



CITY COUNCIL REGULAR MEETING

Clearlake City Hall Council Chambers
14050 Olympic Dr, Clearlake, CA

Thursday, April 21, 2022

Regular Meeting 6:00 PM

The City Council meetings are viewable in person in the Council Chambers, via livestreaming on the City's YouTube Channel (https://www.youtube.com/channel/UCTyifT_nKS-3woxEu1ilBXA) or "Lake County PEG TV Live Stream" at <https://www.youtube.com/user/LakeCountyPegTV/featured> and the public may participate through Zoom at the link listed below. The public can submit comments and questions in writing for City Council consideration by sending them to the Administrative Services Director/City Clerk at mswanson@clearlake.ca.us. To give the City Council adequate time to review your questions and comments, please submit your written comments prior to 4:00 p.m. on the day of the meeting.

AGENDA

MEETING PROCEDURES: *All items on agenda will be open for public comments before final action is taken. Citizens wishing to introduce written material into the record at the public meeting on any item are requested to provide a copy of the written material to the Administrative Services Director/City Clerk prior to the meeting date so that the material may be distributed to the City Council prior to the meeting. Speakers must restrict comments to the item as it appears on the agenda and stay within a three minutes time limit. The Mayor has the discretion of limiting the total discussion time for an item.*

AMERICANS WITH DISABILITY ACT (ADA) REQUESTS

If you need disability related modification, including auxiliary aids or services, to participate in this meeting, please contact Melissa Swanson, Administrative Services Director/City Clerk at the Clearlake City Hall, 14050 Olympic Drive, Clearlake, California 95422, phone (707) 994-8201, ext 106, or via email at mswanson@clearlake.ca.us at least 72 hours prior to the meeting, to allow time to provide for special accommodations.

AGENDA REPORTS

Staff reports for each agenda item are available for review at www.clearlake.ca.us. Any writings or documents pertaining to an open session item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection on the City's website at www.clearlake.ca.us.

Zoom Link: <https://clearlakeca.zoom.us/j/86937779188>

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. INVOCATION/MOMENT OF SILENCE: *The City Council invites members of the clergy, as well as interested members of the public in the City of Clearlake, to voluntarily offer an invocation before the beginning of its meetings for the benefit and blessing of the City Council. This opportunity is*

voluntary and invocations are to be less than three minutes, offered in a solemn and respectful tone, and directed at the City Council. Invocational speakers who do not abide by these simple rules of respect and brevity shall be given a warning and/or not invited back to provide a subsequent invocation for a reasonable period of time, as determined appropriate by the City. This policy is not intended, and shall not be implemented or construed in any way, to affiliate the City Council with, nor express the City Council's preference for, any faith or religious denomination. Rather, this policy is intended to acknowledge and express the City Council's respect for the diversity of religious denominations and faith represented and practiced among the citizens of Clearlake. If a scheduled invocational speaker does not appear at the scheduled meeting, the Mayor will ask that the City Council observe a moment of silence in lieu of the invocation. More information about the City's invocation policy is available upon request by contacting the Administrative Services Director/City Clerk at (707) 994-8201x106 or via email at mswanson@clearlake.ca.us.

D. ADOPTION OF THE AGENDA *(This is the time for agenda modifications.)*

E. PRESENTATIONS

1. Presentation of April's Adoptable Dogs
2. Presentation from LISC (Local Initiative Support Corporation)/DCTA Distressed Cities Technical Assistance Program) Representatives on Clearlake Projects

F. PUBLIC COMMENT: *This is the time for any member of the public to address the City Council on any matter not on the agenda that is within the subject matter jurisdiction of the City. **The Brown Act, with limited exceptions, does not allow the Council or staff to discuss issues brought forth under Public Comment.** The Council cannot take action on non-agenda items. Concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on each agenda item. Comments shall be limited to three (3) minutes per person.*

G. CONSENT AGENDA: *All items listed under the Consent Agenda are considered to be routine in nature and will be approved by one motion. There will be no separate discussion of these items unless a member of the Council requests otherwise, or if staff has requested a change under Adoption of the Agenda, in which case the item will be removed for separate consideration. Any item so removed will be taken up following the motion to approve the Consent Agenda.*

3. Review of the 2021 Annual Housing Element Progress Report
Recommended Action: Accept Report and File
4. Minutes of the March 16, 2022 and March 28, 2022 Lake County Vector Control District Board Meetings
Recommended Action: Receive and file
5. Warrants
Recommended Action: Receive and file
6. Adoption of the Local Road Safety Plan; Resolution No. 2022-18
Recommended Action: Adopt resolution and authorize implementation

7. License Amendment with Mudslingers Coffee

Recommended Action: Authorize the City Manager to Execute an Amendment to the License with Mudslingers Coffee for a term from April 21, 2022 through April 22, 2032.

H. PUBLIC HEARING

8. Public Hearing to Consider Actions Relating to Measure V Financing of Road Improvements

Recommended action: Hold Public Hearing, Hear Public Comment, and Adopt Resolutions

I. BUSINESS

9. Consider First Reading of Military Equipment Policy Ordinance and Set a Second Reading; Ordinance 261-2022

Recommended Action: Move to hold the first reading of Ordinance No. 261-2022, read it by title only, waive further reading and schedule second reading and adoption for May 5, 2022.

J. CITY MANAGER AND COUNCILMEMBER REPORTS

K. FUTURE AGENDA ITEMS

L. CLOSED SESSION

(10) Conference with Real Property Negotiators: Pursuant to Government Code Section 54956.8. Property Address: 6820 Old Highway 53, Clearlake; Agency Negotiation: City Manager Alan Flora; Negotiating Parties: Burbank Housing Corporation; Under Negotiation: Price and terms of payment.

(11) Pursuant to Government Code Section 54957: PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Title: City Manager

(12) Conference with Legal Counsel- Existing Litigation: Pursuant to Government Code Section 54956.9: Case No. CV-421149; Name of Case: City of Clearlake v. County of Lake, a political subdivision of the State of California; Board of Supervisors of the County of Lake, a public body of the County of Lake; Barbara C. Ringen, in her official capacity as the Treasurer-Tax Collector of the County of Lake; and Does 1 through 30, inclusive

(13) Conference with Labor Negotiators: Pursuant to Government Code Section 54957.6: Agency Designated Representatives: City Manager Flora; Employee organization: Clearlake Municipal Employees Association and Clearlake Police Officers Association

M. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

N. ADJOURNMENT

POSTED: April 15, 2022

BY:



Melissa Swanson, Administrative Services Director/City Clerk



CITY OF CLEARLAKE

City Council

STAFF REPORT	
SUBJECT: 2021 Annual Housing Element Progress Report	MEETING DATE: April 21, 2022
SUBMITTED BY: Mark Roberts and Michael Taylor – Planning Department	
PURPOSE OF REPORT: ☒ Information only ☐ Discussion ☐ Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

California Government Code Section 65400 requires the City Council to conduct public review of the *Annual Progress Report (APR)*, including accepting public comment. The *Annual Progress Report* is required to be submitted to the Department of Housing/Community Development (HCD) by April 1 of each year. The City's 2021 Annual Report (*Attachment 1*) has been submitted on March 24, 2022, to the required agency. HCD considers the Annual Progress Report when considering potential grants. The *2021 Annual Progress Report* provides an update on the City's progress in implementing the current General Plan/Housing Elements, including meeting our local housing needs and compliance with State Housing Elements.

In summary, the City issued sixteen (16) building permits for the development of Single-Family Dwellings and one (1) permit for a 102 affordable unit multi-family housing complex, known as Konocti Gardens. Below is a breakdown of the permits issued:

- *Single Family Dwelling (SFD): Eight (8) Building Permits Issued.*
- *Manufactured Homes Permits (MH): Six (6) Building Permits Issued.*
- *Accessory Dwelling Units (ADUs): Two (2) Building Permits Issued.*
- *Multi-Family Development: One (1) Permit Issued for a 102-Unit Affordable Complex.*

Cache Fire 2021- Structures Lost in 2021:

The city lost approximately 62 structures, including 7 Single Family Homes and 55 Manufactured/Mobile Homes during the Cache Fire of 2021. Property owners have been coordinating with City Staff on the process to rebuild.

SUGGESTED MOTIONS:

- **Accept and File the 2021 Annual Progress Report**

☒ **Attachments:** 1) 2021 Annual Housing Progress Report

Jurisdiction	Clearlake	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	09/15/2019 - 08/15/2027

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

(CCR Title 25 §6202)

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table A
Housing Development Applications Submitted

Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes							Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Density Bonus	
1					2	3	4	5							6	7	8	9	10
Prior APN ⁺	Current APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Unit Category (SFA,SFD,2 to 4,5+ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted+ (see instructions)	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project	Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)? (SB 35 Streamlining)	Was a Density Bonus requested for this housing development?
Summary Row: Start Data Entry Below								0	0	0	10	0	5	0	15	15	0		
039-204-59	039-204-59	3653 Redwood St	Sergio Mora Cuevas	2009003	SFD	O	9/2/2020				1				1	1		Yes-Approved	No
038-184-09	038-184-09	3086 4th St	Ramona Ali	2103010	MH	O	3/3/2021				1				1	1		Yes-Approved	No
142-186-12	142-186-12	16245 27th Av	Melissa Arroyo Pierce	2103032	ADU	R	3/22/2021				1				1	1		Yes-Approved	No
042-242-40	042-242-40	16341 33rd Av	Hernandez Carbajal	2104008	SFD	O	4/6/2021				1				1	1		Yes-Approved	No
039-191-14	039-191-14	3665 Cottonwood St	Casimiro Chavez	2105035	SFD	O	5/19/2021						1		1	1		Yes-Approved	No
039-632-06	039-632-06	3623 Peony St	John Cutrufelli	2106006	SFD	O	6/7/2021							1	1	1		Yes-Approved	No
039-495-11	039-495-11	3441 Jackson St	Epirus LLC	2106013	MH	O	6/8/2021				1				1	1		Yes-Approved	No
039-284-07	039-284-07	14981 Saroni Pkwy	Martin Estrada	2106016	MH	O	6/10/2021				1				1	1		Yes-Approved	No
039-173-47	039-173-47	3539 Sycamore Av	Fernando Galves	2108011	SFD	O	8/9/2021							1	1	1		Yes-Approved	No
040-291-06	040-291-06	5125 Golf Ave	Anthony R Contento	2108014	SFD	O	8/10/2021							1	1	1		Yes-Approved	No
041-164-34	041-164-34	15871 29th Ave	Alexei Gurbanov	2109052	SFD	O	9/29/2021				1				1	1		Yes-Approved	No
037-111-02	037-111-02	11911 Lakeshore Dr	Zabdy Neria	2109053	SFD	O	9/29/2021							1	1	1		Yes-Approved	No
041-081-36	041-081-36	15415 Birch Ave	Benjamn Bettega	2110016	ADU	R	10/11/2021				1				1	1		Yes-Approved	No
041-112-45	041-112-45	15842 44th Ave	Juan Fernandez	2111011	MH	O	11/3/2021				1				1	1		Yes-Approved	No
040-304-20	040-304-20	14975 Clement Dr	Edward Beld	2111021	MH	O	11/8/2021				1				1	1		Yes-Approved	No
037-104-19	037-104-39	3823 Monterey Dr	William Keating	2112002	MH	O	12/1/2021				1				1	1		Yes-Approved	No
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Jurisdiction	Clearlake	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	08/15/2019 - 08/15/2027

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1	2									3	4
Income Level		RHNA Allocation by Income Level	2019	2020	2021	2022	2023	2024	2025	2026	2027	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	97	-	-	-	-	-	-	-	-	-	1	96
	Non-Deed Restricted		1	-	-	-	-	-	-	-	-		
Low	Deed Restricted	65	-	-	-	-	-	-	-	-	-	14	51
	Non-Deed Restricted		-	3	11	-	-	-	-	-	-		
Moderate	Deed Restricted	72	-	-	-	-	-	-	-	-	-	8	64
	Non-Deed Restricted		1	2	5	-	-	-	-	-	-		
Above Moderate		200	1	1	-	-	-	-	-	-	-	2	198
Total RHNA		434											
Total Units			3	6	16	-	-	-	-	-	-	25	409

Note: units serving extremely low-income households are included in the very low-income permitted units totals and must be reported as very low-income units.
Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will include units that were permitted since the start of the planning period.
Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	Clearlake		
Reporting Year	2021	(Jan. 1 - Dec. 31)	
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program H1.1 Vacant Land Inventory 5th and 6th Cycle	The City will maintain an updated inventory of vacant residential parcels in the City. Information on these parcels will be available at City Hall for the public. The inventory will specify sites suitable for special needs housing, including emergency shelter and transitional housing. The Housing Resources section contains an inventory of vacant land sufficient to meet the City’s RHNP allocation. In order to provide accurate information to prospective developers, particularly developers of low- and moderate-income housing, the City will maintain an updated inventory of vacant residential parcels within the City.	Timeframe: Updated in 2023 and annually updated thereafter with the Annual Housing Report in accordance with California Government Code Section 65400 and consistent with Housing Element Program H2.2.	Responsibility: Community Development Department. Funding: General Fund. Status: Completed and ongoing.

Program H1.2 Publicly Owned Surplus Land Review 6th Cycle	The City shall identify publicly owned surplus land to determine its suitability for low-and very low-income households and to develop procedures for land swaps if sites more suitable for affordable workforce housing are identified. Surplus public lands that are found to be feasible for lower-income housing shall be considered for re-designation to an appropriate residential zoning designation.	Timeframe: Annual review concurrently with the Annual Housing Report in March and April consistent with Housing Element Programs H1.1, H2.1, H2.2 and H3.3.	Responsibility: Community Development Department Funding: General Fund Objective: Creation of 20 lower income housing units by 2027. Status: Ongoing
Program H2.1 Incentives for Infill Housing 5th and 6th Cycle	Incentives for encouraging infill development will include density bonuses for projects that include affordable housing in accordance with State law, use of PD overlay zone to allow exceptions or alternative approaches to meeting zoning standards that are consistent with standards met by surrounding properties, distribution of the infill site inventory to local homebuilder groups and nonprofit organizations; Apply for state and/or federal economic planning and development funding for infrastructure in support of infill development	Timeframe: Ongoing; at least one outreach program annually to be included with the Annual Housing Report per Housing Element Programs H1.1, H2.2, H 3.2 and H 3.3.	Responsibility: City Manager, City Council, Planning Commission and Community Development, Engineering, Building and Finance Departments. Results: The City did obtain a CDBG grant for road improvements to the Avenues area which should improve infill development opportunities. Status: Retain Program, but include specific outreach objectives. Objective: Creation of 10 lower income housing units by 2023 and 15 lower income housing units by 2027 (for a cumulative of 25 lower income housing units).

Program H2.2 Periodic Housing Element Review 5th and 6th Cycle	The City will ensure that residential development projects are consistent with the goals and policies of the General Plan. To the extent that the City has financial resources, an annual evaluation of the General Plan will comprise the City's monitoring program for the Housing Element. This will include a review of progress toward achieving Housing Element objectives by the City and other responsible agencies and departments-meeting timing and funding commitments for implementing actions, as well as the number of housing units provided or other measurable indicators achieved for each established measure. This will include statutory reporting to the Department of Housing and Community Development regarding annual housing element reporting.	Timeframe: Annual reporting, ongoing to include update of the vacant land inventory and outreach to the housing development community by the end of 2023.	Responsibility: Community Development Department, City Manager, Public Works, Engineering and Finance Departments, Planning Commission and City Council. Funding: General Fund and Development and Development Review Fund Objective: Creation of 10 lower income housing units by 2023 and 15 lower income housing units by 2027 (for a cumulative of 25 lower income housing units). Status: Ongoing
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Program H3.1 Reasonable Accommodation 5th and 6th Cycle	The City will continue to permit accessory structures, building modifications and site plans that provide accessibility for persons with disabilities and will continue to implement the state and federal building standards for handicapped accessibility. The Community Development Department will continue to provide brochures and assistance to residents about accessibility for persons with disabilities. The City will also ensure that necessary safety and mobility modifications can be made in a timely and cost-efficient manner and will make all reasonable attempts to disseminate information about reasonable accommodations to City residents. Periodic updates to the City of Clearlake Zoning Ordinance 2022-2023.	Timeframe: Ongoing.	Accomplishments: Zoning Code Amended in 2014 to include new Reasonable Accommodation provisions. Objective: Maintain enforcement of the City’s Reasonable Accommodation Code and update this code to comply with related fair housing code provisions in 2022-2023. The City will reach out to Legal Services of Northern California upon receiving reasonable accommodation requests for applicant assistance. Results: No requests for reasonable accommodation made during the 5th Housing Cycle. Status: Retain program to administer regulations and keep Reasonable Accommodation regulations in the 2020 Zoning Code Update. Responsibility: All City Departments led by the Community Development Department. Funding: General Fund
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Program H3.2 Congregate Care and Group Housing for Elderly and Disabled Persons 5th and 6th Cycle	The City will obtain comments from the public, developers and other agencies about the need for, and development of, congregate care and group-assisted housing. The City will review potential funding sources and, if need and feasibility are established, will pursue grants and financing to aid in the development of congregate care and group assisted housing. The Zoning Ordinance will be modified to allow community care facilities with six or less persons with a certificate of occupancy	Timeframe: The city will provide opportunities to meet with developers on an ongoing basis. The city will support funding. Annual outreach concurrently with the Annual Housing Report in March and April consistent with Housing Element Programs H1.1, H2.1, H2.2 and H3.3.	Responsibility: Community Development Department Funding: CDBG, HOME, Section 202, and Section 811 programs. Accomplishments: The City amended the Zoning Code in 2014 to allow community care facilities in all residential zones in accordance with State Law. The City has reviewed funding opportunities for this type of housing, but did not find this feasible. Results: Development of community care facilities is less restrictive. The City continues to obtain input about the need for development of congregate care and group-assisted housing. On October 16, 2018, the city approved conversion of a 6,100 square foot office building to a transitional care support facility for 20 occupants of special needs. This project has started construction but due to a delayed timeline plans on being operational by the end of 2020. Status: Retain program (as modified) to seek funding for congregate care and group-assisted housing.
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PROGRAM H3.3 Assistance for Transitional and Supportive Housing: 5th and 6th Cycle	Meet periodically with local non-profit service providers upon request to assess the transitional and supportive housing needs of the community and work with nonprofit organizations to identify suitable sites for the placement of facilities. Pending available resources, the City will assist developers in finding sites for the creation of transitional and supportive housing facilities, provide support in accessing state or federal funds, such as supporting requests on behalf of a nonprofit provider, expedited permit approvals in support of a non-profit application, and/or contributing information to an application to support the need for the proposed project or activity.	Timeframe: The city will provide opportunities to meet with non-profits and developers on an ongoing basis. The City will support funding requests as needed based on project/program proposals each year. Annual outreach to local non-profit service providers will be conducted concurrently with the Annual Housing Report in March and April consistent with Housing Element Programs H1.1, H2.1, H2.2, and 3.2.	Responsibility: Community Development Department Funding: HOME and CDBG programs. Objective: Creation of 8 transitional and/or supportive housing facilities by 2027. Accomplishments: City met with several non-profit agencies to assess the City's needs. The City coordinated approval for a 10-room transitional shelter that is being developed in the City by Adventist Health Care. Results: Creation of a 10-room transitional housing facility to provide services to 20 very low- and extremely low-income people by the end of 2020. The City developed a Homestead program to encourage housing and economic development by offering assistance to qualified applicants. Status: Retain program. Ongoing
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PROGRAM H 3.4 Assistance for Emergency Shelters 5th and 6th Cycle	Meet periodically with local non-profit service providers upon request to assess the shelter needs of the community and work with nonprofit organizations to identify suitable sites for the placement of facilities. Provide support in accessing state or federal funds, such as supporting requests on behalf of a nonprofit provider, expedited permit approvals in support of a non-profit application, and/or contributing information to an application to support the need for the proposed project or activity. The City will consider exempting on a case by case basis planning entitlement fees, such as general plan/zoning amendment, variances, design review (if applicable) and environmental applications for emergency shelter projects proposed by non-profit service providers.	Timeframe: To the extent resources are available, the City will support-funding requests as needed based on project/program proposals each year. Annual outreach to local non-profit service providers will be conducted concurrently with the Annual Housing Report in March and April consistent with Housing Element Programs H1.1, H2.1, H2.2, 3.2 and H 3.3.	Responsibility: Community Development Department Funding: HOME, CDBG programs and California Proposition 41 Bond Act Funding for homeless veterans Objective: To the extent resources are available, provide support for the establishment of a regional emergency shelter within the Lake County region by 2022. Accomplishments: City met with several non-profit agencies to assess the City's needs and identify funding for emergency shelters. Results: On October 16, 2018, the city approved conversion of a 6,100 square foot office building to a transitional care support facility for 20 occupants of special needs, to be operational in 2019. Status: Retain program.
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PROGRAM H 3.5 Support Services for Elderly and Disabled Persons 5th and 6th Cycle	To the extent the City has financial capability, continue to support Lake County Transit, Dial-A-Ride, the Senior Center and other programs providing supportive services for seniors or persons with disabilities. Support shall include promotion of these services through the placement of informational materials at City offices and/or assistance in accessing state or federal funding for such services.	Ongoing	Responsibility: All City Departments. Funding: Transit funding sources, state supportive service programs (HCD, Department of Aging, and Department of Rehabilitation), federal supportive service programs (HUD, Health and Human Services). Accomplishments: The City continues to support these services and maintains a senior center. Information has been posted. Results: Many seniors have been serviced with the senior center and will continue to be served. On October 16, 2018, the city approved conversion of a 6,100 square foot office building to a transitional care support facility for 20 occupants of special needs. This project has started construction but due to a delayed timeline plans on being operational by the end of 2020. Status: Retain program
PROGRAM H 3.6 Americans with Disabilities Act 5th and 6th Cycle	The City will continue to ensure that all construction projects requiring building permits comply with the Americans with Disabilities Act (ADA) as provided by the Uniform Building Code. The City will assist property owners and contractors in complying with ADA requirements when retrofit or rehabilitation projects for public, residential or commercial structures.	Timeframe: Ongoing	Responsibility: Community Development and Building Departments. Funding: Development Permit Fees and the General Fund. Accomplishments: Completed and ongoing Results: All development complies. Status: Retain program

PROGRAM H 3.7 Residential Infill Study 5th and 6th Cycle	To address concentrated higher density and mixed use housing strategies in the 2040 General Plan there is a need to identify potential opportunities within existing buildings for conversion to housing units, particularly in the upper floors in three of the identified growth areas: Cluster 1 (Austin Park), Cluster 2 (The Avenues) and Cluster 4 (Lower Lakeshore). This would lead to more building renovations, create live work studios and improve affordable housing opportunities in the focused growth areas. The presence of additional residents in these areas will also improve the City's economic vitality. The City will prepare (contingent upon grant funding) a residential infill study that identifies these opportunities, working with property owners to evaluate the economic potential for creating more housing within existing buildings and identify funding sources to develop this housing.	Timeframe: 2022 pending grant funding. In the next few years the city will target homeowners and survey parcels in each of these clusters in order to complete a detailed assessment that will allow us to identify specific areas where infill development would be appropriate.	Responsibility: Community Development and Finance Departments. Funding: CDBG Accomplishments: The City did not apply for grant funding to conduct this study. Objective: To the extent resources are available, complete infill study, market infill opportunities to developers, and convert several buildings to create 40 units of infill housing units by 2027. Results: Conversion of upper floor housing units will be limited, as the majority of buildings are one-story, but opportunities are available. A comprehensive study is still needed. Status: The City has applied and has been awarded grant funding, such as SB-2 and LEAP funding to accomplish this study. Retain program.
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PROGRAM H 3.8 Supportive and Transitional Housing Regulations 6th Cycle	The City shall amend the Zoning Code to redefine supportive and transitional housing in compliance with State Housing Law (Government Code sections 65582(g) and 65582(j)). In addition, pursuant to AB 2162, the City will allow supportive housing projects that satisfy certain requirements by right in all zones where multi-family and mixed uses are permitted, including nonresidential zones permitting multi-family uses. The Code shall also be amended to provide shortened application processing for low income housing projects in accordance with State Housing law.	Timeframe: To be adopted with the 2020 Zoning Code Update, but not to exceed three years from adoption of the 2019-2027 Housing Element.	Responsibility: Community Development Department Funding: General Fund Objective: Provide the opportunity for development of at least 40 supportive and/or transitional housing units by 2027.
PROGRAM H 4.1 Monitor Policies and Programs 5th and 6th Cycle	Continue to monitor and review housing related policies and programs to minimize constraints to housing production and maintenance. This will include developing new design review programs from the 2040 General Plan that results in ministerial reviews of multiple family housing and facilitated processing of affordable housing projects.	Timeframe: Update the Zoning Code and create a new Design Review Manual in 2020 and begin administering new regulations. These documents are in the approval process and are expected to go to city council by July.	Responsibility: Community Development Department Accomplishments: The City is in the process of completing a comprehensive update to the Zoning Code and preparation of a Design Review Manual to address this program. Funding: General Fund and funding from disbanded Redevelopment Agency originally allocated to Housing Set-Aside. Results: Due to resource limitations, the City was unable to fully accomplish this in the 5th Housing Cycle, but is currently about 60% completed. Status: Retain program and complete this program by end of 2020.

PROGRAM H 4.2 Zoning Ordinance Review and Implementation 5th and 6th Cycle	To implement the 2040 General Plan and to achieve housing and other City objectives, the City will conduct a complete update of the Zoning Code. Revisions will be made to the Zoning Code to promote flexibility in densities and uses, to improve incentives for affordable housing production and to bring applicable regulations into compliance with State Law. The PD Combining District, for example, shall be amended to omit the requirement for a Homeowners Association or Property Management Association. The Zoning Code will then be reviewed periodically for consistency and compliance and amended as needed.	Timeframe: Update the Zoning Code and create a new Design Review Manual in 2022 and begin administering new regulations. These documents are in the approval process and are expected to go to city council by summer of 2022. Periodically at least once every 5 years thereafter.	Responsibility: Community Development Department, Planning Commission and City Council Funding: General Fund, Developer Fees and other funds as appropriate. Accomplishments: The City is in the process of completing a comprehensive update to the Zoning Code and preparation of a Design Review Manual to address this program. Results: Due to resource limitations, the City was unable to fully accomplish this in the 5th Housing Cycle, but is currently about 60% completed. Status: Retain program and complete this program by end of 2020.
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PROGRAM H 4.3 Design Review 5th and 6th Cycle	As part of the Fall 2020 Zoning Code update, per implementation of the 2040 General Plan, new regulations will be created for Design Review. This new program will include Design Guidelines for the development of multiple family housing. Particular attention should be paid to avoiding architectural barriers that could adversely affect disabled persons and persons with developmental disabilities. In addition, the Design Review provisions of the Zoning Code will address the need to minimize constraints to the development of multiple family housing and provide for ministerial (staff review) and facilitated development review for these types of development applications	Timeframe: Update the Zoning Code and create a new Design Review Manual in 2022 and begin administering new regulations. These documents are in the approval process and are expected to go to city council by summer of 2022.	Responsibility: Community Development Department, Planning Commission and City Council. Funding: General Fund, and other funds as appropriate. Accomplishments: The City is in the process of completing a comprehensive update to the Zoning Code and preparation of a Design Review Manual to address this program. Results: Due to resource limitations, the City was unable to fully accomplish this in the 5th Housing Cycle, but is currently about 60% completed. Status: Retain program and complete this program by end of 2020.
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PROGRAM H 4.4 Affordable Housing Water/ Sewer Priority 5th and 6th Cycle	In accordance with Government Code Section 6558.7, the City will monitor Lake County Sanitation District Resolution No. 2014-45), Highlands Water Company (Resolution No. 014-30 and Konocti County Water District (Resolution No. 14-01 to assure sufficient priority sewer/water capacities are reserved for future low-income housing development per the City's Regional Housing Needs Allocation for the 2014-19 period; 175 equivalent dwelling unit services for lower-income households.	Monitor every 3 years or as needed starting 2020	Responsibility: Community Development Department Funding: General Fund Accomplishments: The City conducted monitoring for this housing cycle. Results: This 6th Cycle RHNA was reduced, but the current reservations still apply so no further changes need to be made. Status: Retain program.
PROGRAM H 4.5 Accessory Dwelling Units 6th Cycle	The City shall add a new section to the Zoning Code to provide for accessory housing units in accordance with SB 1226.	Timeframe: To be adopted with the 2020 Zoning Code Update in 2020.	Responsibility: Community Development Department Funding: General Fund Objective: Provide the opportunity for development of accessory units, mostly for lower income families.
PROGRAM H 4.6 Off Street Parking Regulations 6th Cycle	The City shall incorporate reduced parking standards to limit off-street parking requirements to not exceed one space per dwelling units (regardless of number of bedrooms or size) for lower income housing projects.	Timeframe: To be adopted with the 2020 Zoning Code and to be updated in 2022.	Responsibility: Community Development Department Funding: General Fund Objective: Provide reduce development constraints for lower income housing units
PROGRAM H 4.7 Climate Adaption Program 6th Cycle	In accordance with SB 379 the City will amend the Safety Element of the of the General Plan to include analysis and policies regarding climate adaption.	Timeframe: Adopted in 2020.	Responsibility: Planning Department Funding: General Fund Objective: Reduce development constraints for residential development.

PROGRAM H 4.8 Flood Hazards Program 6th Cycle	In accordance with AB 162 the City will amend the Safety Element of the General Plan to include analysis and policies regarding flood hazards and flood management to address flood-related constraints to housing development in the City.	Timeframe: Adopted in 2020.	Responsibility: Planning Department Funding: General Fund Objective: Reduce development constraints for residential development.
PROGRAM H 4.9 Fire Safety Program 6th Cycle	In accordance with SB 1241 the City will amend the Safety Element of the General Plan to include analysis and policies regarding fire hazards and impacts and mitigation for housing in the City.	Timeframe: Adopted in 2020.	Responsibility: Planning Department Funding: General Fund Objective: Reduce development constraints for residential development.
PROGRAM H 4.11 Affordable Housing Replacement Regulations: 6th Cycle	In accordance with California Government Code Section 65915 (c) (3) the City shall require replacement housing units on sites identified in the site inventory when any new development (residential, mixed-use or non-residential) occurs on a site that has been occupied by or restricted for the use of lower-income households any time during the previous five years (generally as a condition of project approval). This requirement shall apply to non-vacant sites and vacant sites with previous residential uses that have been vacated or demolished.	Timeframe: The requirement will be implemented immediately and applied as applications on identified sites are received and processed.	Responsibility: Community Development Department Funding: General Fund Objective: In order to mitigate the loss of affordable housing units, require new housing developments to replace all affordable housing units lost due to new development.

PROGRAM H 5.1 Tax Exempt Bonds 5th and 6th Cycle	The City does not have the capacity to issue bonds. The City is, however, a member of the California Statewide Communities Development Authority JPA who issues federal tax credits for low-income housing projects. The City will continue to be a member of the Committee for pooling resources to issue tax exempt bonds for financing the construction of affordable housing or providing financial assistance to low- and moderate-income homebuyer assistance.	Timeframe: Ongoing	Responsibility: City Manager's Office Funding: General Fund-no cost for membership in JPA Accomplishments: City continues to be a member of the Committee. Results: Not applicable Status: Ongoing
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PROGRAM H 5.2 Preservation of At-Risk Housing 5th and 6th Cycle	The City has identified 99 affordable rental units being at risk of converting to market rate housing over the next twenty years. These units are listed in Table 8.34 and consist of the Autumn Village Apartments (32 affordable rental units), Highlands Village (40 affordable rental units) and Olympic Villa (27 affordable units). The City will work with property owners, other public agencies, and non-profit housing organizations to preserve existing subsidized rental housing in which the owner could potentially increase rents to market rates within the next twenty years. The City will encourage existing owners to maintain the affordability of such rental housing. Furthermore, pending available resources, the City will help owners of at-risk units to obtain funding for improvements to these units to extend affordable housing contracts. Also, to the extent the City has available resources, the City will provide ongoing preservation technical assistance and education to	Monitor yearly	Responsibility: Community Development Department Funding: General Fund Accomplishments: Autumn Village and Highlands Village are no longer at risk, so there are only 27 units left, Olympic Villa that are now at risk. Results: There are now 527 preserved assisted housing units in the City with only 27 that are now at risk. Status: The tax credit agreement expired for Olympic Villa; however, the USDA loan does not mature until 2038. The owner can apply to prepay the USDA loan, ending the affordability restriction at any time, and convert those units to market rate. According to the owners, Clearlake Associated Ltd. (phone conversation with Tina Williams on April 19, 2019), there is no intention or interest to prepay the loan for the Olympic Villa Apartments. It was noted that the actual market rate for his housing is similar to the restricted affordability rate so there would be not economic incentive to convert these units to market rate. This program should be retained to provide the City further opportunity to reach out to Olympic Villa to maintain these units as affordable.
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PROGRAM H 5.3 Rental Assistance 5th and 6th Cycle	The City shall continue to cooperate with the Lake County Housing Commission in its administration of the federal Section 8, Housing Choice Voucher rental assistance program to maintain the availability of housing vouchers in Clearlake. The City's role will be to: Provide necessary documentation to the Housing Commission to apply for annual commitments from the U.S. Department of Housing and Urban Development and provide information on the rental assistance program at the Community Development Department's public counter. The City shall continue to cooperate with the Lake County Housing Commission in its administration of the federal Section 8, Housing Choice Voucher rental assistance program to maintain the availability of housing vouchers in Clearlake	Timeframe: Housing Rehabilitation Program - Ongoing	Responsibility: Community Development Department Funding: General Fund Results: No substantive changes have occurred to the program during the 5th Housing Cycle. Status: Retain program.
PROGRAM H 5.4 Community Reinvestment Act 5th and 6th Cycle	The City will work with financial institutions, serving Clearlake as requested to identify low- and moderate-income housing projects as part of their responsibility under the federal Community Reinvestment Act.	Timeframe: Meet with specific lenders as requested	Responsibility: City Finance Department Funding: General Fund Accomplishments: No requests received during the 5th Housing Cycle. Results: No changes. Status: Retain program.

PROGRAM H 5.5 Encourage Development of Market Rate Ownership and Rental Housing 5th and 6th Cycle	The City will encourage the production of market-rate rental and ownership housing for moderate- and above moderate-income households through its land development policies. All of the multi-family rental housing developed in Clearlake over the past twenty years has been subsidized housing for lower-income households. To provide a wider variety of housing for all income levels, the City should encourage the development of market-rate rental housing.	Timeframe: Ongoing	Responsibility: Community Development Department, Planning Commission and City Council. Funding: General Fund and Development Review Fund Accomplishments: The City continues to reach out to market rate developers to develop this type of housing. Results: No significant residential development in the 5th Housing Cycle. Only six new market rate single-family homes were produced during that time. Status: Retain program
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PROGRAM H 6.1 Housing Rehabilitation 5th and 6th Cycle	The City will review options for re-opening the Housing Rehabilitation Loan Program to promote housing rehabilitation for low-, very low- and extremely low-income households. To improve the quality of rental housing, the City, to the extent financially feasible, will expand the program to include rental housing. The City will update their CDBG and HOME Housing Rehabilitation Guidelines to include rental housing (if operating this program become economically feasible). The City has maintained a Housing Rehabilitation Loan Program to provide financing for the rehabilitation of dwelling units owned or occupied by lower income households (including rental housing). The City will look at the feasibility of providing financial assistance in the form of low-interest loans, deferred when necessary to maintain the affordability of rehabilitated housing when additional grant funding is obtained. This program is a valuable resource for community residents and should be continued into the future. The City and the County offer housing rehabilitation and homeowner assistance programs to Clearlake residents. The City shall review the	Timeline: Ongoing. Expanding the Housing Rehabilitation Program to include rental units to include Adopted Guidelines of 2020.	Responsibility: Community Development Department and the City Council Funding: CBDG and HOME grants, Coordinated Funding Between the City and Lake County and General Fund Objective: To the extent resources are available, rehabilitate 30 units by 2027. Accomplishments: The City continued to operate the Housing Rehabilitation Program if determined financially feasible. Results: Nine (9) houses were rehabilitated during the 5th Housing Cycle providing improved housing for at least 9 low income families. The City reached out to the County regarding combining forces, but there has been staffing changes at the County so this was not feasible during the 5th Housing Cycle. Status: Funding for this program has completed. Additional funding for this program is needed for the 6th Cycle. Also, the City should seek discussion with the County and possibly other housing entities to see if this program can be administered more efficiently.
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PROGRAM H 6.2 Housing Conditions Survey 5th and 6th Cycle	The City has a large number of housing units in need of rehabilitation, and particularly vacant units that need to be re-occupied. However, there are some data discrepancies between the 2012 survey conducted for the 2040 General Plan Update and the 2009 housing conditions survey conducted for the Redevelopment Agency. A more detailed housing conditions survey needs to be conducted to determine actual housing conditions in Clearlake. An accurate survey will provide the needed data tools to obtain grant funding to further expand the Housing Rehabilitation Program.	Timeframe: To the extent resources are available, complete survey by 2021 pending grant funding availability.	Responsibility: Community Development Department Funding: CDBG, other Federal Funding as available and General Fund. Accomplishments: Grant funding for this program was not available for the 5th Housing Cycle. Results: No Changes Status: The City will continue to seek grant funding for this program. Retain program.
PROGRAM H 6.3 Public Awareness Program 5th and 6th Cycle	The City will disseminate informational brochures to the public on its Housing Rehabilitation and Housing Assistance programs and provide copies at the public counter of the Senior Resource Directory maintained by the Community Care and the Area on Aging in Lake and Mendocino Counties. The Directory provides important information on housing needs that include, not only housing rehabilitation, but also, homeless and transitional housing, housing support agencies, subsidized housing complexes, senior housing, and residential care facilities.	Timeframe: Immediately (2015/2016) and ongoing	Responsibility: Community Development Department Funding: General Fund and CDBG funding for the Housing Rehabilitation and Housing Assistance brochures. Accomplishments: Brochures and directory made available. Results: Greater public awareness established. Status: Retain Program

PROGRAM H 6.4 Utilize Code Enforcement to Minimize Nuisances and Protect Neighborhood Nuisances and Protect Neighborhood Integrity 5th and 6th Cycle	The City will continue to operate its code enforcement program with the goals of abating dangerous structures and addressing nuisance concerns related to housing and neighborhood quality. The City Council placed “Measure R” on the ballot for November 4, 2014, for a specific transaction and use sales tax to support citywide clean-up and improvement. Since the measure did not pass, the City has allocated over \$500,000 of Community Development Block Grant (CDBG) funding towards an enhanced code enforcement program. This program will improve efforts by the City to address abating dangerous structures. In addition, the City will seek other grant funding to further improve this program. The Rental Housing Inspection Program began in 2001 to address ongoing safety and sanitary concerns with rental units in Clearlake. The program was discontinued in 2005 due to financial limitations but should continue by the end of 2020. The City will also look at the feasibility of resurrecting this program based on current funding. Also, the City will seek additional grant funding to further enhance this program once it has been re-established.	Timeframe: Commences in 2020 and continue through 2027. May be extended upon funding availability	Responsibility: Building and Police Departments and the City Council Funding: CDBG, General Fund and potentially other grant funding Accomplishments: The City continued developing an expanded Code Enforcement Program during the 5th Cycle, but continued to lack funding to allocate towards a Rental Housing Inspection Program. Objective: To the extent resources are available, rehabilitate 50 housing units. The information document for financial assistance residential property improvements and rehabilitation will be prepared by the end of 2020. The Code Enforcement Program process will be amended by the end of 2020, to include a staff procedure for providing this information to those involved in residential code compliance matters and to the public. Results: Significant improvements have been made in addressing residential housing nuisances. Over 2,500 cases were closed during the 5th Housing Cycle, many of which included mitigating health and safety risks to residents. Status: Program needs to continue as long as the City has funding to support this. CDBG funding extended through 2019 and may be extended upon funding availability. The city intends to establish a rental inspection program in 2019.
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PROGRAM H 6.5 Preservation and Replacement of Mobile home and Mobile home Parks 5th and 6th Cycle	Many of the mobile home parks in Clearlake are substandard and do not provide safe affordable housing. The City will meet with mobile home park owners (as requested and to the extent that the City has financial capacity) to discuss long-term goals for their properties and the condition of park infrastructure and buildings, the condition of mobile homes located in the park, parcel size, accessibility to services, and surrounding land uses. For those parks that are feasible to preserve, the City will consider (1) providing information to park owners on state and federal programs, and/or (2) providing referrals to nonprofit organizations who can assist in preparing funding requests. The City will also encourage the mobile home parks with serious problems to convert to another use. The City shall require the owners to provide relocation or other assistance to mitigate the displacement of park residents in accordance with Government Code Section 65863.7.	2015 and Ongoing.	Responsibility: Community Development Department Funding: CDBG, HOME, California Housing Finance Agency HELP program, California Mobile home Park Resident Ownership Program. Accomplishments: This is a current and ongoing process. The city has already contacted several property owners in order to discuss preservation and replacement of substandard mobile homes in order to provide more affordable housing. Objective: Prevent conversion of residential units. Results: No changes Status: Pending funding availability to expand the City's code enforcement program and other funding needs. Retain program to the extent funding resources are available.
PROGRAM H 6.7 Moderate- and Above-Income Housing 6th Cycle	The City will encourage the production of market-rate rental and ownership housing for moderate- and above moderate-income households through its land development policies.	Timeframe: 2019 and ongoing.	Responsibility: Community Development Department Funding: General Fund. Objective: Increase the supply of at least 40 units of market rate housing units by 2028.

PROGRAM H 7.1 Assistance to the Public Regarding Discrimination in Housing 5th and 6th Cycle	The City will continue to serve as liaison between the public and appropriate agencies in matters concerning housing discrimination. The City will promote equal housing opportunities through the posting of information and distribution of literature at City buildings. The City will continue to refer discrimination complaints to Redwood Legal Assistance and the State Fair Employment and Housing Commission. The City will also train staff on how to receive and refer fair housing complaints.	Timeframe: Ongoing.	Responsibility: Community Development, Building and other Departments Funding: General Fund Accomplishments: Potentially reduced housing discrimination. Results: The City continues to serve as liaison between the public and agencies on housing discrimination per this program. Status: Retain this program.
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PROGRAM H 7.2 Reasonable Accommodation Regulations 6th Cycle	Article 18-7 of the Zoning Code addresses regulations to address Federal Fair Housing Amendments Act of 1988 and California Fair Employment and Housing Act, Government Code Section 12901 et. seq., to provide people with disabilities reasonable accommodation rules, policies, practices and procedures that are necessary to ensure equal access to housing. The City did not receive any requests for a reasonable accommodation during the 2014-2019 5th Housing Cycle. There are some limits to what the City can do to restrict reasonable accommodations. The current regulations need to be relaxed to make this process easier for applicants. This program consists of amending the Zoning Code to create an easier process for processing a reasonable accommodation so as to make this process easier and more available to the public. This process shall be posted on the City's Website, and made available to the public at the City's Community Development Department to improve public outreach. Combined with referring reasonable accommodations to Legal Services of Northern California, as per Program H7.1, this should help	Timeframe: Amend regulations by the end of 2020.	Responsibility: Community Development, Building and other Departments Funding: General Fund
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PROGRAM H 8.1 Support of Existing Energy Conservation Programs 5th and 6th Cycle	The City will continue to support residential energy conservation programs offered by Pacific Gas and Electric Company, North Coast Energy Services, and others. This support will include referrals to these programs for homeowners expressing interest in energy conservation, as well as placement of brochures (if available) for such programs at City offices.	Timeframe: To the extent resources are available, rehabilitate 30 lower income housing units within the City by 2027.	Responsibility: Community Development and Building Departments, City Council and Lake County. Funding: CDBG, Home and General Fund Accomplishments: Improved house energy efficiencies. Results: The City continues to support residential energy conservation programs. The City's and Lake County's Housing Rehabilitation Programs include energy conservation programs. Status: Retain this program and assess the feasibility of teaming with the County to provide greater leverage for obtaining grant funding to expand housing rehabilitation and energy conservation programs that serve Clearlake.
PROGRAM H 8.2 Implementation of Energy Conservation Standards 5th and 6th Cycle	The City will continue to implement the energy conservation standards under Title 24 of the California Code of Regulations, as required by State law. The City will provide information at the permit counter from the California Energy Commission on compliance with Title 24 and other energy conservation techniques. Program CO 6.1.1.2 of the 2014 General Plan, Conservation Element includes creating incentives for development proposals and exceed Title 24 by 15 percent. These incentives could include reduced building permit fees and streamlined plan check review.	Timeframe: Establish and implement the Energy Conservation Incentives Program, per the 2040 General Plan in 2020.	Responsibility: City Council and Community Development, Finance and Building Departments. Funding: Development Permit Fees and the General Fund. Accomplishments: Improved house energy efficiencies. Results: All new housing and rehabilitations require energy conservation measures based on improved State regulations. Status: Retain this program. Programs being drafted for implementation in the Draft General Plan Update will be included in the Building Code updates as adopted.

PROGRAM H 9.1 Energy Conservation for New Residential Development 5th and 6th Cycle	Through the City’s plan review process, City staff shall encourage additional energy conservation measures with respect to the siting of buildings, landscaping, and solar access. The Zoning Code shall be udated to include additional energy conservation measures with respect to the siting of buildings, landscaping, and solar access for new residential development. In order to promote the use of energy efficient construction, the City will continue to provide information on energy conservation measures with the development application packets.	Timeframe: Complete energy conservation measures Zoning Code adopted in 2020.	Responsibility: Community Development and Building Funding: General Fund and other funding as needed. Accomplishments: The City increased the energy efficiency in new residential developments. Results: The City issued building permits for 13 new housing units. In addition, the City issued a number of residential remodels. These new and rehabilitated housing units incorporated additional energy conservation measures per more recently adopted State regulations. Status: Retain this program (as modified with some recommended zoning code changes to address energy conservation building siting and solar access provisions).
PROGRAM H 9.2 Stricter Energy Efficiency Standards for New Development 5th and 6th Cycle	Through the City’s General Plan Update and Zoning Ordinance amendment process, City staff shall incorporate additional energy conservation measures with respect to the siting of buildings, landscaping, and solar access for new residential and commercial development. In order to promote the use of energy efficient construction, the City will provide information on energy conservation measures with the development application packets.	Timeframe: Ongoing.	Responsibility: Community Development and Building Departments. Funding: Development Permit Fees and the General Fund. Accomplishments: See H 9.1 above. The City is in the process of revising the Zoning Code to be completed as needed in 2022. Results: The Zoning Code will be updated soon. Status: Retain program to assure the Zoning Code is updated to meet this energy efficiency standard.

Jurisdiction	Clearlake	
Reporting Period	2021	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Table H			
Locally Owned Surplus Sites			
Parcel Identifier			
1	2	3	4
APN	Street Address/Intersection	Existing Use	Number of Units
Summary Row: Start Data Entry Below			
000+A15:G35-000-00	0	Vacant	
039-623-19	3496 Peony Street	Vacant	1
039-625-06	3141 Mint Street	Vacant	1
039-625-01	13940 Sonoma Avenue	Vacant	1
039-626-16	3444 Boxwood Street	Vacant	1
039-626-07	3423 Acacia Street	Vacant	1
039-626-11	3453 Acacia Street	Vacant	1
039-626-12	3463 Acacia Street	Vacant	1
039-626-01	13980 Sonoma Avenue	Vacant	1
039-530-50	14061 Lakeshore Drive	Other	1
041-102-12	15662 40th Avenue	Vacant	1
041-395-01	15677 36th Avenue	Vacant	1
041-363-09	4999 Cass Avenue	Vacant	1
041-363-10	5019 Cass Avenue	Vacant	1
041-144-01	15903 36th Avenue	Vacant	1

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[illegible]

Note: "+" indicates
an optional field

Cells in grey contain
auto-calculation
formulas

ORT

Designation	Size	Notes
5	6	7
Surplus Designation	Parcel Size (in acres)	Notes
Surplus Land	0	Homestead Program
Surplus Land	0.54	Homestead Program
Surplus Land	0.54	Homestead Program
Surplus Land	0.27	Homestead Program
Surplus Land	0.92	Homestead Program
Surplus Land	0.12	Homestead Program
Surplus Land	0.13	Homestead Program
Surplus Land	0.12	Homestead Program
Surplus Land	0.27	Homestead Program
Surplus Land	4.74	Homestead Program
Surplus Land	0.11	Homestead Program
Surplus Land	0.11	Homestead Program
Surplus Land	0.2	Homestead Program
Surplus Land	0.2	Homestead Program
Surplus Land	0.12	Homestead Program

Jurisdiction	Clearlake	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	08/15/2019 - 08/15/2027

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	113
Moderate	Deed Restricted	0
	Non-Deed Restricted	5
Above Moderate		0
Total Units		118

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
SFA	0	0	0
SFD	0	8	0
2 to 4	0	0	0
5+	0	102	0
ADU	0	2	0
MH	0	6	0
Total	0	118	0

Housing Applications Summary	
Total Housing Applications Submitted:	15
Number of Proposed Units in All Applications Received:	15
Total Housing Units Approved:	15
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	15
Total Developments Approved with Streamlining	15
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

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MINUTES OF PREVIOUS MEETING

March 16, 2022

The regular monthly meeting of the Board of Trustees of the Lake County Vector Control District was called to order at 1:32 P.M. by President Giambruno.

Board Present: Rob Bostock, Curt Giambruno, Chuck Leonard, and Ron Nagy.

Absent: George Spurr (excused).

District Personnel: Jamesina J. Scott, Ph.D., Manager and Research Director, and Ms. Jacinda Franusich, Office Manager.

Guests: None.

Citizen's Input: None.

Agenda Additions and/or Deletions: None.

Mr. Bostock moved to approve the minutes of the February 23, 2022 Regular Meeting. Mr. Nagy seconded the motion. Motion carried unanimously.

Research Report

Dr. Scott reported on arbovirus activity. No West Nile virus activity has been reported for Lake County in 2022.

For the rest of California and the nation, no arboviral activity has been reported in 2022.

Dr. Scott reported on adult biting fly activity. The New Jersey Light Trap (NJLT) set in near Borax Lake collected six female and one male *Culiseta inornata*, four female *Culex tarsalis*, and three female and one male *Culicoides occidentalis*. The NJLT set near Upper Lake collected 29 female and two male *Culiseta inornata*.

Dr. Scott reported on tick testing. Five *Ixodes pacificus* ticks that Lake County residents removed from themselves have been submitted to the

Sonoma County Public Health Laboratory for testing for *Borrelia burgdorferi*. Four ticks were negative and results are pending for the most recent submission.

Dr. Scott reported on Clear Lake gnat, Chironominae, and Tanypodinae surveillance in Clear Lake. Lake Checks were not completed in February due conference attendance and employee illness.

Operation Report

During February 0.20 inches of rain were recorded at the District. The cumulative rainfall for the year is 16.85 inches.

On February 1, the level of Clear Lake was 0.54 feet on the Rumsey Gauge. On February 28, the lake was at 0.50 feet.

The Mosquito and Vector Control Association of California (MVCAC) is holding a series of workshops demonstrating the data management systems utilized by mosquito and vector control districts throughout California. District staff have been viewing the webinars to learn what the various systems offer and discuss if any of the systems would be a good fit for the District.

On February 7th, the Konocti Christian Academy Board of Directors used the District's conference room for a meeting. The Board thanked the District for the use of the room.

The District's lab staff and vector control technicians attended the Mosquito and Vector Control Association of California (MVCAC) Annual Conference in Sacramento to help fulfill their continuing education requirements.

The District has been invited to participate in upcoming outreach events. On March 30th Lakeport Unified School District is holding a Trucks on the Track and Career Day event, and on May 4th and 11th the District will participate in the 5th Annual Lake County Ag & Natural Resources Day held at the Lake County Fairgrounds.

Dr. Scott and Vector Biologist Michelle Koschik attended the 88th Annual Meeting of the American Mosquito Control Association (AMCA) in Jacksonville, Florida from February 28th-March 4th, 2022.

Dr. Scott attended the MVCAC monthly All Hands meeting via Zoom on February 1.

On February 10th, Dr. Scott attended the MVCAC Winter Board of Directors meeting in person. After the meeting Dr. Scott participated in Employment Risk Management Agency (ERMA) Board of Directors Meeting via teleconference. Dr. Scott serves as the alternate board member of the Vector Control Joint Powers Agency (VCJPA) on the ERMA Board.

On February 17th and 18th Dr. Scott participated in the VCJPA Annual Workshop and Board of Directors Meeting via teleconference.

Dr. Scott submitted the District's updated Certified Unified Program Agencies (CUPA) documents for Todd Road, to the California Environmental Reporting System (CERS). These documents provide local first responders with location and quantity of pesticides in case of fire or other emergency.

Dr. Scott submitted the District's annual National Pollutant Discharge Elimination System (NPDES) report to the State Water Board.

Dr. Scott will attend the 5th Annual Meeting of the Pacific Southwest Center of Excellence in Vector-Borne Diseases (PacVec) in Sacramento on April 5-6.

Update on Employee Health Coverage through Operating Engineers 3

On February 16, 2022 the District was notified by phone that its employee health coverage would not be renewed after March 31, 2022.

The District has had a long-standing "handshake" pass-through agreement with the County of Lake's Operating Engineers Local 3 (OE3) to purchase health coverage through the OE3 Public and Miscellaneous Employees Health and Welfare Fund ("Fund"). During a compliance audit, the Fund realized that no official written agreement existed with Lake County Vector Control District and health coverage could not continue under those circumstances.

Dr. Scott and Office Manager Jacinda Franusich met with Carl Carr and Tim Neep from OE3, and Mike McCall, the Director of Benefits for the OE3 Health and Welfare Fund on March 9th. They were not able to offer the continuation of health coverage unless the District employees form a bargaining unit under Operating Engineers Local 3.

Other options for health coverage a being explored, and the District employees are scheduled to meet with Mr. Carr, Mr. Neep, and Mr. McCall on March 21, 2022 to discuss their options with OE3.

Approve Budget Transfers

No budget transfers were needed.

Approve Checks for the Month of March 2022

Mr. Bostock moved to approve Checks No. 20741-20783 for the month of March 2022 in the amount of \$47,627.54. Mr. Nagy seconded the motion. Motion carried unanimously.

Other Business

Dr. Scott mentioned that Mr. Chuck Leonard had been reappointed by the Lake County Board of Supervisors to the District's Board for a four-year term.

There was a brief discussion regarding the construction of the new wall on C Street.

Announcement of the Next Board Meeting

The next regular meeting of the Board of Trustees of the Lake County Vector Control District will be at 1:30 PM on April 13, 2022 in the LCVCD Board Room, 410 Esplanade, Lakeport, CA 95453.

Mr. Nagy moved to adjourn the meeting. Mr. Bostock seconded the motion. There being no other business to discuss the meeting was adjourned by President Giambruno at 2:31 PM.

Respectfully submitted,

Ronald Nagy
Secretary

MINUTES OF SPECIAL MEETING

March 28, 2022

The special meeting of the Board of Trustees of the Lake County Vector Control District was called to order at 1:03 P.M. by President Giambruno.

Board Present: Rob Bostock (attended remotely), Curt Giambruno, Chuck Leonard, Ron Nagy, and George Spurr

Absent: None.

District Personnel: Jamesina J. Scott, Ph.D., Manager and Research Director, and Ms. Jacinda Franusich, Office Manager.

Guests: None.

Citizen's Input: None.

Agenda Additions and/or Deletions: None.

Update on Employee Coverage and Recommendation to

- a) Approve the District joining Industrial Employers Distributors Association (IEDA) and Authorize District Manager to Sign Agreement on the District's behalf; and
- b) Approve the Participation Agreement and Authorize District Manager to Sign on District's behalf.

These actions are being taken to provide an avenue for the District to continue the employees' health coverage benefits through the OE3 Public and Miscellaneous Employees Health and Welfare Fund.

After a brief discussion, Mr. Spurr moved to approve the District joining Industrial Employers Distributors Association (IEDA), and authorize the District Manager to sign the Agreement on the District's behalf. Mr. Nagy seconded the motion. Motion carried unanimously.

Mr. Spurr moved to approve the Participation Agreement and Authorize the District Manager to sign on the District's behalf. Mr. Nagy seconded the motion. Motion carried unanimously.

Mr. Nagy moved to adjourn the meeting. Mr. Spurr seconded the motion. There being no other business to discuss the meeting was adjourned by President Giambruno at 1:18 PM.

Respectfully submitted,

Ronald Nagy
Secretary



Clearlake, CA

Section G, Item 5.

