SUBJECT: AUTHORIZATION TO CONTRACT FOR GENERAL PLAN UPDATE WITH EXPANDED SCOPE

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: On February 1, 2005, the City Council appointed a Consultant Selection Committee to interview and evaluate prospective consultants to undertake the City’s General Plan Update. On April 5, 2005, the City Council authorized Staff to negotiate with Dyett and Bhatia for the General Plan Update. Initially, the scope of the effort was focused on the Land Use and Circulation Elements of the General Plan. However, during the course of the interviews and the subsequent negotiations with Dyett and Bhatia, it became clear that substantial cost efficiencies could be realized by undertaking an update to the entire General Plan, which includes the Land Use, Circulation, Noise, Open Space, Conservation, Parks and Recreation, Public Safety, and Economic Development Elements. The consultant will also prepare the corresponding Environmental Impact Report for the project.

The Selection Committee is recommending that the Council approve the scope of the comprehensive General Plan update. This would require carrying over the $250,000 already appropriated in the 2004/05 Fiscal Year, approving an additional $250,000 in the 2005/06 Fiscal Year as recommended in the proposed budget, and appropriating an additional $100,000 in the 2006/07 Fiscal Year to complete the effort. Based on when the project will commence and the fact that it will require 18 to 24 months to complete, the consultant has identified a breakdown in expenditures that coincides with the fiscal year funding allocations.

RECOMMENDATION: That the City Council:

1. Approve the Revised Scope of Services and Authorize the preparation of a comprehensive General Plan Update as outlined in the above text.

2. Authorize the Mayor to sign all documents and any revisions to complete the work effort as outlined above.

ATTACHMENTS:
1. General Plan Consultant Service Agreement

DD_____ APPROPRIATED/FUNDED_____ CM _____ ITEM NO. 25
GENERAL PLAN CONSULTANT
SERVICE AGREEMENT

DATE: June 10, 2005

PARTIES: City of Porterville, a California municipal corporation, hereinafter referred to as "CITY"; and Dyett and Bhatia, a California corporation, hereinafter referred to as "CONSULTANT".

RECITALS: CITY has undertaken a project on which it is seeking assistance from CONSULTANT. Said project which will hereinafter be referred to as "project" is described as follows:

<table>
<thead>
<tr>
<th>Project Name:</th>
<th>General Plan Update</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of Project:</td>
<td>The project consists of the preparation of comprehensive updates to the Land Use, Circulation, Noise, Open Space, Parks and Recreation, Conservation and Safety Elements of the General Plan and an Economic Analysis that will lead into the development of an Economic Development Element of the General Plan, and the preparation of a Program Environmental Impact Report for the project.</td>
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AGREEMENTS:

IN CONSIDERATION OF MUTUAL COVENANTS AND AGREEMENTS HEREINAFTER set forth the parties hereto do contract and agree as follows:

SECTION 1. CONTRACT SERVICES: CONSULTANT hereby agrees to provide the following services and materials, in a timely manner as described in Exhibit “A”, Scope of Services, in connection with the above described project.

ADDITIONAL SERVICES: It is understood and agreed by CITY and CONSULTANT that CITY might request CONSULTANT to render additional professional services during the life of the project beyond the responsibilities identified in Exhibit “A”. Any work requested of CONSULTANT by CITY beyond that identified in Exhibit “A” shall constitute additional services. Additional work may include, but shall not be limited to, the following:

1. Meeting attendance in addition to that specified in Exhibit “A”.
2. Unusual or unanticipated data collection, search, or analysis, or revision of the data base or base maps after sources and reference points have been agreed upon.
4. Redesign and reformatting for publication of the Draft Elements or the Draft EIR after the basic format and layout has been approved by CITY.
5. Subsequent revisions of documents that are requested by CITY after comments on each of the administrative drafts are submitted to CONSULTANT. The Scope of Work envisions a single iteration of review of each draft followed by one consolidated set of comments; subsequent iterations are considered Additional Work. Correction of CONSULTANT's errors shall not be considered additional work. It shall be noted, however, that if the CONSULTANT submits incomplete drafts for review, additional iterations shall not be considered Additional Work until after a complete draft has been provided and reviewed.

SECTION 2. PAYMENT: In consideration for said services and materials, CITY shall pay CONSULTANT on a time and materials basis, not to exceed five hundred twenty-nine thousand, two hundred and thirty-two dollars ($529,232). Authorization to work on Tasks 4 through 6 and Task 7, as described in Exhibit “A”, Scope of Services, is dependent on the City’s approval of funding for this project in subsequent fiscal year budgets.

TIME OF PAYMENT: Progress payment requests shall be submitted by the 25th of each month. CONSULTANT should receive payment within 30 days of the date the bill is received.

SECTION 3. COMPLETION DATE: The services to be performed by CONSULTANT will be commenced upon execution of this agreement and all “work directives” shall be completed by December 31, 2006 unless extensions are mutually agreed upon by the CITY and CONSULTANT in advance. The parties agree that time is of the essence under this contract.

SECTION 4. FAMILIARITY WITH PROJECT: CONSULTANT certifies and agrees that it is fully familiar with all of the details of the project required to perform its services. CONSULTANT agrees it will not rely upon any opinions and representations of CITY unless CITY is the only available source of said information.

SECTION 5. INDEPENDENT CONTRACTOR: It is expressly understood that CONSULTANT is entering into this contract and will provide all services and materials required hereunder as an independent contractor and not as an employee of CITY. CONSULTANT specifically warrants that it will have in full force and effect, valid insurance covering:

(i) Full liability under worker's compensation laws of the State of California; and
(ii) Bodily injury and property damage insurance in the amount not less than Five Hundred Thousand Dollars ($500,000) per occurrence; and

(iii) Errors and Omissions insurance of Five Hundred Thousand Dollars ($500,000) minimum per occurrence, if deductible for Errors and Omissions insurance is Fifty Thousand Dollars ($50,000) or more, the City may require a Surety Bond for the deductible; and

(iv) Automotive liability in the amount not less than Five Hundred Thousand Dollars ($500,000) per occurrence; fully protecting CITY, its elected and appointed officers, employees, agents and assigns, against all claims arising from the negligence of CONSULTANT and any injuries to third parties, including employees of CITY and CONSULTANT. CONSULTANT agrees to indemnify, defend (at CITY’S election), and hold harmless the CITY against any claims, actions or demands against CITY, and against any damages, liabilities for personal injury or death or for loss or damage to property, or any of them arising out of negligence of CONSULTANT or any of its employees or agents.

