



TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

September 8, 2015

1:00 P.M.

651 Pine Street, Room 101, Martinez

Supervisor Candace Andersen, Chair
Supervisor Mary N. Piepho, Vice Chair

Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

1. **Introductions**
2. **Public comment on any item under the jurisdiction of the Committee and not on this agenda** (speakers may be limited to three minutes).
3. **Administrative Items, if applicable.** (John Cunningham, Department of Conservation and Development)
4. **REVIEW record of meeting for the July 16, 2015 Transportation, Water and Infrastructure Committee Meeting.** This record was prepared pursuant to the Better Government Ordinance 95-6, Article 25-205 (d) of the Contra Costa County Ordinance Code. Any handouts or printed copies of testimony distributed at the meeting will be attached to this meeting record. (John Cunningham, Department of Conservation and Development)
5. **RECEIVE reports on activities of the IPM Advisory Committee from the IPM Coordinator and DIRECT staff as appropriate.**(Tanya Drlik, IPM Coordinator)
6. **AUTHORIZE the Conservation and Development Director to submit a grant application to the Bay Area Air Quality Management District for the Fiscal Year 2015 "Charge!" grant program.**(Jamar Stamps, Department of Conservation and Development)
7. **CONSIDER report on Local, State and Federal Transportation Related Legislative Issues and take ACTION as appropriate.** (John Cunningham, Department of Conservation and Development)
8. The next meeting is currently scheduled for Monday, October 5, 2015 at 1:00pm.
9. Adjourn

The Transportation, Water & Infrastructure Committee (TWIC) will provide reasonable accommodations for persons with disabilities planning to attend TWIC meetings. Contact the staff person listed below at least 72 hours before the meeting.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the TWIC less than 96 hours prior to that meeting are available for public inspection at the County Department of Conservation and Development, 30 Muir Road, Martinez during normal business hours.

Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact:

John Cunningham, Committee Staff
Phone (925) 674-7833, Fax (925) 674-7250
john.cunningham@dcd.cccounty.us

Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order): Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in meetings of its Board of Supervisors and Committees. Following is a list of commonly used abbreviations that may appear in presentations and written materials at meetings of the Transportation, Water and Infrastructure Committee:

AB Assembly Bill	HOT High-Occupancy/Toll
ABAG Association of Bay Area Governments	HOV High-Occupancy-Vehicle
ACA Assembly Constitutional Amendment	HSD Contra Costa County Health Services Department
ADA Americans with Disabilities Act of 1990	HUD United States Department of Housing and Urban Development
ALUC Airport Land Use Commission	IPM Integrated Pest Management
AOB Area of Benefit	ISO Industrial Safety Ordinance
BAAQMD Bay Area Air Quality Management District	JPA/JEPA Joint (Exercise of) Powers Authority or Agreement
BART Bay Area Rapid Transit District	Lamorinda Lafayette-Moraga-Orinda Area
BATA Bay Area Toll Authority	LAFCo Local Agency Formation Commission
BCDC Bay Conservation & Development Commission	LCC League of California Cities
BDCP Bay-Delta Conservation Plan	LTMS Long-Term Management Strategy
BGO Better Government Ordinance (Contra Costa County)	MAC Municipal Advisory Council
BOS Board of Supervisors	MAF Million Acre Feet (of water)
CALTRANS California Department of Transportation	MBE Minority Business Enterprise
CalWIN California Works Information Network	MOA Memorandum of Agreement
CalWORKS California Work Opportunity and Responsibility to Kids	MOE Maintenance of Effort
CAER Community Awareness Emergency Response	MOU Memorandum of Understanding
CAO County Administrative Officer or Office	MTC Metropolitan Transportation Commission
CCTA Contra Costa Transportation Authority	NACo National Association of Counties
CCWD Contra Costa Water District	NEPA National Environmental Protection Act
CDBG Community Development Block Grant	OES-EOC Office of Emergency Services-Emergency Operations Center
CEQA California Environmental Quality Act	PDA Priority Development Area
CFS Cubic Feet per Second (of water)	PWD Contra Costa County Public Works Department
CPI Consumer Price Index	RCRC Regional Council of Rural Counties
CSA County Service Area	RDA Redevelopment Agency or Area
CSAC California State Association of Counties	RFI Request For Information
CTC California Transportation Commission	RFP Request For Proposals
DCC Delta Counties Coalition	RFQ Request For Qualifications
DCD Contra Costa County Dept. of Conservation & Development	SB Senate Bill
DPC Delta Protection Commission	SBE Small Business Enterprise
DSC Delta Stewardship Council	SR2S Safe Routes to Schools
DWR California Department of Water Resources	STIP State Transportation Improvement Program
EBMUD East Bay Municipal Utility District	SWAT Southwest Area Transportation Committee
EIR Environmental Impact Report (a state requirement)	TRANSPAC Transportation Partnership & Cooperation (Central)
EIS Environmental Impact Statement (a federal requirement)	TRANSPLAN Transportation Planning Committee (East County)
EPA Environmental Protection Agency	TWIC Transportation, Water and Infrastructure Committee
FAA Federal Aviation Administration	USACE United States Army Corps of Engineers
FEMA Federal Emergency Management Agency	WBE Women-Owned Business Enterprise
FTE Full Time Equivalent	WCCTAC West Contra Costa Transportation Advisory Committee
FY Fiscal Year	WETA Water Emergency Transportation Authority
GHAD Geologic Hazard Abatement District	WRDA Water Resources Development Act
GIS Geographic Information System	
HBRR Highway Bridge Replacement and Rehabilitation	



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

3.

Meeting Date: 09/08/2015
Subject: Administrative Items
Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE
 COMMITTEE,
Department: Conservation & Development
Referral No.: N/A
Referral Name: N/A
Presenter: John Cunningham, DCD **Contact:** John Cunningham
 (925)674-7833

Referral History:

This is an Administrative Item of the Committee.

Referral Update:

Staff will review any items related to the conduct of Committee business.

Recommendation(s)/Next Step(s):

Take ACTION as appropriate.

Fiscal Impact (if any):

N/A

Attachments

No file(s) attached.



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

4.

Meeting Date: 09/08/2015

Subject: REVIEW record of meeting for the July 16, 2015 Transportation, Water and Infrastructure Committee Meeting.

Department: Conservation & Development

Referral No.: N/A

Referral Name: N/A

Presenter: John Cunningham, DCD

Contact: John Cunningham
(925)674-7833

Referral History:

County Ordinance (Better Government Ordinance 95-6, Article 25-205, [d]) requires that each County Body keep a record of its meetings. Though the record need not be verbatim, it must accurately reflect the agenda and the decisions made in the meeting.

Referral Update:

Any handouts or printed copies of testimony distributed at the meeting will be attached to this meeting record.

Links to the agenda and minutes will be available at the TWI Committee web page:

<http://www.cccounty.us/4327/Transportation-Water-Infrastructure>

Recommendation(s)/Next Step(s):

Staff recommends approval of the attached Record of Action for the July 16, 2015 Committee Meeting with any necessary corrections.

Fiscal Impact (if any):

N/A

Attachments

7-16-15 TWIC Meeting Sign-In Sheet

7-16-15 TWIC Meeting Minutes

7-16-15 TWIC Mtg Hand-Outs, Transportation Special Session Bills

7-16-15 TWIC Mtg Hand-Outs, Veterans Stand Down on the Delta

7-16-15 TWIC Mtg Hand-Outs, CSAC Request Email

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TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

July 16, 2015

1:00 P.M.

651 Pine Street, Room 101, Martinez

Supervisor Candace Andersen, Chair
 Supervisor Mary N. Piepho, Vice Chair

Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

Present: Candace Andersen, Chair
 Mary N. Piepho, Vice Chair

Attendees: Julie Bueren, CC County Public Works Dept.
 Cece Sellgren, CC County Public Works Dept.
 Mary Halle, CC County Public Works Dept.
 TianJun Cao, CC County Public Works Dept.
 Michelle Blackwell, EBMUD
 Mike Carlson, CC County Public Works Dept.
 John Cunningham, CC County DCD, Transportation

1. Introductions

Please see the attached sign-in sheet, hand-outs and "Attendees" section, above.

2. **Public comment on any item under the jurisdiction of the Committee and not on this agenda.** (speakers may be limited to three minutes)

3. **Administrative Items, if applicable.** (John Cunningham, Department of Conservation and Development)

4. **Staff recommends approval of the attached Record of Action for the June 1, 2015 Committee Meeting with any necessary corrections.** (John Cunningham, Department of Conservation and Development)

The Committee unanimously approved the 6/1/15 meeting record.

5. **AUTHORIZE the Public Works Director, on behalf of the County, to submit grant applications to CCTA for the 2016 STIP funding cycle per staff recommendations.** (Mary Halle, Department of Public Works)

The Committee provided feedback on the subject grants, the grant distribution report, and unanimously approved staff recommendations.

6. **RECEIVE Report from County staff on the proposed NPDES permits and provide recommendations on negotiations and/or implementation, and REVIEW issues associated with the health of the San Francisco Bay and Delta, including but not limited to Delta levees, flood control, dredging, drought planning, habitat conservation, and water quality, supply, and reliability.** (Cece Sellgren, Department of Public Works)

The Report was received; the Committee provided feedback on the negotiations and indicated that they are prepared to testify if necessary.

7. **CONSIDER Report on Local, State, and Federal Transportation Related Legislative Issues and take**
9 **ACTION as appropriate including CONSIDERATION of specific recommendations in the report above.**
(John Cunningham, Department of Conservation and Development)

The Committee received the Report and provided input on a Board of Supervisors delegation to meet on the Iron Horse Corridor issue in Sacramento.

8. **CONSIDER the report, provide COMMENT, and DIRECT staff as appropriate including 1) bringing the Olympic Corridor Trail Connector Study to the full Board of Supervisors for approval, 2) continue coordination and project development in conjunction with appropriate entities as described in this report, and 3) pursue funding opportunities as described in the study and as directed by the Committee.** (John Cunningham, Department of Conservation and Development)

The Committee received the Report and unanimously approved the staff recommendation.

9. **The next meeting is currently scheduled for Tuesday, September 8, 2015, at 1pm.**

10. **Adjourn**

The Committee adjourned this meeting at 1:45pm on the afternoon of Thursday, July 16, 2015.

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TRANSPORTATION COMMITTEE

John Cunningham, Committee Staff

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GIS Geographic Information System	
HBRR Highway Bridge Replacement and Rehabilitation	

Transportation Special Session Bills

7/16/2015

ABX1 1 (Alejo D) Transportation funding.

Introduced: 6/23/2015

Status: 6/24/2015-From printer.

Location: 6/23/2015-A. PRINT

Summary: Current law provides for loans of revenues from various transportation funds and accounts to the General Fund, with various repayment dates specified. This bill, with respect to any loans made to the General Fund from specified transportation funds and accounts with a repayment date of January 1, 2019, or later, would require the loans to be repaid by December 31, 2018. This bill contains other related provisions and other current laws.

CSAC
Position
Watch

ABX1 2 (Perea D) Transportation projects: comprehensive development lease agreements.

Introduced: 6/25/2015

Status: 6/26/2015-From printer.

Location: 6/25/2015-A. PRINT

Summary: Current law authorizes the Department of Transportation and regional transportation agencies, as defined, to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees, subject to various terms and requirements. Current law provides that a lease agreement may not be entered into under these provisions on or after January 1, 2017. This bill would extend this authorization indefinitely and would include within the definition of "regional transportation agency" the Santa Clara Valley Transportation Authority, thereby authorizing the authority to enter into public-private partnerships under these provisions.

CSAC
Position
Watch

ABX1 3 (Frazier D) Transportation funding.

Introduced: 7/9/2015

Status: 7/10/2015-From printer.

Location: 7/9/2015-A. PRINT

Summary: Current law requires the Department of Transportation to improve and maintain the state's highways, and establishes various programs to fund the development, construction, and repair of local roads, bridges, and other critical transportation infrastructure in the state. This bill would declare the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to maintain and repair the state's highways, local roads, bridges,

and other critical infrastructure.

CSAC
Position
Watch

ABX1 4 (Frazier D) Transportation funding.

Introduced: 7/9/2015

Status: 7/10/2015-From printer.

Location: 7/9/2015-A. PRINT

Summary: Current law establishes various programs to fund the development, construction, and repair of local roads, bridges, and other critical transportation infrastructure in the state. This bill would declare the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to improve the state's key trade corridors and support efforts by local governments to repair and improve local transportation infrastructure.

CSAC
Position
Watch

SBX1 1 (Beall D) Transportation funding.

Introduced: 6/22/2015

Last Amend: 7/14/2015

Status: 7/14/2015-From committee with author's amendments. Read second time and amended. Re-referred to Com. on T. & I.D.

Location: 7/14/2015-S. T. & I.D.

Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria to ensure efficient use of the funds available for the program. This bill contains other related provisions and other existing laws.

CSAC
Position
Support

SBX1 2 (Huff R) Greenhouse Gas Reduction Fund.

Introduced: 6/30/2015

Status: 7/1/2015-From printer.

Location: 6/30/2015-S. T. & I.D.

Summary: Would provide that those annual proceeds shall be appropriated by the Legislature for transportation infrastructure, including public streets and highways, but excluding high-speed rail. This bill contains other existing laws.

CSAC
Position
Watch

SBX1 3 (Vidak R) Transportation bonds: highway, street, and road projects.

Introduced: 7/1/2015

Status: 7/2/2015-From printer.

Location: 7/1/2015-S. T. & I.D.

Summary: Would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase 1 blended system. The bill, subject to the above exception, would require redirection of the unspent proceeds from outstanding bonds issued and sold for other high-speed rail purposes prior to the effective date of these provisions, upon appropriation, for use in retiring the debt incurred from the issuance and sale of those outstanding bonds.

CSAC
Position
Watch

SBX1 4 **(Beall D) Transportation funding.**

Introduced: 7/7/2015

Status: 7/8/2015-From printer. Read second time. Ordered to third reading.

Location: 7/8/2015-S. THIRD READING

Summary: Current law requires the Department of Transportation to improve and maintain the state's highways, and establishes various programs to fund the development, construction, and repair of local roads, bridges, and other critical transportation infrastructure in the state. This bill would declare the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to maintain and repair the state's highways, local roads, bridges, and other critical transportation infrastructure.

CSAC
Position
Pending

SBX1 5 **(Beall D) Transportation funding.**

Introduced: 7/7/2015

Status: 7/8/2015-From printer. Read second time. Ordered to third reading.

Location: 7/8/2015-S. THIRD READING

Summary: Current law establishes various programs to fund the development, construction, and repair of local roads, bridges, and other critical transportation infrastructure in the state. This bill would declare the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to improve the state's key trade corridors and support efforts by local governments to repair and improve local transportation infrastructure.

CSAC
Position
Watch

SBX1 6 **(Runner R) Greenhouse Gas Reduction Fund: transportation expenditures.**

Introduced: 7/13/2015

Status: 7/14/2015-From printer.

Location: 7/13/2015-S. T. & I.D.

Summary: Would delete the continuous appropriations from the Greenhouse Gas

Reduction Fund for the high-speed rail project, and would prohibit any of the proceeds from the fund from being used for that project. The bill would continuously appropriate the remaining 65% of annual proceeds of the fund to the California Transportation Commission for allocation to high-priority transportation projects, as determined by the commission, with 40% of those moneys to be allocated to state highway projects, 40% to local street and road projects divided equally between cities and counties, and 20% to public transit projects.

CSAC
Position
Watch

SCAX11 (Huff R) Motor vehicle fees and taxes: restriction on expenditures.

Introduced: 6/19/2015

Status: 7/8/2015-Re-referred to Com. on T. & I.D.

Location: 7/8/2015-S. T. & I.D.

Summary: Would prohibit the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. The measure would also prohibit those revenues from being pledged or used for the payment of principal and interest on bonds or other indebtedness. This bill contains other related provisions and other existing laws.

CSAC
Position
Watch

Total Measures: 11

Total Tracking Forms: 11

7/16/2015 11:49:06 AM



“IT’S ABOUT THE VETERAN.”



July 20, 2015

Family and Human Services Committee
Dorothy Sansoe, Senior Deputy County Administrator
Contra Costa County Family and Human Services Committee
651 Pine Street, 10th floor
Martinez, CA 94553

Dear Ms. Sansoe and members of the Family and Human Services Committee:

Thank you for this opportunity to tell you about Contra Costa County’s FIRST Stand Down event to serve our community’s Veterans. Delta Veterans Group (DVG) is very grateful for the wide base of local support as we host this event, and continue to provide counseling and connection to Veterans in Contra Costa County.

This year, DVG is undertaking its largest challenge to date by hosting its first ***Stand Down on the Delta*** September 11-14 at the Contra Costa Fairgrounds in Antioch, CA. DVG is a 501 (c) 3 nonprofit organization in its second year of operation, and is staffed 100% by volunteers who provide services to veterans from all over the Bay Area at our location in Antioch California. It is estimated that between 1,500 and 2,000 volunteers will participate in the *Stand Down on the Delta*, to help serve our Veterans, who have sacrificed and served us all.

This Stand Down comes at a critical time for Contra Costa County, as nonprofits serving Veterans such as Delta Veterans Group, corporations and businesses, foundations, the faith community, County Health Services, the Veterans Administration, local hospitals, law enforcement, and other sectors dealing with homeless persons come together as a part of **Zero: 2016**. Zero: 2016 is an initiative by 70 communities nationwide to end Veteran homelessness within one year, with housing subsidy and wrap-around supportive services to get Vets off of the streets and on the road to reintegration in society. New federal and other resources are coming together to accomplish achieve that goal, and Contra Costa County’s **FIRST EVER** “Stand Down” is a key vehicle to drive this effort.

As you may know, there is a disproportionately large percentage of Veterans in the homeless population, and homeless female Veterans are growing in number as their representation in the military has increased in recent years. The 2015 Point in Time count of homeless persons in *Contra Costa County alone* documented **140 homeless Veterans** living on the streets and in encampments or in emergency shelter on January 26th this year. The issues these Vets are facing are complex, and range from needing a place to call home to needing employment training and placement, medical and dental care, substance abuse treatment, mental health counseling, and so on.

Stand Down on the Delta Overview

DVG Board members and volunteers have participated in numerous Stand Down events in the Bay Area over past years, and will be bringing experience, best practices, and key skills to the implementation of *Stand Down on the Delta* in 2015. Planning for the Stand Down has been ongoing during the past year. The event will integrate personal health and wellness care with housing, employment, legal and a myriad of

support services, enlivened by bands and recreation opportunities for not only the men and women who are veterans, but for their families as well.

Based on the number of attendees at regional Stand Downs in the Bay Areas and Central California, and given that this Stand Down will occur on the “off year” of the East Bay Stand Down, DVG is anticipating 250 veterans will be attending. Veterans will pre-register prior to the event, so a more actionable number will be available by August 1, 2015. At this point, DVG is planning for 300 participants so that no one will have to be turned away. DVG expects to serve single male and female Veterans, as well as dependents (spouses and children). Women Vets and dependents and children will have separate, fenced accommodations, as well as services and activities for each group.

DVG will be serving both VA eligible and ineligible veterans at this event. VA eligibility will be ascertained through preregistration information obtained, and DD 214 status will be verified by the Veterans Administration through VA/Homeless Continuum of Care (COC) Homeless Management Information System (HMIS) collaboration in Contra Costa County. Veterans meeting VA eligibility criteria will receive VA medical and other services. Veterans not meeting the VA standards of eligibility will receive services from the Contra Costa County Health Care for the Homeless Team, utilizing the County Medical and Dental Services vans and staff.

Following is an summary of *Stand Down on the Delta* activities and services:

Friday, September 11, 2015

On Friday, preregistered Veterans will be transported to the site in the morning by buses and wheelchair accessible vans, accompanied by trained volunteers. Upon arrival at the fairgrounds, Vets will present registration documentation and go through Check In process. Check-in matches each participant with their packet, volunteers will obtain participant clothing sizes (shirt, pant, shoes, etc.), and will review the medical, court, and service plan. Vets will enter the secure area, account for and store their personal items in secure, on-site cargo containers, pick up a new sleeping bag, a personal care kit and generous bag lunch and water, and proceed to their tent. There they will meet their Tent Coordinator and have time to get acquainted, eat and rest.

Groups will proceed to medical triage for evaluation and development of a medical/dental service plan and plan for detox if needed. This activity will continue through the day to attend to all participants. Those requiring wound care or other medical services such as diabetes intervention, will be taken to on-site treatment room. Medications will be taken from participants, and dispensed by on-site physicians during the event. Physicians will also prescribe medications in some cases. The VA, EMTs and nurses from local nursing schools will staff examination rooms in the permanent buildings on the Fairground site. Qualified participants will be referred to the VA for follow-up care, while others will be referred to the County for follow up services.

While some groups are in the medical track, other groups will proceed to clothing distribution. Court participants will be flagged and will be expedited to Friday and Saturday court. Still other groups will access the 16 on-site showers, in either the men’s or women’s quarters. Participants will be able to shower and clean in the afternoon, and personal care services such as hair cutting will be available at that time and on Saturday.

Entertainment begins as the first participants arrive, and continues throughout the day will a full schedule of bands and singers. Friday night activities will include the Opening Ceremony, a delicious hot dinner, and great entertainment.

Saturday, September 12

On Saturday Vets will rise and go to morning formation then on to a hot breakfast by groups, women and children first. The Resource building (Bldgs #2 and #3 unless there is court) will be opened. The Contra Costa and Alameda County court system representatives will be present to help clear tickets resulting from being homeless, and will assign community service hours that can be carried out during the Stand Down.

A variety of counseling will be provided on Social Security disability, Veterans benefits and other benefits to link Veterans to income source, housing and health care sources. Information and counseling will be provided on HIV/AIDs, Hepatitis C, and Agent Orange, as well as substance abuse, diabetes, high blood pressure, and other health conditions. Various social services (see next section) will also be provided, linking vets to emergency shelter, permanent supportive housing, and voucher subsidized housing opportunities, as well as employment and benefits services.

Podiatry, dental and vision exams (and possibly hearing) will occur throughout the day. Most will get haircuts at this time, and can access a variety of wellness services such as massages, acupuncture, and chiropractors.

An array of recreation services, including games, arts and crafts, reading materials, and much more, will be available for all groups within their areas. Pet services, such as bathing, grooming and minor veterinary services, will also be provided for Veterans bringing their animals.

A delicious lunch will be served and healthy fruit and other snacks and water will be available throughout the day. After lunch, dependents and children will be treated to free roller skating at Paradise Skate close by.

Available throughout the entire event will be tents for Narcotics Anonymous and Alcoholics Anonymous meetings and support, as well as detox and withdrawal services. Medical doctor(s) will be on staff 24 hours a day to dispense medications, monitor withdrawal, to handle emergencies, and so on. Chaplains, Rabbis, Priests, and representatives of various faiths will also staff a counseling tent 24/7 throughout the event, and will be available for counseling and support.

The day will conclude with a delicious dinner and a variety of musical and other entertainment.

Sunday, September 13

Service delivery will continue on Sunday. Additional entertainment includes a fishing trip on the nearby Delta for 60 Veterans, chosen by a blind drawing. Vets who may have never fished will be taught this handy skill and all fish caught that day will be prepared and cooked at the Fish Fry Sunday evening (as well as some fish purchased for the occasion!) Entertainment continues throughout the day and evening.

Monday, September 14, 2015

Monday brings the Delta Veterans Group's first *Stand Down on the Delta* to an end with a Closing ceremony. Participants will be provided with clear plastic bags to take clothes, their sleeping bag and other acquisitions from the weekend. They will visit the property lockup to receive their original belongings back, and board buses between 11:30 – 12:00 p.m. Volunteers will then proceed to break down tents, take down fencing, pick up the facility, transport containers back to the American Legion, and bid farewell. A Debriefing will be held with Committee leaders and all interested personnel on September 17th, while the event is still fresh in everyone's minds.

Service Provision and Agencies

DVG continues to solicit support from agencies which will be providing a wide range of services to local veterans. Services and agencies identified to date include:

- **Transportation** – Buses will pick up participants from identified sites throughout Contra Costa County, and from the Pittsburg/Bay Point BART station, and all buses will be accompanied by trained volunteers. Transportation will include wheelchair accessible vehicles. *Transportation provided at reduced cost by First Student, but needs funding.*
- **Food and refreshments** – Veterans will be provided with three fresh, hot meals each day, cooked by volunteers from the faith community and prepared in the onsite kitchen. The local faith community and Loaves and Fishes, which has a large commercial kitchen nearby, will be cooking and providing meals for all veterans and volunteers. *Some snacks and water may need to be purchased.*
- **Clothing and shoes** – both men's and women's clothing and shoes will be provided, thanks to donations of new and used clothing from a variety of community partners. *We are seeking donations of new under garments, socks, and shoes, but may need funding to purchase all that is needed, especially new boots.*
- **Hygiene kits and personal needs** – participants will receive tooth brushes, deodorant, sanitary pads, and a wide variety of personal care items, depending on the gender of the participant. *Purchase and donations.*
- **Showers, Hair Cuts** – There are 16 permanent showers on site, and a "shower truck" can be brought in if needed. Local beauticians and barbers have donated their services to cut hair. *Shower truck will be an expense if it is needed.*
- **Medical Triage and Health Care** – Triage and basic health care will be provided by donated services from EMTs, nurses, and nursing students. *All services donated.*
- **Dental Care** – We are working to obtain donated services from local dentists. *This is an area which needs funding, as dental needs are great in this population.*
- **Emergency Shelter and Housing Placement** – The County Homeless Program, and SHELTER Inc., as well as homeless outreach workers from Central County Homeless Outreach and ANKA Behavioral Health, will be administering the VI-SPDAT homeless assessment tool to consenting Veterans to aid in their evaluation for housing and placement. Qualified Veterans will be served by SHELTER Inc. and Berkeley Food and Housing, as the local agencies which have been granted SSVF funding. *All services donated.*
- **Employment Services** – the Veterans Outreach Program officers from Workforce Services, of the County Employment Development Department, will provide employment evaluation, linkage, and services to participants seeking employment. *All services donated.*
- **Disability Services** – Independent Living Resources, Lion's Center for the Visually Impaired, and Delta Veterans Group will provide VA benefits counseling, disability counseling, information and referrals, as well as vision testing. *All services donated.*
- **Recovery Services** – Local AA and NA leaders will be leading meetings, providing peer support, and the County Behavioral Health Services team will provide counseling and placement into detox or substance abuse treatment services as requested. *All services donated.*
- **Court Services and Legal Aid** – Both Contra Costa and Alameda County judges will be present to hold "Homeless Court" to have minor legal issues resolved on the spot, with assignment for community services which, in many cases, will be able to be served at the Stand Down event. We are working to have DMV representatives at the event to take care of driver's license and other ID

issues. Bay Area Legal Aid counselors will also be present to provide advice, information and referral as needed. *All services donated.*

- **Spiritual Support** – The Contra Costa Interfaith Coalition and Multi-Faith Action Team, as well as several independent therapists, will be providing staffing 24/7 to provide spiritual support and counseling to a variety of faiths, and to persons of no faith. *All services donated.*
- **Wellness** – A variety of Wellness services are hoped to be provided, including chiropractic, massage, podiatry/foot care, and more. Practitioners in the East Bay community will donate their time to provide such services. *All services donated.*
- **Arts/Games/Entertainment/Recreation** – A wide variety of entertainment will be provided, including bands and musical groups, art therapy, roller skating for the dependents and children, a fishing field trip for 60 Veterans, books and reading, and games and activities for the children. *Materials will need to be purchased if not donated.*
- **Pets and Animal Services** – The Brentwood VFW Post is coordinating animal care and services, and is partnering with the both the Antioch and Contra Costa County Animal Shelters, as well as PetSmart for services, food, and medical assessment. *All services donated.*
- **Security** – The Knights Paladin Motorcycle Club will be providing security within the fairgrounds perimeter. Knights Paladin M/C is a Law Enforcement/Military Veterans oriented Motorcycle Club, and all male and female members are dedicated to service and are active, former, or retired Commissioned Law Enforcement Officers and Reserves (with powers of arrest) in good standing with their respective federal, state, county or municipal agencies, or active duty, retired or former military Veterans or military Reserves who served honorably. Security is also coordinated with the Antioch Police Department for outside the fairgrounds, if needed, and representatives from Antioch PD have been attending the meetings. *All services donated.*

As you can see in the attached Board of Directors list, Delta Veterans Group enjoys wide community support in the East Bay area of Contra Costa County. DVG Board members include an Antioch City Council person, a Veterans Outreach Program Specialist for the County Employment Development Department, an individual working in the legal field in the County, the Chair of the Contra Costa Homeless Advisory Board to the County Board of Supervisors, disabled Veterans, a disabled benefits counselor at Independent Living Resources, an individual who works in the prosthetics department of the Contra Costa VA, a member of a local nonprofit agency receiving SSVF services in Contra Costa, and individuals well connected in the local community.