Check Register

Packet: APPKT01249 - 4/7/22 AP CHECK RUN AA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
001138	ADVENTIST HEALTH	04/07/2022	Regular	0.00	40.00	12367
002353	ALL IN ONE AUTO	04/07/2022	Regular	0.00	6,080.00	12368
000085	ARAMARK UNIFORM SERVICES	04/07/2022	Regular	0.00	49.31	12369
001435	ARGONAUT CONSTRUCTORS	04/07/2022	Regular	0.00	848,135.30	12370
001759	BOAR'S BREATH RESTAURANT	04/07/2022	Regular	0.00	750.00	12371
000068	BOB'S JANITORIAL	04/07/2022	Regular	0.00	79.38	12372
VEN01269	BRADY FARIS CRENSHAW	04/07/2022	Regular	0.00	121.10	12373
001665	BRUNO SABATIER	04/07/2022	Regular	0.00	60.00	12374
001413	CAL BUILDING STANDARDS COM	04/07/2022	Regular	0.00	1,012.50	12375
000112	CALIF POLICE CHIEF'S ASSOC	04/07/2022	Regular	0.00	290.00	12376
000024	CLEARLAKE POLICE ASSOCIATION	04/07/2022	Regular	0.00	1,500.00	12377
001424	CLEARLAKE WASTE SOLUTIONS	04/07/2022	Regular	0.00	16,839.05	12378
000561	COMM DEVELOP DEPT OF HOUSING	04/07/2022	Regular	0.00	242.00	12379
000548	COMPUTER LOGISTICS	04/07/2022	Regular	0.00	450.00	12380
002327	DEBRA SALLY D.V.M.	04/07/2022	Regular	0.00	750.00	12381
000774	DEEP VALLEY SECURITY	04/07/2022	Regular	0.00	82.90	12382
000160	DEPT OF JUSTICE	04/07/2022	Regular	0.00	210.00	12383
001835	DIRK SLOOTEN	04/07/2022	Regular	0.00	60.00	12384
001203	DOMINIC RAMIREZ	04/07/2022	Regular	0.00	54.00	12385
VEN01126	ECORP CONSULTING, INC	04/07/2022	Regular	0.00	190.00	12386
000004	EDWARD A ROBEY JR	04/07/2022	Regular	0.00	60.00	12387
001603	ELVIS COOK	04/07/2022	Regular	0.00	54.00	12388
002191	ENTERPRISE FM TRUST	04/07/2022	Regular	0.00	20,124.54	12389
001271	FRANCHISE TAX BOARD	04/07/2022	Regular	0.00	336.61	12390
000797	GRANITE CONSTRUCTION	04/07/2022	Regular	0.00	527,463.09	12391
001402	GREEN VALLEY CONSULTING	04/07/2022	Regular	0.00	49,655.00	12392
VEN01250	GREG MARGETICH - MARGETICH REAL	04/07/2022	Regular	0.00	10,000.00	12393
000121	HIGHLANDS WATER COMPANY	04/07/2022	Regular	0.00	1,078.79	12394
001949	ICE WATER DISTRIBUTORS INC	04/07/2022	Regular	0.00	62.50	12395
001939	JIM SCHOLZ	04/07/2022	Regular	0.00	60.00	12396
002274	JOHN R BENOIT	04/07/2022	Regular	0.00	9,837.17	12397
002276	JOSE L SIMON III	04/07/2022	Regular	0.00	60.00	12398
002272	KENNETH W PARLET II	04/07/2022	Regular	0.00	60.00	12399
000108	LAKE COUNTY RECORD BEE	04/07/2022	Regular	0.00	481.07	12400
002280	LAW OFFICES OF P SCOTT BROWNE	04/07/2022	Regular	0.00	1,837.00	12401
000980	MARTIN SNYDER	04/07/2022	Regular	0.00	54.00	12402
001924	MICHAEL PERREAULT	04/07/2022	Regular	0.00	54.00	12403
001489	NAPA AUTO PARTS	04/07/2022	Regular	0.00	70.57	12404
000026	NATIONWIDE RETIREMENT SOLUTION	04/07/2022	Regular	0.00	1,520.08	12405
VEN01191	NORTH BAY ANIMAL SERVICES	04/07/2022	Regular	0.00	22,972.00	12406
001392	OFFICE DEPOT	04/07/2022	Regular	0.00	208.86	12407
002270	OPENGOV, INC	04/07/2022	Regular	0.00	186,558.00	12408
000027	OPERATING ENGINEERS PUBLIC EMP	04/07/2022	Regular	0.00	67,771.00	12409
001500	RYAN PETERSON	04/07/2022	Regular	0.00	54.00	12410
000773	SANTA ROSA JUNIOR COLLEGE	04/07/2022	Regular	0.00	199.50	12411
002273	STACEY MATTINA	04/07/2022	Regular	0.00	60.00	12412
002277	STANLEY A ARCHACKI	04/07/2022	Regular	0.00	60.00	12413
002228	SUMMIT BANK - LOAN OPERATIONS	04/07/2022	Regular	0.00	38,265.80	12414
002275	SUZANNE LYONS	04/07/2022	Regular	0.00	60.00	12415
VEN01268	THIRD DEGREE COMMUNICATIONS,IN	04/07/2022	Regular	0.00	2,625.00	12416
000211	THOMAS ASSOCIATES	04/07/2022	Regular	0.00	1,200.00	12417
002377	TINA SCOTT	04/07/2022	Regular	0.00	60.00	12418
001540	US BANK CORPORATE PMT. SYSTEM	04/07/2022	Regular	0.00	1,534.84	12419
000708	VALIC LOCKBOX	04/07/2022	Regular	0.00	395.00	12420

Check Register

Packet: APPKT01249

Section G, Item 5.

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
002206	VICTOR MEDICAL COMPANY	04/07/2022	Regular	0.00	1,274.55	12421

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	89	55	0.00	1,823,162.51
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	89	55	0.00	1,823,162.51

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	4/2022	1,823,162.51
			1,823,162.51



Clearlake, CA

Section G, Item 5.

Check Register

Packet: APPKT01267 - 4/14/22 AP CHECK RUN AA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
000591	ACTION SANITARY	04/14/2022	Regular	0.00	182.70	12422
000085	ARAMARK UNIFORM SERVICES	04/14/2022	Regular	0.00	49.31	12423
001397	AT&T CALNET 3	04/14/2022	Regular	0.00	22.68	12424
001397	AT&T CALNET 3	04/14/2022	Regular	0.00	22.56	12425
001397	AT&T CALNET 3	04/14/2022	Regular	0.00	22.56	12426
2418	BICOASTAL MEDIA, LLC	04/14/2022	Regular	0.00	815.00	12427
VEN01228	BPR CONSULTING GROUP	04/14/2022	Regular	0.00	3,407.50	12428
002162	CALIFORNIA ENGINEERING	04/14/2022	Regular	0.00	61,444.87	12429
001811	CALIFORNIA EXTERMINATORS ALLIA	04/14/2022	Regular	0.00	100.00	12430
000774	DEEP VALLEY SECURITY	04/14/2022	Regular	0.00	98.85	12431
001898	EVERBRIDGE INC	04/14/2022	Regular	0.00	5,000.00	12432
002402	FRONTLINE PUBLIC SAFETY	04/14/2022	Regular	0.00	1,050.00	12433
2436	IWORQ	04/14/2022	Regular	0.00	10,500.00	12434
001775	JONES & MAYER	04/14/2022	Regular	0.00	24,056.52	12435
VEN01123	LOOMIS	04/14/2022	Regular	0.00	565.02	12436
001392	OFFICE DEPOT	04/14/2022	Regular	0.00	13.26	12437
001843	PG&E CFM	04/14/2022	Regular	0.00	4,942.73	12438
	Void	04/14/2022	Regular	0.00	0.00	12439
002061	PLEXUS GLOBAL LLC	04/14/2022	Regular	0.00	58.25	12440
001536	PRECISION WIRELESS SERVICES	04/14/2022	Regular	0.00	2,895.34	12441
001790	THALES CONSULTING INC	04/14/2022	Regular	0.00	600.00	12442
VEN01270	TRUE FAITH ENTERTAINMENT, INC	04/14/2022	Regular	0.00	10,000.00	12443

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	46	21	0.00	125,847.15
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	46	22	0.00	125,847.15

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	4/2022	125,847.15
			<u>125,847.15</u>



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Adoption of the Local Road Safety Plan

MEETING DATE: April 21, 2022

SUBMITTED BY: Adeline Brown, Engineer Tech

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to adopt a resolution approving a Local Roadway Safety Plan and authorize the implementation of this plan.

BACKGROUND/DISCUSSION:

The City was awarded a grant to put together a Local Roadway Safety Plan (LRSP), a plan that allows local agencies an opportunity to address roadway safety. This safety plan creates a framework to systematically identify and analyze safety problems and recommend solutions. Preparing a safety plan facilitates the development of local agency partnerships and collaboration, resulting in a prioritized list of improvements and actions that can demonstrate a defined need and contribute to the overall road safety.

The City has partnered with the City of Lakeport and County of Lake to contract with Headway Transportation as a consultant to put together a plan for each respective agency. The total cost of the project was \$50,000, with a City match of \$5,000.

The local roadway safety plan not only recommends engineering solutions to help reduce collisions but addresses the 4 E's of traffic safety: Engineering, Enforcement, Education, and Emergency Services. Specifically, the attributes that have been developed coincide with:

- Implementing goals that are representative of the 4 E's
- Reducing fatal and injury collisions on all public roads
- Promoting roadway safety awareness
- Developing lasting partnerships that will benefit future projects and ideas
- Incorporation of safety into routine business such as capital and maintenance projects
- Leverage funding opportunities

This plan is required in order for the City to apply for future Highway Safety Improvement Program (HSIP) funding beginning in 2022.

OPTIONS:

1. Adopt a resolution approving a Local Roadway Safety Plan and authorize the implementation of this plan.
2. Other direction

FISCAL IMPACT:

☐ None ☐ Budgeted Item? ☐ Yes ☐ No

Budget Adjustment Needed? ☐ Yes ☐ No If yes, amount of appropriation increase: \$

Affected fund(s): ☐ General Fund ☐ Measure P Fund ☐ Measure V Fund ☐ Other:

Comments:

STRATEGIC PLAN IMPACT:

- ☐ Goal #1: Make Clearlake a Visibly Cleaner City
- ☒ Goal #2: Make Clearlake a Statistically Safer City
- ☒ Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- ☒ Goal #4: Improve the Image of Clearlake
- ☐ Goal #5: Ensure Fiscal Sustainability of City
- ☐ Goal #6: Update Policies and Procedures to Current Government Standards
- ☒ Goal #7: Support Economic Development

SUGGESTED MOTIONS:

Adopt a resolution approving a Local Roadway Safety Plan and authorize the implementation of this plan.

☒ **Attachments:** LOCAL ROAD SAFETY PLAN

RESOLUTION NO. 2022-18

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE ADOPTING THE
LOCAL ROAD SAFETY PLAN**

Whereas, the City of Clearlake was awarded a grant from Caltrans for the creation of a Local Road Safety Plan, and

Whereas, a Local Roadway Safety Plan creates a framework to systematically identify and analyze safety issues, collaborate with partner agencies and stakeholders, and develop a multidisciplinary tool box of traffic safety countermeasures, and

Whereas, the Federal Highway Safety Improvement Program (HSIP) is a source of safety grant funding and eligibility for grant funding under this program now requires an adopted LRSP, and

Whereas, the City of Clearlake partnered with other agencies to select a consultant for the creation of this plan, and

Whereas The Local Road Safety Plan (LRSP) will serve not only as a requirement for grant fund eligibility but also a blueprint for addressing traffic safety issues throughout the County across the 4 E's of traffic safety disciplines; Engineering, Education, Enforcement, & Emergency Services, and

Whereas, adoption by the governing body for the City of Clearlake, demonstrates the jurisdiction's commitment to fulfilling the goals and objectives outlined in this Local Road Safety Plan.

Be it resolved, that the City of Clearlake adopts the City of Clearlake Local Road Safety Plan as an official plan; and

PASSED AND ADOPTED by the City Council of the City of Clearlake, County of Lake, State of California, on this 22nd day of April 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Melissa Swanson - City Clerk

Dirk Slooten - Mayor

City of Clearlake Local Road Safety Plan (LRSP)

December 30, 2021

Prepared for:



City of Clearlake
14050 Olympic Drive
Clearlake, CA 95422

Lake Area Planning Council
525 South Main Street, Suite G
Ukiah, CA 95482



Prepared by:



2240 St. George Lane, Suite 1
Chico, CA 95926

LOCAL ROAD SAFETY PLAN

CITY OF CLEARLAKE

Prepared for:



City of Clearlake
14050 Olympic Drive
Clearlake, CA 95422



Lake Area Planning Council
525 South Main Street, Suite G
Ukiah, CA 95482

Prepared by:



Headway Transportation, LLC
2240 St. George Lane, Suite 1
Chico, CA 95926



Acknowledgements

The Lake Area Planning Council, City of Clearlake staff and project stakeholders were instrumental in the creation of this Local Road Safety Plan. The local knowledge and collaborative attitude of all stakeholders involved helped create a holistic LRSP. Headway Transportation would like to express appreciation to the staff and project stakeholders who contributed to this plan.

Stakeholders

David Swartz – City of Clearlake
Danielle Casey - Lake Area Planning Council
Lisa Davey-Bates - Lake Area Planning Council
Alexis Pedrotti - Lake Area Planning Council
James Sookne - Lake Transit Authority/Lake Area Planning Council
Andrew White – Clearlake Police Department
Clarissa Kincy - Lake Links
Mark Mueller - Caltrans
Willie Sapeta - Lake County Fire Protection District



Headway Transportation

Lauren Picou (Project Manager)
Loren Chilson
Dylan Axtell
Abby Titlow



Statutory Notice

23 U.S.C. 409: US Code – Section 409: Discovery and admission as evidence of certain reports and surveys

Notwithstanding any other provision of law, reports, surveys, schedules, lists, or data compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential accident sites, hazardous roadway conditions, or railway- highway crossings, pursuant to sections 130, 144, and 148 of this title or for the purpose of developing any highway safety construction improvement project which may be implemented utilizing Federal-aid highway funds shall not be subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

California Government Code - GOV § 7550

This section is included per California Government Code - GOV § 7550 which states that:

“(a) Any document or written report prepared for or under the direction of a state or local agency, that is prepared in whole or in part by nonemployees of the agency, shall contain the numbers and dollar amounts of all contracts and subcontracts relating to the preparation of the document or written report; if the total cost for the work performed by nonemployees of the agency exceeds five thousand dollars (\$5,000). The contract and subcontract numbers and dollar amounts shall be contained in a separate section of the document or written report.

(b) When multiple documents or written reports are the subject or product of the contract, the disclosure section may also contain a statement indicating that the total contract amount represents compensation for multiple documents or written reports.”

The contract amount for this Clearlake LRSP is \$49,980.00. The total contract amount, which included preparation of two LRSP’s for the Cities of Lakeport and Clearlake, is \$129,951.00.



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Appendix G – Project Layouts, Cost Estimates and Benefit-Cost Ratio Calculations



Executive Summary

The City of Clearlake Local Roadway Safety Plan (LRSP) established the framework and processes for identifying, evaluating, and prioritizing transportation safety improvements with a goal of reducing fatalities and serious injuries on the local road network. The City of Clearlake LRSP was developed through a process of stakeholder collaboration, public outreach, and crash data analysis.

The stakeholder’s working group (**page 7**) provided key input and guidance in developing the project vision and mission statements, identifying focus areas, and considering safety strategies and recommendations in line with community goals and other planned projects. The stakeholders will also be key in implementing the plan, measuring outcomes, and updating the plan in the future. The public outreach (**page 9**) prioritized overall safety concerns as well as identified specific locations via an interactive online map. The in-depth crash data analysis (**page 15**) revealed both overall trends as well as “hot spots” of crash densities.

Identified focus areas represent the greatest opportunity for reducing fatal and serious injury crashes throughout the city based on public outreach results and crash data analysis. *Focus Area Strategy Tables* (**page 40**) organized countermeasures and strategies across the four ‘E’s’ of traffic safety- *Engineering, Enforcement, Education, and Emergency Services*.

The Strategy Tables, summarized in **Tables 10-16** and detailed in **Appendix D**, also identify actions, target outputs, responsible parties, performance measures and potential funding opportunities. The document details key steps for successful implementation (**page 51**), non-engineering programs (**page 52**), and details of potential funding sources (**page 54**). This document also includes project packages, concept layouts, cost estimates and Benefit-Cost Ratio (BCR) calculations for two projects that can be used in potential Highway Safety Improvement Program (HSIP) grant applications.

This plan was developed through close coordination with stakeholders, and the public in compliance with the State and Federal guidelines for eligibility to apply for HSIP funding. This document includes the necessary data and analysis to support future grant funding applications for recommended systemic and location specific projects. The LRSP is intended to be a living document, which will be updated every five years using the most up to date crash data to evaluate the performance of implemented countermeasures and re-evaluate focus area selection.



Clearlake Focus Areas

- ✓ Distracted Driving
- ✓ Impaired Driving
- ✓ Pedestrian Safety
- ✓ Intersection Safety
- ✓ Roadway/Intersection Lighting
- ✓ Speeding
- ✓ Bicycle Safety
- ✓ Lane Departures



Introduction

Crashes result in almost 3,700 daily fatalities globally and are a leading cause of death for people ages 1-54¹. The LRSP is a critical need as local roads are less traveled, but tend to have a higher rate of serious injury and fatal crashes. To improve roadway safety, agencies across the US are using historical crash data and input from the public to identify and address the safety issues unique to their local roadways.

Vision and Mission Statement

The vision and mission statements were developed to guide the LRSP and ensure that the final recommendations improve safety while furthering the vision and existing efforts of the City of Clearlake.

Vision Statement

“To help all transportation users in Clearlake reach their destination safely.”

Mission Statement

“To reduce the number of fatalities and serious injuries occurring on the roadway system in Clearlake for all users.”



¹ <https://www.cdc.gov/injury/features/global-road-safety/index.html>



LRSP Process

The LRSP process is a standard format for local agencies to evaluate crash data, identify safety focus areas, and select appropriate countermeasures. This process is applied across the US by local agencies and counties alike. The simple six-step LRSP process includes evaluating and updating the plan at regular intervals, typically every four to five years. An LRSP provides the framework for identifying systemic safety issues along local roads based on historical crash data. By evaluating crash data systemically, the LRSP identifies specific focus areas which represent the largest opportunities to improve safety such as pedestrian safety or impaired driving. The LRSP process also identifies hot spot locations with a high number of crashes historically as well as locations which have similar roadway characteristics but may lack a history of crashes.

Following the crash analysis, countermeasures are identified based on the types, frequency, and contributing elements of crashes, with a focus on reducing fatal and serious injury crashes. Identified countermeasures fall under one of the four “E’s” of

4 E's of Traffic Safety

- Engineering
- Education
- Enforcement
- Emergency Services

traffic safety which include Engineering, Enforcement, Education, and Emergency Services. Countermeasures and strategies in all “E’s” are included in the applicable Focus Area and are divided based on the “E” which they address. Education and Enforcement strategies are often best implemented following buy-in from community partners and stakeholders. Developing countermeasures across these four areas of traffic safety ensures a plan which improves traffic safety through a variety of approaches. “Emerging Technologies” is considered a new 5th category and was considered in the countermeasure process.

Implementation of identified countermeasures typically requires additional grant funding for many agencies. As of 2020, the LRSP will be a required document for any agencies applying for HSIP funding. The HSIP is a federal aid program which requires states to develop comprehensive Statewide Highway Safety Plans (SHSPs) focused on reducing fatal and serious injury crashes. The HSIP Grant Program is one of the primary funding mechanisms for roadway safety enhancements across the United States. Each state department of transportation can allocate HSIP funding to local entities for traffic safety projects focused on reducing fatal and serious injury crashes. The California Department of Transportation (Caltrans) will require any agency applying for HSIP funding to first complete an LRSP for funding Cycle 11 and beyond.



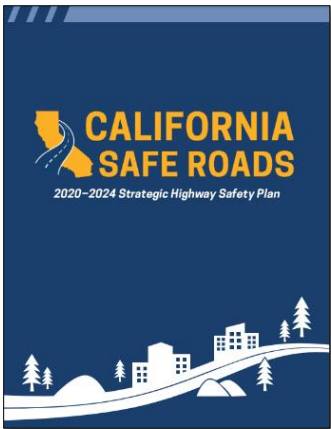
Exhibit 1. LRSP Development Process (FHWA)



Connection with the SHSP

This LRSP builds off the current *2020-2024 Statewide Highway Safety Plan “California Safe Roads” (SHSP)* developed by Caltrans to provide technical assistance in prioritization and deployment of safety countermeasures across the state. The SHSP identifies countermeasures and strategies to address specific safety issues which allows local agencies to leverage road safety planning processes to identify and address local needs based on the SHSP countermeasures. Caltrans identified five “high priority” challenge areas which represent the greatest opportunity for reducing fatal and serious injury crashes across the state:

- ▶ Pedestrians & Bicyclists
- ▶ Intersections
- ▶ Impaired Driving
- ▶ Lane Departures
- ▶ Speed Management / Aggressive Driving



The City of Clearlake LRSP identifies these five high priority challenge areas as focus areas based on the crash data analysis.

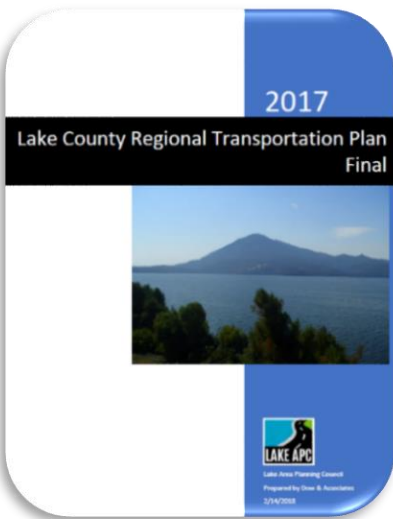
Planned Projects and Initiatives

The purpose of the LRSP is to enhance and expand upon other planned projects and safety initiatives in the City of Clearlake. Several roadway improvements projects have been identified in Clearlake. These studies and projects were considered in the LRSP process and countermeasure selection.

2017 Lake County Final Regional Transportation Plan

The Regional Transportation Plan lists the financially constrained projects planned over the next 20 years. This list includes projects on State Highways and local roads. Projects potentially impacting the countermeasures for the LRSP are:

- ▶ Lakeshore Drive improvements – including roadway widening, installation of turn lanes, construction of sidewalks (Olympic Drive to Hwy 53)
- ▶ Roadway Reconstruction/Rehabilitation (includes roadway widening projects)
- ▶ Phillips Avenue Connection – new roadway linking Dam Road Extension with Phillips Avenue
- ▶ Roundabout – Dam Road/Dam Rd Extension



- ▶ Roundabout – Lakeshore Drive/Olympic Drive
- ▶ Roadway Overlay
- ▶ Crack sealing/Micro-sealing/Restriping Lakeshore Drive (SR 53 to Olympic Drive) and Olympic Drive (Lakeshore Drive to SR 53)

Active Transportation Plan for Lake County (2016)

The Projects potentially impacting the countermeasures for the LRSP are:

- ▶ 18th & Phillips Ave Class II Bikeway
- ▶ Civic Center Sidewalks
- ▶ Highland Park Sidewalks
- ▶ Austin Park Sidewalks
- ▶ Dam Road Extension
- ▶ Report states that “The City will also be using bond funds to install sidewalks along the frontage of Lakeshore Drive, consistent with the 2014 Lakeshore Drive Downtown Corridor Plan where the City owns the adjacent property.”

The draft form of the **2022 Lake County Regional Transportation Plan/Active Transportation Plan** is anticipated for adoption in December 2021. Financially constrained projects in the City of Clearlake are:

- ▶ Lakeshore Drive improvements – including roadway widening, installation of turn lanes, construction of sidewalks (project limits: Olympic Drive to Hwy 53)
- ▶ Lakeshore Drive Rehabilitation (Olympic Street to Calaveras Drive/City Limits)
- ▶ 2nd Street/ Modoc Street Overlay (Arrowhead Road to Eastlake Drive)
- ▶ Roadway Reconstruction/Rehabilitation (includes roadway widening projects)
- ▶ Roundabout – Dam Road
- ▶ Roadway Overlay
- ▶ Crack sealing/Micro-sealing/Restriping Lakeshore Drive (SR 53 to Olympic Drive) and Olympic Drive (Lakeshore Drive to SR 53)
- ▶ Transit Center bike/pedestrian improvements (Active Transportation Plan)
- ▶ Dam Road Extension and South Center Drive bike/pedestrian improvements (Active Transportation Plan)

Financially unconstrained projects in the City of Clearlake are:

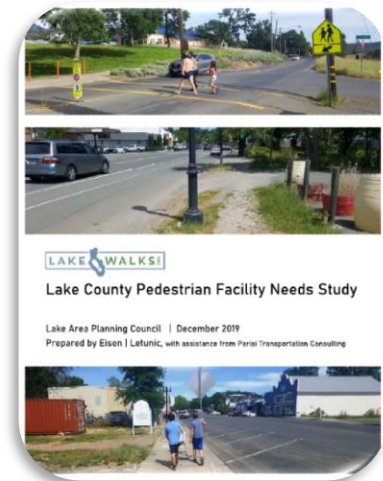
- ▶ Roundabout – Lakeshore Drive/ Olympic Drive
- ▶ Roadway Reconstruction/Rehabilitation
- ▶ Roadway Overlay
- ▶ Approximately 11 Active Transportation projects



Lake Walks Study/Lake County Pedestrian Facility Needs Inventory and Engineered Feasibility Study (2019)

This study recommended 40 projects for pedestrian access and safety improvements throughout Lake County. Projects potentially impacting the countermeasures for the LRSP are:

- Huntington Avenue/ Arrowhead Road
- Burns Valley Road/ Rumsey Road/ Bowers Avenue
- Olympic Drive
- Walnut Avenue/ Olive Street
- Division Street/ Austin Road
- Old Highway 53
- Lakeshore Drive – Olympic Avenue to Redbud Park
- Lakeshore Drive/ 40th Avenue – east of Redbud Park
- Phillips Avenue
- 18th Avenue/ Dam Road Extension/ Dam Road



SR 53 Corridor Study (2011)

This study evaluated interim and long-term alternatives for SR 53 and impacted intersections through Clearlake with the goal of establishing this corridor as an interregional route. The recommendations for the year 2020 were:

- SR 53/ SR 20: improve intersection with roundabout
- SR 53/ Olympic Drive: signalize intersection and add eastbound right-turn lane
- SR 53/ 40th Avenue: add northbound left-turn lane
- SR 53/ Dam Road/ Old Highway 53: add northbound right-turn lane
- Dam Road/ Walmart Driveway: add roundabout control and a northbound left-turn lane
- Phillips Avenue Extension
- SR 20/ SR 53 Roundabout

Most of these projects have been constructed or are planned for the near future. The recommendations for the year 2030 are:

- SR 53/ 40th Avenue: add eastbound and westbound left-turn lanes and a northbound left-turn Lane (constructed)
- SR 53/ 18th Avenue: add east and westbound left-turn lanes and a northbound right-turn lane
- SR 53/ Dam Road/ Old Highway 53: add northbound left-turn lane and westbound right-turn lane
- Dam Road/ Walmart Driveway: add eastbound left-turn lane
- SR 53/ SR 29/ Main Street: add southbound right-turn lane

Other long-term recommendations included an interchange at SR 53 at Dam Road, 18th Avenue, or between.



Stakeholder Engagement

The stakeholder working group was developed to provide important input and guidance throughout the project including assisting in the development of the project vision and mission statements, identifying focus areas, and considering safety strategies and recommendations. The stakeholders will also be key in implementing the plan, measuring outcomes, and updating the plan in the future.

The stakeholder working group included representatives from numerous City departments and local agencies:

- ▶ Lake Area Planning Council
- ▶ City of Clearlake
- ▶ Clearlake Police Department
- ▶ Lake Transit Authority
- ▶ Lake County Fire Protection District
- ▶ California Department of Transportation (Caltrans) District 1 Office

The first stakeholder working group meeting was held on April 6, 2021, to identify initial issues, concerns, and the LRSP focus areas based on local knowledge and analysis of the most recent five years of crash data. The second stakeholder working group meeting was held June 10, 2021 and discussed the results of the detailed crash data analysis and public outreach efforts. The third stakeholder working group meeting was held on August 24, 2021, and discussed countermeasures, *Focus Area Strategy Tables*, and potential projects.

A list of stakeholders working group members are included in **Appendix A**.

Focus Area Development

Initial Data Analysis

The first step in the process was to identify the focus areas for the purposes of detailed crash data analysis and public outreach. The initial data analysis reviewed crash patterns and factors. This initial analysis is included in **Appendix B** and summarized as:



Source: FHWA

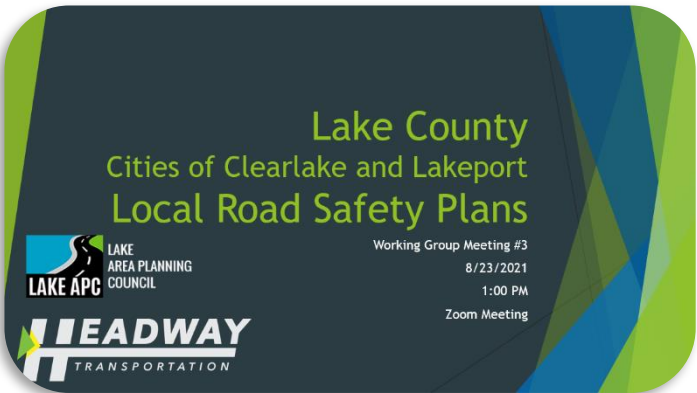


Exhibit 2. Stakeholders Working Group Meeting



- Fatal and serious injury crashes account for 18% of all crashes.
- The most common collision types are Hit Object, Broadside & Rear-End.
- Non-Motorized users (pedestrians and bicyclist) are involved in 83% of fatal and 19% of serious injury crashes.
- Unsafe Speed, Improper Turning and Impairment were the highest primary collision factor for all crash types.
- Unsafe Speed, Wrong Side of the Road, and Pedestrian Violation were the top collision factors for fatal and serious injury crashes.
- 33% of fatal and 50% serious injury crashes involve impairment (even if this was not listed as the top collision factor).
- Motorcycles are involved in 23% serious and injury crashes.



Focus Areas

Based on this initial data analysis and stakeholder input, the following focus areas were identified:

- Bicycle Safety
- Distracted Driving
- Impaired Driving
- Intersection Safety
- Lane Departures
- Pedestrian Safety
- Roadway/Intersection Lighting
- Speeding



Public Outreach

Public Outreach Methodology

Typical in-person outreach methods were not practical for the public outreach due to the COVID-19 pandemic. Therefore, all public outreach was exclusively online. The project team developed a virtual survey² through ArcGIS Survey123 and an interactive public comment map through ArcGIS Online. The survey and map were made open to the public on April 15, 2021 - May 19, 2021. The survey contained a total of five questions including demographics, travel habits, focus area prioritization and an opportunity to provide any comments related to transportation safety. The questions were used to identify the highest priority safety concerns of residents. Survey respondents were provided a link to an interactive map following completion of the survey. The interactive map provided residents with an opportunity to identify specific locations in the City of Clearlake with transportation safety concerns using a georeferenced dot. Respondents could categorize their comments on the map as one of the eight identified focus areas or select the “Other” category if the comment did not fall under one of the focus areas. Respondents were also able to vote in support of comments from other respondents.

A weblink to the survey was distributed to the public through:

- ▶ City of Clearlake website
- ▶ Lake Area Planning Council Website and Facebook page
- ▶ Caltrans Facebook

The initial outreach effort produced a total of:

- ▶ 91 completed surveys
- ▶ 10 individual georeferenced comments through the interactive map

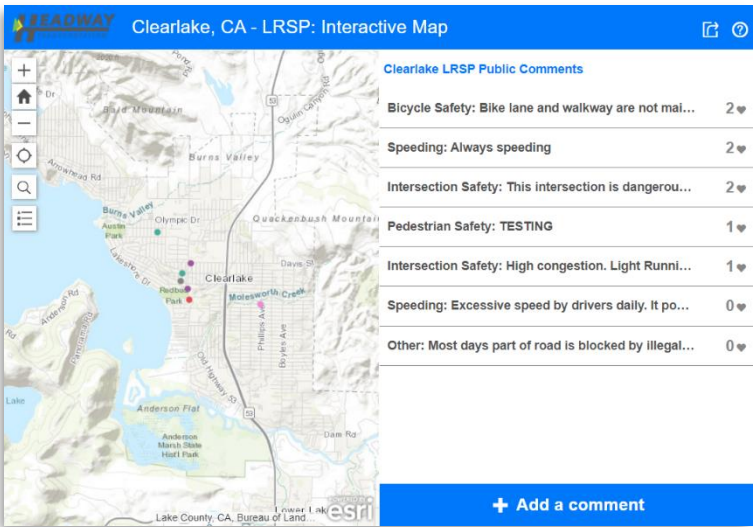


Exhibit 3. Clearlake Public Outreach Interactive Map

² Responses were limited to a single completed survey per IP address.



Public Outreach Survey Results

Input provided through the public outreach survey helped to identify specific locations with perceived safety concerns as well as general input on transportation safety and the roadway network. Full survey responses and interactive map data (withholding respondents’ personal information) are included in **Appendix C** and the results are summarized below.

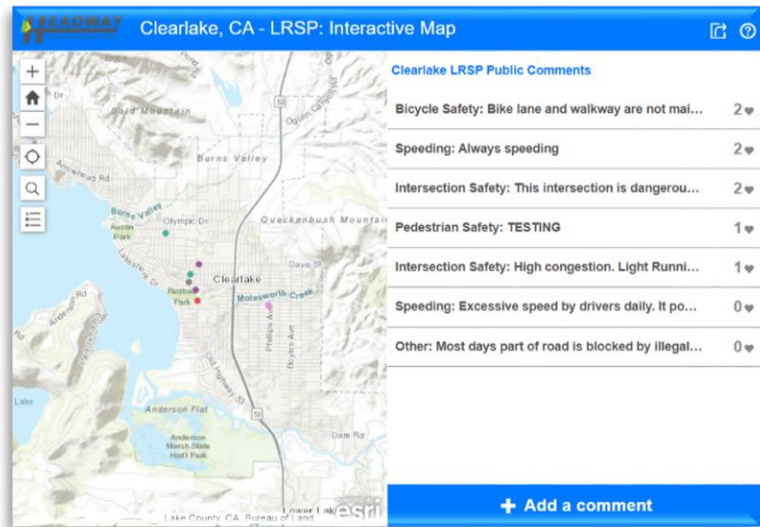


Exhibit 4. Clearlake Public Outreach Interactive Map

Question 1 – What is your primary mode of transportation?

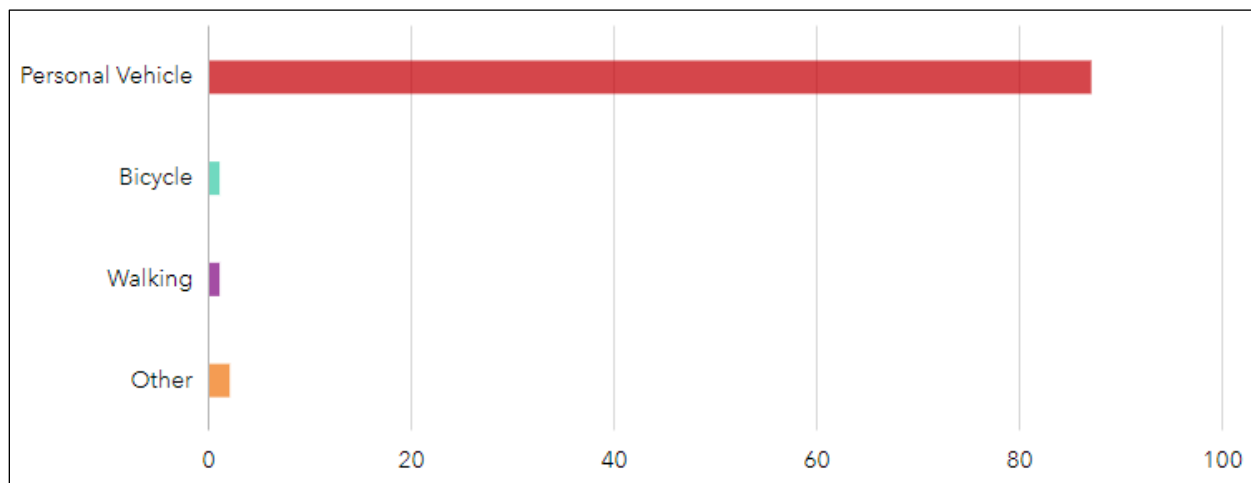


Figure 1. Primary Transportation Mode

Most respondents (95.6%) indicated that their primary mode of transportation is a personal vehicle with other modes including bicycle, walking, and “other” accounting for 4.4%.



Question 2 – What is your age range?

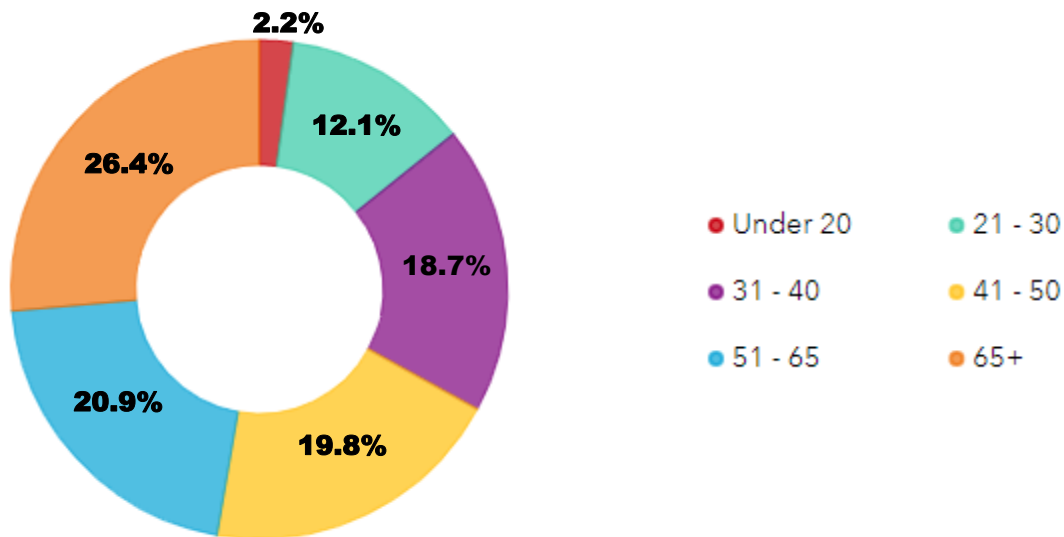


Figure 2. Respondents by Age Range

Survey responses were received from all age ranges, however, respondents tended to be over 40 years old. Nearly one-third (32.9%) of respondents were below the age of 40 and just over 14% of respondents were 30 or below.

Question 3 - Did your travel habits change during COVID restrictions (approximately March 2020-present)?

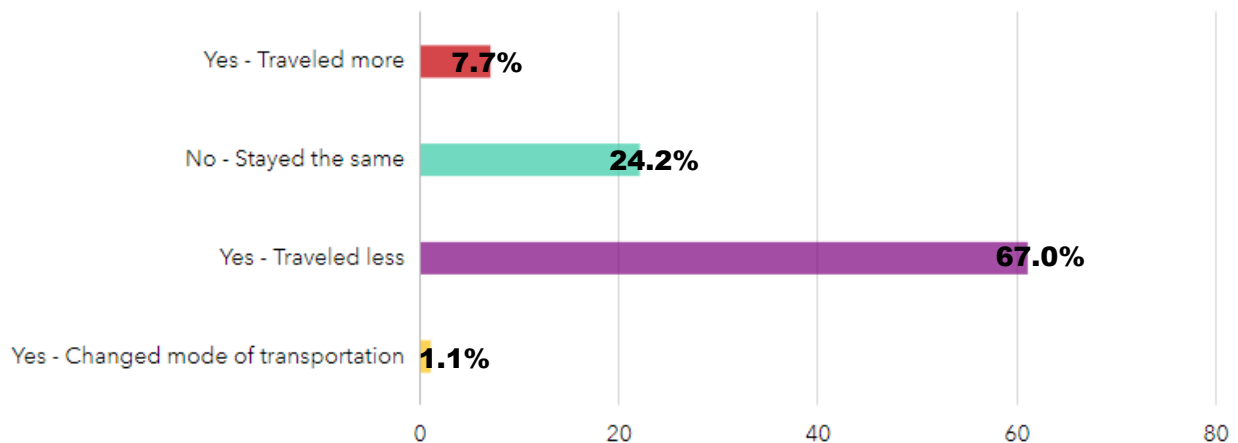


Figure 3. Travel Habits during COVID

This question was included to gauge the impacts of COVID-19 on the transportation network. The response may be used to identify if any planning strategies should be adapted, or how future updates of the LRSP may be impacted. Nearly 8% of respondents indicated that their travel increased during the %COVID-19 restrictions in



contrast to most of respondents (91%) indicating that they traveled the same or less during COVID-19 restrictions. One respondent indicated that COVID-19 restrictions resulted in a modal shift to another form of transportation.

Question 4 – Please rank the following categories based on your personal level of concern regarding each category, with "1" representing the highest concern.

The responses to this question indicated the highest priority transportation safety focus areas for survey respondents. Respondents were asked to place focus areas in a ranked listed based on which they were most concerned about. **Table 1** lists the focus areas in order based on their average weighted scores with the higher scorings indicating more priority/level of concern³.

Table 1. Focus Area Priority Ranking

Focus Area	Weighted Score
Distracted Driving	5.65
Impaired Drivers	5.34
Pedestrian Safety	4.82
Intersection Safety	4.78
Lighting	4.52
Speeding	4.43
Bicycle Safety	4.22
Lane Departures	2.24

Based on the survey responses, distracted driving and impaired drivers were the highest priority focus areas.

Question 5 – Please enter any comments relating to transportation safety in the City of Clearlake below:

Each response to this question was assessed by the project team and categorized. The three most frequent comment categories and their frequency are shown in **Table 2**. The top comment category focused on intersection safety with half of the comments in this category focusing on the Lakeshore Dr/ Old Hwy 53 intersection. Sidewalk conditions throughout the city and on specific streets were the second most frequent comment type. Lakeshore Drive and 40th Avenue received the highest number of comments regarding the poor quality of sidewalks. Comments regarding the pavement conditions were typically general and tied for the second most frequent comment category. Comments regarding current lighting conditions focused on the need for increased lighting at intersections and for pedestrian and bicycle safety along corridors. Speeding was the fourth most frequent comment type. A focus of speeding issues identified in the comments is on Phillips Ave/ Garner Ave.

³ An inverse weighting system was applied to survey responses. For example, a focus area ranked as number one was assigned eight points and a focus area ranked number eight was assigned one point.



Table 2. Most frequent Question 5 Survey Response Categories

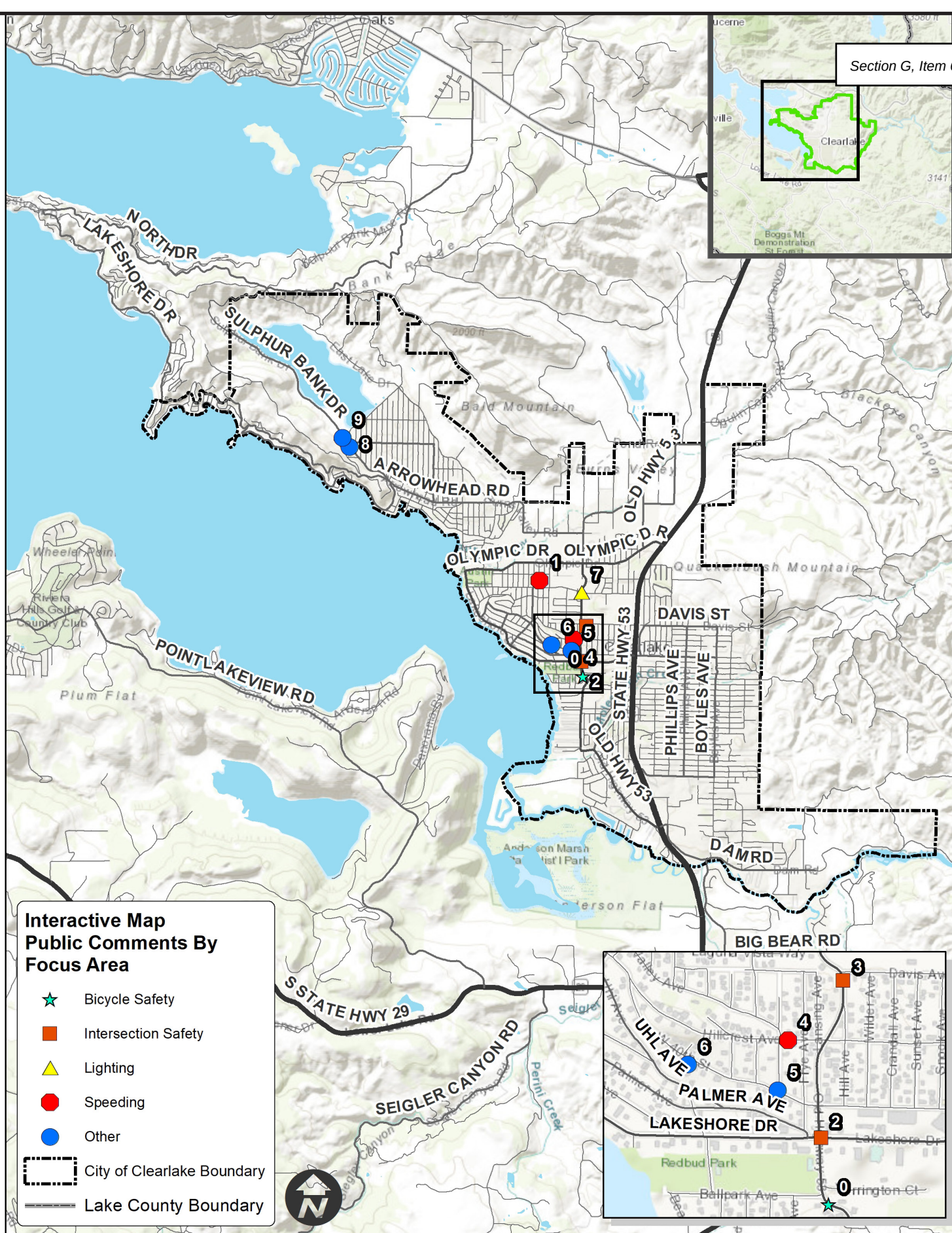
Comment Category	Total Comments
Intersection Safety	12
Poor Sidewalks	11
Roadway Conditions	11
Poor Lighting	10
Speeding	9

Interactive Map Results

The purpose of the interactive City of Clearlake map is to identify the locations with the most public concerns. The interactive public outreach map provided respondents with an opportunity to place a georeferenced dot on a virtual map, select a category from the focus areas, and provide a corresponding transportation safety comment. As shown in **Figure 4**, most comments submitted through the interactive map focused on Intersection Safety and Speeding. Most of the comments were focused on the urban core with a particular emphasis on Old Highway 53, which received a total of four comments.

Appendix C includes a summary table and map of all the interactive map comments. The specific comments and locations identified through the interactive map process, in coordination with the crash data analysis, helped to guide the development of strategies and recommendations to address each focus area.





Crash Data Analysis

Methodology

Crash data for the most recent five years (2015-2019) was obtained from two primary sources, SWITRS and TIMS. The Statewide Integrated Traffic Records System (SWITRS) is a web-based database that collects and processes crash data. It includes all crash severities with limited geospatial data. The Transportation Injury Mapping System (TIMS) is a geo-referenced web-based database that includes only serious injury and fatal crashes. The SWITRS data was used to identify overall crash trends, while the TIMS data was primarily used to identify hot spots and location-specific safety concerns given the advanced geospatial information. Location-based data from SWITRS was used as available.

The crash data was utilized to identify crash trends and high frequency crash intersections and roadway segments overall and by focus area. Crash rates were considered as traffic volume data was available. Crash rates determine the relative safety considering traffic volumes and length (for roadway segments).

Crash Data Considerations

The LRSP process is largely dependent on the quality of existing crash data records. The data available in the City of Clearlake allows for the identification of overall crash trends and to identify the highest priority areas. However, data fields often have a higher percent of “Not Stated”, “Unknown”, or blank records. This is a typical condition for crash data across the country and is not unique to the City of Clearlake. The analysis is conducted using the best available data.

Overall Crash Trends

Reviewing the total number of crashes year by year helps to identify how the frequency changes year to year. **Figure 5** shows the number of fatal & serious injury crashes and all other crashes by year across the City of Clearlake between 2015 and 2019.



Crashes per Year

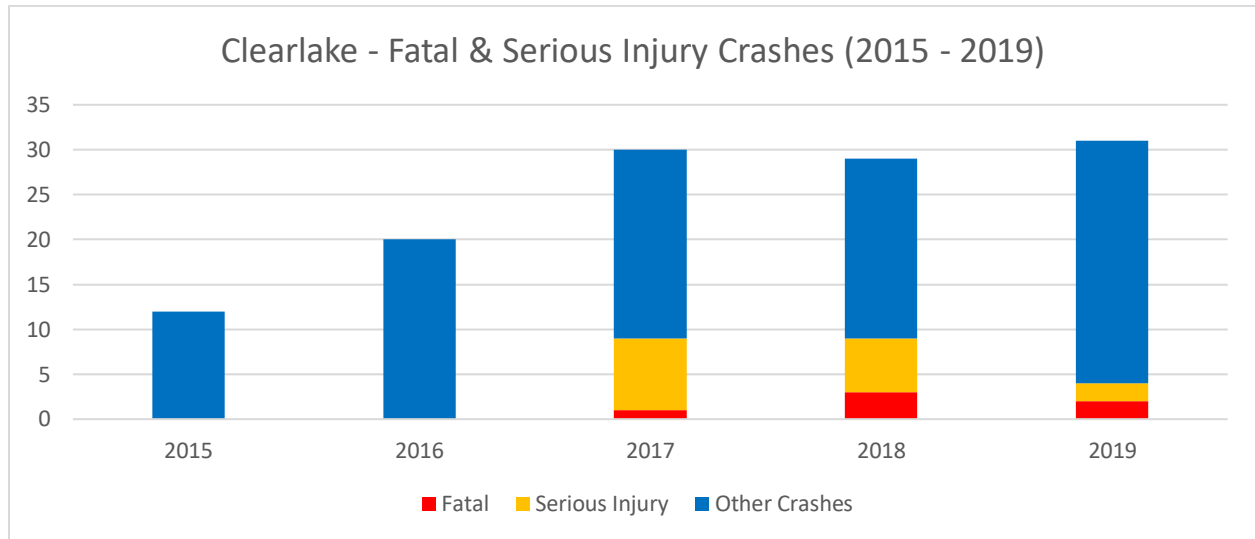


Figure 5. Total Crashes by Year

Crashes by Severity

Figure 6 shows the breakdown of all severities.

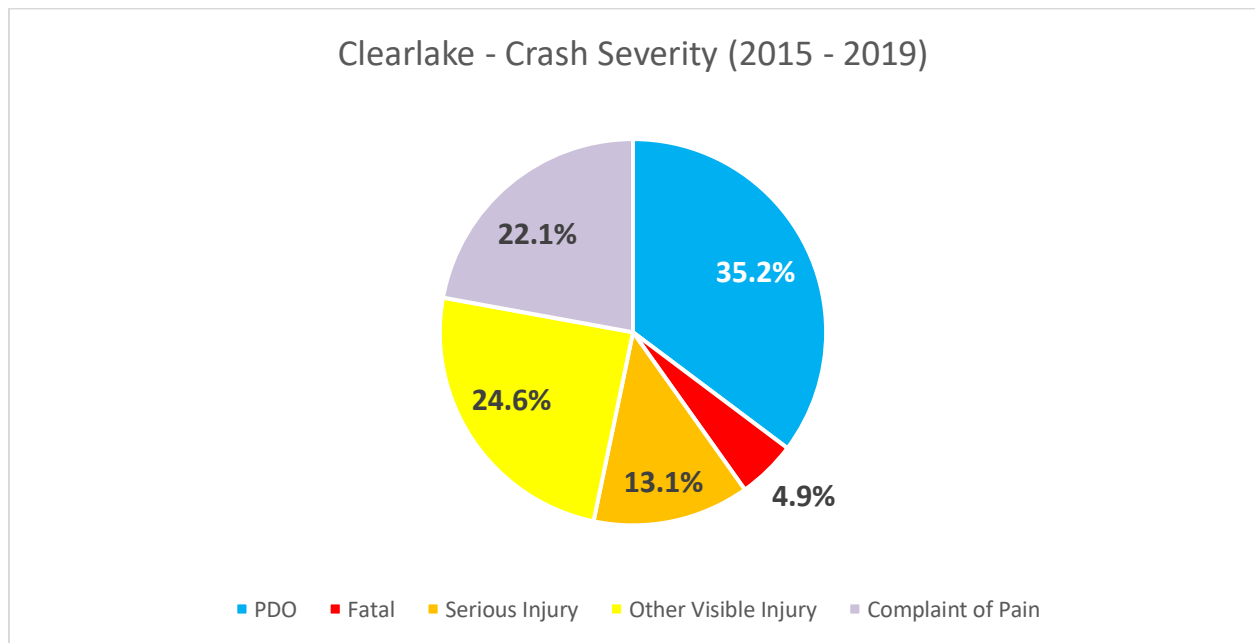


Figure 6. Crash Severity



A total of 122 crashes were recorded in Clearlake between 2015 and 2019. Of these 22 crashes, 18% resulted in a serious injury or fatality. The year 2015 had the lowest reported crashes while 2019 had the highest. The year 2018 had the highest number of serious injury and fatal crashes. A total of six fatalities occurred, with half occurring in 2018.

A map showing the location and type of all crashes is included in **Figure 7**, while **Figure 8** shows a heatmap of crashes in Clearlake.



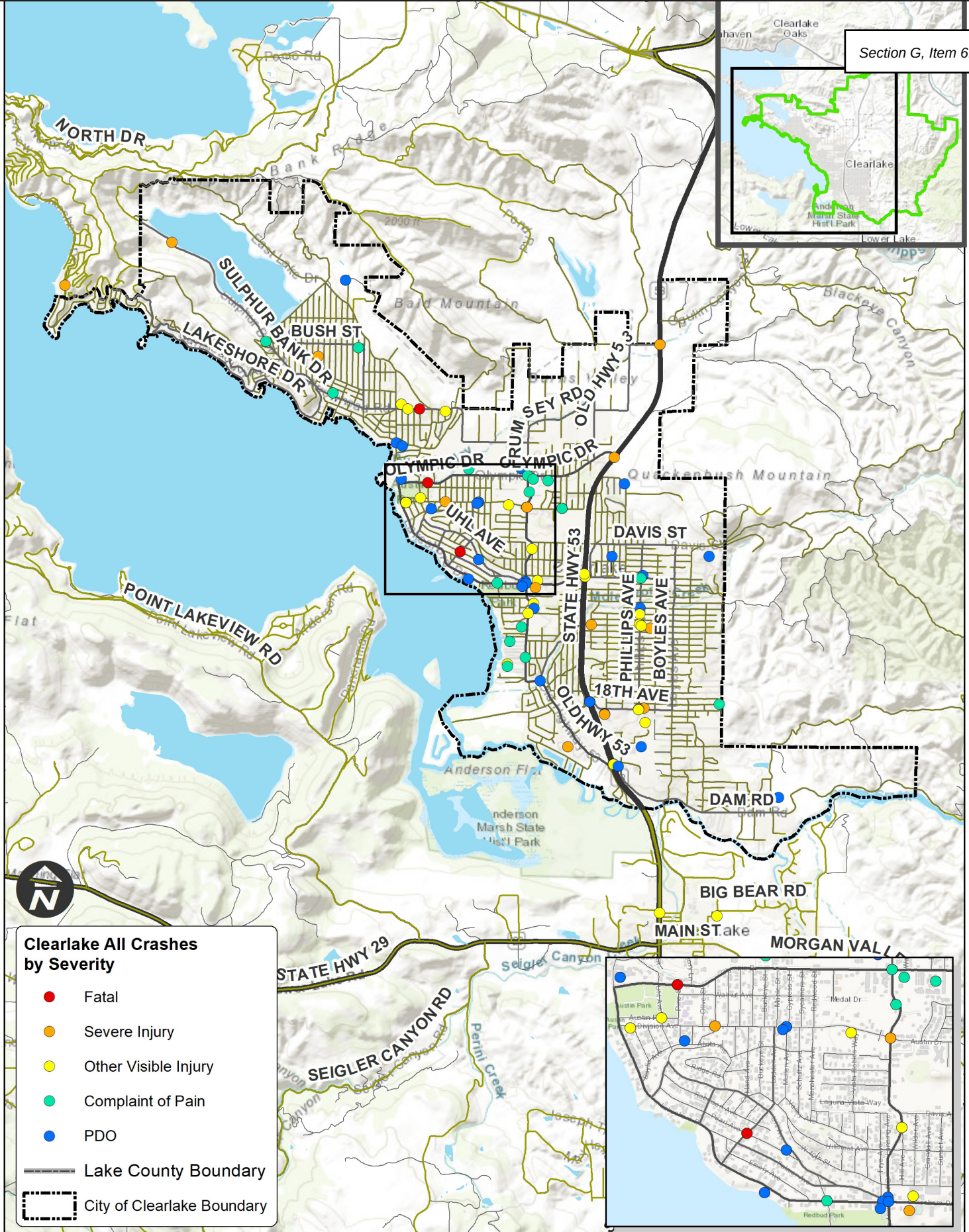


Figure 7

City of Clearlake - Local Road Safety Plan
 Crashes by Severity (2014-2019)

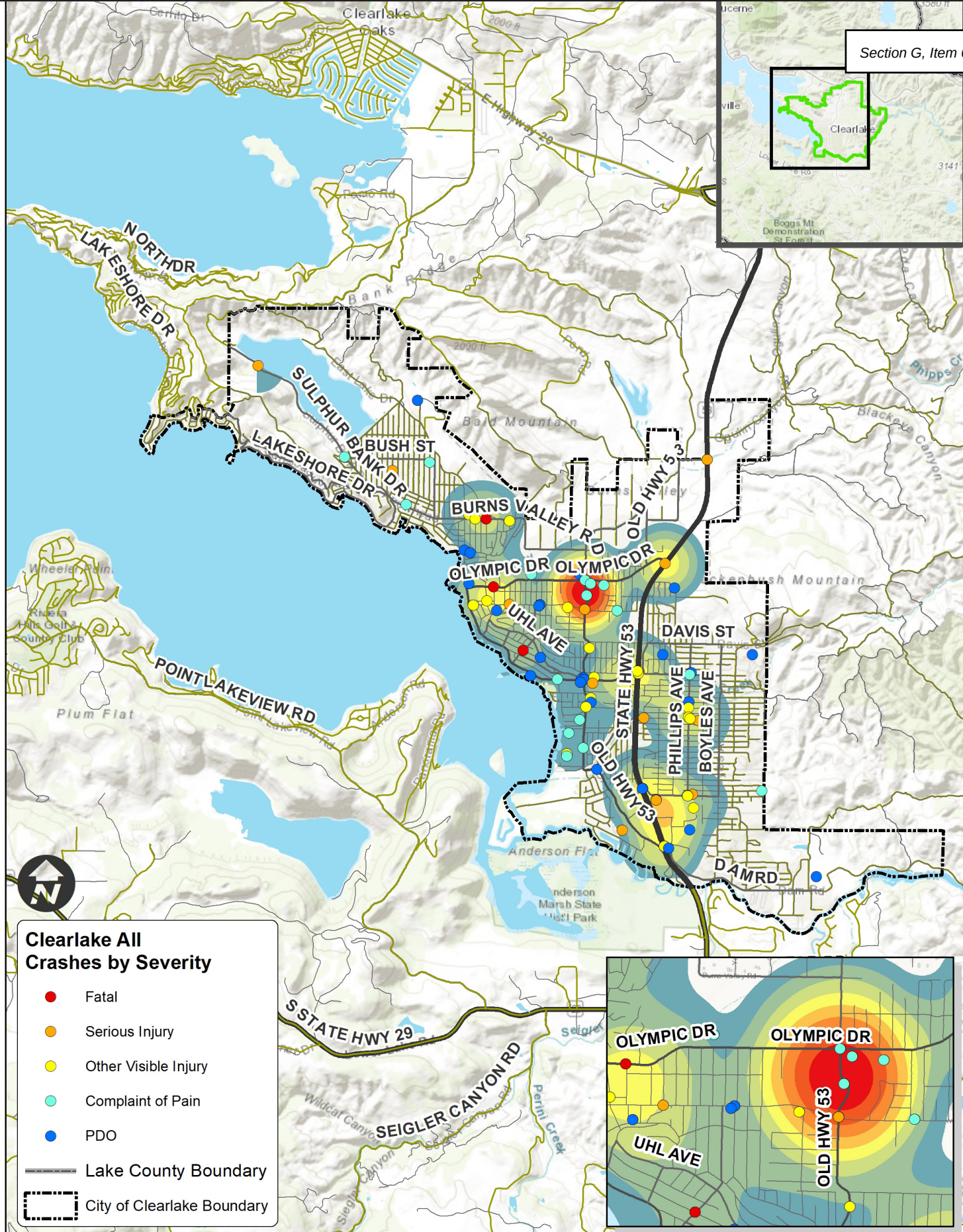


Figure 8

City of Clearlake - Local Road Safety Plan
Crash Heat Map (2014-2019)

Crash Types

The overall crash types are presented in **Table 3** and identify systemic safety issues and trends.

