' wide and have a minimum height clearance of 13'6"
6. All roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities and comply with CFC 2010 Section D102.1
7. Additional access may be required per CFC 2013 Chapter 5. The Fire Code Official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Areas identified as "Fire Lanes" must be identified as such per requirements set forth in the California Vehicle Code.
 - a. *The street configuration for phase one is approved as submitted. Phase two of the development will require the connection of the phase one roads so as not to impede emergency vehicle circulation.*

DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 445-5868
FAX (559) 488-4088
TTY 711
www.dot.ca.gov



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May 9, 2017

06-TUL-63-0.28
2135-IGR/CEQA
PRELIMINARY REVIEW
GREENS AT OAK CREEK
TENTATIVE SUBDIVISION

Ms. Amy M. Wilson
Contract Planning Technician
City of Tulare
411 East Kern Street
Tulare, CA 93274

Dear Ms. Wilson:

Thank you for the opportunity to provide a preliminary review of a Tentative Subdivision proposing 88 lots for single family development. The 19.5 acre site is located on the east side of State Route (SR) 63, approximately 1,100 feet north of SR 137 (Tulare Ave).

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development -Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the *following comments* consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. Alternative transportation policies should be applied to the development. An assessment of multi-modal facilities should be conducted. This assessment should be used to develop an integrated multi-modal transportation system to serve and help alleviate traffic congestion caused by the project and related development in this area of the City. The assessment should include the following:
 - a. Pedestrian walkways should link this subdivision to an internal project area walkways, transit facilities, as well as other walkways in the surrounding area.
 - b. The consideration of bicycles as an alternative mode of transportation needs more attention. The project should offer internal amenities to encourage bicycle use. These include parking, security, and/or lockers. However, internal bicycle paths should be

- coordinated with local and regional pathways to further encourage the use of bicycles for commuter and recreational purposes.
- c. If transit is not available within ¼-mile of the site, transit should be extended to provide services within the vicinity of the project.
 2. Based on the site plan, the project has no direct access to the State Highway System. The project has two indirect access points via the intersection of SR 63 at Seminole Avenue and via the intersection of SR 137 at Hazeltine Street.
 3. The project is required to construct highway frontage improvements including: curb, gutter, and sidewalks. Please refer to the development north of Seminole Avenue for the sidewalk width.
 4. A minimum of a 6-foot sidewalk (10- foot preferred), measured from the back of the curb is required.
 5. All curb, gutter and sidewalk, and curb ramps need to meet current ADA standards or other applicable State or Federal accessibility and safety requirements.
 6. Any portion of the sidewalk or any landscaping that is within the State Right of Way shall be maintained per a “District 6” approved maintenance agreement.
 7. The project is required to construct a raised median along SR 63 throughout the project’s frontage.
 8. To accommodate the additional vehicle trips, the existing dedicated right turn lane on northbound SR 63 to eastbound Seminole Avenue should be lengthened to at least 580 feet.
 9. According to our Transportation Concept Report (TCR), this segment of SR 63 in the vicinity of the proposed project is planned to be a 6-lane conventional highway within 138 feet of right of way (69 feet from the centerline). Caltrans right-of-way maps shows this segment existing at 110 feet (55 feet from the centerline). An irrevocable offer of dedication to Caltrans of 14 feet of right-of-way is needed to accommodate the ultimate configuration of SR 63. Dedications required by the Lead Agency need to be shown on a revised site plan and forwarded for our review. A summary of the requirements for right-of-way dedications is enclosed.
 10. An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State highway rights-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is

Ms. Amy M. Wilson – Greens at Oak Creek Subdivision
May 9, 2017
Page 3

issued. The Streets and Highways Code Section 670 provides Caltrans discretionary approval authority for projects that encroach on the State Highway System. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, "Time Limitations." Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.

11. Dust control measures shall be implemented on the site in a manner to prevent dust from entering the State right-of-way.
12. No water from the proposed project shall flow into the State right-of-way without approval from the District Hydraulic Engineer.

If you have any other questions, please call David Deel, Associate Transportation Planner at (559) 488-7396.

Sincerely,



MICHAEL NAVARRO, Chief
Planning North Branch

Enclosure

DEPARTMENT OF TRANSPORTATION
CENTRAL REGION SOUTHEAST SURVEYS
RELINQUISHMENTS, VACATIONS, and DEDICATIONS
855 "M" STREET
SUITE 200
FRESNO, CA. 93721
ATTN: Kuldeep Brar
PHONE (559) 445-6573
FAX (559) 445-6560
E-mail: kuldeep_brar@dot.ca.gov



*Flex your power!
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CALTRANS DISTRICT 6

CENTRAL REGION SOUTHEAST SURVEYS OFFICE

REQUIRED INFORMATION FOR R/W DEDICATIONS

1. A Copy of the vesting deed(s) for the subject property (or a copy of the Title Report, if you have one).
2. Copy of the Assessor's Map.
3. Assessor's Parcel Number (APN) of the property.
4. State whether the property is within city limits or in an unincorporated area.
5. If the property is a lot of a Tract or a parcel of a Parcel Map, provide a copy of the recorded map(s).
6. Provide copies of any record map or deed cited in the documents provided.
7. A Legal description of the dedication parcel signed and sealed by a Licensed Professional Land Surveyor or a Civil Engineer registered prior to 1982 on 8 1/2" X 11" paper. Label EXHIBIT "A" at the top of the legal description (see attached sample legal).
8. A Plat showing pertinent survey data, such as basis of bearings, bearings, distances, and curve data, where applicable, and the area of the dedication parcel on 8 1/2" X 11" or 11" X 17" paper. If the parcel is located in unsubdivided land, show ties to the nearest two section corners and/or quarter-section corners (see attached sample plat).
9. A Copy of the traverse calculations for the dedication parcel to include error of closure and area.

(continued)

10. A Copy of the **CONDITIONS OF APPROVAL** by the local agency (City/County) for the Parcel Map, Tract Map, or development plans describing the location and amount of right-of-way to be dedicated.
11. Any requirements from **CALTRANS PERMITS** or **CALTRANS PLANNING** describing the location and amount of right-of-way to be dedicated.

NOTE:

If any of the above listed items are not submitted, it will either cause a delay or halt in the Dedication process.

If there are any questions, please contact Kuldeep Brar, Caltrans Surveys Department, at 559-445-6573.

Mail packet of information to:

DEPARTMENT OF TRANSPORTATION
CENTRAL REGION SOUTHEAST SURVEYS
855 "M" STREET
SUITE 200
FRESNO, CA. 93721

ATTN: Kuldeep Brar

Rev. 1/25/11

RESOLUTION 17-__

A RESOLUTION OF THE COUNCIL OF THE CITY OF TULARE ADOPTING A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT NO. 2017-02 AND ZONING AMENDMENT NO. 720

WHEREAS, the Council of the City of Tulare held a regular meeting on September 19, 2017 to adopt a Mitigated Negative Declaration for General Plan Amendment No. 2017-02 and Zoning Amendment No. 720; and,

WHEREAS, the Council of the City of Tulare determined that a Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act; and,

WHEREAS, the Council of the City of Tulare considered the proposed Mitigated Negative Declaration and finds that there is no substantial evidence that the project will have a significant effect on the environment; and,

WHEREAS, the Council of the City of Tulare determined that the proposed Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Tulare adopts a Mitigated Negative Declaration General Plan Amendment No. 2017-02 and Zoning Amendment No. 720 is hereby adopted.

PASSED, APPROVED, AND ADOPTED this 19th day of September 2017.

President of the Council and Ex-Officio
Mayor of the City of Tulare

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF TULARE)

I, Joseph Carlini, Interim City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 17-____ passed and adopted by the Council of the City of Tulare at a regular meeting held on September 19, 2017, by the following vote:

Aye(s) _____

Noe(s) _____ Abstention(s) _____.

Dated: JOSEPH CARLINI, INTERIM CITY CLERK

By Roxanne Yoder, Chief Deputy City Clerk

RESOLUTION 17-__

A RESOLUTION OF THE COUNCIL OF THE CITY OF TULARE RECOMMENDING ADOPTION OF GENERAL PLAN AMENDMENT NO. 2017-02

WHEREAS, the Council of the City of Tulare held a regular meeting on September 19, 2017 to amend the Tulare General Plan from Community Commercial and Medium Density Residential to Low Density Residential on a 19.5 acre site (APNs 172-100-001, and 172-070-003) located at east side of Mooney Boulevard between Tulare Avenue and Seminole Avenue; and,

WHEREAS, the Council of the City of Tulare determined that the proposed amendments are in the public interest; and,

WHEREAS, the Council of the City of Tulare determined that the proposed amendments are consistent and compatible with the general plan and implementation programs which may be affected; and,

WHEREAS, the Council of the City of Tulare determined that the proposed amendments impacts have been adequately assessed and been determined not to be detrimental to public, health, safety, or welfare; and,

WHEREAS, the Council of the City of Tulare determined that the proposed amendments have been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Tulare that General Plan Amendment No. 2017-02 be adopted and will be reflected on the General Plan Land Use Map.

PASSED, APPROVED, AND ADOPTED this 19th day of September 2017, by the following recorded vote:

President of the Council and Ex-Officio
Mayor of the City of Tulare

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF TULARE)

I, Joseph Carlini, Interim City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 17-__ passed and adopted by the Council of the City of Tulare at a regular meeting held on September 19, 2017, by the following vote:

Aye(s) _____

Noe(s) _____ Abstention(s) _____

Dated: JOSEPH CARLINI, INTERIM CITY CLERK

By Roxanne Yoder, Chief Deputy City Clerk

ORDINANCE 17-___

AN ORDINANCE OF THE CITY OF TULARE AMENDING THE ZONING MAP OF THE CITY BEING A PART OF THE SECTION 10.04.04 OF SAID CODE ZONE AMENDMENT NO. 720

WHEREAS, the Council of the City of Tulare finds that this application is necessary to achieve the objectives of the Zoning Title prescribed in Section 10.04.02 of the Tulare City Code; and ,

WHEREAS, the Council of the City of Tulare finds that this zone change is in conformance with the adopted General Plan for the City of Tulare; and,

WHEREAS, the Council of the City of Tulare finds that the request will not be detrimental to the public interest, health, safety, convenience or welfare of the City; and,

WHEREAS, the Council of the City of Tulare finds that a Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TULARE AS FOLLOWS, to wit:

SECTION 1: The Zoning Map of the City of Tulare as referred to in Section 10.24.05 of the City Code of the City of Tulare, and as enacted, being made a part of the Zoning title of said Code in Section 10.04.04; thereof, a property portion of said map, being attached hereto, is hereby amended as follows:

REZONING 19.5 acres of property from the C-3 (Retail Commercial) and R-M-2 (Multi-Family Residential) zone districts to the R-1-6 (Single Family Residential, 6,000 square foot minimum lot size) zone district (APNs 172-100-001, and 172-070-003) located at the east side of Mooney Boulevard between Tulare Avenue and Seminole Avenue; as set forth more specifically on said map.

SECTION 2: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This Ordinance shall be in full force and effect thirty (30) days from and after its passage, adoption, and approval.

PASSED, APPROVED, AND ADOPTED this 19th day of September 2017.

President of the Council and Ex-Officio
Mayor of the City of Tulare

ATTEST:

Chief Deputy City Clerk and Clerk of the
Council of the City of Tulare

CITY OF TULARE

411 EAST KERN AVENUE
TULARE, CA 93274

The Greens Tentative Subdivision Map

Draft Initial Study & Mitigated Negative Declaration

August 2017

Prepared by:



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CHAPTER 1

INTRODUCTION

Chapter 1 – INTRODUCTION

The City of Tulare (City) has prepared this Initial Study/Negative Declaration (IS/MND) for Tentative Subdivision Map 2016-19, General Plan Amendment 2017-02, Zone Amendment 720 and Landscape and Maintenance District 2017-01 to address the environmental effects of construction of an approximately 88 lot single family residence subdivision (Project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA; Public Resources Code §21000 et seq.) and the CEQA Guidelines (California Code of Regulations Title 14, Chapter 3, §15000 et seq.). The City of Tulare is the CEQA lead agency for this Project.

The Project involves the development of an 88-lot subdivision, on an approximately 19.5-acre site. The Project is described in detail in Chapter 2, Project Description.

Regulatory Information

An Initial Study (IS) is an analysis conducted by a lead agency to determine if a project may have a significant effect on the environment. CEQA Guidelines §15064(a)(1) states that an environmental impact report (EIR) must be prepared if there is substantial evidence considering the whole record that the proposed project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant. A negative declaration may be prepared instead if the lead agency finds that there is *no* substantial evidence considering the whole record that the project may have a significant effect on the environment. A negative declaration is a written statement describing the reasons why a proposed project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines §15371). According to CEQA Guidelines §15070, a negative declaration shall be prepared for a project subject to CEQA when either:

- a) The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or
- b) The IS identified potentially significant effects, but:
 - (1) Revisions in the Project plans or proposals made by or agreed to by the applicant before the proposed negative declaration and initial study is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and
 - (2) There is no substantial evidence, in light of the whole record before the agency, that the Project *as revised* may have a significant effect on the environment. If revisions are adopted by the Lead Agency into the proposed project in accordance with the CEQA Guidelines §15070(b), a *Mitigated Negative Declaration (MND)* is prepared.

Document Format

This IS/MND contains four chapters and three technical appendices. Chapter 1, Introduction, provides an overview of the Project and the CEQA environmental documentation process. Chapter 2, Project Description, provides a detailed description of Project objectives and components. Chapter 3, Impact Analysis, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of

significance, and feasible mitigation measures. If the Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. Chapter 4, Mitigation Monitoring and Reporting Program (MMRP), provides the proposed mitigation measures, completion timeline, and person/agency responsible for implementation, and Chapter 5, List of Preparers, provides a list of key personnel involved in the preparation of the IS/MND.