DVG's *Stand Down on the Delta* Advisory Board members include representatives from neighboring City Councils, representatives from three of the five Board of Supervisors, Representatives from Congressman McNerney's office, and countless individuals who have participated in Stand Downs throughout the Bay Area, and who are eager to bring these much-needed services to Contra Costa veterans in their own back yard.

Thank you for your interest and support for our Veterans. Please call me at 925-222-7596 if you have any questions, or visit our website at <http://www.deltaveteransgroup.org/> to volunteer to assist with the event, or make your financial contribution to help our Veterans here in Contra Costa County.

Gratefully,



Gerald Wilson
President/CEO

From: Kiana Buss <kbuss@counties.org> **Date:** July 15, 2015 at 5:04:24 PM PDT
To: Kiana Buss <kbuss@counties.org> **Cc:** Chris Lee <clee@counties.org>, DeAnn Baker <dbaker@counties.org>, "Matt Cate" <mcate@counties.org>
Subject: CSAC Request for Action & Update on State Legislature's Transportation & Infrastructure Special Session

To: CSAC Board of Directors / Housing, Land Use and Transportation Committee
 Public Works Directors / Legislative Coordinators / CEAC Transportation Committee

From: Kiana Buss, Legislative Representative / Chris Lee, Legislative Analyst

Re: CSAC Request for Action & Update on State Legislature's Transportation & Infrastructure Special Session

Status Update and Hearings

Since the Governor called the transportation and infrastructure special session on June 16, both houses of the Legislature have formed special session committees and held informational hearings on transportation funding needs. Representatives of local agencies, including CSAC's President, Supervisor Vito Chiesa, figured prominently in the testimony heard by the special session transportation and infrastructure committees. Legislators have also begun to introduce bills, which are mostly reintroductions of regular session bills or spot bills that will later be amended.

A complete list of transportation special session bills and CSAC positions is available online here: <http://ctweb.capitoltrack.com/public/publish.aspx?session=15&id=c11d615e-f218-428a-b87d-b4244497350f>.

Legislative Proposals

The most significant funding proposal yet to be introduced is SBX1 1 (Beall), which was initially identical to CSAC-supported SB 16.

The bill was amended yesterday, with the following key changes:

- 1) The gas tax increase would now be 12 cents rather than 10 cents;
- 2) The diesel tax increase would be 22 cents, rather than 12 cents, with a full 12 cents allocated to trade corridor improvement projects;
- 3) The bill would eliminate the complex rate-setting process for the price-based excise tax on gasoline and diesel (which replaced the former sales tax charged on these fuels) and instead set the rate at 17.3 cents and index the rate to inflation beginning in 2018;
- 4) Once a local jurisdiction has reached a pavement condition index of 85, it would be able to use funding raised by the bill for transportation purposes beyond what is identified in the bill;
- 5) Allowable uses of funding are identified as:
 - a. Road maintenance and rehabilitation.
 - b. Safety projects.
 - c. Railroad grade separations.
 - d. Active transportation and pedestrian and bicycle safety projects in conjunction with any other allowable project.
- 6) The bill retains the \$100 registration fee on zero-emission vehicles and the \$35 registration fee on other vehicles;

- 7) The bill eliminates the Vehicle License Fee hike, which would have been used to backfill the truck weight fees which are being transferred to the general fund to pay off transportation bonds, and replaces those revenues with a \$35 “Road Access Charge.”
- 8) Finally, the bill no longer includes a five-year sunset, thus constituting a permanent funding package.

Senator Huff and the Senate Republican caucus have also introduced two measures into the special session that would constitutionally guarantee truck weight fees and any new transportation funding and dedicate cap and trade funding generated from fuels to streets and roads.

On the Assembly side, spot bills have been introduced by Transportation Chairman Jim Frazier, as well as bills by Assemblymembers Alejo and Perea related to ending the truck weight fee transfer and public-private partnerships, respectively. CSAC has been meeting with the Speaker’s office and understands that the Assembly will likely consider a broader package than the approximately \$52-per-year road charge the Speaker proposed last winter. The Assembly Republican Caucus released a funding proposal on June 29th (attached) as well. For our part, CSAC is trying to find points of consensus to bring both parties in both houses together in support of a comprehensive new transportation funding package.

The Legislature is set to recess for a month long summer break this Friday, July 17 and we understand that there will not be any formal activity within the special session during the recess either. However, CSAC will be very active in a statewide outreach, education and advocacy campaign while members are back in their districts and we are asking for your assistance with those efforts as discussed below.

CSAC’s Priorities

For CSAC’s purposes, we’ve developed a list of priorities for any new transportation funding package and an initial ask of \$3 billion/year in additional funding for local streets and roads (funding estimates by county attached). This amount of funding would bring the average local road from a pavement condition of 66 (“at risk”) to a score of 73 (“good”), whereas the amount of funding initially proposed by SB 16 would have simply maintained current average pavement conditions. The \$3 billion/year ask also reduces the funding shortfall by \$35 billion over ten years. This ask, as well as a handful of key principles for a funding package (see attached) were highlighted in CSAC’s testimony before both committees and in a letter to the Governor.

Coalition Effort

CSAC continues to work with a broad coalition of stakeholders including other local and regional governments, business, labor and transportation advocates to achieve new funding in 2015. This coalition is working with Bicker/Castillo/Fairbanks, a well-known and highly effective public affairs firm, on a grassroots, media relations and public affairs campaign.

It is our goal to take the advocacy local, with in-district legislative meetings and grassroots activities, local media events, and social media over the summer recess and beyond. Stay tuned for additional opportunities to engage your delegation; there are a few opportunities in the works already:

CSAC Requests for County Action

- 1) **Save the Date: Participate in a Transportation Listening Session:** The legislature will be holding a series of listening sessions on transportation needs starting at the end of July similar to the field hearings held earlier in the year in Los Angeles and San Jose. Tentative dates include a

session in Los Angeles on July 29th, the Bay Area on August 19th, and in Fresno on August 28th. Stay tuned for more details as we work to identify speakers and coordinate public comment.

- 2) **Pass a Resolution in Support of New Transportation Funding:** At the request of Speaker Toni Atkins, CSAC and the League of Cities developed the attached sample resolution in support of new funding for transportation. The resolution outlines six broad concepts that any funding package should meet in order to gain local government support. The idea is that counties and cities can pass this more general resolution, rather than take a position on a specific proposal at this time (although many counties already have), since legislative leaders are still negotiating the details of the final package. CSAC encourages your county to consider this approach and if supportive, adopt the resolution as soon as possible.
- 3) **Develop an Anticipated Project List:** CSAC staff have been working with the County Engineers Association to provide illustrative lists of the types of projects that would likely be funded under the transportation funding package proposed by the Speaker last winter. Thirty-four counties have already provided such lists, which are helpful in educating members and the media as to the types of projects local communities can anticipate being funded with new revenues for local streets and roads.

Questions/Comments?

Please do not hesitate to contact Kiana Buss (916.650.8185 or kbuss@counties.org) or Chris Lee (916.650.8180 or clee@counties.org) if you need additional information or have any questions.

Kiana Buss

Legislative Representative
Housing, Land Use, & Transportation Policy
California State Association of Counties
1100 K Street, Suite 101
Sacramento, CA 95814
Phone: (916) 327-7500 ext. 566
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kbuss@counties.org

See: [Web](#) / [Facebook](#) / [Twitter](#) / [The County Voice](#)

<Assembly GOP Transportation Plan June 29 2015.pdf>

<LSR 3B in New Funding - County Shares 062915.pdf>

<CSACTransFundingPriorities_SpecialSession.pdf>

<City-County Sample Resolution - Extraordinary Session Transportation Fun....doc>

Contra Costa County
Transportation, Water & Infrastructure Committee

If you are interested in speaking, please sign your name, address and list the agenda item number to which you are going to speak. (Address & Telephone number information is optional.)

Item Number on Agenda: 2 Date: 6/1/15
Name: Middle Blackwell / EBMD
Address: 375 11th St
City: Oakland State: CA Zip: _____
Telephone: 510 287-2053 (Optional)



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

5.

Meeting Date: 09/08/2015

Subject: CONSIDER Integrated Pest Management Report Activities of the IPM Advisory Committee & take ACTION as appropriate.

Department: Health Services

Referral No.: 8

Referral Name: Monitor the implementation of the Integrated Pest Management Policy.

Presenter: Tanya Drlik, IPM Coordinator

Contact: Tanya Drlik
(925)335-3214

Referral History:

The TWI Committee has asked the Integrated Pest Management Coordinator to update the Committee annually on the County's integrated pest management program.

Referral Update:

The IPM Advisory Committee has been working on recommendations for the Board of Supervisors and is requesting direction from the TWI Committee (see attached reports). The IPM Advisory Committee has also been receiving public comment and staff has updated the chart of County responses to public comment (see attached).

Recommendation(s)/Next Step(s):

CONSIDER Report on the Activities of the IPM Advisory Committee and take ACTION as appropriate including CONSIDERATION of specific recommendations in the report above and DIRECT staff as appropriate. Recommendations are summarized in the Recommendation(s)/Next Step(s) section at the end of this report.

Fiscal Impact (if any):

None.

Attachments

8-18-15 TWIC Memo reRecommendations on Sustainable Landscaping

8-18-15 TWIC Memo reDraft Bed Bug Ordinance

8-27-15 County Staff Responses to PfSE Concerns

WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR

RANDALL L. SAWYER
DIRECTOR



HAZARDOUS MATERIALS PROGRAMS

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MEMO

TO: Transportation, Water and Infrastructure Committee
Supervisor Andersen, Chair
Supervisor Piepho, Vice Chair

FROM: Tanya Drlik, IPM Coordinator

SUBJECT: Recommendations on Sustainable Landscaping from the IPM Advisory Committee

DATE: August 28, 2015

BACKGROUND

This is the fourth and most severe year of drought in California. The County has an opportunity to lead the way in water conservation and provide practical examples for its citizens. Turf around County buildings is used largely for aesthetic purposes and consumes far more water than drought tolerant landscaping. Drought-tolerant landscaping can be very attractive, and demonstration projects in the County will help citizens adjust to the new aesthetic.

This summer one such project was completed in the County. Approximately 70% of the turf at the Pittsburg Health Center (2311 Loveridge, Pittsburg) was removed and replaced with drought-tolerant plants that are widely spaced and mulched with wood chips. The change at the site is projected to save one million gallons of water per year. The current funding structure for maintenance of County landscaping is not conducive to projects such as this that may require an upfront investment that will provide returns only over the long-term.

Much of the landscaping around County buildings is aging and will require renovation in the near future. This presents the opportunity to alter County landscapes so they use less water and require less time and less pesticide to maintain them adequately.

RECOMMENDATIONS FROM THE IPM ADVISORY COMMITTEE

1. Develop a Countywide policy to convert existing turf to drought tolerant, low maintenance, and low pesticide use landscaping. The exceptions to this policy would be play areas for Head Start sites and turf in parks that is used for recreation (turf areas in parks that are not used for recreation should be converted to drought tolerant landscaping). The design for any turf conversion should use the least amount of pesticide practical in the preparation of the site.
2. Provide funding for conversion to sustainable landscaping
 - a. Develop ideas for a funding structure for new landscape installation, turf conversion, and landscape maintenance and renovation that is not coupled to the particular building or the departments housed in the building in order to provide secure, long-term funding for landscape maintenance and for projects that require up-front investment.
 - b. Pursue outside funding for turf conversion but do not allow the lack of outside funding to stymie the removal of existing turf. Perhaps the position of Sustainability Coordinator, if and when it is filled, could pursue grant funding for sustainable landscaping projects.
3. Develop a County policy to take decisions about the type of landscaping around buildings out of the hands of the tenants of that building in order that long range plans and long term investments in the landscaping can be made.



4. Make the following additions to the existing County Landscape Standards under “D. Design Guidelines, 3.01. General”:
 - a. Lifecycle costing will be used when landscapes are renovated or created.
[Note: This is to ensure that projects can be undertaken that require a substantial up-front investment to save money, labor, water, and pesticide in the future.]
 - b. Designs for all landscaping should take into account the level of maintenance and pest management that will be required to sustain the landscape. Designs should be aesthetically pleasing, low maintenance, water conserving, and maintained using an IPM approach for pest management.
5. Make the following changes in wording to the existing County Landscape Standards under “D. Design Guidelines, 3.06. Water Conservation, part C”
 - C. Emphasis shall be placed on plants well suited to the microclimate and soil conditions at the given site and that require minimal water once established, are relatively free from pests and diseases, ~~and~~ are generally easy to maintain, are pollinator-friendly, and are native to California. Reference shall be made to currently recognized sources such as EBMUD’s *Water Conserving Plants and Landscapes for the Bay Area* or Bob Perry’s *Trees and Shrubs for Dry California Landscapes* for recommended water conserving plants.
6. Make the following addition to the existing County Landscape Standards under “D. Design Guidelines, 3.09. Turf”:

Turf shall not be proposed except in Head Start and other child care play areas and in parks where it will be used for recreation. Turf shall not be proposed for purely aesthetic purposes.
7. Develop a County policy to require that landscape designs be reviewed and approved by the Public Works Grounds Division, in addition to the other required reviews and approvals. The Grounds Division should review plans for the long-term sustainability of the landscape with regard to maintenance costs and potential pest and disease problems. Landscaping can be in place for 10 to 20 years, and poor designs and inappropriate plant choices waste County resources. The Grounds Division has considerable expertise in determining maintenance costs and recognizing future maintenance and pest problems.
8. Develop a County policy to require that the plant lists for landscape designs be reviewed by the County Department of Agriculture whose staff are the County experts on invasive plants. Many of the invasive plants that are plaguing California wildlands today were unwittingly introduced by the nursery trade into urban landscapes where they escaped to become major pests that cost Californians at least 82 million dollars every year.

RECOMMENDATIONS/NEXT STEPS

APPROVE recommendations and DIRECT County staff as appropriate.

WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR

RANDALL L. SAWYER
DIRECTOR



HAZARDOUS MATERIALS PROGRAMS

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MEMO

TO: Transportation, Water and Infrastructure Committee
Supervisor Andersen, Chair
Supervisor Piepho, Vice Chair

FROM: Tanya Drlik, IPM Coordinator

SUBJECT: Draft Bed Bug Ordinance

DATE: August 28, 2015

BACKGROUND

Bed bugs are a continuing problem in Contra Costa County, and they disproportionately affect low income people, the elderly and the disabled. We encounter numerous situations where the property owner refuses to control the bed bug infestation or out of ignorance implements measures that make the problem worse. Tenants lack information on their responsibilities in preventing infestations and cooperating in control, and pest control companies need guidelines for treating bed bug infestations using the best available practices. This information exists but is not collected in one document for Contra Costa County.

The IPM Advisory Committee's Bed Bug subcommittee has been discussing bed bug ordinances for several meetings and has reviewed legislation from around the U.S. with an eye to drafting an ordinance for Contra Costa that would address the issues mentioned above. The subcommittee became aware of AB 551 introduced by Assemblyman Adrin Nazarian, which is currently making its way through the California Legislature. This bill includes almost all of the salient points that the Bed Bug subcommittee gathered from other legislation, and according to Assemblyman Nazarian's aide, there is a good chance it will pass and go to the governor later this year.

The Bed Bug subcommittee has drafted an ordinance for Contra Costa County that is based directly on AB 551. This draft can either be used as the basis for a County ordinance or as the basis for implementing AB 551 if and when it becomes law.

RECOMMENDATIONS/NEXT STEPS

The Bed Bug subcommittee would like direction from the TWI Committee about whether to continue work on an ordinance for the County. It should be noted that in AB 551, the Legislature declares its intention to occupy the field with regard to this subject.

The subcommittee also requests direction on how to apportion the costs of bed bug treatment between landlord and tenant and where to house enforcement of this ordinance.



DRAFT CONTRA COSTA BED BUG ORDINANCE

[NOTE: This draft is based directly on AB 551. For clarity, responsibilities listed in AB 551 have been grouped under Landlord, Tenant, and Pest Control Operator.]

The IPM Advisory Committee's Bed Bug subcommittee finds that

- Controlling bed bugs is uniquely challenging, as bed bug resistance to existing insecticidal control measures is significant. Cooperation among landlords, tenants, and pest control operators is required for successful control.
- Tenants, property owners, and pest control operators have distinct rights and responsibilities regarding bed bug infestations.
- Effective control is more likely to occur when landlords and tenants are informed of the best practices for bed bug control.
- Early detection and reporting of bed bugs is an important component required for preventing bed bug infestations. Tenants should not face retaliation for reporting a problem.
- Lack of cooperation by landlords and tenants can undermine pest control operator efforts to identify the presence of bed bugs and control an infestation. Depending on the treatment strategy, it is often critical that tenants cooperate with pest control operators by reducing clutter, washing clothes, or performing other activities. Likewise, inadequate or untimely response or planning by landlords may exacerbate an infestation.
- Specific, enforceable duties of tenants and landlords are necessary so that the failure of a tenant or landlord to cooperate fully does not prevent effective investigation, treatment, and monitoring of all infested and surrounding units.

For the purposes of this ordinance:

1. "Bed bug management plan" means a written plan prepared by a pest control operator and the landlord for a property. The plan will outline the responsibilities of the landlord and tenants and shall be consistent with the National Pest Management Association's (NPMA) best practices and tailored to the conditions at the property. The plan shall include, but is not limited to, the following:
 - a. Education of tenants to reduce the risk of introduction of bed bugs to the property and to encourage reporting. Education methods and frequency shall be based on resources of the landlord.
 - b. Housekeeping and building maintenance procedures to help prevent bed bug harborage, including recommendations from a pest control operator about correcting bed bug hiding places and entry points, for example by sealing cracks and crevices in walls, ceilings, and floors, and fixing loose moldings and peeling wallpaper.
 - c. The landlord's process for responding to complaints and a brief statement of the requirements of this ordinance.
 - d. Written documentation of any bed bug treatment program.
 - e. Use of monitoring devices on a proactive basis, routine monitoring inspections by trained employees or licensed pest control operators, if appropriate, as agreed by the pest control operator and the landlord.
 - f. A complaint log that documents compliance with this ordinance.
2. "Bed bug treatment program" means a program, based on the NPMA's best practices, for treating an infestation to remove or kill visible and accessible bed bugs and their eggs, either immediately or through residual effects. The program shall be structured to continue until the infestation is controlled.
3. "Complaint log" means part of a bed bug management plan that tracks a landlord's ongoing responses to each bed bug report over the preceding two years. The complaint log shall include, but is not limited to, records pertaining to verification inspections and inspections of adjacent units, results of inspections, records of notices provided to tenants, unit preparation inspections, treatment type, locations and dates, and followup inspections.

4. "Inspection" means an investigation of the premises, using NPMA's best practices to confirm or rule out a bed bug infestation, to identify all infested areas, to determine treatment tactics, or to verify that an infestation has been eliminated.
5. "NPMA best practices" means best management practices for bed bugs issued by the National Pest Management Association. "NPMA best practices" does not include practices or actions that conflict with federal or state law.
6. "Pest control operator" means an individual with a Branch 2 license from the Structural Pest Control Board.
7. "Pretreatment checklist" means unit preparation requirements tailored to the treatment method, consistent with NPMA best practices, including, but not limited to, easy-to-understand instructions, pictures, and diagrams, prepared by the pest control operator and provided to tenants by the landlord or pest control operator. The checklist shall include instructions for how to treat tenant clothing, personal furnishings, and other belongings, if treatment is required, and shall provide contact information for the pest control operator to answer questions prior to treatment.

General Information Notice to Be Provided to Each Tenant

A landlord shall provide a written notice to tenants that shall include, but is not limited to the following:

- General information about bed bug identification, behavior and biology,
- The importance of cooperation for prevention and treatment
- The importance of prompt written reporting of suspected infestations to the landlord.

The County IPM Coordinator shall create a written notice, translated into several languages, that will be available on the County's bed bug website: cchealth.org/bedbugs

This notice shall be provided to all current tenants by January 1, 2016 and to each prospective tenant thereafter.

If the landlord wishes to create his or her own notice, the information shall be substantially the same as the notice on the County's bed bug website: cchealth.org/bedbugs

Landlord Responsibilities

1. Within five business days after a tenant or a public agency notifies a landlord of a suspected infestation, the landlord shall retain the services of a pest control operator to verify the suspected infestation and to conduct a further inspection, if determined to be necessary by the pest control operator.
2. Entry to inspect a tenant's dwelling unit shall comply with Section 1954 of the California Civil Code. Entry to inspect any unit selected by the pest control operator and to conduct followup inspections of surrounding units until bed bugs have been eliminated is a necessary service for the purpose of Section 1954.
3. If a pest control operator's inspection confirms that a bed bug infestation exists:
 - a. The landlord shall notify all tenants of units identified for treatment by the pest control operator of the findings of infestation. The notification shall be in writing and made within two business days of receipt of the pest control operator's findings. For confirmed infestations in common areas, all tenants shall be provided notice of the pest control operator's findings.
 - b. If further inspections of the affected units or surrounding units are necessary as determined by the pest control operator, based on the NPMA best practices, subsequent notices shall include information about future inspections, unless that information was disclosed in a prior notice. Each entry shall require a notice conforming to Section 1954.
4. After an infestation is confirmed by a pest control operator, the landlord shall contract with a pest control operator to prepare and implement a bed bug treatment program to begin within a reasonable time. Beginning the treatment program within 10 calendar days after the infestation is confirmed shall be presumed as to be a reasonable time.
5. At least seven calendar days prior to treatment, the landlord shall provide to the affected tenants with the following:
 - a. A cover sheet from the landlord, in at least 10-point type, disclosing:

- i. The date or dates of treatment, the deadline for tenant preparation of the unit, and the date, approximate hour, and length of time, if any, the tenant shall be required to be absent from the unit.
 - ii. A statement that the tenant may request assistance or an extension of time to prepare the unit, to the extent required by law, to reasonably accommodate a disability.
 - iii. A statement that a tenant not entitled to a reasonable accommodation under law may also request an extension of three business days to prepare the unit.
 - iv. A statement that if the pest control operator recommends disposal of items, the tenant will follow the directions of the pest control operator to ensure that disposal does not spread bed bugs and that infested items are not re-used by others. These directions shall be in accordance with NPMA best practices.
 - b. A pretreatment checklist with information provided by the pest control operator, which shall be in accordance with NPMA best practices.
 - c. A written notice of entry pursuant to California Civil Code Section 1954 to affected tenants for all treatments and inspections.
6. If an extension of time is provided in order to reasonably accommodate a tenant required under law to receive a reasonable accommodation, or for other tenants who have requested a three business day accommodation, the landlord shall provide all affected tenants with a notice of the revised dates and times as specified in 5.a.i. above under Landlord Responsibilities, as necessary.
 7. Inspection of unit preparation and bed bug treatment and post treatment inspection and monitoring of all affected and surrounding units as recommended by the pest control operator are a necessary service for the purpose of California Civil Code Section 1954.
 8. No later than 30 calendar days after a bed bug infestation is confirmed by a pest control operator, or by a code enforcement officer or a health officer under paragraph (12) of subdivision (a) of Section 17920.3 of the California Health and Safety Code, a pest control operator and the landlord shall prepare a written bed bug management plan for the property. This plan shall be made available to tenants upon request.
 9. It is unlawful for a landlord to rent or lease, or offer to rent or lease, any vacant dwelling unit that the landlord knows or should reasonably know has a current bed bug infestation.
 10. Service of a three-day notice and filing of an unlawful detainer action to enforce tenant responsibilities under this ordinance shall not be considered unlawful retaliation under Section 1942.5 of the California Civil Code.
 11. If a landlord has received notice of an infestation and is in compliance with the requirements of this ordinance, the property shall not, with respect to bed bugs, be considered to be substandard as defined in Section 17920.3 of the California Health and Safety Code, to be untenable as defined in Section 1941.1 of the California Code of Regulations, or to be in breach of the implied warranty of habitability.
 12. A landlord shall not be liable for any damages due to delays in bed bug treatment and control that are outside the landlord's control.

Tenant Responsibilities

1. A tenant shall not bring onto a property personal furnishings or belongings that the tenant knows or reasonably should know are infested with bed bugs.
2. Within seven calendar days after a tenant finds or reasonably suspects a bed bug infestation at a property, the tenant shall notify the landlord in writing of that fact and the evidence of infestation. Evidence of infestation includes, but is not limited to, live bed bug; staining on bedding, furniture or walls; or any recurring or unexplained bites, that the tenant knows or reasonably suspects are caused by bed bugs.
3. Tenants shall cooperate with the inspection to facilitate the detection and treatment of bed bugs, including providing requested information that is necessary to facilitate the detection and treatment of bed bugs to the pest control operator.
4. The tenant shall fulfill his or her responsibilities for unit preparation before the scheduled treatment, as described in the pest control operator's pretreatment checklist. Tenants shall be responsible for the management of their belongings, including, but not limited to, clothing and personal furnishings.

5. Tenants who are not able to fulfill their unit preparation responsibilities shall promptly notify the landlord. For a tenant not entitled to a reasonable accommodation under law who requests an extension of time to prepare the unit, the landlord shall extend the preparation time by three days.
6. A tenant shall cooperate in vacating his or her unit as notified for treatment purposes and shall not reenter the unit until directed by the pest control operator to do so.

Pest Control Operator Responsibilities

1. A pest control operator shall base his or her recommendations for inspections and treatments on the NPMA best practices (available at <http://www.pestworld.org/all-things-bed-bugs/>)
2. When a pest control operator is hired by a landlord to control a bed bug infestation, the pest control operator shall prepare and implement a bed bug treatment program based on NPMA best practices to begin within a reasonable time. Beginning the treatment program within 10 calendar days after the infestation is confirmed shall be presumed as to be a reasonable time. The pest control operator must immediately provide the landlord with the dates of treatment, the deadline for tenant preparation of the unit, and the date, approximate hour, and length of time, if any, the tenant shall be required to be absent from the unit in order for the landlord to alert affected tenants at least seven calendar days prior to treatment.
3. The pest control operator shall provide the landlord with a pre-treatment checklist for tenants following NPMA best practices.
4. The pest control operator shall use NPMA best practices in determining if it is necessary to dispose of a tenant's property and shall provide directions for proper disposal according to NPMA best practices.
5. No later than 30 calendar days after a bed bug infestation is confirmed by a pest control operator, or by a code enforcement officer or a health officer under paragraph (12) of subdivision (a) of Section 17920.3 of the California Health and Safety Code, a pest control operator and the landlord shall prepare a written bed bug management plan for the property.