Table 3. Crash Types

Crash Type	Total Crashes	Percent of All Crashes	Percent of Fatal & Serious Injury Crashes
Head-On	16	13%	27%
Vehicle/Pedestrian	11	9%	23%
Other	7	6%	18%
Sideswipe	10	8%	14%
Hit Object	26	21%	9%
Broadside	26	21%	5%
Rear-End	22	18%	5%
Overtuned	4	3%	0%
Total:	122	100%	100%

The most common crash types were hit object, rear-end, and broadside. The most common type of serious injury and fatal crashes were head-on, vehicle/pedestrian, and other which typically represents bicycle crashes.

Primary Collision Factor

Crash records typically include a ‘Primary Collision Factor’ (PCF) which can help to identify systemic and location specific crash trends. A PCF represents the leading factor that contributed to the crash. This data attribute helps identify major issues, but may overshadow secondary factors such as distracted driving, unsafe speeds, or lighting conditions. The top PCFs are shown in **Figure 9** for all crashes compared to the PFC for serious injury and fatal crashes only.



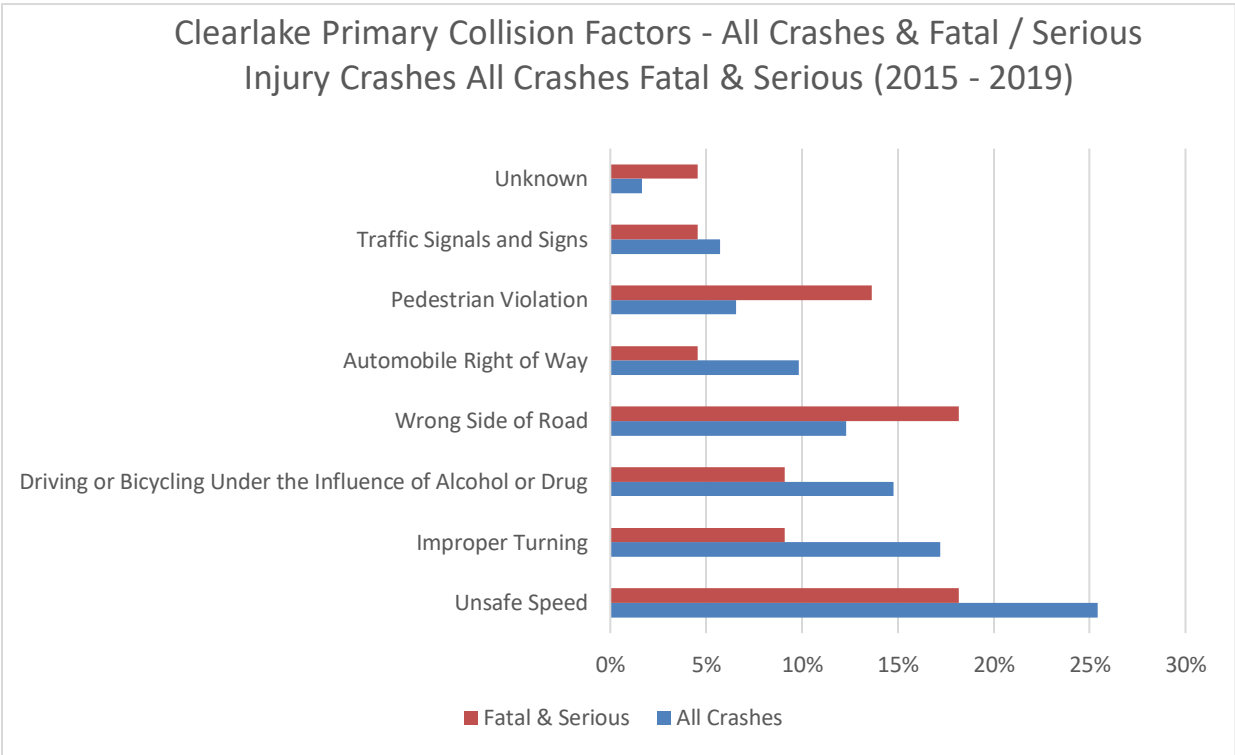


Figure 9. Primary Collision Factors

Unsafe speed, improper turning, and driving under the influence were the most frequent PFCs among all crashes, while unsafe speed, wrong side of the road, and pedestrian violations were the highest factors among fatal and serious injury crashes.

Age Ranges

The age ranges for the at-fault party can identify if a particular age group, typically young or elderly drivers, should be a specific focus area. The age ranges for all crash types, and serious injury and fatal crashes, is shown in Figure 10.



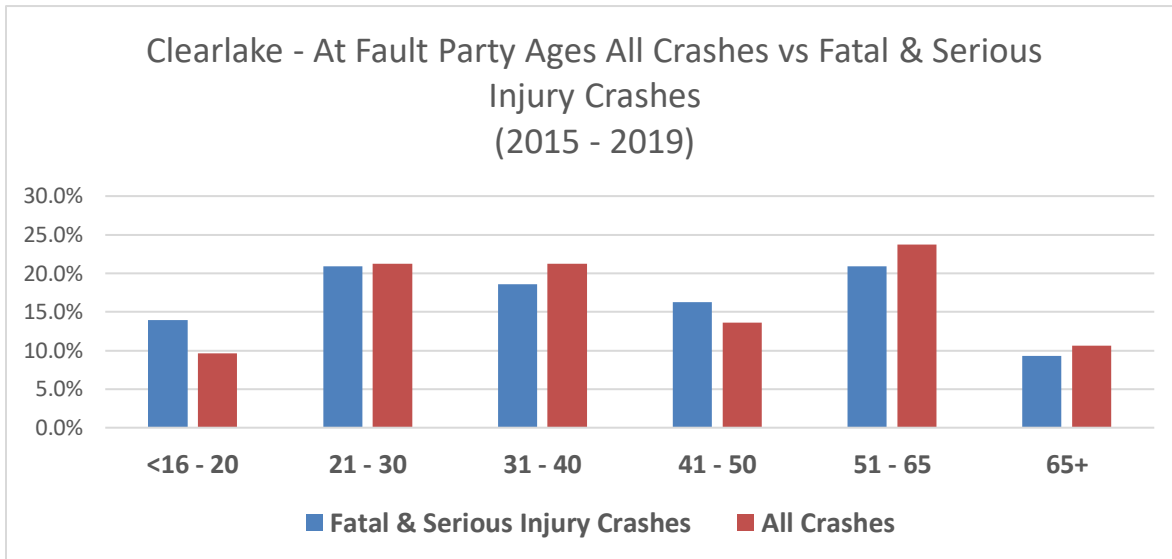


Figure 10. At-Fault Party Ages

The data shows a nearly even distribution across age ranges. The data does not indicate that young or elderly drivers are significantly more likely to be in a serious collision.

Top Intersections

Based on the georeferenced crash data, a total of 48 crashes occurred at intersections in the City of Clearlake, including six fatal crashes and six serious injury crashes. Top intersections with the highest number of crashes were identified using the best georeferenced data available. The intersections in Clearlake with the highest number of crashes are shown in **Table 4**:

Table 4. Top Crash Intersections

Intersection	Control	Total Crashes	Serious Injury and Fatal Crashes
Lakeshore Dr/ Hwy 53	Signalized	5	1
Old Hwy 53/ Austin Rd	Unsignalized	5	1
Hwy 53/ 18th Ave	Signalized	4	1
Old Hwy 53/ SR 53/ Dam Rd	Signalized	4	2
Austin Rd/ Cypress Dr	Unsignalized	3	0
Old Hwy 53/ SR 53	Unsignalized	2	1
Olympic Dr/ Burns Valley Rd/ Old Hwy 53	Signalized	2	1
Phillips Ave/ 18th	Unsignalized	2	0
Top Intersections:		27	7
All Intersection Crashes:		48	12



Half of the top intersections are on Old Hwy 53. Lakeshore Drive/ Old Hwy 53 was the most publicly commented intersection but was not the highest in the crash data with two total crashes. The Phillips Ave / 18th Ave intersection was also identified as a safety concern in the public comments. This intersection appears to have been recently improved with enhanced warning signage but exhibits signs of worn striping.



Exhibit 5. Lakeshore Drive/ 40th St/ SR 53

The eight intersections included in **Table 4** above represent over half of all intersection crashes including more than half of the fatal and serious injury crashes at intersections. All fatal and serious injury crashes included in **Table 4** occurred at intersections with Highway 53 or Old Highway 53. The higher posted speeds on Highway 53 (55 mph) compared to the local roadways may contribute to the higher proportion of fatal and serious injury crashes at Highway 53 intersections. The crash types and PCFs for top total crashes at intersections are shown in **Figure 11**.



Exhibit 6. Phillips Ave/ 18th Ave

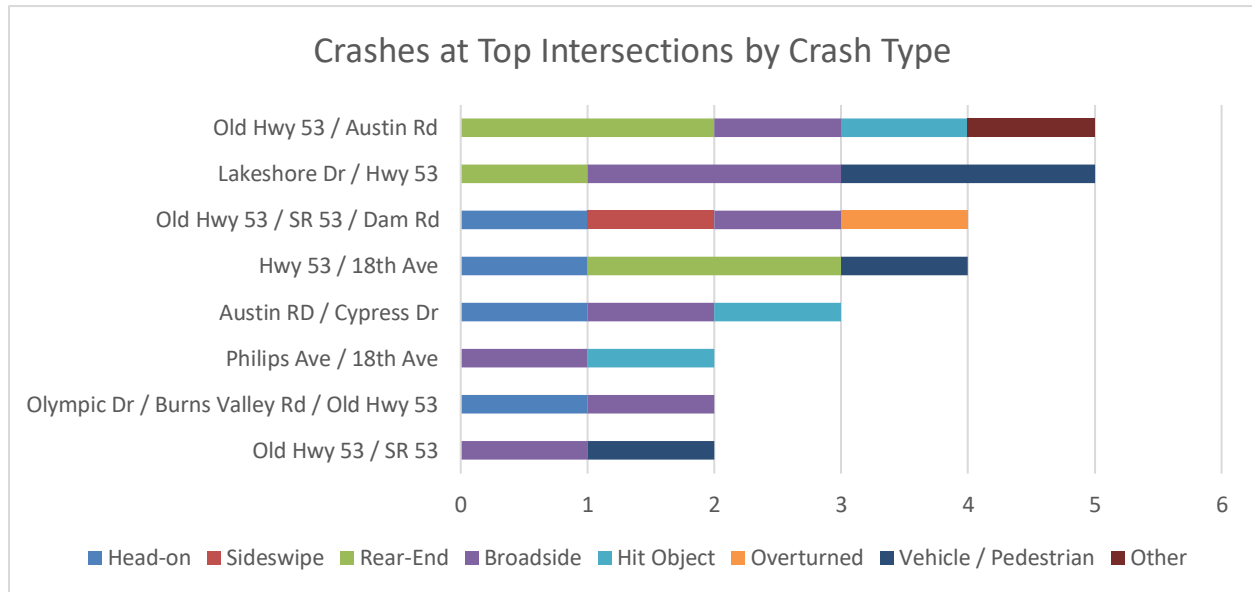


Figure 11. Top Crash Intersections Crash Types

Two intersections tied for the most crashes between 2015 – 2019: Old Hwy 53 / Austin Rd and Lakeshore Dr / Hwy 53. The top crash type at the intersection is broadside and the top primary factor is Unsafe Speed, with 10 of the 27 crashes at top intersections. The intersection crashes are shown on **Figure 12**.





In addition to the top intersections, stakeholders commented on a section of Clearlake, approximately bordered by Pine Avenue to the west, Parker Avenue to the east, 45th Avenue to the north and 18th Avenue to the south. This area has sections of poor pavement conditions, gravel roads, and lacks stop signs at some intersections. The crash data analysis shows sporadic crashes in this area, some with injuries.

Top Roadway Segments

The roadway segments with the highest number of total crashes, including intersection and non-intersection crashes are shown in **Table 5**.

Table 5. Top Roadways

Primary Street	Segment Length	Crashes / mile (2015 – 2019)	Fatal	Serious Injury	Other Visible Injury	Complaint of Pain	PDO	Grand Total	Percent of All Crashes
Highway 53	4.29	5.13	2	3	7	6	4	22	18.0%
Old Highway 53	4.0	4.0	0	2	4	4	6	16	13.1%
Lakeshore Dr	4.68	2.56	0	3	2	2	5	12	9.8%
Olympic Dr	1.73	4.62	2	0	0	4	2	8	6.6%
18 th Ave	1.17	4.27	0	2	0	0	3	5	4.1%
Austin Rd	1.22	4.09	0	2	2	0	1	5	4.1%
Phillips Ave	1.26	3.97	0	0	3	1	1	5	4.1%
State Route 20*	-	-	0	0	3	1	1	5	4.1%
Dam Road	1.40	2.86	0	0	1	0	3	4	3.3
Arrowhead Rd	1.08	2.78	1	0	1	1	0	3	2.5
Top Segments	-	-	5	12	23	19	26	85	69.7%
All Other Streets	-	-	1	4	7	8	17	37	30.3%
Total:	-	-	6	16	30	27	43	122	100%
*Includes crashes mapped well outside the Clearlake boundaries.									

Based on the total number of crashes as well as the corridor length, Highway 53 has the highest total number of crashes per mile from 2015 to 2019. The calculated crash rate on the Highway 53 segment was lower than statewide averages.

Olympic Drive, 18th Avenue, Austin Road, and Old Highway 53 all had more than 4 crashes per mile and experienced a total of two fatal crashes and nine serious injury crashes during this period. Crashes on the top ten roadways represent nearly 70% of all crashes in the City of Clearlake.

A map of the highest crash segments (including intersection and non-intersection crashes) is shown in **Figure 13**.



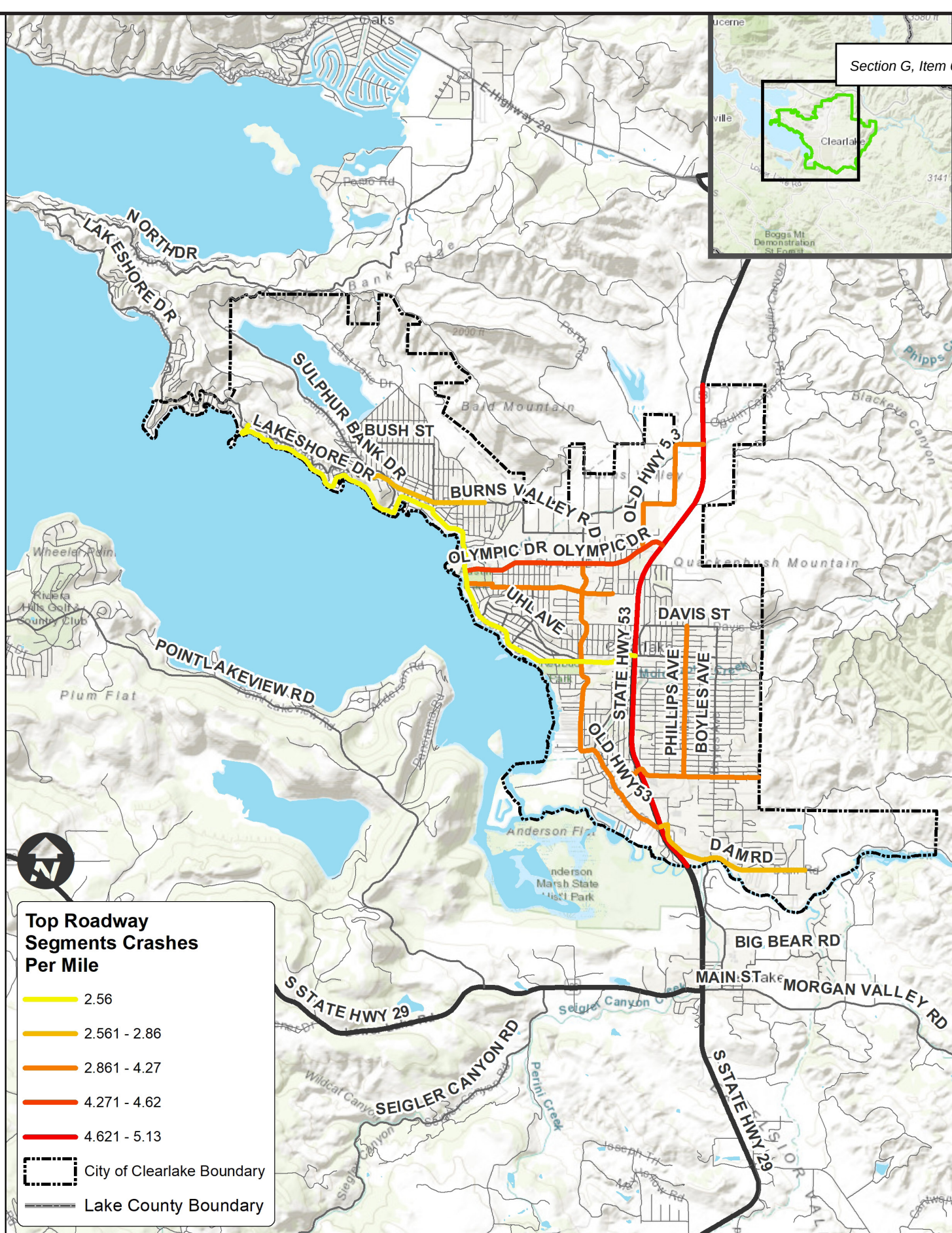


Figure 13

City of Clearlake - Local Road Safety Plan
High Crash Segments (2014-2019)

Crashes were further analyzed based on whether they occurred at the intersection or outside of an intersection to identify the roadways that have safety issues at intersections and have safety issues along the roadway segments. Each crash record includes a designation of ‘Intersection’ which the reporting police officer will identify whether a crash has occurred at an intersection or on a roadway segment outside of the intersection. This designation helps to identify the causes of crashes and more accurately identify the application of safety countermeasures during the next steps of the project.

Roadways with the highest number of non-intersection crashes are shown in **Table 6**.

Table 6. Top Ten Roadway Segments for Non-Intersection Crashes

Roadway	Fatal	Serious Injury	Other Visible Injury	Complaint of Pain	PDO	Grand Total
Old Highway 53	0	1	4	3	3	10
Lakeshore Dr	0	3	2	0	3	8
Highway 53	2	1	3	3	0	8
Olympic Dr	2	0	0	3	1	6
18th Ave	0	2	0	0	2	4
SR - 29	0	0	0	0	3	3
Sulphur Bank Rd	0	1	0	2	0	3
32nd Ave	0	1	1	0	0	2
Austin Rd	0	0	1	0	1	2
Davis Ave	0	0	0	0	2	2
Top Ten Road Segments Sub-Total	4	9	11	11	15	48
All Other Streets Sub-Total	1	1	6	4	10	22
Total:	5	10	17	15	25	70

Focus Areas

Focus areas establish the priorities of the LRSP and typically relate to areas with the greatest opportunity for reducing fatal and serious injury crashes through safety strategies and countermeasures. The following focus areas represent opportunities to improve roadway safety across the City of Clearlake. Each focus area was identified and verified through a combination of crash data analysis, stakeholder engagement, and public outreach. Crash data patterns and trends were analyzed for specific focus areas.

Intersection Safety

Intersection safety is a primary focus area for improving safety in Clearlake with 36.9% of crashes, and 31.8% of all fatal and serious injury crashes occurring at an intersection as shown in **Figure 14**.



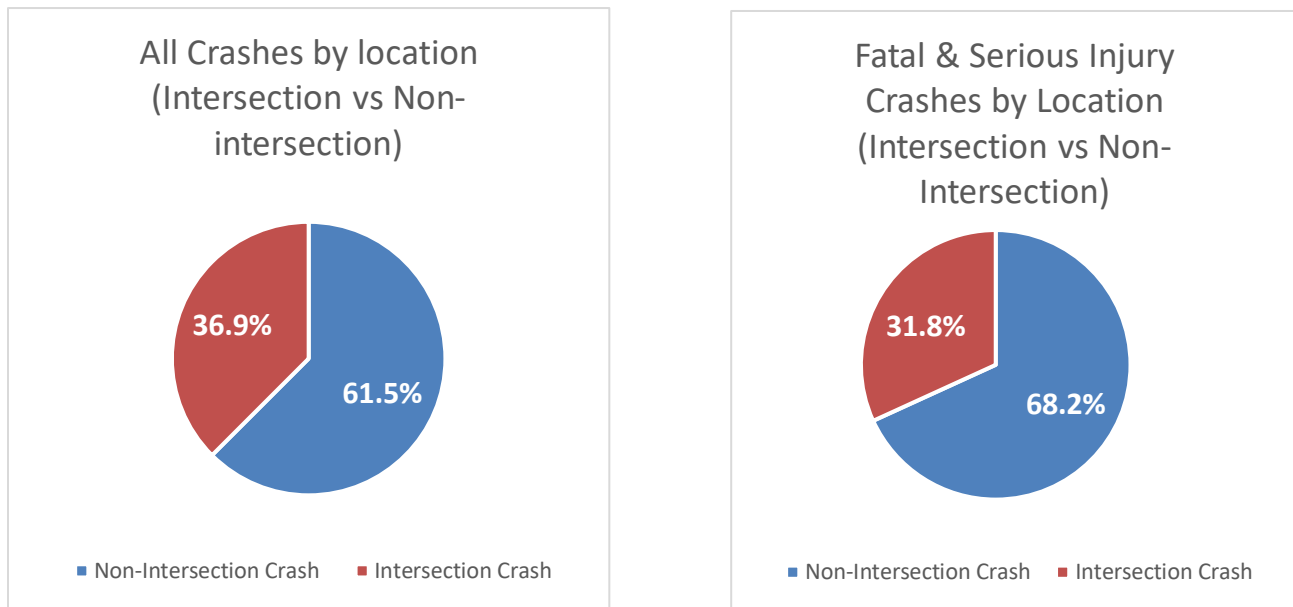


Figure 14. Intersection Crashes

Figure 15 shows the crash types at intersections by severity.

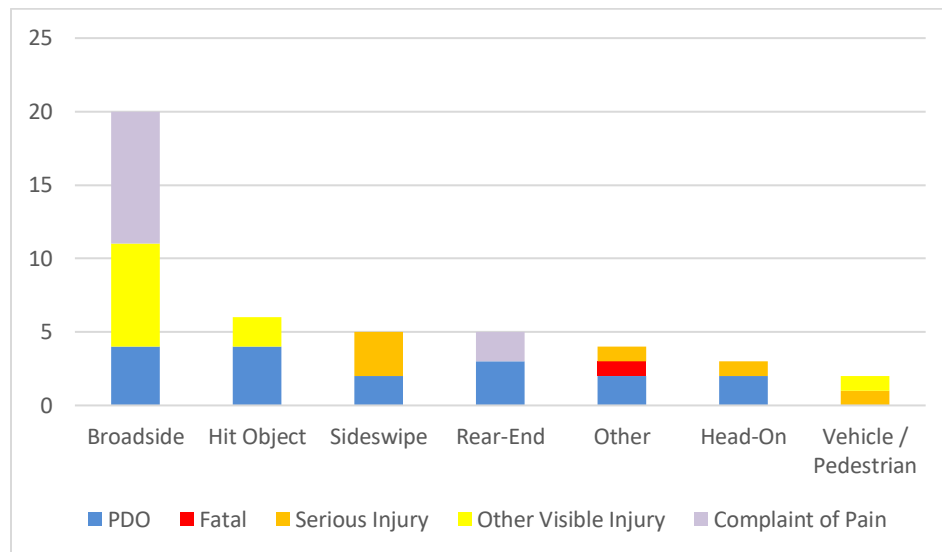


Figure 15. Intersection Crash Types by Severity

Broadside was the most common crash types at intersections while sideswipe, head-on and vehicle / pedestrian crash types all had a serious injury. Most of the top crash intersections are unsignalized (stop-controlled).

Intersection safety was the fourth highest priority in the public outreach. The intersection identified most frequently as a safety concern by Clearlake residents was the intersection of Old Hwy 53 and Lakeshore Drive. This



Broadside was the most common crash types at intersections while sideswipe, head-on and vehicle / pedestrian crash types all had a serious injury. Most of the top crash intersections are unsignalized (stop-controlled).

Intersection safety was the fourth highest priority in the public outreach. The intersection identified most frequently as a safety concern by Clearlake residents was the intersection of Old Hwy 53 and Lakeshore Drive. This intersection accounted for half of all intersection safety related comments. Although this intersection does not have a significant crash history, proactive measures may help reduce safety hazards at this location.

Some countermeasures for unsignalized intersections that may be considered include but are not limited to enhanced pavement markings, oversized signs and removing site obstructions. For all focus areas, potential solutions may be developed systemically or at spot locations based on site evaluations and the appropriate countermeasures to address specific safety concerns, starting with the locations with the highest crash frequencies or serious injury or fatal crashes. Countermeasures at intersections will be recommended with consideration of other planned engineering projects.

Lane Departures

Lane departures focuses on crash types associated with vehicles veering out of the lane and can include head-on, sideswipe, hit object, and overturned type crashes, including when a vehicle runs off the road or crosses into the opposing lane prior to the crash. As shown in **Table 7**, this accounts for half of the total crashes, and nearly half of the serious injury and fatal crashes.

Table 7. Lane Departure Crash Types

Crash Type	Total Crashes	Percent of All Crashes	Percent of Fatal & Serious Injury Crashes
Head-On	16	13.1%	27.3%
Sideswipe	10	8.2%	13.6%
Hit Object	26	21.3%	9.1%
Overturned	4	3.3%	0.0%
Total:	56	45.9%	50.0%



Crashes by severity typically associated with lane departures along roadway segments is shown in **Figure 16**.

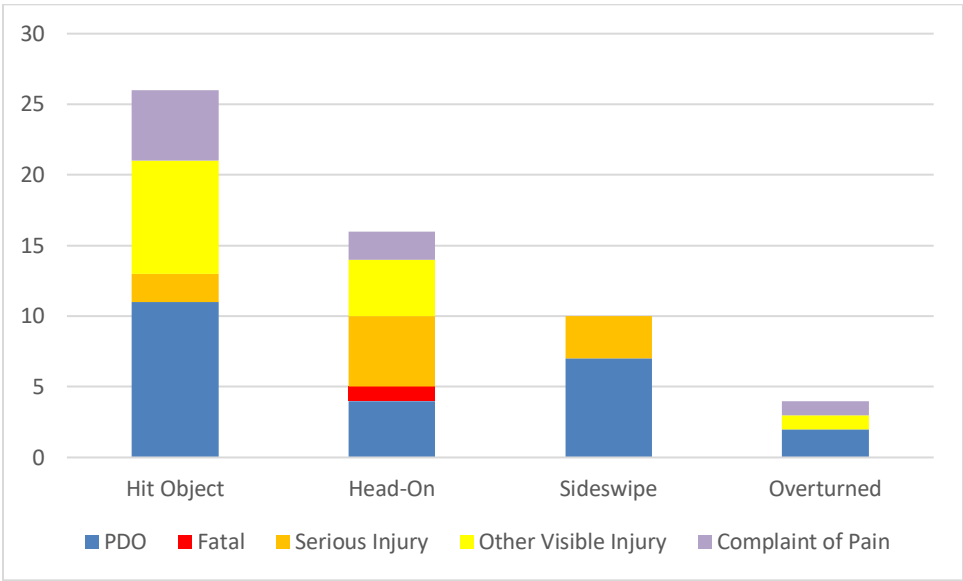


Figure 16. Lane Departure Crash Severities on Roadway Segments

Although results from the public outreach survey indicated lane departures as the lowest priority, speeding, impaired driving, and distracted driving (factors that may contribute to lane departures) are all primary safety concerns in the City of Clearlake.

Some countermeasures for lane departures that may be considered include but are not limited to rumble strips, curve warning signs, enhance markings, delineators and reflectors. Countermeasures for roadway segments will be recommended taking into account other planned engineering projects.

Pedestrian Safety

Pedestrians are vulnerable roadway users and 20% of the serious injury and fatal crashes involved a pedestrian. **Figure 17** shows the pedestrian actions by severity.



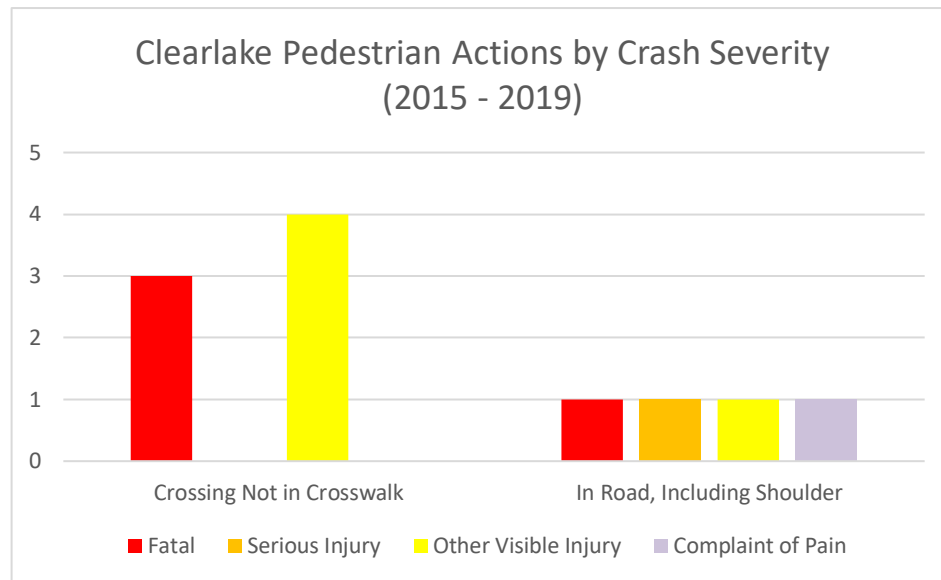


Figure 17. Pedestrian Actions

The pedestrian actions varied, but were most commonly in the roadway and not at an intersection. Of the four pedestrian fatalities, 75% had “Dark – No Street Light” conditions.

Pedestrian safety was the third highest priority in the public outreach. The second most frequent public comment in the City of Clearlake focused on the current poor condition of sidewalks throughout the City. Many comments indicated that pedestrians must walk along or within the roadway which exacerbates safety concerns due to low levels of roadway and intersection lighting. The specific need to increase lighting for pedestrians and bicyclists was also identified in the public comments.

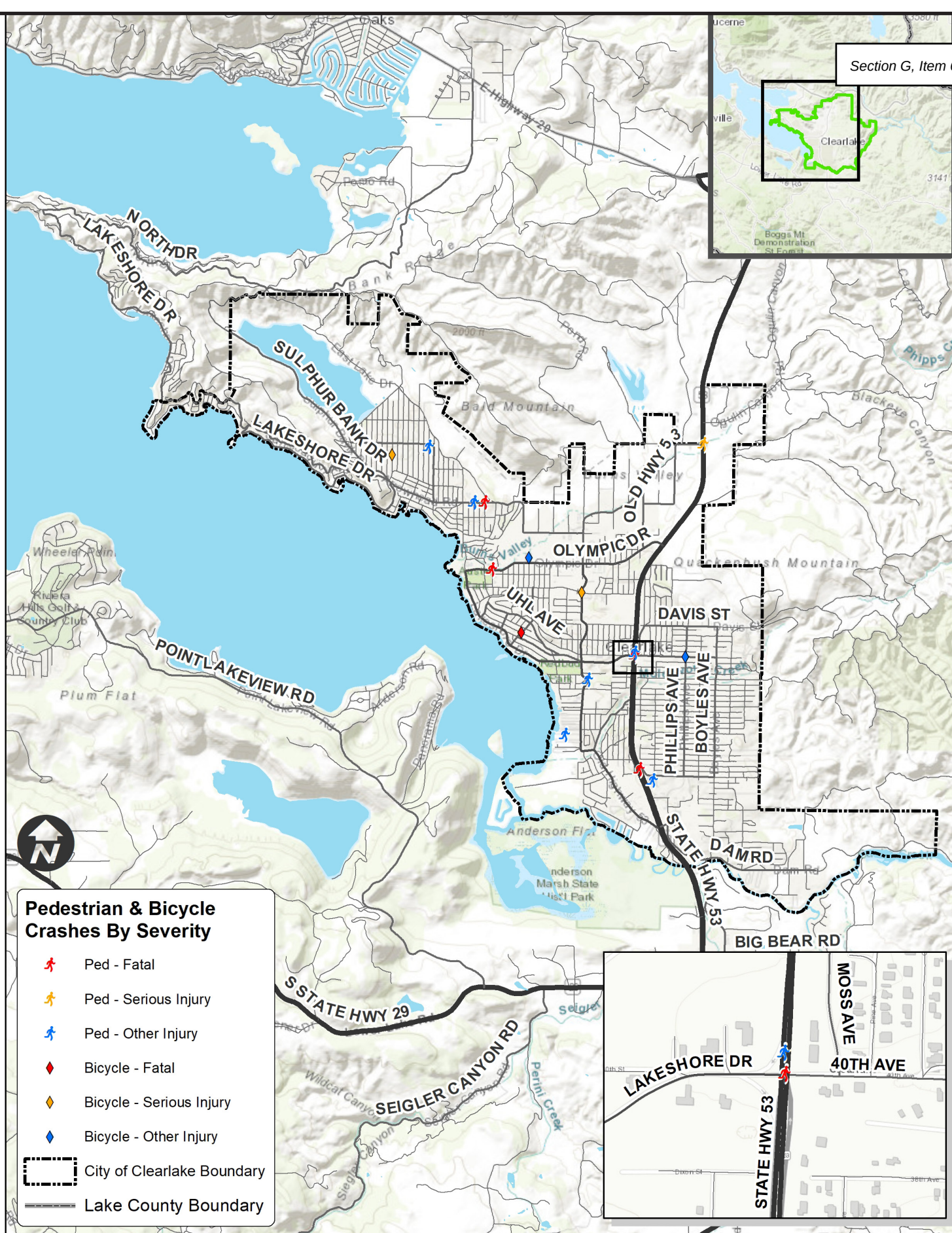
Some countermeasures for pedestrian safety that may be considered include but are not limited to installing pedestrian crosswalks, enhancing existing pedestrian crosswalks, and adding sidewalks.

Bicycle Safety

A total of 5 bicycle crashes occurred between 2015 – 2019 in the City of Clearlake. All bicycle crashes were categorized as ‘Other’ crash types except for a single broadside crash. The primary collision factor for bicycle crashes included ‘Wrong side of the road’, ‘Improper Turning’, and ‘Automobile Right of Way’. Only one bicycle involved crash occurred outside of normal ‘Daylight’ conditions. A small number of public comments identified the lack of bicycle facilities and poor pavement condition as barriers to riding a bicycle and safety concerns. Potential countermeasures may include bicycle lanes or focus on education and enforcement safety initiatives.

The bicycle and pedestrian crashes are shown on **Figure 18**.





Distracted Driving

Crash data typically does not show “distracted driving” as a PCF; however, many crashes are at least partially a result of distracted driving. Over the past decade, the number of potential distractions for drivers has increased dramatically from cellphone usage to on-board touch screen displays within vehicles. This is the most common type of distraction and has resulted in an increase in distracted driving across the nation. The newest crash records include an attribute for cellphone usage and this data attribute should be utilized to evaluate distracted driving in future versions of this LRSP. Distracted driving was identified as the highest priority safety concern by respondents to the public survey.

Potential countermeasures may be addressed through roadway or intersection engineering projects or education and enforcement safety initiatives.

Speeding

Speeding was a primary issue in the data analysis with unsafe speed as the leading PCF in serious injury and fatal crashes and across all crashes. **Table 8** shows the detailed breakdown for crashes with Unsafe Speed as the PCF.

Table 8. Crash Severity by Crash type for crashes with Unsafe Speed as PCF

Crash Type	Crash Severity				Grand Total
	PDO	Severe Injury	Other Visible Injury	Complaint of Pain	
Rear-End	9	1	1	7	18
Head-On	2	1	0	0	3
Broadside	1	0	2	0	3
Hit Object	1	0	2	0	3
Sideswipe	0	1	0	0	1
Overturned	0	0	0	1	1
Vehicle / Pedestrian	0	1	0	0	1
Other	1	0	0	0	1
Total:	14	4	5	8	31

As shown in **Table 8**, crashes involving speeding were more likely to result in rear-end type crashes.

Speeding was a frequently identified safety concern in open-ended survey responses. Potential countermeasures may include speed tables or other traffic calming measures or may be addressed through education and enforcement safety initiatives and may be citywide or specific corridors.



Impaired Driving

Impairment, or driving/bicycling under the influence, was the third highest PCF across all crashes and fourth for serious injury and fatal crashes. **Table 9** shows the age ranges associated with impaired driving crashes.

Table 9. Age Ranges for Impairment Crashes

Age Range	Total Crashes - Alcohol / Drug Impairment
<20	1
21-30	6
31-40	6
41-50	4
51-64	6
65+	1

Figure 19 shows the crash types associated with impaired driving accidents. Hit object, Head-On, and Broadside were the most common crash types.

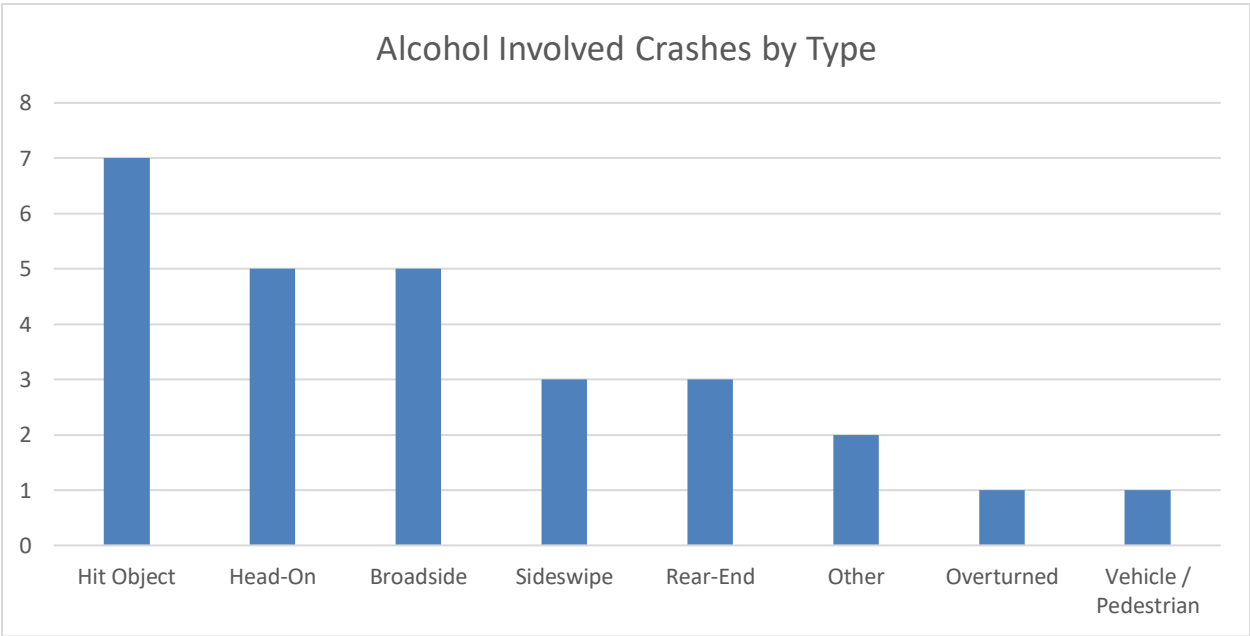


Figure 19. Crash Types Involving Impairment

Impaired drivers were identified as the second highest priority for safety through the public survey. Potential countermeasures may be addressed through education and enforcement safety initiatives.



Roadway/Intersection Lighting

As shown in **Figure 20**, 26% of all crashes and 30% of serious injury and fatal crashes occur during non-daylight hours.

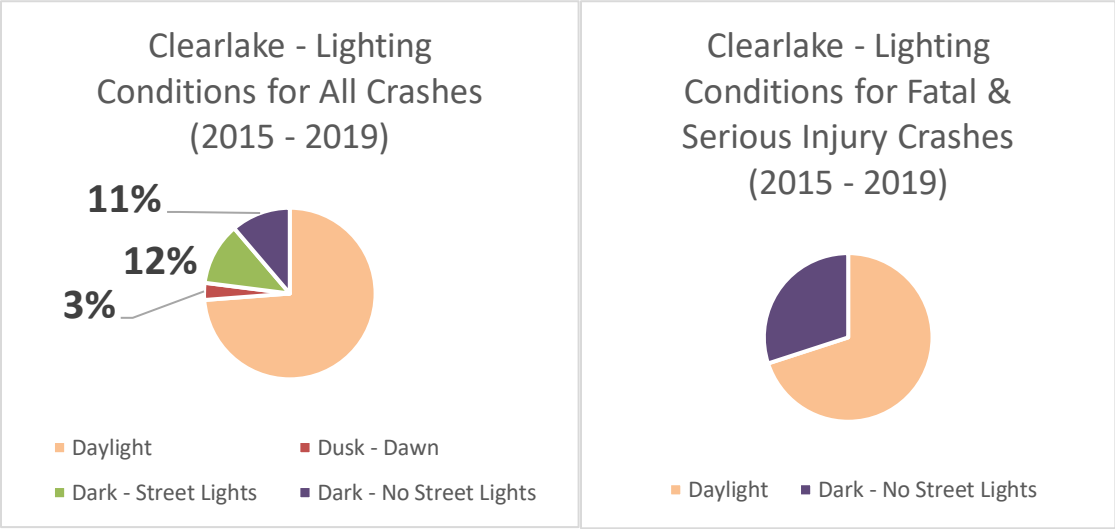


Figure 20. Lighting Conditions

The location of crashes which occurred outside of normal daylight conditions are highlighted in the map on **Figure 21**. It is important to note that 75% of fatal pedestrian crashes occurred under “Dark – No Street Light” lighting conditions.

Poor lighting conditions were the third most frequently mentioned safety concern or issue in the submitted surveys. Additionally, survey respondents also commented regarding poor lighting conditions locally and the impacts to pedestrian and bicycle safety, especially on roadways with limited or intermittent bicycle and pedestrian facilities.

Countermeasures for roadway lighting may be to enhance lighting at locations if identified to have insufficient lighting, starting with locations where nighttime crashes have occurred.



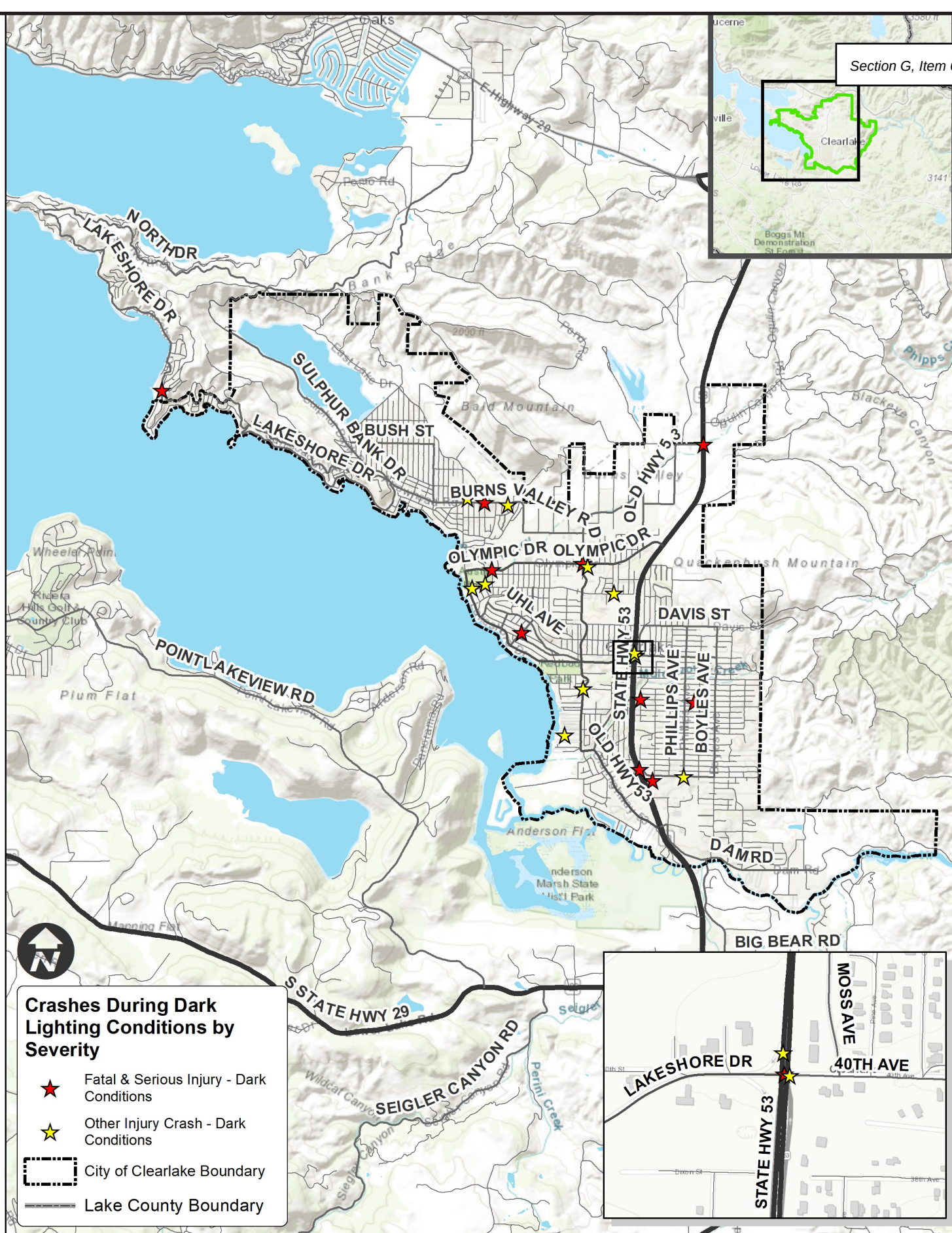


Figure 21

City of Clearlake - Local Road Safety Plan
Dark Lighting Condition Crashes (2014-2019)

Some key takeaways from the data analysis and public outreach are:

- ✓ The public is most concerned with distracted driving, impaired driving, intersection safety, and poor sidewalk and roadway conditions.
- ✓ Engineering countermeasures will primarily focus on systemic safety measures at intersections and along roadway segments with a high number of crashes and will build upon other planned projects.
- ✓ Old Hwy 53 was identified in the crash data and public outreach as an area of concern.
- ✓ Enforcement and education initiatives will be recommended to reduce crashes due to distracted and impaired driving.

Figure 22 presents a graphical summary of the crash data.



Countermeasures

Countermeasures are an action or device designed to negate or offset another⁴. Potential actions, or countermeasures, addressing each Focus Area were compiled into Strategy Tables highlighting the overarching strategy and responsible parties. A separate strategy table was developed for each focus area identifying the key information such as the objectives, success indicators, plan for implementation, and potential funding sources.



Source: FWHA

The Four E's of Traffic Safety

Developing a program of countermeasures and strategies across the four E's of safety planning (Engineering, Education, Enforcement, and Emergency Services) is critical to ensure that the complex issue of local road safety is being addressed in a holistic manner. Countermeasures were developed across the 4 E's specifically selected to address the focus areas in the City of Clearlake. Emerging Technologies, considered a 5th "E", were also explored.

Strategy Tables

Addressing focus areas can involve the implementation of numerous simultaneous strategies across the four E's by a variety of stakeholders including City departments and community partners. The Clearlake *Focus Area Strategy Tables* were developed to clearly define planning level strategies, responsible parties, completion goals, and performance measures for all recommendations.

Focus Area Strategy Tables include categories for:

- ▶ *Engineering* projects and countermeasures to be applied systemically or at spot locations
- ▶ *Education* programs designed to address driver behaviors
- ▶ *Enforcement* initiatives to increase visibility and curb unwanted driver behavior
- ▶ *Emergency Services* projects to increase response times



Not all categories had recommendations for each focus area. Emerging Technologies of traffic safety is future focused and intended to promote the incorporation of advanced technologies in roadway infrastructure to improve safety. The significant cost of stand-alone emerging technology components typically associated with "Smart-City" installations such as a robust 5G network and *smart* infrastructure sensors significantly limits their

⁴ <https://www.merriam-webster.com/dictionary/countermeasure>



practical application within many smaller communities. Small communities can continue to support emerging technologies without significant capital expenditures by making small enhancements to the network. By maintaining high quality lane markings, the City of Clearlake will help to facilitate autonomous vehicles and driver safety features such as “lane departure assist” systems in modern vehicles.

The Strategy Tables include:

- ▶ Strategic Linkage
- ▶ Objectives and Success Indicators
- ▶ Actions and Target Outputs
- ▶ Responsible Parties
- ▶ Date of completion (short, medium, or long-term)
- ▶ Monitoring and Evaluation Parameters
- ▶ Potential Funding Opportunities

These Strategy Tables are created to foster collaboration and generate buy-in from stakeholders. A summary of the Strategy Tables is presented in **Tables 10-16**, following the order of priority identified in the public outreach. The full tables are in **Appendix D**.



Table 10. Pedestrian and Bicycle Safety Focus Area Strategy Table

Bicycle & Pedestrian Safety			
	Actions	Target Output	Potential Funding Opportunities
Education	Safe Routes to School	Safe Routes to School plan created for local elementary and middle school with identified projects and recommended improvements	ATP
	Bike Safety Education for Children	Bike safety instruction for Clearlake children through school or City program	ATP, NHTSA 402
	Active Lighting/Conspicuity Enhancement	Make pedestrians & bicyclists in the City of Clearlake more visible at night to avoid collisions by providing free lighting equipment and retroreflective clothing	NHTSA 402 NHTSA 405(h)
	Share the Road & Pedestrian Safety Awareness Messaging	Increase driver awareness of pedestrian & bicyclist rights and needs on the roadway	NHTSA 402
Enforcement	School Zone Enforcement	Increase driver awareness of school zone laws through increased enforcement at school zones and provide educational information with issued warnings	ATP, NHTSA 402
Engineering	Systemic Pedestrian Crosswalks Near School	Pedestrian crosswalks implemented at select locations. See details in Appendix E.	HSIP, ATP
	Systemic Sidewalk	Sidewalks constructed in various locations throughout the City. See details in Appendix E.	HSIP, ATP
	Roadway Improvements and Bicycle Lanes	Improve pavement and incorporate bicycle lanes and sidewalk. See details in Appendix E.	HSIP, ATP



Table 11. Intersection Safety Focus Area Strategy Table

Intersection Safety			
	Actions	Target Output	Potential Funding Opportunities
Engineering	Site Specific - Lakeshore Dr / Hwy 53 (Signalized)	Safety Improvements implemented at selected locations throughout the City, see additional details in Appendix E.	HSIP
	Systemic Signalized Intersections		
	Systemic Unsignalized Intersections		
	Systemic Unsignalized Intersections and Roadways		
EMS	Evaluate emergency vehicle detection along priority emergency routes	Increase emergency vehicle detection and response times along priority routes	HSIP*, Other *If Emergency Vehicle involved crashes have occurred at the project location.

Table 12. Distracted Driving Focus Area Strategy Table

Distracted Driving			
	Actions	Target Output	Potential Funding Opportunities
Education	Distracted Driving Public Outreach Campaign	Local distracted driving messaging campaign using a variety of media outlets	NHTSA 402, NHTSA 405(e)
Enforcement	High-Visibility Cell Phone / Text Messaging Enforcement Campaign	Conduct high visibility enforcement program, contingent on staff resources, to increase awareness of enforcement efforts and to provide citations as needed.	CTFGP, NHTSA 402, NHTSA 405(e)



Table 13. Impaired Driving Focus Area Strategy Table

Impaired Driving			
	Actions	Target Output	Potential Funding Opportunities
Education	Drunk & Impaired Driving Awareness Campaign	Reduced number of alcohol-involved serious injuries and fatalities	NHTSA 402, NHTSA 405(e)
Enforcement	Passive Alcohol Sensors (PAS)	Equip officers with Passive Alcohol Sensors to increase efficiency of Alcohol Checkpoints and normal traffic stops	NHTSA 402, NHTSA 405(e)
	Publicized Sobriety Checkpoints	Highly publicized sobriety checkpoints conducted regularly to increase perceived risk of arrest for impaired driving	CTFGP, NHTSA 402, NHTSA 405(d)
	High-Visibility Saturation Patrols	Focused patrols around specific areas where impaired-driving crashes are common as part of an on-going saturation program	CTFGP, NHTSA 402, NHTSA 405(d)

Table 14. Lighting Focus Area Strategy Table

Roadway & Intersection Lighting			
	Actions	Target Output	Potential Funding Opportunities
Engineering	Perform lighting analysis at select locations, starting with those with nighttime crashes, or suspected to have poor lighting	Identified list of locations, potential HSIP project	<i>Public Works Operational Funding</i>



Table 15. Speeding Focus Area Strategy Table

Speeding			
	Actions	Target Output	Potential Funding Opportunities
Education	Speed Kills Campaign	Conduct public outreach campaign about the importance of driving the speed limit and the impact just 5 mph can have on the severity of a crash	NHTSA 402, NHTSA 405(e)
Enforcement	Targeted Speed Enforcement Program	Reduced speeding issues along select corridors through regular and targeted enforcement patrols	NHTSA 402, NHTSA 405(e)
Engineering	Systemic Speeding Management Project	Dynamic Speed Signs and/or portable trailers to inform motorist of speeding. See details in Appendix E .	HSIP, NHTSA 402

Table 16. Lane Departures Focus Strategy Table

Lane Departures			
	Actions	Target Output	Potential Funding Opportunities
Engineering	Systemic Roadway	Improve road visibility and install rumble strips. See details in Appendix E .	HSIP, CMAQ

Engineering Countermeasures

Engineering countermeasures can be applied at site-specific locations or systemically. HSIP countermeasures are provided in the *Local Roadway Safety: A Manual for California’s Local Road Owners (April 2020)* and as part of the *HSIP Analyzer Manual for BCR Applications*. A table of the countermeasures is included in **Appendix F**. The table shows the countermeasure name, type, applicable crash type(s), crash reduction factors (CRFs), federal funding eligibility, and opportunity for systemic implementation, divided into three groups: signalized intersections, non-signalized intersections, and roadway segments. This data was used as a guide to develop improvements that will



provide potential for funding opportunity. The table is not an exhaustive list of safety improvements; other non-HSIP eligible improvements are also considered and recommended as applicable.

Systemic Applications

Systemic countermeasures were applied to multiple locations based on crash data and similar geometric features. This approach can also be used proactively to apply countermeasures at locations without a significant crash history, but high-risk factors. The HSIP countermeasure table in **Appendix F** indicates if the countermeasure is a “Low” to “Very High” opportunity for systemic implementation. Systemic improvements may be incorporated into regular maintenance activities as budgets allow or achieved through HSIP grant funds.

Site Specific Applications

Projects were also developed for high crash frequency site-specific locations if the risk factors and recommended improvements did not fit into a systemic application.

Other Considerations

Emergency response and evacuation were also considered in the countermeasure selection process. Countermeasures were recommended that would facilitate or not hinder emergency vehicles or an evacuation on key routes.

Potential Engineering Projects

Engineering Countermeasure Projects

Engineering countermeasures were developed through a methodical process. The top locations (roadways and intersections) for crashes or public comments were reviewed to determine the risk factors.

Risk factors identify common roadway or intersection characteristics that may contribute to past crashes or increase the risk of future crashes. *The Federal Highway Administration (FHWA) Systemic Safety Project Selection Tool*⁵ includes a list of common risk factors for intersections and roadway segments. Site evaluations were conducted to identify specific risk factors in the roadway network that may be contributing to crash trends noted in the data analysis.

Potential Risk Factors

Roadway and Intersection Features

- Number of lanes
- Lane width
- Shoulder surface width and type
- Median width and type
- Horizontal curvature, superelevation, delineation,
- Horizontal curve density

Exhibit 7. Subset of Roadway and Intersection Risk Factors
Source: FHWA Systemic Safety Project Selection Tool

⁵ Source: <https://safety.fhwa.dot.gov/systemic/fhwasa13019/element1.cfm#el12>



Based on the crash data and risk factors, projects were identified as site specific, or systemic if multiple locations exhibited similar features. Projects were assessed at a high-level for the potential for HSIP funding based on the number and severity of crashes, the selected countermeasures, and initial costs estimate. The annual societal costs from the *FHWA BCA Systemic Project Selection Tool*⁶ were utilized to quantify crash costs and potential safety benefits.

Projects Overview

Table 17 and **Figure 23** provide an overview of potential engineering projects and locations. Project descriptions are included in **Appendix E**.

⁶ Source: <https://safety.fhwa.dot.gov/hsip/planning.cfm>



Table 17. Potential Engineering Projects

ID #	Focus Area	Project	Potential Locations
1	Intersection Safety	Site Specific	Lakeshore Dr/ Hwy 53 (Signalized)
2	Intersection Safety	Systemic Signalized Intersections	Hwy 53/ 18th Ave (Signalized)
			Old Hwy 53/ SR 53 / Dam Rd (Signalized)
			Olympic Dr/ Burns Valley Rd/ Old Hwy 53 (Signalized)
3	Intersection Safety	Systemic Unsignalized Intersections	Old Hwy 53/ Austin Rd (Unsignalized)
			Austin Rd/ Cypress Dr (Unsignalized)
			Old Hwy 53/ SR 53 (Unsignalized)
			Phillips Ave/ 18th
4	Intersection Safety and Lane Departures	Systemic Unsignalized Intersections and Roadways	The Avenues – group of intersections. Approximately bordered by Pine Avenue to the west, Parker Avenue to the east, 45th Avenue to the north, and 18th Avenue to the south.
5	Pedestrian and Bicycle Safety	Systemic Pedestrian Crosswalks Near School	Arrowhead Rd/ Ciwa St
			Arrowhead Rd/ Halika St
			Old Hwy 53/ Airport Rd
			Olympic/ Pine St
			Olympic Dr/ Maple St
6	Pedestrian and Bicycle Safety	Systemic Sidewalk	Arrowhead Rd Near School
			Old Hwy 53/ Airport Rd
			Olympic Street Near School
7	Lane Departures	Systemic Roadway	Old Highway 53
			Lakeshore Drive
			Olympic Drive
			18th Ave
8	Lighting	Lighting Study	Various (see Figure 21)
9	Speeding	Systemic Speed Project	Various
10	Pedestrian and Bicycle Safety	Community-Wide Roadway, Bicycle and Pedestrian Improvements	Various



Selected Projects

Methodology

Two projects were selected from the list of thirteen “Potential Engineering Projects” (**Table 17**) for further detail including conceptual layouts, cost estimates, and Benefit-Cost calculations. This supplemental data can be used in preparing an HSIP or other grant application. Additional or different locations and/or countermeasures may be substituted.

