



TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

February 13, 2017
9:00 A.M.

651 Pine Street, Room 101, Martinez

Supervisor Diane Burgis, District III, Chair
Supervisor Karen Mitchoff, District IV, 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 December 8, 2016, 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 report from the IPM Coordinator on public concerns and staff responses, and DIRECT staff as appropriate.** (Tanya Drlik, IPM Coordinator)
6. **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.** (John Cunningham, Department of Conservation and Development)
7. **ACCEPT report on the impacts to County transportation projects from the declining State gas tax; DIRECT the Public Works Director to make modifications to the Capital Road Improvement and Preservation Program budget to reflect the reduced gas tax revenues; and ACKNOWLEDGE that unless the State approves a transportation funding fix, the projects currently recommended to be delayed, will be deferred indefinitely, road deferred maintenance will continue to increase and our aging transportation infrastructure will cost more to fix in the future.**(Steve Kowalewski, Department of Public Works)

8. **REVIEW, REVISE as appropriate, and ADOPT the 2017 Calendar.** (John Cunningham, Department of Conservation and Development)
9. **CONSIDER recommendations on referrals to the Committee for 2017, REVISE as necessary, and take ACTION as appropriate.** (John Cunningham, Department of Conservation and Development)
10. **COMMUNICATION/News Clippings.** (John Cunningham, Department of Conservation and Development)
11. The next meeting is currently scheduled for **Monday, March 13, 2017.**
12. 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: 02/13/2017

Subject: Administrative Items, if applicable.

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):

CONSIDER Administrative items and 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: 02/13/2017

Subject: REVIEW record of meeting for December 8, 2016 Transportation, Water and Infrastructure 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 December 8, 2016 Committee Meeting with any necessary corrections.

Fiscal Impact (if any):

N/A

Attachments

[12-08-16 TWIC Minutes](#)

[12-08-16 TWIC Sign-In Sheet](#)

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TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

December 8, 2016

1:00 P.M.

651 Pine Street, Room 101, Martinez

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

Agenda Items:

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

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

Attendees: Tanya Drlik, CC County PWD, IPM Coordinator
Steve Kowalewski, CC County PWD
Cece Sellgren, CC County PWD
Jerry Fahy, CC County PWD
Mary Halle, CC County PWD
Allison Picard, CAO
Michael Kent, CC County Health Services
John Cunningham, CC County DCD

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. CONSIDER Administrative items and Take ACTION as appropriate.
4. Staff recommends approval of the attached Record of Action for the October 13, 2016, Committee Meeting with any necessary corrections.

The Committee unanimously approved the meeting record.
5. ACCEPT staff report and AUTHORIZE the Public Works Director, on behalf of the County, to submit to CCTA grant applications for the OBAG/TLC/PBTF programs.

The Committee unanimously approved the staff recommendation.
6. RECEIVE report on Integrated Pest Management, and take ACTION as appropriate.

The Committee unanimously approved the IPM Annual Report further directing staff to bring the report to the full BOS on consent, return to the Committee with a policy proposal to increase the amount of drought tolerant landscaping in County maintained areas, and recommend that the BOS refer the issue of a potential Contra Costa County bed bug ordinance to the Internal Operations Committee with a request that the I/O Committee make a recommendation to the BOS by April 2017.
7. CONSIDER report on Local, State, and Federal Transportation Related Legislative Issues and take ACTION as appropriate including CONSIDERATION of any specific recommendations in the report above.

The Committee received the report and directed staff to draft a letter for the TWIC Chair's signature to the East Contra Costa Fee and Financing Authority regarding the outstanding debt (Prop 1B fund reimbursement) owed the County, convene a meeting of staff to develop an approach to using social media to pursue the County's goals, reporting back to TWIC with recommendations in early 2017, and bring AB 1 2017 (Frazier) Transportation Funding to the Board of Supervisors for consideration.

8. REVIEW Status Report and DIRECT staff to forward the report to the Board of Supervisors with revisions as appropriate.
9. **The next meeting is TBA.**
10. Adjourn

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

John Cunningham, Committee Staff

Transportation, Water and Infrastructure Committee Meeting

December 08, 2016

SIGN-IN SHEET

Signing in is voluntary. You may attend this meeting without signing in. (If front is filled, please use back.)

Name	Representing	Phone
John Cunningham	TWIC / DCD	674-7833
STEVE KOWALCZAK	PUBLIC WORKS	313-2225
Tanya Drlik	IPM Coordinator	335-3214
JERRY FRANK	Public Works	313-2276
Cece Sellgren	Public Works	313-2296
Mary Halle	Public Works	313-2327
Allison Picard	CAO	5-1096
Michael Kent	CCHS	5-6587



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

5.

Meeting Date: 02/13/2017
Subject: Integrated Pest Management Report.
Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE
COMMITTEE,
Department: Conservation & Development
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:

In the past, the TWI Committee asked to be updated yearly on the County's integrated pest management program, unless serious public concern issues arise.

Referral Update:

Since the members of the TWI Committee have changed, the IPM Coordinator would like to introduce herself, present the updated chart of County responses to public comment (see attached), and hear the pleasure of the Committee on the scheduling of future reports.

Recommendation(s)/Next Step(s):

DIRECT staff as appropriate.

Fiscal Impact (if any):

There is no fiscal impact.

Attachments

2017-1-27 County Staff Responses to PfSE Concerns

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

January ~~November~~ 27~~2~~, 2017~~6~~

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
Using glue boards for rodents in County buildings		
11/16/16-IPM	<i>From Parents for a Safer Environment (PfSE)</i> “The rodent control method that is horrible in particular is the use of glue boards in the county buildings. I hope to see this deplorable practice stop before the beginning of the NewYear. (11/16/16)	Pestec, the County’s structural IPM contractor, used a small number of glue boards in 2016. In the past, glue boards have been used from time to time in detention facilities at the request of the Sheriff who is concerned that snap traps, the alternative, could be used by inmates as weapons. Pestec now has access to the interior space between the walls of cells where mice can roam, so technicians are able to set snap traps in those areas. Glue boards are not currently used at any other facilities in the County. The County will keep glue boards as a tool for rodent control that will be used when there is no effective alternative.
Chairing the IPM Committee should be rotated; a scribe not associated with the Committee should be used to take notes		
2/17/16-IPM	<i>From Parents for a Safer Environment (PfSE)</i> “Chairing the IPM Advisory Committee should be rotated among members who wish to chair. A Scribe should be independent of Committee members and staff involved with the IPM Program.”	<ul style="list-style-type: none"> • Every 2 years the Committee holds an election for officers. Anyone who wishes to chair the committee can nominate themselves. • The Committee elects a secretary to help take notes for the Committee’s minutes which are written by staff. There is no outside person who could be a scribe.
Staff has found no unique or innovative pesticide alternatives in the Bay Area or Nation		
11/4/15-IPM 2/17/16-IPM	<i>From Parents for a Safer Environment (PfSE)</i> “In the staff document provided titled 2015 IPM Program Accomplishments, I was very surprised to read that staff believes after reviewing programs throughout the ‘Bay Area and the nation’, that ‘there is nothing unique or innovative in the Bay Area or the nation.’”	<ul style="list-style-type: none"> • PfSE appears to be concerned that staff has found no unique or innovative approaches to pest management. This concern seems to stem from a mis-reading of the 2015 IPM Program Accomplishments document in the section on the work history of the IPM Program Data Management subcommittee. The phrase actually reads: “Looked for data other than pesticide use to measure implementation of IPM in CCC; found nothing unique or innovative in the Bay Area or the nation”
The IPM Coordinator does not allow the IPM Committee members and the public adequate time to review documents		
9/2/15-IPM	<i>From Parents for a Safer Environment (PfSE)</i>	<ul style="list-style-type: none"> • The IPM Coordinator sends out agenda materials in accordance with the Brown Act and County policy, which is 96 hours prior to the time of the public meeting.

<p>Date(s) Issue Raised to:</p> <p>TWIC = Transportation, Water & Infrastructure Committee</p> <p>IPM = IPM Committee or subcommittees</p> <p>IO=Internal Operations Committee</p>	<p>Issues Raised by the Public</p>	<p>Steps taken by the IPM Advisory Committee and County Staff from January 2009 to the present</p>
	<p>“People are often reluctant to admit that they have not had time to review documents before voting on minutes and other items. Committee members are likely to just go along with the majority and vote to accept documents as Staff submits them...It is more reasonable to provide at least four to six weeks of time for volunteers to fit in the review amongst a busy schedule.” (9/2/15)</p> <p>“...I find it appalling that Staff would propose to totally eliminate the By-Laws language that requires a timely distribution of the meeting minutes to the IPM Advisory Committee. It has been difficult to read all the documents required for review within 5 days [from when] they are provided, which is a recent improvement to providing it 3 days prior to meetings that was practiced before my letter earlier this year...The By-Laws currently states that minutes be distributed 1 week after the meeting...I believe it's reasonable to amend [the by-laws] to distributing the materials within 2 weeks after the meeting to give staff time to prepare the meeting minutes, but eliminating this important timeline is not acceptable to the community.” (9/2/15)</p>	<ul style="list-style-type: none"> • At the end of each meeting, the next meeting's agenda is planned so that members are aware of and can plan time for review of long or numerous documents. • Since the inception of the IPM Advisory Committee, the practice has been to distribute the minutes with the agenda materials. Because the by-laws were being updated to reflect the current designations for IPM Committee seats and to change public member terms, the IPM Coordinator proposed changing the by-laws to reflect the current practice regarding distribution of the minutes. On 9/2/15 the IPM Committee members discussed these by-laws changes and heard comment from the public on the issue. The Committee voted to unanimously approve all the by-laws changes. The changes were approved by the full Board of Supervisors.
<p>IPM subcommittees should focus on pesticide use and not on bed bugs or removing turf</p>		
<p>2/16/15-IPM 2/17/15-IPM 2/20/15-IPM 3/2/15-TWIC 3/4/15-IPM 5/6/15-IPM 8/6/15-IPM 9/2/15-IPM 11/4/15-IPM</p>	<p><i>From Parents for a Safer Environment (PfSE)</i></p> <p>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</p>	<ul style="list-style-type: none"> • 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. • There are also bed bug issues that need to be addressed in County buildings. Staff and buildings are vulnerable where the public goes in and out of offices frequently and in large numbers. Staff and supervisors need training in identifying risks, actual infestations, and opportunities for prevention. • Converting turf to drought-tolerant landscaping accomplishes several things: <ul style="list-style-type: none"> ○ Saves millions of gallons of water in this time of serious drought.

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		<ul style="list-style-type: none"> ○ 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. ○ Addresses herbicide use near buildings, which is where people have the greatest chance of being exposed to these pesticides. ○ Reduces maintenance hours because turf is a high maintenance plant. ○ Frees Grounds maintenance staff to better manage other landscapes and continue to reduce their use of pesticide. ○ 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. ○ Demonstrates that the County is a leader in landscaping more wisely for the arid climate in which we live.
	County not tracking pesticide use separately for Public Works rights-of-way/roadsides, flood control channels, and County-owned parcels	
3/2/15-IPM 8/26/15-Email 3/16/16-IPM	<i>From Parents for a Safer Environment (PfSE):</i> “ 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)	<ul style="list-style-type: none"> • 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.
	Report the total amount of pesticide used not just the active ingredients	
8/26/15-Email 11/4/15-IPM	<i>From Parents for a Safer Environment (PfSE):</i> “ Report total amount, not just the active ingredients of pesticides used in usage spreadsheet”	<ul style="list-style-type: none"> • 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. • 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. • The spreadsheet is posted on the IPM website and attached to the annual report.
	Corrections to the minutes of the IPM Advisory Committee or its subcommittees requested by PfSE	
5/6/15-IPM 6/9/15-IPM 8/6/15-IPM 7/20/16-IPM	<i>From Parents for a Safer Environment (PfSE)</i> Issue of PfSE requesting changes to the minutes and then changes are not made	<ul style="list-style-type: none"> • 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.
	The herbicide Roundup (active ingredient glyphosate) has been designated as a probable human carcinogen by the World Health Organization’s International Agency for Research on Cancer (IARC)	

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6/9/15-IPM 7/8/15-IPM 8/6/15-IPM 9/2/15-IPM	<i>From Parents for a Safer Environment (PfSE):</i> “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?”	<ul style="list-style-type: none"> • 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. • 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. • IARC identifies the potential for a chemical to cause cancer but does not quantify any increased risk to people from a chemical so designated nor does it recommend a safe level of exposure. Those designations are left up to regulatory agencies around the world. The County is waiting for the USEPA to complete its review of glyphosate. • On 11/12/15, the European Food Safety Authority ruled that glyphosate probably does not cause cancer in humans despite IARC's findings.
Questions posed during public comment for items not on the agenda are not answered by the IPM Committee		
8/6/15-IPM 7/20/16-IPM 9/21/16-IPM	<i>From Parents for a Safer Environment (PfSE):</i> “...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.”	<ul style="list-style-type: none"> • 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. • Members of the Committee can request to have public concerns put on the agenda for a future meeting.
IPM Committee members should RSVP for each meeting		
6/9/15-IPM 7/8/15-IPM 8/6/15-IPM	<i>From Parents for a Safer Environment (PfSE):</i> “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) “Would the county request	<ul style="list-style-type: none"> • 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. • 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.