Disposal of Bed Bug Infested Property

A landlord or tenant, when disposing of personal property that they own or control, that is infested with bed bugs, including, but not limited to, bedding, furniture, clothing, draperies, carpeting, or padding, shall follow NPMA best practices to prevent the spread of bed bugs and prevent the re-use of personal property by others. Materials needed to safely dispose of property shall be furnished as needed to the tenant by the landowner or pest control operator.

Injunctive and Declaratory Relief

In addition to any other remedies provided by law, a landlord or tenant may sue for injunctive or declaratory relief for violations of this chapter.

Failure to comply with NPMA best practices shall not constitute a violation of this ordinance if copies of the NPMA best practices are not available to the public free of charge

For Reference:

[From AB 551, Section 1954.24]

“(a) Except as provided in subdivision (b), to the end of providing a single, uniform approach to the treatment of bed bug infestations in residential tenancies in California, it is the intent of the Legislature to occupy the field with regard to this subject. Cities, counties, and other local entities are prohibited from enacting a local law on this subject.

“(b) The comprehensive ordinances and regulations of the City and County of San Francisco regarding the treatment and control of bed bug infestations are deemed to satisfy this chapter and are not preempted.”

**Contra Costa County Staff Responses to Issues Raised by the Public
Regarding the County Integrated Pest Management Program**

March 10, 2015 August 27, 2015

Date(s) Issue Raised to: TWIC = Transportation, Water & Infrastructure Committee IPM = IPM Committee or subcommittees IO=Internal Operations Committee	Issues Raised by the Public	Steps taken by the IPM Advisory Committee and County Staff from January 2009 to the present
		<p align="center"><u>IPM subcommittees should focus on pesticide use and not on bed bugs or removing turf</u></p>
<p><u>2/16/15-IPM</u> <u>2/17/15-IPM</u> <u>2/20/15-IPM</u> <u>3/2/15-TWIC</u> <u>3/4/15-IPM</u> <u>5/6/15-IPM</u> <u>8/6/15-IPM</u></p>	<p><u>From Parents for a Safer Environment (PfSE)</u> <u>Issue of the subcommittees working on bed bugs, a community problem, rather than County-only pesticide issues and working on turf removal around buildings rather than on pesticide use in rights-of-way</u></p>	<ul style="list-style-type: none"> • <u>Bed bugs affect 1000s of Contra Costa residents, both in municipalities and the unincorporated areas of the County. In order to get relief, desperate citizens are using many different kinds of pesticides in the home, throughout the bedroom, and often on the bedding itself. Reports indicate that frequently pesticides are used to excess and in a manner contrary to the labeled directions. This intimate contact with, and misuse of, pesticides is very troubling. This is a serious issue of pesticide exposure and contamination as well as an issue of the well-being of Contra Costa residents that the County has an obligation to address.</u> • <u>Converting turf to drought-tolerant landscaping accomplishes several things:</u> <ul style="list-style-type: none"> o <u>Saves millions of gallons of water in this time of serious drought.</u> o <u>Reduces the need for weed control and thus for herbicides. The limited irrigation and wood chip mulch between the drought-tolerant plants is not conducive to weed growth. Few weeds sprout in the dry soil under the mulch, and those that do sprout can often be hand-pulled.</u> o <u>Addresses herbicide use near buildings, which is where people have the greatest chance of being exposed to these pesticides.</u> o <u>Reduces maintenance hours because turf is a high maintenance plant.</u> o <u>Frees Grounds maintenance staff to better manage other landscapes and continue to reduce their use of pesticide.</u> o <u>Reduces the amount of electricity used to pump water, the amount of gas used in lawn mowers and trimmers and in trucks to travel to and from sites for maintenance, and reduces the amount of pesticide and fertilizer used in maintaining the turf. This reduces greenhouse gas emissions.</u> o <u>Demonstrates that the County is a leader in landscaping more wisely for the arid climate in which we live.</u>
		<p align="center"><u>County not tracking pesticide use separately for Public Works rights-of-way/roadsides, flood control channels, and County-owned parcels</u></p>
<p><u>3/2/15-IPM</u> <u>8/26/15-Email</u></p>	<p><u>From Parents for a Safer Environment (PfSE):</u> <u>"We do not see any good reason why pesticide usage is not being provided to the community for each roadside and flood control program." (3/2/15)</u></p>	<ul style="list-style-type: none"> • <u>The County has always tracked pesticide use separately for roadsides, flood control channels, and County-owned parcels, but because of a recent change in the way the Department reported pesticide use to the State of California, the state Pesticide Use Reports for FY 12-13 and FY 13-14 were not separated. The database that Public Works uses to track pesticide use cannot produce reports for PfSE that are user friendly since the database was never intended to be a pesticide use reporting tool. As a courtesy to PfSE, the Department has resumed separating pesticide use for the 3 programs when it reports to the state. These Pesticide Use Reports have been provided to PfSE for FY 14-15.</u>

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		<u>Report the total amount of pesticide used not just the active ingredients</u>
<u>8/26/15-Email</u>	<u>From Parents for a Safer Environment (PfSE):</u> <u>"Report total amount, not just the active ingredients of pesticides used in usage spreadsheet"</u>	<ul style="list-style-type: none"> <u>In the spread sheet prepared by the IPM Coordinator every year for pesticide use by County operations, the total amount of pesticide product used is recorded as well as the total amount of pesticide active ingredient used for each product.</u> <u>The California Department of Pesticide Regulation reports pesticide use for the state in pounds of active ingredient. The County has adopted this system so that pesticide use reporting is aligned with the state. But as noted above, the County spreadsheet also records total pounds or gallons of pesticide product used.</u> <u>The spreadsheet is posted on the IPM website and attached to the annual report.</u>
		<u>Corrections to the minutes of the IPM Advisory Committee or its subcommittees requested by PfSE</u>
<u>5/6/15-IPM</u> <u>6/9/15-IPM</u> <u>8/6/15-IPM</u>	<u>From Parents for a Safer Environment (PfSE)</u> <u>Issue of PfSE requesting changes to the minutes and then changes are not made</u>	<ul style="list-style-type: none"> <u>The IPM Committee members vote on whether or not to make corrections to the minutes. The members do not always vote to make PfSE's corrections, additions, and changes. The IPM Coordinator includes written changes from PfSE (as well as other public comment) as attachments to the official record of the meeting. The official agenda, minutes, public comment, and other attachments are posted on the IPM website.</u>
		The herbicide Roundup (active ingredient glyphosate) has been designated as a probable human carcinogen by the International Agency for Research on Cancer
<u>6/9/15-IPM</u> <u>7/8/15-IPM</u> <u>8/6/15-IPM</u>	<u>From Parents for a Safer Environment (PfSE):</u> <u>"Considering that RoundUp products with the active ingredient, glyphosate, is [sic] being applied at the rate of nearly 1,000 lbs annually in the Grounds Program alone, and that glyphosate has been listed as a Probable Human Carcinogen by the World Health Organization earlier this year, are there any plans by the county to eliminate this risky chemical to reduce exposure to the community and wildlife?"</u>	<ul style="list-style-type: none"> <u>The IPM Coordinator has been attending meetings in San Francisco with IPM coordinators and city and county staff from around the Bay to discuss the Roundup issue. At this point we do not have a less hazardous product with equivalent efficacy to replace Roundup, but we continue to look for one. The Grounds Division uses Roundup as a spot treatment and uses a little as necessary. In FY 14-15 the Grounds Division used 311 lbs. of glyphosate, the active ingredient in Roundup.</u> <u>The most serious risk of exposure to Roundup is to the applicator because that person is in close contact with the material, sometimes daily. The law and the County require applicators to wear personal protective equipment and to be trained annually to prevent exposure. In light of the new probable carcinogen designation, the County is looking at whether there are additional precautions that should be taken to protect workers.</u>
		<u>Questions posed during public comment for items not on the agenda are not answered by the IPM Committee</u>
<u>8/6/15</u>	<u>From Parents for a Safer Environment (PfSE):</u> <u>"...please allow ample time for answering and discussing these 6 questions as listed in order of priority at the next meeting agenda. Community members have been waiting patiently since last year for most of these questions to be addressed."</u>	<ul style="list-style-type: none"> <u>The IPM Committee does not take up and discuss issues that are not on the published agenda for the meeting as this would be a violation of the Brown Act.</u> <u>Members of the Committee can request to have public concerns put on the agenda for a future meeting.</u>

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IPM Committee members should RSVP for each meeting		
<u>6/9/15-IPM</u> <u>7/8/15-IPM</u> <u>8/6/15-IPM</u>	<u>From Parents for a Safer Environment (PfSE):</u> <u>"I attended the April 14, 2015 meeting when we waited for over 30 minutes for staff and community members on the [Weed sub] Committee to arrive to no avail. Staff had to regretfully cancel the meeting due to lack of a quorum. ...consider asking for a heads-up from committee members if they cannot attend a future IPM meeting." (6/9/15 and 7/8/15)</u> <u>"Would the county request Committee members to provide in writing, anticipation of absenteeism so that those who arrive at meetings are not waiting for an hour only for the meeting to be cancelled due to lack of a quorum." (8/6/15)</u>	<ul style="list-style-type: none"> • <u>IPM Committee members alert the IPM Coordinator when they know they will be late or will be missing a meeting of either the full committee or a subcommittee. Unfortunately, unexpected circumstances do arise from time to time.</u> • <u>The Weed subcommittee meeting on April 14, 2015 was the first meeting of the full IPM Committee or any of its subcommittees that had to be cancelled for lack of a quorum since the IPM Advisory Committee was formed in 2010.</u>
Quorums have been disregarded in previous subcommittee meetings		
<u>6/9/15-IPM</u> <u>7/8/15-IPM</u>	<u>From Parents for a Safer Environment (PfSE):</u> <u>"According to Shirley Shelangoski who had attended all subcommittees between 2012- 2014, quorums were <i>not</i> considered in subcommittees until the recent year. Before, subcommittee meetings were held regardless of a lack of quorum."</u>	<ul style="list-style-type: none"> • <u>All subcommittees consider whether or not there is a quorum before proceeding with a meeting. Attendance is tracked in each set of minutes.</u>
Absences on the IPM Committee		
<u>8/6/15-IPM</u> <u>8/26/15 Email</u>	<u>From Parents for a Safer Environment (PfSE):</u> <u>"Will the county track absenteeism and provide the data annually so that those who missed more than two in a given year be considered for removal from membership as stated in the By-Laws?"</u>	<ul style="list-style-type: none"> • <u>Absences are tracked in the minutes of every meeting of the full IPM Committee and each of its subcommittees. Attendance at meetings is reported annually to the Board of Supervisors.</u>

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Pesticide Use around the Hazardous Materials Office in Martinez		
<u>2/20/15-IPM</u> <u>8/6/15-IPM</u>	<u>From Parents for a Safer Environment (PfSE)</u> <u>Issue of members of PfSE</u> <u>observing pesticide use around the</u> <u>Hazardous Materials Office at 4585</u> <u>Pacheco Blvd. in Martinez without</u> <u>posting</u>	<ul style="list-style-type: none"> • <u>The Hazardous Materials Program rents space from ERRG, a company that occupies the top floor of the building. They and not the County are responsible for maintaining the building and the property.</u> • <u>The County's posting policy does not require private owners of buildings to post their pesticide use.</u> • <u>On 8/6/15, PfSE videoed a Clark Pest Control technician spraying around the building at 4585 Pacheco Blvd. Clark, the contractor for ERRG, was using a pesticide called indoxacarb for ants that had been invading the building, particularly the top floor. Indoxacarb is listed as a "reduced risk" pesticide by the USEPA and is used by Pestec, the County contractor, in baits for cockroaches and ants. Hazardous Materials staff who experienced ant problems were educated by the IPM Coordinator, all food debris was removed, and boric acid baits were used in the two Hazardous Materials offices with ants trailing through.</u>
IPM Contract Language		
11/6/13-IPM 12/5/13-TWIC 2/26/14-IPM 3/5/14-IPM 3/6/14-TWIC <u>8/26/15-Email</u>	<u>From Parents for a Safer Environment (PfSE):</u> "the county still does not have IPM language in its contracts with pest control contractors"	<ul style="list-style-type: none"> • 2009: the IPM Coordinator and County staff added IPM language to the contract for pest management in & around Co. buildings. The contractor emphasizes education, sanitation, and pest proofing as primary solutions. Insecticides, mainly in the form of baits, are used as a last resort. For the control of rats and mice in and around County buildings, the County only uses sanitation, education, and trapping. • Special Districts currently hires only 1 contractor for pest control. He is employed by means of a purchase order, which is not an appropriate vehicle for IPM contract language; however, <ul style="list-style-type: none"> ◦ as a condition of his employment, he is required to abide by the Public Works "Landscape Design, Construction, and Maintenance Standards and Guidelines"¹ which contain language outlining the IPM approach. This also applies to any other contractor hired by Special Districts. ◦ this has been explained to PfSE several times. • Spring 2012: to reinforce the IPM standards, the Special Districts Manager sent a letter to each Special Districts' contractor detailing the IPM approach expected of them. This is an on-going practice and any new contractors will receive the same letter to emphasize the County's IPM principles. • On 11/28/12, Susan JunFish asked for Special Districts contracts and purchase orders; on 11/29/12 the IPM Coordinator sent her the contracts, purchase orders, and letters mentioned above that were sent out by Special Districts. • On 2/14/13, Susan JunFish asked again for copies of the letters and was sent them on 2/15/13. • The Grounds Division occasionally hires a contractor to apply pesticides that the Division does not have staff or equipment to apply itself. The IPM Coordinator considers that these contracts or purchase orders do not require IPM language because the contractor is hired for a specific pesticide application and not to perform IPM services or make any IPM decisions. In these cases the Grounds

¹ <http://www.co.contra-costa.ca.us/index.aspx?nid=2147>

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		Division has already gone through the IPM decision making process and has decided the specific work ordered is appropriate.
Unprofessional Behavior by County Staff		
11/6/13-IPM 11/13/13-IO 12/5/13-TWIC 2/26/14-IPM 3/5/14-IPM 3/6/14-TWIC	<i>From Parents for a Safer Environment (PfSE):</i> “serious pattern of hostile and unprofessional treatment to the community by County staff” “continued name-calling, shouting, and put-downs by county staff and Committee members at IPM meetings” “require staff to take training in order to learn how to work productively in public meetings”	<ul style="list-style-type: none"> • Staff disagree with the assertions that staff have been hostile or unprofessional toward members of PfSE or that staff have engaged in name-calling, shouting, or put-downs in any committee meetings. However, without reference to specific incidents on specific dates, it is impossible for staff to respond in detail. • Members of the public have always had ample opportunity (within defined limits) to participate in all aspects of IPM Committee meetings. • Starting in 2014, IPM full committee and subcommittee meetings will strictly adhere to the Ground Rules adopted unanimously by the IPM Committee on May 5, 2010. The IPM Coordinator will distribute Committee Ground Rules with each agenda packet. This will make public participation more fair and prevent one or a few individuals from dominating public comment. This course of action should limit the potential opportunities for improper discourse.
<u>Make Audio and/or Video Recordings of IPM Committee Meetings</u>		
<u>3/6/14-TWIC</u> <u>3/2/15-TWIC</u>	<u>“record meetings with a camcorder”</u> <u>“The Community requested to have IPM related meetings recorded to achieve accurate meeting minutes that reflect what actually happened at the meetings and to encourage professional behavior.”</u>	<ul style="list-style-type: none"> • <u>Vince Guise, Agricultural Commissioner in 2013, suggested that meetings be audio recorded (no video). The issue may be taken up at a future IPM Committee meeting.</u> • <u>No other advisory bodies video or audio record their meetings. If the public wishes to record meetings, they may do so and should announce their intention at the beginning of the meeting.</u>
Intimidation of a member of Parents for a Safer Environment by the IPM Coordinator		
2/12/14-TWIC 3/5/14-IPM 3/6/14-TWIC	<i>From Parents for a Safer Environment (PfSE):</i> “we ask that in the future, [County] staff not contact the community and pressure them to retract their public comments”	On November 13, 2013, Margaret Lynwood submitted a written public comment to the Internal Operations Committee. In the comment, she stated that she had “been attending pesticide related meetings and [had] discovered a serious pattern of hostile and unprofessional treatment to the community by county staff.” Since Ms. Lynwood did not provide specific details, and the IPM coordinator had no record of her attending and did not remember seeing her in the last 4 years at any IPM Committee or subcommittee meetings, but only at TWIC and IO meetings, she contacted Ms. Lynwood by phone to understand her concerns and ask her if she felt that County Supervisors or other staff in TWIC or IO meetings had exhibited unprofessional behavior. She said, “No,” and was unable to cite a specific instance when she had witnessed such behavior. The IPM Coordinator did not ask her to retract her public comment.
Use of Pre-Emergent Herbicides		
11/6/13-IPM 12/5/13-TWIC	<i>From Parents for a Safer Environment (PfSE):</i> “The Community wants to be assured that the Public Works Dept does not use pesticides along the Flood Control District that has [sic]	This is an issue about pre-emergent herbicides and was discussed in a subcommittee meeting on 10/29/13 and again in the Advisory Committee meeting on 11/6/13. Both meetings were attended by both Susan JunFish and Shirley Shelangoski of PfSE. The following points were made: <ul style="list-style-type: none"> • Pre-emergent herbicides have residual activity by design because they are meant

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	residual activity before a forecasted rainstorm."	to prevent the germination of weeds over an extended period of time, sometimes a number of weeks. <ul style="list-style-type: none"> • Pre-emergent herbicides are used by Public Works as part of their herbicide rotation program to prevent the development of herbicide-resistant weeds. Herbicide rotation is one of a number of best practices strongly recommended by the University of California and many other researchers to prevent herbicide resistance². Creating herbicide-resistant weeds is considered an extremely serious problem by weed scientists throughout the world. • Pre-emergent herbicides are not applied on flood control channel banks; they are used on flood control access roads above the banks. • Pre-emergent herbicides need irrigation or rainfall shortly after their application, typically within a few days to several weeks, to carry them shallowly into the soil where they become active. Because there is no irrigation on flood control access roads, pre-emergent herbicides must be applied prior to a rain event. • The Department follows all label requirements for the application of pre-emergent herbicides (and all other herbicides). Note that a pesticide label is <u>law</u> and must be strictly followed. • The use of pre-emergent herbicides can reduce the total amount of herbicide needed to control weeds in the County because it takes a smaller amount of pre-emergent herbicide to control weeds in an area than it would using a post-emergent herbicide.
	Use of Garlon 3A® (triclopyr) herbicide on flood control channel slopes without considering its half-life	
3/5/14-IPM 3/6/14-TWIC 8/26/15-Email	<i>From Parents for a Safer Environment (PfSE):</i> "We want the Public works Department to consider the residual activity (or half-life) of pesticides prior to application. Particularly along the Flood Control District before a forecasted rain that can wash pesticides into the channels and contaminate the water that flows to the Bays"	<ul style="list-style-type: none"> • Staff has reviewed EPA documents for triclopyr reregistration; information on triclopyr in the Nature Conservancy's <i>Weed Control Methods Handbook</i>; information on triclopyr in the Weed Science Society of America's <i>Herbicide Handbook</i>; and the CA Department of Pesticide Regulation's "Environmental Fate of Triclopyr" (January 1997); and has found that triclopyr: <ul style="list-style-type: none"> ○ Is practically non-toxic to birds, fish, and crustaceans ○ Is of very low toxicity to mammals and is rapidly absorbed and then rapidly excreted by the kidneys, primarily in unmetabolized form ○ Has an average half-life in soil of 30 days (considered short persistence) ○ Would have little toxicological hazard to fish and wildlife as currently used in forestry (CCC's use is similar, although the County uses less product per acre than studies cited) ○ Has a low K_{oc}, which indicates mobility in soil; however, studies show that triclopyr is only somewhat prone to lateral movement and is practically not prone to vertical movement. In addition, triclopyr is fairly immobile in the sub-surface flow. ○ Could be used without harm to nearby streams in forestry applications if

² 2012. Norsworthy, Jason K., et al. Reducing the Risks of Herbicide Resistance: Best Management Practices and Recommendations. *Weed Science* 2012 Special Issue:31-62.

2000. Prather, Timothy S., J.M. DiTomaso, and J.S. Holt. Herbicide Resistance: Definition and Management Strategies. University of California, Division of Agriculture and Natural Resources Publication #8012. 14 pp.

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		<p>buffer zones are used around streams and ephemeral drainage routes.</p> <ul style="list-style-type: none"> CCC Public Works Vegetation Management uses Garlon 3A as follows: <ul style="list-style-type: none"> Garlon 3A is a broadleaf contact herbicide with no pre-emergent qualities. It does not kill grasses, so it is often used with Roundup (glyphosate), which does kill grasses. Generally Garlon 3A is not used during the rainy season. It is used on roadsides, flood control channel slopes, and flood control channel access roads. On flood control channel slopes, Garlon 3A is sprayed down the slope no further than the toe of the slope. Flood control channels are trapezoidal in cross section, and the toe of the slope is where the slope meets the flat part of the channel. Depending on the site, the water in the channel is from 10-50 ft. from the toe. If there is a chance of the herbicide getting into the water, Public Works uses Renovate 3, which has the same active ingredient (triclopyr), but is labeled for aquatic use.
	Posting for pesticide use	
11/6/13-IPM 12/5/13-TWIC 2/20/14-IPM 2/24/14-IPM 2/26/14-IPM 3/5/14-IPM 3/6/14-TWIC 4/2/14-IPM 12/4/14-TWIC 2/17/15-IPM 3/2/15-TWIC 8/26/15-Email	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>"The county staff are still not posting when applying pesticide in parks, along hiking trails, major intersections of rights of ways, along flood control districts where many people, children and their pets frequent."</p> <p>"Posting online of pesticide applications"</p> <p>"Posting online of pesticide use reports from <i>each</i> program as they are generated on a monthly basis [for fulfilling reporting requirements with the state Department of Pesticide Regulation]"</p> <p>Provide a list of where pesticide applications were posted for each IPM program and how many signs were used in 2013. (4/2/14)</p> <p>"The County's Posting Policy states that posting is required where there is foot access by the public or where the area is used for recreation...PfSE has shown you photos of children walking along these access trails...These access roads look just like walking trails along often idyllic looking creeks that the community use on a daily</p>	<ul style="list-style-type: none"> In 2009 the Departments developed a pesticide use posting policy. The policy does not require posting in "rights-of-way or other areas that the general public does not use for recreation or pedestrian purposes". The CCC posting policy, including the provision mentioned above, is consistent with, and very similar to the posting policies of Santa Clara and Marin Counties and with the City of San Francisco. The policy was reviewed and discussed by the IPM Committee when it was first developed, and in 2012 was revised to allow web posting and allow permanent signs in certain areas. County Departments have verified that they abide by the posting policy. The County's website for has been working on the online posting of pesticide applications (for the areas required by the CCC posting policy) was up and running as of 3/10/15. This is currently in the hands of the Public Works Department. Pesticide use reports that are generated for the California Department of Pesticide Regulation are provided yearly to Parents for a Safer Environment. Monthly reports are available if the public wishes to view them. In the 5/27/14 IPM Transparency subcommittee meeting, the IPM Coordinator presented a chart with a list of pesticide application postings and the number of signs use for the 2013 calendar year. Note that the County Posting Policy states that posting is "Not required in locations that the public does not use for recreation or pedestrian purposes" Recreation is defined as "any activity where significant physical contact with the treated area is likely to occur". On Pinole Creek, in the photo submitted by PfSE, the Public Works Department does not treat the access road the children are shown walking on. Most of the County's Flood Control access roads are within locked gates with signs saying "Property of Contra Costa. No Trespassing". No one should be jogging or walking along these roads.

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	basis." (12/4/14) Concerns about pesticide posting (2/17/15) <u>"Posting is still not done in most treated areas where people have foot access and where they recreate per the CC County's Posting Policy." (3/2/15)</u>	<ul style="list-style-type: none"> • If PfSE can provide the County with information on specific access roads and specific times when people have been exposed to pesticide spraying, the County will investigate immediately • <u>Without information on specific locations, the County is unable to investigate this concern about not posting "in most treated areas where people have foot access and where they recreate..."</u>
Adopting an IPM ordinance		
9/4/13-IPM 11/6/13-IPM 2/26/14-IPM 3/5/14-IPM 3/6/14-TWIC <u>3/2/15-TWIC</u>	<i>From Parents for a Safer Environment (PfSE):</i> Issue of adopting an IPM ordinance for the County	<ul style="list-style-type: none"> • In 2009, Susan JunFish proposed the need for an IPM Ordinance to the BOS. The Board directed the Committee to investigate the issue. • In 2009, County Counsel wrote an opinion recommending the use of an administrative bulletin to supplement the County's IPM Policy. • <u>County Counsel continues to stand by their 2009 opinion.</u> • At several meetings in 2010 and 2011, the IPM Committee studied the issue and heard presentations from PfSE and from other counties. In 2011 the Committee concluded unanimously that the County should adopt an IPM Administrative Bulletin to supplement the IPM Policy that the County adopted in 2002. In CCC an administrative bulletin serves to direct staff and carries consequences for non-compliance. • The IPM Committee found no advantage to adopting an IPM ordinance. • In April of 2013, the IPM Administrative Bulletin was adopted. • In the fall of 2013, the IPM Committee again reviewed the issue of adopting an IPM Ordinance. For the second time, the Committee saw no advantage to developing an ordinance and once again voted unanimously to recommend the continued use of the IPM Policy supplemented by the IPM Administrative Bulletin.
Reporting "Bad Actor" pesticides		
11/6/13-IPM 12/5/13-TWIC 2/12/14-TWIC 3/5/14-IPM 3/6/14-TWIC 2/17/15-IPM <u>3/2/15-TWIC</u> <u>8/26/15-Email</u>	<i>From Parents for a Safer Environment (PfSE):</i> Disagreement on how the County should report "Bad Actor" ³ pesticides in the IPM Annual Report	<ul style="list-style-type: none"> • Since FY 00-01, the County has been publishing pesticide use figures that include use figures for "Bad Actors". • Note that <u>all</u> pesticides used by County operations are reported in the IPM Annual Report, regardless of the toxicity or hazards of the pesticide. At issue is the categorization of pesticides in the report, not whether all use is reported. • Susan JunFish, of Parents for a Safer Environment (PfSE), has been asking that additional pesticides be reported as "Bad Actors". To resolve this issue, the IPM Committee heard presentations from Susan JunFish and held a special meeting of the Data Management subcommittee on March 25, 2013 devoted exclusively to this issue. Dr. Susan Kegley⁴ was invited to speak, as requested by Susan JunFish.