The NRCS Custom Soil Resource Report, Tribal Consult Request, Cultural Records Search, CalTrans Comment Letter and CalEEMod Output Files are provided as appendices at the end of this document.

Environmental impacts are separated into the following categories:

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

Less Than Significant After Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less Than Significant Impact. This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. “No Impact” answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

Acronyms Used in this Document

AB	Assembly Bill
AE-20	Exclusive Agricultural
AF	Acre Feet
APE	Area of Potential Effect
APN	Assessor's Parcel Number
ARB	Air Resources Board
AST	Aboveground Storage Tank
BMPs	Best Management Practices
BPS	Best Performance Standards
CAA	Clean Air Act
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CAAQS	California Ambient Air Quality Standards
CCAA	California Clean Air Act
CDF	California Department of Forestry
CDFG	California Department of Fish and Game
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
City	City of Tulare
CNDDDB	California Department of Fish and Wildlife Natural Diversity Database
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CO _{2e}	
CUPA	Certified Unified Program Agency
District	Riverdale Public Utility District
DOC	California Department of Conservations
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Maps

FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
GHGs	Greenhouse Gases
GIS	Geographic Information System
IS	Initial Study
IS/MND	Initial Study/Mitigated Negative Declaration
MBTA	Migratory Bird Treaty Act
MMRP	Mitigation Monitoring & Reporting Program
MND	Mitigated Negative Declaration
N ₂ O	Nitrous Oxide
NAHC	Native American Heritage Commission
NAAQS	National Ambient Air Quality Standards
NO ₂	Nitrogen Dioxide
NO _x	Nitrogen Oxide
NRCS	Natural Resources Conservation Service
O ₃	Ozone
Pb	Lead
PM ₁₀	Particulate Matter less than 10 microns in diameter
PM ₂₅	Particulate Matter less than 25 microns in diameter
RMA	Resources Management Agency
RMS	Root Mean Squared
ROG	Reactive Organic Gases
SAAQS	State Ambient Air Quality Standards
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SMARA	Surface Mining and Reclamation Act
SO ₂	Sulfur Dioxide
SR	State Route
SWPPP	Storm Water Pollution Prevention Plan
UST	Underground Storage Tank
USGS	United States Geological Service
VdB	Vibration Velocity Levels in Decibels
Vba	Vibration Velocity
VOC	Volatile Organic Compounds

CHAPTER 2

PROJECT DESCRIPTION

Chapter 2 - PROJECT DESCRIPTION

Project Background and Objectives

Project Title:

The Greens Subdivision Map

Lead Agency Name and Address:

City of Tulare
411 East Kern Avenue
Tulare, CA 93274

Contact Person and Phone Number:

Lead Agency Contact
Traci Myers, Deputy Community Development Director
559.684.4217

CEQA Consultant

Provost & Pritchard Consulting Group
Amy M. Wilson, Associate Planner
559.684.4223

Applicant

Great Valley Land Builders
559.688.2071

Property Owner

Mooney Property's LLC
1969 Hillman
Tulare, CA 93274

Project Location:

The Project is in the northeast portion of the City of Tulare, approximately five miles south of Visalia and 12 miles southwest of Lindsay. The Project site is located between Seminole Street and Tulare Avenue, off Muirfield Avenue. The Project can be found within Tulare, CA, United States Geological Survey (USGS) 7.5-minute quadrangle, in Section 6, Township 20 South, Range 25 East, M.D.B. & M. The Project site comprises one legal lot, with two Assessor's Parcel Numbers 172-100-001 and 172-070-003 (see Figure 1).

Latitude and Longitude:

The approximate center of the Project site is at 36°12'54.9" N, 119°18'45.389" W

General Plan Designation:

Community Commercial, Medium Density Residential (see Figure 3). Project proposes a General Plan Amendment to Low Density Residential.

Zoning:

RM-2, Residential Multi-Family (See Figure 4)
C-3, Retail Commercial (See Figure 4)

Project proposes a Zone Change to single family residential (R-1-6).

Description of Project:

The Project site is comprised of one parcel that has two Assessor's Parcel Numbers (APNs): 172-100-001 and 172-070-003. The generally level Project site is currently undeveloped, except for one rural residence, and is covered with grassland vegetation and scattered trees.

The General Plan designation for the Project site is split, with the western half being Community Commercial, and the eastern half being Medium Density Residential. As part of this Project the site will be designated to Low Density Residential. The Low Density Residential designation represents typical single-family subdivisions typically represented by the R-1-4, R-1-5, R-1-6, R-1-7 and R-1-8 zone districts. The maximum density of Low Density Residential is 7.0 units per gross acre.

The zoning designation for the Project site is split, with the western half being C-3, and the eastern half being RM-2. As part of this Project the entire site will be rezoned to R-1-6, Single Family Residential, 6,000 square foot minimum lot size. This zone allows attached or detached single-family homes with a maximum residential density of 7.0 units per net acre. The R-1-6 zone district also allows for limited uses such as daycare homes, parks, and religious facilities that are appropriate in a low density residential environment. This zone district has a minimum lot area requirement of 6,000 square feet.

The Project consists of the development of 88 detached single-family residential units with average lot sizes of 6,000 square feet. The Project site plan is illustrated in [Figure 2-1](#). Streetlights would be provided throughout the Project site. Vehicular access to the site would primarily be provided by Muirfield Avenue, and a proposed Aberdeen Street. The proposed Aberdeen Street would access the site on the northern border feeding off Seminole Avenue. The Project will construct Aberdeen Street, Muirfield Avenue and all internal streets and internal drive aisles to meet City standards. The Project will also construct a raised median along Mooney Boulevard throughout the Project's frontage, along with the left-hand turn lane onto eastbound Seminole Avenue being lengthened to at least 580 feet. These Project components will meet the CalTrans requirements outlined in their letter, dated May 9, 2017. Lastly, the Project will conduct a warrant study at the completion of each phase to determine if the additional traffic trips would warrant a traffic signal at Mooney Boulevard and Seminole Avenue.

The Project would be developed in three phases with the northeastern 33 lots developed in the first phase. Construction is proposed to begin in 2017 and will be built out over several years depending on market conditions. Construction of the Project would require excavation; however, it is anticipated that the soil would be balanced on the Project site and would not require off-haul. A landscape and lighting maintenance district will be formed to cover the cost of maintaining the landscape and lighting frontage along Mooney Boulevard, and the ponding basin.

Utilities and Electrical Services:

The City of Tulare provides water service within its corporate limits, including to the Project site. The water distribution system within the Project site would be provided and maintained by the City of Tulare. Sanitary sewer service, including wastewater treatments, will be provided to the project site by the City of Tulare. Existing water mains are located along Muirfield Avenue, sewer mains are located along Seminole Avenue, these will provide connections for this Project. The stormwater collection will be connected to a stormwater basin being constructed to the north of the Project development.

Electrical and gas service to the Project site would be provided by the Southern California Edison and the Gas Company. AT&T would provide telephone service and cable television service would be provided by Comcast. The Applicant will be required to extend the services to the site.

Surrounding Land Uses and Setting:

The Project is in an area of suburban residential and undeveloped land uses. To the east of the Project site is residential development. To the north and south of the Project site is vacant undeveloped land. Mooney Boulevard runs along the western edge of the Project site.

Other Public Agencies Whose Approval May Be Required:

Discretionary approvals that may be required:

- City of Tulare Tentative Subdivision Map
- City of Tulare Zone Amendment
- City of Tulare General Plan Amendment
- City of Tulare Landscape and Maintenance District

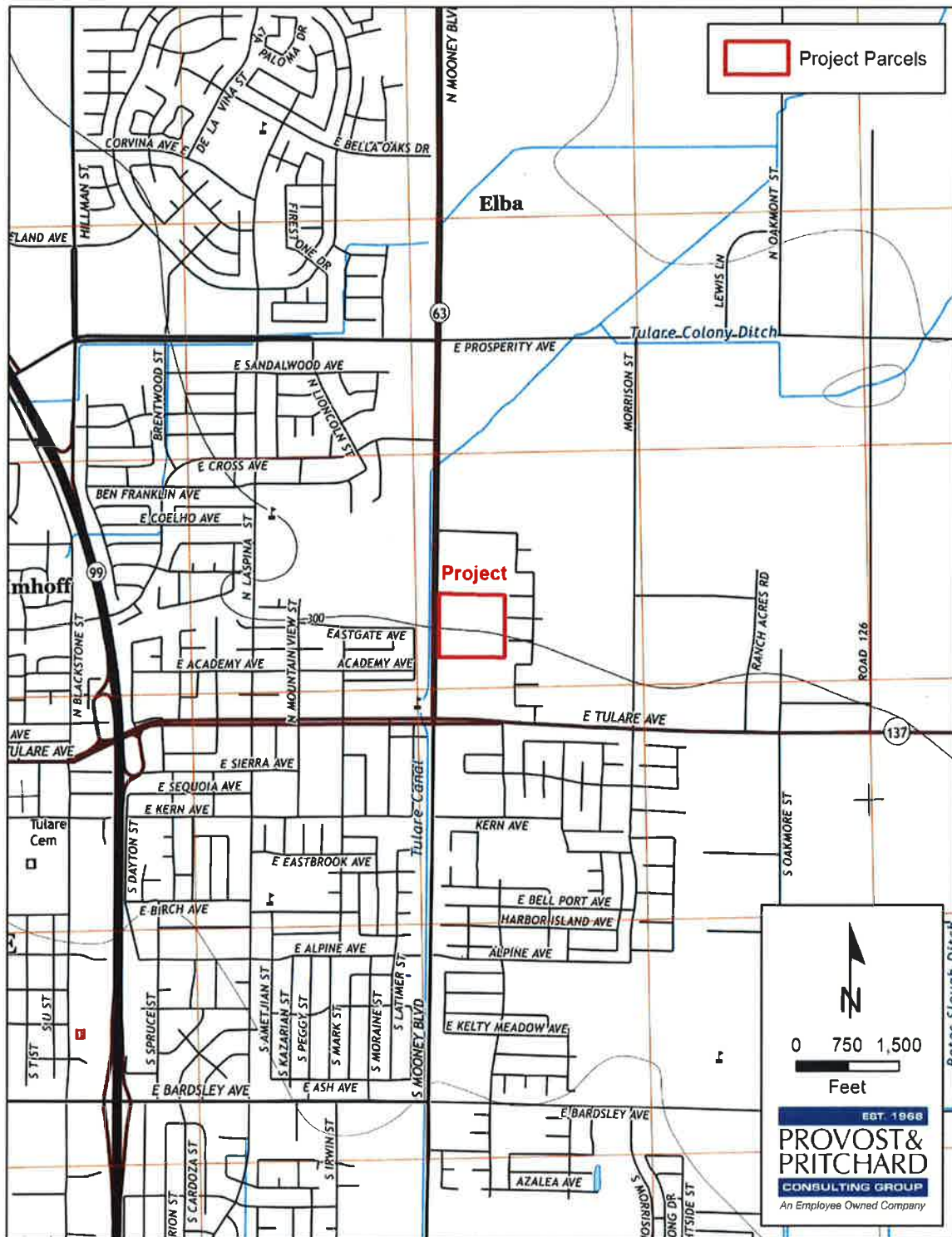
Ministerial approvals and agreements that may be required:

- City of Tulare building and encroachment permits
- San Joaquin Valley Air Pollution Control District Rule 9510, and Rule 2201



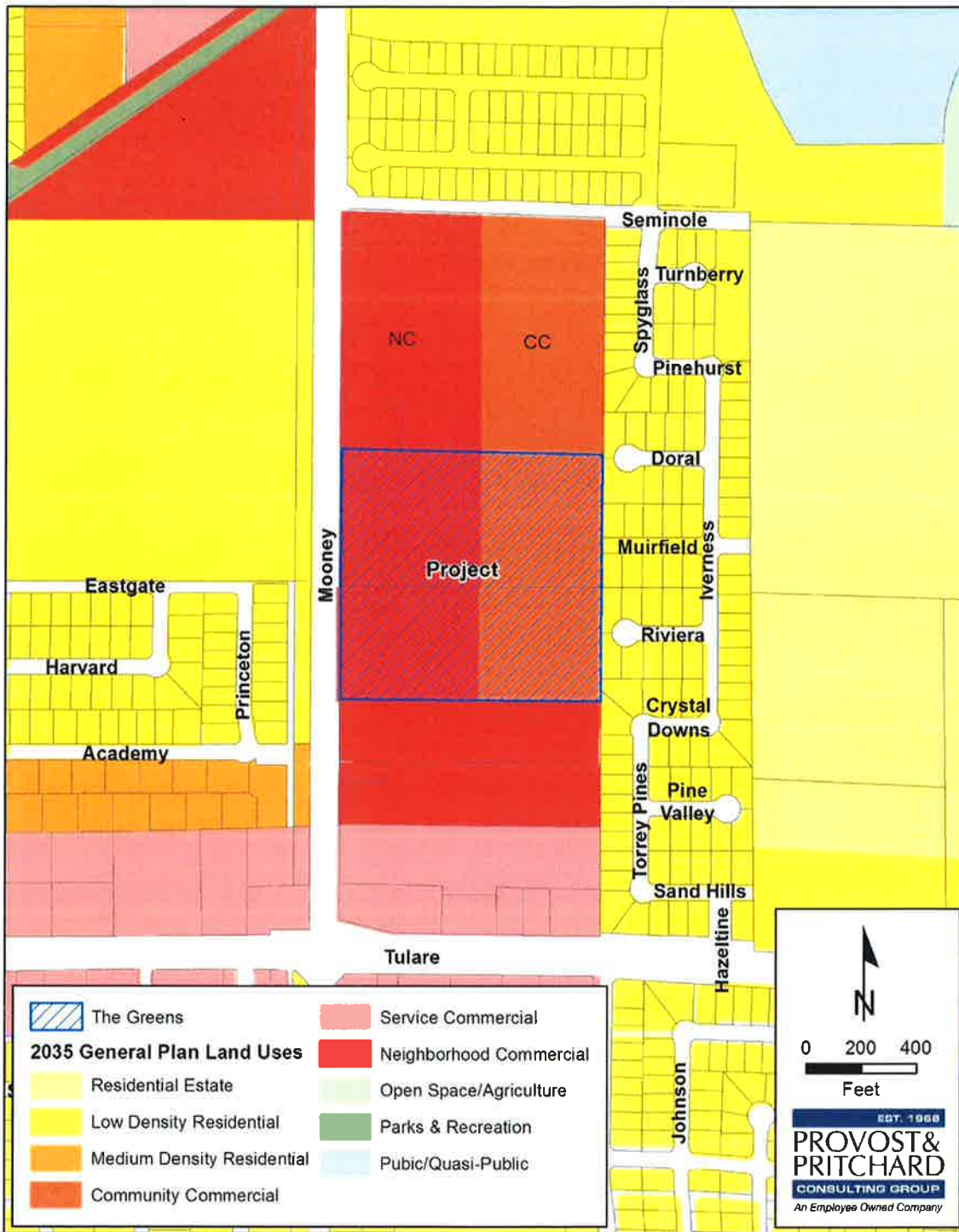
6/29/2017 : G:\Tulare_City of-1543154316001-Planning Services\GIS\Map\Greens_at_Oak_Creek\airal.mxd