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
	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)	
Quorums have been disregarded in previous subcommittee meetings		
6/9/15-IPM 7/8/15-IPM	<i>From Parents for a Safer Environment (PfSE):</i> “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.”	<ul style="list-style-type: none"> • All subcommittees consider whether or not there is a quorum before proceeding with a meeting. Attendance is tracked in each set of minutes.
Absences on the IPM Committee		
8/6/15-IPM 8/26/15 Email	<i>From Parents for a Safer Environment (PfSE):</i> “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?”	<ul style="list-style-type: none"> • 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.
Pesticide Use around the Hazardous Materials Office and Co. Admin Bldg in Martinez		
2/20/15-IPM 8/6/15-IPM 2/17/16-IPM 11/16/16-IPM	<i>From Parents for a Safer Environment (PfSE)</i> Issue of members of PfSE observing pesticide use around the Hazardous Materials Office at 4585 Pacheco Blvd. in Martinez without posting “Currently, pesticides are used outside the auspices of the County IPM program in many buildings, including the Hazardous Materials building and the County Administration building.” (2/17/16)	<ul style="list-style-type: none"> • 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. • The County’s posting policy does not require private owners of buildings to post their pesticide use. • 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. • No pesticides are being used in or around the County Administration building at

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		651 Pine Street that are not applied by Pestec, the County contractor, as part of the County IPM program. We are not aware of any pesticides being used at other County buildings that are not applied by Pestec. If PfSE has specific evidence of this happening, we would gladly investigate.
IPM Contract Language and reviewing contracts		
11/6/13-IPM 12/5/13-TWIC 2/26/14-IPM 3/5/14-IPM 3/6/14-TWIC 8/26/15-Email 2/17/16-IPM 9/15/16-IPM	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>“the county still does not have IPM language in its contracts with pest control contractors”</p> <p>“Contractors conducting pest control should be evaluated annually by the IPM Advisory Committee and contracts bid upon and assessed for a strong IPM track record.” (2/17/16)</p> <p>“The Public Works Dept’s Special District currently has on its payroll, a contractor who did not have to bid with IPM experience as a criteria and uses only rodenticides, including 2nd generation [sic] in public parks.” (2/17/16)</p> <p>Concerns about the letter from Special Districts to its contractors explaining the IPM approach expected of them. (9/15/16)</p>	<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 Division has already gone through the IPM decision making process and has decided the specific work ordered is appropriate. • Reviewing contracts has not been in the purview of the IPM Advisory Committee. • The 1 contractor hired by Special Districts for pest control (see also the 2nd bullet, above) uses mostly trapping for vertebrate pests. In FY 15-16, he used 0.02ounces of the rodenticide active ingredient diphacinone (a 1st generation anticoagulant). He does not use any 2nd generation anticoagulants. • Since the IPM Program began reporting data on pesticide use in Special Districts in FY 08-09, no 2nd generation anticoagulants have been used. • The concerns expressed by Susan JunFish on 9/15/16 about the clarity and detail

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

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		of the letter to contractors are valid and the Decision-Making subcommittee will take up these concerns.
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.
Make Audio and/or Video Recordings of IPM Committee Meetings		
3/6/14-TWIC 3/2/15-TWIC 2/17/16-IPM	<i>From Parents for a Safer Environment (PfSE):</i> “record meetings with a camcorder” “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.”	<ul style="list-style-type: none"> • 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. • 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. • It appears that PfSE is recording all IPM Committee meetings on a laptop, so they will be able to reference those recordings if need be.
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 2/17/16-IPM	<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	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.

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	<p>does not use pesticides along the Flood Control District that has [sic] residual activity before a forecasted rainstorm.”</p>	<p>The following points were made:</p> <ul style="list-style-type: none"> • Pre-emergent herbicides have residual activity by design because they are meant to prevent the germination of weeds over an extended period of time, sometimes a number of weeks. • 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	
<p>3/5/14-IPM 3/6/14-TWIC 8/26/15-Email</p>	<p><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”</p>	<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

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>sub-surface flow.</p> <ul style="list-style-type: none"> o Could be used without harm to nearby streams in forestry applications if buffer zones are used around streams and ephemeral drainage routes. • CCC Public Works Vegetation Management uses Garlon 3A as follows: <ul style="list-style-type: none"> o 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. o Generally Garlon 3A is not used during the rainy season. o It is used on roadsides, flood control channel slopes, and flood control channel access roads. o 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. o 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.
<p>Posting for pesticide use</p>		
<p>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 11/4/15-IPM 2/17/16-IPM 11/16/16-IPM</p>	<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</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 online posting of pesticide applications (for the areas required by the CCC posting policy) was up and running as of 3/10/15. • 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 posting signs used during 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

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	<p>along often idyllic looking creeks that the community use on a daily basis." (12/4/14)</p> <p>Concerns about pesticide posting (2/17/15)</p> <p>"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)</p> <p>"I'd also like to see that posting is being done per policy." (11/16/16)</p>	<p>jogging or walking along these roads.</p> <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. • 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..."
Adopting an IPM ordinance		
<p>9/4/13-IPM 11/6/13-IPM 2/26/14-IPM 3/5/14-IPM 3/6/14-TWIC 3/2/15-TWIC 2/17/16-IPM <u>1/19/17 IPM</u></p>	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>Issue of adopting an IPM ordinance for the County</p>	<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. • County Counsel continues to stand by their 2009 opinion. • 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		
<p>11/6/13-IPM 12/5/13-TWIC 2/12/14-TWIC 3/5/14-IPM 3/6/14-TWIC 2/17/15-IPM</p>	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>Disagreement on how the County should report "Bad Actor"³ pesticides in the IPM Annual Report</p>	<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

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/>

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3/2/15-TWIC 8/26/15-Email 9/2/15-IPM		<p>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 Ms. JunFish.</p> <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	<p><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.)</p>	<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 concerns		
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 7/20/16-IPM	<p><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</p>	<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.

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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	<p>used by County operations.</p> <p>“Contractors [in Special Districts] use pesticides [rodenticides] before demonstrating alternatives first.” (8/26/15)</p> <p>“I would like to first point out that the Special District program of Public Works is still using rodenticides in the county parks...It would be helpful to see the decision making tree on the way rodenticides are chosen instead of traps or asphyxiation methods using safer gases like carbon dioxide.” (3/16/16)</p> <p>“The Public Works Special District program is using about 50 lbs. of rodenticides in parks.” (7/20/16)</p>	<ul style="list-style-type: none"> • 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 (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. • 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.

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		<ul style="list-style-type: none"> ○ 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 and to 53.5 lbs in FY 14-15. The amount of actual anticoagulant active ingredient in 53.5 lbs is 0.0027 lbs (0.04 oz). The contractor has increased trapping and is not using any of the more toxic and dangerous 2nd generation anticoagulants. ○ As of May 2016, Special Districts is no longer baiting with diphacinone for rats in Livorna Park. The shrubs that were being damaged by rat gnawing have recovered and are thriving. The contractor will continue to monitor at Livorna for rat damage. ○ In FY 15-16 the Special Districts vertebrate pest manager used 27.5 lbs. of rodent bait, which is 0.0013 lbs. (0.02 oz.) of diphacinone. 9.5 lbs. of that rodent bait was used in a park (Livorna Park). This is 0.0076 oz of diphacinone. As noted above, the County is no longer using rodenticides in Livorna or any other park. ○ In the spring of 2016, the IPM Decision-Making subcommittee asked the IPM Coordinator to create a decision-making document for gopher management in the County. The document was finished in June 2016. In the Grounds Division, the gopher manager uses only carbon dioxide asphyxiation and traps to control gophers in County landscaping. The Special Districts' contractor uses trapping and diphacinone, a 1st generation anticoagulant rodenticide, for gophers in Livorna Park. He uses trapping in Livorna wherever it is safe to do so, i.e., where children are unlikely to find and play with the traps. He uses diphacinone in the Hidden Pond and Driftwood landscaping zones because the budgets in these two Special Districts will not cover trapping, which is more labor intensive. Both those landscaping zones are frontage property. The only other location where the Special Districts' contractor manages vertebrate pests is the Alamo School field, where he is using traps. ○ 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 8/26/15-Email 2/17/16-IPM</p>	<p><i>From Parents for a Safer Environment (PfSE):</i> "[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</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>

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<p>7/20/16-IPM</p>	<p>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>"Pilot Trial of rodenticides vs trapping done in 2012, biased & scientifically indefensible." (8/26/15)</p> <p>"Cost of trapping inflated." (8/26/15)</p> <p>"Trapping [for ground squirrels] costs about 50% more according to a Ventura County Ag Dept report, or approximately \$80,000 more for CCC." (7/20/16)</p>	<ul style="list-style-type: none"> ○ 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. ○ We are assuming that Susan JunFish's 7/20/16 comment on the cost of trapping ground squirrels comes from the IPM plan for Rodent Control for Flood Control Facility Protection approved by the Ventura Board of Supervisors in December 2006. PfSE provided a copy of this IPM plan to the IPM Committee a number of years ago. In a table in that IPM plan, the county summarizes the costs for various treatments for grounds squirrels. The table makes it clear that the costs are "estimates [for] one treatment event for a typical [flood control] facility." The Ventura IPM plan estimates the cost of trapping to be almost 100% more than the cost of broadcasting diphacinone bait (\$1700 for baiting vs. \$2900 for trapping). Note that the report does not define the "typical facility", so it is not possible to compare their estimates to the actual costs experienced in Contra Costa County. Note also that Ventura did not run a trial prior to adopting their IPM plan to determine the real costs of trapping or whether that strategy could be effective within the 3 "treatment events" the IPM plan recommends. It is not clear how Ms. JunFish calculated the \$80,000 extra needed to trap ground squirrels in Contra Costa County. ○ 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 the traps. ▪ 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

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		<p>ground squirrels.</p> <ul style="list-style-type: none"> o 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.
<p><u>Burrowing rodent control</u></p>		
<p><u>1/20/17-IPM</u></p>	<p><u><i>From Parents for a Safer Environment (PfSE):</i></u> <u>The IPM Committee should investigate the use of carbon monoxide for controlling burrowing rodents.</u></p>	<p><u>In 2017, the IPM Committee will hear a presentation on the use of carbon monoxide for burrowing rodents. The machine costs between \$5400 and \$10,000.</u></p>
<p>CCC is the only Bay Area county using rodenticides for ground squirrels</p>		
<p>12/5/13-TWIC 10/9/14--TWIC 7/20/16-IPM</p>	<p><i>From Parents for a Safer Environment (PfSE):</i> “[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</p>	<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"> o 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. • The City and County of San Francisco does not have ground squirrel problems to contend with; however, as of February of 2016, their IPM program allows the use of bromadiolone bait (a 2nd generation anticoagulant rodenticide) for rats 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,

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	any rodenticides at all in open space." (10/9/14)	<p>such as the diphacinone 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 as of February 2016, 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 severe 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 2/17/16-IPM	<p><i>From Parents for a Safer Environment (PfSE):</i> 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.
Grazing has no significant impact on water quality		
12/4/14-TWIC	<p><i>From Parents for a Safer</i></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

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<p>8/26/15-Email</p>	<p><i>Environment (PfSE):</i> “...[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.” “Small PfSE Pilot Trial in 2009 showed no contaminants downstream of grazing.” (8/26/15)</p>	<p>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.</p>
<p>The County should expand goat grazing and competitive planting</p>		
<p>12/5/13-TWIC 3/5/14-TWIC 2/17/15-IPM 8/26/15-Email 7/20/16-IPM</p>	<p><i>From Parents for a Safer Environment (PfSE):</i> “The County should expand the competitive planting and goat grazing programs” “[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) Grazing costs are inflated and cost of herbicide use is deflated. (8/26/15) “With evidence that grazing causes no more damage and can be less expensive in the short term and also less risk to public health and the environment, we need to expedite moving away from herbicide usage and utilize more grazing.” (7/20/16)</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 impedence. 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 through 2018 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 same time period 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 FY 12-13 they grazed 74 acres, in FY 13-14 they grazed 183 acres, and in FY 14-15 they grazed 367 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 ○ 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

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		<p>during the peak grazing season</p> <ul style="list-style-type: none"> o 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. • In 2016 Public Works continued to use grazing wherever possible and to allow the grazer to stage goats on various channels and in detention basins in exchange for free vegetation management from the goats. • In FY 15-16 the County used goats to graze a total of 315 acres which included 158 free acres. Without the staging arrangement with the grazer, the County would have paid around \$950/acre for grazing. With the free acres, the cost came down to \$470/acre. This is twice what it costs to treat creek banks with herbicide (\$222/acre).
<p>Considering least-toxic alternatives before choosing pesticides</p>		
<p>12/5/13-TWIC 2/26/14-IPM 2/17/15-IPM 8/6/15-IPM 8/26/15-Email 11/4/15-IPM 2/17/16-IPM</p>	<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