The projects, site locations, and countermeasures were selected and refined in coordination with the City considering:

- Possibility of reducing crashes
- BCR and HSIP Potential
- Public outreach
- Fit with community goals or other planned projects
- Considering recently or soon-to-be constructed projects

The HSIP Analyzer Manual (in **Appendix F**) provides guidance, with exceptions, indicating:

- One application may include one or multiple locations
- All the locations in the application must be of the same type: Signalized Intersections (S), Non-Signalized Intersections (NS), or Roadways (R)
- All the locations in the application must receive the same proposed safety improvements, i.e. all the safety countermeasures (CMs) must be applied to all the locations. Up to three (3) safety countermeasures may be used in calculating the benefit of the project. The guidance provides an exception if a few locations are different.
- Project costs should be between \$100,000 - \$10,000,000

The projects selected were:

- **Intersection Safety – Systemic Unsignalized Intersections**
- **Pedestrian Safety – Systemic Pedestrian Crosswalks Near Schools**

For each project, layouts were prepared showing potential countermeasures selected to reduce crashes and estimated costs. The BCR calculations were performed using the FHWA “Highway Safety Benefit-Cost Analysis Model” spreadsheet. This spreadsheet estimates the BCR considering:

- The existing average annual crashes at the combined site by severity, derived from the existing crash data.
- Estimated project costs including engineering, construction, and maintenance.
- The life of the countermeasures and the crash reduction factors, both derived from the HSIP analyzer data in **Appendix F**.
- Other parameters were the defaults built into the spreadsheet.

The project layouts and analysis reports from the BCR spreadsheet are in **Appendix G**.



Implementation Plan

This plan was developed as a guide to facilitate the implementation of the countermeasures and strategies identified under each area. This implementation plan focuses on addressing the high priority or “low-hanging fruit” safety issues first. The plan also focuses on identifying systemic safety improvements to be incorporated into on-going maintenance and safety programs as well as future grant applications. The following sections summarize the plan, highlight key considerations, and identify the next steps. Additional detail for each countermeasure including tentative date of completion, performance measures, and responsible parties, are provided in the *Focus Area Strategy Tables*.



Source: FHWA

Key Steps for Successful LRSP Implementation

In July 2020, the FHWA released guidance (*Implementing a Local Road Safety Plan*) based on best practices and lessons learned by agencies around the country for implementing LRSPs. This guidance identified six key steps:

1. **Maintain Buy-In and Support:** Maintaining and expanding the stakeholder and public support fostered during the development of this LRSP will require on-going communication and coordination through educational materials, news releases, and meetings. Implementation of many non-engineering countermeasures will require partnerships with stakeholders to achieve a successful outcome. The City should identify the specific outreach methods and level of detail that is achievable for continued communications with stakeholders, the general public, and decision makers. Education and Enforcement strategies are often best implemented following buy-in from community partners and stakeholders. It will be critical to work closely with stakeholders and community partners to ensure that resources and efforts are shared whenever possible.
2. **Identify funding mechanisms:** LRSPs are required for future HSIP funding, however, other funding mechanisms can also be used to improve local safety, as identified in the *Focus Area Strategy Tables*.
3. **Identify and prioritize projects:** Projects, programs, and initiatives should be prioritized based on the potential safety improvement and ease of obtaining funding and implementation.
4. **Determine project delivery methods:** Projects identified through this LRSP will be primarily pursued through grant funded projects and initiatives due to existing funding constraints. When possible, countermeasures should be included in on-going maintenance programs and incorporated into other projects.



5. **Evaluate effectiveness:** Performance measures and evaluation metrics are included in the *Focus Area Strategy Tables* for each countermeasure to assist the City of Clearlake in monitoring progress towards implementation and impacts on crash frequency and severity. This living document is intended to be updated every four years. However, the City would benefit from tracking safety metrics annually in order to gauge implementation outcomes on a more frequent basis.

6. **Continue communication and coordination:** Much like #1, it is important to maintain close communication with stakeholders to coordinate efforts whenever possible and provide the public with updates regarding implementation progress and outcomes.

Key Components of Non-Engineering Implementation

The most critical steps for implementation of the non-engineering LRSP countermeasures are building strong public outreach messaging; expanding and leveraging partnerships and collaborations with stakeholders and local agencies; and obtaining grant funding for expanded initiatives and outreach. While all countermeasures identified in the plan are important for improving safety in the City of Clearlake, the following countermeasures and general strategies are most feasible for early implementation and provide the greatest safety benefit from non-engineering countermeasures.



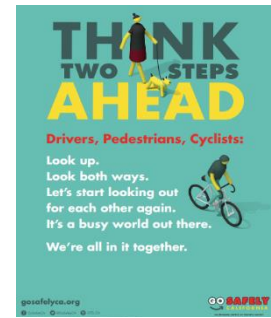
Exhibit 8. Distracted Driving Campaign

Social Media Campaign and Continued Outreach

Providing the public with important safety information and messaging through a variety of platforms including social media, online advertisements, TV, and radio is an important strategy for increasing awareness around safety and reducing crashes. The specific type of media used for each campaign depends on the audience, the message, and available resources. Some outreach campaigns may focus exclusively on social media, and some may require more holistic approaches including more traditional media like TV, newspaper, and radio. However, these larger outreach campaigns may require long time frames for implementation and higher budget considerations. A targeted social media campaign can be implemented quickly with very little budget by utilizing existing messaging, such as those provided by the Caltrans Office of Traffic Safety through the “Go Safely, California” program, highlighted below.



“Go Safely, California” – Public outreach and education materials covering a variety of safety topics including impaired driving, distracted driving, and bicycle and pedestrian safety are available through the **“Go Safely, California”** website. These resources provide local agencies with free and compelling materials to educate the public on the dangers of distracted driving, impaired driving, pedestrian & bicyclist safety, and speeding. Pre-made toolkits are available to supplement existing outreach efforts.



Source: www.gosafelyca.org

Targeted social media messaging campaigns can focus outreach efforts to a particular demographic, such as young drivers between 15 and 23 years of age regarding the potential risks of distracted driving and impaired driving. Targeted messaging campaigns through social media will help to ensure their message is received by those in the target group with minimal budget impacts. Additionally, the reach of social media messages and campaigns may be amplified many times if stakeholders share the safety campaign messages through their own social media accounts. This strategy was utilized during the public outreach process, which resulted in a significantly higher rate of responses than anticipated by the project team.

Partnerships & Collaborations

Roadway safety is a shared responsibility and so too is the implementation of roadway safety plans. The City of Clearlake must work collaboratively with numerous stakeholders and form interdepartmental and interagency partnerships to successfully implement many of the identified strategies. The following strategies will require direct partnerships and close collaboration to be successful:

Bicycle & Pedestrian Trainings

Incorporating pedestrian and bicycle training into the physical education curriculum for elementary school students will require close collaboration between the City, school district, parents, teachers, and students.

The City may work collaboratively to support and enhance existing bicycle safety courses offered by various entities. This may include providing course materials, sponsoring American League of Bicyclists Certified Instructors to train the course, or providing bicycle safety materials to support these on-going trainings. The City should collaborate with these organizations to identify the greatest need.



Exhibit 9. Enhance pedestrian and bicycle training/safety.



The City may work with the Department of Motor Vehicles and other driver instruction providers to include information about bicyclist safety and bicyclists’ rights into driver training materials. Changing existing driver training materials is anticipated to be a long process which may require convening driver instruction providers to address the issue holistically at a local level.

Sober Ride Home

Transportation Network Companies such as Uber and Lyft as well as traditional taxi companies may work with the City of Clearlake to provide discounted or free rides home to intoxicated individuals to avoid driving while under the influence of drugs or alcohol. This program may first be focused on specific time periods such as Saint Patrick’s Day, New Year’s Eve, or Halloween and expanded, based on funding and need, later on.

Responsible Beverage Service (RBS)

Following the passage of Assembly Bill 82, any alcohol server and their manager will be required to have a valid RBS certification from an ABC accredited RBS training provider and pass an online ABC administered RBS exam within 60 calendar days from the first date of employment as of July 1, 2022⁷. The City of Clearlake may work with the local chamber of commerce and local alcohol server training providers to promote face-to-face training programs (taking COVID-19 protocols into consideration) as the standard for local businesses as these programs have been shown to be more effective.



Crash Data

To ensure that local data represents the most accurate information, the City Public Works department should update the crash data received from Caltrans with the most up-to-date local data. A lag in reporting periods may result in a crash victim passing away from their injuries, which requires the crash data record to be updated to a fatality. Caltrans currently has a process for updating crash data records; however, data inaccuracies may still exist. To reduce inaccuracies, the City Public Works department and Police departments should convene to conduct a data reconciliation process between the data received from Caltrans and the crash data records collected by the Police department annually. This process will also provide opportunities to re-evaluate how data is collected and reported to best support future safety analysis and include outside agencies (Caltrans, CHP, etc.) in the overall discussion about improving local crash data records and the record keeping process, as appropriate.

Grant Funding

The City and local stakeholders will likely pursue grant opportunities to implement many of the identified countermeasures and strategies. Additionally, the timeframes for implementation will be contingent on obtaining grant funding as well as maintaining existing maintenance and construction funding levels. The following section highlights key considerations for each potential grant funding opportunity. Funding opportunities for each countermeasure and strategy have also been identified in the *Focus Area Strategy Tables*.

⁷ https://safety.fhwa.dot.gov/speedmgt/ref_mats/fhwasa09028/resources/countermeasures.pdf



Highway Safety Improvement Program (HSIP)

This federal program is managed by Caltrans and focused on infrastructure projects with nationally recognized crash reduction factors. This is one of the major funding mechanisms for safety projects across California and is closely tied to the LRSP. Agencies must have completed LRSP plans prior to submitting future HSIP applications. Calls for projects under this funding program are typically announced every other year. The next round of HSIP funding is anticipated to open in April 2022. Two potential projects were developed as part of the LRSP for cost estimates and BCR calculations to facilitate HSIP application.

Active Transportation Program (ATP)

This competitive statewide program, managed by Caltrans, consolidates federal and state funding from several sources including the State Senate Bill 1 (SB1), Transportation Alternatives Program (TAP), Bicycle Transportation Account (BTA), and State Safe Routes to School (SRTS). This program is focused on increasing the use of walking and biking by increasing safety and mobility for non-motorized users, advancing regional active transportation efforts, and providing a broad spectrum of projects to benefit many types of active transportation users. Eligible grant applicants include public schools and school districts as well as local, regional, or state agencies. For a project to qualify as a Safe Routes to School project, it must be within two miles of a public school or within the vicinity of a public-school bus stop with the students intended

as the primary beneficiaries of the project. This program typically releases calls for projects annually, however, this may be impacted due to COVID-19 and should be monitored closely.



Exhibit 10. Increase safety and mobility for non-motorized users

Congestion Mitigation and Air-Quality Improvement Program (CMAQ)

This flexible federal funding program managed by Caltrans may be used for a variety of projects which further the goals of the Clean Air Act and its amendments on a reimbursable basis. Projects must be included in the Transportation Improvement Program (TIP) to be eligible for this funding stream. This funding may be used for bicycle & pedestrian outreach programs, constructing bicycle and pedestrian facilities which are not exclusively recreational and reduce vehicle trips, and public education and outreach activities.

National Highway & Traffic Safety Administration (NHTSA)

The NHTSA provides traffic safety grants through the California Office of Traffic Safety. Based on the most recent guidance, Caltrans OTS accepts applications for this funding program on a regular annual basis with an annual deadline of January 30th. This timeline may have changed based on impacts from COVID-19. The following grant opportunities were identified as the most applicable to the City of Clearlake’s needs.



- **Section 402: State & Community Highway Safety Grant Program** – This versatile funding program can be used for a variety of initiatives focused on reducing deaths and serious injuries on our roadways including enhancing pedestrian and bicycle safety, increasing enforcement of traffic safety laws, improving traffic records, or reducing speeding.

- **Section 405: National Priority Safety Program** – This program authorizes funding to address high priority safety issues across the nation including impaired driving, distracted driving, and non-motorized safety. Funding for each issue is authorized as a separate tier under the Section 405 program.

 - »

Section 405(d): Impaired Driving Countermeasures – This tier represents 52.5% of the total annual funding for full Section 405 program. These funds are intended for programs which reduce the risk of driving under the influence of alcohol or drugs. A matching share of 20% must be provided by the local agency.

 - »

Section 405(e): Distracted Driving – A total of 8.5% of Section 405 funds are allocated for distracted driving incentive grants. Funds are intended for programs which reduce the risk of distracted driving.

 - »

Section 405(h): Non-motorized Safety – 5% of Section 405 is available under this tier for states where the combined bicycle and pedestrian fatalities represent more than 15% of all roadway fatalities in that state based on the most recent FARS data from NHTSA. Funding under this tier requires a 20% match and is only eligible for training law enforcement on state laws applicable to pedestrian and bicycle safety, enforcement mobilizations and campaigns designed to enforce those state laws, or public education and awareness programs designed to inform motorists, pedestrians, and bicyclists.

California Highway Patrol (CHP) Cannabis Tax Fund Grant Program (CTFGP)

Funding for this program comes from the passage of Proposition 64, The Control, Regulate, and Tax Adult Use Marijuana Act (AUMA) in 2016. The intent of this program is to reduce the number of crashes by impaired drivers, increase public awareness related to the dangers of impaired driving, and improve highway safety. The purpose of the funds is to supplement and not supplant funding for current activities and programs. The next application window is anticipated to open in February 2022.

Implementation Timeframes

The desirable timeframe for completion of each countermeasure is identified in each *Focus Area Strategy Table*. The approximate timeframe for completion was broken into three possible timeframes:

- Short-Term: 1 – 2 years
- Medium-Term: 3 – 5 years
- Long-Term: 6 – 10 years



Countermeasures and strategies with Medium- and Long-term implementation timeframes may be revisited during future LRSP update cycles.

Next Steps

This Local Road Safety Plan (LRSP) used a methodical process and input from stakeholders and the public to identify focus areas, analyze crash trends and develop countermeasures across the four E’s of safety planning (Engineering, Education, Enforcement, and Emergency Services). The plan includes strategy tables identifying strategies, responsible parties, completion goals, and performance measures, and outlines an implementation plan and potential funding sources.

The LRSP is a living document. The document should be updated every four to five years using the most up to date crash data to evaluate the performance of implemented countermeasures and re-evaluate focus areas.



Source: FWHA

Appendix A

Stakeholder Working Group Member List



Lake County

Clearlake Local Road Safety Plan

Stakeholders*

Name	Title	Agency
Danielle Casey	Project Coordinator	Lake Area Planning Council
Lisa Davey-Bates	Executive Director	Lake Area Planning Council
Alexis Pedrotti	Associate Program Planner / Administrator	Lake Area Planning Council
David Swartz	City Engineer	City of Clearlake
Andrew White	Police Chief	Police Department
Mark Mueller	District Area Engineer	Caltrans
James Sookne	Transit Coordinator	Lake Transit Authority/Lake APC
Clarissa Kincy	CEO/Mobility Manager	Lake Links
Willie Sapeta	Fire Chief	Lake County Fire Protection District

*This list reflects stakeholders that were contacted and participated.



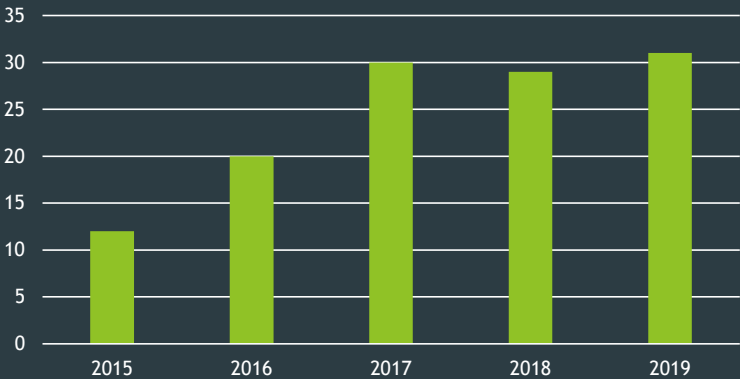
Appendix B

Initial Data Analysis

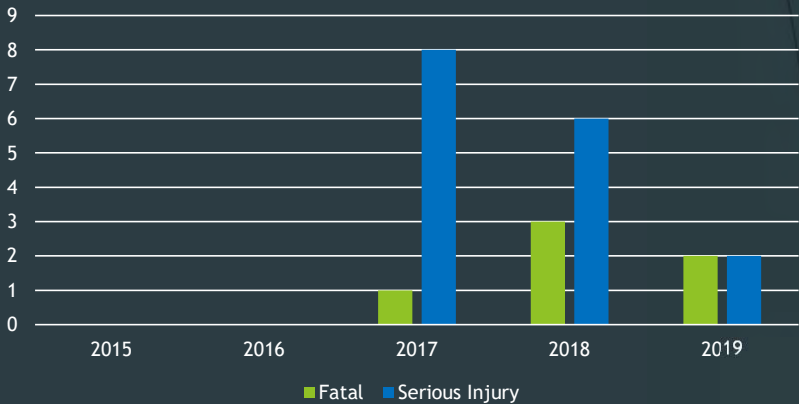


Preliminary Analysis - Overall Clearlake

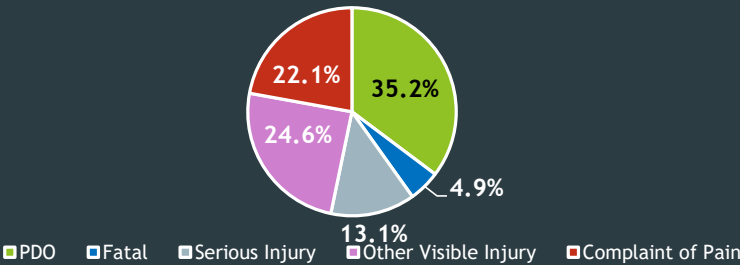
Clearlake - Total Crashes by Year
(2015 - 2019)



Clearlake - Fatal & Serious Injury Crashes
(2015 - 2019)



Clearlake - Crash Severity (2015 - 2019)

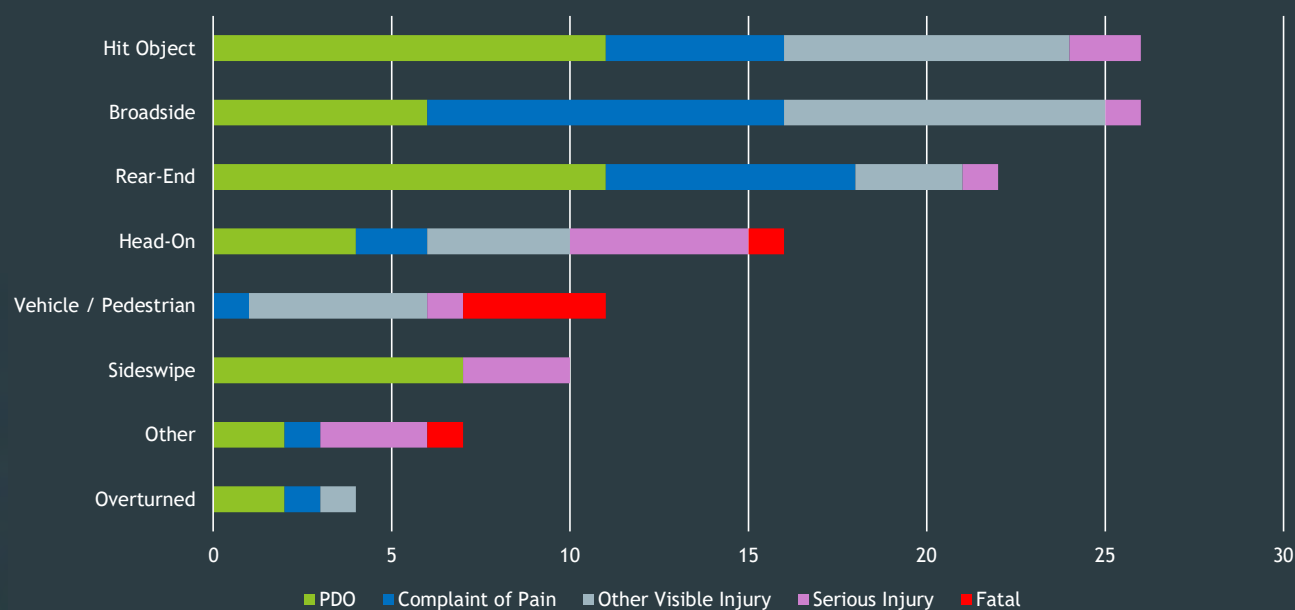


Preliminary Analysis - Overall Crash Type - Clearlake

Broadside & Hit Object types account for 42% of all crashes

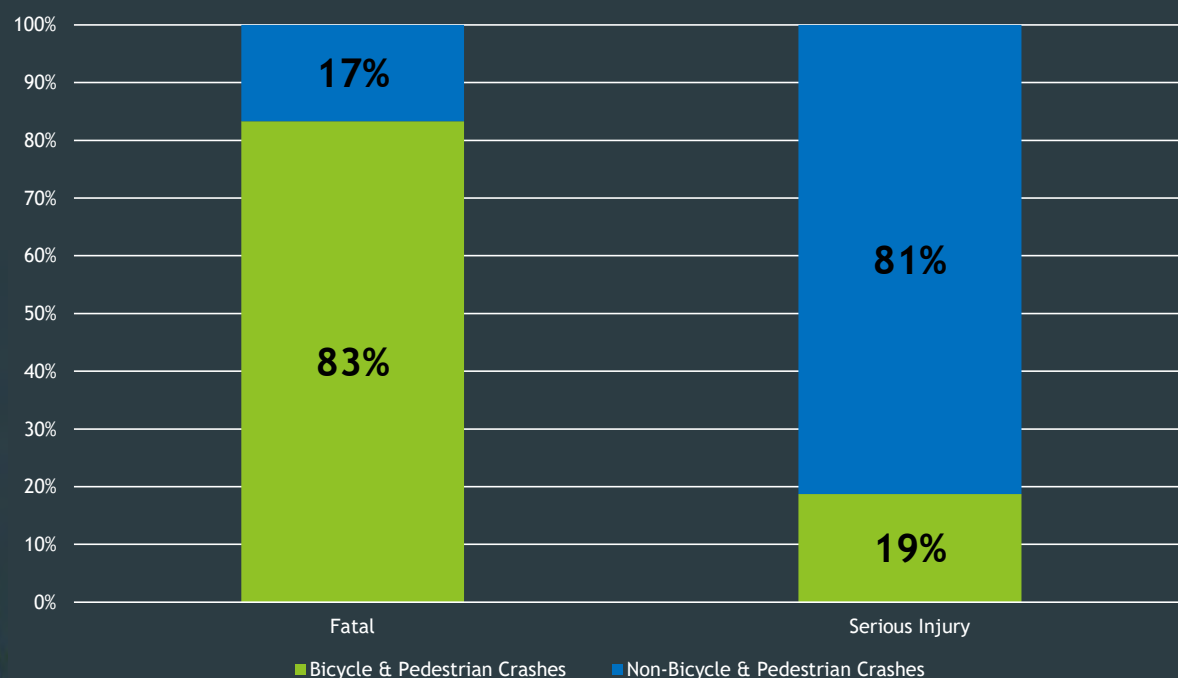
Pedestrian crashes account for 9% of overall crashes but 22.7% of serious injury and fatal crashes

Clearlake - Crash Severity By Crash Type (2015 - 2019)



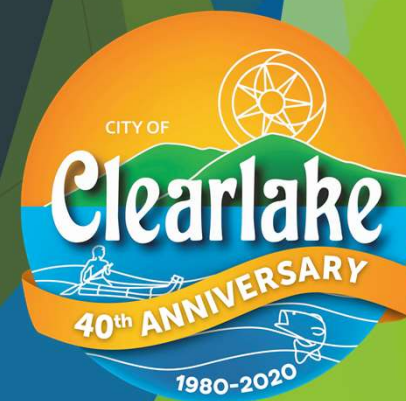
Preliminary Analysis - Bicycle and Pedestrian Crashes - Clearlake

Clearlake Bicycle & Pedestrian Fatal & Serious Injury Crashes
(2015 - 2019)



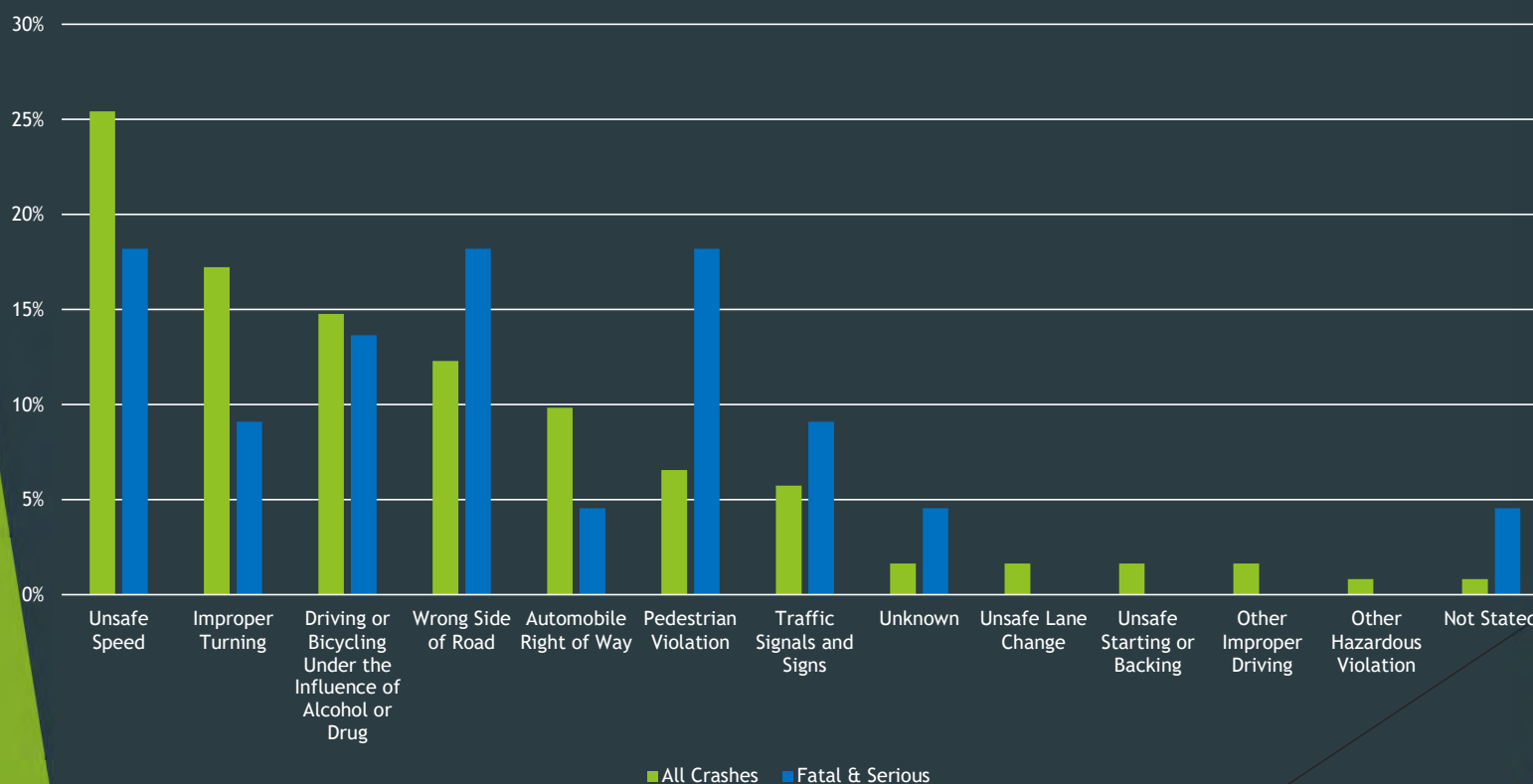
83% of fatal and 19% of serious injury crashes involved a bicyclist or pedestrian

Bicyclists were involved in 5 crashes in Clearlake or 4% of all crashes but 16% of fatal & 12.5% of serious injury crashes



Preliminary Analysis - Overall Crash Factors - Clearlake

Clearlake Primary Collision Factors - All Crashes & Fatal / Serious Injury Crashes All Crashes Fatal & Serious (2015 - 2019)

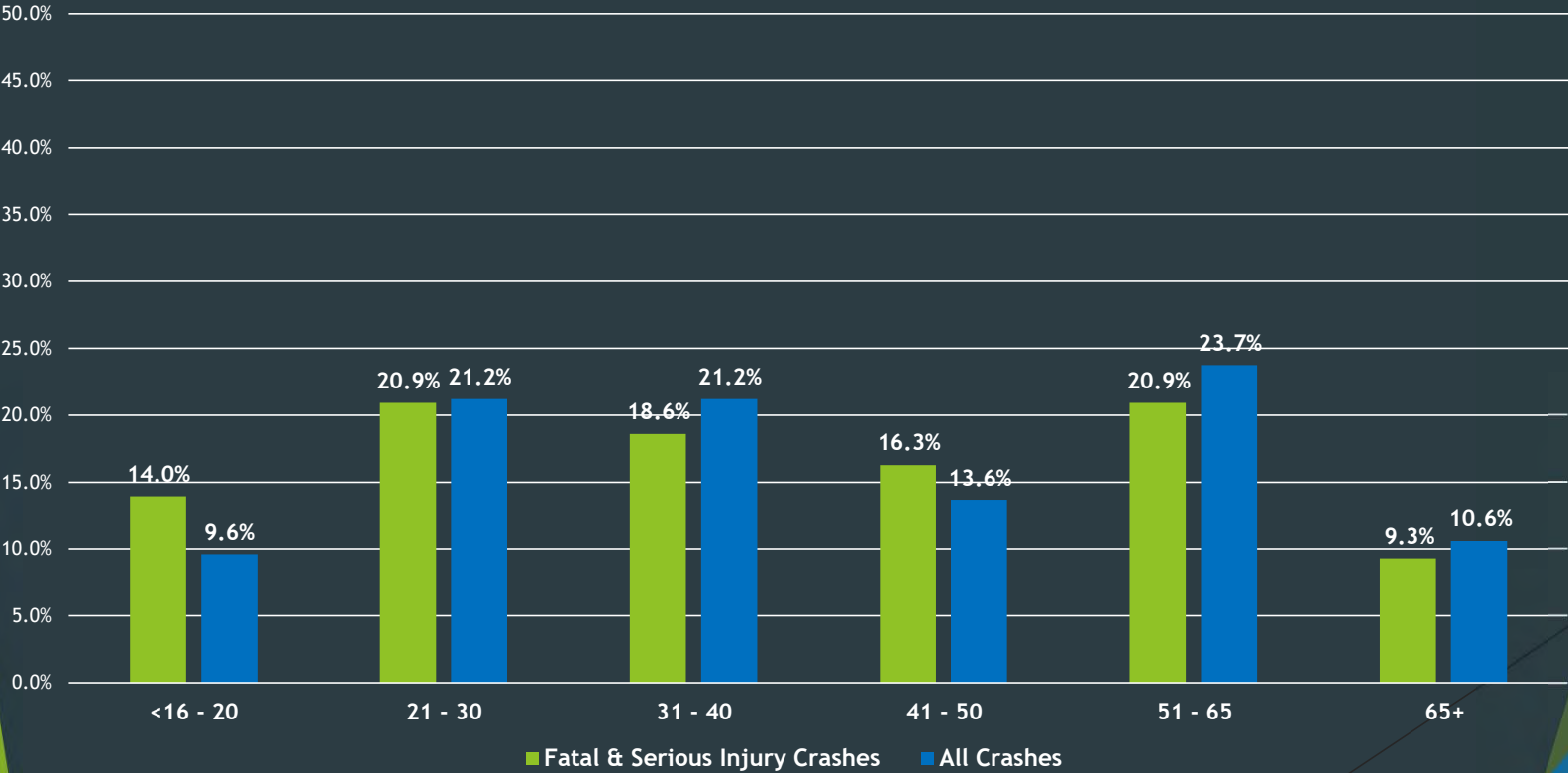


Unsafe Speed, Wrong Side of Road, and Pedestrian Violation account for 54% of all fatal & serious injury crashes



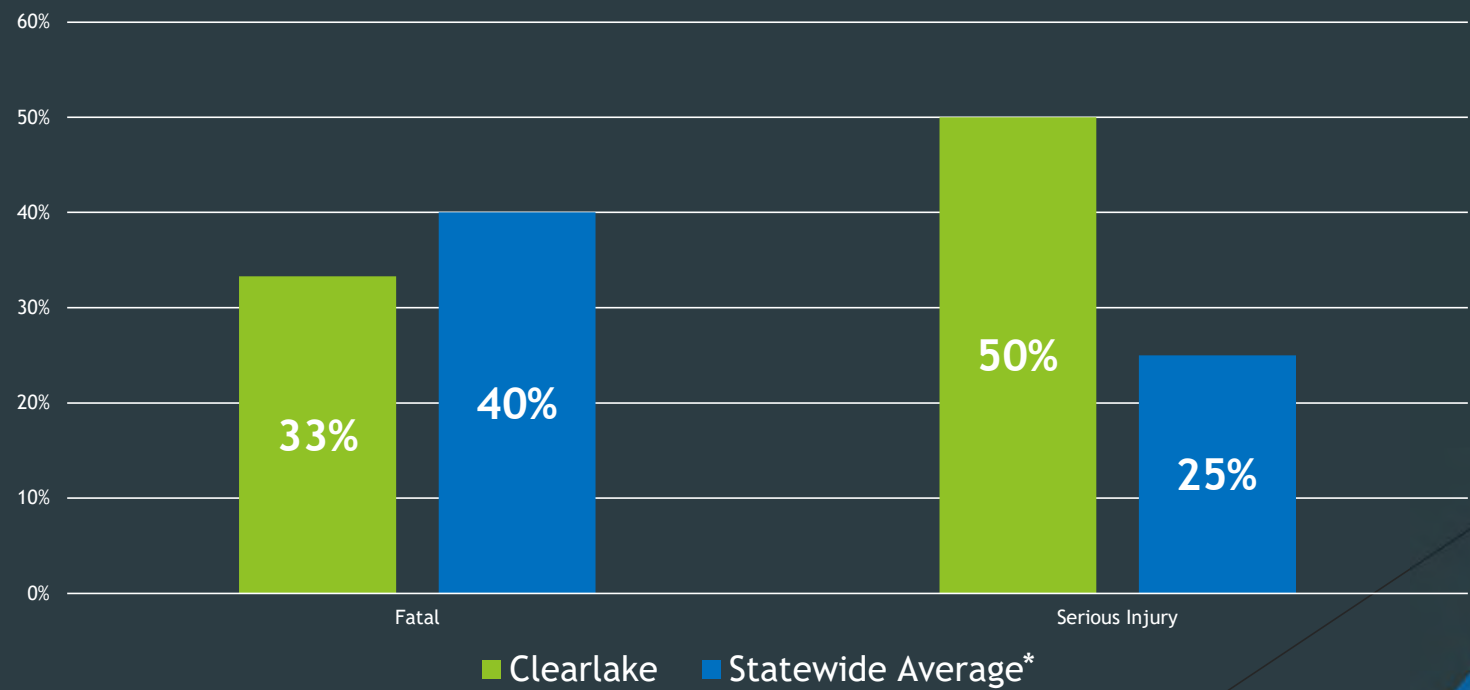
Preliminary Analysis - Age - Clearlake

Clearlake - At Fault Party Ages All Crashes vs Fatal & Serious Injury Crashes
(2015 - 2019)



Preliminary Analysis - Impaired Driving - Clearlake

Impaired Driving Fatal & Serious Injury Crash Percent
(Clearlake vs Statewide Average)



*Source: California Safe Roads 2020 - 2024 SHSP

OTS Crash Rankings - Clearlake

TYPE OF CRASH	VICTIMS KILLED & INJURED	OTS RANKING
Total Fatal and Injury	30	67/101
Alcohol Involved	8	21/101
Had Been Drinking Driver < 21	1	14/101
Had Been Drinking Driver 21 - 34	3	15/101
Motorcycles	5	12/101
Pedestrians	1	84/101
Pedestrians < 15	0	75/101
Pedestrians 65+	0	73/101
Bicyclists	3	42/101
Bicyclists < 15	0	65/101
Composite	24	17/101

TYPE OF CRASH	FATAL & INJURY CRASHES	OTS RANKING
Speed Related	6	57/101
Nighttime (9:00pm - 2:59am)	4	33/101
Hit and Run	2	45/101

23% of Serious and Injury Crashes involve a motorcycle



Source: 2017 Office of Traffic Safety Crash Rankings - Caltrans

OTS Crash Rankings - Clearlake

TYPE OF CRASH	VICTIMS KILLED & INJURED	OTS RANKING
Total Fatal and Injury	26	77/102
Alcohol Involved	7	31/102
Had Been Drinking Driver < 21	0	63/102
Had Been Drinking Driver 21 – 34	3	23/102
Motorcycles	3	35/102
Pedestrians	4	47/102
Pedestrians < 15	0	71/102
Pedestrians 65+	1	27/102
Bicyclists	1	77/102
Bicyclists < 15	0	61/102
Composite	18	51/102

TYPE OF CRASH	FATAL & INJURY CRASHES	OTS RANKING
Speed Related	3	79/102
Nighttime (9:00pm – 2:59am)	3	57/102
Hit and Run	2	61/102

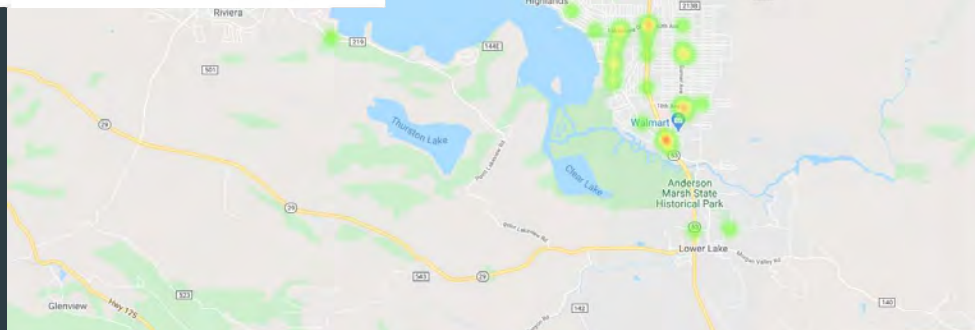


Source: 2018 Office of Traffic Safety Crash Rankings - Caltrans

Preliminary Analysis - Top Intersections

Clearlake

Rank	Intersection	# of Coll
1	AUSTIN DR & AUSTIN RD & OLD HIGHWAY 53 & OLD STATE HWY 53	6
2	40TH AVE & MOSS AVE	5
2	40TH AVE & SR 53	5
2	CACHE CREEK WAY & OLD HIGHWAY 53	5
2	DAM RD & OLD STATE HWY 53 & SR 53	5
2	OLD HIGHWAY 53 & OLD STATE HWY 53 & SR 53	5
3	18TH AVE & PHILLIPS ST	3
4	ARCATA ST & LAKE DR	2
4	AUSTIN RD & LAKESHORE DR	2
4	BURNS VALLEY RD & LAKE DR	2



Rank	Intersection	# of Coll
1	CACHE CREEK WAY & OLD HIGHWAY 53	2
1	DAM RD & OLD STATE HWY 53 & SR 53	2
1	OLD HIGHWAY 53 & OLD STATE HWY 53 & SR 53	2
2	18TH AVE & PHILLIPS ST	1
2	32ND AVE & IRVING AVE	1
2	AIRPORT RD & OLD HIGHWAY 53	1
2	CIWA ST & ROSE AVE	1
2	MEMORY LN & OLYMPIC DR	1
2	OLYMPIA DR & SR 53	1
2	ROSE AVE & VISTA ST	1



Appendix C

Public Outreach Results



Object ID	Global ID	Creation Date	What is your primary mode of transportation?	What is your age?	Did your travel habits change during COVID restrictions (approximately March 2020 - Present)?	Please rank the following categories based on your personal level of concern regarding each category, with "1" representing the highest level of concern.	Please enter any comments relating to transportation safety in the City of Clearlake below.
10	07ec2262-4c27-47f3-88f4-3146c65b3ec5	4/15/2021 23:03	personal_vehicle	51_65	No_Stayed_the_same	pedestrian_safety,intersection_safety,bicycle_safety,distracted_driving,Lane_Departures,Speeding,lighting,impaired_drivers	
11	ba2bfa53-cdb3-4b69-85bf-67b484f130db	4/16/2021 17:04	personal_vehicle	51_65	Yes_Traveled_more	pedestrian_safety,bicycle_safety,Speeding,distracted_driving,lighting,impaired_drivers,intersection_safety,Lane_Departures	There are too many people not obeying speed limits off main roads. Racing in Clearlake park.
12	86b2-4575-87a9-6f3f2a51a316	4/16/2021 19:12	personal_vehicle	31_40	Yes_Traveled_less	impaired_drivers,lighting,pedestrian_safety,distracted_driving,bicycle_safety,Speeding,intersection_safety,Lane_Departures	
13	a3e0b70f-4e96-44ff-8167-0cd81990f5ac	4/17/2021 12:26	personal_vehicle	41_50	Yes_Traveled_less	lighting,pedestrian_safety,bicycle_safety,intersection_safety,distracted_driving,impaired_drivers,Speeding,Lane_Departures	
14	a02396f8-4c12-4937-80d2-2499ef3b4407	4/17/2021 18:51	personal_vehicle	41_50	No_Stayed_the_same	lighting,pedestrian_safety,bicycle_safety,Speeding,impaired_drivers,distracted_driving,intersection_safety,Lane_Departures	
15	5273-4018-80d5-a4d511745147	4/18/2021 22:18	personal_vehicle	41_50	No_Stayed_the_same	lighting,impaired_drivers,intersection_safety,distracted_driving,Speeding,pedestrian_safety,Lane_Departures,bicycle_safety	Lighting is a huge problem and would not only create safer roadways but would reduce criminal activity.
16	2a33-48d6-8e6a-d3f52ecc5f95	4/19/2021 0:07	other	41_50	Yes_Traveled_less	bicycle_safety,pedestrian_safety,lighting,distracted_driving,impaired_drivers,intersection_safety,Speeding,Lane_Departures	
17	58a40825-e245-4143-89c6-2aa6538f68b0	4/19/2021 0:13	bicycle	41_50	Yes_Traveled_less	bicycle_safety,lighting,pedestrian_safety,intersection_safety,impaired_drivers,Speeding,distracted_driving,Lane_Departures	Bicycle lanes are not maintained and too little space allowed for bicyclists. There are no lights on streets and a lack of paved walkways.
18	f93c3f74-9c2e-4c21-8009-51ead5b5ddb3	4/19/2021 15:27	personal_vehicle	41_50	No_Stayed_the_same	impaired_drivers,distracted_driving,Speeding,pedestrian_safety,bicycle_safety,Lane_Departures,lighting,intersection_safety	
19	06bdb4db-bca2-449f-8475-3b1c1fda152e	4/21/2021 14:12	personal_vehicle	65+	Yes_Traveled_less	distracted_driving,Speeding,intersection_safety,bicycle_safety,impaired_drivers,lighting,pedestrian_safety,Lane_Departures	

Object ID	Global ID	Creation Date	What is your primary mode of transportation?	What is your age?	Did your travel habits change during COVID restrictions (approximately March 2020 - Present)?	Please rank the following categories based on your personal level of concern regarding each category, with "1" representing the highest level of concern.	Please enter any comments relating to transportation safety in the City of Clearlake below.
20	50d05bf4-08eb-43b0-8cc1-4ab90c4a8fcc	4/26/2021 23:18	personal_vehicle	21_30	Yes_Traveled_more	impaired_drivers,bicycle_safety,distracted_driving,intersection_safety,lighting,pedestrian_safety,Speeding,Lane_Departures	Blue cove or glenhaven
21	2b34031a-e8e7-42fd-8c76-1d50c3554aee	4/26/2021 23:24	personal_vehicle	31_40	Yes_Traveled_more	lighting,pedestrian_safety,bicycle_safety,intersection_safety,distracted_driving,impaired_drivers,Speeding,Lane_Departures	Very little side walks, and poor lighting
22	240c5319-b300-4f42-829f-d8cfd0ab5459	4/26/2021 23:31	personal_vehicle	51_65	Yes_Traveled_less	distracted_driving,impaired_drivers,Speeding,intersection_safety,Lane_Departures,pedestrian_safety,lighting,bicycle_safety	The parking lot that serves IGA and the clinic is a nightmare. Every one trying to squeeze out of exit onto lakeshore drive at the same time and no one knows the rules of right of way. The stop sign at the end of Olympic drive and Lakeshore is miserable too! You wait forever to turn onto Lakeshore because no one will let you turn. There should be a signal light there. People have become much more aggressive in the past year..passing illegally on the right. Tailgating and speeding. As someone who learned how to drive in San Francisco forty years ago where there is real traffic, the number of rude impatient drivers here is astounding.
23	4c835782-2d93-4c37-893e-e07088f167f8	4/26/2021 23:43	personal_vehicle	31_40	Yes_Changed_mode_of_transportat	impaired_drivers,bicycle_safety,distracted_driving,intersection_safety,lighting,pedestrian_safety,Speeding,Lane_Departures	Shity roads
24	8373d597-045a-4a3f-805b-cd8ed65f5524	4/26/2021 23:46	personal_vehicle	41_50	Yes_Traveled_less	impaired_drivers,bicycle_safety,distracted_driving,intersection_safety,lighting,pedestrian_safety,Speeding,Lane_Departures	Roads suck..cypress at has torn my front end up..even cops have destroyed cars on this street
25	11bdaf91-fb9c-40d5-87b5-8bdbb313fe9e	4/26/2021 23:49	personal_vehicle	65+	Yes_Traveled_less	Speeding,distracted_driving,impaired_drivers,intersection_safety,lighting,pedestrian_safety,Lane_Departures,bicycle_safety	Happen to live on one of the best roads in the City, Garner/Phillips. Since the roadway was repaired speeds have steadily increased and often exceed 55mph! Also noise in the City of Clearlake is unaddressed, from vehicles of all types running without proper exhaust systems. Also can't help but notice the burn out areas at intersections like Hwy 53 and 18th and Hwy 53 and Olympic Aves. In fact throughout most of the City it appears as if "Side Shows" are occurring.
26	ee7b-48b4-8929-b8dca944287c	4/26/2021 23:52	personal_vehicle	31_40	No_Stayed_the_same	pedestrian_safety,bicycle_safety,distracted_driving,impaired_drivers,intersection_safety,lighting,Speeding,Lane_Departures	Vallejo st..horrible road not cement and poor lighting
27	67e5124b-7602-4b0c-8d2d-3db50f344e19	4/27/2021 0:17	personal_vehicle	51_65	Yes_Traveled_less	lighting,Speeding,impaired_drivers,pedestrian_safety,bicycle_safety,distracted_driving,intersection_safety,Lane_Departures	Intersection of Lakeshore and Old Hwy 53. Severe congestion, lots of light-running. Difficulty getting in and out of the Speedway gas station. Also difficulty getting out of the Highlands Plaza (Foods Etc and Clinic) onto Lakeshore
28	d871-4328-898b-c9948ec196fe	4/27/2021 0:18	personal_vehicle	41_50	No_Stayed_the_same	lighting,Speeding,distracted_driving,impaired_drivers,intersection_safety,bicycle_safety,pedestrian_safety,Lane_Departures	
29	d08e-42d9-8805-68beac36fb29	4/27/2021 0:22	personal_vehicle	21_30	Yes_Traveled_less	distracted_driving,pedestrian_safety,bicycle_safety,impaired_drivers,intersection_safety,lighting,Speeding,Lane_Departures	

Object ID	Global ID	Creation Date	What is your primary mode of transportation?	What is your age?	Did your travel habits change during COVID restrictions (approximately March 2020 - Present)?	Please rank the following categories based on your personal level of concern regarding each category, with "1" representing the highest level of concern.	Please enter any comments relating to transportation safety in the City of Clearlake below.
30	6566b532-c026-475c-84a4-d53b8ab8123a	4/27/2021 0:30	personal_vehicle	21_30	Yes_Traveled_less	pedestrian_safety,lighting,Lane_Departures,intersection_safety,bicycle_safety,distracted_driving,impaired_drivers,Speeding	
31	1a7393c8-063f-4239-8a0f-ee9528ec95db	4/27/2021 0:40	personal_vehicle	31_40	Yes_Traveled_less	lighting,bicycle_safety,distracted_driving,impaired_drivers,intersection_safety,pedestrian_safety,Speeding,Lane_Departures	Fix the roads why do we pay you people
32	45cfee8-c573-455b-8cf8-43c126bc8374	4/27/2021 0:51	personal_vehicle	21_30	Yes_Traveled_more	pedestrian_safety,lighting,bicycle_safety,distracted_driving,impaired_drivers,intersection_safety,Speeding,Lane_Departures	
33	e8ce2641-bfa3-4da7-825a-58eace630db4	4/27/2021 1:15	personal_vehicle	21_30	No_Stayed_the_same	intersection_safety,distracted_driving,Speeding,lighting,pedestrian_safety,impaired_drivers,bicycle_safety,Lane_Departures	The entire city is laid out in a way that just makes transportation hazardous. It would be great if road could be resurfaced and widened to allow for safer driving.
34	c0011352-b79a-4b5c-80b1-cb032b4990ca	4/27/2021 1:17	personal_vehicle	41_50	No_Stayed_the_same	intersection_safety,bicycle_safety,distracted_driving,impaired_drivers,lighting,pedestrian_safety,Speeding,Lane_Departures	People running stop signs with or without slowing down in Clearlake Park. Kids on dirt bikes as well as people in cars blow through stop signs along Oak.
35	5b3a-4968-819b-6de6791118ab	4/27/2021 1:37	personal_vehicle	21_30	No_Stayed_the_same	impaired_drivers,pedestrian_safety,distracted_driving,intersection_safety,Lane_Departures,bicycle_safety,Speeding,lighting	
36	4880d22f-b22a-46c6-8538-cad39ee0107b	4/27/2021 2:03	personal_vehicle	41_50	Yes_Traveled_less	pedestrian_safety,lighting,bicycle_safety,Speeding,impaired_drivers,intersection_safety,distracted_driving,Lane_Departures	The current lighting provided by the city is either spotlight or nothing, which does not ensure safety for pedestrians or bicyclists during the dark hours. The roads (e.g. Old Hwy 53 & Olympic Dr) are poorly maintained, are permitted to be left full of debris and without visible lane markings which again leaves the pedestrians/bicyclists in harms way. The speeding and poor drivers is more of a law enforcement issue I feel, which goes down a rabbit hole of staffing, and less of a "let's put in another round a bout no one knows how to use" or a "let's add some rumble strips" path. I personally have no experience with public transportation, but do feel those waiting in dirt fields with no rest area out of the elements should be taken into consideration and the city should consider partnering with or assisting the transit company in finding funding for respectful and safer situations for their riders.
37	5605872e-1573-4bc7-81de-ba45b1f6a38a	4/27/2021 2:05	personal_vehicle	31_40	Yes_Traveled_less	Speeding,intersection_safety,lighting,impaired_drivers,distracted_driving,bicycle_safety,pedestrian_safety,Lane_Departures	Old Hwy 53/Lakeshore Dr. Has an abundance of people running the red traffic light. Also, proper streetlights throughout the city would improve driving ability at night, while also improving pedestrian safety.
38	7f35b3ec-dc9e-4229-8f23-d9192489bbae	4/27/2021 2:19	personal_vehicle	65+	No_Stayed_the_same	pedestrian_safety,lighting,bicycle_safety,intersection_safety,distracted_driving,impaired_drivers,Speeding,Lane_Departures	40th and Moss ,Lighting bad ,No cross walks , Vehicle head lights blind you and you are unable to see pedestrians . Lakeshore Dr .and Old Highway 53 Vehicles coming out of Speedway making a left hand turn on to Lakeshore Drive are pulling out into traffic blindly should have a divider making vehicle to turn right only .
39	294ca894-9289-473e-8cda-68aecfb6f8bf	4/27/2021 2:50	personal_vehicle	21_30	No_Stayed_the_same	Speeding,impaired_drivers,distracted_driving,intersection_safety,lighting,bicycle_safety,pedestrian_safety,Lane_Departures	

Object ID	Global ID	Creation Date	What is your primary mode of transportation?	What is your age?	Did your travel habits change during COVID restrictions (approximately March 2020 - Present)?	Please rank the following categories based on your personal level of concern regarding each category, with "1" representing the highest level of concern.	Please enter any comments relating to transportation safety in the City of Clearlake below.
40	d6b1-4047-89a4-e797eb4a-bf68	4/27/2021 3:07	personal_vehicle	31_40	No_Stayed_the_same	distracted_driving,bicycle_safety,impaired_drivers,intersection_safety,lighting,pedestrian_safety,Speeding,Lane_Departures	The pot holes make it more dangerous than anything
41	7af5f8c7-6c4c-4982-8711-fe03fad50d03	4/27/2021 3:30	personal_vehicle	51_65	Yes_Traveled_less	pedestrian_safety,bicycle_safety,intersection_safety,Speeding,distracted_driving,impaired_drivers,Lane_Departures,lighting	
42	ab785ad4-58bf-4b0d-87be-a4d9ceb28fe5	4/27/2021 4:22	personal_vehicle	21_30	Yes_Traveled_more	Speeding,impaired_drivers,lighting,pedestrian_safety,intersection_safety,distracted_driving,bicycle_safety,Lane_Departures	
43	0517493b-a0fd-46bc-857f-35c16361a70d	4/27/2021 4:29	personal_vehicle	65+	Yes_Traveled_less	bicycle_safety,pedestrian_safety,intersection_safety,Speeding,distracted_driving,impaired_drivers,lighting,Lane_Departures	The lack of pedestrian walkways and wide enough bike lanes on most of Old Highway and Lakeshore Drive (North of Olympic) in concert with blind corners makes it risky for all participants.
44	64d87033-cd33-4b7c-8a51-4dbdba4c4ef3	4/27/2021 5:27	personal_vehicle	31_40	No_Stayed_the_same	lighting,Lane_Departures,intersection_safety,pedestrian_safety,bicycle_safety,distracted_driving,impaired_drivers,Speeding	
45	5e463f6f-09f6-40e2-82cb-3d9958e44cbe	4/27/2021 5:43	personal_vehicle	Under20	Yes_Traveled_less	pedestrian_safety,intersection_safety,bicycle_safety,lighting,Speeding,impaired_drivers,distracted_driving,Lane_Departures	We need more paved side walks and street lights.
46	a0488f0b-4894-492f-86ea-0f9c7796da33	4/27/2021 6:03	personal_vehicle	51_65	Yes_Traveled_less	intersection_safety,pedestrian_safety,distracted_driving,bicycle_safety,lighting,Speeding,Lane_Departures,impaired_drivers	
47	fb85f98a-b355-4729-8fe1-6a4e1230f99d	4/27/2021 12:18	personal_vehicle	51_65	Yes_Traveled_less	impaired_drivers,Speeding,distracted_driving,lighting,pedestrian_safety,intersection_safety,bicycle_safety,Lane_Departures	Palmer and Mullen,lakeshore and Olympic and old 53
48	8a67eec9-e9f7-47ac-8960-85409a1c7615	4/27/2021 14:28	personal_vehicle	41_50	Yes_Traveled_less	pedestrian_safety,bicycle_safety,distracted_driving,impaired_drivers,intersection_safety,lighting,Speeding,Lane_Departures	The sidewalk situation is a mess. There are sections of sidewalk here and there. I don't personally walk much because I have a car, but the few times I have it feels extremely unsafe. Olympic drive was given sidewalks a while back, but Lakeshore dr desperately needs to be worked on. Another place of concern is 40th avenue. Many people walk there and it's extremely dangerous. A safe path up that busy street would be a huge improvement even if a sidewalk was out of the question.
49	1126-4292-8785-f5316c5c217f	4/27/2021 21:29	personal_vehicle	65+	Yes_Traveled_less	bicycle_safety,distracted_driving,impaired_drivers,intersection_safety,lighting,pedestrian_safety,Speeding,Lane_Departures	Couldn't use drag and drop

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50	9eb6baa8-a629-4ef8-8298-45d4273678a7	4/27/2021 21:39	personal_vehicle	65+	Yes_Traveled_less	distracted_driving,impaired_drivers,pedestrian_safety,Speeding,intersection_safety,bicycle_safety,lighting,Lane_Departures	
51	8c68f77c-f956-44a6-866f-4a83311c56f9	4/27/2021 21:44	personal_vehicle	41_50	Yes_Traveled_less	intersection_safety,pedestrian_safety,lighting,Lane_Departures,Speeding,distracted_driving,impaired_drivers,bicycle_safety	
52	791ad4ff-b0ef-429d-87fe-f66b5d7c5e9b	4/27/2021 21:46	personal_vehicle	51_65	Yes_Traveled_less	Lane_Departures,bicycle_safety,distracted_driving,impaired_drivers,intersection_safety,lighting,pedestrian_safety,Speeding	Maybe fix the roads that are already there, that are sort of paved, or were paved and then allowed to stupidly fall apart. Maybe pave the unpaved roads that should have paved decades ago but stupidly were not paved.
53	9807a2af-29f0-4f4e-87d9-10cc5c6ed544	4/27/2021 21:52	personal_vehicle	41_50	Yes_Traveled_less	lighting,intersection_safety,pedestrian_safety,bicycle_safety,impaired_drivers,distracted_driving,Speeding,Lane_Departures	
54	a3625a27-0f79-427f-8837-5e03b753c875	4/27/2021 21:53	personal_vehicle	65+	No_Stayed_the_same	distracted_driving,impaired_drivers,Speeding,intersection_safety,lighting,bicycle_safety,pedestrian_safety,Lane_Departures	
55	853a-4740-8216-ef0cb9429cfc	4/27/2021 22:07	personal_vehicle	31_40	Yes_Traveled_less	impaired_drivers,Lane_Departures,intersection_safety,pedestrian_safety,lighting,distracted_driving,bicycle_safety,Speeding	Needs a pedestrian walkway on fortieth Avenue into the avenues. All lines need to be redone, basically MIA when it rains or at night.
56	d308e606-ac1a-44d8-8484-7b57b705619f	4/27/2021 22:14	personal_vehicle	51_65	Yes_Traveled_more	lighting,bicycle_safety,distracted_driving,impaired_drivers,intersection_safety,pedestrian_safety,Speeding,Lane_Departures	The roads in Clearlake are in serious need of repairs! Especially the residential roads. Street lights are a major necessity.
57	d8778703-ea8d-4fc4-87b5-96eacd562cc0	4/27/2021 22:18	personal_vehicle	51_65	No_Stayed_the_same	distracted_driving,Speeding,impaired_drivers,lighting,bicycle_safety,pedestrian_safety,intersection_safety,Lane_Departures	The speeding and distracted driving are horrible in this city. We need more police officers out there on the streets. I know we can't afford more but that's what we need.
58	74b99f33-c981-4999-8197-0379f611907c	4/27/2021 22:30	personal_vehicle	65+	No_Stayed_the_same	distracted_driving,bicycle_safety,impaired_drivers,intersection_safety,lighting,pedestrian_safety,Speeding,Lane_Departures	
59	2af0f5b5-f718-4d4b-87b0-80b2156d1722	4/27/2021 23:04	personal_vehicle	51_65	Yes_Traveled_less	distracted_driving,impaired_drivers,Speeding,Lane_Departures,pedestrian_safety,intersection_safety,bicycle_safety,lighting	