Figure 2-1. Aerial Map



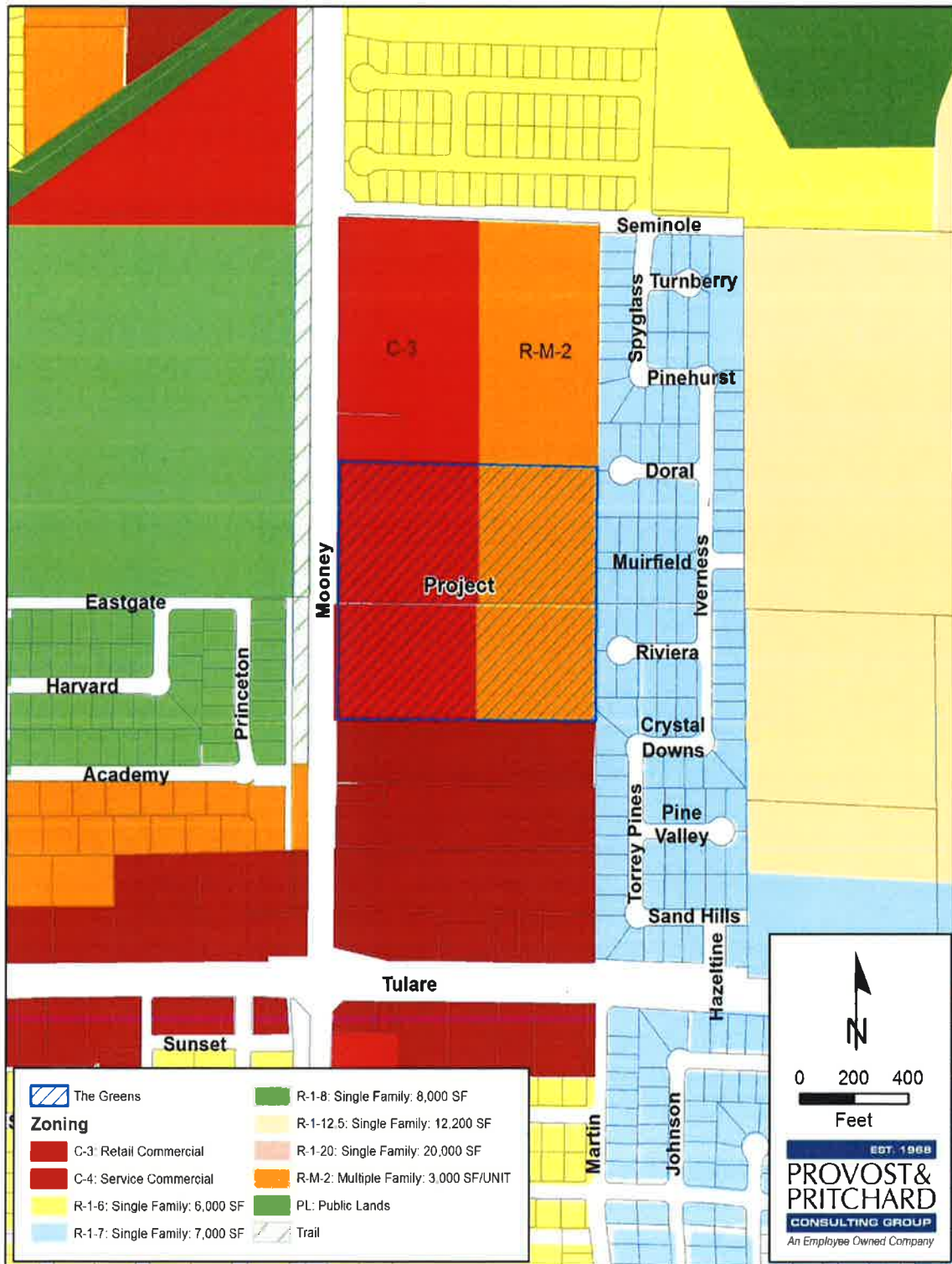
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Figure 2-2. Topographic Map



G:\Tulare_City-of-1543\154316001-Planning Services\GIS\Map\Greens_at_Oak_Creek\General Plan.mxd

Figure 2-3. General Plan Designation



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Figure 2-4. Zoning



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Figure 2-5. FEMA

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

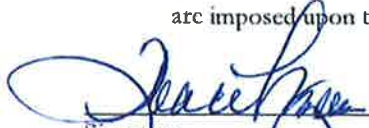
The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and subsequent discussion on the following pages.

- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



 Signature
 Tracee Myers

 Printed name

7/28/17

 Date
 City of Tulare

 For

CHAPTER 3

INITIAL STUDY CHECKLIST

Chapter 3 - INITIAL STUDY CHECKLIST

I. AESTHETICS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The aesthetic character of the Project site and the surrounding area can generally be described as moderately urbanized. Most adjacent properties are either vacant or contain residential uses. Adjacent properties contain vacant lots to the North that are zoned Retail Commercial (C-3), and Multi Family (R-M-2), the properties to the East are zoned Single Family, (R-1-7) and a residential neighborhood that is mostly built out. Mooney Boulevard is directly adjacent to the West, with vacant land that is zoned Single Family (R-1-8) beyond that. The property to the south is zoned Retail Commercial (C-3) and is vacant.

There are no designated scenic resources within the City of Tulare, however eastward views to the Sierra Nevada Mountains within the city are considered to scenic vistas¹.

The Project site is accessible from Seminole Avenue through the proposed Aberdeen Street, and Muirfield Avenue. The Project site itself has been vacant for several years except for one rural residence. It is flat and level with no remarkable topography or geologic features. From all viewing perspectives, the predominant views of the Project site currently consist of a vacant infill lot.

Responses:

- a) **No Impact.** The Project site is located on the San Joaquin Valley floor in the southern area of the City. Views of the distant Sierra Nevada Mountains are afforded only during clear conditions. Due to poor air quality in the valley, this mountain range is not visible on the majority days. Distant views of the Sierra Nevada Mountains would largely be unaffected by the development of the Project because of the distance and limited visibility of these features. No impact would occur.
- b) **No Impact.** The Scenic Highway Program protects and enhances California's natural scenic beauty by allowing county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program. The Project site is located within the City

¹ DEIR General Plan, Transit-Oriented Development Plan, and Climate Action Plan, November 1, 2013, Page 4.1-6.

of Tulare, which does not have any Officially Designated or Eligible State Scenic Highways. No impact would occur.

- c) **No Impact.** The Project site is currently a vacant infill lot with one rural residence. The Project would be completed in three phases and would result in the construction of approximately 88 single family residences, internal access roads, landscaped grounds, and off-site improvements subject to City standards. The visual character of the Project area would not be substantially degraded; in contrast, the Project would result in the development of a vacant lot which would improve the visual character and quality of the site and its surroundings. No impact would occur.
- d) **Less Than Significant Impact.** Project implementation would create new lighting sources on the Project site associated with the residences, street lighting, and security lighting. Precise Project details are not yet available; however, it is expected that the proposed residences would have lighting typical of residential structures and landscaping, and would not create substantial light or glare that would impact day or nighttime views in the Project area. The street lighting would be designed to be consistent with the City's lighting standards to avoid the creation of intrusive lighting and glare within the immediate Project area. Furthermore, this lighting would be subject to compliance with General Plan Policies LU-P13.24 and LU-P13.25, which will minimize the amount of spillover lighting that could otherwise occur near the Project area. Although the Project will add new light sources for exterior and interior building lighting, the Project's lighting will not be substantial. Consistency with the General Plan Policies will ensure that the Project impacts related to light and glare are less than significant.

II. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

- a) **Less Than Significant Impact.** The California Department of Conservation (DOC) applies the United States Department of Agriculture, National Resources Conservation Service (NRCS) soil classifications to identify agricultural lands. These designations are used in planning California's present and future agricultural land resources. Maps of important farmlands are prepared by the DOC as part of its Farmland Mapping and Monitoring Program (FMMP). The DOC has a minimum mapping unit of 10 acres, with parcels that are smaller than 10 acres being absorbed into the surrounding classifications.

The list below provides a description of the categories mapped by the DOC. Collectively, lands classified as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland are referred to as Farmland (California Department of Conservation, 2012).

- **Prime Farmland.** Farmland that has the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
 - **Farmland of Statewide Importance.** Farmland is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to stored soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
 - **Unique Farmland.** Farmland of lesser quality soil that is used for the production of the state’s leading agricultural crops. This land is usually irrigated but may include nonirrigated orchards or vineyards, as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
 - **Farmland of Local Importance.** Land of importance to the local agricultural economy, as determined by each county’s board of supervisors and a local advisory committee.
 - **Grazing Land.** Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen’s Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.
 - **Urban and Built-up Land.** Land occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, or public administrative purposes; railroad and other transportation yards; cemeteries; airports; golf courses; sanitary landfills; sewage treatment facilities; water control structures; and other developed purposes.
 - **Other Land.** Land not included in any other mapping category. Common examples include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and larger than 40 acres is mapped as Other Land.
According to the DOC’s 2012 FMMP map for southern Tulare County, the Project site is designated as Farmland of Local Importance. However, the site is within the City limits surrounded by urban uses and is therefore not economically viable farmland. Additionally, the City of Tulare General Plan designates the Project site for both commercial and residential uses. The site has been graded and is not used for agricultural activities, and no agricultural uses occur on the adjacent properties. Therefore, any impacts would be less than significant.
- b) **No Impact.** The Project site is an urban infill property which is zoned C-3 (Retail Commercial) and R-M-2 (Multi-Family). The Project site is not currently being farmed and is not under a Williamson Act contract. There are no properties within the immediate vicinity of the Project site that are under Williamson Act contract. Therefore, the Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. No impact would occur.
- c) **No Impact.** See Impact II(b) above. No forest or timberland is located on or near the Project area. No impact would occur.
- d) **No Impact.** No forest land is on or near the Project site. No impact would occur.
- e) **No Impact.** The site is within an urban area and the City’s General Plan for the area is commercial and medium density residential. No land conversion from Farmland would occur for the Project. Surrounding land uses include residential and commercial that are mostly urban developed lands. Therefore, the Project has no impacts.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Current Policies and Regulations

Federal Clean Air Act - The 1977 Federal Clean Air Act (CAA) authorized the establishment of the National Ambient Air Quality Standards (NAAQS) and set deadlines for their attainment. The Clean Air Act identifies specific emission reduction goals, requires both a demonstration of reasonable further progress and an attainment demonstration, and incorporates more stringent sanctions for failure to meet interim milestones. The U.S. EPA is the federal agency charged with administering the Act and other air quality-related legislation. EPA’s principal function includes setting NAAQS; establishing minimum national emission limits for major sources of pollution; and promulgating regulations. Under CAA, the North Central Coast Air Basin (NCCAB) is identified as an attainment area for all pollutants.

California Clean Air Act - and account for air pollutant effects on soils, water, visibility, materials, vegetation and other aspects of general welfare. The U.S. EPA revoked California Air Resources Board coordinates and oversees both state and federal air pollution control programs in California. As part of this responsibility, California Air Resources Board monitors existing air quality, establishes California Ambient Air Quality Standards, and limits allowable emissions from vehicular sources. Regulatory authority within established air basins is provided by air pollution control and management districts, which control stationary-source and most categories of area-source emissions and develop regional air quality plans. The Project is located within the jurisdiction of the San Joaquin Valley Air Pollution Control District. The state and federal standards for the criteria pollutants are presented in (see **Error! Reference source not found.**). These standards are designed to protect public health and welfare. The “primary” standards have been established to protect the public health. The “secondary” standards are intended to protect the nation’s welfare the national 1-hour ozone standard on June 15, 2005, and the annual PM₁₀ standard on September 21, 2006, when a new PM_{2.5} 24-hour standard was established.