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		pesticides and alternatives.
Excessive pesticide use in CCC		
12/5/13-TWIC 2/26/14-IPM 12/4/14-TWIC 3/10/15-IPM 2/17/16-IPM 3/16/16-IPM 7/20/16-IPM	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <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>“Compare the quantity and the type of pesticides being used by neighboring counties of Marin, S.F., and Santa Clara Counties [sic] for the same pest problems.” (2/17/16)</p> <p>“...I am concerned about the exponential increase of herbicides being applied by the Grounds program in the last fiscal year [FY 14-15].” (3/16/16)</p> <p>“The Right of Ways program of Public Works alone used over 10,200 lbs of pesticides last fiscal year, using 20 herbicides...These [sic] program needs review of why so much pesticides are required and at such high rates.” (3/16/16)</p> <p>“...CCC Ag Dept’s usage of the active ingredient diphacinone rodenticides in the last 5 years increased by 15% in open space, with a 90% increase between the last 2 years.” (7/20/16)</p> <p>“The Public Works Department’s Grounds Program in the last 5 years increased their herbicide usage by 73%. CCC Grounds program used 700% more herbicides than the counties of Santa Clara and Marin combined last year [presumably 2015] (600</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 pesticide use figures for County operations in other Bay Area Counties. • 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. • From FY 00-01 through FY 15-16, the County has reduced its pesticide use by 73%--from 18,931 lbs of active ingredient in FY 00-01 to 5146 lbs of active ingredient in FY 15-16. • Since FY 00-01, each Department has been evaluating its pesticide use and researching options for eliminating or reducing pesticide use. By 2015 County operations had eliminated the use of 24 of the 31 “Bad Actor” pesticides that they had been using and had reduced the lbs of “Bad Actor” active ingredients by 84%. • 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. • In FY 14-15, the Grounds Division used only 1/3 of the pesticide it used in FY 00-

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	<p>lbs vs 100 lbs) even when Santa Clara county has at least 50% more grounds requiring management.” (7/20/16)</p> <p>The Public Works Department’s Facilities program manages pests in buildings and has been doing great until last year when insecticide usage inside building(s) [sic] went up past 8 lbs.” (7/20/16)</p>	<p>01. The amount used in FY 14-15 was 154 lbs. of active ingredient <i>less</i> than in FY 13-14.</p> <ul style="list-style-type: none"> • In FY 14-15 the Public Works Roadside and Flood Control Channel Maintenance Division (the “Right of Ways program” that PfSE refers to) used 4,780 lbs. of pesticide active ingredients. This is a little more than ¼ of the pesticide they used in FY 00-01. • In FY 14-15 the Agriculture Department used 346 lbs. <i>less</i> of the anticoagulant diphacinone than the previous year. In FY 15-16, the Department reduced its use even further. In FY 14-15 the Department used 154.7 lbs of diphacinone and in FY 15-16 it used 76 lbs. Over the last 5 years, this is a dramatic decrease of 86% and a decrease of 95% from the 1420.7 lbs. used by the Department in FY 00-01. • The Grounds Division use of herbicide has indeed increased over the last 8 years. The Recession and its attendant budget cuts, along with decisions by the former Grounds manager to stop almost all herbicide use, contributed to several years of minimal use. Weeds and their seeds were not managed effectively for several years resulting in large weed and weed seed loads at many County properties. Over the last 6 years, the current Grounds Manager and his crew have been working very hard to reduce the weed pressure and improve the aesthetics of County landscaping. This has included the application of prodigious amounts of woodchip mulch and reducing irrigation to prevent weeds, but it has also meant the use of more herbicide. Inadequate budgets and staffing problems have made the recovery of County properties slow. Currently (2016) the Division is in much better shape and has enough money and almost enough staff to properly maintain County landscaping. As the crew reduces the weed load, they can more easily maintain relatively weed-free landscapes with physical methods such as handpulling and mulching. • Pestec, the County’s structural pest management contractor that manages pests in and around buildings, has been battling very large ant populations the last 2 years, and this has increased the amount of insecticide used. Insecticides for ants are all in the form of baits and pose very little exposure for County staff and wildlife.
	<p>CCC should do more IPM training and outreach to County staff and the public</p>	
<p>12/5/13-TWIC 2/17/16-IPM 3/16/16-IPM 11/16/16-IPM</p>	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>“the County IPM Coordinator and the IPM Advisory Committee [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>“I would like to see Contra Costa County, with more resources than [Parents for a Safer Environment],</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 conferences, and it would be impossible for the IPM Coordinator to do so without staff and budget. • 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.

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	<p>facilitate some training for municipalities in our county for some of the toughest problems that trigger pesticide usage...” (11/16/16)</p>	<ul style="list-style-type: none"> • 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. IPM training is also provided for nursery and hardware store employees. • In 2014 the County Clean Water Program launched 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 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. • 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 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.

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		<ul style="list-style-type: none"> • 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. • 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 had worked for 2 years to develop IPM guidance for cities on implementing IPM and to develop standard operating procedures for various pests. The three presented an IPM workshop for municipal staff that included information on how to use the manual and resources available to them within the County. • In November 2015, the IPM Coordinator and Luis Agurto from Pestec provided a bed bug training for County Adult Protective Services staff who have been encountering bed bug problems in their clients homes more frequently. • In April 2016, the IPM Coordinator helped arrange a County-sponsored Bay Friendly Landscaping refresher training at the Pittsburg Civic Center open to all Bay Friendly certified landscaping professionals in the County. • In April 2016, the IPM Coordinator and Luis Agurto from Pestec provided a bed bug awareness training for staff from the Behavioral Health Division. • In May 2016, the IPM Coordinator arranged a talk on mosquitoes as vectors of

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		<p>disease by Dr. Steve Schutz of CC Mosquito and Vector Control for the IPM Advisory Committee.</p> <ul style="list-style-type: none"> • In May 2016, the IPM Coordinator gave a class in home and garden pests at the Gardens at Heather Farms for the general public. • In May 2016, the IPM Coordinator helped arrange a talk at the Richmond Civic Center on vertebrate pest management for County and municipal staff and professional landscapers. • In May 2016, the IPM Coordinator provided a bed bug prevention training to the County's Discovery House staff. • In June 2016, the IPM Coordinator and Carlos Agurto from Pestec provided a bed bug prevention refresher training to the Concord Homeless Shelter and Calli House youth shelter staff. • In July 2016, the IPM Coordinator provided bed bug prevention trainings for both Adult Mental Health and Older Adult Mental Health staff. • In August 2016, the IPM Coordinator provided bed bug prevention trainings for the Behavioral Health safety coordinators and for a group of board and care owners and managers. • In October 2016, the IPM Coordinator provided a bed bug prevention talk for homeless care providers, worked with the City of Richmond to create a plan for managing bed bugs in their city, and talked to staff at 1650 Cavallo about preventing ant infestations.
Violations of the Brown Act		
12/5/13-TWIC 3/2/15-TWIC 8/6/15-IPM 2/17/16-IPM	<i>From Parents for a Safer Environment (PfSE):</i> “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” “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) “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)	<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. Staff maintain written logs of all public records requests. • 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).
Financial incentives to serve on the IPM Committee/Conflict of interest on the IPM Committee		
12/5/13-TWIC 1/14/15 IPM 3/2/15-TWIC	<i>From Parents for a Safer Environment (PfSE):</i> The County should “discourage financial incentives of [IPM	<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. • If the public has evidence of financial incentives for serving on the IPM

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2/17/16-IPM	<p>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>	<p>Committee, we request that they bring that evidence forward.</p> <ul style="list-style-type: none"> • 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 ineligible, the member will be asked to resign his/her position.”
Monetary compensation or gifts from pesticide salespeople		
12/5/13-TWIC 3/2/15-TWIC	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>“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”</p>	<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	<p><i>From Parents for a Safer Environment (PfSE):</i></p> <p>The IPM Committee is planning to include only 70% of PfSE’s</p>	<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.

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 be considered as tending to influence business or applications pending before the Board of Supervisors."

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	priorities as the Committee's priorities for 2014	
IPM Coordinator references statements by members of Parents for a Safer Environment that were never made		
3/2/15	<i>From Parents for a Safer Environment (PfSE):</i> "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..."	<ul style="list-style-type: none"> • 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."
The IPM Committee needs a non-voting facilitator		
2/12/14-TWIC 3/2/15-TWIC	<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 and 2015 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 3/2/15-TWIC	<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." • 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. • The Triennial Review Report has been accepted by TWIC and the BOS, and the IPM Committee cannot go back and change the report. • 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

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		<p>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.</p> <ul style="list-style-type: none"> • 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: 02/13/2017

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)674-7883

Referral History:

This is a standing item on the Transportation, Water, and Infrastructure Committee 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. Specific recommendations, if provided, are underlined in the report below. This report typically includes three sections, 1) **LOCAL**, 2) **STATE**, and 3) **FEDERAL**.

1) LOCAL

Measure X: In 2015 and 2016 the Committee monitored the development of Measure X and provided direction to staff and recommendations to the Board of Supervisors. As the Contra Costa Transportation Authority (CCTA) develops post-mortem information regarding the failure of the Measure staff will bring that information forward. At the time this report was submitted no substantial, formal discussion has taken place regarding the Measure at CCTA.

Attached are the results from the Measure X vote, *DraftSummary - Measure X Results*.

The following Measure X issues continue in to 2017:

Measure X: Accessible Transit Issues: The Board of Supervisors was outspoken on this issue during the development of the Transportation Expenditure Plan (TEP). The TEP included an "Accessible Transit Strategic Plan". There is a certain expectation among staff and the advocacy community that the

study will proceed in the absence of Measure X.

Please see the attached letter from the Advisory Council on Aging. The letter appeared in the CCTA Authority Board Meeting packet in January but was not discussed.

Staff will discuss options for making progress on this issue at the February TWIC meeting.

Measure X: Transportation Maintenance Funding: Similar to the Accessible Transit issue discussed above, the Board was active on this topic during the Measure X process. This topic is often included as a subset to the TWIC standing transportation report. However, this month the issue is being presented to TWIC as a standalone item given that the impacts of the funding shortfall are growing more acute. See Agenda Item 7.

RECOMMENDATION: DISCUSS any local issues of note and take ACTION as appropriate.

2) STATE

Legislative Report

The legislative report from the County's legislative advocate, Mark Watts, is attached, February 2017 TWIC Report (Mark Watts). Mr. Watts will be present at the February meeting to issues of interest to the Committee.

Also attached is the table, Positions on Legislation of Interest - 2017, which staff will use to track legislation of potential interest to the Committee during the legislative session.

School Safety & Siting: This issue is a longstanding concern for the County largely due to the siting of schools in East Contra Costa County. A substantial amount of time and effort from both staff and the Board of Supervisors have been invested in this issue over the past decade. For a variety of reasons the problem appears to be intractable which have spurred other, related efforts to increase safety around schools.

One such effort was the County sponsoring Senate Bill 632 which intended to reform how school zones are addressed in the vehicle code. While the bill died in 2016 the Senate Committee on Transportation and Housing referred the bill to the California Traffic Control Devices Committee for assistance with the technical aspects of the bill. The Board of Supervisors went on record as opposing the CTCDC's input in January. Communication from the Board to the Senate Committee on the topic is referenced in the Communication section of this packet as: 01-10-17 SIGNED - BOS to Sen TransHousing Chair reCTCDC-SB632.

Despite the lack of progress on this issue in the past there may be a good chance to see movement in 2017. The California Department of Education (CDE) has recently initiated a formal effort to revise Title 5. Title 5 contains the language that addresses school site selection and design. Staff will engage in this process during 2017 and keep the Committee apprised of activities.

In addition and perhaps more critically, the Governor has directed the Office of Planning and Research and the Strategic Growth Council to address this longstanding problem. It is rare that the school siting problem gets attention from higher level decision makers. Apparently the Governor's attention came about due to the passage of Proposition 51, the Public School Facility Bonds, which he publicly opposed.

RECOMMENDATION: DISCUSS any state issues of note and take ACTION as appropriate.

3) FEDERAL

No written report in February.

Attached is a document, "Federal Issues" which includes documents related to: 1) Committee assignments, 2) Potential direction of the new administration on numerous issues - summary supplied by our federal lobbyist, and 3) an article regarding the new Secretary of Transportation, Elaine Chao.

RECOMMENDATION: DISCUSS any federal issues of note 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 any specific recommendations in the report above.

Fiscal Impact (if any):

There is no fiscal impact.