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60	0b69fcc2-bebf-4ac9-8461-e32ccb8e61a4	4/27/2021 23:07	personal_vehicle	21_30	Yes_Traveled_less	intersection_safety,lighting,Lane_Departures,pedestrian_safety,distracted_driving,impaired_drivers,bicycle_safety,Speeding	
61	4d1f2bcae974-49c6-8205-cc6cb1a20f95	4/27/2021 23:09	personal_vehicle	21_30	Yes_Traveled_less	pedestrian_safety,bicycle_safety,impaired_drivers,intersection_safety,distracted_driving,Speeding,lighting,Lane_Departures	
62	de7d-495d-82db-35c09f512267	4/27/2021 23:10	personal_vehicle	51_65	Yes_Traveled_less	distracted_driving,Speeding,impaired_drivers,intersection_safety,lighting,pedestrian_safety,bicycle_safety,Lane_Departures	Road maintenance is a must on side streets in Clearlake
63	b3257e0b-e559-45fd-883c-84d9511e629c	4/27/2021 23:14	personal_vehicle	41_50	Yes_Traveled_less	distracted_driving,impaired_drivers,Speeding,intersection_safety,Lane_Departures,pedestrian_safety,bicycle_safety,lighting	Need to stop the riding of dirt bikes and other vehicles not legal for the road within the residential areas.
64	7d6252c7-16ff-4e30-8b12-981916ada7c2	4/27/2021 23:14	personal_vehicle	Under20	Yes_Traveled_less	impaired_drivers,distracted_driving,bicycle_safety,pedestrian_safety,intersection_safety,Speeding,lighting,Lane_Departures	
65	aeb32109-39c3-441d-8077-8c57c5db5429	4/28/2021 0:25	personal_vehicle	31_40	Yes_Traveled_less	Lane_Departures,lighting,impaired_drivers,distracted_driving,pedestrian_safety,intersection_safety,Speeding,bicycle_safety	
66	49356a9c-e5cc-40ad-85a9-19d2d31bc0e6	4/28/2021 0:35	personal_vehicle	65+	No_Stayed_the_same	impaired_drivers,distracted_driving,Speeding,lighting,intersection_safety,pedestrian_safety,Lane_Departures,bicycle_safety	
67	b178-4e21-8587-22bb767db8e5	4/28/2021 0:42	personal_vehicle	51_65	Yes_Traveled_less	Speeding,intersection_safety,impaired_drivers,distracted_driving,pedestrian_safety,bicycle_safety,lighting,Lane_Departures	Intersection at 18th Avenue and Boyles in Clearlake needs to be a 4 way stop. 18th Avenue is like a racetrack and I've seen a lot of accidents at that intersection and a lot of near misses several of which I was involved.
68	afcc0b44-8b5d-4263-8fad-3cd628f8bbd8	4/28/2021 0:47	personal_vehicle	51_65	Yes_Traveled_less	Speeding,intersection_safety,impaired_drivers,distracted_driving,lighting,bicycle_safety,pedestrian_safety,Lane_Departures	
69	7181-473d-88e4-8eafc6f53cff	4/28/2021 0:47	personal_vehicle	65+	Yes_Traveled_less	impaired_drivers,Speeding,pedestrian_safety,distracted_driving,intersection_safety,bicycle_safety,lighting,Lane_Departures	

Object ID	Global ID	Creation Date	What is your primary mode of transportation?	What is your age?	Did your travel habits change during COVID restrictions (approximately March 2020 - Present)?	Please rank the following categories based on your personal level of concern regarding each category, with "1" representing the highest level of concern.	Please enter any comments relating to transportation safety in the City of Clearlake below.
70	fb19ebfa-eb26-4cb4-8097-9fc9a74ac359	4/28/2021 1:18	personal_vehicle	31_40	Yes_Traveled_less	lighting,pedestrian_safety,intersection_safety,impaired_drivers,distracted_driving,Speeding,Lane_Departures,bicycle_safety	
71	5b43-4bd5-8073-eeb83b0d4340	4/28/2021 2:01	personal_vehicle	65+	No_Stayed_the_same	Speeding,Lane_Departures,distracted_driving,impaired_drivers,intersection_safety,lighting,pedestrian_safety,bicycle_safety	Narrow road with lots of potholes. One way in and out. Fire Hazzard
72	39b1058a-b4d1-4ce5-840b-671232d72f04	4/28/2021 2:23	personal_vehicle	65+	Yes_Traveled_less	intersection_safety,impaired_drivers,distracted_driving,pedestrian_safety,Speeding,bicycle_safety,Lane_Departures,lighting	
73	00ab73fb-d9fe-46de-8f8f-882d279a8063	4/28/2021 3:26	personal_vehicle	65+	Yes_Traveled_less	Speeding,distracted_driving,impaired_drivers,intersection_safety,bicycle_safety,lighting,pedestrian_safety,Lane_Departures	Moore hwy lighting speed control
74	78b5-4097-8853-fbabbba16d406	4/28/2021 5:00	personal_vehicle	31_40	Yes_Traveled_less	pedestrian_safety,bicycle_safety,distracted_driving,intersection_safety,Speeding,impaired_drivers,lighting,Lane_Departures	My concern is Clearlake park. It's difficult to walk and ride a bike on these roads. No side walks, or lights makes it unsafe.
75	9f093b4f-7952-472c-81d6-0e546f158ee5	4/28/2021 7:01	personal_vehicle	65+	Yes_Traveled_less	impaired_drivers,Speeding,distracted_driving,intersection_safety,pedestrian_safety,bicycle_safety,lighting,Lane_Departures	53/20/29 speeding
76	9555-440b-8017-abe38efd8937	4/28/2021 13:32	personal_vehicle	65+	Yes_Traveled_less	Speeding,lighting,distracted_driving,impaired_drivers,Lane_Departures,intersection_safety,bicycle_safety,pedestrian_safety	
77	d660992f-4596-4d7c-871c-a6fdafdaba	4/28/2021 15:31	personal_vehicle	65+	Yes_Traveled_less	distracted_driving,Speeding,Lane_Departures,impaired_drivers,pedestrian_safety,intersection_safety,bicycle_safety,lighting	
78	d57183c3-1f48-48d2-8fb7-010b0e58acbd	4/28/2021 18:06	personal_vehicle	51_65	Yes_Traveled_less	distracted_driving,impaired_drivers,Speeding,intersection_safety,pedestrian_safety,lighting,bicycle_safety,Lane_Departures	

Object ID	Global ID	Creation Date	What is your primary mode of transportation?	What is your age?	Did your travel habits change during COVID restrictions (approximately March 2020 - Present)?	Please rank the following categories based on your personal level of concern regarding each category, with "1" representing the highest level of concern.	Please enter any comments relating to transportation safety in the City of Clearlake below.
79	1c1fda2f-fd31-414d-8937-fec51782f204	4/29/2021 5:39	personal_vehicle	31_40	Yes_Traveled_less	Speeding,impaired_drivers,distracted_driving,pedestrian_safety,bicycle_safety,intersection_safety,lighting,Lane_Departures	Old Hwy 53, Lakeshore, Olympic, dirt roads/ back roads. The speeding and tailgating here has substantially increased. There is seeming no regard to what a safe following distance is. You can observe drivers smoking marijuana and other substances, daily. It seems as if many of our traffic laws no longer apply to our community. All of the above 1-8 issues are in desperate need of assessment, intervention, follow up and follow through. Also, the five way stop in front of Pomo School, is a drag strip. People are literally burning out, and speeding down the road without regard for the preschoolers and kindergartens who are out to play. The amount of drivers without regard for the school zone and students is sickening. I feel at very least a game camera should be put out on the intersection of acacia and Burns valley road and those who are driving recklessly should have their game posted our children aren't even safe out on their own school yard.
80	83b8-4b25-84e1-54cc571bd960	5/1/2021 2:57	walking	65+	Yes_Traveled_less	distracted_driving,impaired_drivers,intersection_safety,pedestrian_safety,bicycle_safety,lighting,Speeding,Lane_Departures	
81	791a825a-7362-4c8b-8a5e-228093985155	5/5/2021 17:30	personal_vehicle	41_50	Yes_Traveled_less	lighting,pedestrian_safety,bicycle_safety,Speeding,distracted_driving,impaired_drivers,intersection_safety,Lane_Departures	
82	ab6f79fc-3631-4f77-8596-6689ff193e0f	5/5/2021 17:34	personal_vehicle	65+	No_Stayed_the_same	distracted_driving,Speeding,intersection_safety,bicycle_safety,impaired_drivers,lighting,pedestrian_safety,Lane_Departures	intersection old 53 and Lakeshore dr
83	3169-4eab-8143-40f653c08a87	5/10/2021 18:58	personal_vehicle	41_50	Yes_Traveled_less	Speeding,impaired_drivers,distracted_driving,intersection_safety,pedestrian_safety,bicycle_safety,lighting,Lane_Departures	
84	c401b105-f959-407c-82eb-0f5f20f3a096	5/11/2021 18:15	other	51_65	Yes_Traveled_less	intersection_safety,pedestrian_safety,bicycle_safety,distracted_driving,Lane_Departures,impaired_drivers,lighting,Speeding	I get around town by using a power wheelchair, bus system, and also drive a car. Biggest problems are the street wheelchair access curb cuts at intersection of Lakeshore and old highway 53. Only one corner is safely wheelchair accessible, and this is the busiest intersection in center of downtown, and I have had many close calls with vehicles with drivers that can't figure out the maneuvering and semi loss of control that is required from using a wheelchair, just to cross the street. This is a very unsafe and unacceptable situation for people walking, riding bicycles, wheelchair users, and of course, other vehicles, cars, and trucks. The NE and NW corners are pretty much unusable and extremely unsafe for any type of foot traffic, or bicycle users. Also, we need safer sidewalks installed in numerous areas of Lakeshore drive. Most sidewalks are extremely inconsistent, with just patches if sidewalks here and there.
85	3949-4727-84ad-d3291ee690ef	5/12/2021 21:41	personal_vehicle	51_65	Yes_Traveled_less	bicycle_safety,distracted_driving,impaired_drivers,intersection_safety,lighting,pedestrian_safety,Speeding,Lane_Departures	
86	27c17fee-22d5-4ee2-8528-c7e00ef21fb2	5/12/2021 22:13	personal_vehicle	65+	Yes_Traveled_less	Speeding,pedestrian_safety,Lane_Departures,distracted_driving,impaired_drivers,lighting,bicycle_safety,intersection_safety	Speeding vehicles, side show type demonstrations, running red lights, noise (vehicle, animal, outdoor parties with live music) all over City!

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87	435ee8f9-c077-4f87-82cf-4d03785c e375	5/12/2021 22:58	personal_vehicle	65+	Yes_Traveled_less	lighting,pedestrian_safety,Lane_Departures,bicycle_safety,distracted_driving,impaired_drivers,intersection_safety,Speeding	
88	ea3ce559-f8f4-4785-8c97-5b3071f0 4e54	5/12/2021 23:31	personal_vehicle	65+	Yes_Traveled_less	Speeding,Lane_Departures,distracted_driving,impaired_drivers,intersection_safety,pedestrian_safety,lighting,bicycle_safety	53/Lakeshore/Moss needs markings
89	87768d2f-f9af-44e8-80a5-b43c78b7 c1c3	5/12/2021 23:35	personal_vehicle	41_50	Yes_Traveled_less	pedestrian_safety,lighting,bicycle_safety,intersection_safety,Speeding,Lane_Departures,distracted_driving,impaired_drivers	Sidewalks must be installed along major walking corridors such as Hwy 53, Lakeshore and Olympic. Lighting is needed on many secondary arterial roads.
90	af1c5880-ef62-4052-83c8-7507aa0d 6f0d	5/12/2021 23:51	personal_vehicle	65+	Yes_Traveled_less	distracted_driving,bicycle_safety,impaired_drivers,intersection_safety,lighting,pedestrian_safety,Speeding,Lane_Departures	
91	f41b0257-0d4b-431e-85c0-8b39a5ee e39a	5/13/2021 0:23	personal_vehicle	65+	Yes_Traveled_less	Speeding,distracted_driving,impaired_drivers,intersection_safety,pedestrian_safety,bicycle_safety,lighting,Lane_Departures	The intersection of Phillips / Garner Avenue and 18th Avenue. Sometimes cars won't stop at that intersection and difficult to see on that hill. Phillips / Garner Avenue is 30 MPH and has become a race track (driving too fast).
92	bb6997ac-0f01-49cc-8d9d-3b13b842 8115	5/13/2021 0:30	personal_vehicle	51_65	Yes_Traveled_less	impaired_drivers,distracted_driving,lighting,Speeding,intersection_safety,Lane_Departures,pedestrian_safety,bicycle_safety	
93	15677cf7-7684-4aeb-8ddf-2a970977 c573	5/13/2021 1:40	personal_vehicle	31_40	Yes_Traveled_less	impaired_drivers,distracted_driving,intersection_safety,Lane_Departures,lighting,pedestrian_safety,Speeding,bicycle_safety	
94	50c51029-2a4b-4de4-8f8a-e19db194 4f68	5/13/2021 4:36	personal_vehicle	31_40	Yes_Traveled_less	impaired_drivers,intersection_safety,lighting,pedestrian_safety,distracted_driving,bicycle_safety,Speeding,Lane_Departures	
95	7d2a232b-01f8-4851-82e9-89e1aa4fd d1d	5/13/2021 12:22	personal_vehicle	31_40	No_Stayed_the_same	Speeding,pedestrian_safety,lighting,distracted_driving,impaired_drivers,intersection_safety,Lane_Departures,bicycle_safety	
96	a08f7ef5-d5c9-43e6-862e-922ed885 cc85	5/13/2021 12:23	personal_vehicle	51_65	No_Stayed_the_same	distracted_driving,impaired_drivers,Speeding,intersection_safety,pedestrian_safety,bicycle_safety,Lane_Departures,lighting	

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97	c31f9d8f-7312-4e04-860f-fcbd926c0a1d	5/13/2021 13:58	personal_vehicle	41_50	Yes_Traveled_more	lighting,distracted_driving,impaired_drivers,intersection_safety,Lane_Departures,Speeding,pedestrian_safety,bicycle_safety	
98	be9123cc-f909-4cad-86f8-1ae2ddb74824	5/14/2021 20:40	personal_vehicle	65+	Yes_Traveled_less	Speeding,bicycle_safety,distracted_driving,impaired_drivers,intersection_safety,lighting,pedestrian_safety,Lane_Departures	
99	0da4-41e3-83e3-645ef800abec	5/19/2021 3:08	personal_vehicle	31_40	Yes_Traveled_less	pedestrian_safety,lighting,distracted_driving,impaired_drivers,Speeding,intersection_safety,bicycle_safety,Lane_Departures	Country club drive, leading up to sulphur Bank road. Many potholes, uneven road, no road markings, speeding and no lighting to see pedestrian
100	06501cca-f178-43d3-89c1-575f7efabdd4	5/19/2021 21:00	personal_vehicle	21_30	No_Stayed_the_same	lighting,intersection_safety,pedestrian_safety,distracted_driving,impaired_drivers,Lane_Departures,bicycle_safety,Speeding	Add turnouts for passing to make road safer

Appendix D

Focus Area Strategy Tables



Bicycle & Pedestrian Safety							
Focus Area Strategy Table							
City of Clearlake Local Road Safety Plan							
Strategic Linkage							
Identified as one of sixteen Challenge Areas in the California Strategic Highway Safety Plan (SHSP) and a High Priority Challenge Area in the forthcoming update to Caltrans SHSP (based on Caltrans materials).							
Pedestrians/Vehicle crashes account for 23% of all fatal & serious injury crashes but just 9% of all crashes. Pedestrian safety ranked as the third highest safety concern from local residents on the public outreach survey. Bicycle safety ranked seventh out of eight.							
Objectives			Success Indicators				
Bicyclist & Pedestrian crashes, injuries, and fatalities are reduced.			Reduction in frequency of crashes, injuries, and fatalities of bicyclists & pedestrians in the City of Clearlake.				
Pedestrian crashes, injuries, and fatalities in marked crosswalks are eliminated.							
	Actions	Target Output	Responsible Parties (Secondary Parties)	Date of Completion	Performance Measures	Monitoring and Evaluation	Potential Funding Opportunities
Education	Safe Routes to School	Safe Routes to School plan created for local elementary and middle school with identified projects and recommended improvements	Lake Area Planning Council, City of Clearlake, Konocti Unified School District	Short-term / Medium-term	Short-term: ATP Application submitted for Safe Routes to School Plan (City of Clearlake) Medium-term: Safe Routes to School Plan completed for all eligible KUSD schools	Percentage of students biking & walking to school (gathered during safe routes to school plan and through annual evaluation / monitoring) Total Bicyclists & Pedestrians-involved fatal & serious injury crashes	ATP
	Bike Safety Education for Children	Bike safety instruction for Clearlake children through school or City program	City of Clearlake, Konocti Unified School District Lake Area Planning Council	Long-term	Short-term: Pilot bicycle safety program initiated at least one Konocti Unified School District affiliated school Long-term: Bicycle safety program incorporated into Physical Education curriculum across all Konocti Unified elementary schools	Percentage of students biking to school (gathered during safe routes to school plan and through annual evaluation / monitoring)	ATP, NHTSA 402
	Active Lighting / Conspicuity Enhancement	Make pedestrians & bicyclists in the City of Clearlake more visible at night to avoid collisions by providing free lighting equipment and retroreflective clothing	City of Clearlake Public Works & Police Department	Medium-term	Obtain high visibility / retroreflective materials for pedestrians through grant funding or standard procurement Provide high visibility / retroreflective materials for pedestrians at in-person events on a regular and on-going basis (at least semi-annually)	Percent of pedestrian crashes which occur outside of 'Daylight' lighting conditions	NHTSA 402 NHTSA 405(h)
	Share the Road & Pedestrian Safety Awareness Messaging	Increase driver awareness of pedestrian & bicyclist rights and needs on the roadway	City of Clearlake Public Works & Public Information	Short-term	Specific Bicycle & Pedestrian Safety focused outreach campaign funded (grant or existing funding) Implemented outreach campaign for full quarter (3 months)	Pedestrians and Bicyclist-involved crashes percent of all fatal & serious injury crashes	NHTSA 402
Enforcement	School Zone Enforcement	Increase driver awareness of school zone laws through increased enforcement at school zones and provide educational information with issued warnings	City of Clearlake Police Department, Konocti Unified School District	Short-term	Number of completed School Zone Enforcement days Provided educational materials to parents / drivers	Pedestrians and Bicyclist-involved crashes percent of all fatal & serious injury crashes	ATP, NHTSA 402

Bicycle & Pedestrian Safety (Continued)							
Focus Area Strategy Table							
City of Clearlake Local Road Safety Plan							
	Actions	Target Output	Responsible Parties (<i>Secondary Parties</i>)	Date of Completion	Performance Measures	Monitoring and Evaluation	Potential Funding Opportunities
Engineering	Systemic Pedestrian Crosswalks Near School	Pedestrian crosswalks implemented at select locations. See details in Appendix E.	Lake Area Planning Council & City of Clearlake	Short-term / Long-term	Short-term: Grant Application(s) completed Long-term: Constructed safety countermeasures	Percent of pedestrian crashes which occur at unsignalized intersections	HSIP, ATP
	Systemic Sidewalk	Sidewalks constructed in various locations throughout the City. See details in Appendix E.				Pedestrian involved crashes along roadway segments	HSIP, ATP
						Total pedestrian fatal & serious injury crashes	
	Roadway Improvements and Bicycle Lanes	Improve pavement and incorporate bicycle lanes and sidewalk. See details in Appendix E.				Total pedestrian fatal & serious injury crashes	HSIP, ATP
EMS	None identified.						

Intersection Safety							
Focus Area Strategy Table							
City of Clearlake Local Road Safety Plan							
Strategic Linkage							
Identified as one of sixteen Challenge Areas in the California Strategic Highway Safety Plan (SHSP) and a High Priority Challenge Area in the forthcoming update to Caltrans SHSP (based on Caltrans materials).							
Intersections account for approximately 32% of all fatal & serious injury crashes in the City of Clearlake and ranked as the fourth highest safety concern for residents based on the public outreach survey.							
Objectives			Success Indicators				
Crashes, injuries, and fatalities at signalized and non-signalized intersections are reduced.			Reduction in frequency of crashes, injuries, and fatalities at signalized and non-signalized intersections.				
	Actions	Target Output	Responsible Parties (Secondary Parties)	Date of Completion	Performance Measures	Monitoring and Evaluation	Potential Funding Opportunities
Education	None identified.						
Enforcement	Identified enforcement countermeasures in other focus areas also benefit Intersection Safety						
Engineering	Site Specific - Lakeshore Dr / Hwy 53 (Signalized)	Safety Improvements implemented at selected locations throughout the City, see additional details in Appendix E .	City of Clearlake Public Works Lake Area Planning Council	Short-term / Long-term	Short-term: Grant Application(s) completed Long-term: Constructed safety countermeasures	Number of total, serious injury & fatal crashes which occur at signalized & non-signalized intersections	HSIP
	Systemic Signalized Intersections						
	Systemic Unsignalized Intersections						
	Systemic Unsignalized Intersections and Roadways						
EMS	Evaluate emergency vehicle detection along priority emergency routes	Increase emergency vehicle detection and response times along priority routes	City of Clearlake Public Works	Medium-term	Emergency vehicle detection system installed along highest priority emergency routes	Number of corridors with emergency vehicle detection systems operational	HSIP*, Other
*If Emergency Vehicle involved crashes have occurred at the project location. If not, other funding necessary.							

Distracted Driving

Focus Area Strategy Table

City of Clearlake Local Road Safety Plan

Strategic Linkage

Identified as one of 16 Challenge Areas in the California Strategic Highway Safety Plan (SHSP).

Distracted driving was ranked as the highest safety concern for local residents based on the public outreach survey.

Objectives			Success Indicators				
Increased awareness of safety impacts of distracted driving. Implement successful public outreach and driver engagement efforts to increase awareness.			Reduction in annual citations for cellphone usage or other distracted driving Reduction in Young Driver (Ages 15-20) involved crashes				
	Actions	Target Output	Responsible Parties (Secondary Parties)	Date of Completion	Performance Measures	Monitoring and Evaluation	Potential Funding Opportunities
Education	Distracted Driving Public Outreach Campaign	Local distracted driving messaging campaign using a variety of media outlets	City of Clearlake - Public Works & Police Lake Area Planning Council	Medium-term	1. Grant funding obtained for specific Distracted Driving outreach campaign 2. Implemented outreach campaign for full quarter (3 months)	Total fatal & serious injury crashes involving distracted driving (cellphone usage, or other distraction)	NHTSA 402, NHTSA 405(e)
Enforcement	High-Visibility Cell Phone / Text Messaging Enforcement Campaign	Conduct high visibility enforcement program, contingent on staff resources, to increase awareness of enforcement efforts and to provide citations as needed. May be combined with High Visibility Enforcement programs from other Focus Areas.	City of Clearlake - Police Department	Short-term / Medium - Term	Short-term: Grant funding obtained for increased High Visibility Enforcement Program Medium-term: High Visibility Enforcement Program established & implemented quarterly	Total fatal & serious injury crashes involving distracted driving (cellphone usage, or other distraction) Number of distracted driving or distracted driving related violations issued during High Visibility program and annually	CTFGP, NHTSA 402, NHTSA 405(e)
Engineering	Engineering projects for Pedestrian / Bicycle Safety, Intersection Safety, and Lane Departures will contribute to improvements to Distracted Driving						
EMS	None identified.						

Impaired Driving							
Focus Area Strategy Table							
City of Clearlake Local Road Safety Plan							
Strategic Linkage							
Identified as one of sixteen Challenge Areas in the California Strategic Highway Safety Plan (SHSP) and a High Priority Challenge Area in the forthcoming update to Caltrans SHSP (based on Caltrans materials).							
Impaired driving, or Driving/Bicycling under the influence, was the third most common Primary Collision Factor for fatal & serious injury crashes and ranked as the second highest safety concern for residents through the public outreach survey.							
Objectives			Success Indicators				
Alcohol/drug involved crashes, injuries, and fatalities are reduced.			Reduction in frequency of crashes, injuries, and fatalities involving alcohol and drugs.				
	Actions	Target Output	Responsible Parties (Secondary Parties)	Date of Completion	Performance Measures	Monitoring and Evaluation	Potential Funding Opportunities
Education	Drunk & Impaired Driving Awareness Campaign	Reduced number of alcohol-involved serious injuries and fatalities	City of Clearlake Public Information & Police Department Lake Area Planning Council	Short-term	1. Specific Impaired Driving outreach campaign funded (Grant or existing funding) 2. Implemented outreach campaign for full quarter (3 months)	Total Alcohol-involved fatal & serious injury crashes	NHTSA 402, NHTSA 405(e)
Enforcement	Passive Alcohol Sensors (PAS)	Equip officers with Passive Alcohol Sensors to increase efficiency of Alcohol Checkpoints and normal traffic stops	City of Clearlake Police Department, Clearlake Public Works Lake Area Planning Council	Medium - Term	1. Grant funding obtained for PAS units to correspond with Publicized Sobriety Checkpoints	Annual number of alcohol/drug-involved crashes Annual DUI Arrests	NHTSA 402, NHTSA 405(e)
	Publicized Sobriety Checkpoints	Highly publicized sobriety checkpoints conducted regularly to increase perceived risk of arrest for impaired driving			1. Grant funding obtained for increased DUI checkpoints 2. DUI Checkpoints publicized and conducted		CTFGP, NHTSA 402, NHTSA 405(d)
	High-Visibility Saturation Patrols	Focused patrols around specific areas where impaired-driving crashes are common as part of an on-going saturation program			1. Grant funding obtained for increased High Visibility Enforcement Program 2. High Visibility Enforcement Program established & implemented quarterly	Annual alcohol/drug-involved fatal & serious injury crashes	CTFGP, NHTSA 402, NHTSA 405(d)
Engineering	None identified						
EMS	None identified						

Roadway & Intersection Lighting							
Focus Area Strategy Table							
City of Clearlake Local Road Safety Plan							
Strategic Linkage							
A total of 30% of all fatal & serious injury crashes and 75% of fatal pedestrian crashes occurred during non-daylight hours.							
Objectives			Success Indicators				
Crashes, injuries, and fatalities during 'Dark' or 'Dusk' lighting conditions are reduced.			Reduction in frequency of crashes, injuries, and fatalities during 'Dark' or 'Dusk' conditions.				
Higher roadway and intersection illumination			Achieve higher level of illumination at high crash frequency intersections				
	Actions	Target Output	Responsible Parties (Secondary Parties)	Date of Completion	Performance Measures	Monitoring and Evaluation	Potential Funding Opportunities
Education	None identified						
Enforcement	None identified						
Engineering	Perform lighting analysis at select locations, starting with those with nighttime crashes, or suspected to have poor lighting	Identified list of locations, potential HSIP project	City of Clearlake Public Works	Short-Term	All locations with crash during 'Dark' Conditions evaluated	Number of completed lighting studies	Public Works Operational Funding
EMS	Identified countermeasures under other E's will also benefit Emergency Response Safety						

Speeding							
City of Clearlake Local Road Safety Plan							
Focus Area Strategy Table							
Strategic Linkage							
Speed management / Aggressive driving is one of sixteen Challenge Areas in the California Strategic Highway Safety Plan (SHSP) and a High Priority Challenge Area in the latest Caltrans SHSP							
'Unsafe Speed' was the most common Primary Collision Factor (PCF) for serious injury & fatal crashes and for all crashes.							
Objectives			Success Indicators				
Reducing speeding and other aggressive driving behaviors			Serious injury & fatal crashes involving 'Unsafe Speed' are reduced.				
	Actions	Target Output	Responsible Parties (Secondary Party)	Date of Completion	Performance Measures	Monitoring and Evaluation	Potential Funding Opportunities
Education	Speed Kills Campaign	Conduct public outreach campaign about the importance of driving the speed limit and the impact just 5 mph can have on the severity of a crash	City of Clearlake Public Works & Public Information Lake Area Planning Council	Short-term	1. Grant funding obtained for specific Speeding focused outreach campaign 2. Implemented outreach campaign for full quarter (3 months)	Total, fatal & serious injury crashes involving 'Unsafe Speed' Primary Collision Factor	NHTSA 402, NHTSA 405(e)
Enforcement	Targeted Speed Enforcement Program	Reduced speeding issues along select corridors through regular and targeted enforcement patrols	City of Clearlake Public Works Lake Area Planning Council	Medium-term	1. Grant funding obtained for Targeted Speed Enforcement Program 2. Targeted Speed Enforcement implemented quarterly along at least three corridors for a full calendar year.	Total, fatal & serious injury crashes involving 'Unsafe Speed' Primary Collision Factor	NHTSA 402, NHTSA 405(e)
Engineering	Systemic Speeding Management Project	Dynamic Speed Signs and/or portable trailers to inform motorist of speeding. See details in Appendix E.	City of Clearlake Public Works Lake Area Planning Council	Long-term	Short-term: HSIP Grant Application(s) completed Long-term: Constructed safety countermeasures through successful HSIP or other grant(s)	Total, fatal & serious injury crashes involving 'Unsafe Speed' Primary Collision Factor	HSIP, NHTSA 402
EN	None identified.						

Lane Departures

Focus Area Strategy Table City of Clearlake Local Road Safety Plan

Strategic Linkage

Identified as one of sixteen Challenge Areas in the California Strategic Highway Safety Plan (SHSP) and a High Priority Challenge Area in the forthcoming update to Caltrans SHSP (based on Caltrans materials).

Lane departure type crashes (head-on, sideswipe, hit-object, overturned) accounted for 50% of all fatal & serious injury crashes

Objectives			Success Indicators				
Lane Departure type crashes (Head-on, sideswipe, hit object, and overturned) resulting in injuries, and fatalities are reduced.			Reduction in frequency of lane departure type crashes resulting in injuries, and fatalities.				
	Actions	Target Output	Responsible Parties (Secondary Parties)	Date of Completion	Performance Measures	Monitoring and Evaluation	Funding Opportunities
Education	None identified.						
Enforcement	None identified.						
Engineering	Systemic Roadway	Improve road visibility and friction. See details in Appendix E .	City of Clearlake Public Works	Short-term / Long-term	Short-term: Grant Application(s) completed Long-term: Constructed safety countermeasures	Lane departure crashes (head-on, sideswipe, hit object, and overturned) percent of all fatal & serious injury crashes Total lane departure type fatal & serious injury crashes	HSIP, CMAQ
EMS	None identified.						

Appendix E

Potential Engineering Projects



Potential Projects Overview – Clearlake LRSP

1. Intersection Safety – Site Specific - Lakeshore Drive/ 40th / Hwy 53 – Signalized Intersection

Project Description

The potential project is to improve the overall visibility of the intersection and crosswalks with enhanced striping and pavement markings and evaluate the signal timing parameters to determine if modifications or a leading pedestrian interval would improve safety.

Reason for Inclusion

This intersection was tied for the highest number of crashes and had one fatal crash. Two crashes involved a pedestrian.

No major risk factors were noted at the intersection. The intersection has signal ahead warning signs, a pedestrian countdown signal, and the signal heads have backplates. The pedestrian crosswalks and stop bars should be enhanced, and the signal timing should be evaluated (phasing, clearance times, etc) to determine if modifications or a leading pedestrian interval should be implemented.



Lakeshore Drive / SR 53

Countermeasures selected (up to 3 per HSIP application)

No.	Type	Countermeasures Name	Crash Type	CRF	Expected Life Years	HSIP Funding Eligibility	Systemic Approach Opportunity
S03	Signal Modification	Improve signal timing (coordination, phases, red, yellow, or operation)	All	15%	10	50%	Very High
S18PB	Ped and Bike	Install pedestrian crossing	P & B	25%	20	100%	High
S21PB	Ped and Bike	Modify signal phasing to implement a Leading Pedestrian Interval (LPI)	P & B	60%	10	100%	Very High
S09	Operation/ Warning	Install raised pavement markers and striping (through intersection)	All	10%	10	100%	Very High

Lakeshore Drive improvements from Olympic Drive to Hwy 53 are included in the 2017 RTP. Any safety improvements should be coordinated with planned roadway/intersection improvements.

Preliminary Costs, BCR and HSIP Potential

Project costs are low, and given the crash history, the BCR is high. Therefore, the project has high HSIP funding potential. However, the overall project cost may require an exception for HSIP application minimum funding of \$100,000. If a standalone project is not practical, this intersection should be combined with the systemic signalized intersection project.

2. Intersection Safety – Systemic Signalized Intersections

Project Description

Improve signal visibility with backplates, new striping/ reflectors and additional advanced warning signs.

Intersections, Reasons for Inclusion, and Risk Factors

Hwy 53 / 18th Avenue

Top intersection for crashes – 4 total, 1 fatal. No major risk factors were noted at the intersection. Stop bars could be enhanced, additional warning signs/ flashing beacons would heighten awareness of an upcoming signal, and the signal timing should be reviewed (phasing, clearance times, etc) to determine if modifications are needed. A raised pedestrian refuge island would allow for a two-stage crossing, although no pedestrian crashes are recorded at this intersection. This intersection is Caltrans owned and operated and is included in a project which includes signal re-timing and coordination. This intersection is also recommended to add east and westbound left-turn lanes and a northbound right-turn lane as part of the *SR 53 Corridor Study*.



Hwy 53 / 18th Avenue

Any safety improvements should be planned in coordination with capacity improvement projects.

Old Hwy 53 / SR 53 / Dam Road

Top intersection for crashes – 4 total, 2 serious. No major risk factors were noted at the intersection. Stop bars could be enhanced, additional warning signs / flashing beacons would heighten awareness of an upcoming signal, and the signal timing should be reviewed (phasing, clearance times, etc) to determine if modifications are needed. It is noted that this intersection is in proximity (less than 500') from the Dam Road/ Dam Road Extension intersection that is planned to be converted to a roundabout.

Olympic Drive / Burns Valley Road / Old Hwy 53

Top intersection for crashes – 2 total, 1 fatal. This intersection exhibited signs of worn pavement and striping. Power lines appear to partially obstruct views of signal heads, pedestrian crosswalks were faded, and signal heads lacked back plates.

Other intersections with similar characteristics may be added for a systemic application.

Countermeasures selected (up to 3 per HSIP application)

No.	Type	Countermeasures Name	Crash Type	CRF	Expected Life Years	HSIP Funding Eligibility	Systemic Approach Opportunity
S03	Signal Modification	Improve signal timing (coordination, phases, red, yellow, or operation)	All	15%	10	50%	Very High
S09	Operation / Warning	Install raised pavement markers and striping (through intersection)	All	10%	10	100%	Very High
S10	Operation / Warning	Install flashing beacons as advance warning (S.I)	All	30%	10	100%	High
S02	Signal Modification	Improve signal hardware: lenses, back plates with retroreflective borders, mounting, size, and number	All	15%	10	100%	Very High

Preliminary Costs, BCR and HSIP Potential

Project costs are medium, depending on the countermeasures selected for each intersection. Given the crash history, the BCR estimate and HSIP potential for funding are high.

3. Intersection Safety – Systemic Unsignalized Intersections

Project Description

Improve intersection visibility with additional signage, flashing beacons and upgraded pavement markings. Slow traffic using traversable rumble strips or speed tables as appropriate.

Intersections, Reasons for Inclusion, and Risk Factors

Old Hwy 53 / Austin Road

Top crash location - 5 total (tied for highest), 1 serious injury. This intersection had worn pavement and striping. Utility poles are located near the intersection, the sidewalk on the east side ends at the intersection, and sidewalks do not exist on the west side. Site distance appears to be partially obstructed due to the roadway curve.

Austin Road / Cypress Drive

Top crash location - 3 total, 1 injury. This intersection has poor pavement conditions, no striping, vegetation and utility poles near the intersection, and the intersection is offset. Pavement conditions would need to be improved prior to striping improvements.

Old Hwy 53 / SR 53

Top crash location - 3 total, 1 injury. The intersection could benefit from advanced signage and/or oversized stop signs for increased visibility. A pedestrian crossing is not appropriate unless sidewalks or a multiuse path are constructed.

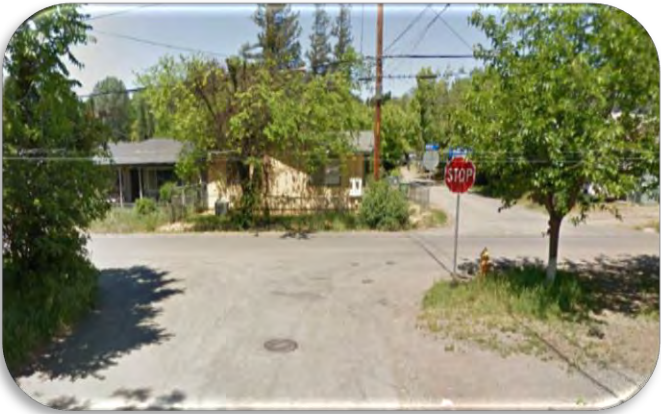
Phillips / 18th

Top crash location with 2 total crashes. The intersection was recently updated with signage; however, the striping is faded.

Other intersections with similar characteristics may be added for a systemic application.



Old Hwy 53 / Austin Rd



Austin Road / Cypress Drive

Countermeasures selected (3 per HSIP application)

No.	Type	Countermeasures Name	Crash Type	CRF	Expected Life Years	HSIP Funding Eligibility	Systemic Approach Opportunity
NS06	Operation / Warning	Install/upgrade larger or additional stop signs or other intersection warning/regulatory signs	All	15%	10	100%	Very High
NS07	Operation / Warning	Upgrade intersection pavement markings (NS.I.)	All	25%	10	100%	Very High
NS08	Operation / Warning	Install Flashing Beacons at Stop-Controlled Intersections	All	15%	10	100%	High
NS10	Operation/ Warning	Install transverse rumble strips on approaches	All	20%	10	90%	High
NS11	Operation / Warning	Improve sight distance to intersection (Clear sight triangles)	All	20%	10	90%	High

Speed tables will be considered to slow traffic as appropriate; these are not HSIP eligible.

Preliminary Costs, BCR and HSIP Potential

The project costs are expected to be relatively low, and the BCR and HSIP potential is high given the crash data.

4. Intersection Safety and Lane Departures – Systemic Unsignalized Intersections and Roadways

Project Description

Bring the roadway network and intersections up to standards in the area referred to as the “Avenues.” The project would be to improve pavement conditions and install stop signs at intersections.

Intersections, Reasons for Inclusion, and Risk Factors

The area referred to as “the Avenues” is bordered by Pine Avenue to the west, Parker Avenue to the east, 45th Avenue to the north and 18th Avenue to the south. This area has sections of poor pavement conditions, gravel roads and lacks stop signs at some intersections. The crash data analysis shows sporadic crashes in this area, some with injuries.

Preliminary Costs, BCR and HSIP Potential

Costs are to be determined; the project is not expected to be a candidate for HSIP funding.



The Avenues

5. Pedestrian and Bicycle Safety - Systemic Pedestrian Crosswalks Near School

Project Description

Install or upgrade pedestrian crossings near schools. These locations are included in the *Lake Walks Study*.

Intersections, Reasons for Inclusion, and Risk Factors

Arrowhead Road / Ciwa Street

This intersection had 1 fatal pedestrian crash, no pedestrian facilities (crosswalks or sidewalks) and the intersection is near a school. Sidewalks should be installed prior to constructing pedestrian crosswalks.

Arrowhead Road / Halika Street

This intersection had 1 injury pedestrian crash, no pedestrian facilities (crosswalks or sidewalks) and the intersection is near a school. Sidewalks should be installed prior to constructing pedestrian crosswalks.

Old Hwy 53 / Airport Road

This intersection had 1 serious injury pedestrian crash, no pedestrian crosswalks and sidewalks are non-continuous. A pedestrian crosswalk and sidewalks exist approximately 150' away at the school.



Crosswalk near Old Hwy 53 / Airport Road

Olympic Drive / Pine Street

This intersection had 1 fatal pedestrian crash, has a striped continental style crosswalk that could be enhanced with additional safety features, and the intersection is near a school. Bicycle lanes are present on this roadway.

Olympic Drive / Maple Street

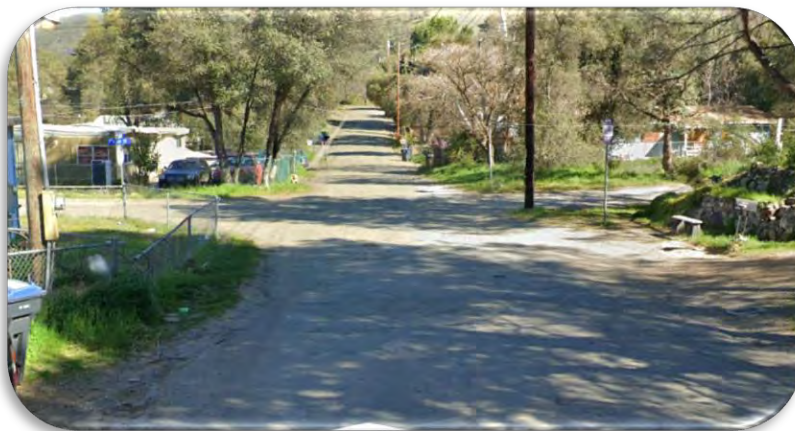
This intersection had 1 injury bicycle crash, no pedestrian facilities, and the intersection is near a school. Bicycle lanes are present, and the sidewalk is discontinuous on the south side. The sidewalk network may need to be upgraded prior to constructing pedestrian crosswalks.

It is noted that crosswalks should be installed/upgraded at the most beneficial locations, and not necessarily where a crash occurred. If an adjacent location is more practical to construct a crosswalk this provides a safety benefit for the surrounding area.

Other locations may be added as identified. Several additional intersections had pedestrian or bicycle related crashes but may not be appropriate for crosswalk installation given the roadway conditions and/or sidewalk connectivity:

- Old Hwy 53 / Austin Road
- Austin Road / Cypress Drive

- Old Hwy 53 / SR 53
- Mullen Avenue / Pearl Avenue
- Bush Street / 9th Street
- Old Hwy 53 / Cypress Avenue
- Old Hwy 53 / Putnam Lane
- Phillips Avenue / 40th Avenue
- Second Street / Bush Street



Countermeasures selected

Bush Street / 2nd Street

No.	Type	Countermeasures Name	Crash Type	CRF	Expected Life Years	HSIP Funding Eligibility	Systemic Approach Opportunity
NS21PB	Ped and Bike	Install/upgrade pedestrian crossing at uncontrolled locations (with enhanced safety features)	P & B	35%	20	100%	Medium

In addition, Rectangular Rapid Flashing Beacons (RRFB's) may be added if warranted. Other countermeasures such as signage, flashing beacons or pavement markings for school zone awareness may also be included.

Preliminary Costs, BCR and HSIP Potential

The BCR and HSIP potential is high given estimated costs and crash data. The costs would be higher to include constructing sidewalk segments.

6. Pedestrian and Bicycle Safety - Systemic Sidewalk

Project Description

Install sidewalks and/or fill in missing segments to compliment #5. *Systemic Pedestrian Crosswalks Near School*. These projects may be combined.

Roadways, Reasons for Inclusion, and Risk Factors

Arrowhead Road, Old Hwy 53 near Airport Road, Olympic Drive near schools. These locations had pedestrian-involved crashes and are included in the *Lake Walks Study*.



Arrowhead Road / Ciwa Street near Pomo Elementary School

Countermeasures selected

No.	Type	Countermeasures Name	Crash Type	CRF	Expected Life Years	HSIP Funding Eligibility	Systemic Approach Opportunity
R34PB	Ped and Bike	Install sidewalk / pathway (to avoid walking along roadway)	P & B	80%	20	90%	Medium

Preliminary Costs, BCR and HSIP Potential

The cost and HSIP potential to be determined depending on the length of sidewalks needed. This may be combined with project #5. *Pedestrian and Bicycle Safety - Systemic Pedestrian Crosswalks Near School*.

7. Lane Departures - Systemic Roadway

Project Description

Improve road visibility and guide motorists to stay in their lane.

Roadways, Reasons for Inclusion, and Risk Factors

Old Highway 53- 2 serious injury crashes, 16 total crashes, top 5 crashes per mile, top segment for non-intersection crashes. In general, the roadway has curves and somewhat faded striping and bicycle lanes.



Roadway Reflector

Lakeshore Drive - 3 serious injury crashes, 12 total crashes, top segment for non-intersection crashes. In general, the roadway is lined with commercial driveways, has faded striping and bicycle lanes.

Olympic Drive - 2 fatal crashes, 8 total crashes, top 5 crashes per mile, top segment for non-intersection crashes. The roadway has curves, some sections of worn pavement and/or striping and missing sidewalks.

18th Avenue - 2 serious injury crashes, 5 total crashes, top 5 crashes per mile, top segment for non-intersection crashes. This roadway has vertical curves and is a straight roadway with few intersection stops which may contribute to higher speeds, and some sections of worn pavement. A significant portion of the roadway was recently improved with new pavement, striping, bicycle lanes and additional signage.

Countermeasures selected (up to 3 per HSIP application)

No.	Type	Countermeasures Name	Crash Type	CRF	Expected Life Years	HSIP Funding Eligibility	Systemic Approach Opportunity
R22	Operation / Warning	Install / Upgrade signs with new fluorescent sheeting (regulatory or warning)	All	15%	10	100%	Very High
R27	Operation / Warning	Install delineators, reflectors, and/or object markers	All	15%	10	100%	Very High
R28	Operation / Warning	Install edge-lines and centerlines	All	25%	10	100%	Very High
R30	Operation / Warning	Install centerline rumble strips/stripes	All	20%	10	100%	High

Preliminary Costs, BCR and HSIP Potential

The cost is to be determined based on the length of roadways and number of signs. The BCR and HSIP potential is medium-high given the crash data.

8. Lighting – Systemic Lighting Project

Project Description

Consider evaluation of lighting conditions at locations with nighttime crashes or any roadways with potentially insufficient lighting. Upgrade illumination at any locations found to have low levels.

Roadways, Reasons for Inclusion

The locations with nighttime crashes are shown in **Figure 1**. This alone does not indicate a lighting deficiency but rather to consider evaluating the conditions.



Roadway Lighting

Countermeasures selected

For locations with low levels of lighting, Countermeasures RSO1, NS01, S01 should be pursued for funding.

Preliminary Costs, BCR and HSIP Potential

The costs, BCR and HSIP potential would be determined after evaluation of lighting levels.

9. Speeding – Systemic Speed Project

Project Description

Perform speed analyses and deploy portable speed trailers or dynamic/ variable speed warning signs throughout Clearlake at locations identified in the data and public comments.

Countermeasures selected

No.	Type	Countermeasures Name	Crash Type	CRF	Expected Life Years	HSIP Funding Eligibility	Systemic Approach Opportunity
R26	Operation / Warning	Install dynamic/variable speed warning signs	All	30%	10	100%	High

And/or portable speed trailers.

Preliminary Costs, BCR and HSIP Potential

The costs, BCR and HSIP potential are to be determined depending on the roadways found to have excessive speeding.



Variable Speed Sign



Portable Speed Trailer

10. Community-Wide Roadway, Bicycle and Pedestrian Improvements

Project Description

Several areas throughout the city were noted to have worn pavement conditions and lacked sidewalks and bicycle lanes. Sporadic crash locations with pedestrian and bicycle crashes were noted in these areas as indicated in project #5. **Pedestrian and Bicycle Safety - Systemic Pedestrian Crosswalks Near School.** As roadways are improved overtime, consideration should be given to including sidewalks and/or bicycle lanes as appropriate, particularly on roadways identified in the *Lake Walks Study*.

Preliminary Costs, BCR and HSIP Potential

The project costs are to be determined. There is potential for HSIP funding for pedestrian crosswalks, sidewalks and/or bicycle lanes to be incorporated into roadway pavement rehabilitation projects.



Priority Projects for Clearlake from *Lake Walks Study*

Appendix F

HSIP Analyzer Manual and Countermeasure Table



HSIP ANALYZER MANUAL

(FOR BCR APPLICATIONS)

HSIP Analyzer is a PDF form-based software that streamlines the process of cost estimate, safety improvement countermeasure evaluation, crash data input and Benefit Cost Ratio (BCR) calculation. The use of the HSIP Analyzer is required for all applications for Highway Safety Improvement Program (HSIP) Cycle 10 Call for Projects. The completed HSIP Analyzer is one of the required attachments to the HSIP Application Form (Attachment No. 5, last page of the application form).

There are two HSIP application categories: BCR and Funding Set-asides. **This manual provides instructions for using the HSIP Analyzer to prepare a BCR application. Please use the other manual for Funding Set-aside Applications.**

Please review these instructions thoroughly before you start to prepare a BCR application.

For more information regarding the HSIP program, please review the HSIP Guidelines, Local Roadway Safety Manual for California Local Road Owners and other related information at <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/highway-safety-improvement-program>.

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For an application that needs a BCR, the HSIP Analyzer consists of the below sections:

➤ **General Information**

Provides Application ID, Project Location, Project Description, type of project locations (signalized intersections, non-signalized intersections or roadways), safety countermeasures to be applied, estimated project schedule and other general information.

➤ **Section I: Construction Cost Estimate and Cost Breakdown**

Provides estimate for construction items, determines the project's maximum Funding Reimbursement Ratio (FRR).

➤ **Section II: Project Cost Estimate**

Provides the cost estimate for the entire project, including all phases (PE, ROW, CON and CE). Also determines the requested HSIP funding amount.

➤ **Section III. Crash Data**

Provide crash data for the purpose of calculating the project benefit in Section IV.

➤ **Section IV. Calculation and Results**

Calculate the project benefit, the BCR and provide calculation result summaries. Errors are displayed in lieu of calculation results if detected.

One BCR application may include one or multiple locations. Please note:

- All the locations in the application must be of the same type: Signalized Intersections (S), Non-Signalized Intersections (NS), or Roadways (R). For example, an application may have 5 Non-Signalized Intersections, but it cannot have 2 Non-Signalized Intersections, 1 Signalized Intersection and 2 roadway sections.
- All the locations in the application must receive the same proposed safety improvements, i.e. all the safety countermeasures (CMs) must be applied to all the locations. Up to three (3) safety countermeasures may be used in calculating the benefit of the project.

If the above criteria are not met, please break your proposed project into multiple applications. Applicants may consider combining the applications into one project during implementation if multiple applications of small sizes are selected for funding. The purpose of this requirement is to evaluate the locations of same characteristics with similar safety concerns together and justify the selection of the locations based on their own expected safety benefits.

Example:

A project includes 20 signalized intersections. CMs "Add Intersection Lighting" (S01) and "Install pedestrian countdown signal heads" (S17PB) will be applied to all 20 intersections. If for another set of 12 intersections only CM S17PB will be installed since lighting exists, these 12 intersections should have a separate application.

Exception 1: If your project has only very few locations that the situation is different from the majority, you may include all locations in one application. Multiple HSIP Analyzer files will be needed if the project includes locations/sites of different types (S, NS and R). Please attach all your HSIP Analyzer files to the application form. Please sum the benefits and calculate the application's BCR as (Total benefits/Total Project Cost). Enter the BCR into the application form.

Example:

A project includes 20 signalized intersections. CMs "Add Intersection Lighting" (S01) and "Install pedestrian countdown signal heads" (S17PB) will be applied to all 20 intersections. If you have 2 more intersections that only CM S17PB will be applied, you may include all 22 intersections in one application. Since all locations are of the same type (S), only one HSIP Analyzer file is needed.

Exception 2: If your project proposes corridor safety improvements which may include a number of signalized intersections, non-signalized Intersections, and roadway sections, you may include all locations in one application which then needs multiple HSIP Analyzer files. All HSIP Analyzer files pertaining to your application must be attached to the last page of the application form. Please sum the benefits and calculate the application's BCR manually as (Total benefits/Total Project Cost). Enter the BCR into the application form.

Exception 3: If your project uses a systemic approach, you may include all locations in one application though the proposed safety improvements may be different. For example, for a project that includes many curve road segments that have an existing or potential roadway-departure crash problem, all road segments can be in one application, though the safety countermeasures may vary. Since all locations are of the same type (R), only one HSIP Analyzer file is needed. Please note the maximum number of safety countermeasures allowed in one HSIP Analyzer file is 3.

General Information

Application ID: Enter the exact Application ID from the Application Form, e.g. 03-Sacramento-1.

Save the completed HSIP Analyzer as file name “HA” + Application ID before you attach it to the last page of the Application Form (e.g. "HA03-Sacramento-1.pdf").

If your application has multiple HSIP Analyzer files (this is rare), please use different file names and attach all to the application form. [See the previous page for more explanation.](#)

Project Location: Enter (copy & paste) the exact Project Location from the Application Form.

Project Description: Enter (copy & paste) the exact Project Description from the Application Form.

Application Category, Location Type and Countermeasures:

- Select “Benefit Cost Ratio (BCR)” from the drop-down list;
- Select the location type (“Signalized Intersections”, “Non-Signalized Intersections” or “Roadway Sections”). only countermeasures (CMs) pertaining to the selected location type will be displayed in the below drop-down lists for CM selection.
- Number of Intersections and Miles of Roadway: provide number of intersections (if (“Signalized Intersections” or “Non-Signalized Intersections” is selected above) or the length of roadways (if “Roadway Sections” is selected above).
- Select number of countermeasures for the project (1, 2 or 3); and
- Select the name for each countermeasure.

The countermeasures selected here will be populated in Section I (Construction Cost Estimate and Cost Breakdown) and Section III (Crash Data).

If an error message is displayed at the bottom of this page, the message must be cleared before proceeding to the next page. An error message will be displayed if one of the following specific CM rules is violated:

- 1) S08 and S02 should not be selected together.

S08 (“Convert signal to mast arm (from pedestal-mounted)”) and S02 (“Improve signal hardware: lenses, back-plates, mounting, size, and number”) should not be selected together as the work of S02 is considered part of CM S08.

- 2) Any of the below CMs should not be selected in combination with any other CMs:

- S16 - Convert intersection to roundabout (from signal);
- NS03 - Install signals;
- NS04 - Convert intersection to roundabout (from all way stop);
- NS05 - Convert intersection to roundabout (from stop or yield control on minor road).

Project information

Most of the information requested in this session is required for Caltrans to meet its annual safety program reporting requirements to the FHWA. Responses to these questions will NOT be used in the scoring, ranking or selection process. The responses will be incorporated in statewide and national safety program assessments and used to determine the health of the overall program and potential areas of focus for future program improvements.

Some of the questions are self-explanatory so not all questions are explained here.

Functional Classification (FC):

Visit <https://dot.ca.gov/programs/research-innovation-system-information/office-of-highway-system-information-performance>, click “California Road System (CRS) maps” in the middle of the webpage, and determine the Functional Classification (FC) of the road(s) where most of the work will be constructed. If the amounts of work are equal among multiple FCs, use the highest FC. Select the FC from the drop-down list.

Urban/Rural Area:

Select “Urban” or “Rural” from the drop-down list, when most of the proposed work is in urban or rural area.

What is the approximate total cost percentage that is HR3 eligible?

Work in **rural** area and associated with roads functionally classified as “Major Collector”, “Minor Collector” and/or “Local”, is High-Risk-Rural-Roads (HR3) eligible. HR3 eligible projects, when selected for funding, will be tracked separately due to the FHWA’s special requirements. Provide an approximate total cost percentage that is HR3 eligible (rounded to the nearest ten percent).

Annual Average Daily Traffic and Year Collected:

Indicate the existing (or most current) Annual Average Daily Traffic (AADT) volume at the project location and the year the data were collected.

- If the proposed improvement is on a road segment, the AADT is the number of vehicles that use that section of roadway, in both directions, on an average day. You may enter the same number for the Major Road and Minor Road.
- If the proposed improvement is at an intersection, separate the AADT volumes approaching the intersection into Major Road and Minor Road.
- If the proposed improvements span a large distance and/or are spread out over several routes/locations, provide the range of AADT volumes with the high-end input in the "Major Road" field and the low-end input in the "Minor Road" field.

Posted Speed Limit (mph):

Input the highest posted speed within the project limits.

SHSP Challenge Area:

The goal of this question is to tie the improvements to California’s Strategy Highway Safety Plan (SHSP). Most projects should fall within one of the Challenge Areas. Select the primary one if multiple Challenge Areas apply. Visit <https://dot.ca.gov/programs/traffic-operations/shsp> for more details on the California SHSP Challenge Areas.

Is the project focused primarily on “spot location(s)” or “systemic” improvements?

The [Local Roadway Safety Manual](#) includes a detailed description of these two approaches. When more than one type of systemic improvements is proposed in one application, applicants need to select a single “primary type”.

Approximate percentage of project cost going to improvements related to motorized travel:

HSIP projects benefit a mix of roadway users and modes of travel. For statewide tracking purposes, Caltrans needs to approximate the percent of the overall project costs going to improvements for motorized vs. non-motorized roadway users. Please make the best approximation of the percentage related to motorized travel based on the estimated project cost and the primary goals and objectives of the project.

Project Schedule:

The local agency is expected to deliver the project per [the HSIP Program Delivery requirements](#). The delivery requirements for HSIP Cycle 10 projects are: (1) Preliminary Engineering (PE) Authorization by 9/30/2021; and (2) Construction (CON) Authorization by 12/31/2023.

The exceptions are:

- The milestone of PE authorization does not apply if the project will not use the HSIP funds for PE;
- For a project that a consultant is used for the PE work, an additional time of 6 months is allowed for meeting the CON Authorization milestone. The additional time is for the agency to advertise and select the consultant for the work of the PE phase.

Please answer the below two questions:

- Will this project use HSIP funds for Preliminary Engineering (PE) Phase?
- Will an external consultant be hired to do the PE work?

Then specific delivery requirements for your proposed project, if selected for funding, will be displayed.

Please provide your best estimated dates for the following implementation milestones (leave blank if not applicable). Please make sure the proposed schedule will meet the above delivery requirements.

- PE Authorization Date;
- Environmental Clearance Date;
- Right of Way Clearance Date;
- Final PS&E Date;
- CON Authorization Date;
- Construction Contract Award Date;
- Construction Completion Date; and
- Project Close-Out Date.

Section I: Construction Cost Estimate and Cost Breakdown

The purpose of this section is to:

- o Provide a detailed engineer's estimate for construction items. The costs for other phases i.e. Preliminary Engineering (PE), Right of Way (ROW), and Construction Engineering (CE) will be accounted for in Section II.
- o Determine the maximum Funding Reimbursement Ratio (FRR) of the project.

I.1 Countermeasures (CMs) applied to all locations (from Page No. 1)

The CM information comes from Page No. 1.

I.2 Detailed Engineer's Estimate for Construction Items:

➤ **Table for Detailed Engineer's Estimate:**

The gray fields are calculated and read-only. Each line is for one construction item. Click + or – buttons to add a new line or delete an existing line.

In each line, enter the construction item description, quantity, unit, unit cost, and the cost percentages that are directly attributed to each of the countermeasures (CMs) and OS ("other safety-related components"). The remaining percentage is calculated and goes to NS ("non-safety-related components").

At the bottom of the table, an overall cost percentage will be calculated for each CM, OS and NS.

➤ **Contingencies:**

In general, not all project construction costs are well defined at the time the HSIP applications are prepared. For this reason, applicants are allowed to include Construction Item Contingencies as a percentage of the known construction costs. This is the only project contingencies allowed in an HSIP application. When applicants calculate their Preliminary Engineering (PE) and Construction Engineering (CE) costs as a percentage of the Total Construction Cost, contingencies will automatically be built into the PE and CE costs.