Table 3-1. Summary of Ambient Air Quality Standards & Attainment Designation

Summary of Ambient Air Quality Standards & Attainment Designation					
Pollutant	Averaging Time	California Standards*		National Standards*	
		Concentration*	Attainment Status	Primary	Attainment Status
Ozone (O ₃)	1-hour	0.09 ppm	Non-Attainment/ Severe	–	No Federal Standard
	8-hour	0.070 ppm		0.075 ppm	Non-Attainment (Extreme)**
Particulate Matter (PM ₁₀)	AAM	20 µg/m ³	Non-Attainment	–	Attainment
	24-hour	50 µg/m ³		150 µg/m ³	
Fine Particulate Matter (PM _{2.5})	AAM	12 µg/m ³	Non-Attainment	12 µg/m ³	Non-Attainment
	24-hour	No Standard		35 µg/m ³	
Carbon Monoxide (CO)	1-hour	20 ppm	Attainment/ Unclassified	35 ppm	Attainment/ Maintenance
	8-hour	9 ppm		9 ppm	
	8-hour (Lake Tahoe)	6 ppm		–	
Nitrogen Dioxide (NO ₂)	AAM	0.030 ppm	Attainment	0.053 ppm	Attainment/ Unclassified
	1-hour	0.18 ppm		0.100 ppb	
Sulfur Dioxide (SO ₂)	AAM	–	Attainment	0.03 ppm	Attainment/ Unclassified
	24-hour	0.04 ppm		0.14 ppm	
	3-hour	–		--	
	1-hour	0.25 ppm		75 ppb	
Lead	30-day Average	1.5 µg/m ³	Attainment	–	No Designation/ Classification
	Calendar Quarter	–		1.5 µg/m ³	
	Rolling 3-Month Average	–		0.15 µg/m ³	

Summary of Ambient Air Quality Standards & Attainment Designation					
Pollutant	Averaging Time	California Standards*		National Standards*	
		Concentration*	Attainment Status	Primary	Attainment Status
Sulfates	24-hour	25 µg/m ³	Attainment	No Federal Standards	
Hydrogen Sulfide	1-hour	0.03 ppm (42 µg/m ³)	Unclassified		
Vinyl Chloride	24-hour	0.01 ppm (26 µg/m ³)	Attainment		
Visibility-Reducing Particle Matter	8-hour	Extinction coefficient: 0.23/km-visibility of 10 miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when the relative humidity is less than 70%.	Unclassified		

* For more information on standards visit :<http://www.arb.ca.gov/research/aids/aags2.pdf>

** No federal 1-hour standard. Reclassified extreme nonattainment for the federal 8-hour standard May 5, 2010.

***Secondary Standard

Source: ARB 2015; SJVAPCD 2015

Air quality is described in terms of emissions rate and concentration of emissions. An emissions rate is the amount of pollutant released into the atmosphere by a given source over a specified time period. Emissions rates are generally expressed in units such as pounds per hour (1lbs/hr.) or tons per year. Concentrations of emissions, on the other hand, represent the amount of pollutant in a given space at any time. Concentration is usually expressed in units such as micrograms per cubic meter, kilograms per metric ton, or parts per million. There are 4 primary sources of air pollution within the San Joaquin Valley Air Board (SJVAB): motor vehicles, stationary sources, agricultural activities, and construction activities.

Criteria air pollutants are classified in each air basin, county, or, in some cases, within a specific urbanized area. The classification is determined by comparing actual monitoring data with state and federal standards. If a pollutant concentration is lower than the standard, the pollutant is classified as “attainment” in that area. If an area exceeds the standard, the pollutant is classified as “non-attainment.” If there are not enough data available to determine whether the standard is exceeded in an area, the area is designated “unclassified.”

Air quality in the vicinity of the Project is regulated by several jurisdictions including the State and Federal Environmental Protection Agency (EPA), California Resources Board (CARB), and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Each jurisdiction develops rules, regulations, policies, and/or goals to attain the directives imposed upon them through Federal and State legislation.

The Clean Air Act (CAA) of 1990 requires emission controls on factories, businesses, and automobiles by:

- Lowering the limits on hydrochloric acid and nitrogen oxides (NO_x) emissions, requiring the increased use of alternative-fuel cars, on-board canisters to capture vapors during refueling, and extending emission-control warranties.
- Reducing airborne toxins by requiring factories to install “maximum achievable control technology” and installing urban pollution control programs.
- Reduction Acid rain production by cutting sulfur dioxide emissions for coal-burning power plants.

In July of 1997, the EPA adopted a PM_{2.5} standard in recognition of increased concern over particulate matter 2.5 microns in diameter (PM_{2.5}). Ending several years of litigation, EPA’s PM_{2.5} regulations were upheld by the U.S. Supreme Court on February 27, 2001. According to information provided by the EPA, designations for the new PM_{2.5} standards began in the year 2002 with attainment plans submitted by 2005 for regions that violate the standard. PM_{2.5} measurements have not yet been conducted to determine if the City is in attainment under the new federal PM_{2.5} standards. A PM_{2.5} monitoring network plan has been developed by the CARB and local air districts in California, and data is in the process of being collected.

The following rules and regulations have been adopted by the Air District to reduce emissions throughout the San Joaquin Valley and verification by the City of compliance with these rules and regulations will be required, as applicable, to construct and operation of the Project.

- Rule 4002 – National Emission Standards for Hazardous Air Pollutants. There are no existing structures located on the proposed site.
- Rule 4102 – Nuisance
This rule applies to any source operation that emits or may emit air contaminants or other materials. In the event that the Project or construction of the project creates a public nuisance, it could be in violation and b subject to district enforcement action.
- Rule 4601 – Architectural coatings.
The purpose of this rule is to limit volatile organic compound (VOC) emissions from architectural coatings. Emission are reduced by limits on VOC content and providing requirements on coatings storage, cleanup, and labeling
- Rule 4641- Cutback, slow cure, and emulsified asphalt, paving and maintenance operations. The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. If asphalt paving will be used, then the paving operations will be subject to Rule 4641.
- Rule 9510 – Indirect Source Review (ISR)
This rule reduces the impact PM₁₀ and NOX emissions from growth on the SJVB. This rule places application and emission reduction requirements on applicable development projects in order to reduce emissions through onsite mitigation, offsite SJVAPCD-administered projects, or a combination of the two. *This Project will be required to submit an Air Impact Assessment (AIA) application in accordance with Rule 9510’s requirements.*
- Compliance with SJVAPCD Rule 9510 (ISR) reduces the emissions impact of the project through incorporation of onsite measures as well as payment of an offsite fee that funds emissions reduction projects in the SJVAB. A number of “optional”/Above and Beyond” mitigation measures included in this project can be created as Rule 9510 – onsite mitigation measures.
- Regulation VIII – fugitive PM10 Prohibitions

Rules 8011 – 8081 are designed to reduce PM₁₀ emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and trackout etc. Among the Regulation VIII Rules applicable to the project are the following:

1. Rule 8011 – Fugitive Dust Administrative Requirements for Control of Fine Particulate Matter (PM₁₀)
2. Rule 8021 – Fugitive Dust Requirements for Control of fine Particulate Matter (PM₁₀) from Construction, Excavation, and Extraction Activities
3. Rule 8030 – Fugitive dust Requirements for Control of Fine Particulate Matter (PM₁₀) from Handling and Storage of Fine Bulk Materials.
4. Rule 8060 – Fugitive dust Requirements for Control of fine Particulate Matter (PM₁₀) from Paved and Unpaved Roads.
5. Rule 8070 - Fugitive Dust Requirements for Control of Fine Particulate Matter PM₁₀) from Vehicle and/or Equipment Parking, Shipping, Receiving, Transfer, Fueling, and Service Areas.
6. Rule 8071 – Unpaved vehicle/equipment traffic areas. The purpose of this rule is to limit dust emissions from travel on unpaved parking areas. If the project exceeds the applicability threshold of 25 daily vehicle trips by vehicles and three or more axles, control requirements listed in the rule must be met.

Responses:

- a) **Less Than Significant Impact.** The Proposed Project is located within the boundaries of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD is responsible for bringing air quality in the air basin, including the City, into compliance with federal and state air quality standards. As discussed below, the Project qualifies to be categorized at a *Small Project Analysis Level (SPAL)* by the SJVAPCD, which is a categorization that projects the identified Project will not have a significant level of impact of air quality. Therefore, would not conflict with or obstruct implementation of any SJVAPCD plans or guidelines and impacts would be less than significant.

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has adopted attainment plans, known as State Implementation Plans that identify measures to reduce regional emissions within the air basin and bring the basin into compliance with federal and state air quality standards for ozone, PM₁₀, and PM_{2.5}.

Since the Project would result in new construction and grading activities, the applicant will be required to submit a Fugitive Dust Control Plan to the SJVAPCD to comply with Regulation VIII for PM₁₀ emissions prior to the initiation of construction.

Through compliance with the SJVAPCD's Regulation VIII, any impacts would be less than significant. Additionally, an Indirect Source Review (ISR) would be required.

Finally, as noted in Impact Assessment III-b and III-c below, implementation of the Project would not result in short-term or long-term increases in emissions that would exceed applicable thresholds of significance. Projects that do not exceed the recommended thresholds would not be considered to conflict with or obstruct the implementation of applicable air quality plans. This impact would be considered less than significant.

- b) **Less Than Significant Impact.** Construction of the Project involves grading, excavation, and use of construction equipment. Project construction would result in short-term air pollutant emissions from use of construction equipment, earth-moving activities (grading), construction workers' commutes, materials deliveries and short-distance earth and debris hauling.

To aid in evaluating potentially significant construction and/or operational impacts of a Project, SJVAPCD has prepared an advisory document, the Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), which contains standard procedures for addressing air quality in CEQA documents (SJVAPCD, 2002). The guide was adopted in 1998 and revised in 2002.

GAMAQI presents a three-tiered approach to air quality analysis. The Small Project Analysis Level (SPAL) is first used to screen a project for potentially significant impacts. A project that meets the screening criteria at this level requires no further analysis and air quality impacts of the project may be deemed less than significant. If a project does not meet all the criteria at this screening level, additional screening is recommended at the Cursory Analysis Level and, if warranted, the Full Analysis Level.

Table 3-2 below (from GAMAQI 5-3(a), which SJVAPCD recommends using as part of the initial screening process, shows the maximum project size be considered a SPAL project. According to the SPAL categorization, the development of 88 single-family residential units would result in a project size lower than the screening level for SPAL categorization. Therefore, the Project meets the SPAL criterion for project type and is excluded from quantifying criteria pollutant emissions for CEQA purposes.

Table 3-2. Small Project Analysis Level (SPAL) by Project Type

Land Use Category – Housing	Project Size
Single Family	152 Units
Apartments, Low Rise	220 Units
Apartments, High Rise	345 Units
Condominiums, General	270 Units
Condominiums, High Rise	330 Units
Mobile Homes	330 Units
Retirement Community	460 Units

Source: SJVAPCD-Small Project Analysis Level, pg. 2, June 2012

SJVAPCD Regulation VIII mandates requirements, as seen in Table 3-3, for any type of ground moving activity and would be adhered to during the construction; however, during construction, air quality impacts would be less than SJVAPCD thresholds for nonattainment pollutants and operation of the Project would not result in impacts to air quality standards for criteria pollutants. As such, any impacts would be less than significant.

Table 3-3. San Joaquin Valley Air Pollution Control District - Regulation VIII Control Measures for Construction Emissions of PM10

The following are required to be implemented at all construction sites:
All disturbed areas, including storage piles, which are not actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizers/suppressants, covered with a tarp or other similar cover, or vegetative ground cover.
All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions during construction using water or chemical stabilizer suppressant.
All land clearing, grubbing, scraping, excavation, land leveling, grading cut and fill, and demolition activities during construction shall be effectively controlled of fugitive dust emissions utilizing application of water or pre-soaking.
When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from top of container shall be maintained.
All operations shall limit, or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.
Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site at the end of each workday.
Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

c) Less Than Significant Impact.

Short-Term Construction-Generated Emissions

Construction-generated emissions are temporary in duration, lasting approximately 12 months. The construction of the Project would result in the temporary generation of emissions associated with site grading and excavation, motor vehicle exhaust associated with construction equipment and worker trips, as well as the movement of construction equipment on unpaved surfaces.

Estimated construction-generated emissions are summarized in [Table 3-4](#). As indicated, construction of the Project would not exceed any thresholds.

Table 3-4. Short-Term Construction-Generated Emissions of Criteria Air Pollutants

Short-Term Construction-Generated Emissions of Criteria Air Pollutants					
Source	Annual Emissions (Tons/Year) ⁽¹⁾				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Total Proposed Project Emissions:	2.1033	5.6384	4.0035	0.6792	0.4681
<i>SJVAPCD Significance Thresholds:</i>	10	10	100	15	15
<i>Exceed SJVAPCD Thresholds?</i>	No	No	No	No	No

1. Emissions were quantified using CalEEMod Version 2016.3.1. Refer to **Appendix A** for modeling results and assumptions. Totals may not sum due to rounding.

Table 3-5. Long-Term Operations-Generated Emissions of Criteria Air Pollutants

Long-Term Operations-Generated Emissions of Criteria Air Pollutants					
Source	Annual Emissions (Tons/Year) ⁽¹⁾				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Total Proposed Project Emissions:	1.1819	3.2156	4.8594	0.9227	0.2734
<i>SJVAPCD Significance Thresholds:</i>	10	10	100	15	15
<i>Exceed SJVAPCD Thresholds?</i>	No	No	No	No	No

1. Emissions were quantified using CalEEMod Version 2016.3.1. Refer to **Appendix A** for modeling results and assumptions. Totals may not sum due to rounding.

It is important to note that the Project would be required to comply with SJVPCD Regulation VIII (Fugitive PM₁₀ Prohibitions). Mandatory compliance with SJVAPCD Regulation VIII would further reduce emissions of fugitive dust from the Project site, and adequately minimize the Project’s potential to adversely affect nearby sensitive receptors to localized PM impacts.

The Project would also be required to comply with Indirect Source Review (ISR) Rule 9510 to fulfill the District’s emission reduction commitments in the PM₁₀ and Ozone attainment plans. The applicant will submit an Air Impact Assessment Application, in accordance with the Rule.