SECTION 6. WORKMANSHIP AND MATERIALS: Every part of the work herein described shall be executed in a professional manner with competent, experienced personnel. Finished or unfinished material prepared under the agreement, prepared by CONSULTANT, shall become property of CITY. CONSULTANT hereby warrants that any materials prepared under this agreement shall be fit for the intended use contemplated by the parties.

SECTION 7. ASSIGNMENT OF CONTRACT: It is acknowledged by the parties that CITY has entered into this contract with the express understanding that all work will be performed by CONSULTANT. No changes in the consulting team (including sub-consultants) as outlined in Exhibit “A” shall be made without the prior written approval by CITY. CONSULTANT shall not, without the written consent of CITY, assign, transfer or sublet any portion or part of this work, nor assign any payments to others.

SECTION 8. AFFIRMATIVE ACTION. CONSULTANT will not discriminate against any employee, or applicant for employment because of race, color, religion, gender, marital status, or national origin.
SECTION 9. CONFLICT OF INTEREST CODE: CONSULTANT agrees to comply with the regulations of CITY’S “Conflict of Interest Code”. Said code is in accordance with the requirements of the Political Reform Act of 1974. CONSULTANT covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of service required hereunder. The term "conflict" shall include, as a minimum, the definition of a "conflict of interest" under the California Fair Political Practices Act and the City of Porterville Conflict of Interest Code, as that term is applied to consultants.

SECTION 10. TERMINATION: This contract may be terminated by either party for just cause by giving seven (7) days written notice to the other party. Upon termination by CITY, CITY shall be relieved of any obligation to pay for work not completed including profit and overhead. CONSULTANT may be entitled to just and equitable compensation for satisfactory work completed.

SECTION 11. ENTIRE CONTRACT: It is understood and agreed that this Service Agreement represents the entire Agreement between the parties. Should it be necessary to institute legal proceedings to enforce any and all of the covenants and conditions of this Agreement, the prevailing party shall be entitled to recover attorneys’ fees and costs.

SECTION 12. DISPUTES; VENUE: If either party initiates an action to enforce the terms hereof or declare rights hereunder, the parties agree that the venue thereof shall be the County of Tulare, State of California. CONSULTANT hereby waives any rights it might have to remove any such action pursuant to California Code of Civil Procedure Section 394.

IN WITNESS WHEREOF, the parties have executed this Service Agreement on the date and year first above written.

CITY OF PORTERVILLE

By ______________________________
Kelly E. West, Mayor

CONSULTANT

By ______________________________
Michael V. Dyett, Principal

Date ______________________________

Date ______________________________
Exhibit A:
Scope of Services

The work program, presented on the following pages, includes seven tasks for completing the Porterville General Plan Update, including revisions to all required elements except the Housing Element, revision of the Parks and Recreation Element, and preparation of an Economic Development Element for the General Plan. For each task, the objective is first overviewed in italicized text, followed by sub-task descriptions and associated meetings and products. Also noted are travel assumptions associated with public meetings. When possible, CONSULTANT will conduct more than one meeting per trip to make most efficient use of the City’s budget resources.

CONSULTANT’S work will be directed by Michael Dyett, FAICP who will be the Principal in Charge and Joan Isaacson, AICP, who will be the Deputy Project Manager. CONSULTANT’S subcontractors and their responsibilities are as follows.

- **Environmental Science Associates (ESA)** will provide technical expertise on biological resources, geotechnical issues, air quality and hazardous materials as they have done on 10 General Plan updates. Ray Weiss and Niall McCarten, Ph.D. will lead ESA’s work.

- **Mundie Associates, Economic Consultants (M&A)** will lead the technical work on economic analysis for the Land Use Element and the Economic Development Element. Roberta Mundie and Suzanne Lampert will lead M&A’s work.

- **Omni-Means, Transportation Planners and Engineers (O-M)** will lead technical work on transportation for the Circulation Element and the EIR, and will also assist with infrastructure capacity issues. Martin Inouye will be the Principal in Charge, and Gary Mills will be the Project Manager.

- **Charles Salter Associates, Noise Consultants (CSA)** will lead technical work on existing noise measurements and preparation of maps showing existing and projected noise contours. Jack Freytag will direct CSA’s work.

- **Land Use Associates (LUA)** will be responsible for the water supply analysis, building on concurrent work for the Tulare County General Plan update. Bruce O’Neal will be in charge of LUA’s work.

The City formed a General Plan Advisory Committee (GPAC) to act in an advisory capacity for the update. If the GPAC is not used as envisioned in the Scope of Services, CONSULTANT will hold community meetings and/or workshops with the City Council, and these meetings will substitute for the GPAC meetings listed in the scope of work on a one-for-one basis.

**TASK 1: START UP, DATA COLLECTION, AND MAPPING**

The objective of this first task is to accomplish introductory and organizational tasks, and to initiate work on base and resource maps showing key planning factors (e.g. existing land use, traffic conditions, environmental constraints, mineral resources, noise exposure, and major projects).

A. Kick-off Meeting. CONSULTANT will initiate the project with a kick-off meeting with the project team and City staff to review a detailed schedule, communications protocol, and logistics for completing the first several tasks. At this meeting, CONSULTANT will also define the planning area
boundaries around the City to be included in the assessment of development opportunities and constraints, and discuss the coordination with the County General Plan Update. After the kickoff meeting, CONSULTANT will do a tour of the City’s neighborhood, shopping and business districts, and growth area, to see first-hand planning issues and to take photographs for use in subsequent meetings and presentations.