Attachments

DraftSummary - Measure X Results.pdf

February 2017 TWIC Report (Mark Watts)

Advisory Council on Aging

Positions on Legislation of Interest

01-10-17 SIGNED - BOS to Sen TransHousing Chair reCTCDC-SB632

Federal Issues

Contra Costa Measure X Results

DRAFT

Jurisdiction	Total Vote Count			Measure X								
	Registered Voters	Ballots Cast	Voter Turnout	Total MX Votes	Undercount		Yes Votes		No Votes		Vote by Mail	
					Votes	%	Votes	%	Votes	%		
Antioch	51,664	37,433	72.45%	34,662	2,771	7.4%	22,611	65.2%	12,051	34.8%	59.5%	
Brentwood	31,914	25,460	79.78%	23,109	2,351	9.2%	12,670	54.8%	10,439	45.2%	65.8%	
Clayton	7,901	6,763	85.60%	6,207	556	8.2%	3,284	52.9%	2,923	47.1%	63.6%	
Concord	64,485	50,538	78.37%	46,096	4,442	8.8%	28,792	62.5%	17,304	37.5%	61.6%	
Danville	29,621	25,099	84.73%	22,506	2,593	10.3%	12,935	57.5%	9,571	42.5%	67.4%	
El Cerrito	15,877	13,624	85.81%	12,393	1,231	9.0%	8,786	70.9%	3,607	29.1%	67.7%	
Hercules	14,044	10,947	77.95%	9,863	1,084	9.9%	6,815	69.1%	3,048	30.9%	59.8%	
Lafayette	17,736	15,400	86.83%	14,107	1,293	8.4%	8,424	59.7%	5,683	40.3%	71.2%	
Martinez	24,064	19,460	80.87%	17,652	1,808	9.3%	10,519	59.6%	7,133	40.4%	64.6%	
Moraga	10,862	9,277	85.41%	8,436	841	9.1%	5,184	61.5%	3,252	38.5%	74.6%	
Oakley	19,666	14,516	73.81%	13,270	1,246	8.6%	7,249	54.6%	6,021	45.4%	62.7%	
Orinda	13,817	12,090	87.50%	11,091	999	8.3%	7,127	64.3%	3,964	35.7%	75.8%	
Pinole	10,978	8,699	79.24%	7,927	772	8.9%	5,196	65.5%	2,731	34.5%	65.2%	
Pleasant Hill	21,333	17,400	81.56%	15,786	1,614	9.3%	9,636	61.0%	6,150	39.0%	63.6%	
Pittsburg	30,999	22,467	72.48%	20,441	2,026	9.0%	14,342	70.2%	6,099	29.8%	58.8%	
Richmond	51,395	37,082	72.15%	33,914	3,168	8.5%	25,594	75.5%	8,320	24.5%	60.4%	
San Pablo	10,551	7,123	67.51%	6,420	703	9.9%	4,994	77.8%	1,426	22.2%	59.1%	
San Ramon	39,808	32,920	82.70%	30,003	2,917	8.9%	17,778	59.3%	12,225	40.7%	66.1%	
Walnut Creek	45,783	38,709	84.55%	35,305	3,404	8.8%	23,295	66.0%	12,010	34.0%	70.1%	
Total Cities/Towns	512,498	405,007	79.03%	369,188	35,819	8.8%	235,231	63.7%	133,957	36.3%	64.5%	
Unincorporated County	95,016	76,348	80.35%	69,075	7,273	9.5%	42,867	62.1%	26,208	37.9%	66.7%	
Countywide Total	607,514	481,355	79.23%	438,263	43,092	9.0%	278,098	63.5%	160,165	36.5%	64.9%	

Contra Costa Measure X Results

Draft

Sub-Region	Total Vote Count			Total MX Votes	Undercount		Measure X Yes Votes		No Votes		Vote by Mail
	Registered Voters	Ballots Cast	Voter Turnout		Votes	%	Votes	%	Votes	%	
TOTAL CENTRAL	182,323	148,033	81.19%	134,714	13,319	9.0%	83,916	62.3%	50,798	37.7%	65.3%
TOTAL EAST	154,153	115,061	74.64%	105,423	9,638	8.4%	64,838	61.5%	40,585	38.5%	61.7%
TOTAL SOUTHWEST	139,502	118,235	84.76%	107,209	11,026	9.3%	63,438	59.2%	43,771	40.8%	69.8%
TOTAL WEST	131,536	100,026	76.04%	90,917	9,109	9.1%	65,906	72.5%	25,011	27.5%	62.1%
Countywide Total	607,514	481,355	79.23%	438,263	43,092	9.0%	278,098	63.5%	160,165	36.5%	64.9%

Smith, Watts & Hartmann, LLC.

Consulting and Governmental Relations

MEMORANDUM

TO: John Cunningham
FROM: Mark Watts
DATE: February 3, 2016
SUBJECT: **February 2017 TWIC State Legislative Report**

Legislature

2016-17 Legislative Session

Picking up the pace following the December 5th formal convening of the 2017-18 Legislative Session, the Assembly and Senate began their regular meeting schedule for the year again on January 5, 2017.

Committee Assignments Made

The Senate Rules Committee announced Committee Chairs and made assignments to key committees, Senate Transportation & Housing and Senate Budget Subcommittee #2, as follows:

Senate Transportation & Housing Committee

Senator Jim Beall (Chair)
Senator Anthony Cannella (Vice Chair)
Senator Benjamin Allen
Senator Toni G. Atkins
Senator Patricia C. Bates
Senator Ted Gaines
Senator Mike McGuire
Senator Tony Mendoza
Senator Mike Morrell
Senator Richard D. Roth
Senator Nancy Skinner
Senator Bob Wieckowski
Senator Scott D. Wiener

Senate Budget Subcommittee #2

Senator Bob Wieckowski (Chair)
Senator Mike McGuire
Senator Tony Mendoza
Senator Jim Nielsen

In addition, appointments were more recently made to the Assembly Transportation Committee and Assembly Budget Subcommittee No. 3 on Resources and Transportation, as follows:

Assembly Transportation Committee

- Assembly Member Jim Frazier (Chair)
- Assembly Member Vince Fong (Vice-Chair)
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- Assembly Member Tom Daly
- Assembly Member Laura Friedman
- Assembly Member Matthew Harper
- Assembly Member Devon Mathis
- Assembly Member Jose Medina
- Assembly Member Adrian Nazarian
- Assembly Member Patrick O'Donnell

Assembly Budget Subcommittee No. 3 on Resources and Transportation

- Assembly Member Richard Bloom (Chair)
- Assembly Member Vince Fong
- Assembly Member Cristina Garcia
- Assembly Member Kevin Mullin
- Assembly Member Jim Patterson

Legislative Transportation Funding Bills Introduced

On the opening day of the 2017-18 Legislative Session the two key proponents for resolving the state's transportation funding challenges introduced new measures for consideration. This followed on the heels of the 2015-16 Special Session ending without a resolution or action. The two measures are AB 1 (Frazier) and SB 1 (Beall).

The County has adopted a **Support position on AB 1**, and SB 1 is under similar consideration. Both bills rely on very similar funding plans and distribution for the revenues to state and local purposes.

At present, SB 1 (Beall) has been scheduled for a hearing in the Senate Transportation & Housing Committee on February 14, while AB 1 (Frazier) has not yet received a hearing date. A summary of key allocation categories follows:

Local Streets and Roads

\$2.22 billion annually

- \$1.45 billion annually from new/returned revenue from the RMRA
- \$770 million annually from restores/returned revenue from the HUTA
- Potential LSR benefits from \$200 million SLPP and \$80 million ATP

- One time revenue of \$352 million from transportation loan repayment

State Highways Operations and Protection Program (state major maintenance)

\$1.47 billion annually

- \$1.45 billion annually from new/returned revenue from the RMRA
- \$21 million annually from restores/returned revenue from the HUTA
- Potential State Highways benefits from \$200 million SLPP and \$80 million ATP
- One time revenue of \$352 million from transportation loan repayment

State Transportation Improvement Program

\$770 million annually

- Potential State Highways benefits from \$200 million SLPP and \$80 million ATP

Governor's Budget Released

2017-18 State Budget Overview

On January 10th, the Governor unveiled his 2017 state spending plan that keeps General Fund spending flat at \$122.5 billion, while warning of a potential \$1.6 billion deficit. The revenue forecast, compared to what had been estimated when the Governor signed the budget in June, is down by \$5.8 billion dollars. In addition, the Governor has proposed increasing increase the state's Rainy Day Fund to \$7.9 billion, which is 73% of its constitutional target.

Transportation

The Governor's budget also includes a renewed commitment to addressing the state's transportation infrastructure crisis. The Budget included a revised transportation-funding package, which would invest \$43 billion in transportation over the next decade (an increase of approximately \$600 million annually from his 2016-17 proposal). The Governor's Budget states... "the repair, maintenance, and efficient operation of the state's transportation system are vital to California's economic growth" and once again emphasizes a few key principles:

1. Focusing new revenue primarily on "fix it first" investments to repair neighborhood roads and state highways and bridges;
2. Making key investments in trade corridors to support continued economic growth and implementing a sustainable freight strategy;
3. Continuing measures to improve performance, accountability and efficiency at Caltrans;
4. Investing in passenger rail and public transit modernization and improvement;
5. **Avoiding an impact on the General Fund.**

Governor's Transportation Plan

The plan would provide approximately \$4.2 billion, annually, for a number of programs. Of this amount, approximately \$1.8 billion would be available for local streets and roads, \$1.8 billion for state highways, \$250 million for goods movement, and **\$400 million** for transit.

Summary of Revenue Sources:

- Road Improvement Charge—\$2.1 billion from a new \$65 fee on all vehicles, including hybrids and electrics.
- Stabilize Gasoline Excise Tax—\$1.1 billion by setting the gasoline excise tax at the 2013-14 rate of 21.5 cents and eliminating the current annual adjustments. The broader gasoline tax would then be adjusted annually for inflation to maintain purchasing power.
- Diesel Excise Tax—\$425 million from an 11-cent increase in the diesel excise tax. This tax would also be adjusted annually for inflation to maintain purchasing power.
- Cap and Trade—\$500 million in additional Cap and Trade proceeds.
- Caltrans Efficiencies — \$100 million in cost-saving reforms.

Additionally, the Budget includes a General Fund commitment to transportation by accelerating \$706 million in loan repayments over the next three years



Advisory Council on Aging

400 Ellinwood Way ♦ Pleasant Hill, CA 94523 ♦ (925) 602-4172 ♦ Fax (925) 602-4178

December 21, 2016

John Cunningham
Principal Planner
Contra Costa County
Department of Conservation and Development
30 Muir Road, Martinez, CA 94553

Re: Transportation Infrastructure Funding/Measure X

Dear Committee Members:

The Contra Costa County Advisory Council on Aging finds the failure of Measure X to be of great concern to the aging community. Inattention to transportation maintenance projects and infrastructure development will demand the attention of the Board of Supervisors Transportation, Water and Infrastructure Committee in the near future due to the growth and congestion of Bay Area traffic. Seniors who rely on public transportation to avoid the costs and/or stress of driving, or who are managing medical/ambulatory issues which preclude the use of a private automobile, need access to transportation that will allow them to remain independent in their home and community. Access to safe and efficient public transportation is not only the hallmark of an age friendly community but an ecologically minded community as well. We can do better to protect the human, economic and ecological interests of our community. Addressing the dated and potentially unsafe issues now allows healthy movement for all members of the community to be productive and engaged citizens.

Roughly one in five residents in Contra Costa County is over the age of 60. By 2030 that figure will be roughly one in four residents, or 25% of the population. This emerging older adult demographic and constituency must be planned for through access to safe and reliable transportation.

We hope the Committee promotes mobility options and improvements for local seniors and adults who have a disability. The Advisory Council would like to work with you to help craft future plans and learn what we can do to support securing additional funding.

Regards,

President
Gerald Richards
President

RECEIVED
JAN 04 2016

BY:

Cc: CCTA

Contra Costa County Advisory Council on Aging is appointed by the Board of Supervisors to advise the Area Agency on Aging on all matters related to the development and administration of the annual Area Agency Plan and operations conducted thereunder, in accordance with mandates from the Older Americans Act. Any comments or recommendations made by the council or its individual members do not represent the official position of the County or any of its officers.

Adopted Positions on Legislation of Interest – 2017

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

State Legislation

Bill	Status	CC						MTC	Summary	Notes
		County	ABAG	BAAQMD	CCTA	CSAC	LofC			
AB 1 (Frazier) <i>Transportation Funding</i>	As of 01/19/17 Referred to Coms. on TRANS. and NAT. RES.	Support				Support	Support	Support	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, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund.	
AB 28 (Frazier): DOT: environmental review process: federal pilot program	As of 01/19/17 Referred to Coms. on TRANS. and JUD.					Support	Support	Support	Current federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, under which the participating states assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Current law, until January 1, 2017, provided that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the pilot program. This bill would reinstate the operation of the latter provision.	NEPA Delegation, standalone bill
SB 1 (Beall) Transportation Funding	As of 12/06/16 From printer. May be acted upon on or after January 5.	Support	Support			Support	Support	Support	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, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. This bill contains other related provisions and other existing laws.	