Given that Project-generated emissions would not exceed applicable SJVAPCD significance thresholds and the Project would be required to comply with SJVAPCD Regulation VIII and ISR Rule 9510, construction-generated emissions of criteria pollutants would be considered less than significant.

Long-Term Operational Emissions

Long-term operation of the Project would result in emissions generated by worker trips, operations equipment, emergency diesel generators and electricity for the aerators. As indicated, in Table 3-5 above, operation and maintenance of the Project would not result in a substantial increase in emissions of criteria pollutants. The impact of operations and maintenance generated emissions would be considered less than significant.

- d) **Less Than Significant Impact.** The nearest sensitive receptors (a residential neighborhood, and a rural residence) to the Project area are located directly to the east, and north, respectively, of the Project site. The Project does not include any project components identified by the California Air Resources Board that could potentially impact any sensitive receptors. These include heavily traveled roads, distribution centers, fueling stations and dry cleaning operations. The Project would not expose sensitive receptors to substantial pollutant concentrations and therefore there would be less than significant impact.
- e) **Less Than Significant Impact.** The Project will create temporary typical construction odors as the Project develops. The Project will not introduce a conflicting land use (surrounding land includes vacant commercial and residential land and residential residences) to the area. The Project would not create objectionable odors affecting a substantial number of people and therefore there will be less than significant.

IV. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **Less Than Significant Impact with Mitigation.** The Project site is located on an urban infill property and has been vacant land for several years, with the exception of one rural residence. The Project site has been disced periodically. It is not located within an area where special-status species have been recorded as reviewed by the California Natural Diversity Database (CNDDDB). The Project site is flat and level with no remarkable topography, geologic, or habitat features. The Project site may provide marginal foraging opportunities for special status animal species and migratory birds; however, the site has been disturbed, is surrounded by urban development and there are no linkage corridors identified in the project area. As such, it is unlikely that any special status species occur on the site; however, to protect any special status species, Mitigation Measure BIO-1 shall be imposed on the Project.

Mitigation Measure BIO-1: Prior to the start of construction, the applicant will implement the following measure:

Mitigation Measure BIO-1 (Preconstruction Survey). A preconstruction survey will be conducted by a qualified biologist within 30 days prior to the start of Project activities. The survey will be limited to the Project site, and will entail walking transects suitably spaced to ensure full visual coverage of the survey area. If any potential impacts are determined, the City of Tulare shall initiate consultation with the California Department of Fish and Wildlife to develop and implement site-specific measures. Mitigation Monitoring and Reporting for each phase shall be conducted by qualified professionals and their results shall be submitted to the City of Tulare and, if needed, the California Department of Fish and Wildlife.

The Project mitigation will be the responsibility of the Applicant and will be monitored by the City of Tulare. The implementation of the City of Tulare General Plan 2035 Conservation and Open Space Element Policy COS-P2.1: *Protection of Rare and Endangered Species. The City shall support preservation, restoration, and enhancement of designated habitats of State or federally-listed rare, threatened, endangered and/or other sensitive and special status species* and Mitigation Measure BIO-1 will reduce any potential impact to a less than significant level.

b) No Impact. The Project site is located on an urban infill property. The Project site itself is disturbed land that has been vacant for several years. It is flat and level with no remarkable topography, geologic, or habitat features. The vacant site is surrounded by existing urban development or vacant lots on all sides. According to the National Wetlands Inventory Maps for the respective USGS quads, no wetlands or riparian communities exist on the Project site. The nearest natural waterway is Elk Bayou, located approximately 3.25 miles southeast of the Project site. There would be no impact.

c) No Impact. As stated in Impact IV-b, wetlands or riparian communities do not exist on or near the Project site. There would be no impact.

d) No Impact. As discussed in Impact IV-a, there is no viable habitat for any special status species. There would be no impact.

e) Less Than Significant Impact. The City of Tulare has an oak tree preservation policy according to Tulare Municipal Code 8.52.100 (Preservation of Heritage Trees). It is not anticipated that the Project will require removal of oak trees. However, if oak trees are removed, replacement and/or replanting shall be done in accordance with the City's municipal code. Any impacts would be less than significant.

f) No Impact. No habitat conservation plan, natural community conservation plan, or other approved local, regional or state habitat conservation plan, is in effect for the area of the Project. Therefore, the Project would have no impact.

V. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) **Less Than Significant Impact.** The Project site is an infill development, previous grading activities onsite have not uncovered any historical resources. Archeological and historical searches were conducted throughout the city limits and the proposed SOI during the General Plan Update process. According to the search, there are no known historical structures or monuments recorded to be on the site. Additionally, a cultural resources records search of the proposed location was conducted on June 19, 2017 to determine whether cultural resources are present within the project area (see Appendix B). No cultural resources were identified within the project area.

Although no archaeological or historical sites appear to be within the Project area, it has not been physically surveyed and as such, the possibility remains that resources do exist on the site. However, the following Conservation and Open Space Element Policies listed below would assist in reducing potential disturbances of cultural resources and human remains.

- **COS-P5.9 Discovery of Archaeological Resources.** In the event that archaeological/paleontological resources are discovered during site excavation, grading, or construction, the City shall require that work on the site be suspended within 100 feet of the resource until the significance of the features can be determined by a qualified archaeologist /paleontologist. If significant resources are determined to exist, an archaeologist shall make recommendations for protection or recovery of the resource. City staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the City.
- **COS-P5.10 Discovery of Human Remains.** Consistent with Section 7050.5 of the California Health and Safety Code and CEQA Guidelines (Section 15064.5), if human remains of Native American origin are discovered during Project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). If any human remains are discovered or recognized in any location on the Project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - The Tulare County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and

- If the remains are of Native American origin, - The descendants of the deceased Native Americans have made a timely recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. - The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission, or - The landowner or his or her authorized representative rejects any timely recommendations of the descendent, and mediation conducted by the Native American Heritage Commission has failed to provide measures acceptable to the landowner.

Thus, impacts to potential cultural resources would be less than significant.

b) Less Than Significant Impact. Any impacts to archaeological resources have been discussed in Impact V-a. Impacts are less than significant with the incorporation of the Conservation and Open Space Element policies in the City's General Plan.

c) Less Than Significant Impact. No known paleontological resources exist within the Project area. The Project site is an infill development lot that was previously farmed. Previous discing and site grading activities onsite have not uncovered any paleontological resources. Construction activities associated with the proposed Project are not expected to be conducted significantly below grade, at a level where they would have the potential to disturb any previously unknown paleontological resources or geologic features. Impacts would be less than significant.

d) Less Than Significant Impact. No formal cemeteries or other places of human internment are known to exist on the Project site; however, in accordance with Health and Safety Code §7050.5 and Public Resources Code §5097.98, if human remains are unearthed during Project construction, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition of such remains. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC would then identify the person(s) thought to be the most likely descendent of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains. As such, any impacts would be less than significant.

VI. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a-i) **Less Than Significant Impact.** No substantial faults are known to occupy the City of Tulare according to the Alquist-Priolo Earthquake Fault Zoning Maps and the State of California Department of Conservation.

Additionally, the proposed residences would be constructed to the standards of the most recent seismic standards as set forth in the California Building Code (CBC). Compliance with these standards would ensure potential impacts related to strong seismic ground shaking would be would be less than significant.

a-ii) **Less Than Significant Impact.** Any impacts regarding strong seismic ground shaking have been discussed in Impact VI-a-i. The impact would be less than significant.

a-iii) **No Impact.** The Project does not involve any subsidence-prone soils or oil or gas production. There would be no impact.

a-iv) **No Impact.** No geologic landforms exist on or near the site that would result in a landslide event. There would be no impact.

b) **Less Than Significant Impact.** The Project would eventually result in the removal of topsoil through construction grading activities. This could in turn result in exposing the underlying soil to erosion from wind and water. However, construction of the Project would result in new structures, interior access roads and landscaped grounds which would stabilize disturbed soils. Additionally, the proposed Project would be required to implement General Plan Safety Element policies which would further reduce any impacts associated with wind and water erosion to a less than significant level.

c) and d) **Less Than Significant Impact.** There are two soil types within the Project area. Nord fine sandy loam, 0 to 2 percent slopes, and Yette sandy loam, 0 to 2 percent slopes. Both of these soil types are very well drained with a moderate shrink-swell potential. Additionally, substantial grade change would not occur in the topography to the point where the Project would expose people or structures to potential substantial adverse effects on, or offsite, such as landslides, lateral spreading, subsidence, liquefaction or collapse. Any impacts would be less than significant.

e) **Less Than Significant Impact.** No septic tanks or alternative waste water disposal systems are proposed as a part of the Project. The Project would not generate a significant increase in wastewater discharge. Therefore, the Project would not require alternative wastewater treatment facilities. Any impacts would be less than significant.

VII. GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

Less Than Significant Impact.

Construction: Greenhouse gas emissions, generated during construction, would include activities such as site preparation, grading, the construction of the building, paving, etc. The District does not have a recommendation for assessing the significance to construction-related emissions. Construction activities occurring before 2020, the year when the State is required to reduce its GHG emissions to 1990 levels, are therefore considered less than significant.

Operation: The Project will include long-term emissions over the lifetime of the Project that include mobile operations, waste generated, water consumed, and energy consumed. The U.S. Environmental Protection Agency published a rule for the mandatory reporting of greenhouse gases (GHG) from sources that in general emit 25,000 metric tons or more of carbon dioxide equivalent (CO₂e) per year. Project GHG emissions were calculated using CalEEMod based on 19.86 acres of development, 88 single family residential units and an average of 831.34 trips/day. This Project is estimated to produce 1,798.6 metric tons per year of CO₂e, which is well below the 25,000 metric tons action threshold for greenhouse gas emissions. As such, operational GHG emissions are considered less than significant.

b) No Impact. California State Legislature, in 2006 enacted AB32, the California Global Warming Solutions Act of 2006. AB 32 focuses on reducing greenhouse gas emissions in California. See VII.a) above. Projects implementing of Best Performance Standards and SJVAPCD Regulation VIII would be determined to have a less than significant individual and cumulative impact on global climate change. The Project does not conflict with any applicable plan, policy, or regulation of an agency adopted for reducing GHG emissions. There would be no impact.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a, b) **Less than Significant Impact.** The Project would be completed in three phases and would result in the construction of approximately 88 single family residences, internal access roads, landscaped grounds, and off-site improvements subject to City standards. Construction activities would involve the use, storage, transportation and disposal of oil, gasoline, diesel fuel, paints, solvents and other hazardous materials. Federal and state laws provide handling requirements for these materials to ensure that spills are minimized. Compliance with these requirements would reduce impacts to a less than significant level. During operation, no use or storage of hazardous materials beyond those used for landscaping and maintenance activities are anticipated. Less than significant impacts would occur.

c) **No Impact.** The nearest schools, Children’s House Montessori School and Live Oak Middle School, are approximately 0.25 miles southwest, and 0.5 miles northwest, respectively, of the Project site. Neither the Project nor any resultant development of the Project site would emit hazardous emissions, involve hazardous materials, or create a hazard to the schools in any way. There would be no impact.

d) **No Impact.** The Project does not involve land that is listed as a hazardous materials site pursuant to Government Code §65962.5 and is not included on a list compiled by the Department of Toxic Substances Control per a review of “Identified Hazardous Waste Sites”, conducted in June of 2017 by Provost & Pritchard Consulting Group. The nearest inactive site is the Del Lago Site (54010010), over 1.4 miles from the site. Evaluation of this site was completed in 2002 and no further action is needed. There would be no impact.

e) and f) **No Impact.** The closest airport is the Mefford Field Airport (approximately 4 miles southwest of the site). The closest regional airport is the Fresno Yosemite International Airport, approximately 44 miles northwest of the Project site. The Project would not result in a safety hazard for people working in the Project area. There would be no impact.

g) **No Impact.** The Project site has adequate emergency access from Muirfield Avenue to the east, and the proposed road Aberdeen Street to the north. Additionally, onsite road networks will be designed for adequate circulation and emergency vehicle accesses. Therefore, the proposed Project would not result in emergency evacuations, nor would the Project interfere with implementation of a City-established emergency response plan or evacuation. There would be no impact.

h) **No Impact.** The Project site and the surrounding lands are not considered to be wildlands. Most of the surrounding land is either vacant or fully developed with similar and compatible urban uses. There would be no impact.

IX. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) and e) Less Than Significant Impact. Upon development, the Project will connect to the City of Tulare’s water and sanitary sewer systems. The Project would result in the construction of approximately 88 single family residences, internal access roads, landscaped grounds, and off-site improvements subject to City standards. The Project has been reviewed by the Public Works Director and City Engineer and determined that the Project will not have a significant impact on the existing water system, and would not require the construction of any new facilities or the acquisition of any new water sources. The impacts would be less than significant.

b) **Less Than Significant Impact.** The Project has been reviewed by the Public Works Director and City Engineer and determined that the Project will not have a significant impact on the existing water system, and would not require the construction of any new facilities or the acquisition of any new water sources. Any impacts would be less than significant.

c) **Less Than Significant Impact.** Implementation of the Project would result in grading and landform alteration on the site that would expose native soils that could be subject to the effects associated with wind and water erosion unless adequate measures are taken to limit the transport of soils in surface water from the site to downstream locations. The Project applicant would be required to implement a Storm Water Pollution Prevention Program (SWPPP) that would identify specific measures to address erosion and siltation resulting from grading and construction as well as the potential long-term water quality impacts. The Project would also include a retention basin that would capture runoff and reduce peak flows. Implementation of the Project would result in new internal access roads, increasing impervious surface area which is not prone to erosion or siltation. The Project would also include landscaping that would minimize erosion and siltation. The Project site would be designed for storm water to be captured by the retention basin and to the storm drain system. No streams or rivers would be altered. Therefore, on-site flooding, erosion, and siltation would not occur. Any impacts would be less than significant.

d) **Less Than Significant Impact.** Impact IX.c) above discusses Project-related changes to site drainage and runoff. The on-site storm water collection shall meet City standards for capacity. As such, the potential for flooding on or off-site as a result of the Project is considered less than significant.

e) **Less Than Significant Impact.** The Project would result in new structures, interior access roads and landscaped grounds. As discussed in impact IX.c) above, implementation of the Project would not substantially increase the rate or amount of surface runoff that would result in flooding on or off site. Any impacts would be less than significant.

g) and h) **Less Than Significant Impact.** According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Community Panel No. 06107C1275E, dated June 2009, the Project site is located in Zone-X which is considered to be an area of minimal risk. With the installation of onsite and offsite storm drainage improvements, impacts would be less than significant.

i) **No Impact.** The Project is located in a relatively flat area and is not located near any levees or dams. The two closest dams that could cause flooding are Terminus Dam and Success Dam, both of which are located more than 20 miles away. Although there are numerous Tulare Irrigation District Canals located throughout the City of Tulare, the canals do not include storage of large amounts of aboveground water that could be released suddenly due to a structural failure. Therefore, the Project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. There would be no impact.

j) **No Impact.** The Project is located inland and not near an ocean or large body of water, therefore, would not be affected by a tsunami. The Project is located in a relatively flat area and would not be impacted by inundation related to mudflow. Therefore, the Project would have no impact to seiche, tsunami, or mudflow.

X. LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **No Impact.** The physical division of an established community refers to the construction or removal of a physical feature or structure such that will impair mobility within the existing community, or between a community and outlying areas. The proposed Project would be completed in three phases and would result in the construction of approximately 88 single family residences, internal access roads, landscaped grounds, and off-site improvements subject to City standards. Additionally, existing circulation throughout the area would not be impacted as the proposed Project would not result in any roadway closure. The Project site would be accessed off the existing Muirfield Avenue and the proposed Aberdeen Street. There would be no impact.

b) **Less Than Significant Impact.** To accommodate the density of the new development, the Project would amend the General Plan from commercial and medium density residential to low density residential land uses. The Project also proposes to change the zoning from C-3 and R-M-2 to R-1-6, see Figure 2-3 and Figure 2-4. While the Project would conflict with the current City of Tulare General Plan 2035, the proposed land use amendments and zoning changes are compatible with the surrounding land uses (multi-family/ single-family residential and commercial) and zoning, and therefore would have a less than significant impact.

c) **No Impact.** The Project area is not subject to any habitat conservation plan or similar plan. There would be no impact.

XI. MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **No Impact.** Although there are currently 26 mines permitted to operate in Tulare County, none of them are in or adjacent to the City of Tulare.² The Project would not result in the loss of an available known mineral resource. There would be no impact.

b) **No Impact.** The Project site is not delineated on a local land use plan as a locally important mineral resource recovery site; therefore, the existence of the Project would not result in the loss of availability of any mineral resources. There would be no impact.

² State of California Department of Conservation, Mine Reclamation – AB 3098 List, http://www.conservation.ca.gov/omr/SMARA%20Mines/ab_3098_list/Documents/July_2016-3098.pdf, accessed on September 26, 2016.

XII. NOISE

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people living or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people living or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a), c), and d) **Less Than Significant Impact.** Construction activities generally involve temporary noise sources. Typical construction equipment includes graders, trenchers, small tractors, a crane and miscellaneous equipment. During construction, noise from construction activities would contribute to the noise environment in the immediate Project vicinity. Activities involved in construction would generate maximum noise levels, as indicated in [Table 3-6](#), ranging from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g. mufflers) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise control.

Table 3-6. Typical Construction Noise Levels³

Type of Equipment	dBA at 50 ft.	
	Without Feasible Noise Control ¹	With Feasible Noise Control
Dozer or Tractor	80	75
Excavator	88	80
Scraper	88	80
Front End Loader	79	75
Backhoe	85	75
Grader	85	75
Truck	91	75

¹ Feasible noise control includes the use of intake mufflers, exhaust mufflers and engine shrouds operating in accordance with manufacturers specifications.

The City of Tulare General Plan and Noise Ordinance does not specifically identify short-term, construction-noise-level thresholds or long-term operational noise thresholds. The distinction between short-term construction noise impacts and long-term operational noise impacts is a typical one in both CEQA documents and local noise ordinances, which generally recognize the reality that short-term noise from construction is inevitable and cannot be mitigated beyond a certain level. Thus, local agencies frequently tolerate short-term noise at levels that they would not accept for permanent noise sources. Construction and operational activities would comply with the following City of Tulare General Plan Policies:

- **NOI-P1.5 Construction Noise.** Reduce noise associated with construction activities by requiring properly maintained mufflers on construction vehicles, requiring the placement of stationary construction equipment as far as possible from developed areas, and requiring temporary acoustical barriers/shielding to minimize construction noise impacts at adjacent receptors. Special attention should be paid to noise-sensitive receptors (including residential, hospital, school, and religious land uses).
- **NOI-P1.6 Limiting Construction Activities.** The City shall limit construction activities to the hours of 6 am to 10 pm, Monday through Saturday.

Changes to the existing neighborhood’s noise levels on a long-term basis resulting from the Project would include low-density, single-family residential homes, which are not typically associated with high levels of operational noise. Therefore, Project-related operational noise impacts would be less than significant, and no mitigation would be required.

b) **Less Than Significant Impact.** Vibration is the periodic oscillation of a medium or object. Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the

³ U.S. Department of Transportation, Federal Transit Administration. 2006.

case with airborne sound, ground borne vibrations may be described by amplitude and frequency. Vibration amplitudes are usually expressed in peak particle velocity (PPV) or root mean squared (RMS), as in RMS vibration velocity. The PPV and RMS (VbA) vibration velocity are normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal and is often used in monitoring of blasting vibration because it is related to the stresses that are experienced by buildings⁴.

Although PPV is appropriate for evaluating the potential for building damage, it is not always suitable for evaluating human response. As it takes some time for the human body to respond to vibration signals, it is more prudent to use vibration velocity when measuring human response. The vibration velocity level is reported in decibels relative to a level of 1×10^{-6} inches per second and is denoted as VdB. The typical background vibration-velocity level in residential areas is approximately 50 VdB. Ground borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels⁵.

Typical outdoor sources of perceptible ground borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Construction vibrations can be transient, random, or continuous. The approximate threshold of vibration perception is 65 VdB, while 85 VdB is the vibration acceptable only if there are an infrequent number of events per day (FTA 2006). Table 5 describes the typical construction equipment vibration levels.

Table 3-7. Typical Construction Vibration Levels⁶

Equipment	VdB at 25 ft ²
Small Bulldozer	58
Jackhammer	79

Based on the typical vibration levels identified in the table above, any temporary vibration levels associated with construction activities are not expected to exceed the FTA threshold for the nearest residence which is located approximately 556 feet from the proposed Project. The impact would be less than significant.

e) and f) **No Impact.** The Project area is approximately four miles from the Mefford Field Airport; however, the site is well outside of the noise contour areas established for the Mefford Field Airport⁷. There are no private airstrips in the vicinity of Project site. As such, the Project would not subject people to noises associated with public or private airport use. There would be no impact.

⁴ U.S. Department of Transportation. Federal Transit Administration, Transit Noise and Vibration Impact Assessment. 2006.

⁵ Ibid.

⁶ Ibid.

⁷ City of Tulare Draft

XIII. POPULATION AND HOUSING

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **Less Than Significant Impact.** The Project would be completed in three phases and would result in the construction of approximately 88 single family residences, internal access roads, landscaped grounds, and off-site improvements subject to City standards. The City of Tulare has an average household size of 3.35 persons,⁸ resulting in an anticipated population increase of 294 persons. Whether this increase will comprise persons from Tulare or from out of the area is speculative. All of the utilities infrastructure, including sewer and water facilities, exist in the immediate vicinity of the Project site and would be extended to the Project site. Storm drains would be added and a ponding basin would be constructed to serve the Project site. These existing utility and service systems have adequate capacity to serve the Project (refer to Section XVI, below). The small increase of total persons coupled with the speculative nature of whether the increase at the site will comprise current Tulare residents or people relocating to Tulare from elsewhere results in a less than significant impact

b) and c) **No Impact.** The Project site itself has historically been vacant, with only one rural residence located on the parcel, therefore construction would not displace substantial numbers of people. Additionally, the Project will involve the construction of approximately 88 single family residences. Therefore, the Project would not displace existing housing for a substantial number of people or residents. Further, the Project would provide additional housing upon completion. There would be no impact.

⁸ City of Tulare General Plan 2035, page 2-12.

XIV. PUBLIC SERVICES

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) Less Than Significant Impact.

Fire Protection – The City of Tulare will provide fire protection services to the proposed Project site. Station 61 is the closest to the Project site and is located approximately 1.4 miles to the southwest. In order to offer adequate onsite fire protection, life safety, and suppression service to the Project site, the City of Tulare Fire Department must have adequate onsite circulation and access to hydrants with adequate fire-flow pressure in the event of an emergency. The Project site has adequate emergency access from Muirfield Avenue located on the eastern side site, and the proposed Aberdeen Street, to the North of the Project site. Additionally, onsite road networks are designed for adequate circulation and emergency vehicle accesses. Finally, the final site plans and development specifications will indicate the location and design specifications of the fire hydrants and no-parking zones that may be required in the Project site. The implementation of the proposed Project would not adversely impact existing fire protection or emergency services within the City, and would not require the construction of an additional fire protection facility in Tulare. Impacts to fire services would be less than significant.

Police Protection – The Project site will be served by the Tulare Police Department. Implementation of the proposed Project would result in an increase in demand for police services. This increase would be minimal compared to the number of officers currently employed by the Tulare Police Department and would not result in significant demand for additional police services or additional staffing. Implementation of the Project would not require the construction of a new police facility to serve the Project, nor would it create a negative impact to existing emergency response times and existing police protection service levels. Impacts to police services would be less than significant.

Schools – The potentially affected school districts are the Tulare Joint Union High School District, and Tulare City Elementary School District. Using a student generation rate of 0.661

students/household, the Project would result in approximately 58 K-12 students. Under Senate Bill 50 – School Facilities Act of 1998 a Project’s impacts on school facilities are fully mitigated via the payment of the requisite new school construction fees established pursuant to Government Code §65995. Payment of applicable impact fees by the developer, and ongoing revenue that would come from local taxes would ensure that this Project pays its share of impacts to local school’s services. Therefore, any impact is less than significant.

Parks – The Project does not include additional recreational facilities. The nearest park is Live Oak Park, located 0.3 miles to the northeast. Santa Fe Public Trail is located 0.3 miles to the north. Current City standard is 4.0 acres of parkland per 1,000 population⁹. According to the State Department of finance, in 2012 Tulare’s average household size was 3.35 persons per household¹⁰. Therefore, the proposed Project could house up to 294 people, and require 1.17 acres of parkland. The applicant will fill this need through payment of park impact fees. Therefore, any impact would be less than significant.

Other public facilities – The Project would connect to the City’s water and sewer systems. The Project will also collect and discharge stormwater to a ponding basin that will be located to the north of the proposed Project site. Any impacts would be less than significant.

⁹ City of Tulare General Plan 2035, page 4-10.

¹⁰ City of Tulare General Plan 2035, page 2-12.

XV. RECREATION

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) and b) Less Than Significant Impact. The nearest park is Live Oak Park, located 0.3 miles to the northeast. Santa Fe Public Trail is located 0.3 miles to the north. The Project is not required to construct additional recreational facilities or open space. As discussed in Impact XIV. a) the Project will pay park impact fees to cover the cost of park maintenance, these fees could also go towards the construction or expansion of existing recreational facilities should the City deem that necessary. Therefore, any impact will be less than significant.

XVI. TRANSPORTATION/TRAFFIC

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) and b) **Less Than Significant Impact.** The Project would be completed in three phases and would result in the construction of approximately 88 single family residences, internal access roads, landscaped grounds, and off-site improvements subject to City standards. Vehicular access to the site would primarily be provided by Muirfield Avenue, and a proposed Aberdeen Street. The proposed Aberdeen Street would access the site on the northern border feeding off of Seminole Avenue. The Project will construct Aberdeen Street, Muirfield Avenue and all internal streets and internal drive aisles to meet City standards.

According to the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition), the Single-Family Housing (Land Use 210) has the potential to generate 9.57 weekday traffic trips per dwelling unit, resulting in a potential trip generation of approximately 842.16 weekday trips per day. The Project would average 10.08 Saturday traffic trips per dwelling unit, resulting in 887.04 Saturday trips, and an average of 8.77 Sunday traffic trips per dwelling unit, resulting in 771.76 Sunday trips. The City of Tulare General Plan 2035 designates Mooney Boulevard (State Route 63) as a State Freeway and Highway and the Project will not exceed the Level of Service (LOS) thresholds of LOS 'D' as defined in the Highway Capacity Manual.

To accommodate the Project's vehicle trips, the existing dedicated right turn lane on northbound Mooney Boulevard to eastbound Seminole Avenue will be lengthened to 580 feet. Further, the Project will pay its fair share of the City's established Development Impact Fees for City Streets and State Highways. The Project will also construct its portion of the proposed Aberdeen Street and frontage improvements along Mooney Boulevard, as required by Caltrans (see appendix E). In addition, the Project will improve the circulation system by installing a raised median within Mooney Boulevard, pedestrian sidewalks along Mooney Boulevard and throughout the subdivision.