B. Background Information. At the kick-off meeting, CONSULTANT will coordinate with planning and other technical City staff to obtain existing plans, aerial photography, documents, and other information needed for the General Plan Update. CONSULTANT will assemble and review current information, such as water, sewer, transportation, and other facility plans, school and park plans, emergency response plans, existing land use database, current and proposed development plans and recent EIRs, and regional land use and resource plans. A service providers questionnaire also will be prepared to obtain information not in published reports. Mundie Associates (M&A) will gather data on economic conditions and Charles Salter Associates (CSA) will do 24-hour noise monitoring at three locations and short-term monitoring as seven locations, as determined in consultation with City staff. Locations will be selected to best characterize the noise environment in the area. City staff will be responsible for providing a map and a table listing major development projects that have been approved or are under review.

C. Obtain City/County Base Maps, Current Digital Orthophotos, and Available Environmental Information. Using the City’s existing digital base map information and other available digital data (e.g. topography), CONSULTANT will prepare a computerized base map for the display of planning data using a symbology appropriate for overlays and synthesis of information. A planning area boundary will be established, all streets will be included, a typology layer will be created, but parcel lines may not be shown on published maps. Other available digital photography and environmental information also will be obtained and reviewed.

D. Stakeholder Interviews. On the day following the kickoff meeting, individual or small group interviews will be conducted with key stakeholders (approximately 20-24) identified by City staff in order to gain an understanding of their perspectives in an informal setting. Stakeholders should represent diverse interests of the community, including neighborhood representatives, business owners, property owners, community leaders, and others. As an option, some of the interview time could be spent with individual City Council members. Major themes from the interviews (without attributions to any one person or group) will be included in the Working Paper #2: Community Input on Planning Issues and Vision to be prepared in Task 2. Stakeholder interviews also will provide input to M&A’s work on the Economic Development Element.

Meetings:  Kick-off Meeting and City Tour  Stakeholder Interviews  (1 Combined Trip for Above; includes M&A staff)

Products:  Detailed Project Schedule  Field Trip Photographs

TASK 2: ISSUE IDENTIFICATION AND VISIONING

Task 2 represents the project launch with the public, as part of the first major project effort of identifying planning issues and establishing the vision for the future. This process will be informed by the project team’s research on existing conditions and development constraints, and will lead to analysis of opportunities and challenges for addressing the issues and vision ideas contributed by community members.
A. Newsletter #1. Prepare newsletter in English and Spanish that provides an overview of the project and explains the importance of the General Plan update to the City's future. Project timeline, participation opportunities, and background information about General Plans will all be included in the first newsletter. It will also serve as an invitation to the first workshop.

B. Map Atlas. Using information provided by City staff and available through compiled resources, CONSULTANT will prepare Working Paper #2: Map Atlas. It will include a series of maps, tables and summary text documenting existing land uses, major development projects, public facilities, schools, parks and recreation facilities, farmland values, environmental conditions, geologic and seismic hazards, flood hazards, existing noise, and regional policy considerations within the planning area. The City’s biological resource survey would be updated as part of this task, including integration of recent data compiled for the Valley Elderberry Longhorn Beetle Habitat Conservation Plan. CSA will prepare noise exposure contours in electronic (AutoCAD, dwg or dxf) format as an overlay to an electronic map. These contours will be developed from traffic data for the existing condition provided by OMNI-MEANS

An essential component of the Map Atlas is identification of areas inappropriate for future development due to environmental or infrastructure constraints and enable an educated discussion of possible alternative land use concepts. For all significant resources—particularly biological and farmland—CONSULTANT will identify areas to avoid development, areas appropriate for limited use, and buffers. Conversely, CONSULTANT will also highlight opportunity sites with the least constraints in undeveloped areas as opportunities sites on the east side that are underutilized, vacant, and/or have redevelopment potential.

C. Economic Development (M&A; D&B support). The current characteristics of Porterville’s economy will be described narratively and, consistent with data availability, quantitatively. M&A will look back 20 years to allow consideration of the evolution of the local economy and assess its current strengths and weaknesses. Sources of growth will be identified; opportunities missed (if any) will be reviewed. Available growth projections from the Tulare County Association of Governments (TCAG), state agencies and other sources (such as the Great Valley Center) will be reviewed. The community’s level of satisfaction with economy growth to date (type, scale, location, and rate) will also be described based on stakeholder interviews. The information gathered in this task, and the analysis completed, will provide support for decisions about the amounts and locations of land to be designated for different types of uses in the plan alternatives (See Task 3). Key issues identified in the stakeholder interviews will be selected for additional examination. This further examination will consider the implications of alternative policy directions and economic strategies on the City’s growth and sustainability. In effect, this paper will provide an early analysis of the economic choices the City can make to support land us and transportation concepts. This analysis will inform the development of plan alternatives in Task 3 and subsequent policy work in Task 5.

D. Existing Transportation Conditions. A substantial transportation database will be compiled and summarized in the Map Atlas. The following data will be collected within the planning area to establish and fully define the transportation baseline of circulation network and travel characteristics:

- **Transportation Corridor Data.** Available transportation corridor data will be obtained from all available sources, including the City, County and Caltrans files. This information will include:
  - Right-of-way widths
- Pavement width
- Travel lanes
- Travel speed (85% or posted speed)
- Grades
- Planned improvement projects

- **Traffic Counts and Evaluation:** Existing daily and peak hour traffic counts will be obtained from both the City and Caltrans. In addition, up to 30 daily counts on critical roadways, and 15 peak hour turning movement counts at key intersections have been budgeted. If additional daily or peak hour counts are required as determined by City staff and/or the Project Development Team (PDT), OMNI-MEANS will provide a budget and request authorization for this as additional services (unit costs are $150 for a daily count and $250 for AM/PM counts for each location). The counts will be used to comprehensively assess the capacity and operations of the City’s street network, including identification of deficiencies and violations of acceptable levels of service.