Bill	Status	CC						Summary	Notes	
		County	ABAG	BAAQMD	CCTA	CSAC	LofC			MTC
SB 80 (Wieckowski) California Environmental Quality Act: Notices	As of 01/09/17 Referred to Com. on EQ.					PENDING	WATCH		Regarding CEQA, this is an act to amend Sections 21092.2, 21092.3, 21108, 21152, and 21167 of the Public Resources Code, relating to environmental quality.	
SCA-2 (Newman) Motor Vehicle Fees and Taxes: Restriction on Expenditures.	As of 01/19/17 From printer. May be acted upon on or after February 18. Referred to Coms. on T. & H. and E. & C.A.					WATCH	N/A		This is a resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 1, 5, and 6 of Article XIX thereof, and by amending Section 1 of Article XIX A thereof, relating to transportation.	
AB 179 (Cervantes)	01/19/17 From printer. May be heard in committee February 18.					N/A	WATCH	N/A	An act to amend Section 14502 of, and to add Sections 14506.7 and 14516 to, the Government Code, relating to transportation. This bill would require the commission to create an Environmental Justice Advisory Committee, comprised of at least 5 members, to advise the commission in its allocation and programming of transportation moneys and any other pertinent transportation policy matters. The bill would require that the members of the committee represent communities disproportionately burdened by, and vulnerable to, high levels of pollution and other environmental justice issues, and would require that the commission appoint only individuals nominated by environmental justice organizations and community groups to that committee.	An act to amend Section 14502 of, and to add Sections 14506.7 and 14516 to, the Government Code, relating to transportation.
AB 174 (Bigelow)	01/19/17 From printer. May be heard in committee February 18.					N/A	WATCH	N/A	Existing law creates the California Transportation Commission, with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs. Existing law provides that the commission consists of 13 members, 11 voting members, of which 9 are appointed by the Governor subject to Senate confirmation, 1 is appointed by the Senate Committee on Rules, and 1 is appointed by the Speaker of the Assembly, and 2 Members of the Legislature who are appointed as nonvoting ex officio members. This bill would require that at least one voting member reside in a rural county with a population of less than 100,000 individuals.	An act to amend Section 14502 of the Government Code, relating to transportation.

Bill	Status	CC County	ABAG	BAAQMD	CCTA	CSAC	LofC	MTC	Summary	Notes
AB 13 – 580 Marine Highway (Eggman)	01/19/17 Referred to Com. On Trans.					WATCH	NO POSITION	N/A	Existing law provides that the Department of Transportation has full possession and control of all state highways and associated property, and sets forth the powers and duties of the department with respect to the operation, maintenance, and improvement of state highways. This bill would require the department to implement and oversee the —580 Marine Highway corridor project to reduce traffic by facilitating a permanent shift in container traffic away from truck transport to marine transport between the Port of Oakland and the Port of Stockton. The bill would require that the project be funded by an appropriation in the Budget Act of 2017 of \$85,000,000.	
AB 65 Transportation Bond Debt Service (Patterson)	01/19/17 Referred to Com. On Trans.					WATCH	WATCH	N/A	Existing law provides for transfer of certain vehicle weight fee revenues to the Transportation Debt Service Fund to reimburse the General Fund for payment of current year debt service on general obligation bonds issued for transportation purposes, including bonds issued for high-speed rail and associated purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Proposition 1A of 2008). This bill would specifically exclude from payment under these provisions the debt service for Proposition 1A bonds.	An act to amend Section 16965 of the Government Code, relating to transportation.

Bill	Status	CC County	ABAG	BAAQMD	CCTA	CSAC	LoFC	MTC	Summary	Notes
<p>AB 17 Transit Pass Program: free or reduced-fare transit passes (Holden)</p>						WATCH	WATCH	N/A	<p>This bill would create the Transit Pass Program to be administered by the department. The bill would require the Controller of the State of California to allocate moneys made available for the program, upon appropriation by the Legislature, to support transit pass programs that provide free or reduced-fare transit passes to specified pupils and students. The bill would require the department to develop guidelines that describe the criteria that eligible transit providers, as defined, are required to use to make available free or reduced-fare transit passes to eligible participants, as defined, and to ensure that moneys from the program are used to expand eligibility or further reduce the cost of a transit pass under existing programs. The bill would exempt the development of those guidelines from the Administrative Procedure Act. The bill would require eligible transit providers and eligible participants to enter into agreements for the distribution of free or reduced-fare transit passes to students. This bill would require the department to develop performance measures and reporting requirements to evaluate the effectiveness of the program, including an annual update of the number of free or reduced-fare transit passes distributed to pupils and students and whether the program is increasing transit ridership among pupils and students. The bill would set a minimum allocation of \$20,000 for each eligible transit provider and would provide for the distribution and allocation of remaining moneys by formula to eligible transit providers.</p>	

The Board of Supervisors

County Administration Building
651 Pine Street, Room 106
Martinez, California 94553

John Glola, 1st District
Candace Andersen, 2nd District
Diane Burgis, 3rd District
Karen Mitchoff, 4th District
Federal D. Glover, 5th District

**Contra
Costa
County**



David Twa
Clerk of the Board
and
County Administrator
(925) 335-1900

January 10, 2017

Honorable Jim Beall, Chair
Senate Transportation and Housing Committee
State Capitol, Room 2209
Sacramento, CA 95814

Subject: California Traffic Control Device Committee Review of Senate Bill 632 (Cannella)

Dear Senator Beall:

On behalf of the Contra Costa County Board of Supervisors, I am writing to inform you of the County's concerns regarding the California Traffic Control Device Committee's (CTCDC) review of Senate Bill 632 (Cannella/2015). SB 632 addresses, among other issues, school area safety by authorizing local jurisdictions to size the school zone to reflect on-the-ground realities. As you are aware, the Senate Transportation & Housing Committee (Senate T & H hereafter) referred the item to the CTCDC for review due to the technical issues addressed in the Bill.

The CTCDC formed a school zone subcommittee to respond to Senate T & H and Contra Costa County was invited to participate in the effort. The work of the subcommittee resulted in the attached draft response to the Senate T&H. County staff believes the CTCDC recommendations, and the process to come up with those recommendations, are flawed. The County went on record with the CTCDC as such on several occasions. The County's input, accompanied by a substantial amount of evidence and data, was not discussed and did not have any effect on the dialog or outcome. That said, we believe the response from the CTCDC is wholly inadequate. A summary of our specific concerns:

School Zone Size Recommendation is in Direct Conflict with the School Zone Subcommittee Stated Objective: At the outset of the CTCDC's School Zone Subcommittee's work on the school zone issue the group unanimously agreed that 1) the existing distances in the statutes were arbitrary, and 2) whatever recommendations the CTCDC were to make could not be arbitrary but rather evidence-based. The recommended changes in the letter to the Senate remain arbitrary in conflict with the original, rational agreement.

Local Authority Regarding School Zone Establishment is in Direct Conflict of CTCDC Stated Objective: At the outset, the Committee was in agreement that affording local jurisdictions flexibility to determine the size of the zone was a desirable characteristic of the bill. Despite this, the CTCDC recommendation did not support the flexibility afforded to the local jurisdictions in the bill.

"When Children Are Present" (WCP) Signage: Discussions at the CTCDC established that the Committee is well aware there are substantial, fundamental problems with the WCP signage. Yet, in the letter to Senate T&H, no change is recommended in the underlying statutes and no mention is made of the known flaws of the WCP signage.

Senator Jim Beall
January 10, 2016

In defense of the CTCDC, the issues in SB 632 are complex. Given the ultimate deviation of the CTCDC from their original, admirable response objectives (discussed above), it appears that the Committee did not have the resources to give the bill and underlying issues the appropriate level of attention.

The County respectfully requests that the Senate Transportation & Housing Committee set aside the response from the CTCDC and refer the issue to Caltrans and the Department of Public Health for a comprehensive review with appropriate resources, analysis and outreach. The numerous, fundamental changes in state transportation policy (complete streets, active transportation, safe routes to school, health in all policies, greenhouse gas reduction, smart mobility framework, vision zero/toward zero deaths) and public health data now available, all strongly indicate that the statutes addressed in SB 632 should be reviewed in an appropriately substantive manner.

While the bill is not currently active, it is entirely likely that the concepts in the bill will be re-introduced at a later date. These issues *must* be addressed if we are to make progress on school area safety and increase the walk/bike rates of students traveling to and from school. The County believes that now is the time to progress on these issues.

Sincerely,



Federal D. Glover, Chair
Contra Costa County Board of Supervisors
Supervisor, District V

C: Honorable Members of the Contra Costa County State Legislative Delegation
Honorable Members, Senate Transportation & Housing Committee

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U.S. HOUSE OF REPRESENTATIVES
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Trump Administration Outlook Legislation, Policies and Regulations to Watch

- Affordable Care Act (Obamacare) Repeal and Replace
 - Trump and Congressional Republicans have promised that repealing Obamacare will be the first priority of the incoming 115th Congress.
 - While the precise strategy for advancing repeal legislation continues to be deliberated among Congressional Republicans, it appears likely that such legislation would include a nearly full repeal of Obamacare and some sort of transition period (2-3 years, likely) during which new healthcare legislation would be developed.
 - Certain outlying policy riders, including a defunding of Planned Parenthood, along with debate over the length of the transition period, could cause delays in debate over repeal legislation, but both House Speaker Paul Ryan (R-WI) and Senate Majority Leader Mitch McConnell (R-KY) have indicated that they are hoping to send the new President a repeal bill shortly after his inauguration on January 20th.
 - There is a concern that the Trump Administration and Republican-led Congress could move to shift Medicaid to a block-grant program, a proposal supported by Trump during the campaign, as well as by Speaker Ryan (as part of his previous budget proposals), and by Trump's nominee to serve as Secretary of the Department of Health and Human Services (HHS); Congressman Tom Price (R-GA).
 - Instead of the federal government meeting an established percentage of a state's Medicaid costs, the plan would provide states with a set block-grant amount to cover these costs and give states flexibility in determining eligibility standards, benefits, and provider payment rates.
 - The specific block-grant amount a state receives would likely be based on historic/current spending levels, and then indexed for inflation and population growth.
 - While opponents have cautioned that reduced federal involvement and funding cuts would result in restrictions on enrollment and/or benefits, proponents suggest that reduced federal involvement/funding in the program would incentivize states to reduce costs and maximize efficiencies rather than allowing them to rely on the federal government to share in cost overruns.

- Sanctuary "Cities" (and Counties)
 - The President-elect has said he will target federal funding awarded to so-called "sanctuary cities", but has not yet offered specifics or even an outline of a plan to do so.

- It remains unclear how a Trump Administration and/or Republican-controlled Congress could target funding for these communities, or how they would be defined/identified; however, potential options to force compliance could include:
 - Denying them all federal funding (highly unlikely due to the massive impact this would have)
 - Denying them funding from specific federal programs (CDBG, SCAAP, COPS, etc.), or simply federal funding for law enforcement grants, both of which have been strategies used in previous legislative efforts.
- This issue could also be addressed via broader immigration reform efforts; however, there has been no indication that full-scale immigration reform would be an immediate priority for the Trump Administration or the 115th Congress. Instead, immigration-related issues (deportation, construction of a border wall, sanctuary cities, etc.) are more likely to be addressed individually.

➤ EPA Waters of the U.S. Rule (WOTUS)

- While the rule is pending oral arguments next spring in the 6th Circuit Court, the near unanimous Republican opposition would likely result in a concerted effort next year to stop/rescind the rule.
- Potential options for revoking the rule include:
 - Congress could rescind the rule via legislation (President Trump would almost certainly sign this into law);
 - Trump Administration could rescind the rule; or
 - Sixth Circuit Court could strike down the rule.

➤ Climate Change & Environmental Regulations/Programs

- In addition to seeking a withdrawal from global climate agreements, including the Paris Agreement, Trump has called for an immediate stop for all payments to U.N. global warming programs.
- The Trump Administration could target funding for domestic programs aimed at addressing, or even studying, the impact of climate change (coastal restoration grants, sea level rise studies, etc.). Trump has also proposed revoking Obama's Clean Power Plan which requires that states reduce greenhouse gas emissions by 2030. Similarly, programs facilitating the utilization of alternative, clean-energy sources could be reduced or eliminated.
- In addition to not requesting any funding going forward, the Trump Administration could simply wind-down existing efforts/programs and shift the funding and policy focus away from programs or research seeking to mitigate or study climate change.
- Trump has called for energy independence that would rely heavily on the expansion of energy production, including an opening/increase of both onshore and offshore leasing on federal lands, as well as an increase in oil and natural gas production.