³ "Bad Actor" is a term coined by 2 advocacy groups, Pesticide Action Network (PAN) and Californians for Pesticide Reform, to identify a "most toxic" set of pesticides. These pesticides are at least one of the following: known or probable carcinogens, reproductive or developmental toxicants, cholinesterase inhibitors, known groundwater contaminants, or pesticides with high acute toxicity. The pesticides designated as "Bad Actors" can be found in the PAN database on line: <http://www.pesticideinfo.org/>

⁴ Ph.D. Organic/Inorganic Chemistry; Principal and CEO, Pesticide Research Institute; former Senior Staff Scientist for Pesticide Action Network (PAN); instrumental in the development of the PAN database.

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		<ul style="list-style-type: none"> • After hearing Dr. Kegley's presentation and discussing the issue with her and with representatives of PfSE, the subcommittee members concluded that the County should report as "Bad Actors" only those that are designated as such in the Pesticide Action Network database. • June 26, 2013: The IPM Committee voted unanimously to make changes to the 2012 IPM Annual to reflect the recommendation from the Data Management subcommittee, as noted above. The IPM Coordinator continues to report pesticides as "Bad Actors" only if they are designated as such in the PAN database.
Use of Paraquat and Other Bad Actors for Aquatic Weed Control by the Department of Agriculture		
2/17/15-IPM	<i>From Parents for a Safer Environment (PfSE):</i> "Use of paraquat for Aquatic Weed Control and other broad applied Bad Actor Pesticides by the Department of Agriculture." (Particular mention of South American sponge plant in the Delta was made.)	<ul style="list-style-type: none"> • The Agriculture Department has not used paraquat in any aquatic weed applications and does not apply herbicides to the Delta for aquatic weeds. In the past, the Department has treated purple loosestrife in County waterways that feed into the Delta, but from this point forward they will not be treating any aquatic weeds. • The State Department of Boating and Waterways (DBW) has treated various areas in the Delta for invasive aquatic weeds over the years, and in September 2012, Governor Brown signed legislation authorizing DBW to add South American sponge plant to the list of weeds they treat. • State weed science experts judged that South American sponge plant posed a serious threat to the ecosystems in California waterways. This was based on research, the biology of the plant, and the rapid rate of its spread in California. • Judicious use of herbicide to eliminate small infestations before they take over and completely clog Delta waterways is an excellent use of herbicide and will prevent huge expenditures of labor and herbicide in the future. This kind of preventive use of a pesticide to reduce the necessity to use large amounts of pesticide when the pest has built to great numbers is a recognized and legitimate IPM tactic.
Providing comments on the kestrel study and rodenticides use issues		
11/6/13-IPM 12/5/13-TWIC 2/20/14-IPM 2/24/14-IPM 3/5/14-IPM 3/6/14-TWIC 8/26/15-Email	<i>From Parents for a Safer Environment (PfSE):</i> "We have asked the Dept of Ag and the IPM Advisory Committee to provide comments on the Kestrel study and PfSE's Draft LD50 document in the past two years." In conjunction with this research paper, PfSE has brought up its concern about the rodenticides used by County operations. <u>"Contractors [in Special Districts] use pesticides [rodenticides] before demonstrating alternatives first."</u> <u>(8/26/150)</u>	<ul style="list-style-type: none"> • On 9/18/12 Susan JunFish circulated to members of the IPM Committee the abstract from the kestrel study mentioned at left. On 2/4/13, the IPM Coordinator circulated the actual research paper to all the members of the IPM Committee. • On November 22, 2013, Vince Guise, Agricultural Commissioner, sent a formal response to Susan JunFish regarding the kestrel study. (TWIC and the IPM Committee Chair and IPM Coordinator were cc'ed on this communication.) • On January 7, 2014, Vince Guise re-sent the formal response to Susan JunFish and Shirley Shelangoski. On January 16, 2014, Shirley Shelangoski confirmed having received the document. • Susan JunFish asked the Committee to comment on the study, and the formal response was provided by the Agriculture Dept. • Regarding "PfSE's Draft LD50 document", neither the Committee nor County staff can comment on data calculated by Susan JunFish that have no references or clear calculation methods. This was conveyed to PfSE in the Department of Agriculture's Kestrel response letter. • Note that as part of the Department of Agriculture's ground squirrel program, the Department surveys ground squirrel treated areas for ground squirrel carcasses

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		<p>(or any other carcasses). Staff rarely find dead ground squirrels above ground, which is consistent with U.C. research in the state and the experience of other agencies. Staff has never found secondary kill, such as raptors or predatory mammals, in areas the Department treats. This does not mean, nor does the County claim, that no secondary kill ever occurs in the course of the County's treatment program.</p> <ul style="list-style-type: none"> • The IPM Committee did not discuss the research paper specifically; however, the Committee and County staff took the following steps regarding the rodenticide issue: <ul style="list-style-type: none"> ○ In 2012, the Agriculture Dept. conducted an in-house trial of live-trapping of ground squirrels as a possible alternative to rodenticides treatment. See below for more detail. ○ At their January 2013 meeting, the Committee heard a presentation from the Agriculture Dept on the trapping study and heard a presentation from the State Department of Fish and Wildlife on secondary poisoning of raptors and other predators and the state's efforts to restrict use of the more toxic 2nd generation anticoagulant rodenticides (CCC does not use 2nd generation anticoagulants because of their toxicity and their hazards to non-target animals that consume poisoned rodents). ○ At their March 2013 meeting, the Committee heard a presentation from Dr. Jim Hale on wildlife issues in CCC that included discussion of the impacts of rodenticides. ○ At their May 2013 meeting, the Committee heard a presentation from Mt. Diablo Audubon on their campaign to curb the use of 2nd generation rodenticides. ○ The Agriculture and Public Works Departments jointly prepared a map of the County marking where rodenticides are used by the Agriculture Dept. This map was presented in separate meetings to Supervisors Gioia, Mitchoff, and Andersen, and to Susan JunFish & Shirley Shelangoski of PfSE. In these meetings the Agricultural Commissioner explained the Department's ground squirrel program and the live trapping study. ○ The Agriculture Dept. prepared a very detailed decision making document for ground squirrel management in the County to record their decision making process and explain the complexities involved in their decisions, including biology, safety, efficacy, cost and the goals of the program. This document was discussed extensively in a subcommittee meeting and again in a regular Committee meeting. PfSE members were present and participated in the discussion. ○ In 2013, the Agriculture Dept revised its ground squirrel baiting methodology to make it safer for staff, to make applications more precisely targeted, and to reduce the amount of bait used each season. The amount of bait used by the Department has been reduced by over 50% since 2011. Use has gone from 35,915 lbs in 2011 and 14,271 lbs in 2013. 14,271 lbs of bait is 1.4 lbs. of actual diphacinone. ○ In February and again in August of 2013, the IPM Coordinator investigated rodenticides use by contractors to Special Districts. She presented her findings to the Committee at the 9/4/13 meeting. ○ The Special Districts' contractor has reduced his use of anticoagulant bait from 188 lbs in FY 12-13 to 88 lbs in FY 13-14 <u>and to 53.5 lbs in FY 14-15.</u> The amount of actual anticoagulant active ingredient in 88-53.5 lbs is 0.0044

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		<p><u>0.0027</u> lbs (<u>0.07 0.04</u> oz). The contractor has increased trapping and is not using any of the more toxic and dangerous 2nd generation anticoagulants.</p> <ul style="list-style-type: none"> On 3/5/14, the IPM Committee heard an update from the California Department of Fish and Wildlife on the regulations concerning 2nd generation anticoagulant rodenticides and on secondary poisoning of raptors and mammalian predators by anticoagulant rodenticides.
	<p>Trapping for ground squirrels</p>	
<p>12/5/13-TWIC 2/20/14-IPM 2/24/14-IPM 3/5/14-IPM 3/6/14-TWIC 10/9/14-TWIC 1/14/15-IPM <u>8/26/15-Email</u></p>	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>"[PfSE] asked TWIC to instruct the Department of Agriculture and Public Works Dept to use trapping methods [for ground squirrels]"</p> <p>"Santa Clara spends only \$25/ground squirrel trapping & removal"</p> <p>"Isn't it worth the effort to learn how the other counties are doing using only trapping for ground squirrel control?" (10/9/14)</p> <p>"One cannot compare efficiency of our [County] staff applying rodenticides and compare that to them trapping and stacking up overtime costs during the learning curve...A good-faith comparison would have been to utilize expert trappers vs our staff applying rodenticides, and then comparing costs." (10/9/14)</p> <p>"[The IPM Coordinator] states that the county would incur a charge of \$16,720 per linear mile for ground squirrel control if we paid a contractor who charges \$25/squirrel trapped. This is very speculative and we would like to see the county take bids from trappers and share the proposals with the Committee." (1/14/15)</p> <p><u>"Pilot Trial of rodenticides vs tapping done in 2012, biased & scientifically indefensible."</u> <u>(8/26/15)</u></p> <p><u>"Cost of trapping inflated."</u> <u>(8/26/15)</u></p>	<ul style="list-style-type: none"> In 2012, the Agriculture Department ran an extensive, in-house ground squirrel live trapping trial to determine the feasibility of using live traps to protect critical County infrastructure from ground squirrel burrowing. <ul style="list-style-type: none"> The trapping was successful in that staff were easily able to capture 152 ground squirrels in the 1,200 linear foot trial area along a County road over the 5 day trial period. The squirrels were euthanized on site by the California Department of Fish and Wildlife. Unfortunately, squirrels from the surrounding area quickly moved into the vacant burrows. <u>This makes trapping ineffective in areas with surrounding pressure from ground squirrels.</u> When the Department uses rodenticide bait, the squirrels do not move back into the vacant burrows for an extended period of time. The Department surmises that because baited squirrels die mostly in their burrows, the carcasses repel any newcomers. The Department found that live trapping would be prohibitive. It would cost \$5,074/linear mile compared to \$220/linear mile using bait. The Department treats around 925 linear miles of roadway each year. Note that along roadsides, the Department spreads bait in a 12 to 15 ft wide swath at a rate of 2 to 3 oat kernels per square foot only in areas where ground squirrels are active. This treatment method takes advantage of the natural foraging habit of the ground squirrel, an animal that is highly adapted to finding individual seed kernels on the ground. The Department verified the expense by contacting 2 pest control contractors. Using their fees per hour or per squirrel trapped, the Department estimated that the cost to use a contractor to trap ground squirrels would be between \$12,524 and \$16,700 per linear mile. This does not compare favorably to the Department estimate of \$5,074/linear if work were done by Department staff. <u>Note that at the \$25/squirrel rate quoted by PfSE, it would cost the County \$16,720/linear mile if the ground squirrel catch rate were similar to the 152 squirrels/1,200 linear feet.</u> This is 3 times more than it cost for Agriculture Department personnel to trap over a linear mile, so using a contractor would not save money, even if this method were effective. One of the pest control contractors who was contacted for an estimate said he had also observed the ineffectiveness of trapping in areas with surrounding ground squirrel pressure. The Department also observed some other unexpected outcomes: <ul style="list-style-type: none"> Traps were checked daily, but staff found squirrels bloodied and wounded from fighting with each other or trying to chew their way out of

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		<p>the traps.</p> <ul style="list-style-type: none"> ▪ Traps were vandalized by the public even though large signs warned people to leave the traps alone. This exposed the public to health risks from bites and scratches and from transmissible diseases carried by ground squirrels. <ul style="list-style-type: none"> ○ In certain small areas that have a limited number of ground squirrel colonies, live trapping may be a viable alternative. • Santa Clara County Regional Parks find live trapping effective for their limited use of the method. They trap squirrels around Regional Park buildings to prevent undermining of foundations. This is a very small area compared to the hundreds of miles of roads involved in CCC. Park rangers are close by to educate the public and to observe the traps continually. This reduces vandalism and allows park personnel to have squirrels dispatched soon after they are trapped, which prevents harm to the squirrels from fighting or gnawing the cage. • In March 2006, the Ventura County Board of Supervisors directed county staff to avoid the use of anticoagulant rodenticides within county-owned properties and facilities. To address these concerns, the county hired a consultant and formed an ad hoc committee. The County developed an IPM program and as a result of a subsequent study, the ad hoc committee <i>and</i> the Board recommended broadcast baiting with diphacinone as the primary control method for ground squirrels. The Board approved this program in December 2006. • The CCC Agriculture Department has also evaluated kill traps but has chosen not to use that method for many reasons, including the increased risk of taking non-target animals, the risk of injury to curious children, and the expense.
	CCC is the only Bay Area county using rodenticides for ground squirrels	
12/5/13-TWIC 10/9/14--TWIC	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>"[Contra Costa is] currently the only Bay Area county to continue to use the archaic and non-specific to target pest method of rodenticides to kill grounds squirrels"</p> <p>"It's great that the Agriculture Department has decreased usage of rodenticides from 36,615 pounds [of treated grain] applied two years ago to 14,391 pounds [of treated grain] applied in the most recent fiscal year. However it is still 14,301 pound [sic] more of bait applied than all Marin, San Francisco, and Santa Clara counties combined that do not use any rodenticides at all in open space." (10/9/14)</p>	<ul style="list-style-type: none"> • Contra Costa County is not the only Bay Area county using rodenticide bait to manage ground squirrels. <p>Note that CCC uses diphacinone-treated bait to protect critical infrastructure in the County from damage caused by ground squirrel burrowing. Diphacinone is a 1st generation anticoagulant that is less toxic and less persistent in animal tissues than 2nd generation anticoagulants. The Agriculture Department endeavors to maintain a relatively ground squirrel-free 100 ft buffer along various County roads (mainly in East County), along levees and railroad embankments, and around earthen dams and bridge abutments. To maintain this buffer, the Department treats a 12 to 15 ft. swath.</p> <ul style="list-style-type: none"> ○ The Santa Clara Valley Water District uses diphacinone- and chlorophacinone-treated bait in areas similar to the sites the CCC Agriculture Department treats for the CC Water District. ○ Alameda County engages in a ground squirrel treatment program using diphacinone bait that is very similar to CCC. They treat roadsides and levees and Zone 7 Water District sites and use a similar amount of diphacinone-treated bait. • San Francisco City and County allows the use of bromadiolone bait (a 2nd generation anticoagulant rodenticide) at the SF Airport and by commercial lessees on city properties that are not adjacent to natural areas. Second generation anticoagulants are more toxic and more persistent in the tissues of poisoned animals than 1st generation anticoagulants, such as the diphacinone

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		<p>that CCC Department of Agriculture uses. Bromadiolone persists in liver tissues for 248 days compared to 90 days for diphacinone which makes sub-lethally poisoned animals walking hazards for predators much longer.</p> <ul style="list-style-type: none"> Note that San Francisco allows the use of diphacinone for baiting rats in areas with high public health concerns and where trapping is infeasible. CCC uses only trapping to control rats and mice in and around County buildings. But note also that CCC is far less urbanized than San Francisco, and therefore does not have the same kind of pest pressure from rats. Marin and Napa County Public Works Departments reported that they have nowhere near the kind of ground squirrel populations that East Contra Costa County has, and consequently, they don't do anything about the few ground squirrels along their roads.
The County should use volunteers and free labor		
12/5/13-TWIC 3/6/14-TWIC	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>The County should use free labor programs</p>	<ul style="list-style-type: none"> This could be particularly helpful around County buildings. The Grounds Manager would welcome Parents for a Safer Environment (PfSE) volunteers to pull weeds at particular sites, but PfSE would first need to negotiate with the County to determine if PfSE volunteers would be permitted work on County landscaping. If the work were approved, PfSE would need to organize and supervise the volunteers. Note that County unions have protested the use of inmate labor for jobs that could be filled by union members. The union recently won a grievance against the Sheriff's Department regarding the use of inmate labor for grounds maintenance work. The union has filed a grievance against the fire department regarding the use of inmate labor to clear brush. The Grounds Manager does not anticipate that PfSE volunteers pulling weeds would precipitate these kinds of union actions. In the County's other IPM programs, using volunteers is more difficult. <ul style="list-style-type: none"> "Free" labor involves considerable County resources including outreach to solicit volunteers, planning and organizing work sessions, staff time for training volunteers, transportation of volunteers, equipment for volunteers and staff time for supervision. Almost all of the Agriculture Department's noxious weed program involves activity on private land or on lands that are not owned or managed by the County. Use of volunteer help in these areas would involve liability for those land owners or managers. Much of the Public Works Department's creek and roadside vegetation management involves work in dangerous areas such as roadsides or steep and rocky slopes and requires the use of hazardous equipment such as chain saws and brush cutters. County liability for volunteers performing this kind of work would be extremely high. The County's structural IPM program is not suited to the use of volunteer labor. Note that the County does use volunteers, most notably in creek restoration and clean up, for creek water quality monitoring and for outreach to the public about creek water quality and the value of healthy creeks and watersheds.

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Grazing has no significant impact on water quality		
12/4/14-TWIC 8/26/15-Email	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>"...[I]n each of the four case studies, grazing had NO significant impact on water quality. It is my hope that this research can provide decision makers with confidence that managed grazing is an effective, economical and safe vegetation management tool along watercourses."</p> <p>"Small PfSE Pilot Trial in 2009 showed no contaminants downstream of grazing." (8/26/15)</p>	<ul style="list-style-type: none"> The County is aware that grazing does not have a significant impact on water quality. Economics and not water quality is the limiting factor in the vegetation management situations in the County. Public Works continues to expand its grazing program where it is most appropriate and/or cost-effective, and grazing has become a permanent tool in the County's IPM Toolbox.
The County should expand goat grazing and competitive planting		
12/5/13-TWIC 3/5/14-TWIC 2/17/15-IPM 8/2615-Email	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>"The County should expand the competitive planting and goat grazing programs"</p> <p>"[One decision-making document] asserts that goat grazing costs much more than herbicide spraying; however it appears the cost of grazing during the in-season are [sic] being compared with herbicide usage. Other case studies we are evaluating show that grazing is cost effective and even cheaper than herbicide usage." (2/17/15)</p> <p>Grazing costs are inflated and cost of herbicide use is deflated. (8/2615)</p>	<ul style="list-style-type: none"> The County Flood Control District is partnering with Restoration Trust, an Oakland-based non-profit, in a native planting experiment along Clayton Valley Drain (near Hwy 4 adjacent to Walnut Creek). The study involves planting 2 species of native sedge and 1 species of native grass. These are perennial species that stay green year round and are resistant to fire. The plants are compatible with flood control objectives because they do not have woody stems, and during flood events, they would lie down on the slope, thus reducing flow impedance. They are not sensitive to broadleaf herbicides that will be needed to control weeds at least until the plants have spread enough to outcompete weeds. County volunteers installed the first plantings on December 7, 2013 Note that it is conceivable that herbicides may always have to be used on these plantings to prevent the area from being overrun with weeds because the surrounding weed pressure is very high. Restoration Trust will be monitoring the test plots for the next 5 years to assess the survival of the native plants and their degree of successful competition with non-native annual species. The County will gather information over the next few years to determine whether, how, and where to expand this kind of planting. The County cannot expand this project without data on its costs and viability. Over the last 3 years, the Public Works Department has expanded its use of goat grazing considerably. In 2012 they grazed 99 acres, <u>and</u> in 2014 they grazed 336 acres, <u>and in 2015 they project around 300</u> acres. It is now a regular management tool for the Department. Every site the County manages differs in the ease with which goats can be used and their suitability for managing vegetation. The Department uses goats where they are appropriate and cost effective, and continues to gather data on costs and long-term effectiveness at individual sites. Cost is affected by many factors: <ul style="list-style-type: none"> The size of the site—loading and unloading the animals is a fixed cost, so small sites cost more per acre than large sites The ease of access to the site—the harder it is to get the goats into an area, the more expensive it is The availability of water—if water must be trucked in, the cost is greater

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		<ul style="list-style-type: none"> ○ The security of the site—the more fencing that is required and the more the fences must be taken down and erected within the site both increase the cost ○ The time of year—because of the law of supply and demand, cost is greater during the peak grazing season ○ The presence of endangered species—sites with endangered species and other restrictions from the State Dept. of Fish and Wildlife are good candidates for grazing regardless of the cost • Although the cost of off-season grazing is less expensive than during the peak grazing season, Public Works cannot effectively manage all the weeds that grow in the Flood Control District only with off-season grazing.
	Considering least-toxic alternatives before choosing pesticides	
12/5/13-TWIC 2/26/14-IPM 2/17/15-IPM 8/6/15-IPM 8/26/15-Email	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>“Staff has still not demonstrated that for <i>each</i> pest control problem, least toxic alternatives were evaluated prior to choosing pesticides.”</p> <p>Estimates for costs of herbicide applications need to include cost of permits, tracking requirements, storage of chemicals, licensing, training, etc.</p> <p>“The IPM Advisory Committee has not yet reviewed several key data in the [decision-making documents] that justify using broadcast herbicide spraying along Right of Ways and rodenticide usage in open space.” (2/17/15)</p> <p>“Also, has the county investigated least toxic methods in accordance with the IPM Policy?” (8/6/15)</p>	<ul style="list-style-type: none"> • In 2012, the IPM Committee developed a form for recording IPM decisions made by the Departments. In 2013, each IPM program in the County produced at least 1 decision-making document for a specific pest or pest management situation (the Agriculture Department produced 2 documents that year). • These documents show which least-toxic alternatives are considered and tested, which are being regularly employed, which are not, and why. • In 2013, each decision-making document was extensively reviewed by the Decision-Making subcommittee with PfSE members in attendance. • Recording the thought processes and decision-making path for each pest or pest management situation takes considerable time (approximately 40 hours of work per document). • In 2014, the Decision-Making subcommittee reviewed and, after numerous revisions, accepted 4 more decision-making documents. These discussions were conducted in public with members of PfSE in attendance. • In 2015, the Weed subcommittee reviewed and revised 1 more decision-making document which covered how the County decides to use grazing as a management tool. • In 2014, the Cost Accounting subcommittee chose to research the costs associated with altering landscapes around County buildings to require less maintenance, less water, and less herbicide. The subcommittee concluded that this is a very worthy goal, but more complicated to achieve than expected. Sites must be considered individually because one plan will not fit all, and in the midst of severe drought, it is not the time to begin replanting. The subcommittee also explored the idea of replacing lawns with artificial turf, but decided that it is not the answer except in very specific, limited situations. Artificial turf has high up-front costs, still requires maintenance, can become infested with weeds growing in soil that accumulates on top of the mat, and has environmental consequences at the end of its life, • Herbicide treatment costs reported in the 2013 IPM Annual Report included all associated costs mentioned by PfSE. When costs are compared in future documents, every effort will be made to include all related costs for both pesticides and alternatives.
	Excessive pesticide use in CCC	
12/5/13-TWIC 2/26/14-IPM	<p><i>From Parents for a Safer Environment (PfSE):</i></p>	<ul style="list-style-type: none"> • The assertion that CCC uses more pesticide than any other Bay Area County, or other counties combined, is hard to evaluate since staff have not seen current

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12/4/14-TWIC 3/10/15-IPM	<p>Contra Costa County uses more pesticide than any other Bay Area County (or, than several Bay Area Counties combined)</p> <p>"lack of progress is evident in that the county has not significantly altered their use of pesticide since 2009"</p> <p>"The single most underlying problem I see in the IPM Program is that there is little to no leadership in guiding the County to reduce pesticides. (12/4/14)</p>	<p>pesticide use figures for County operations in other Bay Area Counties.</p> <ul style="list-style-type: none"> • This could be researched, but would take time. It is difficult to compare counties, all of which vary greatly in their size, their budgets, their staff, their pests, their weather, and the kinds of responsibilities they choose to undertake. Staff feel that comparing pesticide use in various counties is not particularly relevant to how well Contra Costa County operations are implementing IPM. • In 2012 and 2013, the IPM Data Management subcommittee undertook to find additional metrics to evaluate the County's IPM programs. This proved to be a difficult task, and the committee's research did not discover any unique or innovative measures for evaluating IPM programs in other Bay Area counties, or across the U.S. • The subcommittee agreed that pesticide use data do not reveal whether the County is implementing IPM, and so in 2012, the subcommittee developed the IPM Priority Assessment Tool. This is a compilation of IPM best management practices (BMPs). The subcommittee asked the Departments to fill out the form in 2012 and 2013 and report the percentage of implementation of each of the BMPs. • It is important to understand that pesticide use can increase and decrease from year to year depending on the pest population, the weather, the invasion of new and perhaps difficult to control pests, the use of new products that contain small percentages of active ingredient, the use of chemicals that are less hazardous but not as effective, the addition or subtraction of new pest management projects to a department's workload, and cuts or increases to budgets or staff that change priorities or workload. • Since FY 2000-2001, the County has reduced its pesticide use by 77%--from 18,931 lbs of active ingredient in FY 00-01 to 4688 lbs of active ingredient in FY13-14. • Since FY 2000-2001, each Department has been evaluating their pesticide use and researching options for eliminating or reducing pesticide use. County operations have eliminated the use of 22 of the 31 "Bad Actor" pesticides that they had been using. • The County's pesticide use trend follows a trend typical of other pollution reduction programs. Early reductions are dramatic during the period when changes that are easy to make are accomplished. Once this "low-hanging fruit" has been plucked, it takes more time and effort to investigate and analyze where additional changes can be made. The County is entering this period, and if further reductions in pesticide use are to be made, it will require time for focused study and additional funding for implementation. • Note that County operations use about 2% of all the pesticide (active ingredients) that is required to be reported in the County. The total reported to the state does not include homeowner use, which researchers suspect is a considerable amount.
	CCC should do more IPM training and outreach to County staff and the public	
12/5/13-TWIC	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>"the County IPM Coordinator and the IPM Advisory Committee</p>	<ul style="list-style-type: none"> • The IPM Committee is an advisory body to the Board of Supervisors and does not have a budget, nor does it have the staff or the mandate to provide outreach and training. • There is no need to duplicate San Francisco and Santa Clara's regional IPM

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	<p>[should] provide annual IPM training and outreach programs to both county staff and the public"</p> <p>The County should "provide training and conferences such as those conducted by Santa Clara and San Francisco counties which train hundreds of interested participants."</p>	<p>conferences, and it would be impossible for the IPM Coordinator to do so without staff and budget.</p> <ul style="list-style-type: none"> • In 2012, the IPM Coordinator partnered with cities in CCC to provide a half-day landscape IPM training to City and County staff and will probably do so again in the future. • The IPM Coordinator provides extensive education in person and over the phone to County staff and Contra Costa citizens on bed bug awareness and an IPM approach to managing bed bugs. The IPM Coordinator produces educational materials on bed bugs for professionals and lay people. Materials are housed on the Health Services bed bug website (cchealth.org/bedbugs). • The Departments provide annual training to County staff that includes IPM. • County staff attend numerous trainings and conferences that include IPM training in order to stay current on pest management research and to maintain their various licenses. • The Department of Agriculture has a biologist on-call from 8 AM to 5 PM each weekday to answer questions from the public about pests and pest management. Biologists base their responses on IPM principles and on materials and resources from the U.C. Statewide IPM Program. • Every day in the course of their work, County staff from Public Works, Health Services and the Department of Agriculture engage citizens in dialog about the pest management work the County does and the IPM principles the County employs. • The Department of Agriculture provides many training sessions each year on pesticide safety (including IPM issues) to growers, farm workers, agencies, and the pest control industry. • The Department of Agriculture is a member of the <i>Egeria densa</i> Integrated Pest Management Committee and developed the Contra Costa Delta/Discovery Bay Region Brazilian Waterweed (<i>Egeria densa</i>) Integrated Pest Management Plan. • The County Clean Water Program sponsors an annual Bay Friendly Landscaping training for County staff and professional landscapers throughout the county. This training includes information about IPM and about reducing inputs into and outputs from landscaping activities to prevent pollution in creeks and the Bay. • The County Clean Water Program provides support for watershed coordinators and friends of creeks groups that coordinate volunteers to conduct general outreach to the community about water quality in creeks and the value and importance of wildlife habitat, watersheds, and creek restoration. • The County Clean Water Program provides support to the Bringing Back the Natives Garden Tour which educates the public about the many benefits of gardening with California native plants. • The County Clean Water Program supports the Our Water, Our World Program in Contra Costa County (a program originally developed by CC Central Sanitary District). This program provides in-store IPM education directly to consumers who are purchasing pesticides. <u>IPM training is also provided for nursery and hardware store employees.</u> • In 2014 the County Clean Water Program will be launching<u>launched</u> 3 other IPM and pesticide public education programs. • The Contra Costa Master Gardener Program trains volunteers with a curriculum that includes IPM. Master Gardener volunteers are available Monday through

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		<p>Thursday from 9 to Noon to answer gardening and pest management questions from the public. Advice is based on materials and resources from the U.C. Statewide IPM Program. Master Gardeners also provide presentations on gardening and IPM to a broad cross section of Contra Costa citizens.</p> <ul style="list-style-type: none"> • The IPM Coordinator has been working closely with the Cities of El Cerrito and San Pablo over the past 2 years to develop IPM guidance for cities on implementing IPM and to develop standard operating procedures for various pests. • The IPM Coordinator accepts many speaking engagements throughout the County and the region to provide training on IPM and especially on bed bug issues. • The IPM Coordinator and other County staff have been working closely with cities to provide guidance on the crises of bed bug infestations they are experiencing. • The IPM Coordinator is working with Code Enforcement in the City of Richmond to develop bed bug training for Code Enforcement officers throughout the state. • Every month the IPM Coordinator spends a significant number of hours talking with citizens about least-hazardous bed bug control. • The Agricultural Department represents the California Agricultural Commissioner's and Sealer's Association as the sitting member of the California Invasive Species Advisory Task Force. • In October 2013, County staff attended a Parents for a Safer Environment's IPM workshop and found it informative. Parents for a Safer Environment can provide a useful community service by hosting more such workshops. • In April 2014, the IPM Coordinator provided an in-person IPM tutorial for the Grounds Division's new spray technician. • In May 2014, the IPM Coordinator arranged an IPM workshop given by Pestec, the County's Structural IPM Contractor, for the County's Head Start Home Base educators. Pestec presented information on how to prevent pests in the home and simple, non-toxic strategies for low income families to use to combat pest invasions. Home Base educators provide in-home education to Head Start families. • In May 2014, the Contra Costa Environmental Health Division sponsored a workshop on IPM for bed bugs for County Environmental Health Inspectors and code enforcement officers in Contra Costa municipalities. • In July 2014, the County hosted a presentation by the U.C. Horticultural Advisor on how landscapes should be managed during drought and how to plan landscapes for what is likely to be continual droughts. County staff, both administrators and maintenance personnel, along with park personnel from the city of Danville attended. • In July 2014, the IPM Coordinator provided a bed bug awareness training for the residents of Meadow Wood at Alamo Creek, a senior living facility in Danville, along with subsequent consultation with individual residents and staff. • In September 2014, the IPM Coordinator provided the Greater Richmond Interfaith Program with assistance for a bed bug infestation at their Family Housing Program. • In February 2015, the IPM Coordinator met with staff at the Bay Area Rescue Mission in Richmond to discuss bed bug prevention.