- **Accident Data.** OMNI-MEANS will also work with the City and Caltrans to obtain recent 3-year accident data local interchanges. This information would include both TASAS Table B, which provides both the actual and average accident rates, and the Table B Accident Records, which provide the detail on types and cause of each accident.

- **Obtain AutoCAD Digital Image (Mapping) Files.** OMNI-MEANS will obtain from the City available AutoCAD mapping of the study area in digital format. These files will be used to create base mapping for presentation purposes of analyses, findings and improvement recommendations.

E. **GPAC Meeting #1.** Following completion of the Map Atlas and the analysis of development prospects, the first meeting of the General Plan Advisory Committee will be held. At this meeting CONSULTANT will introduce committee members to the project, discuss the step-by-step approach, review the committee charge. The majority of the meeting will focus on presentation of the Map Atlas conclusions and discussion about the vision for Porterville.

F. **Water Supply Study Background Research (LUA).** Research for the water supply study required under the California Environmental Quality Act will be initiated in Task 2 so that any potentially significant issues can be proactively addressed during the planning process. Information regarding hydrology and water quality will be drawn primarily from the State Water Plan, the Central Valley Regional Water Quality Control Board Basin Plan, Porterville urban water management information, and other master plans as available. This information will be supplemented with data and information available from the current general plan, EIRs, and other regional studies. The background research will address effects of land use changes and future development on water resources both in terms of quantity (consumption of groundwater) and quality (the potential to release contaminants to surface and groundwater). Information used in the Plan and the EIR will also originate from the consultation process involving water agencies, and the adequacy of long-term water supplies will be addressed in this process. For most water quality issues, mitigation measures are present in regulatory and review programs already in place. The background research will identify these programs and the point at which they apply to different types of projects, and this information will be incorporated into the Plan (see Task 5) and the EIR (see Task 6). Availability of groundwater in the Porterville planning area will be assessed by:
• Review and analysis of the adopted Water Master Plan and Master Plans of surrounding communities and/or water districts;

• Review of the State Water Plan prepared by the Department of Water Resources;

• Discussions with Public Works and Planning staff of Porterville and Tulare County;

• Analysis of pumping information from existing municipal wells, including quantity and quality, and peak load information related to firefighting needs, and the identification of any specific water problem areas;

• Review of water well information from surrounding agricultural and rural areas available from the Department of Water Resources and Tulare/Kern Counties; and

• Review of surface water providers and any existing/proposed recharge programs.

G. **LAFCo Land Use Analysis.** The supply of land for future development will be determined, pursuant to LAFCo requirements. An inventory of existing land use and remaining vacant land, by land use type, will be prepared using the GIS. CONSULTANT will then identify residential land supplies (ten-year horizon) and commercial and industrial land supplies (20-year horizon).

H. **Public Workshop #1.** The first public workshop will give community members the opportunity to learn more about the General Plan Update, including what a General Plan is and why it is important for the City. CONSULTANT will present some of the major conclusions from the Map Atlas and lead activities designed to stimulate discussion about planning issues and people’s aspirations for the future of their City. Working Paper #2: Community Input on Planning Issues and Vision will highlight major discussion themes, and include a set of guiding principles for the planning alternatives process.

I. **GPAC Meeting #2:** At this meeting, CONSULTANT will review the workshop discussion and major themes, and ask the committee for input on the guiding themes included in Working Paper #2.

**Meetings:**
- GPAC Meeting #1
- Public Workshop #1
  - (1 Combined Trip for Above)
- GPAC Meeting #2

**Products:**
- Newsletter #1 (a bilingual newsletter)
- Working Paper #1: Map Atlas
- Working Paper #3: Economic Issues

**TASK 3: PLANNING ALTERNATIVES**

This task builds on the identified issues, opportunities, and constraints identified in Task 2. CONSULTANT will work with the GPAC to evaluate various alternative land use and circulation patterns for the Planning Area, and engage the public in dialogue on the alternatives in a second series of community workshops for feedback.

**A. Alternative Plans.** CONSULTANT will develop three alternatives. These may include a baseline or “trends” alternative reflecting current policies and two (2) potential land use/transportation
alternatives or three distinction alternatives. The alternatives will be designed for discussion of key policy choices by the GPAC and community at large. The alternatives will focus on changes at identified opportunity sites and also evaluate options for directive growth. They will be sensitive to the issues and constraints identified in Task 2, and will offer real choices. (For example, none of the alternatives may show development on locations that have been conclusively identified as inappropriate because of slope or other environmental hazards, sensitive habitats, or other constraints.) A hands-on workshop with City staff will be held to review preliminary concepts for planning alternatives which will then be refined for transportation analysis.

B. Traffic Modeling. For this project, OMNI-MEANS will create the City’s first traffic model. Currently, traffic forecasts are provided by the Tulare County Association of Governments (TCAG) regional travel demand forecast model. However, this model is mainly used to address regional air quality and vehicle miles traveled (VMT) concerns. The current County-wide travel demand forecast model contains approximately 1,000 traffic analysis zones (TAZs), which provide information pertaining to housing and employment data. The model proposed for Porterville will contain up to 400 TAZs that will enable it to forecast future transportation impacts at a much higher level of accuracy. OMNI-MEANS is proposing to utilize TP+/Viper software, which is consistent with TCAG’s current model. Communication among City, Caltrans, TCAG, and the project team will be essential to a successful citywide traffic model and understanding of current and future transportation related impacts. The modeling effort, which will provide the basis for existing and future traffic volume forecasts, will proceed as follows:

- **Refine Existing and Proposed Future Roadway Data.** Existing and future roadway system information as obtained in Task 1 will be refined and documented to form the basis for the traffic model roadway network.

- **Obtain Existing and Future Land Use Data.** Existing and future land use data and projections will be provided by D&B to OMNI-MEANS. This data and projections will be divided into separate categories for use in determining land use trip generation characteristics. OMNI-MEANS will work closely with D&B in the format and organization of the land use data and projections.