➤ Infrastructure Plan

- During the campaign, Candidate Trump proposed/referenced a \$1 trillion, 10-year infrastructure investment plan, but never gave specifics on that or a similarly referenced \$550 billion transportation investment.
- Top campaign advisors (including Trump's nominee for Secretary of Commerce, Wilbur Ross) provided an outline of a potential Trump infrastructure plan:
 - Relies heavily on public-private partnerships (PPPs) to fund infrastructure projects; generally those that can ultimately produce a revenue stream (tolls) to recoup costs.
 - \$137 billion in tax credits would be provided to leverage the estimated \$167 billion in upfront equity (82 percent tax credit) needed to attract \$1 trillion in private sector investment over 10 years.
 - Companies using the credits would borrow money on the private market at low interest rates to finance projects.
 - The plan suggests that the tax credits would ultimately be offset by the (tax) revenue gained from 'new' wage income to 'new' construction jobs, as well as from Trump's lower (proposed) 15% business tax rate on contractors.
 - Tax credits would of course need to be authorized by Congress, which could be a tough sell with fiscal conservatives.
 - Also includes incentives for businesses repatriating overseas earnings by allowing them to invest those funds in infrastructure. By taking advantage of the aforementioned tax credits, the plan suggests those companies could offset any repatriation taxes.
- The plan does not include specifics about how to address projects that are not attractive to private investors because they might not produce a reliable revenue stream.
- While Candidate Trump often described infrastructure as including highways, bridges, airports, and water supply facilities, the plan itself does not specify which of these would be eligible for financing/funding.

➤ Affordable Housing Regulations/Policies

- Could target the Affirmatively Furthering Fair Housing (AFFH) rule, which requires local entities (local governments, public housing authorities, etc.) to take meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination. As with WOTUS (see above), this is a position that some municipalities would support.

- The President-elect reportedly indicated during the campaign that the rule would not continue under his Administration, although no specifics have been provided.
 - President-elect Trump could end enforcement of these regulations (defunding offices or efforts) and/or issue updated regulations clarifying a change in policy and/or enforcement.
 - Tax reform efforts under a Republican-controlled Congress could target changes to the Low-Income Housing Tax Credit, which finances the acquisition, rehabilitation, or new construction of affordable housing. In recent years, several tax proposals and policy outlines from key Republican leadership have been mostly silent on this program; however, there is concern that the credit could be restructured to align with any changes to affordable housing policies/goals.
 - Reductions to program funding/revisions to programs, including
 - Choice Neighborhood program
 - Section 8 Voucher funding
- K-12 Education Funding/Regulations
- The President-elect has proposed a \$20 billion school voucher program, and nominated voucher advocate Betsy DeVos to serve as Secretary of Education in his Administration
 - While no specific funding sources are provided for the proposed voucher expansion, there is concern that money would be diverted away from existing K-12 federal education programs, including those for low-income students/schools.
 - The Trump Administration and/or Congress are also likely to modify or rewrite issued or pending regulations dealing with implementation of the Every Student Succeeds Act (ESSA), the 2015 reauthorization of the Elementary and Secondary Education Act (ESEA).

POLITICO



The wife of Senate Majority Leader Mitch McConnell, Elaine Chao ran the Labor Department under the President George W. Bush administration. | Getty

Elaine Chao tapped to be Trump's transportation secretary

By **SEUNG MIN KIM**, **ANNA PALMER** and **ANDREW RESTUCCIA** | 11/29/16 10:40 AM EST | Updated 11/29/16 06:00 PM EST

Former Labor Secretary Elaine Chao was nominated on Tuesday by President-elect Donald Trump to head the Department of Transportation.

Chao ran the Labor Department under the George W. Bush administration. She met with the president-elect at Trump Tower last week to discuss labor and transportation policy, according to Trump's transition team.

Top Senate Democrats signaled that Chao may not face much of a fight to get confirmed, with incoming Senate Minority Leader Chuck Schumer (D-N.Y.) congratulating her earlier

on Tuesday for her expected nomination and praising her for her "long history of service to our country."

"Senate Democrats have said that if President-elect Trump is serious about a major infrastructure bill, backed by real dollars and not just tax credits and without cutting other programs like health care and education, that we are ready to work with his administration," Schumer said. "I hope Secretary Chao shares that ambitious goal and is willing to work with Democrats to rebuild our crumbling infrastructure and create millions of good paying jobs along the way."

The wife of Senate Majority Leader Mitch McConnell (R-Ky.), Chao is the first Asian-American woman to hold a Cabinet-level position. She also served as deputy secretary of transportation under President George H.W. Bush. Chao was also a member of Trump's Asian Pacific American Advisory Council during the campaign.

McConnell declined to comment at length on his wife's impending nomination, noting only that she's an "outstanding choice" and that he would not be recusing himself from voting to confirm Chao.

When she came before the Senate in 2001 as the Labor secretary-designate for George W. Bush, Chao was quickly approved on a voice vote.



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

7.

Meeting Date: 02/13/2017

Subject: Reduction in State Gas Tax and the Impact to County of Contra Costa Streets and Roads.

Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,

Department: Conservation & Development

Referral No.: 1

Referral Name: Review legislative matters on transportation, water, and infrastructure.

Presenter: Steve Kowalewski, PWD
(925)313-2225

Contact: Julie Bueren, PWD
(925)313-2201

Referral History:

Given the transportation funding crisis in the State, this particular item has been discussed consistently at the Committee during 2015 and 2016. This is in addition to discussions at the full Board of Supervisors, notably in the context of Measure X and efforts at the State Legislature and the Governor's office to address the funding crisis.

Referral Update:

State gas tax is the primary funding source used by Contra Costa County to fund the operations, maintenance, and improvement of the unincorporated transportation network.

What does it pay for?

- **Operations and Maintenance** – Gas tax used to operate and maintain pavements, road drainage (underground and above ground facilities), culvert inspection and replacement, signs, striping, vegetation control, bike lanes, pedestrian facilities, trails, traffic signals, safety lighting, shoulder grading, slope maintenance, storm response (clean-up, downed trees, clogged drains, etc), hydrauger maintenance, curbs, bike lane sweeping, storm drain debris removal, pothole repair, surface treatment program (slurry seal, chip seal, cape seal, microsurface, overlays), road reconstruction, bridge maintenance, local bridge inspections, illegal dumping clean-up, clean water treatment facilities, guardrail.
- **Capital Projects** – Used to construct capital transportation projects such as bike lanes, pedestrian facilities, curb ramps (ADA compliance), safety improvements, shoulder improvements, complete streets, green streets (green infrastructure), traffic calming, and bridge replacement. Local gas tax is also used to leverage local, state and federal grant funds. Last year for every \$1 dollar we spent on staff time to prepare grant applications, we were able to get \$17 dollars in return. This resulted in successfully securing \$5,080,000 at a cost of \$300,900. Not only do we use gas tax to secure grants, gas tax is used as required

matching funds for various grant programs. For example, we currently have 22 active projects that are grant funded. With a \$5.6 million gas tax match, we were able to secure \$22.1 million in various grant funds. Without having gas tax as required local match money to go after grants, the County would miss an opportunity to obtain additional outside funding to help construct much needed safety, maintenance, and multi-modal transportation improvements.

- **Traffic Operations** – Gas tax fully funds the Traffic Operations Section. This section is responsible for traffic safety investigations, traffic operational improvements, traffic signal timing, traffic signal maintenance and upgrades, traffic data collection, Neighborhood Traffic Calming Program, traffic collision evaluations, encroachment investigations, speed surveys, traffic resolutions, parking restrictions, traffic impact evaluations from new development, CHP coordination, truck restrictions, permit load requests, State coordination, public assistance.
- **Road Planning and Administrative Functions** – The gas tax funds several planning and administrative functions that support the County’s road program. These include the Development Impact fee program, self-insurance (Risk Management), Road Finance Functions, Transportation Planning (Department of Conservation and Development), Utility Undergrounding Program (Rule 20A Funds), transportation planning studies, interagency coordination, state coordination, public meetings, project development, alignment studies, Road Records, County Counsel, claim investigations, Public Assistance.

What’s currently going on with the gas tax?

Two parts to the gas tax: Gas Excise Tax (volume based) and Price-Based Excise Tax (price based)

- **Gas Excise Tax (volume based)** – has not been raised since 1993. The Construction Cost Index has increased 71% from 1993. The purchasing power of the 18 cent gas tax in 1993 has been reduced to 9 cents in 2016 due to inflation. The gas excise tax is based on the amount of gas purchased and is not based on the price of gas. Although there are more vehicles on the road, the gas tax generated has remained relatively flat due to the improvement in fuel efficiency in vehicles and more electric vehicles on the road. Electric vehicles are essentially using the road network for free. Although great for the environment, this trend has had a major impact on agencies responsible for properly maintaining and improving the transportation network.
- **Price-Based Excise Tax** – This part of the gas tax is dependent on the price of gas. If the prices are high, the sales tax generated increases. When gas prices drop, so does the sales tax portion of gas tax. So if gas prices have only dropped 50%, why is the County’s gas tax show a decline of 81%? This inequality comes from the gas tax swap agreed to several years ago. From the sales tax based gas tax, the State takes \$1 billion off the top to pay for General Obligation Transportation Bonds. During the tough economic times, the State was looking for General Fund relief and switched the obligation for paying these General Obligation Transportation Bonds from the General Fund to Gas Tax. When gas prices are high, the impact of removing \$1 billion off the top is minimal, but when gas prices are low, the pot of money is small and is even made smaller by continuing to take the \$1 billion off the top. The \$1 billion is a fixed amount for bond debt service.

In 2014, the Governor called for a special session of the California Legislature to address transportation funding. The Special Session on Transportation Funding closed with no action on

November 30, 2016.

Legislators took the oath of office on December 5 for the 2017-18 session, which began on January 4. Senators and Assembly Members also took the opportunity to introduce legislation, including Assembly Member Jim Frazier and Senator Jim Beall who both reintroduced versions of their previous transportation funding and reform measures – AB 1 and SB 1, respectively. In addition, the Governor released the State Budget on January 10 that also addressed transportation funding.

While the Governor's plan has grown to \$4.3 billion (compared to about \$3.6 billion in September 2015), the funding for local streets and roads has barely budgeted.

The Governor's plan would allocate just over \$1 billion/year in additional revenues to Local Streets and Roads.

Accordingly, the Governor's plan would provide about half as much revenue as the \$2.2 billion in new annual local streets and roads revenue that would be generated by AB 1 and SB 1.

What are the impacts to unincorporated County roads?

- The County has seen a significant reduction in State gas tax used to operate and maintain our local unincorporated road network. Although we have seen a slight increase in the volume based gas tax and anticipate a slight increase in the price-based gas tax for 2017/18, this increase is far short of the drastic reduction we have seen in the sales tax portion of gas tax.
- To address the gas tax revenue reduction, the Public Works Department last year proposed a project delay strategy of one to two years in anticipation that the State Legislature would agree on a transportation funding fix. In last year's budget, we needed to close a large, but manageable, funding gap. We proposed delaying several projects and did not backfill certain staffing positions funded with gas tax to close the budget gap. Unfortunately, with no action during the Legislative Special Session on Transportation, the project delays rolled over and other budget obligations for fiscal year 2017/18 created a \$7 million shortfall that we need to address. We again propose to strategically delay certain projects and programs to avoid loss of grants or previous work. We were also fortunate that the East Contra Costa Fee and Financing Authority is able to accelerate payments of approximately \$5.1 million that will help fund some east county projects (Camino Diablo at Byron Highway Intersection Improvements and Byron Main Street Sidewalk Improvements) and avoid losing federal grant funds and momentum of the projects. However, to close the budget gap, we are proposing to delay our annual surface treatment program. The proposed list of projects and program delays are listed below. However, if the State Legislature fails to act this session, the County will likely need to indefinitely delay several projects and lose the already secured grant funds associated with those projects.
- The following are the main projects and road program activities impacted by the proposed project delay strategy for fiscal year 2017/18:
 - Cancel the **2017/18 Surface Treatment Program**.
 - Continue to delay the construction phase of the **Tara Hills Drive Pedestrian Infrastructure Project**, **Bay Point Cape Seal Project**, and the **Pomona Street Pedestrian Safety Enhancements Project**. Continue funding the completion of the

- design of the project, but delay construction funding. (These projects were to be constructed last year and were delayed. We propose to continue to delay these projects)
- Delay the construction phase of the **Pedestrian Crossing Enhancements – Central & East County Project** and the **Blackhawk Road Bikeway Project**. Continue funding the completion of the design of the project, but delay construction funding. (These projects were scheduled to be constructed this year and are proposed to be delayed)
 - Maintain a reduced insurance reserve at \$500,000. This amount is difficult to predict and in the recent past has come in at \$1.6 million and \$1.8 million.
 - Hold off on backfilling vacated positions supported by the State gas tax.
 - Reduce gas tax allocation to road maintenance by \$2.2 million from historic levels.
 - Reduce grant match funding and forego applying for some upcoming grants.
 - Reduce capital project contingency by \$300,000.
 - Replace gas tax funds with Stormwater Utility Fee funds to construct clean water green infrastructure project (\$300,000).
 - Increase Measure J Return to Source funds from \$1.4 million to \$1.9 million.
 - Use Area of Benefit funds (AOB) in place of gas tax on AOB eligible projects, totaling \$630,000.
 - Delay construction of **Kirker Pass Road Northbound Truck Lanes** one year with work beginning in 2019. Reduce gas tax allocations for local match starting this fiscal year and next. The gas tax allocations were to be used to cover the local share of the project cost (approximately \$6.2 million). If State Transportation Improvement Funds (also gas tax) are permanently cut by the California Transportation Commission for this project, the County will not have the capacity to make up the difference and the project will be delayed indefinitely and we potentially lose grant funds and Measure J Regional funds.
- The actions summarized above are the main highlights. With these actions along with other minor budget adjustments, we have balanced the proposed fiscal year 2017/18 road budget.
 - We realize that these actions will have an impact to motorists, cyclists, pedestrians, transit operations, and goods movement and we will continue to look for efficiencies and strategic allocations of the limited gas tax to keep the unincorporated County road network operating safely, efficiently, and reliably

Recommendation(s)/Next Step(s):

ACCEPT report on the impacts to County transportation projects from the declining State gas tax; DIRECT the Public Works Director to make modifications to the Capital Road Improvement and Preservation Program budget to reflect the reduced gas tax revenues; and ACKNOWLEDGE that unless the State approves a transportation funding fix, the projects currently recommended to be delayed, will be deferred indefinitely, road deferred maintenance will continue to increase and our aging transportation infrastructure will cost more to fix in the future.