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		<ul style="list-style-type: none"> <u>In June 2015, the IPM Coordinator completed an IPM Guidance manual for municipalities in Contra Costa County with help from Beth Baldwin of the County Clean Water Program and Stephen Pree of the City of El Cerrito. The three of them presented an IPM workshop for municipal staff that included information on how to use the manual and resources available to them within the County.</u>
	Violations of the Brown Act	
12/5/13-TWIC <u>3/2/15-TWIC</u> <u>8/6/15-IPM</u>	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>"continued violations of the Brown Act including repeated disposal of original meeting minutes, repeated failure to provide public records at all or much later than 10 working day, and meeting minutes that do not accurately reflect comments made or not made by participants"</p> <p><u>"our county's IPM policy and the Public Records Act have been violated at least on a quarterly basis by staff since 2009." (3/2/15)</u></p> <p><u>"We are still waiting to learn where Fusilade II Turf and Ornamental herbicide had been applied by the Grounds Program in the past years" (8/6/15)</u></p>	<ul style="list-style-type: none"> Staff always respond within 10 days to public records requests. In almost all cases staff respond within 1 to 3 days. The only reason for delay has been to find and collect documents that have been requested. The County takes public records requests seriously and responds promptly to each one. Hand written meeting minutes are recycled after official minutes have been typed up. Official minutes, once approved by the IPM Committee, are posted on the IPM website. The IPM Committee approves the minutes for each meeting. The public is provided time to comment on the minutes, and as the IPM Committee sees fit, the minutes are corrected. Staff are ready to respond to any specific instances or claims of Brown Act violations. <u>Staff maintain written logs of all public records requests.</u> <u>On July 8, 2015 Susan JunFish formally requested information about Fusilade use by the Grounds Division. On July 16, 2015 the IPM Coordinator provided her with a chart, created for her, showing how much and where Fusilade was used (0 used in FY 12-13 and FY 14-15 and 0.1 pound used once in a parking lot in FY 13-14).</u>
	Financial incentives to serve on the IPM Committee/Conflict of interest on the IPM Committee	
12/5/13-TWIC 1/14/15 IPM <u>3/2/15-TWIC</u>	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>The County should "discourage financial incentives of [IPM Committee] applicants by providing a minimum of a 5 year moratorium for those who serve to be eligible for receiving a county contract or any funding"</p> <p>"In 2009, Michael Baefsky, a community representative of the IPM Advisory Committee received a contract with the former General Services Department according to a document from Terry Mann, former Deputy Director of the General Services Dept. After receiving that contract, Mr. Baefsky's behavior on the Committee changed significantly."</p>	<ul style="list-style-type: none"> Staff disagree that there are any kinds of financial incentives to serve on the IPM Advisory Committee, but will defer to the Board of Supervisors on whether to impose such a moratorium. <u>If the public has evidence of financial incentives for serving on the IPM Committee, we request that they bring that evidence forward.</u> Michael Baefsky was not a member of the IPM Advisory Committee when he was asked to contract with General Services to advise the County on non-chemical methods to manage weeds on the Camino Tassajara medians in 2009. His contract ended in 2009. That year he attended meetings of the IPM Task Force, an informal body with no official appointees. The IPM Advisory Committee was not created until 2010, and he was appointed by the Board to an At-Large seat in 2010. He has held no contracts with the County since 2009. The IPM Committee bylaws state the following in sections III.B.2&3: <ul style="list-style-type: none"> "Contractors who provide pest management services to the County may not serve on the Committee. The exception is A.1.d., above, the Current Structural Pest Management Contractor with General Services Department. "If a member's work status or residence changes, he/she must notify the Committee in writing, within thirty (30) days of their change in status. The Chair will review the change of status and determine if the member is still eligible for membership according to these by-laws. If they are found to be

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		ineligible, the member will be asked to resign his/her position."
Monetary compensation or gifts from pesticide salespeople		
12/5/13-TWIC <u>3/2/15-TWIC</u>	<i>From Parents for a Safer Environment (PfSE):</i> "We are requesting that TWIC require that all staff involved in ordering pesticides from salespersons fill out a form disclosing any monetary compensation or any other forms of gifts from pesticide salespersons"	<ul style="list-style-type: none"> County staff do not receive (and have not been offered) gifts or compensation in any form from pesticide salespeople or any other salespeople. Accepting gifts or compensation would be against County policy⁵ and would subject staff and their departments to disciplinary action If the public has evidence of County staff taking bribes, we urge the public to provide that evidence for investigation.
IPM Committee did not accept all of Parents for a Safer Environment's priorities as their own		
2/12/14-TWIC	<i>From Parents for a Safer Environment (PfSE):</i> The IPM Committee is planning to include only 70% of PfSE's priorities as the Committee's priorities for 2014	<ul style="list-style-type: none"> The IPM Committee devoted more than an entire meeting to the discussion of its work priorities for 2014. The public was fully involved in the discussion and PfSE provided documents and testimony detailing their own priorities. The Committee had a thorough discussion and then voted on which priorities to pursue.
<u>IPM Coordinator references statements by members of Parents for a Safer Environment that were never made</u>		
<u>3/2/15</u>	<i>From Parents for a Safer Environment (PfSE):</i> <u>"PfSE members also feel a lack of goodwill and collaboration when the IPM Coordinator references statements by members that were never made. For example, in the Response Table, it states that a PfSE member stated at the February 12, 2015 [sic] TWIC meeting that 'The IPM Committee is planning to include only 70% of PfSE's priorities as the Committee's priorities for 2014.' We would be thrilled if this was the case..."</u>	<ul style="list-style-type: none"> <u>In her written public comments to TWIC on February 12, 2014, Susan JunFish states: "We believe that the Committee is planning to address about 70% of the priority issues the community has raised, so we are hopeful. The two areas where there has been no plan to address are columns 4 and 5 of the table."</u>

⁵ California Government Code § 1090 prevents county employees and officials from being "financially interested" in any contract made by them in their official capacity, or by anybody or board of which they are members.

California Government Code § 81000 et seq., known as the Political Reform Act, requires, among other things, that certain public employees perform their duties in an impartial manner, free from bias caused by their own financial interest. See Cal Gov Code § 81001(b). It also prevents certain employees from using their positions to influence county decisions in which they have a financial interest. See Cal Gov Code 87100. The Act also requires certain employees and officers to file a Form 700, Statement of Economic Interests (the CCC Agricultural Commissioner, the managers in Public Works and the IPM Coordinator fill out this form) See Cal Gov Code 89503.

CCC Administrative Bulletin 117.6, paragraph 6, can be read to prevent employees from accepting any gift which "is intended, or could reasonably considered as tending to influence business or applications pending before the Board of Supervisors."

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The IPM Committee needs a non-voting facilitator		
2/12/14-TWIC <u>3/2/15-TWIC</u>	<i>From Parents for a Safer Environment:</i> "an impartial, non-voting facilitator would make the meetings run smoother and become more viable"	<ul style="list-style-type: none"> • Staff believe that meetings are run effectively and efficiently. • The new IPM Committee chair has been very effective at running the 2014 <u>and 2015</u> IPM Committee meetings and allowing the public ample opportunities to provide comment.
Parents for a Safer Environment disagrees with responses to "unresolved" issues in the Triennial Review Report		
11/6/13-IPM 2/12/14-TWIC 3/5/14-IPM <u>3/2/15-TWIC</u>	<i>From Parents for a Safer Environment:</i> Disagreement with the response by staff to "unresolved issues" in the Triennial Review Report for the IPM Advisory Committee	<ul style="list-style-type: none"> • The response in dispute refers to the question in Section VIII of the Triennial Review report to the Board of Supervisors from the IPM Committee: "The purpose of this section is to briefly describe any potential issues raised by advisory body members, stakeholders, or the general public that the advisory body has been unable to resolve." • <u>The response given to this question in the report accurately reflects the response intended by the IPM Committee as agreed at their November 6, 2013 meeting.</u> • <u>The Triennial Review Report has been accepted by TWIC and the BOS, and the IPM Committee cannot go back and change the report.</u> • The issue in question for the IPM Committee was whether to describe in Section VIII only issues that the Committee had been unable to resolve, or to also include a discussion of issues that PfSE felt were still unresolved. The Committee debated this and decided to also include a discussion of issues that PfSE felt were unresolved. However, it was completely clear from the discussion at the meeting that the Committee agreed that the issues described in this section (with the exception of the two that were noted as ongoing) had previously been given due consideration by the Committee, and that the Committee had addressed the issues. The Committee directed the IPM Coordinator to meet with the Committee Secretary to compile Committee and staff responses to the "unresolved" PfSE issues to include in the report and then to submit the report. • Note that in the IPM Committee's extensive planning sessions for 2014 work, the Committee did not identify any of the "unresolved" issues as priorities for 2014.



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

6.

Meeting Date: 09/08/2015

Subject: AUTHORIZE Conservation & Development Director to submit grant application to Bay Area Air Quality Mgmt District for FY 2015 "Charge" Program.

Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,

Department: Conservation & Development

Referral No.: 2

Referral Name: County Electric Vehicle Service Equipment Installation

Presenter: Jamar Stamps, Department of
Conservation and Development

Contact: Jamar Stamps
(925)674-7832

Referral History:

In summer of 2015, the Bay Area Air Quality Management District (BAAQMD) released call for projects for electric vehicle supply equipment grant programs.

Referral Update:

The Department of Conservation and Development and the Department of Public Works are collaborating to prepare grant applications for these programs.

In May 2015, the BAAQMD released a call for projects for the "Charge!" grant program. "Charge!" is an incentive program that offers grant funding for the installation of electric vehicle supply equipment ("EVSE"), or electric vehicle charging stations, at Bay Area transportation corridors, workplaces, multi-family dwelling units ("MDUs") and trip destination locations.

Applications are currently being accepted and the deadline is 4:00 PM, Friday December 18, 2015, unless funds are exhausted sooner. This program is funded through the Transportation Fund for Clean Air ("TFCA") Regional Fund, which provides grants to improve air-quality within the nine-county Bay Area by reducing criteria emissions from on-road vehicles.

The goal of the "Charge!" Program is to rapidly expand access to Plug-In Electric Vehicle ("PEV") charging stations in order to accelerate the Bay Area's adoption of PEVs and ultimately to achieve the region's PEV deployment targets of 110,000 PEVs by 2020 and 247,000 PEVs by 2025. An initial allocation of \$5 million in TFCA funding is available through the "Charge!" Program and funding will be awarded to qualifying projects on a first-come, first-served basis.

Both public and non-public entities are eligible to apply for funding. Funding amounts for each charging station/equipment range from \$500 to \$25,000. In addition, the Air District Board of Directors has authorized higher funding amounts for projects that are coupled with renewable energy (e.g., wind or solar) and battery storage. The maximum grant amount is based on the types of EVSE equipment.

The Air District has broken down award amounts as follows: A) \$250,000 per applicant for projects that deploy Low kW DC Fast Charge, Level 2 and Level 1 equipment, and B) for applicants who proposed projects with DC Fast Chargers. For applicants proposing projects with DC Fast Chargers, the maximum funding limit is increased to \$600,000 per applicant, however any additional funding requested above the \$250,000 limit may only be used for the installation of DC Fast chargers.

Electric Vehicle Charger Demonstration

The Electric Vehicle (“EV”) Charging Station Demonstration Program (“Program”) is open and applications are currently being accepted. The deadline to apply is 4:00PM, Thursday, October 8, 2015. This is a competitive grant solicitation, and the Air District anticipates funding between two and five projects.

The Program will provide up to 90% of total eligible costs for the installation of new, publicly-available EV charging stations along major transportation corridors, at workplaces, and at key destinations. Funds for this project will be awarded through a competitive grant application process whereby applicants who request lower grant amounts per ton of emissions reduced will be scored higher. In addition, the Program prioritizes projects that are “shovel-ready,” incorporate renewable energy, help to expand the region’s charging network, and located in Air District designated Community Air Risk Evaluation (“CARE”) Program areas .

Proposed Project

The County Public Works (“PWD”) and Conservation and Development (“DCD”) Departments are collaborating on the grant application and proposed project. The project consists of installing EVSE at various County buildings that would be accessible by employees and members of the public. Installing EVSE at County buildings will contribute to the overall Bay Area’s adoption of PEVs and ultimately help achieve the region's PEV deployment goals of 110,000 PEVs by 2020 and 247,000 PEVs by 2025.

PWD staff will meet with building managers to survey the prospective sites and evaluate feasibility (e.g. electrical capacity, existing parking infrastructure) and cost of providing EVSE. Another consideration for departments will be up-front costs since these grant funds are allocated as a reimbursement. Depending on the cost of EVSE and any necessary site retrofits, it may be necessary for departments to subsidize (which could be considered part of the match requirement) the installation of EVSE. The list of prospective sites will be narrowed down based on feasibility. Once the list of prospective sites has been finalized, maps will be prepared to accompany the grant application. Project implementation will commence shortly after the Air District has accepted the application. The grant program requires that projects be implemented and operational within 12 months of being awarded grant funds.

These⁵⁶ programs provide incentive funding on a reimbursement basis after all station equipment has been placed into service and all expenses have been incurred and documented. Therefore, applicants must demonstrate that they have adequate funds from a non-Air District source to cover all stages of their proposed project(s) from commencement through the end of their project's life. In addition, applicants must demonstrate that they have available and are ready to commit all necessary matching funds from a non-Air District source of funding. Maximum award amounts for "Charge!" and the Electric Vehicle Charging Station Demonstration Program are \$600,000 and \$650,000, respectively. One project cannot be funded by both programs.

Recommendation(s)/Next Step(s):

AUTHORIZE the Conservation and Development Director to submit grant applications to the Bay Area Air Quality Management District ("BAAQMD") for the Fiscal Year 2015/16 "Charge!" grant program and Electric Vehicle Charging Station Demonstration Program.

Fiscal Impact (if any):

None to the General Fund. If awarded, one of the FY 2015/16 BAAQMD programs would reimburse the County after implementation of the project.

Attachments

No file(s) attached.



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

7.

Meeting Date: 09/08/2015

Subject: CONSIDER Report on Local, State and Federal Transportation Related Legislative Issues and take ACTION as appropriate.

Department: Conservation & Development

Referral No.: 1

Referral Name: REVIEW Legislative Matters on Transportation, Water and Infrastructure.

Presenter: John Cunningham, DCD **Contact:** John Cunningham
(925)674-7833

Referral History:

This is a standing item on the Transportation, Water and Infrastructure Committee (TWIC) referral list and meeting agenda.

Referral Update:

In developing transportation related legislative issues and proposals to bring forward for consideration by TWIC, staff receives input from the Board of Supervisors (BOS), references the County's adopted Legislative Platforms, coordinates with our legislative advocates, partner agencies and organizations, and consults with the Committee itself.

Recommendations are summarized in the Recommendation(s)/Next Step(s) section at the end of this report and specific recommendations, if provided, are underlined in the report below.

This report includes three sections, 1) LOCAL, 2) STATE, and 3) FEDERAL.

1) LOCAL

The Contra Costa Transportation Authority's (CCTA) is in the process of developing both the 2014 Countywide Transportation Plan (CTP) and a Transportation Expenditure Plan (TEP). A TEP is a statutorily required component of a transportation sales tax. These items are standing item for the foreseeable future. New material below is shown in *italics*.

As the TWIC has discussed at past meetings, the development of the CTP resulted in a dialog regarding the need for additional revenue. The outcome of those discussions was to initiate the process to go to the ballot in November 2016 with a new transportation sales tax. The CCTA Board approved this activity at their March, 2015 meeting.

A discussion on this issue has been scheduled for the September 15, Board of Supervisors meeting. A verbal update will be given at the September TWIC meeting.

RECOMMENDATION: Discuss CCTA's CTP and TEP processes, and take ACTION as appropriate.

2) STATE

Legislation

The state report in September will largely be verbal, legislative activities are currently too fluid to make a written report practical. September 11, 2015 is the last day for any bill to be passed. Due to the compressed time schedule caused by the special session, staff will recommend taking any positions directly to the Board of Supervisors with any position statements being transmitted to the Governor who has until October 11, 2015 to sign or veto any bills.

In order to facilitate discussion and potential action, the following documents are attached:

- **Special Session on Transportation -9-1-15 Quick Update:** Update made available by Mark Watts just prior to publishing report.
- **September TWIC Report:** August 18, 2015 report from Mark Watts
- **Special Session Bills:** A listing of Special Session Bills only
- **Positions on Legislation of Interest - 2015:** A listing of bills discussed or specifically tracked by TWIC and the positions of other agencies on those bills
- **All Legislative Tracking:** A comprehensive listing of all bills being tracked by the TWIC

Iron Horse Corridor A verbal report will be provided.

RECOMMENDATION: Discuss state legislative activities of interest to the County and take ACTION as appropriate.

3) FEDERAL

Expiration of MAP-21: Federal transportation funding authorization was extended until October 29th.

RECOMMENDATION: DISCUSS that status of federal transportation funding legislation and take ACTION as appropriate.

Recommendation(s)/Next Step(s):

CONSIDER Report on Local, State, and Federal Transportation Related Legislative Issues and take ACTION as appropriate including CONSIDERATION of specific recommendations in the report above.

Fiscal Impact (if any):

There is no fiscal impact.

Special Session on Transportation -9-1-15 Quick Update-

Special Session Bills

Positions on Legislation of Interest - 2015

September TWIC Report

All Legislative Tracking

From: Mark Watts <mwatts@transportationca.com>
Sent: Tuesday, September 01, 2015 7:52 AM
To: Audra Hartmann
Cc: D. Smith
Subject: Special Session on Transportation: Quick Update

To keep you up to date, I am providing a brief set of updates on developments for today, including (1) the blog statement by CalSTA on Republican funding concepts, (2) the Senate Transportation & Infrastructure Hearing agenda, (3) 8 new Assembly Special Session bills that were introduced and are in print this morning (I summarized them below), (4) information on theTransit Coalition press conference to make a case for transit funding:

California State Transportation Agency Blog statement on Assembly Republican Transportation Plan:

<https://calstablog.wordpress.com/2015/08/31/the-truth-about-the-assembly-republican-transportation-plan-it-needs-more-reagan/>

Senate Special Session Transportation Hearing Agenda (links to analyses highlighted in red):

Upon adjournment of Floor Session

John L. Burton Hearing Room (4203)

(TELEVISED)

MEASURES HEARD IN FILE ORDER

S.B.X.1. No. 2Huff. Greenhouse Gas Reduction Fund.

S.B.X.1. No. 6Runner. Greenhouse Gas Reduction Fund: transportation expenditures.

S.B.X.1. No. 7Allen. Diesel sales and use tax. (Tax Levy)

S.B.X.1. No. 8Hill. Public transit: funding.

S.B.X.1. No. 10 Bates. Regional transportation capital improvement funds.

S.C.A.X.1. No.1 Huff. Motor vehicle fees and taxes: restriction on expenditures.

New Assembly Republican Transportation Special Session Bills:

Bill/Author	Description
ABX1 13 (Grove)	Continuously appropriates 50% of the annual proceeds of Cap and Trade funds, with 50% to Caltrans for maintenance of the state highway system or for projects that are part of the state highway operation and protection program, and 50% to cities and counties for local street and road purposes.
ABX1 14 (Waldron)	Continuously appropriates \$1 billion from the General Fund, with 50% to Caltrans for maintenance of the state highway system or to the State Highway Operation and Protection Program, and 50% to cities and counties by formula for street and road purposes.
ABX1 15 (Patterson)	Reduces the current year \$663,287,000 appropriation for Capital Outlay Support by \$500 million, and would appropriate \$500 million from the State Highway Account for the 2015-16 fiscal year, 50% to Caltrans for maintenance of the state highway system or for purposes of the State Highway Operation and Protection Program, and 50% to cities and counties by formula for street and road purposes.
ABX1 16 (Patterson)	Establishes a pilot program within Caltrans, over a 5-year period, under which 2 counties, one in northern California and one in southern California, are selected to operate, maintain, and make improvements to all state highways, including freeways, in the affected county. Any cost savings realized by a participating county to be used by the county for other transportation priorities.
ABX1 17 (Achadjian)	Continuously appropriates 25% of the annual Cap and Trade proceeds for projects in the state highway operation and protection program.
ABX1 18 (Linder)	Prohibits truck weight fee revenue from being transferred from the State Highway Account to the Transportation Debt Service Fund or to the Transportation Bond Direct Payment Account, and from being used to pay the debt service on transportation general obligation bonds.
ABX1 19 (Linder)	Excludes the California Transportation Commission from the Transportation Agency and establish it as an entity in the state government
ABX1 20 (Gaines)	This bill would require the department to eliminate 25% of the vacant positions in state government that are funded by the General Fund. It would also continuously appropriate \$685,000,000 from the General Fund, with 50% to be made available to Caltrans for maintenance of the state highway system or for purposes of the state highway operation and protection program, and 50% to be made to cities and counties by a specified formula for street and road purposes.
ABX1 21 (Olberholte)	Prohibits a court in a judicial action or proceeding under CEQA from staying or enjoining the construction or improvement of a highway unless it finds an imminent treat to health/safety or unforeseen ecological values that would be harmed.

~Our efforts to enhance the mobility, safety, and sustainability of California's multimodal transportation system.

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August 31, 2015

The Truth About the Assembly Republican Transportation Plan: It Needs More Reagan

Californians understand that a stable funding source is necessary to keep roadways and bridges in reliable, safe and good condition. As Ronald Reagan said when he signed the federal gas tax increase in 1983, “The cost to the average motorist will be small, but the benefit to our transportation system will be immense.” Unfortunately, Assembly Republicans instead propose to kick the can down a potholed road, and send the General Fund back into deficit. Transportation needs a permanent and stable funding plan—not more budget gimmicks and borrowing—to avoid the volatility of the past two decades.

The Assembly Republican plan would cost the General Fund at least \$2 billion per year. It would require the General Fund, instead of vehicle weight fees, to pay debt service on bonds that funded hundreds of transportation projects throughout California, even though Republicans and Democrats supported the use of weight fees for that purpose. These are the same weight fees that were supported by 69 Assemblymembers and 39 Senators from both parties that pay for the improvements along State Route 99 in the Central Valley, the new Gerald Desmond Bridge in Los Angeles, and the hundreds of other transportation projects state bonds are financing throughout California. They were right then and it’s the right policy now to fund transportation with user fees, not the General Fund. As Ronald Reagan reminded Americans in 1983, “When we first built our highways, we paid for them with a gas tax, a highway user fee that charged those of us who benefited most from the system. It was a fair concept then and it is today.”

When it comes to Cap and Trade, the Republicans opposed the program, but now want to use it for road repairs. They ignore the fact that Cap and Trade already provides more than \$1 billion per year for transportation. Moreover, the law requires that investments result in quantifiable greenhouse gas emission reductions. That’s why the program has expanded public transit, clean

vehicle ⁶³technology, the development of clean and fast high-speed rail, and responsible growth policies to encourage housing Californians near transit and job centers. If Republicans really want to engage where Cap and Trade dollars go, they should start by supporting the program.

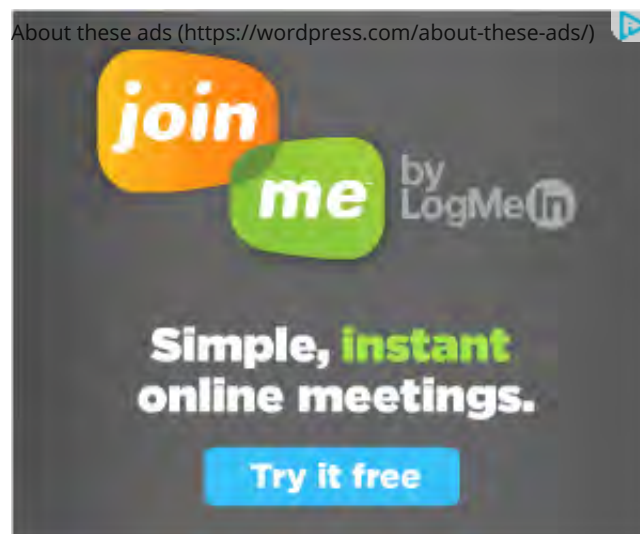
For any deal to get done—particularly something as important as safe and smooth roads—both sides have to listen and engage. Republicans already asked for measures to increase oversight, accountability and reform of our transportation system and this Administration listened and supported all of the following reforms:

- Strict transportation accountability and performance measures for the next decade that show exactly what transportation improvements will be achieved with new investment.
- Increased staffing flexibility at Caltrans to ensure new workload can be met with the right combination of state and contract staff to quickly deliver projects.
- CEQA streamlining for transportation projects that repair and rehabilitate the state's aging transportation assets, earlier mitigation of transportation project impacts to reduce back-end project challenges, and the continuation of California's authority to conduct federal and state environmental review simultaneously to expedite project delivery.
- Expanded authority to use innovative procurement methods, like public-private partnerships, to deliver transportation projects in California.
- Protecting new transportation revenue for transportation purposes.