- **Prepare and Calibrate Existing Conditions Traffic Model.** A TP+/Viper traffic model will then be prepared to simulate daily and non-directional peak hour conditions. The traffic model roadway network will include all significant existing and currently planned roadway facilities, with separate coding for planned facilities, which can be changed as they are brought on-line. The existing land use data will be divided into an appropriate number of Traffic Area Zones (TAZ’s). These zones will be connected to the network to realistically simulate vehicular traffic loading. Based upon the existing traffic volume counts obtained in Task 1, the Existing Conditions Traffic Model will be calibrated to match these volumes. The accuracy of these calibrations will match the standards set forth by Caltrans.

- **Prepare 2030 Daily and Non-Directional Peak Hour Traffic Projections.** Based upon the calibrated traffic model, OMNI-MEANS will project 2030 daily and peak hour (non-directional) traffic projections over the Citywide transportation network. The existing General Plan Land use Plan will be modeled for comparison and use as the No Project alternative in the Draft EIR (see Task 6). From these daily and peak hour traffic projections, overall circulation capacity needs can be projected such that needed changes to the City’s circulation system can be identified. This daily model will incorporate anticipated changes to the City’s circulation system through the year 2030.
Following validation and calibration of Porterville's existing model, three future (year 2030) alternative land use and circulation alternatives will be "tested" in order to determine potential impacts. This is extremely important as the City of Porterville plans for future infrastructure and corridor needs within its sphere of influence. Based on the model outputs OMNI-MEANS will identify system issues and strategies for improved transportation conditions. Once the Preferred Plan is confirmed (see Task 4), it will be modeled, with the results integrated into the new Circulation Element.

C. Alternatives Working Paper. CONSULTANT will prepare Working Paper #4: Alternative Plans. The working paper will evaluate land use distribution, housing and population projections, and resources conservation, the initial assessment of transportation impacts, and qualitative comparison of infrastructure implications. It also will include an analysis of the implications of the alternatives on the economic issues identified by stakeholders in Task 1 and analyzed in Task 2.

D. Newsletter #2. Widespread outreach on the planning alternatives will be initiated with the second bilingual newsletter, which will contain the alternative plan and comparison of salient features and buildout data. The newsletter will also invite community members to participate in the discussion on alternatives' relative merits at the second workshop, with place and time information included.

E. Alternative Plans Public Workshop. CONSULTANT will assess the relative merits and disadvantages of the alternatives during a second community workshop. Following a presentation of the Alternative Plans, which will use Scenario 350 to illustrate key differences, CONSULTANT may conduct small-group discussions about the pros and cons of each, or have stations focusing on individual alternatives where people can contribute their ideas on comment cards.

F. GPAC Meeting #3: This meeting will allow the project team to review the alternatives with the GPAC following the public workshop, and give ample opportunities for questions in a small setting. Scenario 360 can be used to show the effects of some key changes in land use designations or density assumptions based on community comments. The results of the GPAC meeting and the workshop results will be summarized in short report.

Meetings: City Staff Workshop on Preliminary Alternatives (Separate Trip)
GPAC Meeting #3
Public Workshop #2 (1 Combined Trip for Above)

Products: Newsletter #2 (a bilingual newsletter)
Working Paper #4: Planning Alternatives
Alternatives Comment Summary

TASK 4: PREFERRED PLAN FORMULATION

The objective of Task 4 is to create a land use and circulation plan based on the public feedback and GPAC comments on the alternatives and to begin identifying new policy initiatives to implement the Preferred Plan concept. Depending on the input, this Preferred Plan may represent a hybrid of the alternatives, closely reflect a single alternative, or integrate new ideas generated by the public process. There are no additional costs if the preferred plan is a hybrid, rather than a single alternative.

A. Preferred Plan. Following the workshop, a preliminary Draft Preferred Plan map and corresponding data on land use, population, and employment changes will be prepared for City staff review. After confirming the Preferred Plan with staff (or modifying it based on staff comments), CONSULTANT will prepare Working Paper #4: Draft Preferred Plan, which will
include the Draft Preferred Plan map, a development vision statement, and a series of objectives that will guide detailed policy development.

B. Newsletter #3. Communication with the community will continue with Newsletter #3, which will highlight the Draft Preferred Plan, explain how it reflects the community’s input, and invite people to a community workshop to share their opinions.

C. GPAC Workshop on Preferred Plan. At the third public workshop CONSULTANT will present the Draft Preferred Plan and policy implications, and provide feedback on comments received at prior meetings. The GPAC will meet the next day to discuss the public comments on the Preferred Plan concept and give additional input to the project team on both the Draft Preferred Plan and new policy.

CONSULTANT will have Scenario 360 available for use at this GPAC meeting to refine the Preferred Plan in an interactive workshop, so that buildout calculations and assessments occur in real time.

D. City Council Workshop. The major features of the revised Draft Preferred Plan will be presented to the City Council, accompanied with information about the community’s response. CONSULTANT can utilize Scenario 360 with the City Council as well to further refine the Plan. CONSULTANT will carefully show how the Preferred Plan responds to public discussion throughout the process. Obtaining feedback on the Draft Preferred Plan from the City Council at this stage is important before moving into the actual preparation of the draft elements.

Meetings: GPAC Meeting #4
    Public Workshop #3 (1 Combined Trip for Above)
    City Council Workshop (Separate Trip)

Products: Working Paper #4: Draft Preferred Plan; Newsletter #3 (bilingual)

**TASK 5: DRAFT PLAN ELEMENTS**

*When drafting the new Economic Development, Land Use, Circulation, Noise, Open Space, Parks and Recreation, Conservation, and Safety elements (the “Plan Elements”), CONSULTANT will strive for brevity and clarity to enable all interested persons to tell easily what commitments Porterville is making, what it hopes to accomplish, and whether a proposed project is consistent with the vision of the General Plan.*

A. Outline. CONSULTANT will prepare an outline of these General Plan elements, including a list of figures and diagrams and a recommended format for discussion with City staff. Topics to be covered in each element will be identified, and a “mock-up” section will be prepared to illustrate the look of the new elements.