Fiscal Impact (if any):

If the projects move forward and new revenues do not become available, there will be insufficient funds to pay contractors for work performed and suppliers for materials provided.

Attachments

Gas Tax and Measure J Revenue History

Road Maintenance Examples 2016 - Handout

Transportation Infographic 2017

Transportation, Roads (Pavement Condition) Quad Sheet 2017

Transportation, Roads (Safety) Quad Sheet 2017

Gas Tax Grant Leverage Summary 2017

FACTS ABOUT STREETS AND ROADS FUNDING IN CONTRA COSTA

- **Contra Costa County Public Works is responsible for maintaining 666 miles of roads, 111 vehicle and pedestrian bridges and hundreds of miles of road drainage facilities in the unincorporated areas.**
- **Decreased revenue for streets and roads is not keeping pace with increased demand on the system** including increased vehicle miles traveled, increased collisions and traffic congestion, and deterioration in pavement condition.
- **There are only three revenues sources that pay for streets and roads maintenance** in unincorporated Contra Costa – (1) Gas Excise Tax, (2) Price-Base Gas Excise Tax, and (3) a portion (about 18%) of the dedicated one-half cent Contra Costa transportation sales tax.
- **Gas Excise Tax of 18 cents per gallon has not been raised since 1993 and revenues have remained relatively flat** -- \$16.9 million in 2010/11 and \$17.1 million in 2016/17. Substantially improved fuel efficiency and the increasing number of electric cars have offset the increased number of total cars on the road and the increase in vehicle miles traveled. Less gas is needed to drive the same amount of miles. The tax is based on the amount of gas purchased, not on the price of gas. Purchasing power now reduced to 9 cents due to inflation.
- **Revenues from Price-Base Excise Tax on Gas have significantly decreased (down 65% since 2011).** These revenues have been volatile and are based both on the price of gas and amount of gas purchased. Average weekly California gas prices have ranged between \$2.30 and \$4.65 per gallon since 2010. Revenue has dropped from \$7.5 million in 2010/11 and \$10.7 million in 2011/12 to \$2 million in 2016/17.
- **Revenues from Contra Costa's dedicated one-half cent transportation sales tax have slightly increased** from \$1.8 million in 2010/11 to \$2.4 million in 2016/17. This tax is based on all retail sales in the County and fluctuates based on economic activity.
- **Total funding to the County for streets and roads has decreased** from \$26.1 million in 2010/11 to \$21.5 million in 2016/17 despite the fact that during this same period there has been a 9% increase in the number of vehicles on the road in California and an increase of 18 million more vehicle miles travelled per day.
- State gas tax is the primary funding source used by Contra Costa County to fund the operations, maintenance, and improvement of the unincorporated transportation network.

Operations and Maintenance – Gas tax revenues are used to operate and maintain pavements, road drainage (underground and above ground facilities), culvert inspection and replacement, signs, striping, vegetation control, bike lanes, pedestrian facilities,

trails, traffic signals, safety lighting, shoulder grading, slope maintenance, storm response (clean-up, downed trees, clogged drains, etc), hydrauger maintenance, curbs, bike lane sweeping, storm drain debris removal, pothole repair, surface treatment program (slurry seal, chip seal, cape seal, micro-surface, overlays), road reconstruction, bridge maintenance, local bridge inspections, illegal dumping clean-up, clean water treatment facilities, and guardrails.

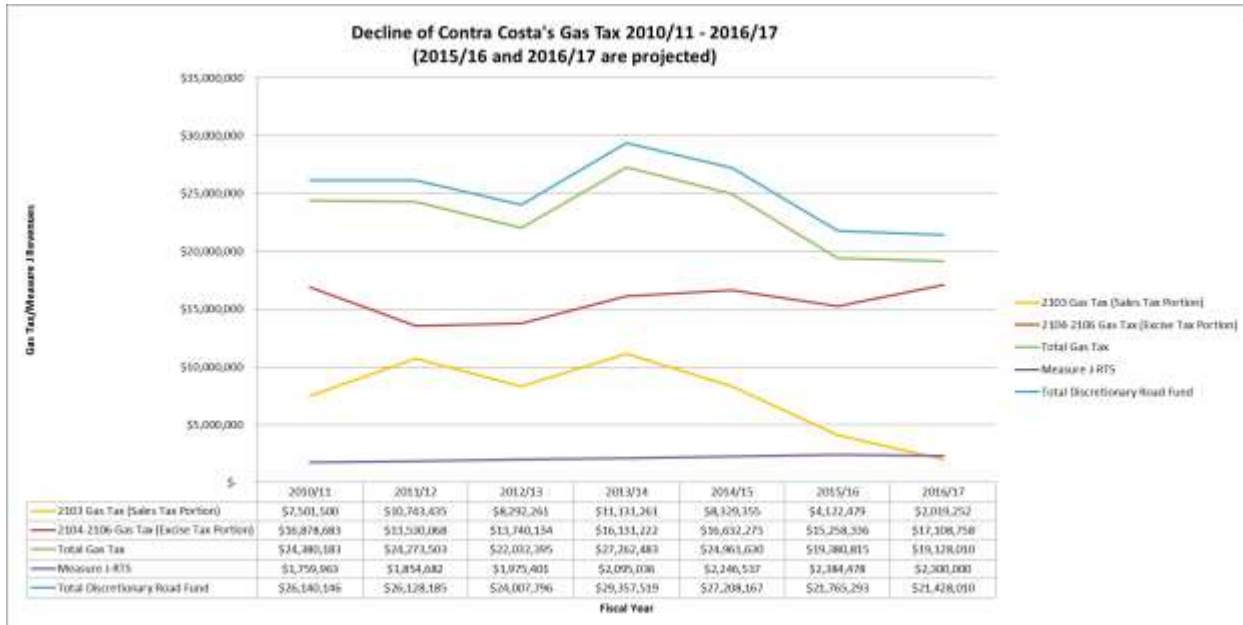
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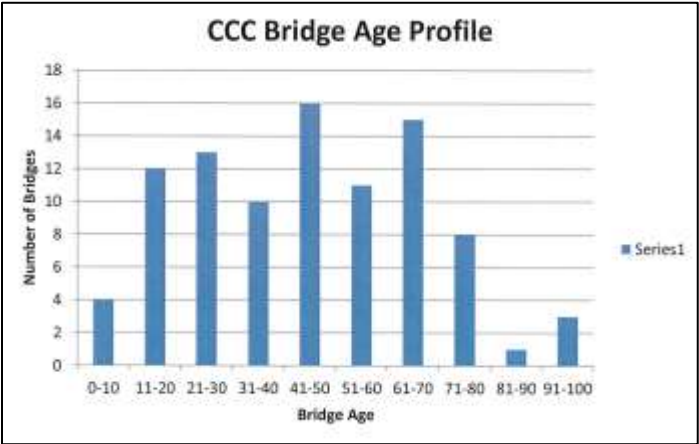
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This graph shows how Contra Costa County's discretionary road fund has been impacted by the decline of the gas tax.



- Contra Costa, including its cities, has a pavement condition index of 68 on a scale of 0-100 with 0 being failed and 100 being new and a 10 year pavement funding need of \$1.6 billion.
- Unincorporated County has a condition index of 70. The condition index for unincorporated County has been trending down and does not meet our overall goal of 80. A PCI of 80 would provide a pavement condition that would be the most cost effective target for preventative maintenance operations.
- Unincorporated Contra Costa had to delay a \$1.7 million preventative surface treatment project in 2016 due to the decline in gas tax revenues. Unincorporated Contra Costa has cancelled its 2017 Surface Treatment Program.
- The cost of delaying preventative maintenance. For pavements with a PCI of 70-100, \$2-\$4/SY; PCI of 50-70, \$15-\$20/SY; PCI 25-50, \$30-\$40/SY; and PCI 0-25, \$70-\$100/SY.
- Unincorporated Contra Costa had to delay the **Byron Main Street Sidewalk Improvement Project, Pomona Street Pedestrian Safety Enhancements, and Tara Hills Pedestrian Infrastructure Project** a second year due to the decline in gas tax revenues. For 2017 additional projects will be delayed including, **Pedestrian Crossing Enhancement – Central and East County** and the **Blackhawk Road Bikeway Project**. Without increased revenues, these projects may be delayed indefinitely.

- The **Kirker Pass Road Truck Climbing Lane** safety improvement project is in jeopardy of moving forward if the legislature fails to act on a transportation funding fix.
- 40% of Unincorporated Contra Costa bridges are age 50 or older. These bridges are nearing the end of their useful life and will need major rehabilitation or to be replaced.

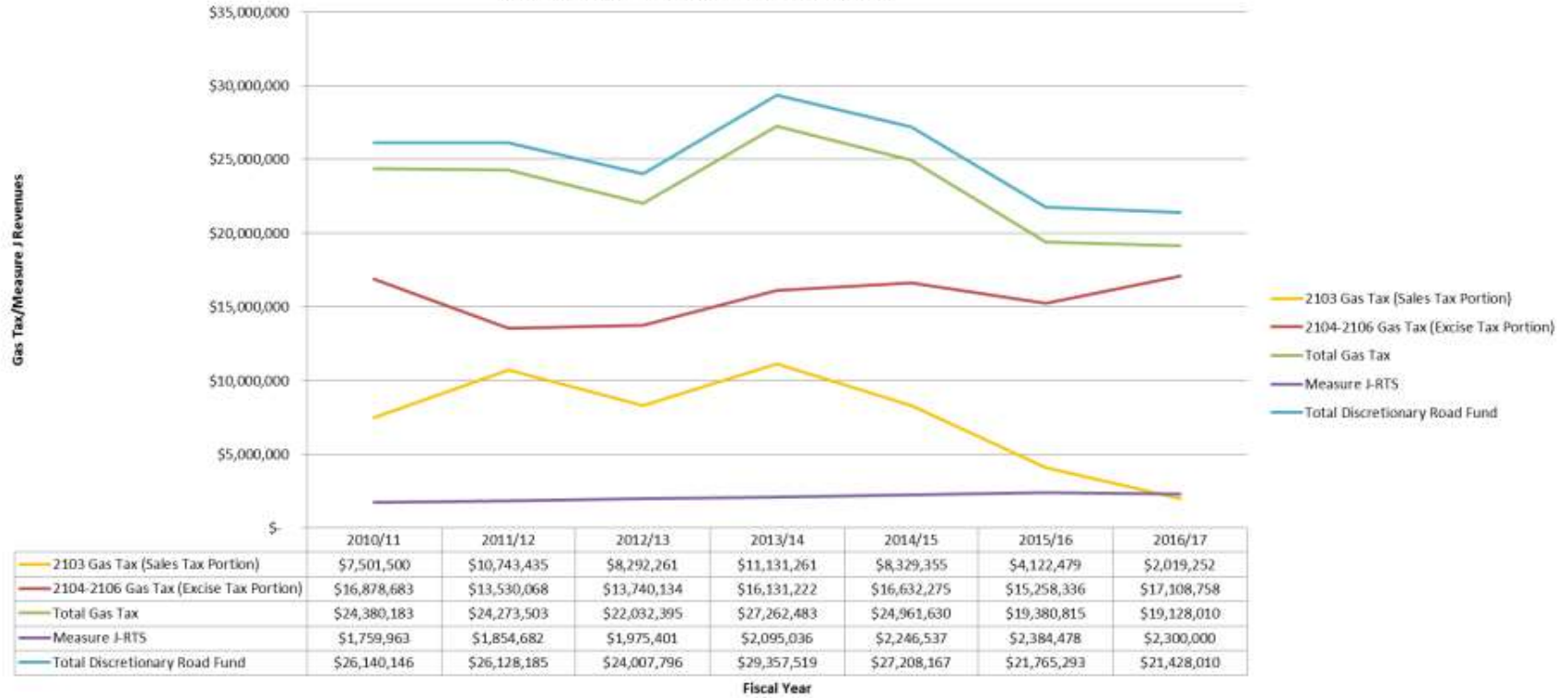


- Contra Costa, including the 19 cities, has a need of \$118 million for local bridges.
- Collisions in unincorporated Contra Costa have increased dramatically. More funding needs to be made available to address these safety issues. Contra Costa has had a safety project, **Vasco Road Safety Project – Phase 2**, shelf ready for approximately 4 years with no source to fund this much needed project.
- Unfunded mandates continue to put pressure on the declining gas tax revenues. ADA compliance and Clean Water Act are two major unfunded mandates. The current Municipal Regional Permit for Clean Water has new requirements for Green Infrastructure and PCB and Mercury discharges, in addition to the existing trash reduction requirements.
- Due to the lack of stormwater funding, programs such as the road program will need to pick up the costs to comply with the Clean Water Permit. Functions such as Street Sweeping (\$150,000-\$200,000/year), Trash clean-up (\$1,000,000/year and climbing to meet 100% trash reduction by 2022), and Green Infrastructure Plan (\$500,000+ to develop plan and millions more to retrofit existing system to green infrastructure and long term maintenance).