These reforms can help deliver transportation projects more efficiently in California. But alone, they do not provide the necessary funding to deliver the transportation system Californians deserve. Only new, stable and sustainable user fees dedicated to transportation will do that.

Again, as President Reagan said, "Our highways were built largely with such a user fee. I think it makes sense to follow that principle in restoring them to the condition we all want them to be in." Assembly Republicans should heed this sound advice rather than turning their back on California's transportation system, and all the jobs and economic activity that depend on it.

#



Posted by [calstastaff](#).

Transportation Special Session Bills

ASSEMBLY BILLS

ABX1-1 Alejo: Transportation Funding: would retain vehicle weight fees in State Highway Account, delete “gas tax swap,” ends restriction on unrestricted transpo funding that now has to go towards transportation debt service.

ABX1-2 Perea: would extend authorization for Public-Private Partnerships

ABX1-3 Frazier and Atkins: Transportation Funding: spot bill

ABX1-4 Frazier and Atkins: Transportation Funding: spot bill

ABX1-5 Hernandez: would changes rules for Low Income Housing credit for farmworker housing

ABX1-6 Hernandez: Affordable Housing and Sustainable Communities: would allocate at least 20% of funding to rural areas, at least 50% to affordable housing projects

ABX1-7 Nazarian: Transit funding: would raise GGRF allocation to Transit and Intercity Rail program to 20% (from 10%) and to Low Carbon Transit Operations to 10% (from 5%)

ABX1-8 Chiu: would raise diesel sales and use taxes to 5.25%

ABX1-9 Levine: Richmond San Rafael bridge: would temporarily add lane on bottom deck of bridge (urgency)

ABX1-10 Levine: would allow no extra compensation for large infrastructure projects until certified complete.

ABX1-11 Gray: would appropriate money for Merced campus parkway project

ABX1-12 Nazarian: would authorize LA Metro to enter public private partnerships, pass bonds for infrastructure projects

SENATE BILLS

SBX1-1 Beall: transportation funding: would create Road Maintenance and Rehab program, require CTC to adopt performance criteria for efficient use of funds. 12-cent increase in gas tax, 22-cent increase in diesel fuel tax, same on fuel storage taxes; increase vehicle registration fee by \$35; add \$100 veh reg fee for zero-emission vehicles; adds a “road access charge” of \$35 to every vehicle. Allocates to self-help counties and Trade Corridors Improvement Fund. Would require Caltrans to plan for 30% efficiency increase.

SBX1-2 Huff: would allocate any cap-and-trade money from fuels to roads highways.

SBX1-3 Vidak: would scuttle HSR; allow no further bonds sold except for early improvement projects, allocate any outstanding money for repair and new construction on highways, local roads

SBX1-4 Beall: Transportation Funding: spot bill.

SBX1-5 Beall: Transportation Funding: spot bill.

SBX1-6 Runner: would delete high speed rail from the GGRF for high-speed rail and allocate that money amount to: 40% for state highway projects, 40% for local street and road projects divided equally between cities and counties, and 20% to public transit.

SBX1-7 Allen: would increase diesel sales and use tax to 5.25% for transit

SBX1-8 Hill: Transit Funding: would raise GGRF allocation to Transit and Intercity Rail program to 20% (from 10%) and to Low Carbon Transit Operations to 10% (from 5%)

SBX1-9 Moorlach: would require Caltrans to contract out up to 50% of architectural and engineering services.

SBX1-10 Bates and Nguyen: would eliminate CTC role in STIP process but keep some oversight re: expenditure. Would give MPOs, transportation agencies, or county transportation commission block grants to allocate according to their regional plans.

SBX1-11 Berryhill: would offer CEQA exemption for repair, maintenance, or minor alterations to existing nonstate roadways in city or county with less than 100,000 population (how would this affect Complete Streets?) In 2025, would expand exemption to all counties and state highways.

SBX-12 Runner: would exclude CTC from oversight by CalSTA, and give CTC more power over programs in SHOPP.

SBX1-13 Vidak: wouldl create independent Office of Transportation Inspector General “to ensure all state agencies expend transportation funds efficiently and effectively.” Creates a six-year term for a governor-appointed bureaucrat.

SBX1-14 Cannella: would extend Caltrans authority to enter PP3s and nclude SCVTA in definition of agencies who can enter PP3s.

SCA X 1.1 Huff : would restrict any fee or tax that comes from motor vehicles to streets and roads. Needs 2/3 vote.

Adopted Positions on Legislation of Interest – 2015

(Information Updated from Last Month is in ***bold/italics***)

Bill	Status	CC County	ABAG	BAAQMD	CCTA	CSAC	LofC	MTC	Other	Notes
AB 2 (Alejo) <i>Community Revitalization Authority</i>			Staff Recommendation: Watch			<i>Watch</i>	Support			
AB 148 (Holden) <i>School Facilities: General Obligation Bond Measure</i>						<i>Watch</i>				
SB 8 (Hertzberg) <i>Taxation</i>						Pending	Watch			
AB 4 (Linder) <i>Vehicle Weight Fees: Transportation Bond Debt Service</i>						Watch	Watch	Support & Seek Amendment		
AB 6 (Wilk) <i>Bonds: Transportation: School Facilities</i>						Watch	Watch			
AB 8 (Gatto) <i>Emergency Services: Hit-and-Run Incidents</i>						Pending	Watch			
AB 21 (Perea) <i>California Global Warming Solutions Act of 2006: Emissions Limit: Scoping Plan</i>			Staff Recommendation: Watch			(Martinson) Pending; (Keene) Pending	Watch			
AB 23 (Patterson) <i>California Global Warming Solutions Act of 2006: Market-Based Compliance Mechanisms: Exemption</i>			Staff Recommendation: Watch	<i>Oppose</i>		(Martinson) Pending; (Keene) Pending	Watch			
AB 33 (Quirk) <i>California Global Warming Solutions Act of 2006: Scoping Plan</i>						(Martinson) Pending; (Keene) Pending	Watch			
AB 157 (Levin) <i>Richmond-San Rafael Bridge</i>			Staff Recommendation: Watch		Staff Recommendation: Support		Watch	Support & Seek Amendment		
SB 1 (Gaines) <i>California Global Warming Solutions Act of 2006: Market-Based Compliance Mechanisms: Exemption</i>			Staff Recommendation: Watch	<i>Oppose</i>		(Martinson) Pending; (Keene) Pending	Watch			
SB 5 (Vidak) <i>California Global Warming Solutions Act of 2006: Market-Based Compliance Mechanisms: Exemption</i>			Staff Recommendation: Watch	<i>Oppose</i>		(Martinson) Pending; (Keene) Pending	Watch			
SB 9 (Beall) <i>Greenhouse Gas Reduction Fund: Transit and Intercity Rail Capital Program</i>			Staff Recommendation: Watch			Watch	Watch			

Bill	Status	CC County	ABAG	BAAQMD	CCTA	CSAC	LofC	MTC	Other	Notes
SB 32 (Pavley) <i>California Global Warming Solutions Act of 2006: Emissions Limit</i>				Support		(Martinson) Pending; (Keene) Pending	Watch			
SB 39 (Pavley) <i>Vehicles: High-Occupancy Vehicle Lanes</i>						Watch	Watch	Oppose		
SB 40 (Gaines) <i>Air Quality Improvement Program: Vehicle Rebates</i>						Pending	Watch			
SB 114 (Liu) <i>Education facilities: Kindergarten Through Grade 12 Public Education Facilities Bond Act of 2016</i>		Staff Recommendation of Watch					Watch			
SB 16 (Beall) <i>Transportation funding</i>			Staff Recommendation: Watch			Support	Support	Staff Recommendation: Support and Seek Amendments		
SB 632 (Cannella) <i>Vehicles: prima facie speed limits: schools.</i>		Support				Support	Watch			Legislation based on CCC proposal
SB 654 (De Leon) <i>Hazardous waste: facilities permitting</i>						Watch	Watch			
CA ACA 4 (Frazier) <i>Local government transportation projects: special taxes: voter approval</i>			Staff Recommendation: Watch		Staff Recommendation: Support	(Holzem) Watch; (Buss) Support	Support	Staff Recommendation: Support		
SB 313 (Galgiani) <i>Local government: zoning ordinances: school districts</i>		Support				Support	Watch			
AB 1344 (Jones) <i>County office of education: charter schools</i>		Staff Recommendation of Oppose				Oppose	Oppose			
AB 194 (Frazier) <i>High-occupancy toll lanes</i>					Staff Recommendation: Support	Watch	Watch	Support		
AB 227 (Alejo) <i>Transportation funding</i>						Watch	Watch	Support		
AB 518 (Frazier) <i>Department of Transportation</i>						Watch	Watch			
AB 1284 (Baker) <i>Bay Area state-owned toll bridges: Toll Bridge Program Oversight Committee</i>			Staff Recommendation: Watch				Watch			

Bill	Status	CC County	ABAG	BAAQMD	CCTA	CSAC	LofC	MTC	Other	Notes
SB 491 (Committee on Transportation and Housing) <i>Omnibus bill</i>			Staff Recommendation: Watch			Watch	Watch			
SB 1 a (Beall) <i>Transportation funding</i>						Support	<i>Support</i>			
SCA 7 (Huff) <i>Motor vehicle fees and taxes: restriction on expenditures</i>						(Holzem) Watch; (Buss) Watch				
SCA 1 a (Huff) <i>Motor vehicle fees and taxes: restriction on expenditures.</i>						<i>Support in Concept</i>	Watch			
AB 227 (Alejo) <i>Transportation funding</i>						Watch	Watch			
AB 1 a (Alejo) <i>Transportation funding</i>						<i>Watch</i>	Watch			
AB 2a (Perea) <i>Transportation projects: comprehensive lease agreements</i>						<i>Watch</i>	Watch			
AB 1265 (Perea) <i>Transportation projects: comprehensive development lease agreements</i>							Watch	Support		

Smith, Watts & Company, LLC.

Consulting and Governmental Relations

August 18, 2015

MEMORANDUM

To: John Cunningham

From: Mark Watts

Subject: Legislative Report

Special Session On Transportation and Infrastructure

The Legislature reconvened on Monday, August 17, to attend to regular Session legislation as well as the two Special Sessions (Transportation and Medi-cal), and immediately started to focus on transportation funding issues. The Senate conducted a policy hearing of the Special Session Transportation & Infrastructure Committee to address several key bills while the Assembly focused on conducting a series of 3 Roundtable Workshops to enlighten their membership and targeted communities on transportation funding issues.

In addition, over the Summer Legislative Recess, a broad-based coalition of transportation stakeholders was formed to push for a resolution to the transportation funding issue at the heart of the Special Session.

Fix Our Roads Coalition

Funded by CSAC, the League of Cities and the Alliance for Jobs, this group was founded around seven key principles:

1. Make a significant investment in transportation infrastructure
2. Focus on maintaining and rehabilitating the current system.
3. Invest a portion of diesel tax and/or cap & trade revenue to high-priority goods movement projects.
4. Raise revenues across a broad range of options.

5. Equal split between state and local projects.
6. Strong accountability requirements to protect the taxpayers' investment.
7. Provide Consistent Annual Funding Levels.

After delivering the coalition principles in letter form to the Governor and legislators, a press briefing was conducted in early August to provide a deeper background understanding of the transportation funding situation and the coalition's suggested approach to the media. Additional activities planned by the Coalition include:

- In district meetings. Over the recess, in district meetings with key legislators have been conducted with local government, business and labor and asking that the coalition principles guide legislative negotiations.
- Online & Digital Advertising. Also to correspond with the principles launch, we are initiating a website and posting banner advertising on the most frequented political web sites.
- Op-eds. Beginning in August, the coalition is targeting to placement of localized op-eds highlighting specific regional needs.
- Local government/third party support. The League and CSAC are working with their members to pass resolutions in support of coalition principles. We are also reaching out to local organizations, such as local chambers, to join the Fix Our Roads coalition.

In addition, Fix Our Roads was deeply involved in assisting the Speaker's Office in implementing the Roundtable Workshops. The first was conducted at CCTA Offices on August 19 and featured a local government panel that included CCTA Commissioner, Pierce, Supervisor Anderson and CC Public Works Director Bueren, among others.

Legislative Activity – Special Session

Senate

The Senate Special Session Committee on Transportation & Infrastructure conducted its first policy bill hearing on August 19 to take up Special Session bills, starting with the centerpiece measure, Senator Beall's SBX1 1, which is largely based on his regular session bill, SB 16.

The revised version of SBX1 1 bill increases the amount of funding raised to the \$4 billion level and not only proposes new higher gas and diesel taxes, but frames a new charge on vehicles to be collected in the manner of the Registration Fee. Additionally,

the bill provides a new process to replace the annual Board of Equalization Tax Swap adjustment; in its place, the bill resets the Tax Swap increment, currently at 12 cents per gallon (CPG) since July 1st, to 17 CPG, and adds a triennial CPI adjustment. The bill passed.

The remainder of the bills heard on August 19th comprises key elements of Senate Republican Caucus reform measures:

- SB X1 3 (Vidak) *HSR Bonds*. Amends HSR bond funding initiative (and requires a general vote) to redirect HSR Bond funds to repair or construct highways and local streets and roads. *The bill failed passage.*
- SB X1 9 (Moorlach) *Department of Transportation*. Prohibits Caltrans from using temporary funding (e.g., bonds) to support permanent positions; mandates increased contracting for engineering services. *The bill failed passage.*
- SB X1 12 (Runner) *Transportation Commission*. Makes the CTC independent and authorizes CTC to approve the Department's individual repair and maintenance projects. *The bill passed.*
- SB X1 13 (Vidak) *Inspector General*. Creates an Inspector to assure that Caltrans and HSRA operate efficiently, effectively, and in compliance with federal and state laws. *The bill passed.*
- SCA X1 1 (Huff). Guarantees that transportation taxes are used for transportation purposes. *Testimony only; vote at later hearing.*

Additionally, there are several other bills including additional Republican reform proposals and two transit bills that were not set for hearing. A complete listing of all Special Session bills is included below.

Assembly

Although not reflected in the latest Assembly Daily file, it is anticipated the Assembly will follow suit and set a hearing schedule for their Special Session Committee on Transportation & Infrastructure soon.

Legislative Activity – Regular Session

AB 194 (Frazier): This bill would provide the statewide authority for Caltrans and Regional agencies to use tolling, HOT Lanes and managed lanes. The Self-help counties negotiated with the Administration on amendments during the Summer Recess. These

were intended to be placed in the bill while it was in the Senate Appropriations committee. In the meantime, it appears the Administration may signal concern over elements of the bill with the Department of Finance authorized to take an Oppose position.

ABX1 10 (Levine): Assemblymember Levine introduced this bill to require Caltrans, by September 30, 2015, to temporarily restore the third eastbound lane on State Highway Route 580 from the beginning of the Richmond-San Rafael Bridge in the County of Marin to Marine Street in the County of Contra Costa to automobile traffic and temporarily converts the existing one-way bicycle lane into a bidirectional bicycle and pedestrian lane.

Special Session #1 Bill Listing

Assembly Bills:

AB X1-1 (Alejo). Weight fees. Returns weight fees to the State Highway Fund; repays outstanding transportation loans over three years □

AB X1-2 (Perea) Public Private Partnerships. Extends P3 authority indefinitely;

AB X1-3 and ABX1-4 (Frazier, Atkins) Spot language. Spot bills to establish permanent, sustainable sources of funding for highways, local roads, bridges, etc. □

AB X1-6 (Hernandez) AHSC program. Creates a 20% rural set aside in AHSC Program. □

AB X1-7 (Nazarian). Public transit funding. Doubles cap and trade appropriation for □ Transit and Intercity Rail Program (to 20%) and Local Carbon Transit Program (to 10%). □

AB X1-8 (Chiu & Bloom) Diesel sales tax. Increases sales and use tax on diesel from 1.75% to 5.25%. These revenues are appropriated by formula to public transit agencies. □

ABX1 9 (Levine). Requires Caltrans to implement 3rd Eastbound lane on Richmond Bridge immediately.

ABX1 10 (Levine). Would limit extra compensation to a contractor by a state agency on so-called, megainfrastructure projects.

Senate Bills: □

SB X1-1 (Beall) Transportation Funding. This is essentially SB 16 re-introduced in the Extraordinary Session as SB 1X-1. Significant new amendments went into print on July 14

SB X1-2 (Huff) GHG reduction fund. Dedicates cap and trade taxes paid from gasoline production to improving infrastructure, including streets and roads. □

SB X1-3 (Vidak) HSR Bonds. Amends HSR bond funding initiative (and requires a general vote) to redirect HSR Bond funds to repair or construct highways and local streets and roads. □

SB X1-6 (Runner) GHG reduction fund; transportation. Prohibits use of cap and trade proceeds on HSR and redirects funds to highways, local street and roads, and public transit. □

SB X1-7 (Allen) Diesel sales tax. Increases sales and use tax on diesel from 1.75% to 5.25%. These revenues are appropriated by formula to public transit agencies. □

SB X1-8 (Hill) Public transit funding. Doubles cap and trade appropriation for Transit and Intercity Rail Program (to 20%) and Local Carbon Transit Program (to 10%). □

SB X1 9 (Moorlach) Department of Transportation. Prohibits Caltrans from using temporary funding (e.g., bonds) to support permanent positions; encourages contracting. □

SB X1 10 (Bates) Regional Capital Improvements. Converts STIP to block grants based on county shares; eliminates CTC retains some oversight, but programming role discontinued □

SB X1 11 (Berryhill) CEQA exemption, road improvements. Exempts road repair and maintenance on existing rights of way from CEQA, including for areas over 100,000. □

SB X1-12 (Runner) Transportation Commission. Makes the CTC independent and authorizes CTC to approve the Department's individual repair and maintenance projects. □

SB X1-13 (Vidak) Inspector General. Creates an Inspector to assure that Caltrans and HSRA operate efficiently, effectively, and in compliance with federal and state laws. □

SB X1 14 (Canella) Public Private Partnerships. Eliminates the sunset provision that allowed RTPAs and Caltrans to enter into PPPs. □

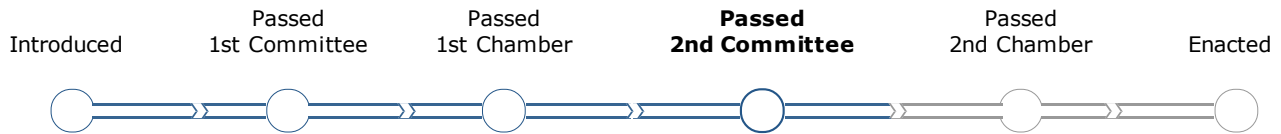
SCA X1-1 (Huff). Guarantees that transportation taxes are used for transportation purposes.

⁷⁴
Status actions entered today are **listed in bold**.

File name: TWI-OtherLeg

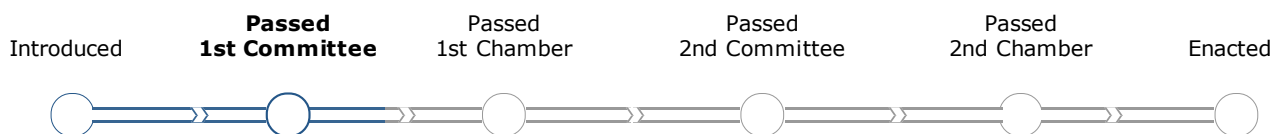
California

1. **CA AB 2**



Author: Alejo (D)
Title: Community Revitalization Authority
Fiscal Committee: yes
Urgency Clause: no
Introduced: 12/01/2014
Last Amend: 07/07/2015
Disposition: Pending
File: 21
Location: Senate Second Reading File
Summary: Authorizes certain local agencies to form a community revitalization authority with a community revitalization and investment area to carry out provisions of the Community Redevelopment Law in that area for infrastructure, affordable housing, and economic revitalization and to provide for the issuance of bonds serviced by tax increment revenues. Requires the authority to adopt a community revitalization and investment plan. Provides for audits. Requires funds in a specified fund to be for housing needs.
Status: **08/31/2015 In SENATE. Read second time. To third reading.**

2. **CA AB 148**



Author: Holden (D)
Title: K-14 School Investment Bond Act of 2016
Fiscal Committee: yes
Urgency Clause: no
Introduced: 01/15/2015
Last Amend: 05/06/2015

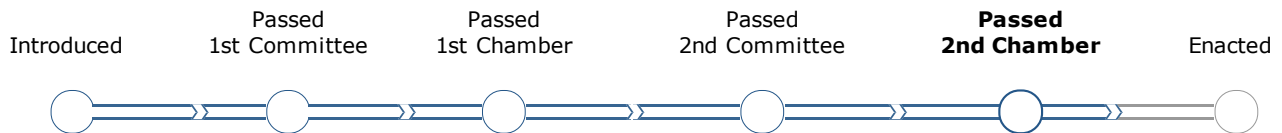
Disposition: Pending

Location: Assembly Appropriations Committee

Summary: Reduces the minimum amount that a school district must set aside for ongoing and major maintenance of school buildings in a fiscal year. Authorizes a grant for new construction or modernization to be used for seismic mitigation. Requires an interagency plan to streamline the school facilities construction application and review process. Enacts the K-14 School Investment Bond Act of 2016 to provide funds for the construction and modernization of education facilities.

Status: 05/28/2015 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

3. CA AB 325



Author: Wood (D)

Title: Community Development Block Grant Program

Fiscal Committee: yes

Urgency Clause: no

Introduced: 02/13/2015

Last Amend: 07/01/2015

Disposition: Pending

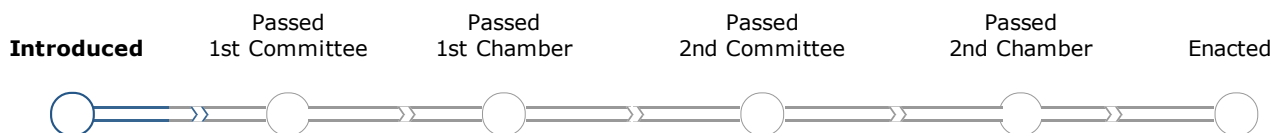
File: 73

Location: Assembly Unfinished Business - Concurrence in Senate Amendments

Summary: Relates to the Community Development Block Grant Program. Requires the Department of Housing and Community Development to enter into a grant agreement with the applicant. Provides for a list of activities and procedures to receive a grant. Authorizes the Department to make changes to the final list of activities if the applicant makes changes to the original application or the federal government or the Legislature requires changes.

Status: 08/20/2015 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence. (38-0)

4. CA AB 1362



Author: Gordon (D)

Title: Local Government Assessments Fees and Charges

Fiscal no

⁷⁶
Committee:

Urgency Clause: no

Introduced: 02/27/2015

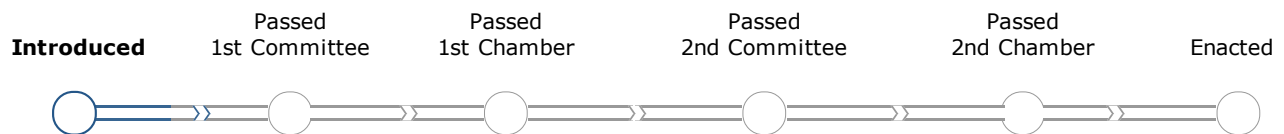
Disposition: Pending

Location: Assembly Local Government Committee

Summary: Defines stormwater for purposes of the Proposition 218 Omnibus Implementation Act to mean any system of public improvements or service intended to provide for the quality, conservation, control, or conveyance of waters that land on or drain across the natural or man-made landscape.

Status: 03/23/2015 To ASSEMBLY Committee on LOCAL GOVERNMENT.

5. CA SB 8



Author: Hertzberg (D)

Title: Taxation

Fiscal Committee: no

Urgency Clause: no

Introduced: 12/01/2014

Last Amend: 02/10/2015

Disposition: Pending

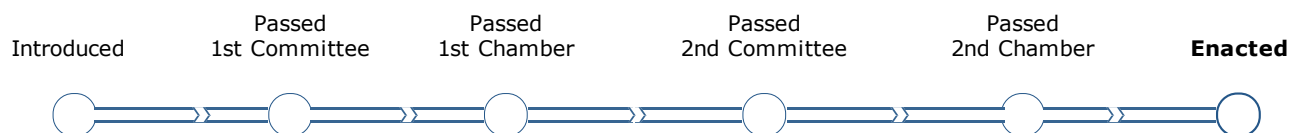
Location: Senate Governance and Finance Committee

Summary: Expands the Sales and Use Tax Law to impose a tax on the gross receipts from the sale in the State or, or the receipt of the benefit in the State of services at a specified percentage rate.

Status: 02/19/2015 Re-referred to SENATE Committee on GOVERNANCE AND FINANCE.

File name: TWI-TransLeg

6. CA AB 1



Author: Brown (D)

Title: Drought: Local Governments: Fines
76 of 102

Fiscal Committee: ⁷⁷ no

Urgency Clause: no

Introduced: 12/01/2014

Enacted: 07/13/2015

Disposition: Enacted

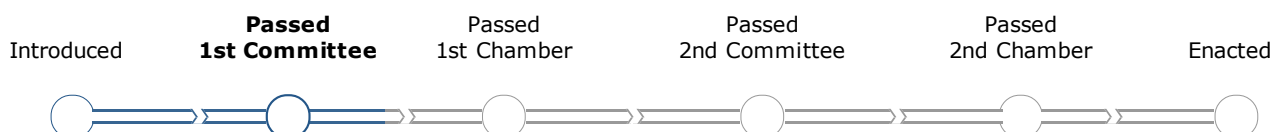
Location: Chaptered

Chapter: 62

Summary: Prohibits a city, county, or city and county from imposing a fine under any ordinance for a failure to water a lawn or having a brown lawn during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions.

Status: 07/13/2015 Chaptered by Secretary of State. Chapter No. 62

7. CA AB 4



Author: Linder (R)

Title: Vehicle Weight Fees: Transportation Bond Debt Service

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/01/2014

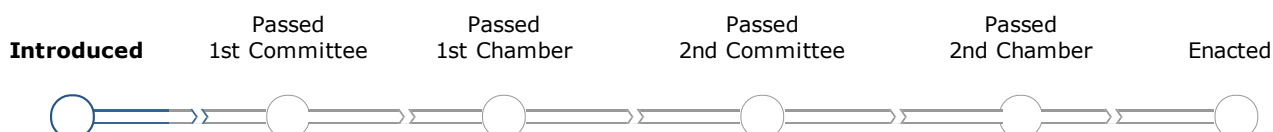
Disposition: Pending

Location: Assembly Second Reading File

Summary: Prohibits weight fee revenues from being transferred from the State Highway Account to the Transportation Debt Service Fund, the Transportation Bond Direct Payment Account, or any other fund or account for the purpose of payment of the debt service on transportation general obligation bonds. Prohibits loans of weight fee revenues to the General Fund.