➤ **Total Construction Cost:**

The total construction cost is the sum of the construction item costs and the contingencies, rounded up to the nearest hundreds.

I.3 Funding Reimbursement Ratio

The project's maximum FRR is calculated as:

- The smallest of the Funding Eligibility (FE) percentages of the selected CMs, when the percentage of the non-safety-related components is no more than 10%;

For example, if the FEs of the 3 CMs are 100%, 90% and 100%, and the % of the non-safety-related components is 8%, the project's maximum FRR will be 90%.

- OR the smallest of the FE percentages of the selected CMs minus the percentage of the non-safety-related-components exceeding 10%, when the percentage of the non-safety related components is more than 10%.

For example, if the FEs of the 3 CMs are 100%, 90% and 100%, and the % of the non-safety-related components is 18%, the project's maximum FRR will be $90\% - (18\% - 10\%) = 82\%$.

After the completion of Section I, the following data will be transferred to Section II (Project Cost Estimate) automatically: (1) Total Construction Cost; and (2) Maximum Funding Reimbursement Ratio (FRR). FRR will be used as the maximum "HSIP/Total" percentage allowed in Section II.

Section II: Project Cost Estimate

Section II of the application form is used for the overall project cost estimate including all applicable phases, i.e. Preliminary Engineering (PE), Right of Way (ROW), Construction (CON), and Construction Engineering (CE). All project costs (all phases and funding sources) must be accounted for in this section.

The costs included in the application represent the likely total project cost necessary to fully construct the proposed scope. If the proposed project is a piece of a larger construction project, the entire scope of the larger project must be identified and included in this section even if substantial elements are to be funded by other sources. The Total Project Cost from this section will be used in the later Benefit Cost Ratio (BCR) calculation.

The following data are transferred to this section from Section I:

- Total Construction Cost;
- Maximum Funding Reimbursement Ratio (FRR), i.e. Maximum "HSIP/Total" percentage allowed for this project.

All the grey fields contain formulas and are read-only.

For each line in the table, enter the total cost (rounded up to the nearest hundred dollars) and the desired HSIP/Total Cost ratio. The desired HSIP/Total ratio cannot be more than the project's maximum FRR. You may click the "Set" button on top of the table to set all "HSIP/Total" percentages to the project's max FRR. The amounts of HSIP Funds and Local/Other Funds will be calculated by the form.

Check Box indicating Agency does NOT request HSIP funds for PE Phase:

If no HSIP funds for the PE Phase are requested, this Check Box will be checked automatically. This information will only be used for project delivery tracking. It will not affect the ranking or selection of applications for funding.

Automatic Data Validation:

Once all costs and ratios are entered, a message will appear if errors are detected, based on the below criteria. Please fix the errors unless justification for exceptions is provided in narrative question no. 3 in the Application Form.

- 1) The "HSIP Funds" for Construction Items may not be zero.
- 2) "HSIP Funds" for Preliminary Engineering may not exceed 25% of the HSIP Construction Cost.

Exception: for low cost systematic projects such as Roadway Safety Signing Audits (RSSA), Caltrans anticipates approving PE costs over 25%. For more information on this type of project, see the example document at [the HSIP website](#).

- 3) "HSIP Funds" for Right of Way may not exceed 10% of the HSIP Construction Cost.
- 4) "HSIP Funds" for Construction Engineering may not exceed 15% of the HSIP Construction Cost.
- 5) "HSIP Funds" may not exceed \$10,000,000.
- 6) To maintain efficiencies in the overall Program and Project Management, the "Total HSIP Funds" must be \$100,000 or more. If needed, agencies should consider extending the project limits and /or adding another safety improvement in order to increase both the total project Benefits and Costs.

Exception: (1) Caltrans recognizes that for some rural agencies with extremely small numbers of crashes, this \$100,000 minimum HSIP funding requirement may not be achievable without their applications having low B/C ratios, which may not be fundable. If an agency believes their jurisdiction falls into this category, they may request an exception to this \$100,000 minimum funding requirement through their District Local Assistance Engineer; (2) You may combine multiple applications (if selected for funding) in implementation so the combined project has more than \$100,000 of HSIP funds.

After the completion of the project cost estimate, "Total Project Cost" will be automatically transferred to Section IV (Calculation and Results).

Section III: Crash Data

The benefit of an HSIP safety project is achieved by reducing potential future crashes due to the application of the safety countermeasures (CMs). In this section, you will need to provide information regarding the historical crash data at the project sites.

Different CMs will reduce crashes of different types during the life of the safety improvements. Depending on the selected CMs for the application, you will be required to fill in one or more crash data tables, for any combination of the five crash types (datasets): "All" , "Night" , Ped& Bike", "Emergency Vehicle", and "Animal" (Each of the later four datasets is a sub-dataset of the "All" dataset.)

If a Roundabout CM (S16 or NS04 or NS05) is selected, additional information (such as roundabout configuration and ADT) is required.

Please refer to the [Local Roadway Safety Manual](#) for information.

Please answer the below two questions:

- Please indicate the sources of the crash data. Typical sources include Statewide Integrated Traffic Records System (SWITRS), UC Berkeley SafeTREC TIMS, your locally preferred mapping software (such as Crossroads) or any other data sources.
- Please explain how “incremental approach” has been pursued If CM R15, R16, R17 or R18 is proposed. Please skip this question of none of these CMs are being proposed.

Countermeasure R15 (Widen shoulder), R16 (Curve shoulder widening (outside only)), R17 (Improve horizontal alignment (flatten curves)) and R18 (Flatten crest vertical curve) are not eligible unless they are done as the last step of an "incremental approach". Applicants need to document they have already installed lower cost and lower impact CMs but the crash rate is unacceptably high. What safety improvements have been pursued and installed at the project sites within the last ten years?

Applicants need to demonstrate lower cost and lower impact CMs have already installed, such as signing/stripping upgrades to MUTCD standards/recommendations, rumble strips, improving pavement friction (High Friction Surface Treatment, or HFST), etc. You have already monitored the crash occurrences after these improvements were installed, and the 'after' crash rate is still unacceptably high. In addition, a summary of the 'before' and 'after' crash analysis is preferred and provided as the last attached to the HSIP Application Form).

If “incremental approach” has not been pursued while CM R15, R16, R17 or R18 is proposed, please explain why a special exception should be made to your application.

III.1: List of project locations

List all locations/sites included in this project. Please note all locations/sites must be of the location type as entered on page 1.

Location groups: all locations (sites) in the same group must have exactly the same safety countermeasures. No location (site) may be in multiple groups.

One location is pre-populated for each location group. Click “+” button to add a new line, or click “-” to delete an existing line. Enter a location description for each line.

The locations may be intersections or roadway sections, e.g. “Intersection of A St. and B St.”, “A St. between B St. and C St.”, etc. If your project has a large number of locations, please aggregate some locations into one description, e.g. 10 stop controlled intersections, 5 horizontal curves, etc., as long as they have similar features and the safety improvements to be implemented are the same. Please limit the number of rows in the table to no more than 25.

The locations in this list will be pre-populated in the crash data table(s) for each group in Section III.2.

Grouping example:

A project has 5 road segments. All 5 segments (A, B, C, D & E) utilize CM “Install curve advance warning signs” (R24). In addition, 3 of the 5 segments (C, D & E) utilize “Install edgeline rumble strips/strips” (R31) as well.

There will be 2 groups for this project:

Group 1: Segments A & B, with CM = R24 only;

Group 2: Segments C, D & E, with 2 CMs (R24 & R31).

Note: we cannot have only one group with all 5 segments, as that will imply all segments will be treated with both R24 and R31.

III.2: Countermeasures and crash data

- 1) Countermeasures to be applied: The CM information is pre-populated from the inputs on page 1. Each CM has a corresponding crash type that the CM targets. The crash types are: “All”, “Night”, “Ped & Bike”, “Emergency Vehicle” and “Animal”. Each of the later four is a subset of the first. Based on the CMs for the project, only the tables for the required crash data types are displayed.

Note: If a “roundabout” CM, i.e. S16, NS04 or NS05 (CM ID), is used, the below information is required as the benefit calculation for roundabouts is different from the other CMs.

- Project location: “Urban” or “Rural” (select from dropdown list)
 - Intersection type: “Full Intersection” or “T intersection” (select from dropdown list)
 - Roundabout: “1 lane” or “2 lanes” (select from dropdown list)
 - Average Daily Traffic (ADT), Major Road: ADT on the major road of the intersection
 - Average Daily Traffic (ADT), Minor Road: ADT on the cross road of the intersection
- 2) Enter the date range of the crash data. The crash data time period must be a minimum of 3 years and a maximum of 5 years. The most recent available crash data must be used.
 - 3) Based on the CMs that are selected, crash data tables of the required categories (“All”, “Night”, “Ped & Bike”, “Emergency Vehicle”, and “Animal”) are displayed for data entry.

Important information regarding countermeasures and crash data

Below is more information and explanations regarding countermeasures and crash data. Please read and make sure the data provided are correct. Past HSIP calls for projects indicated that the most flaws found in disqualified applications are related to misapplication of countermeasures and miscounting of crash data.

Safety Countermeasures vs. Crash Data Tables

A total of 82 countermeasures are available to be utilized in the HSIP Analyzer. Different countermeasures may target different crash types. For example, installing a new signal at an intersection intends to reduce crashes of all types, while installing pedestrian countdown signal heads only reduces crashes related to pedestrians and bicyclists (Ped & Bike), and adding intersection lighting targets crashes at night only.

For the use of the HSIP Analysis, there are 5 different crash types: “All”, “Night”, “Ped & Bike”, “Emergency Vehicle” and “Animal”. Each of the later four datasets is a sub-dataset of the “All” dataset. Refer to the Appendix for more information. In the 82 countermeasures listed in the Appendix, 59 are for crashes of all types, 18 for Ped&Bike crashes, 3 for night crashes, 1 for crashes with emergency vehicles, and 1 for crashes with animals involved.

Depending on the selected countermeasures, you will be required to fill in one or more crash data tables, for one or a combination of the five crash types. For example, if two countermeasures are utilized in a group – “Install flashing beacons as advance warning” (Countermeasure S10) and “Add intersection lighting” (Countermeasure S01), two crash data tables are required, one for all crashes (for S10) and the other for night crashes (for S01).

Crash Data Table

A Crash Data Table is a summary table of crash data for all the locations included in the project, with one row for one location and one column for a severity. Below is the structure of a Crash Data Table for Ped&Bike crashes.

Example: **Crash Data Table for Crash Type: Pedestrians and Bicyclists Involved**

Location	Fatality	Severe Injury	Injury - Other Visible	Injury - Complaint of Pain	Property Damage Only	Total
Intersection of A St. & B St.	0	1	0	2	4	7
Intersection of A St. & C St.	1	1	1	5	4	12
Intersection of A St. & D St.	0	2	1	2	10	15
Total	1	4	2	9	18	34

Safety countermeasures available for use in HSIP Analyzer

The available countermeasures are broken down into three groups (Signalized Intersection, Non-signalized Intersection, and Roadway Segment). The Appendix of this document provides a complete list of the countermeasures. Review **Section 4.0 and Appendix B of the California Local Roadway Safety Manual** before making the final selection of countermeasures to utilize in the BCR calculations. The detailed description of the countermeasures and guidance on how they can be applied will help applicants ensure they are utilizing the most appropriate countermeasures for their projects.

Any single project may use up to three countermeasures. When a countermeasure of a major safety improvement is selected, other incidental elements of the major countermeasure should be not used together with the major one. For example: A project proposing a new signal shall not include countermeasures for lighting, signing, striping, or minor median improvements as they are incidental elements of the new signal and do not represent stand-alone improvements.

Specific rules for some particular countermeasures

Please pay attention to the specific rules and requirements pertaining to CMs NS03, NS14, NS23PB, R08 and R14 (Refer to Appendix B of the [California Local Roadway Safety Manual](#) for more details):

1) NS03, Install signals:

All new signals must meet [CA MUTCD](#) "safety" warrants: 4, 5 or 7;
No other intersection CMs can be applied to the intersection crashes in conjunction with this CM.

**2) NS14, Install raised median on approaches (NS.I.)
R08, Install raised median**

All new raised medians must not include the removal of the existing roadway structural section and must be doweled into the existing roadway surface.

3) NS23PB, Install Pedestrian Signal (including Pedestrian Hybrid Beacon (HAWK)):

For HAWK or other pedestrian signals, the justification may be Warrant 4, 5 and/or 7, or passing the test in Figure 4F-1/4F-2 in Chapter 4F of CA MUTCD. Please refer to Chapter 4F of CA MUTCD for more details.

4) R14, Road Diet (Reduce travel lanes from 4 to 3 and add a two way left-turn and bike lanes):

"Intersection" crashes can only be applied when they resulted from turning movements that had no designated turn lanes/phases in the existing condition and the Road Diet will provide turn lanes/phases for these movements. This CM does not apply to roadway sections that already included left turn lanes or two way left turn lanes before the lane reductions. New bike lanes are also expected to be part of these projects. Pre-approval from the HSIP program manager is needed for: 1) the use of this CM without removing a

travel lane in each direction and/or without adding new bike lanes; and/or 2) if any pavement is planned to be removed for the purpose of adding landscaping, planter-boxes, or other non-roadway user features.

Crash Data

1) Crash data time period:

The crash data time period must be **a minimum of 3 years and a maximum of 5 years** and the most recent available crash data must be used.

- 2) Multiple crash data tables may be needed for a group. Depending on the selected countermeasure(s), different categories of the crash data are required. Each table is for one of the 5 categories (dataset/sub-datasets): All; Night; Ped & Bike; Emergency Vehicle; and Animal.
- 3) There are three sub-severities of injury crashes: “Severe Injury”, “Injury – Other Visible” and “Injury – Complaint of Paint”. **If the injury crashes in your agency’s crash database do not have more detailed sub-severities, all of the injury crashes must be entered as “Injury – Other Visible”.**
- 4) Every occurrence of crash applied to the countermeasures is be counted as one crash, regardless of the number of vehicles and the number of people involved in the crash. For example, if there is one crash which involved three vehicles and caused two injuries and one fatality, the crash would be tracked in the application as 1 fatal crash.

5) Collision Diagrams and Collision lists:

Applicants are required to provide Collision Diagrams and Collision Lists as supporting documents (attachments) to the application. The Collision Diagrams and the Collision Lists should be organized so application reviewers can easily identify the collision data and their corresponding project locations.

6) **All crashes applied to a given countermeasure must be within the countermeasures influence-area.**

The following are some general criteria to guide the applicants in determining appropriate influence-areas for countermeasures. Before applying these general criteria, it is the applicant’s responsibility to ensure that they are reasonable for their particular application. (More guidance relating to each specific countermeasure is included in Section 4 and Appendix B of the [California Local Roadway Safety Manual](#)).

- a) New Traffic Signals: All crashes within 250 feet of the new signal.
 - b) For intersection improvements, collisions that occurred within 250 feet of the intersection in all directions affected by the improvement may be used. If the distance to the nearest intersection is less than 500 feet, only those collisions that occurred from mid-block may be used.
 - c) Longitudinal Improvements (guardrail, raised median, turn pockets, etc): All crashes potentially effected by and within the limits of the improvement.
 - d) Signage, striping, delineators, or other warning devices: All crashes potentially effected by and/or within the limits of the driver's potential reaction to the improvements.
 - e) The influence-area may be extended beyond the physical improvements and/or the limits above if standard traffic engineering principles, as documented in Caltrans, American Association of State Highway and Transportation Officials (AASHTO) or FHWA publications, suggest it would be appropriate to do so. When the influence-area of the project is not obvious and judgment has been used in identifying the influence-area, it is the applicant’s responsibility to provide additional documentation showing the reasonableness of the judgment.
- 7) Do not include collisions unreported by law enforcement. Collision summary reports that corroborate the collision numbers must be attached to the application. Do not attach the actual collision reports prepared by the law enforcement officer. For applicants using [TIMS Query & Map tool](#) to analyze and summarize SWITRS crash data, applicants may find it necessary to add in known crashes that were not included in the TIMS summaries. These crashes may be added manually as long as the agency’s safety managers include supporting documentation and a comment and/or signature attesting to the source of these crashes and the accuracy of the total crash data.

- 8) The safety countermeasures constructed by the projects will not eliminate 100% of the safety risks and future crashes. This is especially true for lower-cost systemic improvements, such as signing and striping projects. Based on this, it is often reasonable for an agency to construct follow-up improvements along a corridor or at a location that has already had an HSIP project constructed. (Example: an agency has completed a striping upgrade project on a corridor. In a later HSIP cycle, the agency proposes a signing project on the same corridor based on an overlapping set of crashes.) For this reason, Caltrans allows agencies to reuse crashes in a current call for projects that have been used in a prior call for projects. It is the agency's responsibility to verify this and document it in the application in the Narrative Questions or separate backup documentation.

Section IV: Calculation and Results

Click the button **Calculate** to perform the calculation of the benefit and the BCR.

If errors are detected, the calculation will stop, and a table will display the errors. The errors must be fixed prior to the next calculation attempt.

The possible errors are:

- o No location type (S/NS/R) is provided.
- o No CMs are available for the location type.
- o CMs S08 and S02 should not be used together.
The work of S02 (“Improve signal hardware”) is considered as part of CM S08 (“Convert signal to mast arm”).
- o CM NS3 should not be used with any other CM.
CM NS3 (“Install signals”) should cover any other intersection improvements.
- o Roundabout, when selected, should be the only CM.
The benefit calculation for a roundabout is unique. It is not allowed to have a roundabout and other safety countermeasures in the same project.
- o Roundabout is the proposed work but roundabout information is not provided.
- o Crash data period is not between 3 and 5 years.
- o Num of crashes in a sub-dataset > the num in All dataset.
For at least one of the severities, the number of crashes in a subset (“Night”, “Ped & Bike”, “Emergency Vehicle”, or “Animal”) is more than the corresponding severity in “All” crashes.

After the errors are fixed and the calculation is successfully performed, the results are presented in two tables: “Benefit Summar” and “BCR and other key information”. Please transfer the “Total Project Cost” , “HSIP Funds Requested” and the BCR to Page 2 of the HSIP Application Form.

Appendix: List of Countermeasures (From [Local Roadway Safety Manual](#) – Section 4.2)

The list of countermeasures is from Section 4.2 of the Local Roadway Safety Manual. It is provided here for your convenience.

The countermeasures listed in the following three tables have been sorted into 3 categories: Signalized Intersection (S), Non-Signalized Intersection (NS), and Roadway Segment (R). Pedestrian and bicycle related countermeasures have been included in each of these categories, as the consideration of non-motorized travel is important for all roadway classifications and locations. The countermeasures included in these tables are used in the HSIP Analyzer. When selecting countermeasures and CRFs to apply to their specific safety needs, local agency safety practitioners should consider the **availability**, **applicability**, and **quality** of CMFs, as discussed in section 4.1 of the Local Roadway Safety Manual.

Only Crash Types, CRFs, Expected Lives, and Funding Eligibility of the countermeasures for use in Caltrans local HSIP program are provided. Fields in the countermeasure tables are:

- **Crash Types** - “All”, “P & B” (Pedestrian and Bicycle), “Night”, “Emergency Vehicle”, or “Animal”.
- **CRF** - Crash Reduction Factor used for HSIP calls-for-projects.
- **Expected Life** - 10 years or 20 years.
- **Funding Eligibility** – the maximum HSIP funding reimbursement ratio.
 - o Forty (45) countermeasures: 100%
 - o Thirty-five (36) countermeasures: 90%
 - o One (1) countermeasure: 50% (CM No. S03: Improve signal timing, as this CM will improve the signal operation rather than merely the safety.)
- **Systemic Approach Opportunity** - Opportunity to Implement Using a Systemic Approach: “Very High”, “High”, “Medium” or “Low”.

Table 1. Countermeasures for Signalized Intersections

No.	Type	Countermeasure Name	Crash Type	CRF	Expected Life (Years)	HSIP Funding Eligibility	Systemic Approach Opportunity?
S01	Lighting	Add intersection lighting (S.I.)	Night	40%	20	100%	Medium
S02	Signal Mod.	Improve signal hardware: lenses, back-plates with retroreflective borders, mounting, size, and number	All	15%	10	100%	Very High
S03	Signal Mod.	Improve signal timing (coordination, phases, red, yellow, or operation)	All	15%	10	50%	Very High
S04	Signal Mod.	Provide Advanced Dilemma Zone Detection for high speed approaches	All	40%	10	100%	High
S05	Signal Mod.	Install emergency vehicle pre-emption systems	Emergency Vehicle	70%	10	100%	High
S06	Signal Mod.	Install left-turn lane and add turn phase (signal has no left-turn lane or phase before)	All	55%	20	90%	Low
S07	Signal Mod.	Provide protected left turn phase (left turn lane already exists)	All	30%	20	100%	High
S08	Signal Mod.	Convert signal to mast arm (from pedestal-mounted)	All	30%	20	100%	Medium
S09	Operation/ Warning	Install raised pavement markers and striping (Through Intersection)	All	10%	10	100%	Very High
S10	Operation/ Warning	Install flashing beacons as advance warning (S.I.)	All	30%	10	100%	Medium
S11	Operation/ Warning	Improve pavement friction (High Friction Surface Treatments)	All	55%	10	100%	Medium
S12	Geometric Mod.	Install raised median on approaches (S.I.)	All	25%	20	90%	Medium
S13PB	Geometric Mod.	Install pedestrian median fencing on approaches	P & B	35%	20	90%	Low
S14	Geometric Mod.	Create directional median openings to allow (and restrict) left-turns and u-turns (S.I.)	All	50%	20	90%	Medium
S15	Geometric Mod.	Reduced Left-Turn Conflict Intersections (S.I.)	All	50%	20	90%	Medium
S16	Geometric Mod.	Convert intersection to roundabout (from signal)	All	Varies	20	100%	Low
S17PB	Ped and Bike	Install pedestrian countdown signal heads	P & B	25%	20	100%	Very High
S18PB	Ped and Bike	Install pedestrian crossing (S.I.)	P & B	25%	20	100%	High
S19PB	Ped and Bike	Pedestrian Scramble	P & B	40%	20	100%	High
S20PB	Ped and Bike	Install advance stop bar before crosswalk (Bicycle Box)	P & B	15%	10	100%	Very High
S21PB	Ped and Bike	Modify signal phasing to implement a Leading Pedestrian Interval (LPI)	P & B	60%	10	100%	Very High

Table 2. Countermeasures for Non-Signalized Intersections

No.	Type	Countermeasure Name	Crash Type	CRF	Expected Life (Years)	HSIP Funding Eligibility	Systemic Approach Opportunity?
NS01	Lighting	Add intersection lighting (NS.I.)	Night	40%	20	100%	Medium
NS02	Control	Convert to all-way STOP control (from 2-way or Yield control)	All	50%	10	100%	High
NS03	Control	Install signals	All	30%	20	100%	Low
NS04	Control	Convert intersection to roundabout (from all way stop)	All	Varies	20	100%	Low
NS05	Control	Convert intersection to roundabout (from stop or yield control on minor road)	All	Varies	20	100%	Low
NS06	Operation/ Warning	Install/upgrade larger or additional stop signs or other intersection warning/regulatory signs	All	15%	10	100%	Very High
NS07	Operation/ Warning	Upgrade intersection pavement markings (NS.I.)	All	25%	10	100%	Very High
NS08	Operation/ Warning	Install Flashing Beacons at Stop-Controlled Intersections	All	15%	10	100%	High
NS09	Operation/ Warning	Install flashing beacons as advance warning (NS.I.)	All	30%	10	100%	High
NS10	Operation/ Warning	Install transverse rumble strips on approaches	All	20%	10	90%	High
NS11	Operation/ Warning	Improve sight distance to intersection (Clear Sight Triangles)	All	20%	10	90%	High
NS12	Operation/ Warning	Improve pavement friction (High Friction Surface Treatments)	All	55%	10	100%	Medium
NS13	Geometric Mod.	Install splitter-islands on the minor road approaches	All	40%	20	90%	Medium
NS14	Geometric Mod.	Install raised median on approaches (NS.I.)	All	25%	20	90%	Medium
NS15	Geometric Mod.	Create directional median openings to allow (and restrict) left-turns and u-turns (NS.I.)	All	50%	20	90%	Medium
NS16	Geometric Mod.	Reduced Left-Turn Conflict Intersections (NS.I.)	All	50%	20	90%	Medium
NS17	Geometric Mod.	Install right-turn lane (NS.I.)	All	20%	20	90%	Low
NS18	Geometric Mod.	Install left-turn lane (where no left-turn lane exists)	All	35%	20	90%	Low
NS19PB	Ped and Bike	Install raised medians / refuge islands (NS.I.)	Ped and Bike	45%	20	90%	Medium
NS20PB	Ped and Bike	Install pedestrian crossing at uncontrolled locations (new signs and markings only)	Ped and Bike	25%	10	100%	High
NS21PB	Ped and Bike	Install/upgrade pedestrian crossing at uncontrolled locations (with enhanced safety features)	Ped and Bike	35%	20	100%	Medium
NS22PB	Ped and Bike	Install Rectangular Rapid Flashing Beacon (RRFB)	Ped and Bike	35%	20	100%	Medium
NS23PB	Ped and Bike	Install Pedestrian Signal (including Pedestrian Hybrid Beacon (HAWK))	Ped and Bike	55%	20	100%	Low

Table 3. Countermeasures for Roadways

No.	Type	Countermeasure Name	Crash Type	CRF	Expected Life (Years)	HSIP Funding Eligibility	Systemic Approach Opportunity?
R01	Lighting	Add segment lighting	Night	35%	20	100%	Medium
R02	Remove/ Shield Obstacles	Remove or relocate fixed objects outside of Clear Recovery Zone	All	35%	20	90%	High
R03	Remove/ Shield Obstacles	Install Median Barrier	All	25%	20	100%	Medium
R04	Remove/ Shield Obstacles	Install Guardrail	All	25%	20	100%	High
R05	Remove/ Shield Obstacles	Install impact attenuators	All	25%	10	100%	High
R06	Remove/ Shield Obstacles	Flatten side slopes	All	30%	20	90%	Medium
R07	Remove/ Shield Obstacles	Flatten side slopes and remove guardrail	All	40%	20	90%	Medium
R08	Geometric Mod.	Install raised median	All	25%	20	90%	Medium
R09	Geometric Mod.	Install median (flush)	All	15%	20	90%	Medium
R10PB	Geometric Mod.	Install pedestrian median fencing on approaches	P & B	35%	20	90%	Low
R11	Geometric Mod.	Install acceleration/ deceleration lanes	All	25%	20	90%	Low
R12	Geometric Mod.	Widen lane (initially less than 10 ft)	All	25%	20	90%	Medium
R13	Geometric Mod.	Add two-way left-turn lane (without reducing travel lanes)	All	30%	20	90%	Medium
R14	Geometric Mod.	Road Diet (Reduce travel lanes from 4 to 3 and add a two way left-turn and bike lanes)	All	30%	20	90%	Medium
R15	Geometric Mod.	Widen shoulder	All	30%	20	90%	Medium
R16	Geometric Mod.	Curve Shoulder widening (Outside Only)	All	45%	20	90%	Medium
R17	Geometric Mod.	Improve horizontal alignment (flatten curves)	All	50%	20	90%	Low
R18	Geometric Mod.	Flatten crest vertical curve	All	25%	20	90%	Low
R19	Geometric Mod.	Improve curve superelevation	All	45%	20	90%	Medium
R20	Geometric Mod.	Convert from two-way to one-way traffic	All	35%	20	90%	Medium
R21	Geometric Mod.	Improve pavement friction (High Friction Surface Treatments)	All	55%	10	100%	High

Table 3. Countermeasures for Roadways (Continued)

No.	Type	Countermeasure Name	Crash Type	CRF	Expected Life (Years)	HSIP Funding Eligibility	Systemic Approach Opportunity?
R22	Operation/ Warning	Install/Upgrade signs with new fluorescent sheeting (regulatory or warning)	All	15%	10	100%	Very High
R23	Operation/ Warning	Install chevron signs on horizontal curves	All	40%	10	100%	Very High
R24	Operation/ Warning	Install curve advance warning signs	All	25%	10	100%	Very High
R25	Operation/ Warning	Install curve advance warning signs (flashing beacon)	All	30%	10	100%	High
R26	Operation/ Warning	Install dynamic/variable speed warning signs	All	30%	10	100%	High
R27	Operation/ Warning	Install delineators, reflectors and/or object markers	All	15%	10	100%	Very High
R28	Operation/ Warning	Install edge-lines and centerlines	All	25%	10	100%	Very High
R29	Operation/ Warning	Install no-passing line	All	45%	10	100%	Very High
R30	Operation/ Warning	Install centerline rumble strips/stripes	All	20%	10	100%	High
R31	Operation/ Warning	Install edgeline rumble strips/stripes	All	15%	10	100%	High
R32PB	Ped and Bike	Install bike lanes	P & B	35%	20	90%	High
R33PB	Ped and Bike	Install Separated Bike Lanes	P & B	45%	20	90%	High
R34PB	Ped and Bike	Install sidewalk/pathway (to avoid walking along roadway)	P & B	80%	20	90%	Medium
R35PB	Ped & Bike	Install/upgrade pedestrian crossing (with enhanced safety features)	P & B	35%	20	90%	Medium
R36PB	Ped and Bike	Install raised pedestrian crossing	P & B	35%	20	90%	Medium
R37PB	Ped and Bike	Install Rectangular Rapid Flashing Beacon (RRFB)	P & B	35%	20	100%	Medium
R38	Animal	Install animal fencing	Animal	80%	20	90%	Medium

Appendix G

Project Layouts, Cost Estimates and Benefit-Cost Ratio Calculations



Project #1: Intersection Safety – Systemic Unsignalized Intersections

Reason for Selection

The project was selected since unsignalized intersections had a significant portion of overall and serious injury crashes and were identified in the public outreach as a top concern. This project presented an opportunity for a systemic application since many of the top crash locations had similar characteristics, or risk factors. The proposed improvements increase visibility and awareness with additional signage, traversable rumble strips and upgraded pavement markings. The sites were selected based on the crash history and characteristics; sites may be added or removed as applicable.



Old Hwy 53/ Austin Rd

Intersections Crashes by Severity

Systemic Unsignalized Intersections	Fatal	Serious Injury	Other Visible Injury	Complaint of Pain	PDO	Total
Old Hwy 53 / Austin Rd	0	1	2	2	0	5
Austin Rd / Cypress Dr	0	0	0	1	2	3
Old Hwy 53 / SR 53	0	2	1	0	0	3
Phillips/ 18th	0	0	1	1	0	2
<i>Total</i>	<i>0</i>	<i>3</i>	<i>4</i>	<i>4</i>	<i>2</i>	<i>13</i>

Countermeasures, Costs and BCRs

No.	Type	Countermeasures Name	Crash Type	CRF	Expected Life Years	HSIP Funding Eligibility	Systemic Approach Opportunity
NS06	Operation / Warning	Install/upgrade larger or additional stop signs or other intersection warning/regulatory signs	All	15%	10	100%	Very High
NS07	Operation / Warning	Upgrade intersection pavement markings (NS.I.)	All	25%	10	100%	Very High
NS10	Operation / Warning	Install transverse rumble strips on approaches	All	20%	10	90%	High

The benefit-cost ratio (BCR) is calculated in the HSIP application process. The BCR was estimated to be **36.19** using the *Highway Safety Benefit/Cost Analysis Tool* by FHWA and the following assumptions:

- Construction and maintenance costs were derived from layouts (**Figures G1-G4**) and supporting documentation included. The estimated project cost is below the HSIP minimum of \$100,000; however, exceptions are allowed. The City may consider adding additional sites or applying with an exception to the \$100,000 minimum.
- Estimated annual crashes were calculated as the average of the 5-year crash data.
- The Crash Modification Factor (CMF), calculated as $CMF = 1 - (CRF/100)$, was applied to calculate the predicted reduction in crashes with the countermeasures. *This CMF is applied for the systemic project as a whole; it is noted that not all countermeasures are applied at all sites which may*

impact the calculations. The HSIP Analyzer Manual indicates that all sites should receive the same countermeasures but allows for exceptions.

Prior to completing the HSIP application, the City should verify sites to include and countermeasures with HSIP regulations. The City should verify all improvements, signage, and cost estimates. If needed, the City may choose to break the systemic project into multiple applications, modify countermeasures, add or remove sites.

**Project #2: Pedestrian and Bicycle Safety - Systemic
Pedestrian Crosswalks Near School**

Reason for Selection

This project was selected because most pedestrian crashes occurred near schools. The similar characteristics of the sites presented an opportunity for a systemic application to install or upgrade pedestrian accommodations. Other sites with pedestrian-related crashes were not included if projects were underway at these locations or for other various reasons.



Crosswalk near Old Hwy 53 / Airport Road

Arrowhead Road/ Ciwa Street and Halika Street – The segment has no pedestrian facilities (crosswalks at the intersections or sidewalks), but sidewalks start nearby, and the intersections are near a school. A crosswalk exists at the Arrowhead Road/ Pomo Road/ Acacia Street/ Huntington Avenue intersection at the school.

Old Hwy 53/ Airport Road – The site has no pedestrian crosswalks at the intersection and sidewalks are non-continuous. A pedestrian crosswalk and sidewalks exist approximately 150' away at the school. Therefore, it is practical to upgrade the existing adjacent crosswalk instead of installing a new one at the intersection. Per the *HSIP Analyzer Manual* for BCR Applications, countermeasures should be within the influence area; however, it is noted that “the influence-area may be extended beyond the physical improvements and/or the limits above if standard traffic engineering principles, as documented in Caltrans, American Association of State Highway and Transportation Officials (AASHTO) or FHWA publications, suggest it would be appropriate to do so. When the influence-area of the project is not obvious and judgment has been used in identifying the influence-area, it is the applicant’s responsibility to provide additional documentation showing the reasonableness of the judgment.”

This exception should be documented in an application.

Crashes by Severity

Systemic Pedestrian	Fatal	Serious Injury	Other Visible Injury	Complaint of Pain	PDO	Total
Arrowhead Rd / Ciwa St	1	0	0	0	0	1
Arrowhead Rd / Halika St	0	0	1	0	0	1
Old Hwy 53 / Airport Rd	0	1	0	0	0	1
<i>Total</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>0</i>	<i>0</i>	<i>3</i>

Countermeasures and BCRs

No.	Type	Countermeasures Name	Crash Type	CRF	Expected Life Years	HSIP Funding Eligibility	Systemic Approach Opportunity
R34PB	Ped and Bike	Install sidewalk / pathway (to avoid walking along roadway)	P & B	80%	20	90%	Medium
R35PB	Ped and Bike	Install/upgrade pedestrian crossing at uncontrolled locations (with enhanced safety features)	P & B	35%	20	90%	Medium

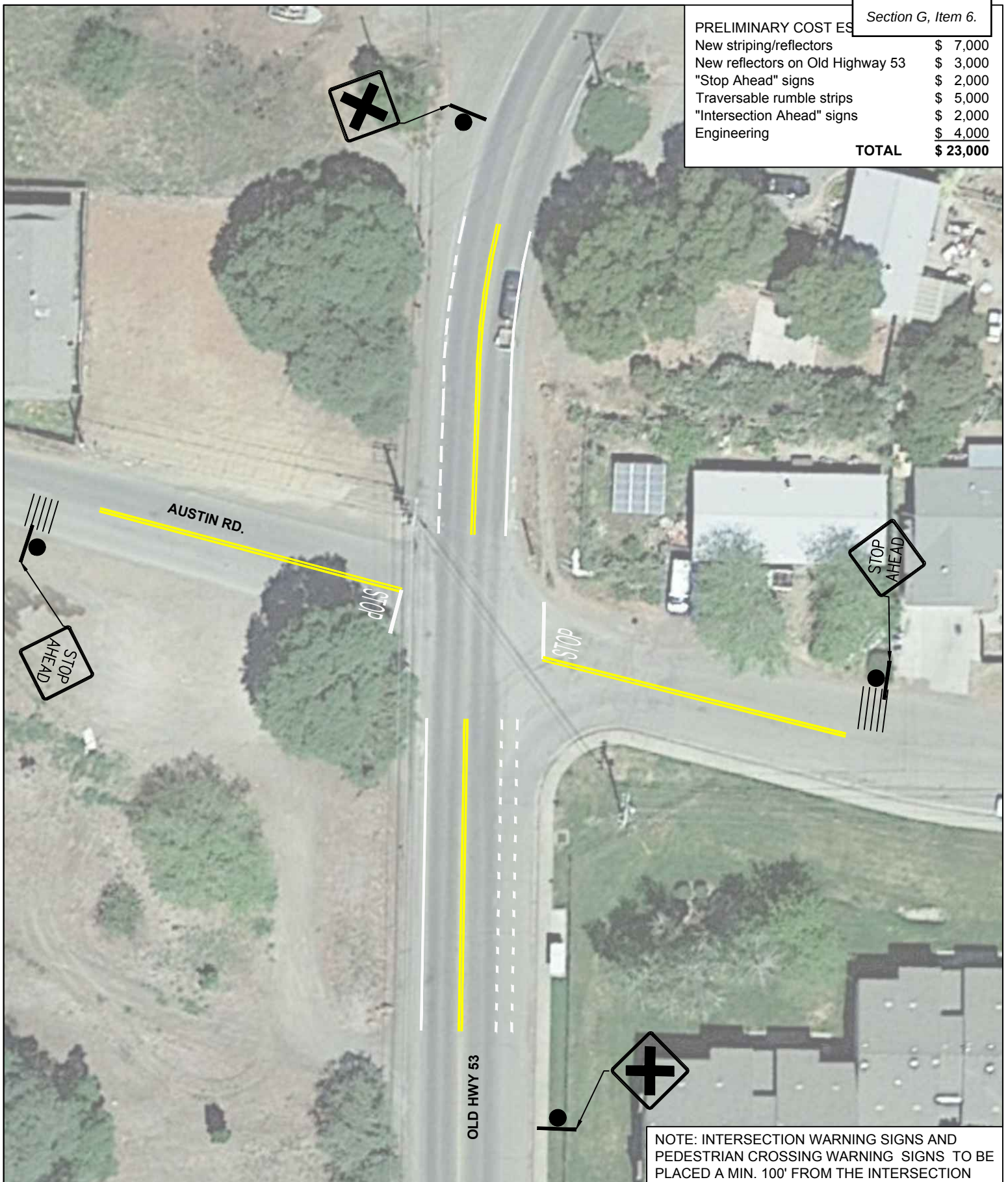
The BCR is calculated in the HSIP application process. The BCR was estimated to be **136.52** using the *Highway Safety Benefit/Cost Analysis Tool* by FHWA and the following assumptions:

- Construction and maintenance costs were derived from layouts (**Figures G5-G6**) and supporting documentation included.
- Estimated annual crashes were calculated as the average of the 5-year crash data.
- The Crash Modification Factor (CMF), calculated as $CMF = 1 - (CRF/100)$, was applied to calculate the predicted reduction in crashes with the countermeasures. The CMF for the sidewalk was only applied to the data for Arrowhead Road. The *HSIP Analyzer Manual* indicates that all sites should receive the same countermeasures but allows for exceptions.

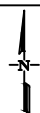
Prior to completing the HSIP application, the City should verify sites to include and countermeasures with HSIP regulations. The City should verify all improvements, signage, and cost estimates. If needed, the City may choose to break the systemic project into multiple applications, modify countermeasures, add or remove sites.

PRELIMINARY COST ESTIMATE

New striping/reflectors	\$ 7,000
New reflectors on Old Highway 53	\$ 3,000
"Stop Ahead" signs	\$ 2,000
Traversable rumble strips	\$ 5,000
"Intersection Ahead" signs	\$ 2,000
Engineering	\$ 4,000
TOTAL	\$ 23,000



LEGEND

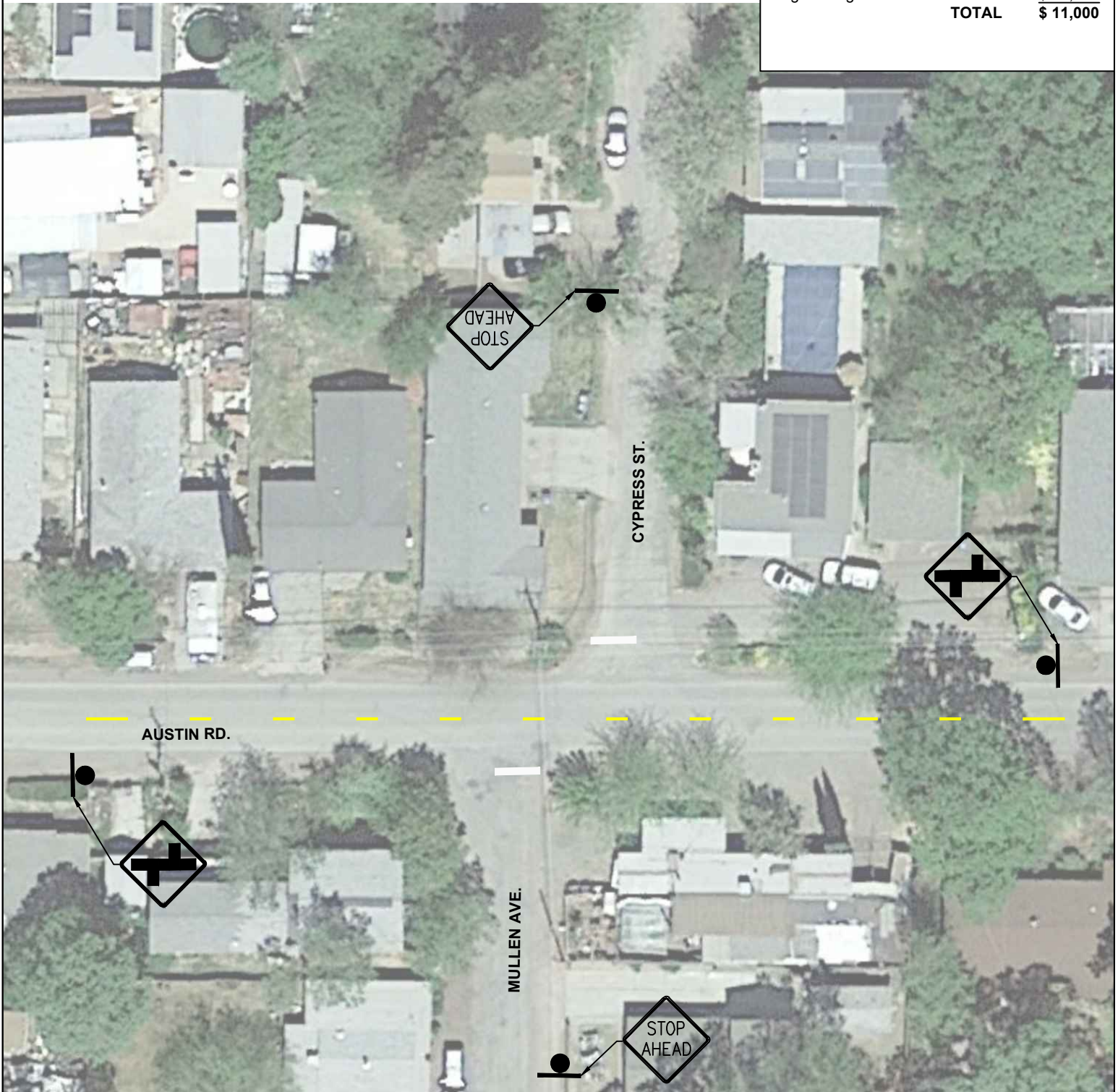


NEW ROADSIDE SIGN

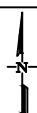


TRAVERSABLE RUMBLE STRIPS

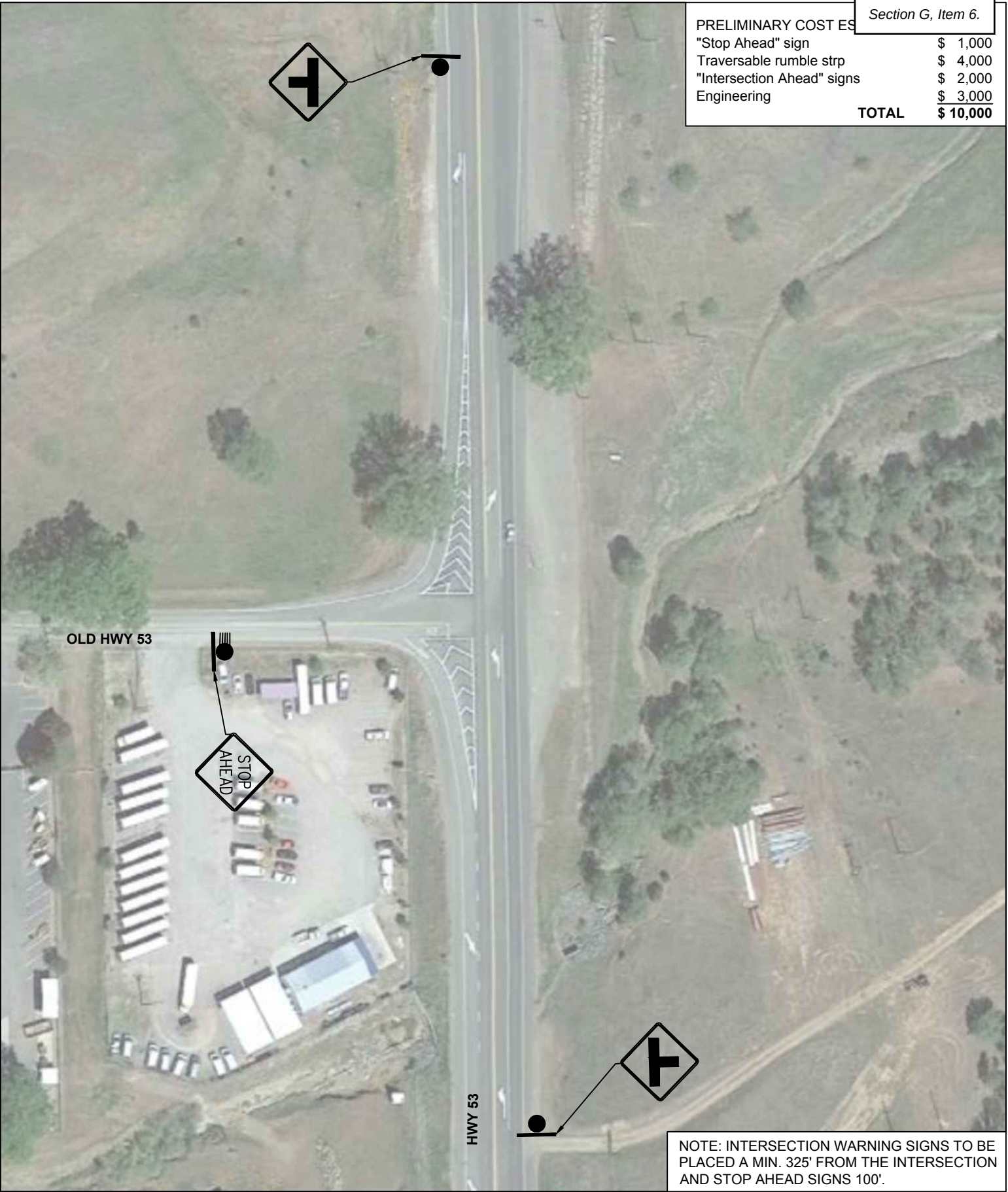
PRELIMINARY COST ESTIMATE	
New striping	\$ 4,000
"Intersection Ahead" signs	\$ 2,000
"STOP Ahead" signs	\$ 2,000
Engineering	\$ 3,000
TOTAL	\$ 11,000



NOTE: INTERSECTION WARNING SIGNS AND PEDESTRIAN CROSSING WARNING SIGNS TO BE PLACED A MIN. 100' FROM THE INTERSECTION



LEGEND
NEW ROADSIDE SIGN



Section G, Item 6.

PRELIMINARY COST ESTIMATE	
"Stop Ahead" sign	\$ 1,000
Traversable rumble strp	\$ 4,000
"Intersection Ahead" signs	\$ 2,000
Engineering	\$ 3,000
TOTAL	\$ 10,000

OLD HWY 53

HWY 53

NOTE: INTERSECTION WARNING SIGNS TO BE PLACED A MIN. 325' FROM THE INTERSECTION AND STOP AHEAD SIGNS 100'.

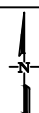


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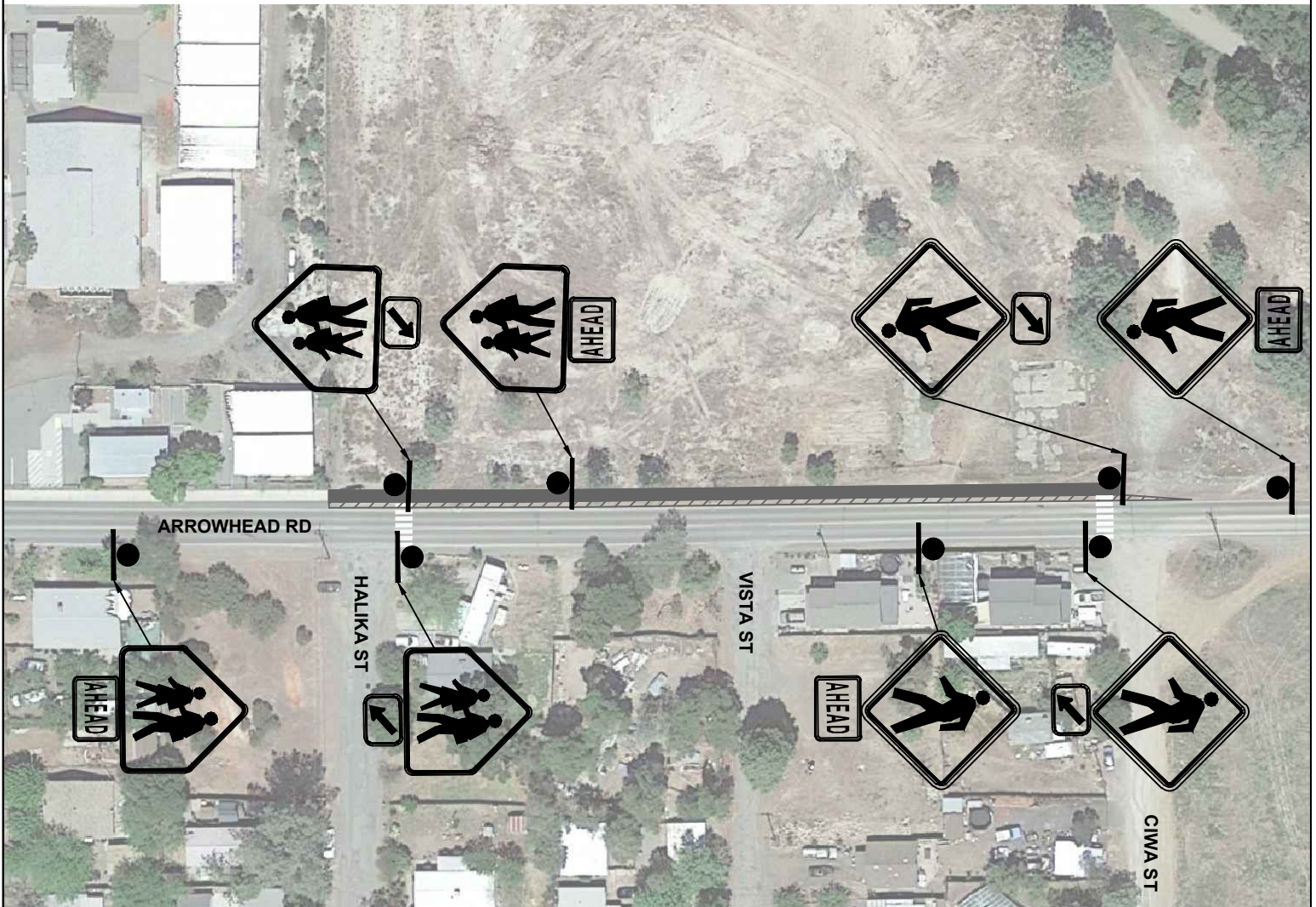
NEW ROADSIDE SIGN
TRAVERSABLE RUMBLE STRIPS

Appendix G-3

PRELIMINARY COST ESTIMATE	
New intersection striping	\$ 13,500
Engineering	\$ 3,000
TOTAL	\$ 16,500

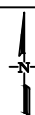


PRELIMINARY COST ESTIMATE	
Sidewalk, curb and gutter	\$ 90,000
"Pedestrian Crossing" signs	\$ 4,000
"Pedestrian Crossing Ahead" signs	\$ 4,000
School Zone Ahead" sign	\$ 2,000
Pedestrian crossing striping	\$ 4,000
Engineering	\$ 26,000
TOTAL	\$ 130,000



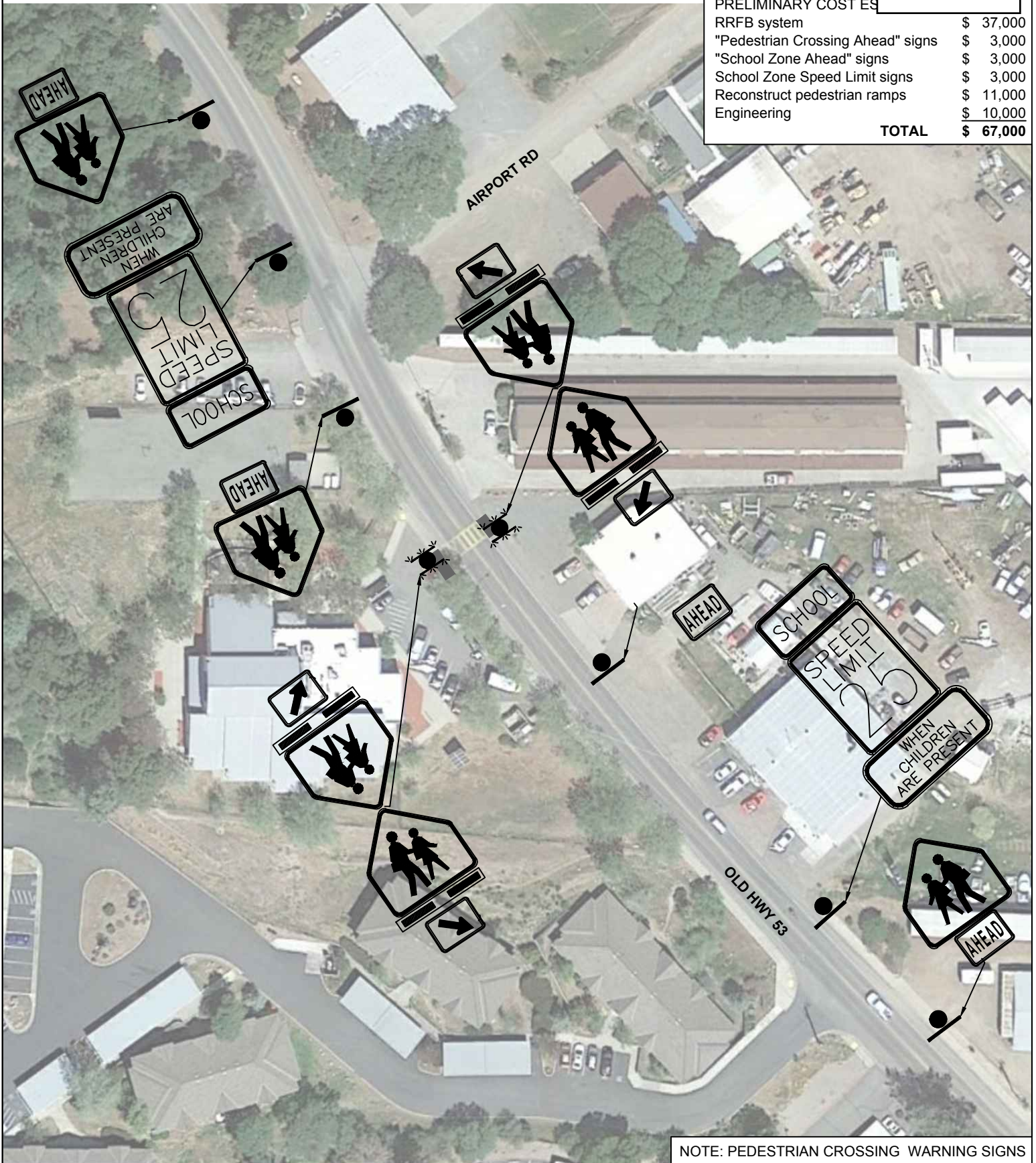
NOTE: PEDESTRIAN CROSSING WARNING SIGNS TO BE PLACED A MIN. 100' FROM THE CROSSWALK. MIN. 100' SIGN SEPARATION.

LEGEND

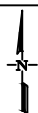
-  NORTH
-  NEW ROADSIDE SIGN
-  NEW SIDEWALK, CURB, AND GUTTER
-  NEW ASPHALT PAVING

PRELIMINARY COST ESTIMATE

RRFB system	\$ 37,000
"Pedestrian Crossing Ahead" signs	\$ 3,000
"School Zone Ahead" signs	\$ 3,000
School Zone Speed Limit signs	\$ 3,000
Reconstruct pedestrian ramps	\$ 11,000
Engineering	\$ 10,000
TOTAL	\$ 67,000



NOTE: PEDESTRIAN CROSSING WARNING SIGNS TO BE PLACED A MIN. 100' FROM THE CROSSWALK. MIN. 100' SIGN SEPARATION.