B. Administrative Draft Elements. The Plan Elements will include background information, goals and policies, and monitoring and evaluation requirements. CONSULTANT will submit one unbound copy of the Administrative Draft Elements to City staff, and receive one consolidated set of comments in return which will be incorporated into the Draft Elements. A preliminary list of topics follows below.

include growth forecasts and policies and programs, including near-term actions to support economic development in Porterville.

- **Land Use Element.** The Land Use Element will establish a system of land use classifications and identify the location and intensity of uses, and provide policies that would result in development that is appropriate to the character and setting of Porterville. It also will show the general location of proposed schools and neighborhood and community parks. (Some but not necessarily all neighborhood parks will be shown in order to allow for flexibility in the design of new neighborhoods.) Topics in the section would include: City Limit Line, Urban Development Boundary/Sphere of Influence, and 20-year Urban Area Boundary. The element also will address:
  - Zoning consistency with land use classifications;
  - Density/intensity standards;
  - Specific geographic areas, such as growth areas, East Side and Main Street;
  - City function and form; and
  - Opportunity sites (if separately defined).

- **Circulation Element.** The Circulation Element will address existing and future conditions for all modes: driving, bicycle, pedestrian, transit, rail, and air. It will also include a thorough discussion of the transportation system in the Central Area. The following topics will be addressed:
  - Roadway system;
  - Levels of service;
  - Transit services;
  - Pedestrian network;
  - Bicycle network;
  - Scenic roadways;
  - Railways; and
  - Aviation facilities.

- **Noise Element.** Standards for noise exposure for the different land uses will be included. Future noise contours will be mapped based on General Plan traffic forecasts and any adopted plans or projects that would be expected to result in noise-generating land uses. Policies and implementation actions will address thresholds of significance for evaluating noise impacts and how to mitigate noise exposure.

- **Open Space and Conservation Element.** These combined elements will address provision of open space and recreation within the community and conservation of natural resources. Topics to be addressed include:
  - Locations for parks and recreation facilities (not policies or standards, which will be in the Park and Recreation Element);
Exhibit A: Scope of Services – General Plan Consultant

- Open space system, including types of open space and their functional relationships and an open space action program;
- Habitat and biological resources;
- Soil resources; erosion and reclamation of land;
- Water resources (wetlands, groundwater aquifers and water quality);
- Water supply and conservation; and
- Mineral resources.

- Parks and Recreation. This element will address policies and standards for parks and recreation facilities. It will be coordinated with and support the Land Use Element and the Open Space and Conservation Element.

- Safety Element. This element will address protecting the community from unreasonable risks associated with geologic and seismic hazards, flooding, and wildland and urban fires. Other topics to be addressed in this element include:
  - Potential risks associated with dam failure
  - Emergency response capabilities and evacuation routes and signage;
  - Peakload water supply requirements;
  - Minimum road widths and turnouts; and
  - Clearances around structures.

C. GPAC Meeting #5. After the Draft Elements have been prepared, they will be distributed to the GPAC. At the fifth and final meeting, before public review begins, CONSULTANT will ask the GPAC to endorse the Draft Elements or identify specific refinements they would like included prior to releasing these drafts for Public Review. Substantive changes then will be made in consultation with City Staff, and a Public Review Draft will be prepared.

Meetings:  GPAC Meeting #5 (Separate Trip)
Products:  Administrative Draft Elements
           Draft Elements for GPAC Review
           Draft Elements for Public Review

TASK 6: DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT

The objective of this task is to complete a programmatic environmental assessment of the Draft Elements, pursuant to the California Environmental Quality Act (CEQA). Necessary noticing and scoping will occur during Tasks 1 and 2 of the project, and a Program EIR will be conducted in parallel with preparation of the Draft Elements. Potentially significant impact issues will be identified early in the process so that appropriate mitigation policies can be developed and incorporated into the new elements, resulting in a “self-mitigating” policy structure to the extent possible.

A. Notice of Preparation and Scoping Meeting. Concurrent with Task 1 and Task 2, CONSULTANT will prepare a Notice of Preparation (NOP) for the Draft EIR, accompanied by appropriate information on the “project” to enable informed review and comments that will be useful for
scoping and initial data collection. CEQA does not require an Initial Study if it is a foregone conclusion that an EIR is required. Furthermore, CONSULTANT will have a broad understanding of the topics to address in the EIR as a result of the intensive planning process. City staff will be responsible for distributing the NOP to the appropriate agencies. The Scoping Meeting will be held early in the planning process, perhaps on the same day as Public Workshop #1.

B. Environmental Setting and Impact Analysis. The Map Atlas prepared in Task 2 will serve as the starting point for the environmental setting information in the Draft EIR. Additional data will be gathered from available sources, such as previous EIRs, facility plans, and regional programs. CONSULTANT will then analyze how policies in the Draft Elements will affect the environment, identify significant impacts, and recommend measures to mitigate those impacts. The impact analysis will be comprehensive in scope, covering all CEQA requirements. Significance criteria will be identified for each impact topic, based upon thresholds of significance established in consultation with City staff.

Impacts and mitigation measures will be organized and discussed by topic. As required by CEQA Guidelines, the effects of the project will be defined as changes from the environmental setting that are attributable to the project, under full buildout of the Draft Land Use Element. Maps, graphics, tables, and charts will be used to depict clearly the location and nature of any potential significant impacts identified in the EIR, and any other relevant information. Specific topic areas to be addressed in the EIR are summarized below:

- **Land Use.** Analyze sites where land use changes would occur under the project. Identify potential conflicts between existing and proposed uses, and determine alternative or supplementary policy mitigation measures that could minimize impacts.

- **Parks, Open Space, and Recreation Facilities.** Using level of service standards as significance criteria, assess the impacts of buildout conditions on use of existing parks, open space, and recreation facilities. Assess impacts of proposed additions to the City’s Parks and Open Space System.