The Project does not conflict with any circulation plan or level of service standards. The site will maintain vehicular access to two streets, which themselves connect to the larger city-wide circulation system. Any impacts would be less than significant.

c) **No Impact.** The Project is located approximately four miles northeast of the Mefford Field Airport, and approximately 44 miles southeast of the Fresno Yosemite International Airport, in the City of Fresno. The Project site is outside of the established area of the Airport Land Use Plan. There is no potential for the Project to result in a change in air traffic patterns. There would be no impact.

d) **No Impact.** The Project would not include any sharp curves or hazardous roadway design elements. The use will include large trucks that will circulate in and out of the Project area and will require City Standard curb return design to accommodate the large truck turn radius. The impacts would be less than significant.

e) **No Impact.** The Project site is within an urbanized area that currently receives adequate emergency services. The Project does not propose any roadway construction or onsite uses that would affect emergency services as they are currently provided. There would be no impact.

f) **No Impact.** The Project would not conflict with any adopted transportation policies or plans. There would be no impact.

XVII. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **No Impact.** The City of Tulare sent a request to the NAHC on May 2, 2017 for a Sacred Lands File search to identify any known Native American resources in the APE (Appendix C). The City additionally requested a list of parties that may have interest in the Project or knowledge of any unrecorded Native American resources in the area.

In a letter dated May 5, 2017, Sharaya Souza of the NAHC informed the City that no resources were identified within the subject portion of the APE as a result of the Sacred Lands File search. Souza’s letter included a list of six Native American contacts who may have special knowledge of the Project area (Appendix C). On May 9, 2017, the City sent a letter describing the Project and its location to each of the following contacts identified by the NAHC:

- Julie Turner, Secretary, Kern Valley Indian Council;
- Rueben Barrios Sr., Chairperson, Santa Rosa Rancheria Tachi Yokut Tribe;
- Robert Robinson, Chairperson, Kern Valley Indian Council;
- Neil Peyron, Chairperson, Tule River Indian Tribe;
- Robert L. Gomez, Jr., Tribal Chairperson, Tubatulabals of Kern Valley;
- Kenneth Woodrow, Chairperson, Wuksache Indian Tribe/Shum Valley Band;

Copies of the Native American outreach documentation are included in Appendix C.

An email was received on June 12, 2017, from Kerri Vera of the Tule River Tribe. The email stated that at this time, they did not have any knowledge of culturally sensitive items or sites within the proposed Project area. However, if items or sites are revealed during research or Project initiation, within the Project site, they requested to be contacted.

Voicemails were left on June 14-15, 2017, to the remaining five tribes on the NAHC contact list. No other information has been received in response to phone calls, letters, or e mails.

A records search was conducted at the Southern San Joaquin Valley Archaeological Information Center, California State University, Bakersfield, and at the Native American Heritage Commission *Sacred Lands File*. These investigations determined that the study area had not been previously surveyed and that no archaeological sites, sacred sites or traditional cultural places had been identified within or adjacent to the proposed Project Area. Additionally, as discussed above, the City has not been contacted by any California Native American tribes regarding tribal cultural resources within the proposed Project vicinity. Therefore, there will be no impact

b) **No Impact.** As noted in Impact XVII-a-i, no tribal cultural resources were identified within the proposed Project area. Therefore, there will be no impact.

XVIII. UTILITIES AND SERVICE SYSTEMS
Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) and b) **Less Than Significant Impact.** The Project will connect to the City of Tulare water and sanitary sewer systems. The Project would require the extension of sewer and water lines to the Project site from the existing lines located in Seminole Avenue. The Project has been reviewed by the Public Works Director and City Engineer and determined that the Project will not have a significant impact on the existing water or sewer system, and would not require the construction of any new facilities or the acquisition of any new water sources. The Public Works department will regularly monitor the waste water discharge to meet City requirements. Impacts would be less than significant.

c) **Less Than Significant Impact.** The Project would result in the construction of structures, interior access roads and landscaped grounds. The Project will alter the existing drainage pattern with the development of the Project. However, the storm water will be collected and discharged to a proposed basin located to the north of the Project site. Any impacts will be less than significant.

d) and e) **Less Than Significant Impact.** See Impacts XVIII(a) and (b) above.

f) **Less Than Significant Impact.** The Project would be served by the Woodville Disposal Site, 10 miles southeast of the City. The landfill has sufficient permitted capacity to accommodate the proposed Project's solid waste disposal needs. Any impacts would be less than significant.

g) No Impact. The Project would continue to comply with any federal, state, and local regulations related to solid waste. There would be no impact.

XVIIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) **Less Than Significant Impact with Mitigation Incorporation.** Based on the analysis conducted in this Initial Study, impacts to Aesthetics, Agriculture and Forestry Resources, Air Quality, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Population/Housing, Public Services, Recreation, Transportation/Traffic, and Utility/Services Systems would be less than significant. Potential impacts to Biological Resources would be less than significant with implementation of mitigation measure BIO-1. Additionally, with implementation of the Best Management Practices for construction activities, the proposed Project’s potential to degrade the quality of the environment, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a protected species or eliminate important examples of the major periods of California history or prehistory would be less than significant with implementation of the above noted mitigation measure. The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the Project would have a less than significant effect on the local environment.

b) **Less Than Significant Impact with Mitigation Incorporation.** As discussed in the initial study, impacts associated with the Project are incremental and minor in nature, would result in less than significant impacts to the environment with incorporation of mitigation measure BIO-1. As mitigated, the proposed Project will not have impacts that are cumulatively considerable.

c) **Less Than Significant Impact.** The Project will not result in substantial adverse effects on human beings, either directly or indirectly. With implementation of Best Management Practices and general safety protocols during construction and maintenance of the proposed Project, impacts will be less than significant.

CHAPTER 4

MITIGATION MONITORING REPORTING PROGRAM

Chapter 4 - MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Greens Subdivision Map Project (Project) in the City of Tulare (City). The MMRP lists mitigation measures recommended in the IS/MND for the proposed Project and identifies monitoring and reporting requirements.

Table 4-1 presents the mitigation measures identified for the Project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of Table 4-1 identifies the mitigation measure. The second column, entitled “When Monitoring is to Occur,” identifies the time the mitigation measure should be initiated. The third column, “Frequency of Monitoring,” identifies the frequency of the monitoring of the mitigation measure. The fourth column, “Agency Responsible for Monitoring,” names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last columns will be used by the City to ensure that individual mitigation measures have been complied with and monitored.

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
Biological Resources:					
BIO - 1 (Preconstruction Survey). A preconstruction survey will be conducted by a qualified biologist within 30 days prior to the start of Project activities. The survey will be limited to the Project site, and will entail walking transects suitably spaced to ensure full visual coverage of the survey area. If any potential impacts are determined, the City of Tulare shall initiate consultation with the California Department of Fish and Wildlife to develop and implement site-specific measures. Mitigation Monitoring and Reporting for each phase shall be conducted by qualified professionals and their results shall be submitted to the City of Tulare and, if needed, the California Department of Fish and Wildlife.	Prior to construction	Prior to Construction	City of Tulare	Field inspection and report submittal to City of Tulare	

CHAPTER 5

LIST OF PREPARERS

Chapter 5 - LIST OF PREPARERS

The following firms, individuals and agency staff contributed to the preparation of this document:



Traci Myers, Deputy Community Development Director

411 East Kern Avenue
Tulare, CA 93274



286 W. Cromwell Avenue
Fresno, CA 93711

Dawn E. Marple, Senior Planner, QA/QC
Amy Wilson, Associate Planner
Angie Hammon, Project Administrator
Jason Thomas, GIS

AGENDA ITEM:

**CITY OF TULARE, CA
AGENDA ITEM TRANSMITTAL SHEET**

Submitting Department: City Manager

For Council Meeting of: September 19, 2017

Documents Attached: Ordinance Resolution Staff Report Other None

AGENDA ITEM:

Consideration for appointment three members to the City of Tulare Measure I Oversight Committee, one member to the Planning Commission and one member to the Board of Public Utilities.

IS PUBLIC HEARING REQUIRED: Yes No

BACKGROUND/EXPLANATION:

Listed below are the three legislative bodies that require consideration by the Council of appointments to vacancies as follows:

Measure I Oversight Committee – meets twice annually TBD (appoint 2, to a term ending December 31, 2019; and appoint 3, to a term ending December 31, 2021)

On May 16, 2017 the City Council established the Measure I Oversight Committee. The Committee will consist of five members, appointed by each of the five Council Members. A Press Release seeking applicants was posted and submitted to the media on June 1, 2017 and again on July 7, 2017, with August 25, 2017, set as the deadline for applications.

On September 5, 2017, Vice Mayor Castellanoz selected Dawn “Michelle” Rowsey as her appointment to the Measure I Citizen Oversight Committee and Council Member Sigala selected Richard Dituri as his appointment to the Measure I Citizen Oversight Committee. Three appointments remain.

Applications have been submitted expressing interest in serving on the Measure I Oversight Committee as well as other Boards or Commissions as follows:

Denise England Measure I Citizen Oversight Committee

Maria Grijalva Measure I Citizen Oversight Committee Library Board

Eva Bruce Board of Public Utilities Committee on Aging Measure I Citizen Oversight Committee Parks & Recreation Commission Planning Commission

Nic Ferreira Board of Public Utilities **Measure I Citizen Oversight Committee**
Planning Commission Police Department Citizen Complaint Review Board

Planning Commission – meets 2nd/4th Monday at 7 p.m. (appoint 1, to an unexpired term ending December 31, 2019)

On July 18, 2017 the City Council declared the seat of Ty Davis vacant following his resignation. A Notice of Vacancy was posted on July 19, 2017, with August 25, 2017, set as the deadline for applications.

Applications have been submitted expressing interest in serving on the Planning Commission as well as other Boards or Commissions as follows:

Joshua Cox **Planning Commission**

Eva Bruce Board of Public Utilities Committee on Aging Measure I Citizen Oversight Committee Parks & Recreation Commission **Planning Commission**

Nic Ferreira Board Public Utilities Measure I Oversight Committee **Planning Commission** Police Department Citizen Complaint Review Board

Board of Public Utilities – meets 1st/2nd Thursday at 7 p.m. (appoint 1, to an unexpired term ending December 31, 2019)

On August 1, 2017 the City Council declared the seat of Erica Cubas vacant following her resignation. A Notice of Vacancy was posted on August 9, 2017, with September 1, 2017, set as the deadline for applications. Per City Charter the Mayor appoints members to this Board, with confirmation of same by the Council.

Applications have been submitted expressing interest in serving on the Board of Public Utilities as well as other Boards or Committees as follows:

Eva Bruce **Board of Public Utilities** Committee on Aging Measure I Citizen Oversight Committee Parks & Recreation Commission Planning Commission

Nic Ferreira **Board Public Utilities** Measure I Oversight Committee Planning Commission Police Department Citizen Complaint Review Board

Chris Soria **Board Public Utilities** Police Department Citizen Complaint Review Board

Jesse R. Salcido **Board Public Utilities** Committee on Aging Housing & Building Appeals Board Parks & Recreation Commission

STAFF RECOMMENDATION:

Consideration for appointment three members to the City of Tulare Measure I Oversight Committee, one member to the Planning Commission and one member to the Board of Public Utilities.

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: Yes No N/A

Submitted by: Joe Carlini
Roxanne Yoder

Title: City Manager
Chief Deputy City Clerk

Date: September 8, 2017

City Manager Approval: _____

DL

RECEIVED

JUL 17 2017 01

CITY OF TULARE
BOARD/COMMISSION/COMMITTEE APPOINTMENT CANDIDATE
CITY CLERKS OFFICE
CITY OF TULARE

I would like to be considered for appointment to the following City of Tulare board(s), commission(s) or committee(s) when vacancies occur.

- Aviation Committee
- Board of Public Utilities
- Committee on Aging
- Housing & Building Appeals Board
- Measure I Citizen Oversight Committee
- Library Board
- Parks & Recreation Commission
- Planning Commission
- Police Department Citizen Complaint Review Board

NAME: Denise England

ADDRESS: _____

(Appointee must reside or own a business within the sphere of influence)

MAILING ADDRESS (if different from above): _____

E-MAIL ADDRESS: DEngland@co.tulare.ca.us

PHONE (work): xxxxxxx (home) xxxxxx How long have you lived in Tulare or area? 17 yrs. EMPLOYED BY:


County of Tulare: Board of Supervisors

DISCLOSURE: Most, but not all, of the city's boards and commissions require, by state law, that members file a "Statement of Financial Interests" (or form of their own) on an annual basis. Would you be willing to file such a statement (or form of their own) with an appointment? YES NO

Please provide a brief statement about yourself, background and why you are interested in serving on the above. Attach additional sheet(s) if more space is needed:

Measure I is an important fiscal tool for the City to fund critical public safety functions and essential road infrastructure. As a resident of Tulare, I have an interest in ensuring transparent and accurate fiscal controls, especially as they relate to tax measures. I have a strong interest in protecting the integrity of Measure I, not only for current proceeds and expenditures, but also for the success of future tax measures. I have twelve years of experience in budgeting and financial reporting through my position with the County of Tulare. I believe that my experience and interest would benefit the Measure I Citizen Oversight Committee, protecting the fiduciary duty of the City.

Date: 7/18/17

Signature: 

THIS APPLICATION WILL REMAIN ON FILE FOR TWO YEARS FROM THE DATE OF FILING OR UNTIL APPOINTMENT TO A BOARD/COMMISSION/COMMITTEE, WHICHEVER OCCURS FIRST
RETURN TO: OFFICE OF THE CITY CLERK, 411 EAST KERN AVENUE, TULARE, CA 93274
(FAX: 366-1701)

DL

RECEIVED

CITY OF TULARE
BOARD/COMMISSION/COMMITTEE APPOINTMENT CANDIDATE AUG 24 2017

CITY CLERK'S OFFICE
CITY OF TULARE

I would like to be considered for appointment to the following City of Tulare board (or commission(s) or committee(s) when vacancies occur.