LEGEND
NEW ROADSIDE SIGN
NEW POST MOUNTED RRFB
RECONSTRUCTED PEDESTRIAN RAMP

Figure #	Project Location	Countermeasures	Systemic Unsignalized Intersections					
			Initial Cost	HSIP #	Life Cycle	Maintenance Costs	Unit	
G-1 Systemic Intersections	Old Highway 53 / Austin Road	New striping / reflectors on all approaches in vicinity of intersection New reflectors on Old Highway 53 "Stop Ahead" signs on Austin Road Traversable rumble strips on Austin Road approach "Intersection Ahead" signs on Old Highway 53 Engineering	\$7,000	NS07	10	\$1,100	3 years	
			\$3,000	NS07	10	\$1,000	3 years	
			\$2,000	NS06	10			
			\$5,000	NS10	10	\$200	3 years	
			\$2,000	NS06	10			
			\$4,000		10			
		SUBTOTAL (Initial Costs Old Highway 53/Austin)		\$23,000				
G-2 Systemic Intersections	Cypress Street / Austin Road	Intersection striping "Intersection Ahead" signs "Stop Ahead" signs Engineering	\$4,000	NS07	10	\$1,000	3 years	
			\$2,000	NS06	10			
			\$2,000	NS06	10			
			\$3,000					
			SUBTOTAL (Initial Costs Cypress/Austin)		\$11,000			
		G-3 Systemic Intersections	Old Highway 53 / SR 53	"Stop Ahead" sign on Old Highway 53 Traversable rumble strips on Old Highway 53 "Intersection Ahead" signs Engineering	\$1,000	NS06	10	
\$4,000	NS10				10	\$100	3 years	
\$2,000	NS06				10			
\$3,000								
SUBTOTAL (Initial Costs Old Highway 53/SR 53)					\$10,000			
G-4 Systemic Intersections	Phillips / 18th			New intersection striping Engineering	\$13,500	NS07	10	\$2,500
		\$4,000						
		SUBTOTAL (Initial Costs Phillips/18th)		\$17,500				
Total Systemic Unsignalized Project Construction Costs			\$61,500					
Figure #	Project Location	Countermeasures	Systemic Pedestrian Improvements					
			Initial Cost	HSIP #	Life Cycle	Maintenance Costs	Unit	
G-5 Systemic Pedestrian	Arrowhead	Sidewalk on north side between Halika and Ciwa "Pedestrian Crossing" signs "Pedestrian Crossing Ahead" signs "School Zone Ahead" signs Pedestrian crossing striping Engineering	\$90,000	NS22PB	20	\$5,000	10 years	
			\$4,000	NS21PB	20	\$2,000	10 years	
			\$4,000	NS21PB	20	\$2,000	10 years	
			\$2,000	NS21PB	20	\$500	10 years	
			\$4,000	NS21PB	20	\$2,500	5 years	
			\$26,000					
		SUBTOTAL (Initial Costs Arrowhead)		\$130,000				
G-6 Systemic Pedestrian	Old Highway 53 / Airport	Flashing "Pedestrian Crossing" signs "Pedestrian Crossing" signs "School Zone Ahead" signs "School Zone Speed Limit" signs Reconstruct pedestrian ramps Engineering	\$37,000	NS21PB	20	\$5,000	5 years	
			\$3,000	NS21PB	20	\$1,000	10 years	
			\$3,000	NS21PB	20	\$1,000	10 years	
			\$3,000	NS21PB	20	\$1,000	10 years	
			\$11,000	NS21PB	20	\$1,000	10 years	
			\$10,000					
		SUBTOTAL (Initial Costs Old Highway 53/Airport)		\$67,000				
Total Systemic Pedestrian Project Construction Costs			\$197,000					

Clearlake Systemic Unsignalized Intersections

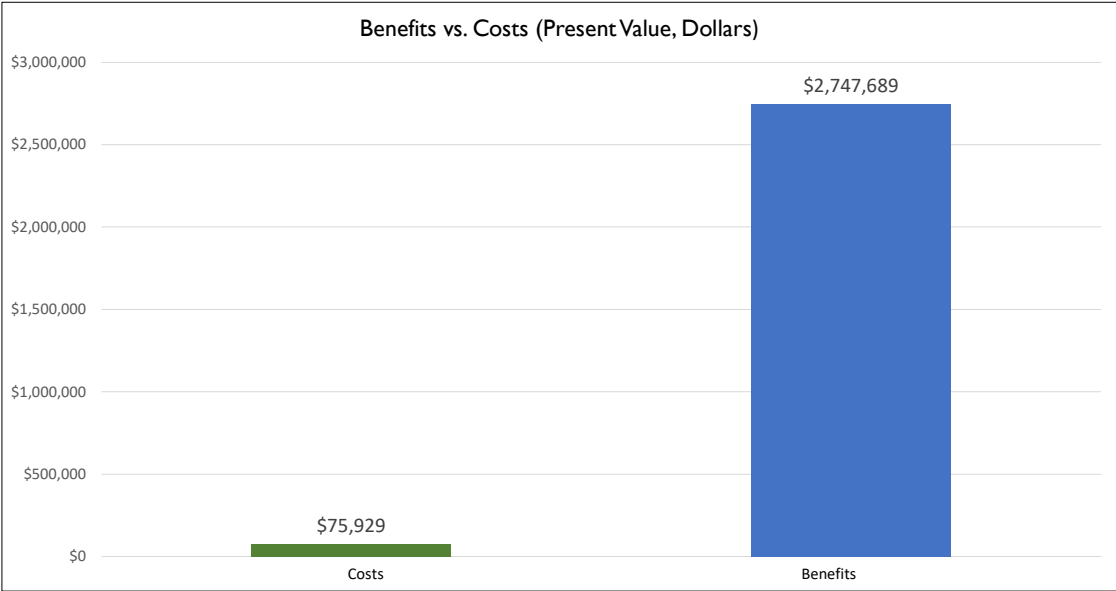
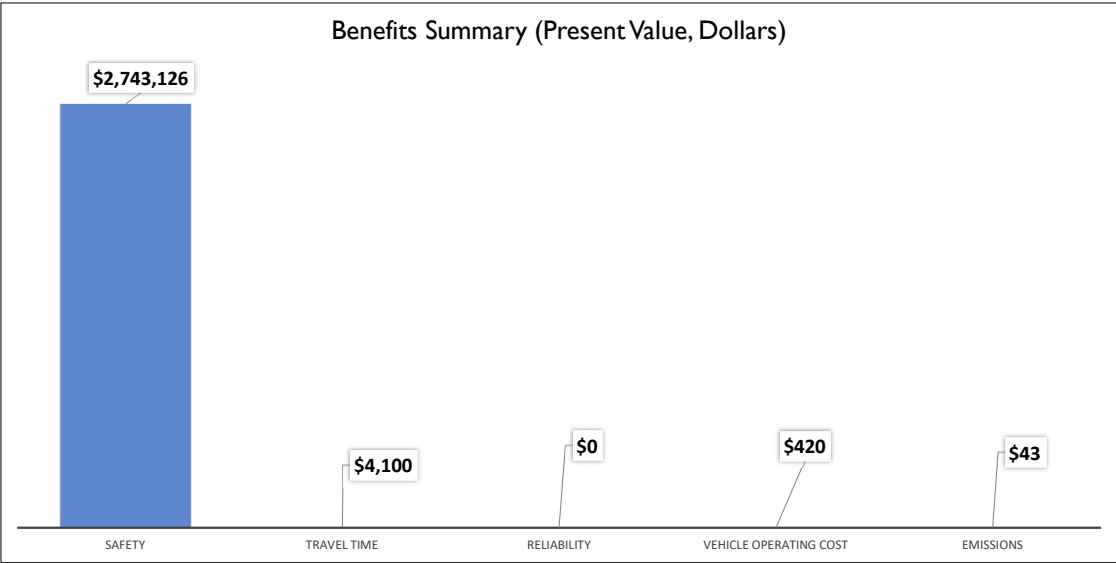
Benefit-Cost Analysis Summary Results

AGENCY: Lake APC/ City of Clearlake

DATE 1/0/1900

Present Value Costs (\$ Dollars)	\$75,929
Present Value Benefits (\$ Dollars)	\$2,747,689
Net Present Value (\$ Dollars)	\$2,671,760
Benefit / Cost Ratio:	36.19
Discount Rate	3.0%

ITEMIZED BENEFITS (\$ Dollars)	Present Value
Safety	\$2,743,126
Travel Time	\$4,100
Reliability	\$0
Vehicle Operating Cost	\$420
Emissions	\$43
TOTAL BENEFITS	\$2,747,689



Clearlake Systemic Pedestrian Project

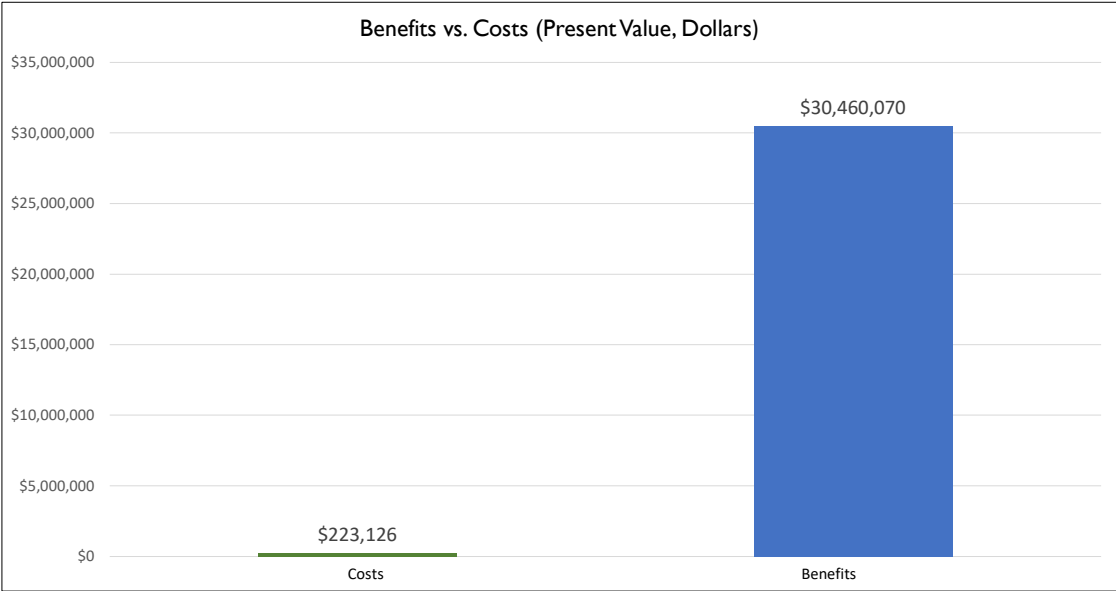
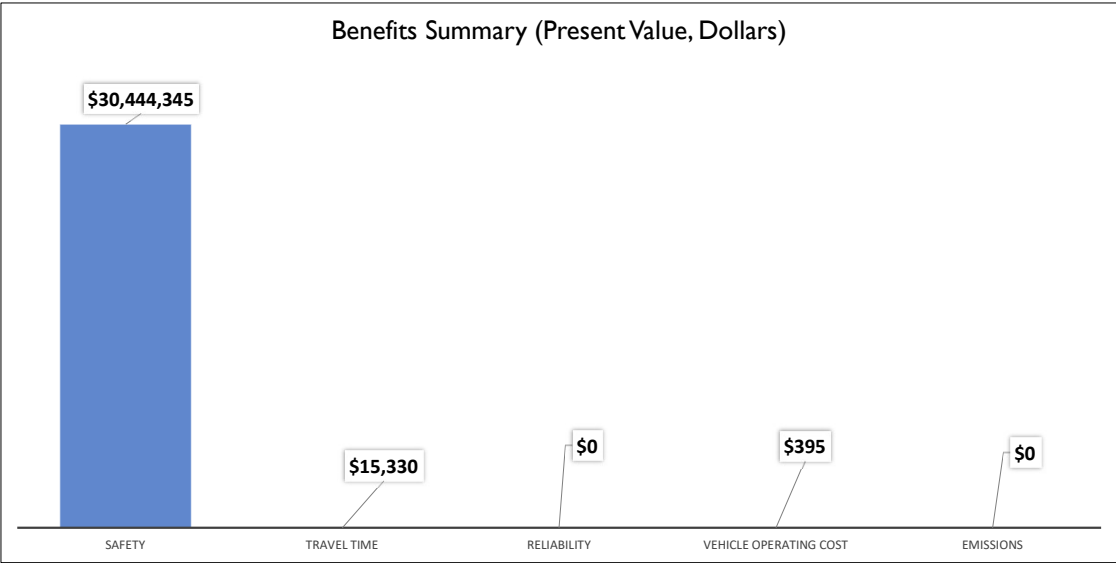
Benefit-Cost Analysis Summary Results

AGENCY: Lake APC/ City of Clearlake

DATE 1/0/1900

Present Value Costs (\$ Dollars)	\$223,126
Present Value Benefits (\$ Dollars)	\$30,460,070
Net Present Value (\$ Dollars)	\$30,236,945
Benefit / Cost Ratio:	136.52
Discount Rate	3.0%

ITEMIZED BENEFITS (\$ Dollars)	Present Value
Safety	\$30,444,345
Travel Time	\$15,330
Reliability	\$0
Vehicle Operating Cost	\$395
Emissions	\$0
TOTAL BENEFITS	\$30,460,070





CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: License Amendment with Mudslingers Coffee

MEETING DATE: Apr. 21, 2022

SUBMITTED BY: Alan D. Flora, City Manager

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL:

The City Council is being asked to authorize the City Manager to execute an amendment to the existing license with Mudslingers Coffee.

BACKGROUND/ DISCUSSION:

The City has entered into a license agreement with Mudslingers Coffee for development of a coffee shop on property at 14760 Olympic Drive. The City is responsible for site preparation as part of the currently on-going project on Burns Valley Road. As this work nears completion, and Mudslingers is preparing to start construction, their financing requirements need to show a 10-year term. The 10-year term was approved last April and needs to be extended out one year in order to complete their financing.

OPTIONS:

1. Authorize the City Manager to Execute an Amendement to the License Agreement with Mudslingers Coffee for a term from April 21, 2022 through April 22, 2032.
2. Provide Direction to Staff.

FISCAL IMPACT:

☒ None ☐ \$ Budgeted Item? ☐ Yes ☒ No

Budget Adjustment Needed? ☐ Yes ☒ No If yes, amount of appropriation increase: \$

Affected fund(s): ☐ General Fund ☐ Measure P Fund ☐ Measure V Fund ☐ Other:

Comments: Sale proceeds would be deposited in the General Fund

STRATEGIC PLAN IMPACT:

- ☒ Goal #1: Make Clearlake a Visibly Cleaner City
- ☐ Goal #2: Make Clearlake a Statistically Safer City
- ☐ Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- ☒ Goal #4: Improve the Image of Clearlake
- ☒ Goal #5: Ensure Fiscal Sustainability of City
- ☐ Goal #6: Update Policies and Procedures to Current Government Standards

☒ Goal #7: Support Economic Development

Section G, Item 7.

SUGGESTED MOTIONS:

- ☒ **Attachments:**
1. Amended License Agreement (redline)

**LICENSE AGREEMENT BY AND BETWEEN
MUDSLINGERS COFFEE AND THE CITY OF CLEARLAKE
(A Portion Of 14760 Olympic Drive, Clearlake, California)**

This License Agreement is made and entered into this 21st day of April, 2022, by and between the City of Clearlake, a municipal corporation, hereinafter referred to as “City”, and Mudslingers LLC, a California limited liability corporation, hereinafter referred to as “Concessionaire.”

RECITALS

- A. City is the owner of the real property located at 14760 Olympic Drive (the “City Property”), and Concessionaire desires to license a portion of the City Property as depicted and described in the attached Exhibit 1, incorporated herein by this reference (the “Premises”).
- B. Concessionaire has significant experience operating a drive thru coffee shop concession.
- C. Concessionaire desires to install a 10’ x 16’ site-built structure on the Premises for the purpose of operating a drive thru beverage and food concession (the “Facility”).
- D. City hereby finds that it is in the public interest to enter into a License Agreement with Concessionaire to operate the Facility. Such a Facility will provide a needed service to the community and will provide an additional revenue stream to City.
- E. The previously executed agreement, dated April 22, 2021, is hereby rescinded and replaced in its entirety by this agreement dated April 21, 2022.

NOW, THEREFORE, it is agreed as follows:

1. GRANT OF LICENSE:

Subject to all of the terms and conditions of this License Agreement, Concessionaire is hereby granted an exclusive license to improve, occupy and use the Premises (as shown on the attached Exhibit 1) and to occupy and use existing parking facilities on the City Property for the use of Concessionaire’s customers.

2. TERM AND OPTION TO EXTEND TERM:

The initial term of this License Agreement shall commence upon full execution of this License Agreement and terminate April 22, 2032 Concessionaire shall have the option to extend the term of this License Agreement, subject to all of the provisions contained

in this License Agreement, for an additional five (5) year term following expiration of the initial term, upon written approval of the Clearlake City Manager.

3. USE:

a) City agrees to install the site improvements such as roadways, parking stalls and provide access to utilities up to the building footprint. Concessionaire agrees to connect said utilities to the structure.

b) Concessionaire agrees that its sole use of the premises shall consist of the operation of a food and beverage concession open to the public, together with related sale of merchandise. Concessionaire is permitted by this License Agreement to install the Facility, necessary utilities, and allowed signage, upon approval of all required land use entitlements, permits, or licenses required by the City's Municipal Code. All outside signage used by Concessionaire shall be approved in accordance with the City Zoning Ordinance.

c) Concessionaire agrees that it shall not use the property at the City Property for any use other than those specified in this License Agreement without City's written consent.

d) Concessionaire shall not use the Premises in any manner that will constitute waste, nuisance, or unreasonable annoyance.

e) Concessionaire shall conduct its business on the City Property and Premises under the trade name of Mudslingers Drive Thru Coffee.

4. COMPENSATION:

a) Concessionaire shall pay to City for the right to occupy a portion of the City Property and the Premises, a fixed monthly rent in the sum of \$500 per month.

b) The fixed monthly rental of \$500 shall be paid in advance on the first day of each month commencing on the first day of the month following the date the Facility is first open for business and continuing during the term of this License Agreement, as rental for the real property occupied by the Premises to be installed on City property at the sole expense of Concessionaire.

c) Concessionaire shall be solely responsible for all costs and expenses of all utilities and services for the Facility.

5. OPERATIONS:

Concessionaire agrees that its Facility shall be open and operating during normal business hours.

6. ALTERATIONS AND IMPROVEMENTS:

a) Except as specifically set forth in the License Agreement, Concessionaire may not make any changes, alterations, modifications, or additions to the City Property without the prior written approval of the City Manager.

b) Concessionaire shall perform all of the work and supply all the necessary materials and labor to prepare the Premises for Concessionaire's occupancy and authorized Use. Such work includes preparation of plans and specifications, architectural, engineering and design services, acquisition of all permits, equipment, labor and materials associated with the construction of such Concessionaire improvements.

c) Upon the expiration of the term of this License Agreement or any earlier termination thereof, or any renewal thereof, Concessionaire shall surrender to City possession of Concessionaire's permanent improvements and City's parking facilities, and the Premises. All fixtures and/or equipment of whatsoever nature installed by the Concessionaire on the Premises shall continue to be the property of the Concessionaire, and shall be removed by the Concessionaire within thirty (30) days after the expiration or prior termination of this lease or extension thereof. Any of said property not removed from the City Property within thirty (30) days after the date of termination shall be considered abandoned and shall belong to City without the payment of any consideration.

d) If the property of the Concessionaire is not removed and/or any damage and/or injury to the premises caused by the removal of said property is not repaired within thirty (30) days after the expiration or prior termination of this lease or any extension thereof as provided in paragraph c) of this Section 6, the City may, at its option, perform or cause to be performed the necessary removal and/or repairs, and shall be reimbursed by the Concessionaire for the costs thereof.

7. MAINTENANCE AND GOOD ORDER:

(a) Concessionaire shall at its own cost and expense, during the full term of this License Agreement, keep and maintain the Premises in good order and condition to the equivalent standard of maintenance of all other comparable City facilities. However, City shall be responsible for maintenance of the parking lot and City facilities at the City Property.

(b) City shall not be obligated to make any repairs made necessary by the negligence of Concessionaire or its agents, servants, licensees or invitees.

8. NON-LIABILITY OF CITY FOR DAMAGES AND INDEMNIFICATION OF LICENSE AGREEMENT:

This License Agreement is made upon the express condition that the City is to be free from all liability and claims for damage by reason of any injury to any person or persons, including Concessionaire, its agents and employees, or by reason of any injury to property of any kind whatsoever, and to whomever belonging, including

Concessionaire, its agents and employees, from any cause or causes whatsoever, arising out of Concessionaire's performance of this License Agreement, or any extension thereof.

Concessionaire hereby agrees to defend and indemnify City and save City harmless from any and all claims, liability, damages, expenses, causes of action, suites or judgments, together with any and all cost or expenses connected with the investigation or defense thereof, including reasonable legal fees incurred in connection with said investigation and defense, by reason of or resulting from: (1) the performance of, or failure to perform the work or any other obligations of this License Agreement by Concessionaire, or any agent or employee of Concessionaire; (2) any alleged negligent act or omission of Concessionaire, or Concessionaire's agents or employees, in connection with any acts performed or required to be performed pursuant to this License Agreement. This indemnification is effective and shall apply whether or not any such action is alleged to have been caused by City as a party indemnified hereunder. This indemnification shall not include any claim arising from the sole negligence or willful misconduct of City or its employees.

9. FIRE AND WORKERS' COMPENSATION INSURANCE:

Concessionaire shall carry and maintain during the life of this License Agreement such public liability, property damage, and worker's compensation insurance as specified below:

A. Public Liability, and Property Damage Insurance

Concessionaire shall maintain public liability and property damage insurance. All coverage available to the Concessionaire as named insured shall be made available to the City, its officers, employees and named volunteers as additional insured. Concessionaire shall provide to City the full policy limits of Concessionaire's insurance, with coverage at least as broad as, and limits no less than, the following:

Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than **\$2,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

The public liability and property damage insurance furnished by Concessionaire shall provide for the defense of City, its officers, agents and employees, as well as Concessionaire, and Concessionaire's subcontractors, suppliers, agents and employees, from all suits, actions, damages, losses or claims of every type or description to which they may be subjected by reason of, or resulting from Concessionaire's operations in the performance of the work pursuant to this License Agreement and all insurance policies shall so state. Said insurance shall also specify that it acts as primary insurance. Said

insurance shall also insure performance by Concessionaire of the indemnity provisions of this License Agreement.

Concessionaire further agrees that it will, at all times during the term of this License Agreement, at its own cost and expense, obtain and keep in full force and effect naming both City and Concessionaire as insured's thereunder, fire, windstorm and extended coverage insurance in an amount equal to the actual replacement cost of the Premises installed on the property by Concessionaire without deduction for physical depreciation.

B. Workers' Compensation Insurance

Concessionaire shall be permissibly self-insured or shall carry full worker's compensation insurance coverage for all persons employed, either directly or through subcontractors, in performing the services contemplated by this License Agreement, in accordance with the Workers' Compensation Act contained in the Labor Code of the State of California.

By execution of this License Agreement, Concessionaire certifies as follows:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to take undertake self-insurance in accordance with the provisions of that Code. I will comply with such provisions before commencing the performance of the work of this contract."

As part of the execution of this License Agreement, Concessionaire agrees to furnish to City certificates of insurance evidencing the policies that it has taken out for public liability, property damage and workers' compensation insurance set forth above for the period covered by this License Agreement. Such insurance shall be placed with an insurance carrier acceptable to City under terms satisfactory to City. Said certified policies of insurance shall be furnished to City prior to commencing the services contemplated by this License Agreement. Each such certified policy shall bear an endorsement precluding the cancellation or reduction in coverage of any such policy before the expiration of thirty (30) days after the City shall have received written notification of such cancellation or reduction.

Should Concessionaire fail to obtain and keep in force the insurance coverage herein above required, City shall have the right to cancel and terminate this License Agreement forthwith and without regard to any other provisions of this License Agreement.

10. LICENSES AND PERMITS:

Concessionaire shall comply with all licensing requirements of the State of California applicable to Concessionaire's use of the premises, and Concessionaire shall comply with all federal, state, county and city laws, regulations or ordinances affecting the premises, the improvements thereon, the conditions existing thereon, and all activities conducted on the premises, including, without limitation, the obligation of Concessionaire at Concessionaire's expense to alter, repair, maintain and restore the premises in compliance and conformity with all laws and regulations relating to the condition, use or occupancy of the premises.

11. TAXES:

Concessionaire shall, at its sole cost and expense, pay any and all taxes for which it is responsible, or which may be assessed against it.

a) Possessory Interest Tax.

Under this License Agreement a possessory interest subject to property taxation may be created. Notice is hereby given pursuant to Revenue and Taxation Code section 107.6 that such possessory interest may be subject to property taxation if created, and that the party in whom the possessory interest is vested may be subject to the payment of property taxes levied on such interests.

b) Right to Contest Taxes.

Concessionaire shall have the right in its own name, or to the extent necessary in City's name, to contest in good faith and by all appropriate proceedings the amount, applicability or validity of any possessory interest tax assessment pertaining to the Facility and Premises, and Concessionaire's operations thereon. In the event Concessionaire initiates such contest, City shall reasonably cooperate with Concessionaire, provided that such contest will not subject any part of City's property to forfeiture or loss.

If at any time, payment of any tax or assessment becomes necessary and Concessionaire has exhausted its remedies with respect to contesting the amount, applicability or validity of any such tax assessment pertaining to the Facility and Premises, Concessionaire shall then timely pay such tax or assessment.

12. DAMAGE TO OR DESTRUCTION OF PREMISES:

In the event of loss or damage to the Premises by fire or any extended coverage insured against by any insurance policy, Concessionaire shall collect the proceeds and shall apply them to the rebuilding, restoring or repair of the damaged or destroyed building to the same general condition in which it existed at the time of the occurrence of said event. If the net proceeds of said insurance are insufficient, Concessionaire may elect to pay any additional funds necessary to complete the repair and restoration of the

Premises. If Concessionaire elects not to pay said additional funds, then this License Agreement shall terminate.

Concessionaire hereby waives the provisions of Section 1932 subdivision 2 and Section 1933 subdivision 4 of the Civil Code of the State of California.

Concessionaire shall not be liable for the payment of any rent accruing during the period of time required for the repair or restoration of the Premises if Concessionaire's business cannot be operated during this period. However, if Concessionaire is able to continue to use the Premises after the destruction and during the period of repair and restoration, Concessionaire shall be liable for payment of rent as stated herein, subject to negotiation with City.

14. INSPECTION AND FINANCIAL STATEMENTS:

City or its duly authorized representative or agents may enter upon the premises at any and all reasonable times during the term of this License Agreement for the purpose of determining whether Concessionaire is complying with the terms and conditions hereof, and for any other purpose incidental to the rights of City. Upon request from the City Manager, Concessionaire shall deliver to City a financial statement.

15. ASSIGNMENT AND SUBLETTING:

Concessionaire shall have no right, authority or power to sell or assign the concession rights herein granted to any other person, nor shall Concessionaire have any right, authority or power to allow or permit any other person or party to have any interest in this License Agreement without the written consent of City. It is the purpose and intent of this License Agreement to grant said concession privileges solely to said Concessionaire and neither directly nor indirectly to any other person or party. The assignment, subletting or encumbrance of said concession rights without the prior written consent of City shall be void and, at the option of City, shall terminate this License Agreement. No assignment shall relieve Concessionaire of its obligations under the terms of this License Agreement. The written consent of City to one assignment, occupation or use by another person shall not be deemed to be a consent to any subsequent assignment, subletting, occupation or use by another person.

16. DEFAULT BY CONCESSIONAIRE:

The occurrence of any of the following shall constitute a default by Concessionaire:

a) Failure to pay rent or any other sum due hereunder when due, if the failure continues for a period of thirty (30) days after said payment became due as provided herein.

b) Abandonment or vacation of the premises (failure to occupy and/or operate the business on said premises for ten (10) consecutive days) shall be deemed an

abandonment and vacation except when caused by acts of God, forces of nature, pandemic, or other causes beyond the control of the Concessionaire.

c) Failure to perform any other provision of this License Agreement if the failure to perform is not cured within thirty (30) days after notice has been given to Concessionaire.

In the event of any such default, City shall have the following rights and remedies in addition to any rights and remedies now or hereafter provided by law. All such remedies are cumulative and may be exercised concurrently or separately.

City can continue this License Agreement in full force and effect and the License Agreement will continue in effect as long as City does not terminate Concessionaire's right to possession, and City shall have the right to collect rent when due. After Concessionaire's default, and for as long as City does not terminate Concessionaire's right to possession of the premises, Concessionaire have the right to assign or sublet their interest in this License Agreement if Concessionaire shall obtain City's written consent, but Concessionaire shall not be released from liability. City's consent to a proposed assignment or subletting shall not be unreasonably withheld.

Upon default by Concessionaire as defined herein, City can terminate Concessionaire's right to possession of the premises at any time. Termination under this Paragraph shall not relieve Concessionaire from the payment of any sums then due to City, or for money claimed for damages previously accrued or then accruing against Concessionaire. No act by City, other than giving notice of default to Concessionaire, shall terminate this License Agreement. Acts of maintenance or preservation or efforts to relet the property, or the appointment of a receiver upon the initiative of the City to protect the City's interest under the License Agreement, shall not constitute a termination of Concessionaire's right to possession.

17. DEFAULT BY CITY:

The failure of City to perform any of its obligations pursuant to the provisions of this License Agreement shall constitute a default by City if Concessionaire notifies City of its failure to perform any of its obligations pursuant to the provisions of this License Agreement in writing, and City fails to initiate performance within sixty (60) days after such written notice has been given to City by Concessionaire. In the event of such default by City, Concessionaire shall have the option of terminating this License Agreement.

18. HOLDING OVER:

Any holding over after the expiration of the Term, including any Extension Period, with the consent of City, shall be construed to be a tenancy from month-to-month, cancelable upon thirty (30) days' written notice, and a rental upon all terms and conditions as existed during the last year of the Term, including any Extension Period. Any holding over after the expiration of the Term, including any Extension Period, without the consent

of City, shall be construed to be a tenancy-at-will at a Monthly Rent of Five Hundred and 00/100 Dollars (\$500.00) per month but otherwise on the terms and conditions in this License Agreement.

19. LIENS:

Ten (10) days before commencement of any work, improvement or repair which will cost in excess of Two Hundred Fifty Dollars (\$250.00), Concessionaire shall notify City in writing of its intention to commence said work. Said notice is to be given for the express purpose of permitting City to post a Notice of Non-responsibility to protect City's interests in the Licensed premises from the attachment of any mechanic's liens.

20. FORCE MAJEURE

If either party shall be delayed or prevented from the performance of any act required under this License by reason of acts of God, strikes, lockouts, labor troubles, inability to procure materials, restrictive governmental laws or regulations, public health pandemic, or other cause without fault and beyond the control of the party obligated, performance of this act shall be excused for the period of the delay and the period for the performance of any act shall be extended for a period equivalent to the period of the delay; provided, however, nothing in this Section shall excuse Concessionaire from the prompt payment of any rental or other charge required of Concessionaire except as may be provided elsewhere in this License.

21. PARTIAL INVALIDITY

If any term, covenant, condition, or provision of this License is held by a court of competent jurisdiction to be void or unenforceable, the remainder of the provisions of this License shall remain in full force and shall in no way be affected, impaired, or invalidated.

22. ATTORNEY'S FEES; LITIGATION COSTS:

If any action at law or in equity is brought to recover any rent or other sums under this License, or for or on account of any breach of or to enforce or interpret any of the covenants, terms, or conditions of this License, or for the recovery of the possession of the Premises, the prevailing party shall be entitled to reasonable attorneys' fees, costs and other expenses, in addition to any other relief to which such party may be entitled. Prevailing party includes (a) a party who dismisses an action in exchange for sums allegedly due; (b) the party that receives performance from the other party of an alleged breach of covenant or a desired remedy, if it is substantially equal to the relief sought in an action; or (c) the party determined to be prevailing by a court of law.

Whenever provision is made in this License Agreement for the payment of attorney's fees, such fees shall be payable whether the legal services are rendered by a salaried employee for the party or by independent counsel and shall include such fees as are incurred in connection with any pretrial proceeding, trial or appeal of the action.

Any award of damages following judicial remedy or arbitration as a result of the breach of this License Agreement or any of its provisions shall include an award of prejudgment interest from the date of the breach at the maximum amount of interest allowed by law.

23. NON-WAIVER:

The failure or omission by City to terminate this License Agreement for any violation of its terms, conditions or covenants shall in no way bar, stop or prevent City from terminating this License Agreement therefore, either for such, or for any subsequent violation of any such term, condition or covenant. The acceptance of rent hereunder shall not be construed to be a waiver of any breach of any term, covenant or condition of this License Agreement.

24. CONCESSIONAIRE AS INDEPENDENT CONTRACTOR:

The parties hereto agree that at all times during the term of this License Agreement, Concessionaire and Concessionaire's employees hired to perform services pursuant to this License Agreement are independent contractors for all purposes of this Concessionaire License Agreement. Under no circumstances shall Concessionaire or Concessionaire's employees be considered agents or employees of City. Concessionaire acknowledges, therefore, that it and its agents and employees are not entitled to workers' compensation benefits from City should Concessionaire or its agents and employees sustain an injury in the course of performing services specified in this License Agreement. Concessionaire shall be solely responsible for and have control over the means, methods, details techniques and procedures for operation of the Facility on the Premises referred to in this License Agreement. Concessionaire shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent of City, except as specifically authorized by the City Manager in writing. Concessionaire shall have no authority, express or implied, pursuant to this License Agreement, to bind City to any obligation whatsoever.

25. NEGATION OF PARTNERSHIP:

City shall not become or be deemed a partner or joint venturer with Concessionaire by reason of the provisions of this License Agreement.

26. LICENSE AGREEMENT TO BIND SUCCESSORS AND ASSIGNS:

This License Agreement shall inure to the benefit and bind the successors and assigns of the respective parties hereto.

27. PARAGRAPH HEADINGS:

The paragraph headings are titles to the paragraphs of this License Agreement and are inserted for reference only, and are not a part of this License Agreement and shall

have no effect upon the construction or interpretation of any part of this License Agreement.

28. COMPLETE LICENSE AGREEMENT:

This instrument contains all of the License Agreements and covenants made between the parties to this License Agreement and may not be modified orally or in any other manner than by License Agreement in writing signed by all the parties to this License Agreement or their respective successors or assigns.

29. AUTHORITY:

If Concessionaire is a corporation, trust, or general or limited partnership, all individuals executing this License Agreement on behalf of that entity represent that they are authorized to execute and deliver this License Agreement on behalf of that entity. If Concessionaire is a corporation, trust, or partnership, Concessionaire shall, prior to the execution of this License Agreement, deliver to City evidence of that authority and evidence of due formation, all satisfactory to City. If Concessionaire is a partnership, Concessionaire shall furnish City with a copy of Concessionaire's partnership License Agreement and with a certificate from Concessionaire's attorney, stating that the partnership License Agreement.

30. GOVERNING LAW:

This License shall be governed by and construed in accordance with the laws of the State of California.

31. SERVICE OF NOTICE:

Any notice to or demand upon City or Concessionaire required or permitted to be made under the provisions of this License Agreement or any provisions of law, shall be given or made by registered mail, postage prepaid and addressed as follows until changed:

City of Clearlake
14050 Olympic Drive
Clearlake, CA 95422
Attn: City Manager Alan Flora

Concessionaire:
Mudslingers LLC

27. TIME:

Time is of the essence of this License Agreement and all that is herein contained.

IN WITNESS WHEREOF, Licensee has caused its duly authorized representative for and on its behalf to execute this License Agreement, and the City of Clearlake, a municipal corporation, has

caused this License to be executed by its City Manager and attested to by its City Clerk and Licensee has so executed it.

CONCESSIONAIRE:

CITY:

CITY OF CLEARLAKE, a municipal corporation

By: _____
Name: Lisa Reynolds
Date: _____

By: _____
Alan Flora,
City Manager

By: _____
Name: Shana Parker
Date: _____

APPROVED AS TO FORM:

Ryan R. Jones, City Attorney

ATTEST:

Melissa Swanson, City Clerk

EXHIBIT 1

Premises



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Measure V Road Improvement Projects Financing

MEETING DATE:

April 21, 2021

SUBMITTED BY: Kelcey Young, Director of Finance

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to Approve the following resolutions:

A resolution of the city council of the city of Clearlake authorizing documents and official actions relating to measure v financing of road improvements

A resolution of the governing board of the Clearlake public financing authority authorizing the execution and delivery of an installment sale agreement and assignment agreement to finance road improvements within the City of Clearlake, and approving related documents and actions

BACKGROUND/DISCUSSION:

In 2018, the City's electorate passed Measure V, a one cent sales and use tax increase. Funds derived from the measure must be used for road maintenance and improvements in the City.

Measure V Revenues currently generate approximately \$2,500,000 annually. The measure sunsets in 2037.

The City has immediate needs for funds to complete acquisition, construction and installation of certain road improvements (collectively, the "Projects") and has evaluated the funding strategies to complete the street improvements including both on a pay-go basis or by long-term financing repayable from and secured by a pledge of revenues generated by the Measure V revenues.

At the City's March 3, 2022 and March 17, 2022 City Council meetings, staff presented the background and analysis of financing the City's street improvements given the low interest rate environment from a historical perspective and rising cost of inflation. The City provided direction to staff to move forward with identifying financing options.

ANALYSIS:

Financing the street improvements allows the City to utilize the Measure V revenues by taking advantage of the current low tax-exempt financing rates to complete the improvements sooner than by accumulating revenues on a year-by-year basis. Other considerations for financing versus completing the improvements on a pay-go basis include rising inflation of project costs, economies of scale captured from aggregating projects and staff time saved by reducing annual pay-go contract process.

This proposed financing would be sold as a private placement to banks through a competitively run bidding process. The City has initiated a competitive process with banks and expects to receive interest rate proposals prior to the City Council meeting which will be provided once the proposals come in as a Supplemental Memo which will include the Not to Exceed Rate and Good Faith Estimate.

DOCUMENTS FOR REVIEW AND APPROVAL

The subject resolution authorizes and directs the City Manager and other City Staff to finalize the financing documents as and when appropriate, and to do all things necessary to provide for the issuance of the financing and delivery of the related documents, subject to the not-to-exceed parameters contained in the resolution. If the final terms for any reason should fall outside of parameters in the resolutions, staff will return for further direction before finalizing the transaction.

Both the City and the Clearlake Public Financing Authority (the “Authority”) are required to complete the legal structure of the financing. The following agreements are entered into by the City and/or the Authority:

Installment Sale Agreement – Agreement that provides for the City to undertake construction of the Projects on behalf of the Authority and the Authority agrees to sell the Projects to the City in return for semiannual installment payments (the “Installment Payments”) to be made by the City as the purchase price of the Projects.

Assignment Agreement – Agreement that provides for the Authority to assign and transfer certain of its rights under the Installment Sale Agreement to a bank (the “Assignee”), to be selected by City staff pursuant to a competitive bidding process, under an Assignment Agreement among the Authority, the City, and the Assignee.

ANTICIPATED SCHEDULE

If the City Council elects to proceed with the Measure V financing of the Projects, the preliminary schedule contemplates the following dates:

Date	Activity
April 20-22	Formal Award to Winning Bank; Enter into a Term Sheet
Early to Mid-June	Execute Legal Documents for the 2022 financing
June 22	Close and delivery of funds

GOOD FAITH ESTIMATES

Pursuant to Government Code Section 5852.1, the following good faith estimates (obtained from the Municipal Advisor) must be disclosed at a public meeting before the authorization of the financing.

The Good Faith Estimates will be included once the proposals have come in and before the public meeting.

OPTIONS:

1. Move to
2. Move to
3. Direct staff to
4. Other direction

FISCAL IMPACT:

☐ None ☒ \$1.5 million annual installment payments Budgeted Item? ☐ Yes ☐ No

Budget Adjustment Needed? ☐ Yes ☐ No If yes, amount of appropriation increase: \$

Affected fund(s): ☐ General Fund ☐ Measure P Fund ☒ Measure V Fund ☐ Other:

Comments:

STRATEGIC PLAN IMPACT:

- ☐ Goal #1: Make Clearlake a Visibly Cleaner City
- ☒ Goal #2: Make Clearlake a Statistically Safer City
- ☒ Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- ☒ Goal #4: Improve the Image of Clearlake
- ☒ Goal #5: Ensure Fiscal Sustainability of City
- ☐ Goal #6: Update Policies and Procedures to Current Government Standards
- ☒ Goal #7: Support Economic Development

SUGGESTED MOTIONS:

1. Mayor to Open the Hearing for Public Comment
2. Council should Hear Public Comments
3. Council should Close Public Comments by Motion
4. Motion to Approve the City Council Resolution and Public Financing Authority Board Resolution approving the Measure V financing and related documents.

- ☒ **Attachments:**
- 1) City Council Resolution No. 2022-20
 - 2) Public Financing Authority Board Resolution No.PFA-2022-01
 - 3) Installment Purchase Agreement
 - 4) Assignment Agreement
 - 5) Supplemental Memo to include the Not to Exceed Rate and Good Faith Estimate

RESOLUTION NO. 2022-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLEARLAKE AUTHORIZING DOCUMENTS AND OFFICIAL
ACTIONS RELATING TO MEASURE V FINANCING OF
ROAD IMPROVEMENTS

WHEREAS, on June 23, 2016 the City Council of the City of Clearlake (the “City”) adopted its Ordinance No. 189-2016 “An Ordinance of the City Council of the City of Clearlake Adding Chapter 3-7 to the Clearlake Municipal Code Related to a Transactions and Use Tax to be Administered by the State Board of Equalization” (the “Ordinance”) to become effective if approved by the electorate of the City, which Ordinance included as “Exhibit A” a City of Clearlake Road Maintenance and Improvement Transactions and Use Tax Expenditure Plan (the “Expenditure Plan”) directing how the revenue from the transaction and use tax shall be spent, and provided for annual review by a Citizen’s Oversight Committee (the “Oversight Committee”); and

WHEREAS, on November 8, 2016, the voters in the City approved by at least a 2/3rds majority the proposed special tax to be used for road maintenance and improvements as set forth in the Ordinance, balloted as “Measure V,” implementing a one-cent sales and use tax increase (the “Sales Tax Override”), effective as of April 1, 2017, and the provisions of the Ordinance were thereby added to the Clearlake Municipal Code (the “Municipal Code”) as Chapter 3, Section 7 of the Municipal Code, including the Expenditure Plan as an exhibit referenced in Section 3-7.3 of the Municipal Code; and

WHEREAS, at its regular meetings on March 3, 2022 and March 17, 2022, the Council was presented with information setting forth the benefits of accelerating road improvement projects approved by Measure V by utilizing the Measure V revenues as a repayment source for a long-term financing repayable in installments of principal and interest, and the Council gave direction to staff to proceed with moving forward with steps necessary to secure such financing; and

WHEREAS, the City and the Redevelopment Agency of the City of Clearlake have previously entered into a Joint Exercise of Powers Agreement dated November 23, 1993, creating and establishing the Clearlake Public Financing Authority (the “Authority”), a joint exercise of powers authority duly organized and operating pursuant to Article 1 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (hereinafter, the “Act”); and

WHEREAS, Article 4 of the Act authorizes and empowers the Authority to assist the City in financing public capital improvements whenever the City determines there are significant public benefits from doing so; and

WHEREAS, the City desires to finance the acquisition, construction and installation of certain road improvements (collectively, the “Projects”) as contemplated by Measure V, in order to provide the benefits of constructing the Projects sooner than if Measure V revenues were to be accumulated on a year by year basis; and

WHEREAS, in order to provide funds to finance the Projects, the City has requested the Authority to enter into an Installment Sale Agreement (the “Installment Agreement”) under which the City undertakes construction of the Projects on behalf of the Authority and the Authority agrees to sell the Projects to the City in return for semiannual installment payments (the “Installment Payments”) to be made by the City as the purchase price of the Projects; and

WHEREAS, the Installment Payments will be payable from and secured by a pledge of revenues generated by the Sales Tax Override; and

WHEREAS, in order to maximize benefits to the City, and to obtain the moneys required to finance the Projects, the Authority will assign and transfer certain of its rights under the Installment Sale Agreement to a bank (the “Assignee”), to be selected City staff pursuant to a competitive bidding process, under an Assignment Agreement among the Authority, the City, and the Assignee; and

WHEREAS, on this day the Council conducted a public hearing on the proposed financing, to provide citizens of the City an opportunity to comment on the financing plan for the Projects, including the use of Measure V revenues to finance the Projects by entering into the Installment Sale Agreement, consistent with the structure previously presented to the Council at its regular meetings on March 3, 2022 and March 17, 2022; and

WHEREAS, the execution, delivery and assignment of the Installment Sale Agreement by the City and the Authority will result in significant public benefits, including effectively utilizing the Sales Tax Override to timely construct the Projects and improve roads in the City, and taking advantage of the current low tax-exempt financing rates to complete the Projects sooner than by accumulating revenues on a year by year basis;

WHEREAS, the information required to be obtained and disclosed with respect to the Installment Agreement by the Council in accordance with Government Code Section 5852.1 has been obtained and disclosed in the staff report accompanying this Resolution; and

WHEREAS, the Council wishes to take its action at this time approving the execution and delivery of the Installment Sale Agreement, and the execution and delivery of related financing documents;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Clearlake as follows:

Section 1. Recitals. The foregoing recitals are true and correct and the Council hereby so finds and determines.

Section 2. Finding of Public Benefit. The Council finds that it is in the public interest, convenience and welfare and for the common benefit of the inhabitants of the City and consistent with the purpose of Measure V that the City enter into the Installment Sale Agreement with the Authority to finance the Projects.

Section 3. Amendment of Expenditure Plan. The Council has received a recommendation from the Oversight Committee to update the Expenditure Plan to provide for annual allocations of Measure V revenues to pay for the funding of road projects in installments, and the Council hereby

amends the Annual Expenditure Program set forth in the Expenditure Plan to add “Annual allocations of revenues to pay principal and interest on long-term financing of road improvement projects.”

Section 4. Approval of Agreement and Financing Thereunder. The Council hereby approves entering into the Installment Agreement for the purpose of providing funds to pay the costs of the Projects and related financing costs, which funds are expected to come from the Assignee on a tax-exempt basis; provided that the maximum principal amount payable under the Installment Agreement shall not exceed \$18,500,000 and the initial tax-exempt true interest cost shall not exceed 3.5% per year. The Installment Agreement is hereby approved in substantially the form on file with the Clerk, together with such changes as the City Manager or Finance Director, or a designee of either of them (each, an “Authorized Officer”) deems appropriate to provide the financing contemplated by this Resolution, and such execution shall be conclusive evidence of the approval of the final form thereof together with any changes therein. Each Authorized Officer is hereby authorized and directed for and in the name and on behalf of the City to execute, and the Clerk is hereby authorized and directed to, if required, attest to, the final form of the Installment Agreement.

Section 5. Official Actions. The Authorized Officers, the Mayor, the City Clerk and all other officers of the City are each authorized and directed in the name and on behalf of the City to make any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they or any of them might deem necessary or appropriate in order to consummate any of the transactions contemplated by the agreements and documents approved under this Resolution, including entering into such professional services contracts, on terms deemed appropriate by any of them, as necessary to carry out the financing. Whenever in this Resolution any officer of the City is authorized to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in the case such officer is absent or unavailable.

Section 6. Effective Date. This Resolution shall take effect immediately upon its passage and adoption. Adoption of this resolution is intended to start the 60-day period provided for in California Code of Civil Procedure Section 863 for an interested person to bring an action to determine the validity of the matters approved herein, including, but not limited to, the validity of the Installment Agreement, and the legality and validity of this Resolution, the pledge of and use of the Sales Tax Override for payment of the principal and interest components of the Installment Payments and costs related to the financing.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2022 by the following roll call vote:

AYES:

NOES:

ABSENT:

Dirk Slooten, Mayor

ATTEST:

Melissa Swanson, City Clerk

RESOLUTION NO. 2022-21

A RESOLUTION OF THE GOVERNING BOARD OF THE
CLEARLAKE PUBLIC FINANCING AUTHORITY AUTHORIZING
THE EXECUTION AND DELIVERY OF AN INSTALLMENT SALE
AGREEMENT AND ASSIGNMENT AGREEMENT TO FINANCE
ROAD IMPROVEMENTS WITHIN THE CITY OF CLEARLAKE,
AND APPROVING RELATED DOCUMENTS AND ACTIONS

WHEREAS, the City of Clearlake (the “City”) is a municipal corporation organized duly organized and existing under the Constitution and laws of the State of California; and

WHEREAS, the City and the Redevelopment Agency of the City of Clearlake have previously entered into a Joint Exercise of Powers Agreement dated November 23, 1993, creating and establishing the Clearlake Public Financing Authority (the “Authority”), a joint exercise of powers authority duly organized and operating pursuant to Article 1 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (hereinafter, the “Act”); and

WHEREAS, Article 4 of the Act authorizes and empowers the Authority to assist the City with financing public capital improvements; and

WHEREAS, on November 8, 2016, the voters of the City approved by at least a 2/3rds majority “Measure V,” a one-cent sales and use tax increase (the “Sales Tax Override”) as a special tax to be used for road maintenance and improvements; and

WHEREAS, the City desires to finance the acquisition, construction and installation of certain road improvements (collectively, the “Projects”) approved as a use of Measure V revenues; and

WHEREAS, in order to provide funds to finance the Projects, the Council has requested the Authority to enter into an Installment Sale Agreement under which the Authority agrees to sell the Projects to the City in return for semiannual installment payments (the “Installment Payments”) to be made by the City as the purchase price of the Projects; and

WHEREAS, the Installment Payments will be payable from and secured by a pledge of revenues generated by the Sales Tax Override; and

WHEREAS, in order to maximize benefits to the City, and to obtain the moneys required to finance the Projects, the Authority will assign and transfer certain of its rights under the Installment Sale Agreement to a bank to be selected by the City (the “Assignee”) under an Assignment Agreement among the Authority, the City, and the Assignee; and

WHEREAS, on this day the Council conducted a public hearing on the proposed financing, to provide citizens of the City an opportunity to comment on the financing plan for the Projects, including the use of Measure V revenues to finance the Projects by entering into the Installment Sale Agreement, as previously presented to the Council at its regular meetings on March 3, 2022 and March 17, 2022; and

WHEREAS, the execution, delivery and assignment of the Installment Sale Agreement by the City and the Authority will result in significant public benefits, including effectively utilizing the Sales Tax Override to timely construct the Projects and improve roads in the City, and taking advantage of the current low tax-exempt financing rates to complete the Projects sooner than by accumulating revenues on a year by year basis; and

WHEREAS, the information required to be obtained and disclosed with respect to the Agreement by the Governing Board in accordance with Government Code Section 5852.1 has been obtained and disclosed in the staff report accompanying this Resolution; and

WHEREAS, the Governing Board wishes to take its action at this time approving the execution and delivery of the Installment Sale Agreement and Assignment Agreement, and the execution and delivery of related financing documents.

NOW, THEREFORE, IT IS RESOLVED by the Governing Board of the Clearlake Public Financing Authority as follows:

Section 1. Recitals. The foregoing recitals are true and correct and the Governing Board hereby so finds and determines.

Section 2. Approval of Financing Plan. The Governing Board hereby approves the financing plan described in this Resolution for the purpose of providing funds to finance the acquisition, construction and installation of the Projects. The aggregate principal amount of the Installment Payments shall not exceed \$18,500,000 and the initial tax-exempt true interest cost shall not exceed 3.5% per annum.

Section 3. Approval of Installment Sale Agreement. The Governing Board hereby approves the Installment Sale Agreement in substantially the form thereof on file with the Secretary, together with any changes therein or additions thereto deemed advisable by the Chair, Vice Chair, Executive Director or Treasurer (each, an “Authorized Officer”), the execution of which by an Authorized Officer shall be conclusive evidence of the approval of any such changes or additions. Each Authorized Officer is each hereby authorized and directed for and in the name and on behalf of the Authority to execute, and the Secretary is hereby authorized and directed to attest, the final form of the Installment Sale Agreement.

Section 4. Approval of Assignment Agreement. The Governing Board hereby approves the Assignment Agreement in substantially the form thereof on file with the Secretary, together with any changes therein or additions thereto deemed advisable by an Authorized Officer, the execution of which by an Authorized Officer shall be conclusive

evidence of the approval of any such changes or additions. Each Authorized Officer is each hereby authorized and directed for and in the name and on behalf of the Authority to execute, and the Secretary is hereby authorized and directed to attest, the final form of the Assignment Agreement.

Section 5. Official Actions. Each Authorized Officer and all other officers of the Authority are each authorized and directed in the name and on behalf of the Authority to execute any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, and other documents, which they or any of them deem necessary or appropriate in order to consummate any of the transactions contemplated by the agreements and documents approved under this Resolution, including without limitation tax certificates. Whenever in this resolution any officer of the Authority is authorized to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf if such officer is absent or unavailable. Any actions previously taken by any Authorized Officer and all other officers of the Authority in furtherance of this Resolution are hereby ratified and approved.

Section 6. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2022 by the following roll call vote:

AYES:

NOES:

ABSENT:

Dirk Slooten, Chair

ATTEST:

Melissa Swanson, Secretary

INSTALLMENT SALE AGREEMENT

Dated as of _____ 1, 2022

by and between

**CLEARLAKE PUBLIC FINANCING AUTHORITY,
as Seller**

and the

**CITY OF CLEARLAKE,
as Purchaser**

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INSTALLMENT SALE AGREEMENT

THIS INSTALLMENT SALE AGREEMENT (this “Agreement”), dated as of _____ 1, 2022, by and between the CLEARLAKE PUBLIC FINANCING AUTHORITY, a joint exercise of powers authority duly organized and existing under the laws of the State of California, as seller (the “Authority”), and the CITY OF CLEARLAKE, a municipal corporation organized and existing under the Constitution and laws of the State of California, as purchaser (the “City”);

B A C K G R O U N D :

1. On November 8, 2016, the voters of the City approved by at least a 2/3rds majority “Measure V,” a one-cent sales and use tax increase (the “Sales Tax Override”) as a special tax to be used for road maintenance and improvements and the City desires to finance the acquisition, construction and installation of certain road improvements (collectively, the “Project”) contemplated by Measure V.

2. The Authority has been formed for the purpose of assisting the City and other local agencies in the financing of public capital improvements.

3. In order to provide funds to finance the Project, the City has requested the Authority enter into this Agreement under which the Authority agrees to sell the Project to the City in return for semiannual installment payments (the “Installment Payments”) to be made by the City as the purchase price of the Project.

4. The Installment Payments are payable from, and are secured by, a pledge of and lien on, the Net Sales Tax Override Revenues.

5. For the purpose of obtaining the moneys required to finance the Project in accordance with the terms hereof, the Authority has assigned and transferred certain of its rights under this Agreement to _____ (the “Assignee”) under an Assignment Agreement dated as of _____ 1, 2022, among the Authority, the City, and the Assignee, including the right to receive and enforce payment of the Installment Payments.

A G R E E M E N T :

In consideration of the foregoing and the material covenants hereinafter contained, the City and the Authority formally agree as follows:

ARTICLE I

GENERAL

Section 1.01. Definitions.

“Assignee” means _____, a _____, its successors and assigns.

“Assignment Agreement” means the Assignment Agreement, dated as of _____ 1, 2022, by and among the Authority, the City and the Assignee, and any duly authorized and executed amendment or supplement thereto.

“Authority” means the Clearlake Public Financing Authority.

“Authority Representative” means the Chair, Vice Chair, Executive Director, Treasurer or Secretary of the Authority, or any other person designated as an Authority Representative by a Written Certificate of the Authority signed by its Chair, Vice Chair, Executive Director, Treasurer or Secretary and filed with the City and the Assignee.

“Bond Counsel” means (a) Jones Hall, A Professional Law Corporation, or (b) any other attorney or firm of attorneys of nationally recognized expertise with respect to legal matters relating to obligations the interest on which is excludable from gross income for purposes of federal income taxation under Section 103 of the Tax Code.

“Business Day” means any day other than (a) a Saturday or a Sunday or (b) a day on which banking institutions in the state in which the Trust Administrator has its principal trust office are authorized or obligated by law or executive order to be closed.

“Closing Date” means June 20, 2022.

“Code” means the Internal Revenue Code of 1986 as in effect on the date of delivery of this Agreement or (except as otherwise referenced herein) as it may be amended to apply to obligations issued on the date of delivery of this Agreement, together with applicable proposed, temporary and final regulations promulgated, and applicable official public guidance published, under the Code.

“City” means the City of Clearlake, a municipal corporation organized and existing under the Constitution and laws of the State of California.

“City Representative” means the City Manager, Finance Director, or any other person designated as a City Representative by a Written Certificate of the City signed by its City Manager or Finance Director and filed with the Authority and the Assignee.

“Default Rate” means the Interest Rate plus _____%.

“Defeasance Obligations” means (a) cash, or (b) non-callable Federal Securities.

“Delivery Costs” means all items of expense directly or indirectly payable by or reimbursable to the City or the Authority relating to the execution and delivery of this Agreement, including but not limited to filing and recording costs, settlement costs, printing costs, reproduction

and binding, financing discounts, legal fees and charges, financial and other professional consultant fees, and other charges and fees in connection with the foregoing.

“Event of Default” means an event of default under Section 7.01 hereof.

“Federal Securities” means direct general obligations of (including obligations issued or held in book entry form on the books of the Department of the Treasury) the United States of America, or obligations the timely payment of principal of and interest on which are guaranteed by, the United States of America.

“Financial Consultant” means any consultant or firm of such consultants appointed by the City and who, or each of whom: (a) is judged by the City to have experience in matters relating to the financing of municipal capital improvements; (b) is in fact independent and not under domination of the City; (c) does not have any substantial interest, direct or indirect, with the City; and (d) is not connected with the City as an officer or employee of the City, but who may be regularly retained to make reports to the City.

“Fiscal Year” means any period of 12 consecutive months established by the City as its fiscal year and shall initially mean the period commencing July 1 of one year and ending on June 30 of the following year.

“Gross Sales Tax Override Revenues” means all the revenue collected and received by the City from the Sales Tax Override.

“Independent Accountant” means any accountant or firm of such accountants appointed and paid by the City, and who, or each of whom (a) is in fact independent and not under domination of the City; (b) does not have any substantial interest, direct or indirect, with the City; and (c) is not connected with the City as an officer or employee of the City, but who may be regularly retained to make annual or other audits of the books of or reports to the City.

“Installment Payment” means any payment required to be paid by the City to the Authority pursuant to Section 3.05 hereof.

“Installment Payment Date” means June 1 and December 1 of each year, commencing December 1, 2022.

“Interest Rate” means the rate of interest to be paid on the Installment Payments, which is _____% per annum.

“Net Sales Tax Override Revenues” means, for any period, an amount equal to all of the Gross Sales Tax Override Revenues received during such period minus the amount required to pay all costs of the County of Lake and the City for collection and administration of the Gross Sales Tax Revenues during such period.

“Parity Obligations” means the payments made pursuant to any indebtedness or other obligations (including leases and installment sale agreements) hereafter issued or incurred and secured by a pledge of and lien on Net Sales Tax Override Revenues on a parity with the Installment Payments in accordance with this Agreement.

“Parity Obligations Documents” means any indenture of trust, trust agreement, loan agreement, installment sale agreement or other document authorizing the issuance of any Parity Obligations.

“Prepayment” means any payment applied towards the prepayment of the Installment Payments, in whole or in part, pursuant to Article IV hereof.

“Project” means the road improvement projects described in Exhibit A hereto.

“Project Costs” means all costs of the acquisition, construction and installation of the Project which are paid from moneys on deposit in the Project Fund, including but not limited to:

- (a) all costs required to be paid to any person under the terms of any agreement for the acquisition, construction and installation of the Project or otherwise relating to the acquisition, construction and installation of the Project;
- (b) obligations incurred for labor and materials in connection with the acquisition, construction and installation of the Project;
- (c) the cost of performance or other bonds and any and all types of insurance that may be necessary or appropriate to have in effect in connection with the acquisition, construction and installation of the Project;
- (d) preliminary costs of the Project, including but not limited to design, environmental, engineering and architectural services, costs for testing, surveys, estimates, plans and specifications and preliminary investigations therefor, development fees and costs for supervising construction, as well as for the performance of all other duties required by or consequent to the proper acquisition, construction and installation of the Project;
- (e) costs of equipping the Project and costs of taking occupancy of the Project;
- (f) any sums required to reimburse the City for advances made for any of the above items or for any other costs incurred and for work done which are properly chargeable to the acquisition, construction and installation of the Project;
- (g) all financing costs incurred in connection with the acquisition, construction and installation of the Project; and
- (h) the interest components of Installment Payments coming due during the period of construction of the Project and for not more than six months thereafter.