- **Public Facilities and Services.** Assess the impact of proposed changes in the Land Use and Circulation Elements on public services, including public schools, police and fire protection. Water, wastewater, emergency response, and storm drain impacts will also be studied. The water supply study, described in Task 2F, will be incorporated into this section and will address effects of land use changes and future development on water resources both in terms of quantity (consumption of groundwater), quality (the potential to release contaminants to surface and groundwater), and peak load capacity. Information used in the EIR will also originate from the consultation process involving water agencies discussed in Task 2F. The adequacy of long-term water supplies also will be specifically assessed, and if shortfalls are identified, specific mitigation measures, including additional water conservation requirements as well as additional sources of water, will be identified. This section of the EIR will be closely coordinated with the overall General Plan update program, taking into consideration water supply relative to General Plan needs, including population growth projections, spatial allocation of land uses, and water demand estimates of residential, commercial, institutional, open space, and industrial uses. The 20-year assessment of water availability will look not only at well data, historical pumping, and depth to groundwater, but also at long-term aquifer capacity relative to future water demands and rainfall patterns. LUA will investigate the City’s surface water rights and whether this water could be used for recharge and/or blending surface water with water from wells with poor quality. Finally, this section of EIR will include recommendations on water conservation including, but not
limited to, outdoor watering restrictions, landscaping requirements, indoor conservation measures, water recycling and reclamation, and metering alternatives if Plan policies do not adequately incorporate these measures.

- **Traffic and Transportation.** Evaluate the change in traffic that would be generated by land uses under the Draft Land Use Element, comparing the added or lessened traffic to the available capacity, and noting locations of capacity shortages. Evaluate improvements recommended in the Circulation Element in terms of physical impacts as well as effects on traffic-carrying capacity and level of service.

- **Biological Resources.** Assess the potential for impacts to special status species at buildout. Describe the potential impacts to biological resources related to land uses that may permanently impair or preclude resource development. Identify alternative or supplementary policy mitigation measures that could minimize impacts to biological resources.

- **Agricultural and Mineral Resources.** Analyze the impact of Land Use and Circulation Element changes and other Plan Elements on agricultural and mineral resources in and near Porterville. Consistency of the Draft Elements with farmland classification policies will be identified, as well as compatibility issues.

- **Fire Hazards.** Identify and characterize areas at the urban fringe that are particularly vulnerable to the threat of fire. Identify fuel reduction methods and techniques consistent with protection of special status species and habitats. Identify any restrictions on land uses and intensities appropriate for areas identified as susceptible to fire hazard.

- **Air Quality.** Describe the types of emissions sources that would be associated with development under the General Plan Update. Assess the consistency of the Draft Elements with the regional Clean Air Plan with reference to population and employment forecasts as well as trends in vehicle miles traveled (VMT). Qualitatively assess the capability of policies of the Draft Elements to prevent exposure of people to substantial sources of construction dust, toxic air contaminants, or odorous emissions.

- **Noise.** Establish noise contours for the City based on updated information related to traffic, aircraft, trains, and industrial facilities. Describe the types of noise sources that would be associated with development under the Draft Elements. Assess the adequacy of the policies to avoid future noise incompatibility for existing and future land uses.

- **Energy.** Describe the types of energy that would be consumed by development under the project. Assess the consistency of the General Plan Update with state and national energy goals and programs. Based on information from the provider, evaluate the capability of the existing utility infrastructure to meet future demand for electricity and natural gas.

- **Seismic, Soil, and Landslide Hazards.** Based on existing information, describe geological characteristics of regional and site-specific soils, including composition and erosion potential. Identify and describe the major earthquake fault systems in the region and their distance to the City, and update their general potential to affect the City. Update and characterize the general nature of the geologic and seismic hazards, including potential for ground shaking, peak ground acceleration and secondary effects (including liquefaction). Identify capacities of the City’s emergency preparedness and response program to deal with a
major earthquake scenario. Evaluate how the Draft Elements Update will affect exposure to potential hazards and/or increase risk of a hazard event.

- **Hydrology.** Discuss the hydrological setting of the City, including position within the regional watershed system. Describe urban water pollutant types and their sources. Discuss potential flooding hazards, general management practices, and mitigation measures to reduce the effects of stormwater runoff. Using information from the water supply analysis conducted in Task 2, summarize general groundwater conditions in the Plan area. Discuss use of groundwater, trends and general aquifer conditions. Assess the manner in which land use and development under the Draft Elements may affect groundwater conditions and uses of the resource. (This analysis to be coordinated with the water supply analysis in “Public Facilities and Services” described above to avoid duplication, with the focus in this section on water quality.)

- **Hazardous Materials.** Review available information on location and transport of hazardous materials. Discuss the general constraints that contaminated soils and groundwater may pose to development and regulations of the state with regard to contamination management and clean up.

- **Cultural Resources.** Evaluate how the General Plan Elements Update will affect or disrupt the preservation of historic, cultural, and archaeological resources. Information on these resources will be obtained from Dr. Robert Yohe, Coordinator, Southern Joaquin Valley Information Center, California State University, Bakersfield and other known sources of cultural resource data. CONSULTANT also will consult with Native American groups, such as the Tule River Indian Tribe.

- **Visual Quality.** Apply significance criteria that have been derived from CEQA Guidelines, which include view obstruction, or degradation, creation of an aesthetically offensive site, impairment of an object having aesthetic significance, conflict with adopted environmental plans and goals, or production of new light or glare. Assess how future development under the Draft Elements may affect city view sheds, particularly views from public viewpoints (roads, parks, etc.).

C. **Mitigation Measures.** During impact analysis, CONSULTANT will identify practical, feasible mitigation measures to reduce the environmental impacts of implementation of the Draft Elements. CONSULTANT also will evaluate whether mitigation measures would reduce impacts below a level of significance, identify the parties who would be responsible for implementing each measure, and incorporate them as policies into the new elements. Recommendations for Mitigation Monitoring and Reporting also will be prepared. (Rather than having a separate report, it may make sense to incorporate mitigation monitoring and reporting into an annual General Plan Report.)