- Aviation Committee
- Board of Public Utilities
- Committee on Aging
- Housing & Building Appeals Board
- Measure I Citizen Oversight Committee
- Library Board
- Parks & Recreation Commission
- Planning Commission
- Police Department Citizen Complaint Review Board

NAME: EVA BRUCE

ADDRESS: Tulare

(Appointee must reside or own a business within the sphere of influence)

MAILING ADDRESS (if different from above): _____

E-MAIL ADDRESS: eva-bruce50@gmail.com

PHONE (work): _____ (home) XXXXXXXX How long have you lived in Tulare or area? 20 yrs. _____

EMPLOYED BY: IHSS, Tulare County

DISCLOSURE: Most, but not all, of the city's boards and commissions require, by state law, that members file a "Statement of Economic Interest" (conflict of interest/disclosure statement) on an annual basis. **Would you be willing to file such a statement in connection with an appointment?** YES NO

Please provide a brief statement about yourself, background and why you are interested in serving on the above. Attach additional sheet(s) if more space is needed:

I have been a proud homeowner here in Tulare for 20 years now. I am an active member of my church and community.

I have been watching Tulare slowly lose businesses to Visalia and our downtown slowly die. The Tower was a hope for our town and that also has died. It's time to rebuild Tulare and I would very much want to be a part in its growth.

Date: 7-25-2017

Signature: Eva Bruce

THIS APPLICATION WILL REMAIN ON FILE FOR TWO YEARS FROM THE DATE OF FILING OR UNTIL APPOINTMENT TO A BOARD/COMMISSION/COMMITTEE, WHICHEVER OCCURS FIRST
RETURN TO: OFFICE OF THE CITY CLERK, 411 EAST KERN AVENUE, TULARE, CA 93274
(FAX: 366-1701)

CITY OF TULARE
BOARD/COMMISSION/COMMITTEE APPOINTMENT CANDIDATE

RECEIVED
JUL 21 2017
CITY CLERKS OFFICE
CITY OF TULARE

I would like to be considered for appointment to the following City of Tulare board(s), commission(s) or committee(s) when vacancies occur.

- Aviation Committee
- Board of Public Utilities
- Committee on Aging
- Housing & Building Appeals Board
- Measure I Citizen Oversight Committee
- Library Board
- Parks & Recreation Commission
- Planning Commission
- Police Department Citizen Complaint Review Board

NAME: Maria Grijalva

ADDRESS: Tulare 93274

(Appointee must reside or own a business within the sphere of influence)

MAILING ADDRESS (if different from above): _____

E-MAIL ADDRESS: o

PHONE (work): (home) xxx How long have you lived in Tulare or area? 61 yrs.

EMPLOYED BY: Retired - T.U.H.S.D.

DISCLOSURE: Most, but not all, of the city's boards and commissions require, by state law, that members file a "Statement of Economic Interest" (conflict of interest/disclosure statement) on an annual basis. **Would you be willing to file such a statement in connection with an appointment?** YES NO

Please provide a brief statement about yourself, background and why you are interested in serving on the above. Attach additional sheet(s) if more space is needed:

I would like to be considered for Measure I Oversight Committee to better understand how funds/taxes are being used. I also would be able to outreach this information to westside residents that there is a peer interest in inquiring of such. As with any commission I feel that persons willing to apply & LEARN about such positions should have a chance regardless of experience or knowledge of the position. It is with others that we share our concerns together for a better city community.
Thank you

Date: July 21, 2017

Signature: Maria E. Grijalva

THIS APPLICATION WILL REMAIN ON FILE FOR TWO YEARS FROM THE DATE OF FILING OR UNTIL APPOINTMENT TO A BOARD/COMMISSION/COMMITTEE, WHICHEVER OCCURS FIRST
RETURN TO: OFFICE OF THE CITY CLERK, 411 EAST KERN AVENUE, TULARE, CA 93274
(FAX: 366-1701)

CITY OF TULARE
BOARD/COMMISSION/COMMITTEE APPOINTMENT CANDIDATE

RECEIVED

JUN 02 2017

CITY CLERKS OFFICE
CITY OF TULARE

I would like to be considered for appointment to the following City of Tulare board(s), commission(s) or committee(s) when vacancies occur.

- Aviation Committee
- Board of Public Utilities
- Committee on Aging
- Housing & Building Appeals Board
- Measure I Oversight Committee
- Library Board
- Parks & Recreation Commission
- Planning Commission
- Police Department Citizen Complaint Review Board

NAME: Nic Ferreira

ADDRESS: _____

(Appointee must reside or own a business within the sphere of influence)

MAILING ADDRESS (if different from above): _____

E-MAIL ADDRESS: Henry.Ferreira@Saputo.com

PHONE (work): 6 xxx(home) xxx3 How long have you lived in Tulare or area? 20 yrs.

EMPLOYED BY: Saputo Cheese

DISCLOSURE: Most, but not all, of the city's boards and commissions require, by state law, that members file a "Statement of Economic Interest" (conflict of interest/disclosure statement) on an annual basis. Would you be willing to file such a statement in connection with an appointment? YES NO

Please provide a brief statement about yourself, background and why you are interested in serving on the above. Attach additional sheet(s) if more space is needed:

See Attached

Date: 5/24/17

Signature: 

Background- Over 20 years ago my family moved from Hanford to the city of Tulare as my father had taken on a new career path. In my family's time in Tulare we have moved 10 times. I have gotten to see all areas of town and country that Tulare has to offer. A few short years after moving to Tulare my father started his own business. Tulare has provided my family with opportunities we wouldn't have been able to achieve elsewhere.

Career- I am proudly employed by Saputo Cheese. My current role is Supply Chain Manager. I have worked for Saputo the last 10 years. In my time I have seen our business grow and expand to 4 plants in Tulare alone. Saputo employs over 1100 associates for our county. In my current capacity I oversee several departments and manage a hefty budget. I have spent much of my life on building a strong resume and making the right career choices at the right time.

Education- When I moved to Tulare I attended Sundale. I graduated from Sundale in 2004.

I then attended Tulare Union High School-graduated in 2007.

I am currently enrolled at Ashworth College seeking a Degree in Business Administration/Management.

Accomplishments- I have recently completed the Tulare Chamber Leadership course class of 2017.

I help serve on the board of the Tulare Angrense Athletic Club as the athletic director.

Saputo Boards- Director of Safety Committee, Health and Wellness Ambassador, Lean Manufacturing team Lead, Relay for Life Team Captain and Employee appreciation team lead.

Goal- I intend to continue to grow my career within Saputo and climb the organizational ladder. Outside of work I see a need to help serve my city and the individuals that reside within it. I do not want to sit on the sidelines and form opinion without being involved in some of the decision making or understand the inner workings to these decisions. I am open to running for city council when the timing is right for my family.

Should any further information be needed or references please feel free to contact me.

Thanks,

RECEIVED

JUL 20 2017

CITY CLERK'S OFFICE
CITY OF TULARE

CITY OF TULARE
BOARD/COMMISSION/COMMITTEE APPOINTMENT CANDIDATE

I would like to be considered for appointment to the following City of Tulare board(s), commission(s) or committee(s) when vacancies occur.

- Aviation Committee
- Board of Public Utilities
- Committee on Aging
- Housing & Building Appeals Board
- Measure I Citizen Oversight Committee
- Library Board
- Parks & Recreation Commission
- Planning Commission
- Police Department Citizen Complaint Review Board

NAME: JOSHUA COX

ADDRESS: AVE. TULARE, CA 93274

(Appointee must reside or own a business within the sphere of influence)

MAILING ADDRESS (if different from above): P.O. Box 2139 TULARE, CA 93275

E-MAIL ADDRESS: JOSH C LMG AG PRODUCTS, COM

PHONE (work) (559) 7 (home) _____ How long have you lived in Tulare or area? 24 yrs.

EMPLOYED BY: LMG AG PRODUCTS, INC.

DISCLOSURE: Most, but not all, of the city's boards and commissions require, by state law, that members file a "Statement of Economic Interest" (conflict of interest/disclosure statement) on an annual basis. **Would you be willing to file such a statement in connection with an appointment?** YES NO

Please provide a brief statement about yourself, background and why you are interested in serving on the above. Attach additional sheet(s) if more space is needed:

Please see attached.

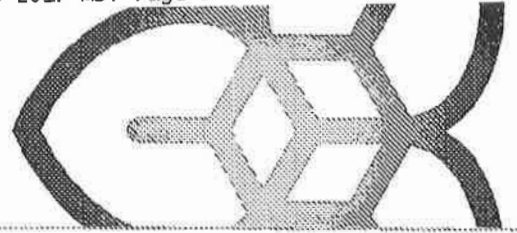
Date: 7/19/2017

Signature: JHC

THIS APPLICATION WILL REMAIN ON FILE FOR TWO YEARS FROM THE DATE OF FILING OR UNTIL APPOINTMENT TO A BOARD/COMMISSION/COMMITTEE, WHICHEVER OCCURS FIRST
RETURN TO: OFFICE OF THE CITY CLERK, 411 EAST KERN AVENUE, TULARE, CA 93274
(FAX: 366-1701)



Phone: (559) 731-6892
Fax: (559) 553-6218
LMGAGProducts.com



July 19, 2017

City of Tulare
Board and/or Committee Appointee Panel
411 East Kern Avenue
Tulare, CA 93274

Dear

July 19, 2017

City of Tulare:

First, my name is Josh Cox. I have lived in Tulare since 2008 and prior to that I live just outside the city. In March of 2016, I moved to Visalia. However, just over a year later, here I am in the process of moving back to Tulare. The reason being is I missed all that I was used to in Tulare. Family, friends, and the business that represent what I consider "my hometown." I grew up in Tulare and attended school in Tulare my entire life. I was the first graduating class of Mission Oak High School and would like to give back to the community who has continually given to me.

My reason for applying for a position on the Planning Commission is that I genuinely enjoy the city and what better a way to give back then to serve on a committee where decisions made, directly benefit those within the community. I have recently graduated from California State University, Fresno. The time requirements of obtaining a secondary education have hindered me from applying sooner to serve the community. With that said, I will live in Tulare once again at the end of August 2017 and would love the opportunity to serve.

I appreciate the time taken to review my application and would greatly appreciate an interview to meet everyone.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Cox", written in a cursive style.

Josh Cox
Planning Commission Applicant

**CITY OF TULARE
BOARD/COMMISSION/COMMITTEE APPOINTMENT CANDIDATE**

I would like to be considered for appointment to the following City of Tulare board(s), commission(s) or committee(s) when vacancies occur.

- | | |
|---|--|
| <input type="checkbox"/> Aviation Committee | <input type="checkbox"/> Library Board |
| <input type="checkbox"/> Board of Public Utilities ^{9/01/17} <i>per negotiations</i> | <input type="checkbox"/> Parks & Recreation Commission |
| <input type="checkbox"/> Committee on Aging | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Housing & Building Appeals Board | <input checked="" type="checkbox"/> Police Department Citizen Complaint Review Board |

NAME: Chris Sori

[Redacted Address]

(Appointee must reside or own a business within the sphere of influence)

MAILING ADDRESS (if different from above): _____

E-MAIL ADDRESS: _____

PHONE (work): _____ (home) _____ How long have you lived in Tulare or area? 45 yrs. Tulare

EMPLOYED BY: Investigation District

DISCLOSURE: Most, but not all, of the city's boards and commissions require, by state law, that members file a "Statement of Economic Interest" (conflict of interest/disclosure statement) on an annual basis. **Would you be willing to file such a statement in connection with an appointment?** YES NO

Please provide a brief statement about yourself, background and why you are interested in serving on the above. Attach additional sheet(s) if more space is needed:

I'm a life long resident, I would like to be a part of this Committee just to give back in some way. To make sure everyone is treated fairly including the police. I've been arrested before, and was treated pretty good, but there are instances where people aren't treated good. So whatever I can do to help make the process smoother.

Date: 3-24-17

Signature: Chris Sori

THIS APPLICATION WILL REMAIN ON FILE FOR TWO YEARS FROM THE DATE OF FILING
OR UNTIL APPOINTMENT TO A BOARD/COMMISSION/COMMITTEE, WHICHEVER OCCURS FIRST
RETURN TO: OFFICE OF THE CITY CLERK, 411 EAST KERN AVENUE, TULARE, CA 93274
(FAX: 685-2398)



September 19, 2017

The Honorable Kamala Harris
United States Senate
112 Hart Senate Office Building
Washington, DC 20510

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, DC 20510

The Honorable Devin Nunes
United States House of Representatives
1013 Longworth House Office Building
Washington, DC 20515

Re: City of Tulare support for DACA

Dear Senators Feinstein and Harris and Congressman Nunes:

On behalf of the City of Tulare, I write to express our support for a legislative solution to continue to provide deferred immigration enforcement action and create a path to citizenship for unauthorized individuals who arrived in the United States as minors.

Over the past several decades, a huge number of unauthorized immigrants were brought to the United States as children by parents in search of a better life. These children, being minors, had no opportunity to comply with immigration regulations.

When President Obama issued the 2012 executive order known as “Deferred Action for Childhood Arrivals” (DACA), hundreds of thousands of childhood arrivals gained access to a renewable two-year period of deferred action and work permits, and by extension, received a renewed opportunity at the American Dream. Since a path to citizenship was not available to these individuals, this was the next best thing.

If the current administration allows DACA to lapse without instituting anything to replace it, nearly 800,000 previously undocumented immigrants would be forced back to countries they never called home or back into the undocumented shadows. Those young people who gave personal information to the federal government would be at risk of having their compliance used as a method of identifying them for expedited deportation.

Today, Tulare is home to a large number of childhood arrivals who are vital members of the community. A legislative continuation of temporary legal status would be immeasurably beneficial to the previously undocumented students who contribute at an impressively high rate to the health and wellbeing of their communities and our nation.

We hope that Congress and President Trump will work together to pass a bill that would make DACA permanent, and we stand eager to help in any way we can. Thank you for your continued work and attention to this issue.

Sincerely,

Carlton Jones
Mayor