“Project Fund” means the fund or account by that name established and held by the City under Section 2.02.

“Sales Tax Override” means the one-cent sales and use tax increase approved by voters in the City as Measure V on November 8, 2016 as a special tax to be used for road maintenance and improvements, as provided by the City of Clearlake Improvement Transactions and Use Tax Ordinance, codified as Section 3-7 of the City of Clearlake Municipal Code.

“Sales Tax Override Fund” means the special fund held and maintained by the City for deposit of the Sales Tax Override, known as the _____ Fund.

“Term of the Installment Sale Agreement” means the time during which this Agreement is in effect which begins on the Closing Date and ends on December 1, _____, unless sooner terminated pursuant to the terms hereof.

Section 1.02. Representations, Covenants and Warranties of the City. The City represents, covenants and warrants to the Authority as follows:

- (a) Due Organization and Existence. The City is a public body corporate and politic organized and existing under the Constitution and laws of the State of California, has full legal right, power and authority under said laws to enter into this Agreement and the Assignment Agreement, and to carry out and consummate all transactions contemplated hereby and thereby, and by proper action the City Council of the City has duly authorized the execution and delivery of this Agreement and the Assignment Agreement.
- (b) Due Execution. The representatives of the City executing this Agreement and the Assignment Agreement are fully authorized to execute the same.
- (c) Valid, Binding and Enforceable Obligations. This Agreement and the Assignment Agreement have been duly authorized, executed and delivered by the City and constitute the legal, valid and binding agreements of the City enforceable against the City in accordance with their respective terms; except as the enforceability thereof may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights heretofore or hereafter enacted and except as such enforceability may be subject to the exercise of judicial discretion in accordance with principles of equity.
- (d) No Conflicts. The execution and delivery of this Agreement and the Assignment Agreement, and the consummation of the transactions herein and therein contemplated and the fulfillment of or compliance with the terms and conditions hereof and thereof, do not and will not conflict with or constitute a violation or breach of or default (with due notice or the passage of time or both) under any applicable law or administrative rule or regulation, or any applicable court or administrative decree or order, or any indenture, mortgage, deed of trust, lease, contract or other agreement or instrument to which the City is a party or by which it or its properties are otherwise subject or bound, or result in the creation or imposition of any prohibited lien, charge or encumbrance of any nature whatsoever upon any of the property or assets of the City, which would have consequences that would materially adversely affect the consummation of the transactions contemplated by this Agreement or the financial condition, assets, properties or operations of the City, including but not limited to the performance of the City's obligations under this Agreement and the Assignment Agreement.

- (e) Consents and Approvals. No consent or approval of any trustee or holder of any indebtedness of the City or of the voters of the City, and no consent, permission, authorization, order or license of, or filing or registration with, any governmental authority is necessary in connection with the execution and delivery of this Agreement and the Assignment Agreement or the consummation of any transaction herein or therein contemplated, except as have been obtained or made and as are in full force and effect.
- (f) No Litigation. There is no action, suit, proceeding, inquiry or investigation before or by any court or federal, state, municipal or other governmental authority pending or, to the knowledge of the City after reasonable investigation, threatened against or affecting the City or the assets, properties or operations of the City which, if determined adversely to the City or its interests, would have a material and adverse effect upon the consummation of the transactions contemplated by or the validity of this Agreement and the Assignment Agreement, or upon the financial condition, assets, properties or operations of the City, and the City is not in default with respect to any order or decree of any court or any order, regulation or demand of any federal, state, municipal or other governmental authority, which might have consequences that would materially adversely affect the consummation of the transactions contemplated by this Agreement or the Assignment Agreement, or the financial conditions, assets, properties or operations of the City, including but not limited to the payment and performance of the City's obligations under this Agreement or the Assignment Agreement.
- (g) No Senior Indebtedness. The City has not issued or incurred any obligations which are outstanding as of the Closing Date having any priority in payment over the Installment Payments as provided herein.

Section 1.03. Representations, Covenants and Warranties of the Authority. The Authority represents, covenants and warrants to the City as follows:

- (a) Due Organization and Existence. The Authority is a joint powers authority duly organized and existing under the Joint Exercise of Powers Law of the State of California, and has power to enter into this Agreement and the Assignment Agreement and to perform the duties and obligations imposed on it hereunder and thereunder. The Board of Directors of the Authority has duly authorized the execution and delivery of this Agreement and the Assignment Agreement.
- (b) Due Execution. The representatives of the Authority executing this Agreement and the Assignment Agreement are fully authorized to execute the same.
- (c) Valid, Binding and Enforceable Obligations. This Agreement and the Assignment Agreement have been duly authorized, executed and delivered by the Authority and constitute the legal, valid and binding agreements of the Authority, enforceable against the Authority in accordance with their respective terms; except as the enforceability thereof may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws

affecting creditors' rights heretofore or hereafter enacted and except as such enforceability may be subject to the exercise of judicial discretion in accordance with principles of equity.

- (d) No Conflicts. The execution and delivery of this Agreement and the Assignment Agreement, the consummation of the transactions herein and therein contemplated and the fulfillment of or compliance with the terms and conditions hereof and thereof, do not and will not conflict with or constitute a violation or breach of or default (with due notice or the passage of time or both) under any applicable law or administrative rule or regulation, or any applicable court or administrative decree or order, or any indenture, mortgage, deed of trust, lease, contract or other agreement or instrument to which the Authority is a party or by which it or its properties are otherwise subject or bound, or result in the creation or imposition of any prohibited lien, charge or encumbrance of any nature whatsoever upon any of the property or assets of the Authority, which conflict, violation, breach, default, lien, charge or encumbrance would have consequences that would materially adversely affect the consummation of the transactions contemplated hereby and by the Assignment Agreement, or the financial condition, assets, properties or operations of the Authority, including but not limited to the performance of the Authority's obligations under this Agreement and the Assignment Agreement.
- (e) Consents and Approvals. No consent or approval of any trustee or holder of any indebtedness of the Authority, and no consent, permission, authorization, order or license of, or filing or registration with, any governmental authority is necessary in connection with the execution and delivery of this Agreement or of the Assignment Agreement, or the consummation of any transaction herein or therein contemplated, except as have been obtained or made and as are in full force and effect.
- (f) No Litigation. There is no action, suit, proceeding, inquiry or investigation before or by any court or federal, state, municipal or other governmental authority pending or, to the knowledge of the Authority after reasonable investigation, threatened against or affecting the Authority or the assets, properties or operations of the Authority which, if determined adversely to the Authority or its interests, would have a material and adverse effect upon the consummation of the transactions contemplated by or the validity of this Agreement or the Assignment Agreement, or upon the financial condition, assets, properties or operations of the Authority, and the Authority is not in default with respect to any order or decree of any court or any order, regulation or demand of any federal, state, municipal or other governmental authority, which default might have consequences that would materially adversely affect the consummation of the transactions contemplated by this Agreement or the Assignment Agreement or the financial conditions, assets, properties or operations of the Authority, including but not limited to the performance of the Authority's obligations under this Agreement and under the Assignment Agreement.

Section 1.04. Written Certificates.

(a) Contents. Every certificate provided for in this Agreement with respect to compliance with any provision hereof shall include (a) a statement that the person making or giving such certificate or opinion has read such provision and the definitions herein relating thereto; (b) a brief statement as to the nature and scope of the examination or investigation upon which the certificate is based; (c) a statement that, in the opinion of such person, he or she has made or caused to be made such examination or investigation as is necessary to enable him or her to express an informed opinion with respect to the subject matter referred to in the instrument to which his or her signature is affixed; (d) a statement of the assumptions upon which such certificate is based, and that such assumptions are reasonable; and (e) a statement as to whether, in the opinion of such person, such provision has been complied with.

(b) Reliance. Any such certificate made or given by a City Representative may be based, insofar as it relates to legal or accounting matters, upon a certificate or opinion of or representation by counsel or an accountant, unless such City Representative knows, or in the exercise of reasonable care should have known, that the certificate, opinion or representation with respect to the matters upon which such certificate or statement may be based, as aforesaid, is erroneous. Any such certificate or opinion made or given by counsel or an accountant may be based, insofar as it relates to factual matters (with respect to which information is in the possession of the City, as the case may be) upon a certificate or opinion of or representation by an City Representative, unless such counsel or accountant knows, or in the exercise of reasonable care should have known, that the certificate or opinion or representation with respect to the matters upon which such person's certificate or opinion or representation may be based is erroneous. The same City Representative, or the same counsel or accountant, as the case may be, need not certify to all of the matters required to be certified under any provision of this Agreement, but different officers, counsel or accountants may certify to different matters, respectively.

Section 1.04. Exhibits. The Exhibits attached hereto are, by this reference, made a part of this Agreement.

ARTICLE II

DEPOSITS; CONSTRUCTION OF PROJECT

Section 2.01. Deposit of Moneys. Under the Assignment Agreement, in consideration of the assignment to the Assignee of the Installment Payments and certain other rights of the Authority under this Agreement, the Assignee has provided \$_____ to the Authority, which shall be applied on the Closing Date as follows:

- (a) \$_____ shall be applied by the Assignee for the payment of Delivery Costs by direct wire transfer to the parties entitled thereto, as set forth in a written certificate of the City; and
- (b) \$_____, constituting the remainder of such funds, shall be transferred by the Assignee to the City for deposit in the Project Fund established under Section 2.02 below.

Section 2.02. Project Fund. The City shall establish, maintain and hold a separate fund designated as the “Project Fund” into which the City shall deposit the amounts received from the Assignee under Section 2.01(b). The City shall disburse amounts in the Project Fund from time to time to pay Project Costs (or to reimburse the City for payment of Project Costs). Except as otherwise provided herein, moneys in the Project Fund shall be used solely for the payment of the Project Costs. The City shall maintain accurate records showing all disbursements from the Project Fund. The City shall invest proceeds in the Project Fund in investments authorized by California law and the City’s investment policy.

Section 2.03. Appointment of City as Agent. The Authority hereby appoints the City as its agent to carry out all phases of the acquisition, construction and installation of the Project under and in accordance with the provisions hereof. The City hereby accepts such appointment and assumes all rights, liabilities, duties and responsibilities of the Authority regarding the acquisition, construction and installation of the Project. As agent of the Authority hereunder, the City shall enter into, administer and enforce all purchase orders or other contracts relating to the Project.

Section 2.04. Construction of Project. The City hereby agrees with due diligence to supervise and provide for, or cause to be supervised and provided for, the acquisition and construction of the Project in accordance with the plans and specifications, purchase orders, construction contracts and other documents relating thereto and approved by the City under all applicable requirements of law. All contracts for, and all work relating to, the acquisition and construction of the Project are subject to all applicable provisions of law relating to the acquisition and construction of public works by the City.

The City expects that the acquisition and construction of the Project will be completed by _____ 20___. The failure of the City to complete the Project by such date will not constitute an Event of Default hereunder or a grounds for termination hereof, nor result in the diminution, abatement or extinguishment of the obligations of the City to pay the Installment Payments when due hereunder.

Section 2.05. Plans and Specifications; Modification of Project Description . The City has the right to specify the exact scope, nature and identification of the Project and the respective components thereof. Before any payment is made for the Project or any component

thereof from amounts on deposit in the Project Fund, the City shall prepare detailed plans and specifications relating thereto. The City may from time to time amend any the plans and specifications, and thereby change or modify the description of the Project or any component thereof. Without limiting the generality of the foregoing, the City shall have the right in its sole discretion to modify the description of the Project and any components thereof for the purpose of including road improvements in addition to, or in substitution of, those described in Exhibit A.

Section 2.06. Project Completion; Closing of Project Fund . Following the completion of the Project, the City shall transfer any amounts remaining on deposit in the Project Fund to the Installment Payment Fund established under Section 3.05 below, to be applied as a credit towards the interest component of the Installment Payments next coming due and payable, and the City shall thereupon close the Project Fund.

ARTICLE III

PROJECT SALE AND TITLE; INSTALLMENT PAYMENTS; NET SALES TAX OVERRIDE REVENUES

Section 3.01. Sale. The Authority hereby sells the completed Project to the City, and the City hereby purchases the completed Project from the Authority, upon the terms and conditions set forth in this Agreement.

Section 3.02. Title. The City and the Authority agree that title to the Project, and each component thereof, shall be deemed conveyed by the Authority to and vested in the City. The Authority and the City will execute, deliver and cause to be recorded any and all documents reasonably required to vest in the City all of the Authority's rights in and title to the Project.

Section 3.03. Assignment by the Authority. The Authority's right, title and interest in this Agreement, including the right to receive and enforce payment of the Installment Payments to be made by the City under this Agreement, have been assigned to the Assignee, subject to certain exceptions, pursuant to the Assignment Agreement.

The City understands and agrees that the Authority has assigned its right, title and interest (but not its duties or obligations) in this Agreement to the Assignee pursuant to the Assignment Agreement and the City assents to such assignment. The Authority hereby directs the City, and the City hereby agrees, to pay to the Assignee all payments payable by the City pursuant to this Agreement.

Section 3.04. Term of the Installment Sale Agreement. The Term of this Agreement shall begin on the Closing Date and the final Installment Payment shall mature on December 1, _____, unless sooner prepaid.

Section 3.05. Installment Payments.

(a) Obligation to Pay. There is hereby created the "Installment Payment Fund" to be held by the City. The City agrees to pay to the Authority, its successors and assigns, as the purchase price of the Project, the Installment Payments, consisting of components of principal and interest, on the Installment Payment Dates and in the amounts specified in Exhibit B hereto, provided that amounts previously deposited in the Installment Payment Fund and remaining on deposit therein shall be applied to the payment of Installment Payments next due. The Installment Payments shall be payable solely from Net Sales Tax Override Revenues as hereinafter provided.

(b) Reduction Upon Partial Prepayment. If the City prepays less than all of the remaining principal components of the Installment Payments pursuant to Sections 4.02 hereof, the amount of such prepayment shall be applied (1) first to any interest owing but unpaid at the time of the prepayment, and (2) second to reduce the principal component of the subsequent remaining Installment Payments in any manner as directed by the City in a Written Certificate and the interest component of each subsequent remaining Installment Payment shall be reduced by the aggregate corresponding amount of interest that would otherwise be payable with respect to the Installment Payments as a result of such prepayment.

(c) Rate on Overdue Payments. If the City fails to make any of the payments required in this Section 3.05 so that there are insufficient moneys on hand in the Installment Payment Fund to pay any Installment Payment in full on an Installment Payment Date, the Installment Payment in default shall continue as an obligation of the City until the amount in default is fully paid and the City agrees to pay the same with interest thereon, to the extent permitted by law, from the date thereof at the rate of interest payable with respect to the Installment Payments.

(d) Default Rate. Notwithstanding the foregoing, during any period in which an Event of Default has occurred and is continuing, whether or not the Assignee elects to accelerate the maturity hereof because of such Event of Default, all Installment Payments shall bear interest at the Default Rate.

Section 3.06. Special Obligation of the City.

(a) Limitations. The City's obligation to pay the Installment Payments shall be a special obligation limited solely to Net Sales Tax Override Revenues. Under no circumstances shall the City be required to advance any moneys derived from any source of income other than the Net Sales Tax Override Revenues and other sources specifically identified herein for the payment of the Installment Payments, nor shall any other funds or property of the City be liable for the payment of the Installment Payments.

(b) Obligations Unconditional. The obligations of the City to make the Installment Payments from Net Sales Tax Override Revenues and to perform and observe the other agreements contained herein shall be absolute and unconditional and shall not be subject to any defense or any right of set-off, counterclaim or recoupment arising out of any breach of the City or the Authority of any obligation to the City or otherwise with respect to the Project, whether hereunder or otherwise, or out of indebtedness or liability at any time owing to the City by the Authority.

(c) Obligations Specified. Until such time as all of the Installment Payments are fully paid or prepaid, the City:

(i) will not suspend, abate, or discontinue any payments provided for in Section 3.05 hereof;

(ii) will perform and observe all other agreements contained in this Agreement; and

(iii) will not terminate the Term of this Agreement for any cause, including, the occurrence of any acts or circumstances that may constitute failure of consideration, eviction or constructive eviction, destruction of or damage to the Project, the taking by eminent domain of title to or temporary use of any or all of the Project, commercial frustration of purpose, any change in the tax or other laws of the United States of America or of the State of California or any political subdivision of either thereof or any failure of the Authority to perform and observe any agreement, whether express or implied, or any duty, liability or obligation arising out of or connected with the Assignment Agreement or this Agreement.

(d) Authority Obligations. Nothing contained in this Section 3.06 shall be construed to release the Authority from the performance of any of the agreements on its

part herein contained, and if the Authority fails to perform any such agreements on its part, the City may institute such action against the Authority as the City may deem necessary to compel performance so long as such action does not abrogate the obligations of the City contained in Section 3.06(b) above. The City may, however, at the City's own cost and expense and in the City's own name or in the name of the Authority prosecute or defend any action or proceeding or take any other action involving third persons which the City deems reasonably necessary in order to secure or protect the City's right of possession, occupancy and use hereunder, and in such event the Authority hereby agrees to cooperate fully with the City and to take such action necessary to effect the substitution of the City for the Authority in such action or proceeding if the City so requests.

Section 3.07. Pledge of Net Sales Tax Override Revenues; Transfer to Pay Installment Payments; Release from Lien.

(a) Pledge of Net Sales Tax Override Revenues. The City hereby agrees that the payment of the Installment Payments shall be secured by a pledge, charge and lien upon Net Sales Tax Override Revenues on a parity with the pledge that secures all outstanding Parity Obligations (if any), and Net Sales Tax Override Revenues sufficient to pay the Installment Payments as they become due and payable are hereby pledged, charged, assigned, transferred and set over by the City to the Authority and its assigns for the purpose of securing payment of the Installment Payments. The Net Sales Tax Override Revenues shall constitute a trust fund for the security and payment of the Installment Payments.

The Installment Payments and all Parity Obligations are equally secured by a pledge, charge and lien upon the Net Sales Tax Override Revenues and such moneys without priority for series, issue, number or date, and the payment of the interest on and principal of the Installment Payments and all Parity Obligations shall be and are secured by an exclusive pledge, charge and lien upon the Net Sales Tax Override Revenues and such moneys.

(b) Transfer to Pay Installment Payments. The City has previously established the Sales Tax Override Fund, which the City shall continue to hold and maintain for the purposes and uses set forth herein. The City shall deposit all Gross Sales Tax Override Revenues in the Sales Tax Override Fund immediately on receipt. In addition to withdrawals required to pay principal of and interest on the Parity Obligations, the City shall, on or before each Installment Payment Date, deposit Net Sales Tax Override Revenues in the Sales Tax Override Fund and transfer to the Installment Payment Fund the amount indicated in Exhibit B attached hereto as required for the next occurring Installment Payment Date. Notwithstanding Exhibit B attached hereto, the City shall be obligated to make Installment Payments sufficient to pay all principal and interest due with respect to the Installment Payments.

Pursuant to California Government Code Section 5451, the pledge of the Net Sales Tax Override Revenues by the City for the repayment of the principal of, premium, if any, and interest components of the Installment Payments constitutes a first lien and security interest which immediately attaches to such Net Sales Tax Override Revenues, and is effective and binding against the City, the Authority, their successors, creditors and all others asserting rights therein irrespective of whether those parties have notice of the

pledge, irrespective of whether such amounts are or may be deemed to be a fixture and without the need for physical delivery, recordation, filing or further act.

(c) No Preference or Priority; Insufficiency of Net Sales Tax Override Revenues. Payment of the Installment Payments and the principal of and interest on Parity Obligations shall be made without preference or priority. If the amount of Net Sales Tax Override Revenues on deposit in the Sales Tax Override Fund are any time insufficient to enable the City to pay when due the Installment Payments, the principal of and interest on Parity Obligations, and amounts required to replenish any reserve fund established for Parity Obligations, such payments will be made on a pro rata basis.

(d) Other Uses Permitted. The City shall manage, conserve and apply the amounts on deposit in the Sales Tax Override Fund in such a manner that all deposits required to be made under the preceding subsection (b) will be made at the times and in the amounts so required. Subject to the foregoing sentence, so long as no Event of Default has occurred and is continuing, the City may use and apply moneys in the Sales Tax Override Fund for (i) the payment of any subordinate obligations or any unsecured obligations, (ii) the acquisition and construction of improvements to the City's roads on an annual basis after setting aside moneys for payment of the Installment Payments, or (iii) any other lawful purposes of the City relating to the use of the Sales Tax Override.

(e) Budget of Installment Payments. The City shall include the payment of the Installment Payments in its annual budgets for each Fiscal Year. Notwithstanding the failure of the City to include the Installment Payments coming due in any Fiscal Year for the budget for such Fiscal Year, the City's obligation to pay the Installment Payments from Net Sales Tax Override Revenues shall be absolute as provided in Section 3.06.

Section 3.08. Limitations on Future Obligations Secured by Net Sales Tax Override Revenues.

(a) No Obligations Superior to Installment Payments. During the Term of this Agreement, the City shall not issue or incur any additional bonds or other obligations payable from Gross Sales Tax Override Revenues or Net Sales Tax Override Revenues having any priority over the Installment Payments.

(b) Parity Obligations. The City may issue Parity Obligations in such principal amount as it determines, subject to the following conditions precedent:

- (i) no Event of Default (or no event with respect to which notice has been given and which, once all notice of grace periods have passed, would constitute an Event of Default) has occurred and is continuing.
- (ii) the Net Sales Tax Override Revenues, calculated in accordance with sound accounting principles, as shown by the books of the City for the most recent completed Fiscal Year for which audited financial statements of the City are available, or for any more recent consecutive 12-month period selected by the City, in either case verified by an Independent Accountant or a Financial Consultant or shown in the audited financial statements of the City, are at least equal ____% of the maximum amount of debt service on the Installment Payments and all outstanding Parity Obligations for the

current or any future Fiscal Year (taking into account the Parity Obligations then proposed to be issued);

- (iii) the Authority may, but is not required to, establish a debt service reserve fund for Parity Obligations, in accordance with the applicable Parity Obligations Document; and
- (iv) the City shall deliver to the Authority and the Assignee a Written Certificate of the City certifying that the conditions precedent to the issuance of such Parity Obligations set forth in this Section have been satisfied.

The foregoing provisions of this section shall not apply to any Parity Obligations issued for the purpose of refunding any then-outstanding Parity Obligations, if at the time of the incurring of such Parity Obligations, the Authority certifies in writing that the annual debt service with respect to such Parity Obligations will not exceed the annual debt service on the outstanding Parity Obligations to be refunded.

(c) Subordinate and Unsecured Obligations. Nothing herein limits or affects the ability of the City to issue or incur obligations that are either unsecured or secured on a basis junior and subordinate to the pledge of and lien upon the Net Sales Tax Override Revenues established hereunder.

Section 3.09. Additional Payments. In addition to the Installment Payments, the City shall pay, from Net Sales Tax Override Revenues, when due, all costs and expenses incurred by the Authority to comply with the provisions of the Assignment Agreement and this Agreement.

ARTICLE IV
PREPAYMENT OF INSTALLMENT PAYMENTS

Section 4.01. Prepayment. The City shall have the right to prepay the Installment Payments, but only in the manner, at the times and in all respects in accordance with the provisions of this Article IV.

Section 4.02. Optional Prepayment. Subject to the terms and conditions of this Section 4.02, the Authority hereby grants an option to City to prepay the Installment Payments in whole or in part, on any Installment Payment Date, at a prepayment price equal to the principal component of the Installment Payments being prepaid, together with accrued interest to the prepayment date, plus a premium equal to a percentage of the principal component of the Installment Payment being prepaid, as set forth in the table below:

Prepayment Date	Premium
June 1, _____, through December 1, _____	3%
June 1, _____, through December 1, _____	2%
June 1, _____, through December 1, _____	1%
June 1, _____, and any Installment Payment Date thereafter	0%

The City may exercise this option on any date following written notice by the City to the Authority and the Assignee of the exercise of such option at least 30 days prior to the date designated for prepayment.

Section 4.03. Credit for Amounts on Deposit. If the City elects or is required to prepay the Installment Payments in full under this Article IV, all amounts then on deposit in the Installment Payment Fund shall be credited towards the amounts required to be so prepaid.

Section 4.04. Security Deposit. Notwithstanding any other provision of this Agreement, the City may, on any date, secure the payment of Installment Payments by a deposit with the Assignee, of either of the following:

- (a) All Installment Payments. In the case of a security deposit relating to all Installment Payments, either (i) an amount which, together with amounts on deposit in the Installment Payment Fund, is sufficient to pay all unpaid Installment Payments, including the principal and interest components thereof, in accordance with the Installment Payment schedule set forth in Exhibit B attached hereto, or (ii) Defeasance Obligations, together with cash, if required, in such amount as will, in the opinion of nationally-recognized bond counsel and of an independent certified public accountant, together with interest to accrue thereon and, if required, all or a portion of moneys or Defeasance Obligations then on deposit in the Installment Payment Fund, be fully sufficient to pay all unpaid Installment Payments on their Installment Payment Date.
- (b) Portion of Installment Payments. In the case of a security deposit relating to a portion of the Installment Payments both (i) a certificate executed by an City Representative designating the portion of the Installment Payments to which the deposit pertains, and (ii) cash or Defeasance Obligations, in such amount as will, together with interest to be received thereon, if any, and an allocable portion of amounts on deposit in

the Installment Payment Fund, be fully sufficient in the opinion of an independent certified public accountant, to pay the portion of the Installment Payments designated in such City Representative's certificate.

(c) Effect. In the event of a deposit pursuant to this Section 4.04, all obligations of the City under this Agreement pertaining to the portion of the Project for which the deposit has been made shall cease and terminate, excepting only the obligation of the City to make, or cause to be made, all Installment Payments, or the portion of Installment Payments to which the deposit pertains, from the deposit made by City pursuant to this Section 4.05. Such deposit shall be deemed to be and shall constitute a special fund for the payment of Installment Payments in accordance with the provisions of this Agreement; and further provided that any security deposit relating to the Project shall not affect the rate covenants of the City contained in Section 3.07 hereof if such security deposit is insufficient to pay or prepay all Installment Payments as they become due and payable. Upon such deposit, the Authority will execute or cause to be executed any and all documents as may be necessary to release the security provided hereby to the extent of such deposit.

ARTICLE V

CITY COVENANTS; BOOKS AND ACCOUNTS TAX COVENANTS

Section 5.01 Punctual Payment. The City will punctually pay or cause to be paid the Installment Payments in strict conformity with the terms of this Agreement. The City will faithfully observe and perform all of the conditions, covenants and requirements of this Agreement.

Section 5.02 Sales Tax Override Administration and Collection. The City covenants that, so long as any Installment Payments are owed hereunder, the City shall diligently provide and account for the collection and administration of the Sales Tax Override in each Fiscal Year, and ensure that the Sales Tax Override Revenues are not applied for purposes not permitted by this Agreement.

Section 5.03 Advances. If the City fails to perform any of its obligations under this Article V, the Authority may, but shall not be obligated to, take such action as may be necessary to cure such failure, including the advancement of money, and the City shall be obligated to repay all such advances as soon as possible, with interest at the rate of interest with respect to the Installment Payments from the date of the advance to the date of repayment.

Section 5.04 Advances. If the City fails to perform any of its obligations under this Article V, the Authority may, but shall not be obligated to, take such action as may be necessary to cure such failure, including the advancement of money, and the City shall be obligated to repay all such advances as soon as possible, with interest at the rate of interest with respect to the Installment Payments from the date of the advance to the date of repayment.

Section 5.05 Books and Accounts. The City shall keep proper books of records and accounts of the Sales Tax Override Revenues, separate from all other records and accounts, in which complete and correct entries shall be made of all transactions relating to the Sales Tax Override Revenues. Said books shall, upon prior request, be subject to the reasonable inspection of the Authority and the Assignee.

The City shall cause its books and accounts of the Sales Tax Override Revenues to be audited annually by an Independent Accountant not more than nine months after the close of each Fiscal Year, and shall file a copy of such report with the Assignee. Such report may be part of a combined financial audit or report covering all or part of the City's finances.

Additionally, the City shall provide the Assignee with a copy of the City's annual budget, as adopted or amended, or post a copy of such report to the internet site of the City (with notice to the Assignee of such posting), within 30 days of adoption or amendment.

The City shall also provide the Assignee such additional information reasonably requested by the Assignee to the extent permitted by law.

Section 5.06 Tax Covenants.

(a) Private Activity Bond Limitation. The City will assure that the proceeds of this Agreement are not so used as to cause the obligations of the City under this Agreement to satisfy the private business tests of section 141(b) of the Code or the private loan financing test of section 141(c) of the Code.

(b) Federal Guarantee Prohibition. The City will not take any action or permit or suffer any action to be taken if the result of such action would be to cause any of the obligations of the City under this Agreement to be “federally guaranteed” within the meaning of section 149(b) of the Code.

(c) Rebate Requirement. The City will take any and all actions necessary to assure compliance with section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government, to the extent that such section is applicable to this Agreement.

(d) No Arbitrage. The City will not take any action with respect to the proceeds of this Agreement which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of delivery of this Agreement would have caused any of the obligations of the City under this Agreement to be “arbitrage bonds” within the meaning of section 148 of the Code.

(e) Maintenance of Tax-Exemption. The City will take all actions necessary to assure the exclusion of interest with respect to this Agreement from the gross income of the Assignee to the same extent as such interest is permitted to be excluded from gross income under the Code as in effect on the date of delivery of this Agreement.

(f) Record Retention. The City will retain its records of all accounting and monitoring it carries out with respect to this Agreement for at least 3 years after Term or earlier prepayment of this Agreement.

(g) Compliance with Tax Certificate. The City will comply with the provisions of the Tax Certificate and the Use of Proceeds Certificate with respect to this Agreement, which are incorporated herein as if fully set forth herein. The covenants of this Section will survive prepayment in full or defeasance of the City’s obligations under this Agreement.

ARTICLE VI

DISCLAIMER OF WARRANTIES; ACCESS; INDEMNITY

Section 6.01. Disclaimer of Warranties. The Authority makes no warranty or representation, either express or implied, as to the value, design, condition, merchantability or fitness for any particular purpose or fitness for the use contemplated by the City for the Project or any item thereof, or any other representation or warranty with respect to the Project or any item thereof. In no event shall the Authority be liable for incidental, indirect, special or consequential damages, in connection with or arising out of this Agreement or the Assignment Agreement for the existence, furnishing, functioning or City’s use of the Project.

Section 6.02. Access to the Project and Records. To the extent permitted by law, the City agrees that the Authority, any Authority Representative, and the Authority's successors or assigns shall have the right at all reasonable times to enter upon and to examine and inspect the Project. The City further agrees that the Authority, any Authority Representative, and the Authority's successors or assigns shall have such rights of access to the Project as may be reasonably necessary to cause the proper maintenance of the Project in the event of failure by the City to perform its obligations hereunder. In addition, the City agrees that the Authority, any Authority Representative, and the Authority's successors or assigns shall have the right at all reasonable times to inspect and examine all books, papers and records of the Authority and the City pertaining to the Project and the Installment Payments, to make copies thereof and to take non-privileged memoranda therefrom or with respect thereto as may be desired.

Section 6.03. Indemnity. The City shall and hereby agrees to indemnify and save the Authority and its successors and assigns, including the Assignee, harmless from and against all claims, losses and damages, including legal fees and expenses, arising out of:

- (a) the use, maintenance, condition or management of, or from any work or thing done on the Project by the City;
- (b) any breach or default on the part of the City in the performance of any of its obligations under this Agreement;
- (c) any act or negligence of the City or of any of its agents, contractors, servants, employees or licensees with respect to the Project;
- (d) any act or negligence of any assignee or sublessee of the City with respect to the Project; or

No indemnification is made under this Section 6.03, or elsewhere in this Agreement for willful misconduct, negligence, or breach of duty under this Agreement by the Authority, its officers, agents, employees, successors or assigns.

ARTICLE VII

EVENTS OF DEFAULT AND REMEDIES

Section 7.01. Events of Default Defined. The following shall be “events of default” under this Agreement and the terms “events of default” and “default” shall mean, whenever they are used in this Agreement, any one or more of the following events:

(a) Failure by the City to pay any Installment Payment by the Installment Payment Date or failure to make any other payment required to be paid hereunder at the time specified herein; or

(b) Failure by the City to observe and perform any covenant, condition or agreement on its part to be observed or performed in this Agreement or the Assignment Agreement, other than as referred to in clause (a) of this Section 7.01, for a period of 30 days after written notice specifying such failure and requesting that it be remedied has been given to the City by the Authority or the Assignee; provided, however, if the failure stated in the notice cannot be corrected within the applicable period, the Authority or the Assignee, as applicable, shall not unreasonably withhold their consent to an extension of such time if corrective action is instituted by the City within the applicable period and diligently pursued until the default is corrected; or

(c) The filing by the City of a petition or answer seeking arrangement or reorganization under the federal bankruptcy laws or any other applicable law of the United States of America or any state therein, or the approval by a court of competent jurisdiction of a petition filed with or without the consent of the City seeking arrangement or reorganization under the federal bankruptcy laws or any other applicable law of the United States of America or any state therein, or, under the provisions of any other law for the relief or aid of debtors, any court of competent jurisdiction assumes custody or control of the City or of the whole or any substantial part of its property; or

(d) An event of default occurs and is continuing with respect to any Parity Obligations.

Section 7.02. Remedies on Default. Whenever any event of default referred to in Section 7.01 hereof occurs and is continuing, the Authority shall have the right, at its option and without any further demand or notice, to:

(a) declare all principal components of the unpaid Installment Payments, together with accrued interest from the immediately preceding Installment Payment Date on which payment was made, to be immediately due and payable, whereupon the same shall become due and payable; and

(b) take whatever action at law or in equity may appear necessary or desirable to collect the Installment Payments then due or thereafter to become due during the Term of this Agreement, or enforce performance and observance of any obligation, agreement or covenant of the City under this Agreement.

Section 7.03. No Remedy Exclusive. No remedy herein conferred upon or reserved to the Authority is intended to be exclusive and every such remedy shall be cumulative and shall be

in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient. In order to entitle the Authority to exercise any remedy reserved to it in this Article it shall not be necessary to give any notice, other than such notice as may be required in this Article or by law.

Section 7.04. Prosecution and Defense of Suits. The City shall promptly, upon request of the Authority or the Assignee, from time to time take or cause to be taken such action as may be necessary or proper to remedy or cure any defect in or cloud upon the title to the Project whether now existing or hereafter developing and shall prosecute all such suits, actions and other proceedings as may be appropriate for such purpose and, to the extent permitted by law, shall indemnify or cause to be indemnified the Authority and the Assignee for all loss, cost, damage and expense, including attorneys' fees, which they or any of them may incur by reason of any such defect, cloud, suit, action or proceedings.

To the extent permitted by law, the City shall defend, or cause to be defended, against every suit, action or proceeding at any time brought against the Authority or the Assignee upon any claim arising out of the receipt, application or disbursement of any of the Net Sales Tax Override Revenues or involving the rights or duties of the Authority or the Assignee under this Agreement or the Assignment Agreement; provided, that the Authority and the Assignee at their election may appear in and defend any such suit, action or proceeding. The City shall indemnify or cause to be indemnified the Authority and the Assignee against any and all liability claimed or asserted by any person, arising out of such receipt, application or disbursement. Notwithstanding any contrary provision hereof, this covenant shall remain in full force and effect, even though all Installment Payments have been fully paid and satisfied, until a date which is three years following the payment of the last of the Installment Payments.

Section 7.05. No Additional Waiver Implied by One Waiver. If any agreement contained in this Agreement should be breached by either party and thereafter waived by the other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach hereunder.

Section 7.06. Liability Limited to Net Sales Tax Override Revenues. Notwithstanding any provision of this Agreement, the City's liability to pay the Installment Payments and other amounts hereunder shall be limited solely to Net Sales Tax Override Revenues as provided in Sections 3.06 and 3.07 hereof. If Net Sales Tax Override Revenues are insufficient at any time to pay an Installment Payment in full, the City shall not be liable to pay or prepay such Installment Payment other than from Net Sales Tax Override Revenues.

ARTICLE VIII
MISCELLANEOUS

Section 8.01. Assignment, Sale or Lease by the City. This Agreement may not be assigned by the City, and the Sales Tax Override Revenues may not be assigned by the City during the Term of this Agreement except as provided herein.

Section 8.02. Amendment of Installment Sale Agreement. The City will not alter, modify or cancel or agree or consent to alter, modify or cancel this Agreement, except as permitted by Section 5.07, without the written consent of the Assignee and the Authority,

Section 8.03. Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon the Authority and the City and their respective successors and assigns.

Section 8.04. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

Section 8.05. Severability. If any provision of this Agreement is held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

Section 8.06. Captions. The captions or headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provision, Article or Section of this Agreement.

Section 8.07. Net Contract. This Agreement shall be deemed and construed to be a “net contract” and the City hereby agrees that the Installment Payments shall be an absolute net return to the Authority, free and clear of any expenses, charges or set-offs whatsoever.

Section 8.08. Further Assurances and Corrective Instruments. The Authority and the City agree that they will, from time to time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements hereto and such further instruments as may reasonably be required for correcting any inadequate or incorrect description of the Project hereby sold or intended so to be or for carrying out the expressed intention of this Agreement.

Section 8.09. Authority and City Representatives. Whenever under the provisions of this Agreement the approval of the Authority or the City is required, or the Authority or the City is required to take some action at the request of the other, such approval or such request shall be given for the Authority by an Authority Representative and for the City by a City Representative, and any party hereto shall be authorized to rely upon any such approval or request.

Section 8.10. Notices. All notices, certificates or other communications hereunder shall be sufficiently given and shall be deemed to have been received 48 hours after deposit in the United States mail with postage fully prepaid:

If to the City: City of Clearlake
 14050 Olympic Drive
 Clearlake, California 95695

Attention: Finance Director
Email: (currently) kyoung@clearlake.ca.us

If to the Authority: Clearlake Public Financing Authority
14050 Olympic Drive
Clearlake, California 95695
Attention: Treasurer
Email: (currently) kyoung@clearlake.ca.us

If to the Assignee: _____

Email: _____

The Authority, the City and the Assignee, by notice given hereunder, may designate different addresses to which subsequent notices, certificates or other communications will be sent.

Section 8.11. Waiver of Jury Trial; Agreement for Judicial Reference To the fullest extent permitted by law, the City hereby waives its right to trial by jury in any action, proceeding and/or hearing on any matter whatsoever arising out of, or in any way connected with, this Agreement or any related documents, or the enforcement of any remedy under any law, statute, or regulation. To the extent such waiver is not enforceable, the City hereby consents to the adjudication of any and all such matters pursuant to Judicial Reference as provided in Section 638 of the California Code of Civil Procedure, and the judicial referee shall be empowered to hear and determine any and all issues in such Judicial Reference whether fact or law.

To the extent the foregoing waiver of a jury trial is unenforceable under applicable California law, the City agrees to refer, for a complete and final adjudication, any and all issues of fact or law involved in any litigation or proceeding (including all discovery and law and motion matters, pretrial motions, trial matter and post-trial motions up to and including final judgment), brought to resolve any dispute (whether based on contract, tort or otherwise) between the parties hereto arising out of, in connection with or otherwise related or incidental to this Agreement to a judicial referee who shall be appointed under a general reference pursuant to California Code of Civil Procedure Section 638, which referee's decision will stand as the decision of the court. Such judgment will be entered on the referee's statement of judgment in the same manner as if the action had been tried by the court. The City and the Assignee shall select a single neutral referee, who shall be a retired state or federal judge with at least five years of judicial experience in civil matters; provided that the event the City and the Assignee cannot agree upon a referee, the referee will be appointed by the court.

Section 8.12. Execution in Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS, the Authority has caused this Agreement to be duly executed in its name by its duly authorized officer; and the City has caused this Agreement to be duly executed in its name by its duly authorized officer; all as of the date first above written.

CLEARLAKE PUBLIC FINANCING AUTHORITY,
as Seller

By _____
Executive Director

Attest:

Secretary

CITY OF CLEARLAKE, as Purchaser

By _____
City Manager

Attest:

City Clerk

:

EXHIBIT A

DESCRIPTION OF THE PROJECT

The Project consists of the following improvements to City roads:

EXHIBIT B

SCHEDULE OF INSTALLMENT PAYMENTS

(Interest Rate is ____% per annum)

Payment Date	Principal	Interest	Total Payment	Annual Total
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ASSIGNMENT OF INSTALLMENT SALE AGREEMENT

This Assignment of Installment Sale Agreement (this "Assignment") is dated as of _____ 1, 2022, and is between CLEARLAKE PUBLIC FINANCING AUTHORITY, as assignor (the "Authority"), and _____, a _____, as assignee (the "Assignee").

BACKGROUND:

WHEREAS, the City of Clearlake, California (the "City") and the Authority entered into an Installment Sale Agreement, dated as of _____ 1, 2022 (the "Installment Sale Agreement") for the purpose of assisting the City in the financing of certain road improvements as described therein (the "Project"), under which the Authority agreed to sell the Project to the City in return for semiannual installment payments (the "Installment Payments") to be made by the City as the purchase price of the Project.

WHEREAS, funding for the Installment Sale Agreement will be provided by the Assignee, and in order to secure such financing the Authority wishes to assign its rights under the Installment Sale Agreement, including but not limited to the right of the Authority to receive the Installment Payments from the City, as provided in this Assignment.

AGREEMENT:

In consideration of the foregoing and the material covenants hereinafter contained, the Authority and the Assignee formally covenant, agree and bind themselves as follows:

1. Assignment of Rights to Assignee. The Authority, without recourse, hereby sells, assigns and transfers to the Assignee all of its interests under the Installment Sale Agreement, including its rights to receive the Installment Payments.

2. Acceptance. The Assignee hereby accepts the assignments made herein.

3. Consideration for Assignment. In consideration of the foregoing assignment, the Assignee shall pay to the Authority the amount of \$_____, to be deposited on the date hereof with the City and to be applied to the costs of the Project and to pay costs incurred by the City in connection with the execution and delivery of the financing contemplated by the Installment Sale Agreement and this Assignment.

4. Representations and Warranties of Authority. The Authority represents and warrants that it has made no prior sale or assignment of any interest which is the subject of this Assignment; that the Installment Sale Agreement is genuine and in all respects is what it purports to be; that the Assignee shall not be liable for and does not assume responsibility for the performance of any of the covenants, agreements or obligations specified in the Installment Sale Agreement to be kept, paid or performed by the Authority with exception of the Assignee's obligation to issue notices upon the City's default of the Installment Sale Agreement. The Authority further represents and warrants that as of the date of this Assignment, the Installment Sale Agreement is in full force and effect and the City is not in default of any of the terms set forth therein.

5. Representations of Assignee. The Assignee has conducted its own investigation of the financial condition of the City, the purpose for which the Installment Sale Agreement is being executed and delivered and security for the Installment Payments and has obtained such information regarding the Installment Payments and the City and its operations, financial condition and financial prospects as the Assignee deems necessary to make an informed lending decision with respect to this Assignment. The Assignee acknowledges that it is purchasing the Installment Sale Agreement for its own account and reasonably expects to hold the Installment Sale Agreement, and does not expect to sell, assign, or otherwise transfer the Installment Sale Agreement, and in the event that the Assignee disposes of the Installment Sale Agreement in the future, the transferee must be either an “accredited investor” as defined in Section 501(a)(1), (2) or (3) of Regulation D promulgated under the Securities Act of 1933, as amended, or a “qualified institutional investor” under Rule 144A promulgated under the Securities Act of 1933, and deliver to the City an investor letter satisfactory to the City.

6. Governing Law; Severability. This Assignment shall be construed and governed in accordance with the laws of the State of California. Any provision of this Assignment found to be prohibited by law shall be ineffective only to the extent of such prohibition, and shall not invalidate the remainder of this Assignment.

7. Binding on Successors. This Assignment shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

8. Payment of Litigation Costs. In the event of litigation between the Authority and the Assignee arising under this Assignment, the prevailing party shall be entitled to recover from the other party all costs and expenses, including attorneys' fees which may be the allocable cost of in-house counsel, incurred by the prevailing party in exercising any of its rights or remedies hereunder or enforcing any of the terms, conditions or provisions of this Assignment.

IN WITNESS WHEREOF, the Authority and the Assignee have caused this Assignment to be executed in their respective names by their duly authorized officers, all as of the date first above written.

**CLEARLAKE PUBLIC FINANCING
AUTHORITY,**
as Assignor

By: _____
Treasurer

_____, as Assignee

By: _____
Authorized Signatory



CITY OF CLEARLAKE

City Council

SUPPLEMENTAL MEMO

Based on expected rates, the City anticipates a 12-year financing (through 2034) to have a total par value of approximately \$14,530,000 generated by \$1,500,000 in annual debt service payments. The total debt service through final maturity is estimated at approximately \$22,465,063. It is expected that the loan will have an option for prepayment prior to maturity.

The \$1,500,000 annual debt service payment will be paid from the Measure V Fund, which has forecasted annual revenue of \$2,500,000. Remaining Measure V revenues will be used for pay-go projects.

The resolutions before the Council would authorize staff to proceed with this financing, under certain conditions, including not-to-exceed par amounts, rates and terms as follows:

- (i) not-to-exceed principal amount of \$16,000,000
- (ii) a true interest cost attributable to the loan not exceeding 3.60%

While we expect the actual terms and rates to be lower as previously described, staff is asking Council approval to provide some flexibility as bank bids are not known or may not be locked until a later time. The not-to-exceed numbers are also based on the structuring options with the longest term considered at the higher principal amount. A higher principal amount would result from a lower interest rate, holding annual debt service at \$1,500,000. Once the rates are received, City staff plans to evaluate the rates to determine the best structuring options within the not-to-exceed parameters.

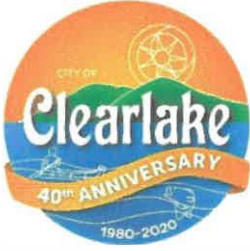
GOOD FAITH ESTIMATES

Pursuant to Government Code Section 5852.1, the following good faith estimates (obtained from the Municipal Advisor) must be disclosed at a public meeting before the authorization of the financing, based on an estimated par amount being sold of \$14,675,000.

Information to be disclosed per Government Code Section 5852.1:**Estimates as of
April 20, 2022***

True interest cost of the financing (the rate necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the new issue of Bonds)	3.30%
Finance charge of the Bonds (the sum of fees and charges paid to third parties)	\$145,000
Amount of proceeds received from the sale of the Bonds, less the finance charge of the bonds and any reserves or capitalized interest paid or funded with proceeds of the Bonds	\$14,530,000
The total payment amount (the sum total of all debt service payments on the Bonds, plus the finance charge of the Bonds not paid from bond proceeds)	\$17,976,616

** These are good faith estimates only. Final results may differ based on the actual financing rate and other factors.*



City of Clearlake

14050 Olympic Drive, Clearlake, California 95422

(707) 994-8201 Fax (707) 995-2653

www.clearlake.ca.us

April 13, 2022

Honorable Mayor Slooten
Clearlake City Council
14050 Olympic Drive
Clearlake, CA 95422

RE: Measure V Committee Support for Financing Road Projects

Dear Mayor Slooten,

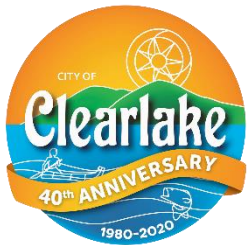
On April 13, 2022 the Measure V Committee held a Special Meeting to review the opportunity for the City to pursue a financing package that would allow larger scale road projects to be completed with Measure V funds in a shorter time frame. The approach was compared to the current “pay go” model being used by the City. While we are pleased with the progress made thus far, we recommend that a financing model is the best long-term approach and encourage the City to finalize a package that accomplishes the main goal of Measure V, which was for “road maintenance and improvement” within the City of Clearlake. Further, the Committee supports amending the Expenditure Plan to clarify that paying both principal and interest on long-term financing of road improvement projects is consistent with Measure V’s intent. In particular, the Expenditure Plan should be amended to provide for annual allocations of Measure V revenues to pay for the funding of road projects in installments, and we therefore encourage the Council to amend the Annual Expenditure Program to add the following language, “Annual allocations of revenues to pay principal and interest on long-term financing of road improvement projects.”

We look forward to the many planned road projects in the City being completed as soon as is feasible and in a fiscally responsible way.

Sincerely,

A handwritten signature in black ink, appearing to read 'Conrad Colbrandt'.

Conrad Colbrandt, Chair
Measure V Oversight Committee



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Consider First Reading of Military Equipment Policy Ordinance and Set a Second Reading; Ordinance 261-2022

MEETING DATE: 4/21/2022

SUBMITTED BY: Andrew White, Police Chief

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to consider holding the first reading of a Military Equipment Policy governing the use of military equipment, as required by California Government Code Section 7070 et. seq, and set a second reading.

BACKGROUND/DISCUSSION:

On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 ("AB 481"), adding Chapter 12.8, "Funding, Acquisition and Use of Military Equipment", to Division 7 of Title 1 of the Government Code (sections 7070 – 7075), relating to the use of military equipment by California law enforcement. The law requires that agencies utilizing or seeking to acquire military equipment, as defined, must have a policy approved by the City Council by ordinance and review it annually thereafter.

The police department does not utilize former military equipment; however, the law's definition of "military equipment" is comprehensive and includes many items commonly used in law enforcement. The proposed policy identifies one item already owned by the City, a mobile command unit, and one item we intend to seek in the future, an unmanned aerial system (drone).

1. The mobile command unit, a converted ambulance, is used as a field command post for major incidents in the city. In recent years, these incidents have primarily been fires.
2. A drone would be utilized to enhance the Department's mission of protecting lives and property when other means and resources are not available or are less effective. Uses may include but are not limited to search and rescue, suspect apprehension, crime scene documentation, tactical operations, scene security, hazard monitoring, identification and mitigation, response to emergency calls, crisis communications and legally authorized surveillance.

The department utilizes mutual aid to obtain special weapons and tactics (SWAT) resources. Given the variety of agencies that could potentially respond, the proposed policy provides that those agencies are required to comply with their respective military equipment use policies. It is impractical to determine exactly what

resources they may bring to a particular incident and restricting them in advance would unnecessarily public safety.

The proposed policy was published to the Clearlake Police Department website and disseminated to City Council members on March 22, 2022.

OPTIONS:

1. Move to hold the first reading of Ordinance No. 261-2022, read it by title only, waive further reading and schedule second reading and adoption for May 5, 2022.
2. Other direction

FISCAL IMPACT:

☒ None ☐ \$ Budgeted Item? ☐ Yes ☐ No

Budget Adjustment Needed? ☐ Yes ☐ No If yes, amount of appropriation increase: \$

Affected fund(s): ☐ General Fund ☐ Measure P Fund ☐ Measure V Fund ☐ Other:

Comments:

STRATEGIC PLAN IMPACT:

- ☐ Goal #1: Make Clearlake a Visibly Cleaner City
- ☒ Goal #2: Make Clearlake a Statistically Safer City
- ☐ Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- ☐ Goal #4: Improve the Image of Clearlake
- ☐ Goal #5: Ensure Fiscal Sustainability of City
- ☐ Goal #6: Update Policies and Procedures to Current Government Standards
- ☐ Goal #7: Support Economic Development

SUGGESTED MOTIONS:

1. Move to hold the first reading of Ordinance No. 261-2022, read it by title only, waive further reading and schedule second reading and adoption for May 5, 2022.

☒ **Attachments:** 1) Ordinance No. 261-2022

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE CALIFORNIA
ADOPTING A MILITARY EQUIPMENT USE POLICY**

THE CITY COUNCIL OF THE CITY OF CLEARLAKE DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 (“AB 481”), adding Chapter 12.8, “Funding, Acquisition and Use of Military Equipment”, to Division 7 of Title 1 of the Government Code (sections 7070 – 7075), relating to the use of military equipment by California law enforcement agencies;

WHEREAS, AB 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how military equipment is funded, acquired, or used;

WHEREAS, the Clearlake Police Department is in possession of certain items of equipment that qualify as “military equipment” under AB 481 and further intends to acquire other items of military equipment;

WHEREAS, AB 481 requires, inter alia, that a law enforcement agency possessing and using such qualifying equipment must prepare a publicly released, written, military equipment use policy document covering the inventory, description, quantity, purpose, capabilities, use, lifespan, acquisition, maintenance, authorized use, fiscal impacts, procedures, training, oversight, and complaint process, applicable to the Department’s use of such equipment;

WHEREAS, the policy must be approved by the City Council by ordinance, and reviewed annually thereafter; and

WHEREAS, the military equipment inventoried and presented to the City Council is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety;

WHEREAS, the proposed Military Equipment Use Policy (“Policy”), Exhibit A, will safeguard the public’s health, welfare, safety, civil rights, and civil liberties;

WHEREAS, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety;

WHEREAS, prior military equipment use complied with the applicable equipment use policy (which included equipment now defined as military equipment) that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance;

WHEREAS, the Police Department has submitted the proposed Policy to the City Council and thereafter has made those documents available on the Police Department’s website for at least 30 days prior to the public hearing concerning the military equipment at issue;

WHEREAS, the Policy satisfies the requirements of Government Code Section 7070(d);

WHEREAS, the City Council of the City of Clearlake, having received the information required under AB 481 regarding the Clearlake Police Department’s use of military equipment as defined in said law, deems it to be in the best interest of the City to and hereby does approve the Military Equipment Policy.

WHEREAS, all legal prerequisites prior to the adoption of this Ordinance have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CLEARLAKE HERBY ORDAINS AS FOLLOWS:

Section 1: Recitals. The City Council finds that all the recitals, facts, findings, and conclusions set forth above in the preamble of this Ordinance are true and correct.

Section 2: Approval of Military Equipment Policy.

Military Equipment Policy.

- (a) The Military Equipment Policy shall govern the use of military equipment by the Clearlake Police Department.
- (b) The Policy shall be made publicly available on the Police Department's website for as long as the military equipment is available for use or as otherwise ordained by the City Council.
- (c) The Police Department shall submit an annual military equipment report to the City Council containing the information required by Government Code Section 7072 and the City Council shall thereafter determine whether each type of military equipment identified therein complied with the standards for approval set forth in Government Code Section 7071(d).
- (d) The City Council shall on an annual basis and at a regular meeting thereof review this ordinance and vote on whether to renew it pursuant to Government Code Section 7071(e)(2).
- (e) The definitions set forth in Government Code section 7070 shall apply to this ordinance. Any provision of state law referred to herein shall mean and include any amended or successor provision thereof.

Section 3: Compliance with CEQA. Adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) (General Rule) of the CEQA Guidelines because it is not a "project" and because it can be seen with certainty that there is no possibility that the passage of this Ordinance will have a significant effect on the environment.

Section 4: Inconsistencies. Any provision of the Clearlake Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

Section 5: Uncodified Ordinance. This Ordinance shall not be codified in the Clearlake Municipal Code unless and until the City Council so ordains.

Section 6: Severability. If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional. No portion of this Ordinance shall supersede any local, state, or federal law, regulation, or codes dealing with life safety factors.

Section 7: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

Section 8: Execution. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

Passed and adopted this 7th day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

Mayor, City of Clearlake

ATTEST:

City Clerk, City of Clearlake

EXHIBIT A

Military Equipment

706.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

706.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

Military Equipment

706.2 POLICY

It is the policy of the Clearlake Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

706.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Clearlake Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

706.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department:

- (a) **Unmanned Aircraft System (UAS/Drones) - CA Gov't Code §7070(c)(1)**
 - 1. **Quantity Sought:** 1
 - 2. **Lifespan:** Approx 5 years
 - 3. **Equipment Capabilities:** Remotely piloted aerial vehicles capable of providing live and recorded video images captured from aerial positions, including images enhanced by Forward Looking Infrared (FLIR) and optical zoom lenses.
 - 4. **Manufacturer Product Description:** The Mavic 2 Enterprise Advanced features omnidirectional Vision Systems and Infrared Sensing Systems, and comes with a fully stabilized 3-axis gimbal camera that includes a thermal

Military Equipment

camera and a visual camera, providing both infrared and visual images simultaneously. DJI's Obstacle Sensing technology helps users to fly safely so they can capture complex shots while DJI AirSense provides awareness of the surrounding airspace and password protection ensures access to the aircraft and all data is secure. The Mavic 2 Enterprise Advanced boasts a maximum flight speed of 44.7 mph (72 kph) and a maximum flight time of 31 minutes.

5. **Purpose/Authorized Uses:** UAS/Drones may be utilized to enhance the Department's mission of protecting lives and property when other means and resources are not available or are less effective. Uses may include but are not limited to: search and rescue; suspect apprehension; crime scene documentation; tactical operations; scene security; hazard monitoring, identification and mitigation; response to emergency calls; crisis communications; legally authorized surveillance.
 6. **Fiscal Impacts:** The initial cost of equipment, licensing, software and training is approximately \$15,000. The ongoing costs associated with operation and maintenance are estimated to be approximately \$3,000 - \$5,000 per year.
 7. **Legal/Procedural Rules Governing Use:** It is the policy of the CPD to utilize UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law, including all Federal Aviation Administration (FAA) requirements and regulations.
 8. **Training Required:** Prior to piloting a department UAS/Drone, members must secure an FAA Remote Pilot License.
- (b) **Mobile Command Unit - CA Gov't Code §7070(c)(5)**
1. **Quantity Owned:** 1
 2. **Lifespan:** Approx 10 years+
 3. **Equipment Capabilities:** Converted former ambulance utilized as a field command post complete with radio communication and mobile dispatching capabilities. The vehicle also stores a variety of equipment utilized during incident management and in support of evidence collection and crime scene processing.
 4. **Manufacturer Product Description:** N/A. This unit was converted by the agency.
 5. **Purpose/Authorized Uses:** The mobile command unit is utilized primarily as a field incident command post and mobile dispatch center. The unit has primarily been utilized for fire incidents in the city where unified command is established between the police and fire department. Other types of incidents the unit is used at includes community events, warrant service, response to emergency/tactical situations and in support of crime scene documentation and evidence collection.
 6. **Fiscal Impacts:** The initial cost of the vehicle was \$1 from the Fire Department. The ongoing costs association with the unit depend on usage and can vary significantly year to year.

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7. **Legal/Procedural Rules Governing Use:** It is the policy of the Department to use the Mobile Command Unit only for official law enforcement or public safety purposes, and in accordance with California State law regarding the operation of motor vehicles.
8. **Training Required:** Operators are provided hands-on training regarding use of the vehicle and locations where items are stored.

706.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

706.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this jurisdiction shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid.

Situations may arise where the Department may deploy or use military equipment, as defined, owned by other law enforcement agencies.

The Department hereby adopts the military equipment use policy as is approved, and may be amended from time to time, under Government Code section 7070 et seq., for jurisdictions that

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the Department may engage with to provide mutual aid. This section is in no way a limitation to the ability of the Department to deploy or use the military equipment of another jurisdiction.

706.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

706.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

706.9 COMPLIANCE PROCEDURE

This procedure is to ensure compliance with the military equipment use policy. All complaints, concerns, or questions submitted regarding this policy will be handled pursuant to the Department's normal complaint process and in a timely manner.