D. **CEQA-Required Impact Analysis.** As required by CEQA Guidelines, the following types of impacts need to be assessed, in addition to the detailed analysis of impacts, by topic area:

- Growth-Inducing Impacts (potential for the project to cause additional population or job growth or housing demand);

- Significant Environmental Effects of the Proposed Project (including significant unavoidable effects);

- Significant Irreversible Environmental Changes; and

[13]
• Effects Found Not to Be Significant.

E. Project Alternatives. The alternatives considered in preparation of the Draft Elements will be the basis for this section. It will also include analysis of the No Project Alternative. The relative merits and disadvantages of the alternatives will be assessed and compared with the proposed Elements, and an “environmentally superior” alternative will be identified. The alternatives analysis, as discussed in the CEQA Guidelines, may be less detailed than the analysis of the proposed project.

F. Administrative Draft and Draft EIR. CONSULTANT will submit one unbound copy of the Administrative Draft EIR for City staff review, and receive one consolidated set of comments in return. After a final screen check review by City staff, a final production version of the Draft EIR will be provided to the City for distribution. The City will be responsible for printing and distributing the Draft EIR.

G. Notice of Completion. CONSULTANT will prepare a Notice of Completion (NOC) for the Draft EIR. City staff will be responsible for distributing the NOC to the appropriate agencies.

Meetings: Scoping Meeting (see Task 2)
Products: Notice of Preparation
Administrative Draft EIR
Draft EIR
Notice of Completion

TASK 7: COMMUNITY REVIEW AND ADOPTION

The objective of this task will be to conduct the public review and successfully take the Draft Elements and Program EIR through the public hearing and EIR Certification/Plan adoption process. The Draft Elements will be revised after adoption to reflect the Council’s decision.

A. Newsletter #4. Public review of the Draft Elements and the Draft EIR will be publicized by the fourth newsletter. This bilingual newsletter will contain information about the Draft Elements and show how the policy recommendations respond to the community input. Information about the public hearings also will be provided.

B. Public Hearings. Following the community workshop, CONSULTANT will present the Draft Elements along with a summary of public comments at two City Council hearings. CONSULTANT also will present the major findings of the Draft EIR at these hearings.

C. Final EIR. Following the 45-day public review period, CONSULTANT will prepare responses to comments. The Comments and Responses together with the Draft EIR will constitute the Final EIR. This work program assumes that the changes needed to respond to public comments will not require a complete revision of the Draft EIR. One unbound copy of the Administrative Draft of the Final: Comments and Responses will be provided for City staff review, and the Final EIR then will be prepared based on one set of consolidate staff comments. The City will be responsible for printing and distributing the Final EIR. CONSULTANT will also prepare a Notice of Determination for the Final EIR, which City staff will be responsible for distributing. Finally, CONSULTANT will prepare Findings and Facts in Support of Findings, Statement of Overriding Consideration (if necessary), and a Mitigation Monitoring program (if needed), or prescribe how mitigation monitoring is to be addressed in the annual General Plan report.
D. Adopted Elements. Following adoption by the City Council, CONSULTANT will revise the Draft Elements to incorporate specific text and diagram changes made by the City Council as part of adoption. After a final screen check review by City staff, a final production version of the Adopted Elements will be provided to the City for distribution.

**Meetings:** Two City Council Hearings

**Products:** Administrative Final EIR; Final EIR
Newsletter #4 (bilingual)
Notice of Determination
Findings and Facts in Support of Findings
Statement of Overriding Considerations (if necessary)
Mitigation Monitoring Program (if needed)
Administrative Draft of Elements as Adopted
Adopted Elements

### 1.1 MEETINGS AND PRODUCTS SUMMARY

#### MEETINGS

The following meetings are anticipated in our scope of work. Our budget assumes that many of these meetings would be combined in a single day or occur back-to-back, as noted in Section 4.2, Work Program:

- Kick-off Meeting and City Tour
- Stakeholder Interviews (1 day)
- Scoping Meeting
- GPAC Meetings (5)
- Public Workshops (3)
- City Staff Workshop on Preliminary Alternatives
- City Council Workshop
- City Council Hearings (2)

#### PRODUCTS

All products will be provided to the City in electronic form, using Microsoft Word and Office software, Macromedia Freehand (a graphics program) or ArcGIS 9.0 or later versions, as appropriate. (GIS data also can provided in ArcView compatible format.) Documents that combine graphics and text may be assembled in PDF format using Adobe Acrobat.

- Detailed Project Schedule
- Field Trip Photographs
- Newsletter #1, #2, #3, and #4 (bilingual)
- Working Paper #1: Map Atlas
- Working Paper #3: Economic Issues
- Working Paper #4: Planning Alternatives
• Working Paper #4: Draft Preferred Plan
• Alternatives Comment Summary
• Administrative Draft Elements (9 copies)
• Draft Elements for GPAC Review
• Draft Elements for Public Review
• Administrative Draft of Elements as Adopted
• Adopted Elements (50 copies plus camera ready copy)
• GIS files of all Plan diagrams and figures
• Notice of Preparation; Notice of Preparation
• Notice of Determination
• Administrative Draft EIR (9 copies)
• Draft EIR
• Administrative Final EIR
• Final EIR (50 copies plus camera ready copy)
• Findings and Facts in Support of Findings; Statement of Overriding Considerations (if necessary)
• Mitigation Monitoring Program

SCHEDULE

The sequence of work is shown in the schedule below. This schedule may be amended by mutual agreement to provide more time for data collection and analysis, policy formulation, Plan design, or CITY review, public review or decision-making.

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<td>4. Preferred Plan Formation</td>
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<td>Noise, Conservation, Open Space, Safety,</td>
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<td>6. Draft Program EIR</td>
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<tr>
<td>7. Community Review and Adoption</td>
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Urban and Regional Planners

Public Workshop  Advisory Committee Meeting  City Council Workshop  Hearing

Consultant Effort  Working Paper  Final Product  Newsletter  Stakeholder Interviews