Status: 06/02/2015 Withdrawn from ASSEMBLY Committee on TRANSPORTATION.
06/02/2015 In ASSEMBLY. Ordered to second reading.

8. CA AB 6



Author: Wilk (R)

Title: Bonds: Transportation: School Facilities

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/01/2014

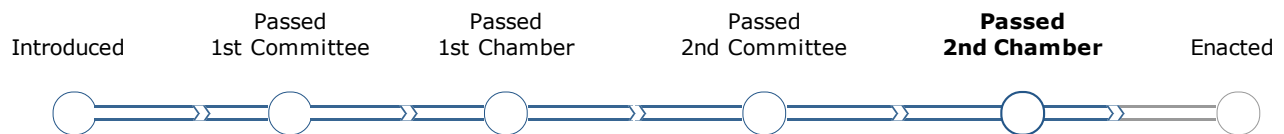
Disposition: Pending

Location: Assembly Transportation Committee

Summary: Provides that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century. Requires the net proceeds of other bonds to be made available to fund construction of school facilities for K-12 and higher education.

Status: 04/20/2015 In ASSEMBLY Committee on TRANSPORTATION: Failed passage.
04/20/2015 In ASSEMBLY Committee on TRANSPORTATION: Reconsideration granted.

9. CA AB 8



Author: Gatto (D)

Title: Emergency Services: Hit-And-Run Incidents

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/01/2014

Last Amend: 07/06/2015

Disposition: To Governor

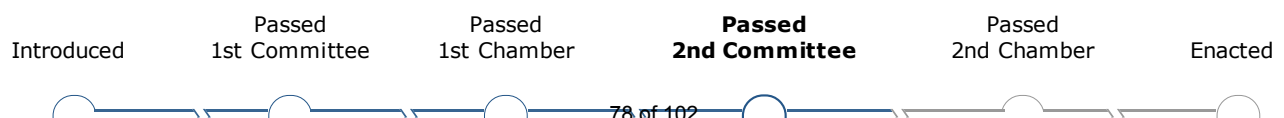
File: 81

Location: Assembly Unfinished Business - Concurrence in Senate Amendments

Summary: Authorizes a law enforcement agency to issue a Yellow Alert if a person has been killed or has suffered serious bodily injury due to a hit-and-run incident and the law enforcement agency has specified information concerning the suspect or the suspect's vehicle. Authorizes the Department of the California Highway Patrol to activate such alert within the requested geographic area upon request if it concurs with the law Enforcement agency that specified requirements are met.

Status: **08/31/2015 In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.**

10. CA AB 21



Author: Perea (D)

Title: Global Warming Solutions Act of 2006: Scoping Plan

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/01/2014

Last Amend: 05/05/2015

Disposition: Pending

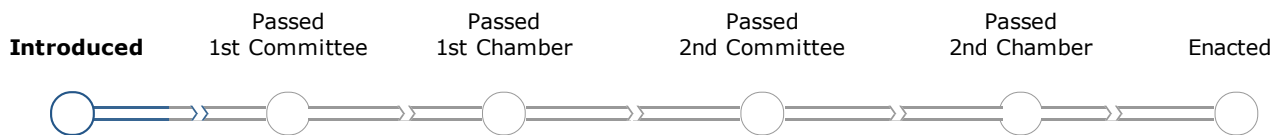
File: 266

Location: Senate Third Reading File

Summary: Requires the State Air Resources Board in preparing its scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas reduction, to consult with specified State agencies regarding matters involving energy efficiency and the facilitation of the electrification of the transportation sector.

Status: 06/30/2015 In SENATE. Read second time. To third reading.

11. CA AB 23



Author: Patterson (R)

Title: Global Warming Solutions Act of 2006: Compliance

Fiscal Committee: yes

Urgency Clause: yes

Introduced: 12/01/2014

Disposition: Pending

Location: Assembly Natural Resources Committee

Summary: Exempts categories of persons or entities that did not have a compliance obligation under a market-based compliance mechanism from being subject to that market-based compliance mechanism.

Status: 03/23/2015 In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.
03/23/2015 In ASSEMBLY Committee on NATURAL RESOURCES: Reconsideration granted.

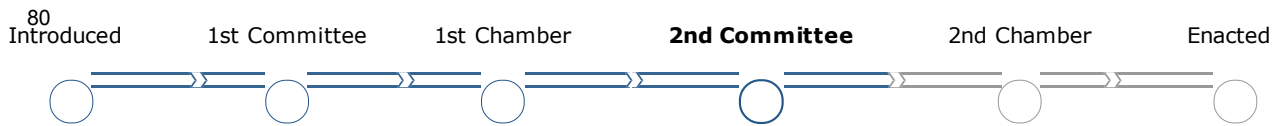
12. CA AB 28

Passed

Passed

79 of 102 **Passed**

Passed



Author: Chu (D)

Title: Bicycle Safety: Rear Lights

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/01/2014

Last Amend: 04/22/2015

Disposition: Pending

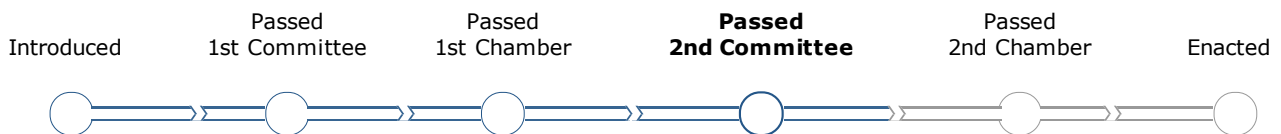
File: 267

Location: Senate Third Reading File

Summary: Requires that a bicycle operated during darkness upon a highway or a sidewalk be equipped with a red reflector, a solid red light, or a flashing red light on the rear that is visible for a specified distance to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.

Status: 06/30/2015 In SENATE. Read second time. To third reading.

13. CA AB 33



Author: Quirk (D)

Title: Global Warming Solutions Act: Energy Emission Reduction

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/01/2014

Last Amend: 08/18/2015

Disposition: Pending

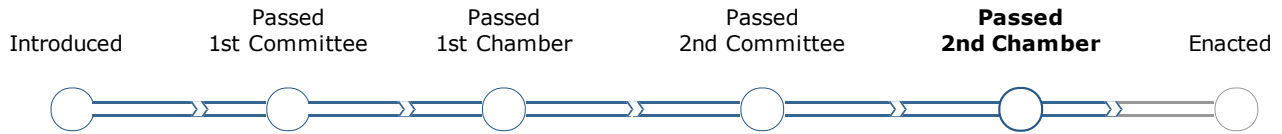
File: 23

Location: Senate Second Reading File

Summary: Establishes the Energy Sector Emissions Reduction Advisory Council to recommend strategies for the electricity sector for incorporation into the scoping plan prepared by the State Air Resources Board, based on specified analysis including various strategies that could be implemented to reduce emissions of greenhouse gases from the electricity sector and integrate increasing amounts of renewable energy into the grid. Relates to real-time

Status: **08/31/2015 In SENATE. Read second time. To third reading.**

14. **CA AB 157**



Author: Levine (D)

Title: Richmond-San Rafael Bridge

Fiscal Committee: no

Urgency Clause: yes

Introduced: 01/20/2015

Last Amend: 06/25/2015

Disposition: Pending

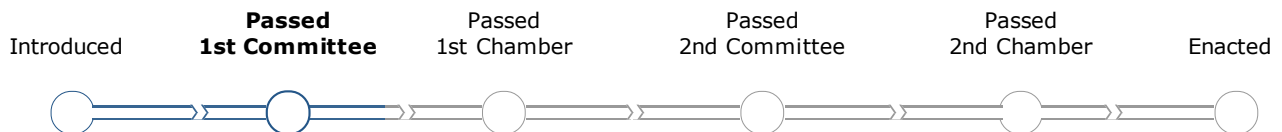
File: 302

Location: Senate Third Reading File

Summary: Requires the lead agency to complete the design work for the project simultaneously with the environmental review conducted pursuant to the California Environmental Quality Act if the Metropolitan Transportation Commission and the Department of Transportation develop a project to open the third lane on the Richmond-San Rafael Bridge to automobile traffic on the eastbound level and to bicycle traffic on the westbound level.

Status: **08/31/2015 In SENATE. Read third time, urgency clause adopted. Passed SENATE. *****To ASSEMBLY for concurrence.**

15. **CA AB 227**



Author: Alejo (D)

Title: Transportation Funding

Fiscal Committee: yes

Urgency Clause: no

Introduced: 02/03/2015

Last Amend: 04/15/2015

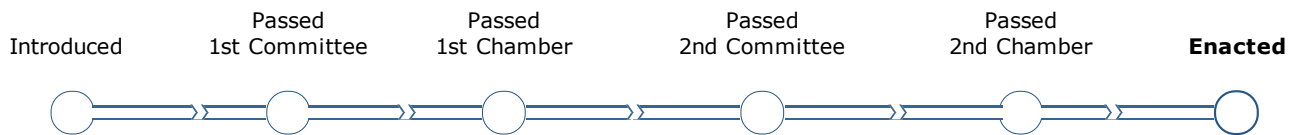
Disposition: Pending

Location: Assembly Budget Committee

Summary: Retains weight fee revenues in the State Highway Account. Deletes the provisions relating to the reimbursement of the State Highway Account for weight fee revenues and relating to the making of loans to the General Fund, thereby providing for the portion of fuel excise tax revenues that is derived from increases in the motor vehicle fuel excise tax in 2010 to be allocated to the State Transportation Improvement Program, to the State Highway Operation Program, and to city and county roads.

Status: 04/15/2015 In ASSEMBLY. Read second time and amended. Re-referred to Committee on BUDGET.

16. CA AB 323



Author: Olsen (R)

Title: Environmental Quality Act: Exemption

Fiscal Committee: no

Urgency Clause: no

Introduced: 02/13/2015

Enacted: 07/06/2015

Disposition: Enacted

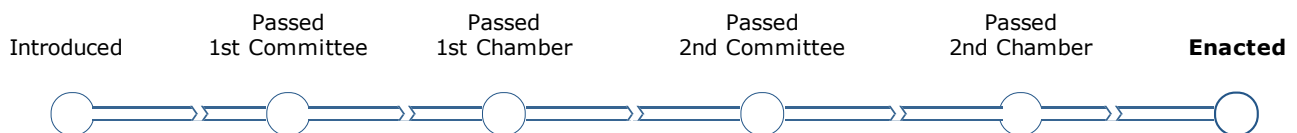
Location: Chaptered

Chapter: 52

Summary: Amends the California Environmental Quality Act that exempts a project or an activity to repair, maintain, or make minor alterations to an existing roadway, if the project of activity is carried out by a city or county with a specified population to improve public safety and meets other specified requirements, to extend that exemption to a specified date.

Status: 07/06/2015 Signed by GOVERNOR.
07/06/2015 Chaptered by Secretary of State. Chapter No. 52

17. CA AB 327



Author: Gordon (D)

Title: Public Works: Volunteers

Fiscal Committee: no

Urgency Clause: no

Introduced: 02/13/2015

Enacted: 07/06/2015

Disposition: Enacted

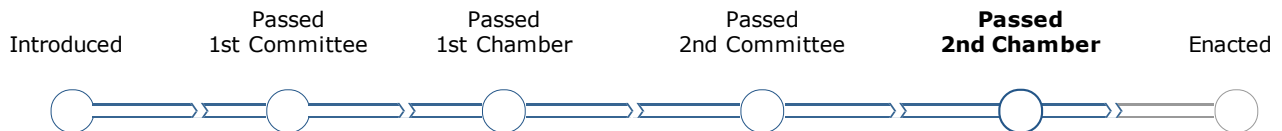
Location: Chaptered

Chapter: 53

Summary: Extends the provisions of existing law that provides governing public works does not apply to specified work performed by a volunteer, a volunteer coordinator, or a member of the California Conservation corps or a community conservation corps.

Status: 07/06/2015 Signed by GOVERNOR.
07/06/2015 Chaptered by Secretary of State. Chapter No. 53

18. CA AB 464



Author: Mullin (D)

Title: Transactions and Use taxes: Maximum Combined Rate

Fiscal Committee: no

Urgency Clause: no

Introduced: 02/23/2015

Vetoed: 08/17/2015

Disposition: Vetoed

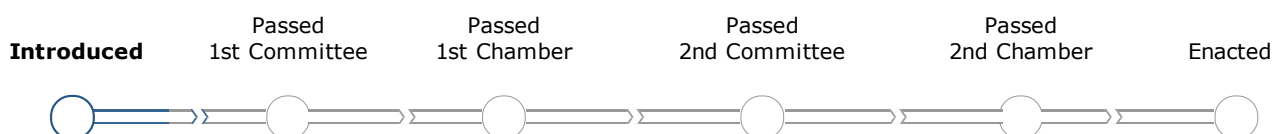
File: 101

Location: Assembly Governor's Vetoes

Summary: Amends existing law that authorizes cities and counties, and if specifically authorized, other local government entities, to levy a transactions and use tax for general purposes, in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law, including a requirement that the combined rate of all taxes imposed in the county to not exceed a specified percentage. Increases the maximum combined rate.

Status: 08/17/2015 Vetoed by GOVERNOR.

19. CA AB 518



Author: Frazier (D)

Title: Department of Transportation

Fiscal Committee: yes

Urgency Clause: no

Introduced: 02/23/2015

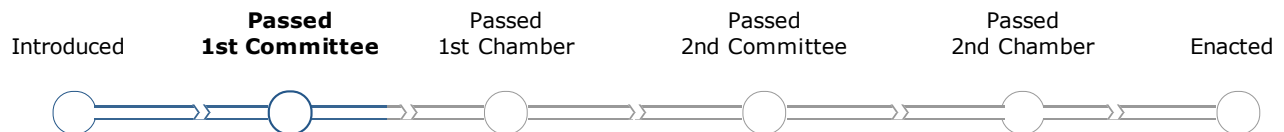
Disposition: Pending

Location: Assembly Transportation Committee

Summary: Amends existing law authorizing a local agency to enter into an agreement with the appropriate transportation planning agency to use its own funds to develop, and construct a project within its own jurisdiction. Deletes a provision requiring the department to compile information and report to the Legislature.

Status: 03/05/2015 To ASSEMBLY Committee on TRANSPORTATION.

20. CA AB 1088



Author: O'Donnell (D)

Title: Education Facilities: Bond Act: Greene Act

Fiscal Committee: yes

Urgency Clause: no

Introduced: 02/27/2015

Last Amend: 05/06/2015

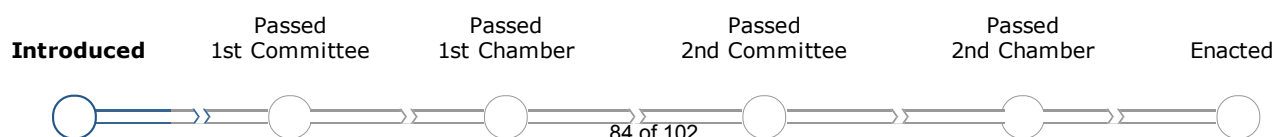
Disposition: Pending

Location: Assembly Appropriations Committee

Summary: Repeals provisions requiring the existing school building capacity for a high school district to be calculated without regard to multitrack year-round school considerations. Requires a workgroup to recommend changes to shorten and streamline the construction or modernization of schools process. Requires regulation recommendations regarding designing facilities. Requires baseline eligibility for modernization funding. Enacts a specified facilities bond act.

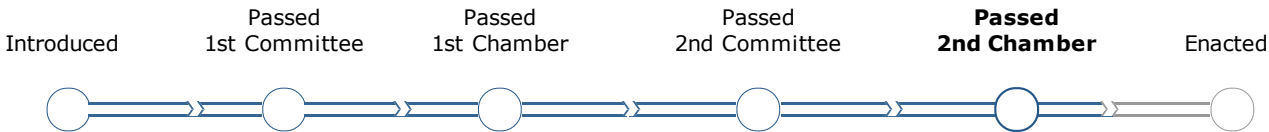
Status: 05/06/2015 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

21. CA AB 1098

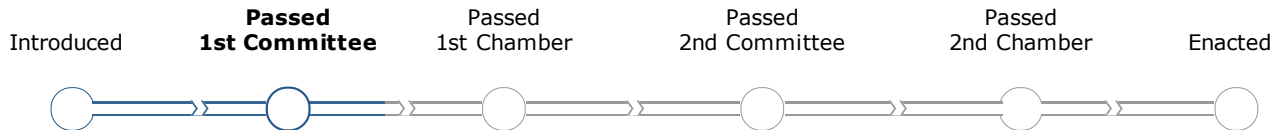


Author:	Bloom (D)
Title:	Transportation: Congestion Managment
Fiscal Committee:	yes
Urgency Clause:	no
Introduced:	02/27/2015
Last Amend:	03/26/2015
Disposition:	Pending
Location:	Assembly Transportation Committee
Summary:	Deletes traffic level of service standards as an element of a congestion management program and deletes related requirements, including a requirement that a city or county prepare a plan when highway or roadway level of service standards are not maintained. Requires performance measures to include vehicle miles traveled, air emissions, and bicycle, transit, and pedestrian mode share. Requires an evaluation of how a congestion management program contributes to achieving a greenhouse gas reduction target.
Status:	<div>03/26/2015 To ASSEMBLY Committees on TRANSPORTATION and LOCAL GOVERNMENT.</div> <div>03/26/2015 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.</div> <div>03/26/2015 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</div>

22. **CA AB 1119**

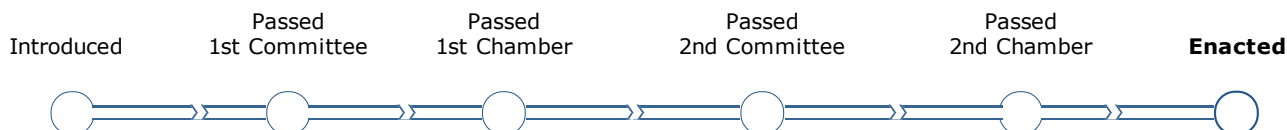


Author:	Rendon (D)
Title:	Public Utilities: Rights of Way
Fiscal Committee:	no
Urgency Clause:	no
Introduced:	02/27/2015
Last Amend:	05/11/2015
Disposition:	To Governor
Location:	To enrollment
Summary:	Requires a municipal corporation, before using any right of way within any other municipal corporation or county, to request the entity that has control of such right of way to agree with it upon the location of the use and the terms and conditions to which the use shall be subject. Authorizes the proposing municipal corporation to bring an action against the county if they are unable to agree on the terms and conditions and location of the use. Repeals related provisions.

23. CA AB 1265**Author:** Perea (D)**Title:** Transportation Projects: Comprehensive Development**Fiscal
Committee:** yes**Urgency
Clause:** no**Introduced:** 02/27/2015**Last
Amend:** 04/29/2015**Disposition:** Pending**Location:** Assembly Appropriations Committee

Summary: Relates to existing law which authorizes the Department of Transportation and regional transportation agencies to enter into comprehensive lease agreements. Provides that a lease agreement shall not be entered into under these provisions on or after a specified date. Includes within the Definition of regional transportation agency, the Santa Clara Valley Transportation Authority, thereby authorizing the authority to enter into public-private partnerships.

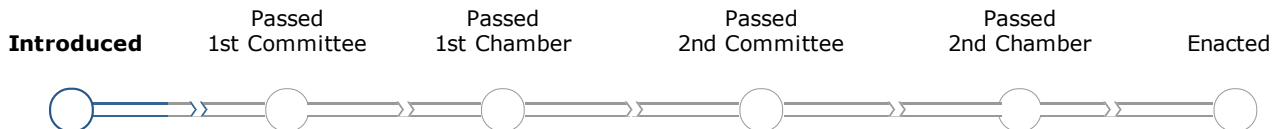
Status: 05/06/2015 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.

24. CA AB 1284**Author:** Baker (R)**Title:** Bay Area State-Owned Toll Bridges**Fiscal
Committee:** yes**Urgency
Clause:** no**Introduced:** 02/27/2015**Enacted:** 08/11/2015**Disposition:** Enacted**Location:** Chaptered**Chapter:** 172

⁸⁷
Summary: Provides that the Toll Bridge Program Oversight Committee is subject to the Bagley-Keene Open Meeting Act.

Status: 08/11/2015 Signed by GOVERNOR.
08/11/2015 Chaptered by Secretary of State. Chapter No. 172

25. CA AB 1344



Author: Jones (R)

Title: County Office of Education Charter Schools

Fiscal Committee: yes

Urgency Clause: no

Introduced: 02/27/2015

Last Amend: 04/06/2015

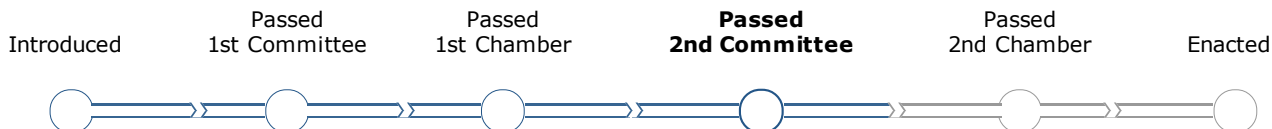
Disposition: Pending

Location: Assembly Education Committee

Summary: Extends the authorization of a governing board of a school district to render a city or county zoning ordinance inapplicable to a proposed use of school district property, except when the proposed use is for nonclassroom facilities to the governing board of a county office of education. Prohibits a county office from rendering such ordinance inapplicable to a charter school facility, unless the school is physically within the jurisdiction of the office.

Status: 04/22/2015 In ASSEMBLY Committee on EDUCATION: Not heard.

26. CA AB 1347



Author: Chiu (D)

Title: Public Contracts Claims

Fiscal Committee: yes

Urgency Clause: no

Introduced: 02/27/2015

Last Amend: 08/17/2015

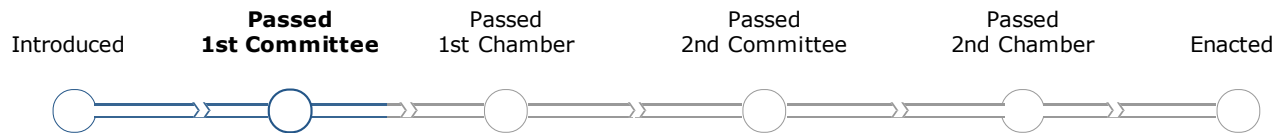
Disposition: Pending

Location: Senate Second Reading File

Summary: Establishes for state and local public contracts a claim resolution process applicable to all claims by contractors in connection with public works. Provides the procedures that are required of a public entity, upon receipt of a claim sent by certified mail. Relates to failure of a public entity to respond to a claim within a specified time. Provides for a mutually agreed waiver and commencement of a civil action. Authorizes nonbinding mediation. Provides for a public works contractor claim procedure.

Status: 08/27/2015 From SENATE Committee on APPROPRIATIONS: Do pass as amended. (7-0)

27. CA ACA 4



Author: Frazier (D)

Title: Local Government Transportation Projects: Special Taxes

Fiscal Committee: no

Urgency Clause: no

Introduced: 02/27/2015

Last Amend: 08/17/2015

Disposition: Pending

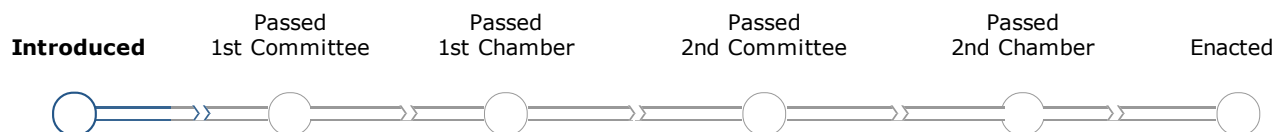
Location: Assembly Appropriations Committee

Summary: Proposes an amendment to the Constitution to provide that the imposition, extension, or increase of a sales and use tax or a transaction and use tax imposed by a county, city, city and county, or special district to provide funding for local transportation projects requires the approval of a specified percentage of its voters voting on the proposition.

Status: 08/27/2015 In ASSEMBLY Committee on APPROPRIATIONS: Not heard.

Alert: Xpress

28. CA SB 1



Author: Gaines T (R)

Title: Global Warming Solutions Act of 2006: Compliance

Fiscal Committee: yes

Urgency Clause: ⁸⁹ yes

Introduced: 12/01/2014

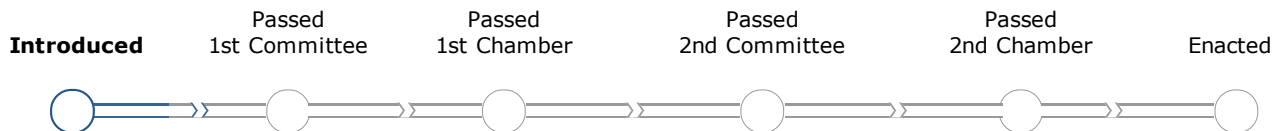
Disposition: Pending

Location: Senate Environmental Quality Committee

Summary: Amends the State Global Warming Solutions Act of 2006. Authorizes the State Air Resources Board to include the use of market-based compliance mechanisms. Exempts categories of persons or entities that did not have a compliance obligation under a market-based compliance mechanism from being subject to that market-based compliance mechanism. Requires all participating categories of persons or entities to have a compliance obligation beginning on a specified date.

Status: 01/15/2015 To SENATE Committee on ENVIRONMENTAL QUALITY.

29. CA SB 5



Author: Vidak (R)

Title: Global Warming Solutions Act of 2006: Compliance

Fiscal Committee: yes

Urgency Clause: yes

Introduced: 12/01/2014

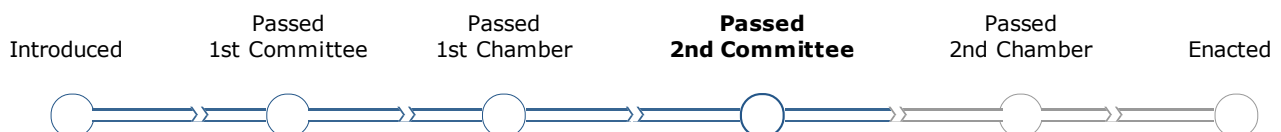
Disposition: Pending

Location: Senate Environmental Quality Committee

Summary: Relates to the State Global Warming Solutions Act of 2006. Authorizes the State Air Resources Board to include the use of market-based compliance mechanisms. Exempts categories of persons or entities that did not have a compliance obligation under a market-based compliance mechanism from being subject to that market-based compliance mechanism through a specified date.

Status: 04/15/2015 In SENATE Committee on ENVIRONMENTAL QUALITY: Failed passage.
04/15/2015 In SENATE Committee on ENVIRONMENTAL QUALITY: Reconsideration granted.

30. CA SB 9



Author: Beall (D)

Title: Greenhouse Gas Reduction Fund: Transit/Intercity Rail

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/01/2014

Last Amend: 08/17/2015

Disposition: Pending

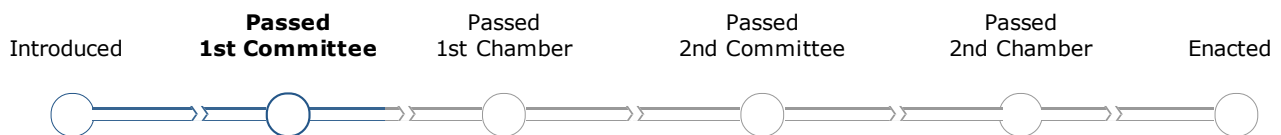
File: 131

Location: Assembly Third Reading File

Summary: Modifies the purpose of the Transit and Intercity Rail Capital Program. Provides for the funding of defined transformative capital improvements. Updates project selection criteria under the program to projects that reduce greenhouse emissions and expand transit service. Requires approval of a multi-year program of projects. Requires entering into a multi-year funding commitment for a project. Authorizes the approval of related letters of no prejudice in allowing an applicant to expend its own moneys.

Status: 08/20/2015 In ASSEMBLY. Read second time. To third reading.

31. CA SB 16



Author: Beall (D)

Title: Transportation Funding

Fiscal Committee: yes

Urgency Clause: yes

Introduced: 12/01/2014

Last Amend: 06/01/2015

Disposition: Pending

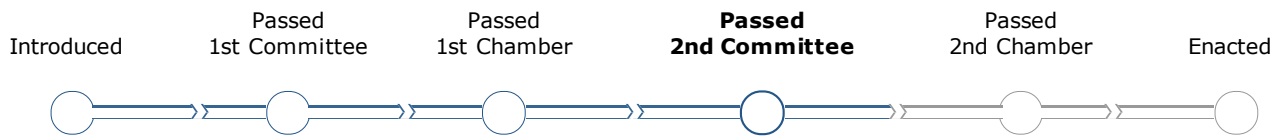
File: 228

Location: Senate Third Reading File

Summary: Creates the Road Maintenance and Rehabilitation Program and a related fund for deferred highway and local road maintenance. Provides for an increase in motor vehicle fuel tax, a vehicle registration fee, commercial vehicle weight fees. Transfers a portion of the diesel fuel tax increase to the Trade Corridors Investment Fund. Increases the vehicle license fee for transportation bond debt service. Relates to petroleum storage taxes. Relates to allocation for supplemental project allocation requests.

Status: 06/01/2015 In SENATE. Read second time and amended. To third reading.

32. ⁹¹CA SB 32



Author: Pavley (D)

Title: Global Warning Solutions Act of 2006: Emissions Limit

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/01/2014

Last Amend: 08/31/2015

Disposition: Pending

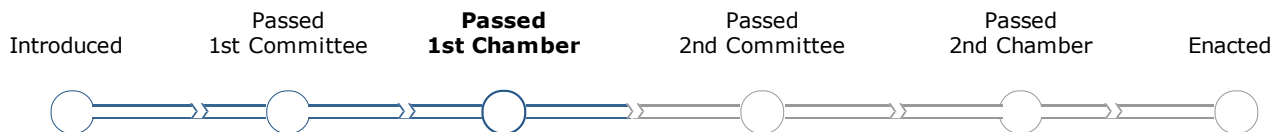
File: 54

Location: Assembly Second Reading File

Summary: Requires the State Air Resources Board to approve a specified statewide greenhouse gas emission limits that are the equivalent to a specified percentage below the 1990 level to be achieved by 2030 and another percentage below the 1990 level by 2050. Authorizes the Board to adopt an interim emissions level target to be achieve by 2040. Makes conforming changes.

Status: **08/31/2015 In ASSEMBLY. Read second time and amended. To second reading.**

33. CA SB 39



Author: Pavley (D)

Title: Vehicles: High-Occupancy Vehicle Lanes

Fiscal Committee: yes

Urgency Clause: yes

Introduced: 12/01/2014

Last Amend: 04/08/2015

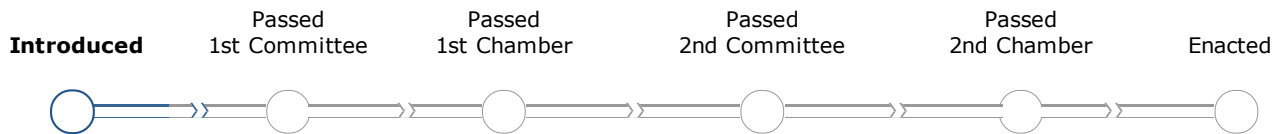
Disposition: Pending

Location: Assembly Transportation Committee

Summary: Increases the number of vehicle identifiers that the Department of Motor Vehicle is authorized to issue for HOV lane usage.

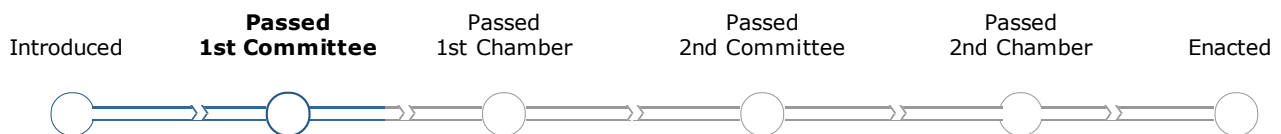
Status:

05/22/2015 To ASSEMBLY Committee on TRANSPORTATION.

34. **CA SB 40****Author:** Gaines T (R)**Title:** Air Quality Improvement Program: Vehicle Rebates**Fiscal Committee:** yes**Urgency Clause:** no**Introduced:** 12/01/2014**Last Amend:** 04/06/2015**Disposition:** Pending**Location:** Senate Transportation and Housing Committee

Summary: Requires incentives for qualifying zero-emission, battery-electric passenger vehicles under the Clean Vehicle Rebate Project of the Air Quality Improvement Program to be limited to vehicles in that category with a manufacturer's suggested retail price of a specified amount. Requires the rebate for certain vehicles to be a specified sum, subject to the availability of funds.

Status: 04/06/2015 From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.
 04/06/2015 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.

35. **CA SB 114****Author:** Liu (D)**Title:** Education Facilities: Kindergarten Through Grade 12**Fiscal Committee:** yes**Urgency Clause:** yes**Introduced:** 01/13/2015**Last Amend:** 06/03/2015**Disposition:** Pending

File: 229

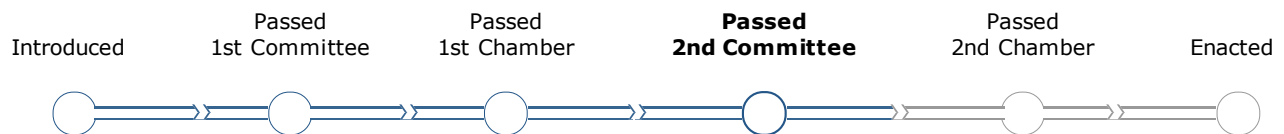
Location: Senate Third Reading File

Summary: Revises the definition of modernization under the Leroy F. Greene School Facilities Act of 1998 to include replacement facilities. Requires a school district to certify that it has a certain school facilities master plan consistent with a certain sustainable communities strategy. Makes changes concerning evaluation of certain costs, eligibility, a statewide school facilities inventory, grants for seismic mitigation purposes, funding of joint-use facilities. Enacts a facilities-related bond Act.

Status: 06/04/2015 In SENATE. Read second time. To third reading.

Alert: Xpress

36. CA SB 119



Author: Hill (D)

Title: Protection of Subsurface Installations

Fiscal Committee: yes

Urgency Clause: no

Introduced: 01/14/2015

Last Amend: 08/31/2015

Disposition: Pending

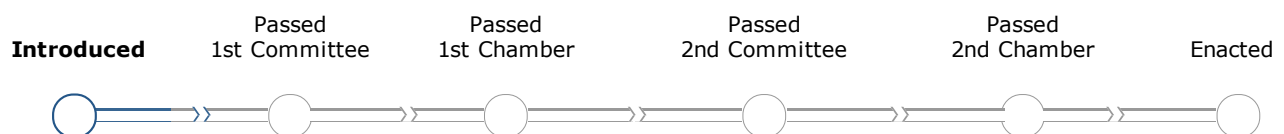
File: 56

Location: Assembly Second Reading File

Summary: Relates to excavation. Makes changes relating to a regional notification center and subsurface installations. Provides for delineation of areas to be excavated, preservation of certain plans, excavator damages for improperly inaccurate field mark, pipeline safety, an exemption for certain residential property owners using hand tools, the creation of an advisory committee, the use of moneys collected as a result of the issuance of citations, and gas corporations' damage prevention programs.

Status: **08/31/2015 In ASSEMBLY. Read second time and amended. To second reading.**

37. CA SB 194



Author: Cannella (R)

Title: Vehicles: High-Occupancy Vehicle Lanes

Fiscal Committee: no

Urgency Clause: no

Introduced: 02/10/2015

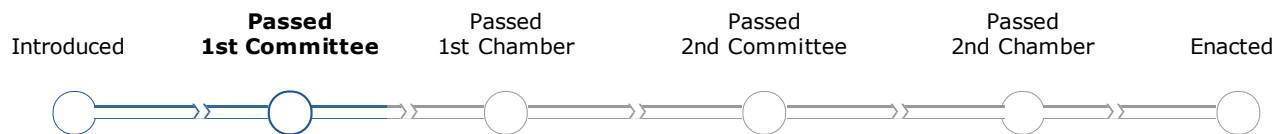
Disposition: Pending

Location: Senate Rules Committee

Summary: Makes technical, nonsubstantive changes to existing law that authorizes local authorities and the Department of Transportation to establish exclusive or preferential use of highway lanes for high-occupancy vehicles on highways under their respective jurisdictions.

Status: 02/19/2015 To SENATE Committee on RULES.

38. CA SB 313



Author: Galgiani (D)

Title: Local Government: Zoning Ordinances: School Districts

Fiscal Committee: no

Urgency Clause: no

Introduced: 02/23/2015

Last Amend: 05/12/2015

Disposition: Pending

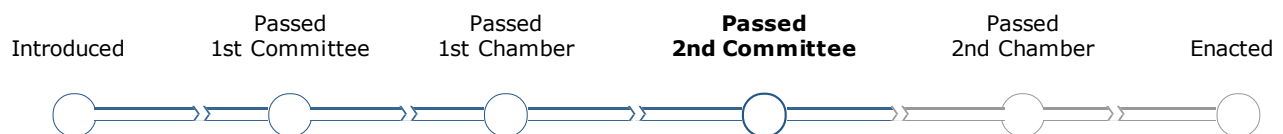
File: A-1

Location: Senate Inactive File

Summary: Conditions the authorization to render a city or county zoning ordinance inapplicable to a proposed use of school district property upon compliance with a notice requirement regarding a schoolsite on agricultural land. Requires the governing board of a district to notify a city or county of the reason the board intends to take a specified vote. Requires the vote to be based upon findings that such an ordinance fails to accommodate the need for renovation or expanding an existing school, or for a new school.

Status: 06/02/2015 In SENATE. To Inactive File.

39. CA SB 321



Author: Beall (D)

Title: Motor Vehicle Fuel Taxes: Rates: Adjustments

Fiscal Committee: yes

Urgency Clause: no

Introduced: 02/23/2015

Last Amend: 08/18/2015

Disposition: Pending

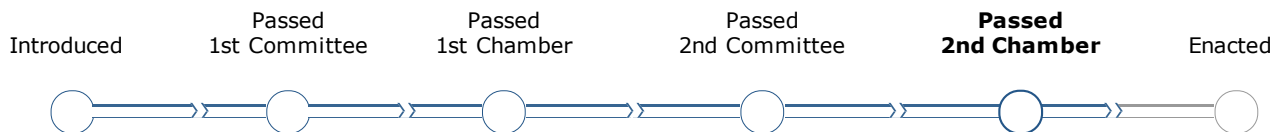
File: 208

Location: Assembly Consent Calendar - First Legislative Day

Summary: Relates to motor fuel tax rates. Requires the State Board of Equalization to adjust the rate in a manner as to generate an amount of revenue equal to the amount of revenue loss attributable to an exception that reflects the combined average of the actual fuel price over previous fiscal years and the estimated fuel price for the current fiscal year. Relates to revenue neutrality for each year.

Status: 08/27/2015 In ASSEMBLY. Read second time. To Consent Calendar.

40. CA SB 491



Author: Beall (D)

Title: Transportation: Omnibus Bill

Fiscal Committee: yes

Urgency Clause: no

Introduced: 02/26/2015

Last Amend: 06/29/2015

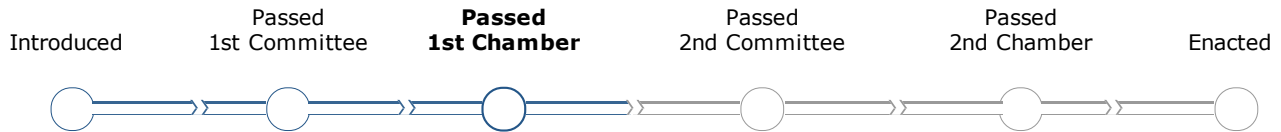
Disposition: Pending

File: 208

Location: Senate Unfinished Business

Summary: Provides provisions regarding transportation to include vehicle registration fees for air quality, transit security, hazardous materials license endorsement, commercial driver cargo security, commercial motor vehicle speedometers, use of flags and lighting on oversized loads, placing a lighted fusee to a vehicle, truck tractor wheel service breaks, use of saddle mounts or tow-bars, securing vehicles from fumes and hazards, earphones prohibition, bikeways, highway descriptions, and vehicle accident reports.

Status: 08/27/2015 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE for concurrence. (78-0)

41. **CA SB 564**

Author: Cannella (R)

Title: Vehicles: School Zone Fines

Fiscal Committee: yes

Urgency Clause: no

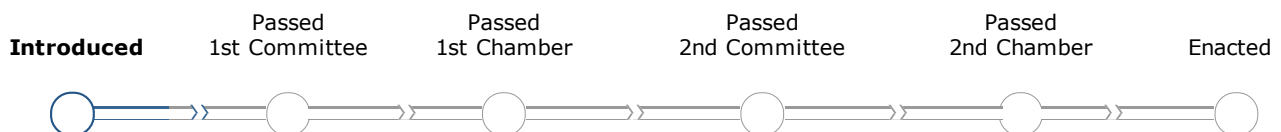
Introduced: 02/26/2015

Disposition: Pending

Location: Assembly Transportation Committee

Summary: Requires that an additional fine be imposed if a certain violation occurred when passing a school building or school grounds and the highway is posted with a standard warning sign and an accompanying sign notifying motorists that increased penalties apply for traffic violations that are committed within that school zone. Requires the funds from additional fines be deposited in the State Highway Account for funding school zone safety projects within the Active Transportation Program.

Status: 05/22/2015 To ASSEMBLY Committee on TRANSPORTATION.

42. **CA SB 595**

Author: Cannella (R)

Title: Vehicles: Prima Facie Speed Limits: Schools

Fiscal Committee: no

Urgency Clause: no

Introduced: 02/27/2015

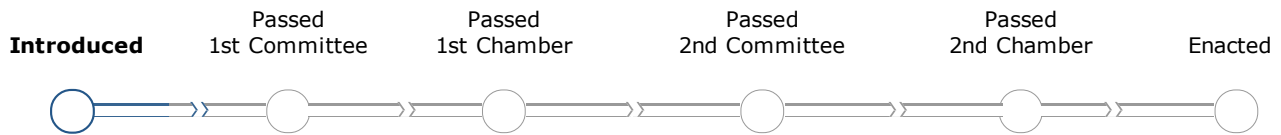
Disposition: Pending

Location: Senate Rules Committee

Summary: Makes technical nonsubstantive changes to existing law concerning the prima facie speed limit when approaching or passing a school.

Status: 03/12/2015 To SENATE Committee on RULES.

43. ⁹⁷CA SB 632



Author: Cannella (R)

Title: Vehicles: Prima Facie Speed Limits: Schools

Fiscal Committee: yes

Urgency Clause: no

Introduced: 02/27/2015

Disposition: Pending

Location: Senate Transportation and Housing Committee

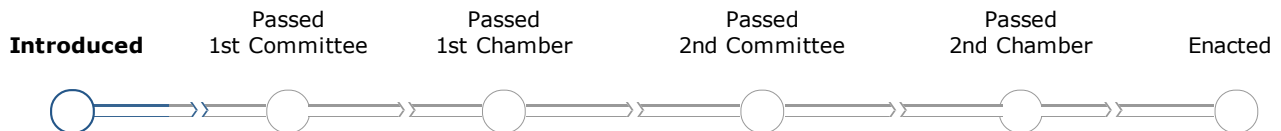
Summary: Allows a city or county to establish in a residence district, on a highway with a posted speed limit of 30 miles per hour or slower, a 15 miles per hour prima facie limit when approaching at a distance of less than 500 feet from, or passing, a school building or the grounds thereof, contiguous to a highway and posted with a school warning sign that indicates a speed limit of 15 miles per hour, while children are going to or leaving the school, either during school hours or during the noon recess period.

Status: 04/14/2015 In SENATE Committee on TRANSPORTATION AND HOUSING: Not heard.

Alert: Xpress

Priority: High

44. CA SCA 1



Author: Lara (D)

Title: University of California: Legislative Control

Fiscal Committee: yes

Urgency Clause: no

Introduced: 12/04/2014

Disposition: Pending

Location: Senate Education Committee

Summary: Proposes an amendment to the Constitution to repeal the constitutional provisions relating to the University of California and the regents. Requires the university and the regents to be continued in existence subject to legislative control as may be provided by statute. Requires the Legislature from enacting any law that restrains academic freedom or imposes educational or curricular requirements on students.

45. CA SCA 7

Introduced Passed 1st Committee Passed 1st Chamber Passed 2nd Committee Passed 2nd Chamber Enacted



Author: Huff (R)
Title: Motor Vehicle Fees and Taxes:Restriction on Expenditure
Fiscal Committee: yes
Urgency Clause: no
Introduced: 04/09/2015
Last Amend: 05/28/2015
Disposition: Pending
Location: Senate Transportation and Housing Committee
Summary: Proposes an amendment to the Constitution to prohibit the Legislature from borrowing revenues from fees and taxes imposed by the State on vehicles or their use or operation, and from using those revenues other than as specifically permitted by a specified Article. Provides that none of those revenues may be pledged or used for the payment of principal and interest on bonds or other indebtedness. Revises the use of specified fuel tax revenues for mass transit purposes and for boating-related activities.
Status: 05/28/2015 From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.
05/28/2015 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.

46. CA AB 2 a

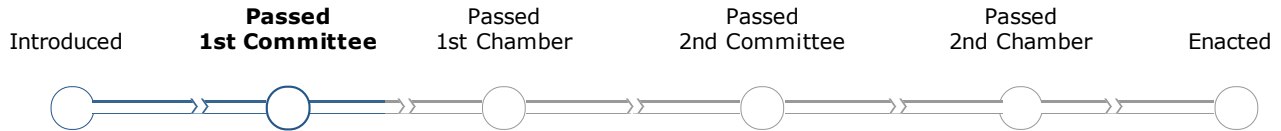
Introduced **Passed 1st Committee** Passed 1st Chamber Passed 2nd Committee Passed 2nd Chamber Enacted



Author: Perea (D)
Title: Transportation Projects: Comprehensive Lease Agreements
Introduced: 06/25/2015
Disposition: Pending
Location: Assembly Third Reading File
Summary: Amends existing law that authorizes the Department of Transportation and regional transportation agencies to enter into comprehensive development lease agreements with public and private entities for certain transportation projects. Extends this authorization indefinitely and includes within the definition of regional transportation agency the Santa

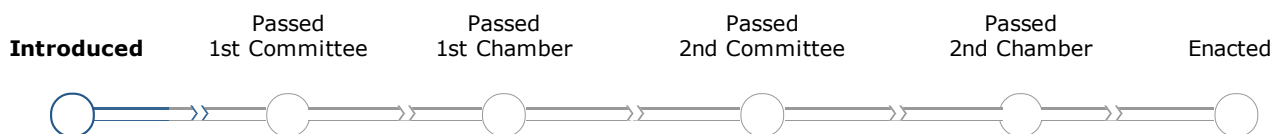
Status: 08/27/2015 In ASSEMBLY. Assembly Rule 63 suspended.
08/27/2015 In ASSEMBLY. Read second time. To third reading.

47. CA SB 1 a



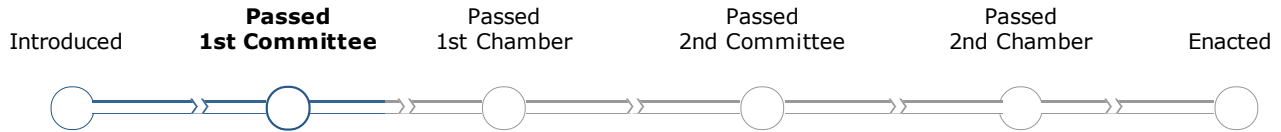
Author: Beall (D)
Title: Transportation Funding
Introduced: 06/22/2015
Last Amend: 08/25/2015
Disposition: Pending
Location: Senate Appropriations Committee
Summary: Creates the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. Provides for an increase the motor vehicle fuel and diesel fuel excise tax, vehicle registration fees, a new road access charge, the breakout of road maintenance funds, an increase in the vehicle license fee for bond debt service, and funding for state highways, and general fund loan repayment. Relates to gasoline and diesel excise tax neutrality.
Status: 08/25/2015 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

48. CA SB 3 a



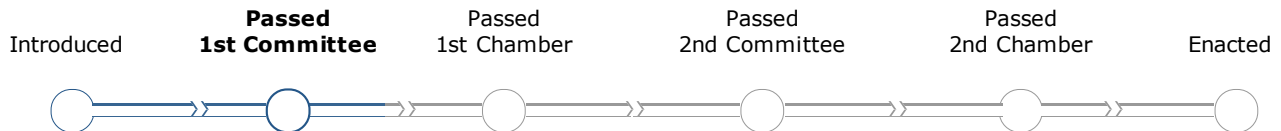
Author: Vidak (R)
Title: Transportation Bonds: Highway and Road Projects
Introduced: 07/01/2015
Last Amend: 08/17/2015
Disposition: Pending
Location: Senate Transportation and Infrastructure Development Committee
Summary: Provides that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase I blended system. Requires the redirection of unspent proceeds for repair and new construction projects on State highways and freeways. Continues funding for certain rail purposes.

49. CA SB 4 a



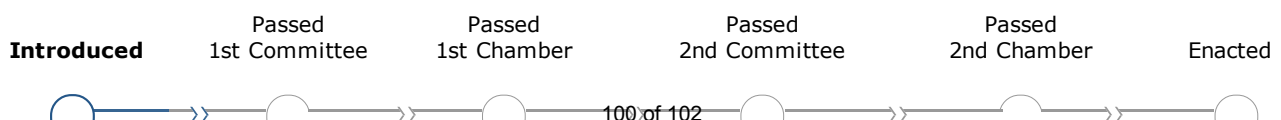
Author: Beall (D)
Title: Transportation Funding
Introduced: 07/07/2015
Disposition: Pending
File: 1
Location: Senate Third Reading File
Summary: Declares the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to maintain and repair the state's highways, local roads, bridges, and other critical transportation infrastructure.
Status: 07/08/2015 In SENATE. Read second time. To third reading.

50. CA SB 5 a



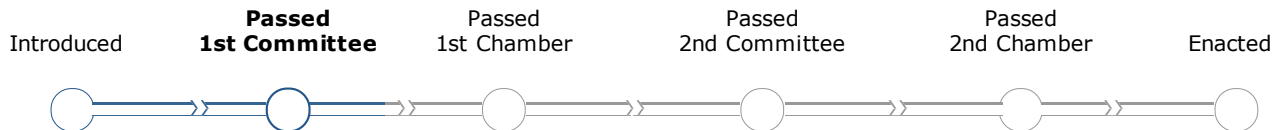
Author: Beall (D)
Title: Transportation Funding
Introduced: 07/07/2015
Disposition: Pending
File: 2
Location: Senate Third Reading File
Summary: Declares the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to improve the state's key trade corridors and support efforts by local governments to repair and improve local transportation infrastructure.
Status: 07/08/2015 In SENATE. Read second time. To third reading.

51. CA SB 9 a



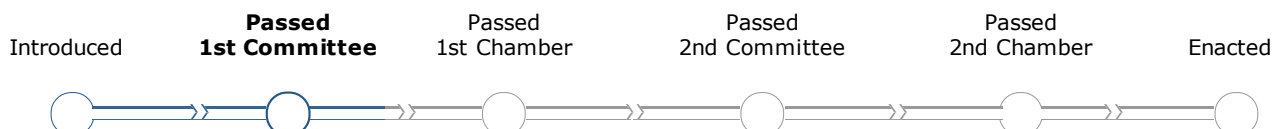
Author: Moorlach (R)
Title: Department of Transportation
Introduced: 07/16/2015
Disposition: Pending
Location: Senate Transportation and Infrastructure Development Committee
Summary: Prohibits the Department of Transportation from using any nonrecurring funds, including, but not limited to, loan repayments, bond funds, or grant funds, to pay the salaries or benefits of any permanent civil service position within the department. Requires the Department to contract for architectural and engineering services with respect to public works of improvement, with a minimum of percentage of total value of these services to be contracted by a specified date and increasing to a new minimum.
Status: 08/19/2015 In SENATE Committee on TRANSPORTATION AND INFRASTRUCTURE DEVELOPMENT: Failed passage.

52. CA SB 12 a



Author: Runner (R)
Title: State Transportation Commission
Introduced: 07/16/2015
Last Amend: 08/20/2015
Disposition: Pending
Location: Senate Appropriations Committee
Summary: Excludes the State Transportation Commission from the Transportation Agency. Establishes it as an entity in State government, and requires it to act in an independent oversight role. Requires the Department of Transportation to program capital outlay support resources for each program project. Provides the Commission may approve or reject individual projects. Requires the Department to submit any change in programmed project's cost, scope, or schedule to the Commission for its approval.
Status: 08/20/2015 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

53. CA SB 13 a



Author: Vidak (R)
Title: Office of the Transportation Inspector General

Introduced: 07/16/2015

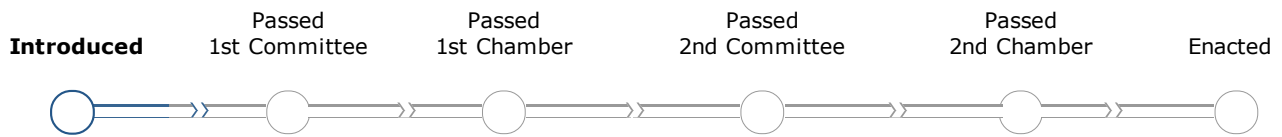
Disposition: Pending

Location: Senate Appropriations Committee

Summary: Creates the Office of the Transportation Inspector General in state government as an independent office that would not be a subdivision of any other government entity, to ensure that all state agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws.

Status: 08/19/2015 From SENATE Committee on TRANSPORTATION AND INFRASTRUCTURE DEVELOPMENT: Do pass to Committee on APPROPRIATIONS. (12-0)

54. CA SCA 1 a



Author: Huff (R)

Title: Motor Vehicles Fees and Taxes: Expenditure Restrictions

Introduced: 06/19/2015

Disposition: Pending

Committee: Senate Transportation and Infrastructure Development Committee

Hearing: 09/01/2015, John L. Burton Hearing Room (4203)

Summary: Proposes an amendment to the Constitution to prohibit the Legislature from borrowing revenues from fees and taxes imposed by the State on vehicles or their use or operation, and from using those revenues other than as specifically permitted by the Constitution. Prohibits using such revenues for interest on mass transit voter-approved bonds. Relates to the use a motor vehicle fuels tax revenues and vehicle license fee revenues.

Status: 08/19/2015 In SENATE Committee on TRANSPORTATION AND INFRASTRUCTURE DEVELOPMENT: Heard.