Statewide:

- California's road system continues to be in crisis
- The conditions of California's street and road system are rolling toward a cliff's edge. On a scale of zero to 100, with 0 being failing, the statewide average Pavement Condition Index has deteriorated to 66.
- Local streets and roads face an estimated shortfall of \$78 billion in deferred maintenance and an annual shortfall of \$7.8 billion
- CalTrans faces a \$59 billion backlog in deferred maintenance and an annual shortfall in the State Highway Operation and Protection Program (SHOPP) of \$5.7 billion
- Our crumbling roads cost motorists **\$762 a year per driver** for vehicle maintenance.
- 55% of local bridges require rehabilitation or replacement
- California has **4 of 5** cities with the worst road conditions in the nation
- Without additional funding, 1/4 of local streets and roads will be in **failed condition by 2024**.
- Cities and counties are estimated to spend \$1.6 billion annually on pavements. This is only 0.88% of the total invested in the pavement network. Industry standards say that between 2%-4% should be spend on maintaining the pavement network. At a minimum, transportation funding would need to more than double to reach the bare minimum of the industry standard range.
- The gas tax is the single largest funding source for cities and counties, yet this is projected to decline statewide and nationally.
- Other components of our roads are failing as well, such as drainage systems, guard rail, traffic signing and striping. The statewide funding need for these essential components (non-pavement transportation network assets) is \$32.1 billion.
- The statewide need for local bridges is \$4.6 billion





**Decline of Contra Costa's Gas Tax 2010/11 - 2016/17
(2015/16 and 2016/17 are projected)**



Maintaining and Operating the Local Streets and Roads Network – It’s not just about pavement

	<p>Pavement- This is what most people think about when they think about Local Streets and Roads Maintenance. The pavement is just one of many components of a road that must be maintained. It is one of the most visible when it fails, however, other components, such as drainage, signals, lighting, slopes, etc. are just as important.</p>
	<p>Pavement – The last 5 years have been kind to us regarding winter weather. However, this year’s storms are exposing the poor condition of our pavements. Water is the pavements worst enemy if it reaches underneath through cracks and worn surfaces. These small cracks can lead to big potholes very quickly when exposed to wet weather.</p>
	<p>Striping – striping of our roadways provides guidance to roadway users. With heavy traffic loads and weather, these stripes and markings tend to wear out and must be maintained on a regular basis.</p>
	<p>Aging Infrastructure – underground road drainage pipes are at the end of their useful life and are starting to fail at an increasing rate. Some of the failures lead to sink holes in the roadway.</p>
	<p>Hydrauger Maintenance – Hydraugers are designed to relieve slopes of excess water that can cause unexpected slides. These hydraugers must be maintained. Many of them were installed 50 years ago and are at the end of their useful life.</p>

Maintaining and Operating the Local Streets and Roads Network – It’s not just about pavement

	<p>Sinkhole in the roadway caused by road drainage pipe failing. We repaired a sinkhole on Hazel Avenue in East Richmond Heights. Several years ago we had a sink hole form on Marsh Creek Road that required immediate action to prevent the lane from collapsing.</p>
	<p>Street Sweeping – Clean Water regulations are demanding that more street sweeping occur to prevent debris, sediment, PCBs, and other road contaminants from reaching the drainage system and our creek. Bicycle lanes also require a higher level of maintenance and require street sweeping that eliminates debris that can be a danger to cyclists.</p>
	<p>Storm Drain Inlets – These inlets require special attention for on-going maintenance. First, the grate must be maintained to prevent cyclists from dropping a tire through the grate. The inlets must also be cleaned of debris on an annual basis to prevent flooding (County has hundreds of these inlets). The inlets will need to be retrofitted to prevent trash from entering the system to comply with the Clean Water permit condition on trash reduction.</p>
	<p>Traffic Signals – On-going costs include electricity costs, bulb outages, graffiti removal, push button maintenance, signal box maintenance, signal controller maintenance, signal timing adjustments, garage sale posting removal, repainting poles, street name signs, striping of crosswalks, etc.</p>



Maintaining and Operating the Local Streets and Roads Network – It’s not just about pavement

	<p>Road Signs – The County maintains hundreds of street signs. These must be checked routinely for reflectivity and replaced if necessary. The signs are often damaged by gunshots, tagged by graffiti artists and gangs, and take a beating from weather and sun. These must be maintained to ensure a safe roadway.</p>
	<p>Environmental Mitigation – most new projects require environmental mitigation that has a one-time installation cost, but then requires maintenance in perpetuity.</p>
	<p>Illegal Dumping – A big problem that is getting worse. It’s unfortunate that we must use gas tax dollars to clean up illegally dumped trash instead of repairing potholes. We have taken measures to reduce this cost, but with new Clean Water trash reduction requirements, this may require a larger investment of scarce gas tax funding for permit compliance.</p>
	<p>Vegetation Management – Vegetation along roadways left unchecked can obscure traffic signs, traffic signals, sight lines for drivers, pedestrian facilities, bicycle facilities. Vegetation that is sick or stressed can also pose a problem and cause property damage and other safety issues in the road right of way.</p>
	<p>Guardrails – guardrails are a major safety component of the road system. These often get damaged and must be replaced. Also, guardrail standards change and much of our guardrail system is not up to current standards.</p> <p>Guardrail end treatments – Standards for guardrail end treatments have been increased and will require the County to change all guardrail</p>

Maintaining and Operating the Local Streets and Roads Network – It’s not just about pavement

	end treatments.
	<p>Complete Streets – The complete streets concept requires the installation of pedestrian and bicycle facilities that require on-going maintenance.</p>
	<p>Aesthetics – there is a bigger demand by residents to landscape roadways. Street trees require additional care and routine maintenance. Most landscaping requires irrigation systems that also require on-going maintenance and additional cost to pay for the water.</p>
	<p>Storm Damage – The County roads are susceptible to storm damage, especially rural roads. These are unexpected expenditures that are, for the most part, not always reimbursed through emergency FEMA funding.</p>
	<p>Parking Signage/Curb Painting – Although minimal, the County does have parking restrictions that require signage and curb painting to be enforced. These require routine maintenance if we want the parking restrictions enforced by the CHP or Sheriff.</p>
	<p>Complete Streets/Landscaping – Communities often desire nicely landscaped downtown complete street projects. Many parts in the County don’t have landscape districts to fund the on-going maintenance, operations, and replacement of the landscaping. Gas tax is used to maintain these landscape features in addition to the hardscape features.</p>

Maintaining and Operating the Local Streets and Roads Network – It’s not just about pavement

	<p>Slope stability – slopes adjacent to roadways sometimes become unstable and require routine maintenance for the drainage systems that drain the slopes. Concrete ditches must be cleaned, roadside ditches must be cleaned, hydroaugers cleaned, loose rock removed.</p>
	<p>Traffic Control Devices – Traffic control devices are necessary for safety of the roadway. These devices are often damaged and need on-going replacement and maintenance. The delineators on Vasco Road require approximately \$30,000 per year to replace damaged delineators.</p>
	<p>Complete Streets/Community Identity – Some communities desire a certain theme to a complete street project to reflect a community’s identity. These deviations from standard designs requires unique inventories be maintained and are often more expensive to construct and maintain.</p>
	<p>ADA Retrofitting – The road network must be accessible to all. The County is constantly upgrading its road facilities to be ADA compliant. This involves curb ramps, driveway depressions, pedestrian push buttons, audible signals, etc.</p>
	<p>Road Maintenance Equipment – The Maintenance Division requires heavy equipment to properly maintain the road system. This involves dump trucks, crew trucks, backhoes, rollers, chip spreaders, grinders, motor graders, vacuum trucks, etc.</p>

County Transportation Network Summary

2017 Summary

666 Miles of Road
111 Bridges

Mission

Provide a safe, reliable, efficient, and accessible multi-modal transportation system that is context and environmentally sensitive

Congestion Levels

96%

of unincorporated County major arterials meet or exceed Level of Service standards set in the County's General Plan.
Trending flat.

Pavement Condition

Average Pavement Condition Index (PCI) is 70 for unincorporated County roads. The PCI is below our service level targets of 80 arterials, 80 collectors, and 75 residential streets (scale 0-100). *Trending downward.*

76 Arterials

67 Collectors

69 Residential

Bridge Health Index

95%

of unincorporated County bridges have a Health Index of 80 or above (scale 0-100).
Trending upward.

2015

371

total collisions

Safety

7.5% increase from 2014. 2015 included 22 fatal, 35 major injury, 22 bike, and 17 pedestrian collisions. Preliminary fatality numbers for 2016 show a decline.
Trending upward.



Core Service Area (External): Transportation, Road (Pavement Condition)

Strategic Focus Areas

- Customer Service
 Safety
 Organizational Health
 Financial Stability

Goal

Ensure that County roadway pavements are free of major defects and in acceptable condition for all streets and highway users.

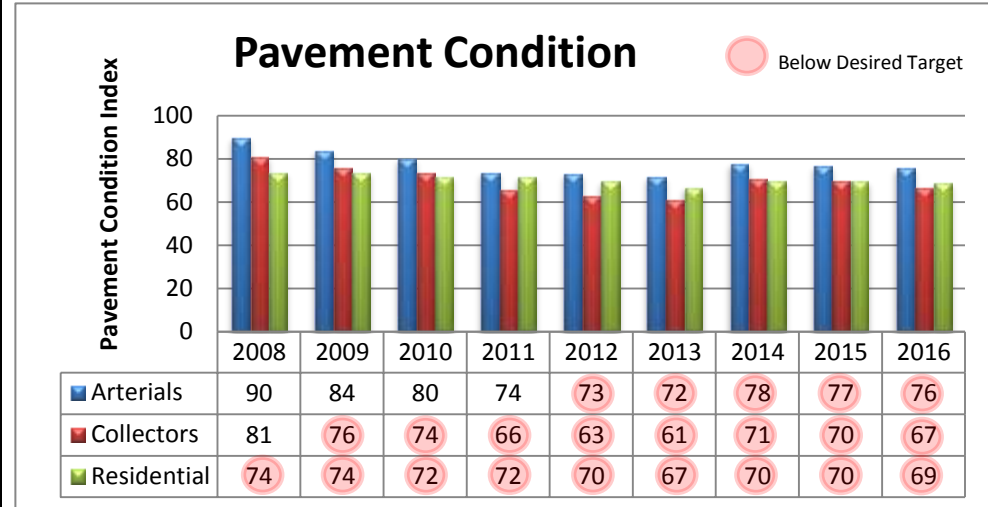
Desired Results

Pavement Condition Index
 Arterials – 80
 Collectors – 80
 Residential – 75

Pavement Condition Index Key

Excellent: 86 to 100
 Good: 75 to 85
 Fair: 58 to 74
 Poor: 40 to 57
 Failed: 0 to 39

Status



Analysis

The County's Pavement Condition Index continues its steady decline. The storms of 2016/2017 will further deteriorate the roads. We are already seeing the visual evidence of the unraveling of roads that we have not been able to apply preventative surface treatments to. The Board of Supervisors adopted a support position for AB1 that would provide a transportation funding fix.

Actions

- Seek additional "new" funding for pavement preservation
- Continue to apply for grants
- Use innovative pavement rehabilitation methods such as cold in-place recycling, micro-surfacing, etc.
- Work through CEAC Statewide Needs Assessment efforts to educate legislators on the need to fix the declining buying power of gas tax. Push for indexing gas tax to CPI or other price index.
- Issue identified in legislative platform for maintenance funding.
- Recommend the Board of Supervisors support SB1.

Core Service Area (External): Transportation, Road (Safety)

Strategic Focus Areas

- Customer Service
 Safety
 Organizational Health
 Financial Stability

Goal

Operate and maintain County streets, highways, and bridges to provide safe operating conditions

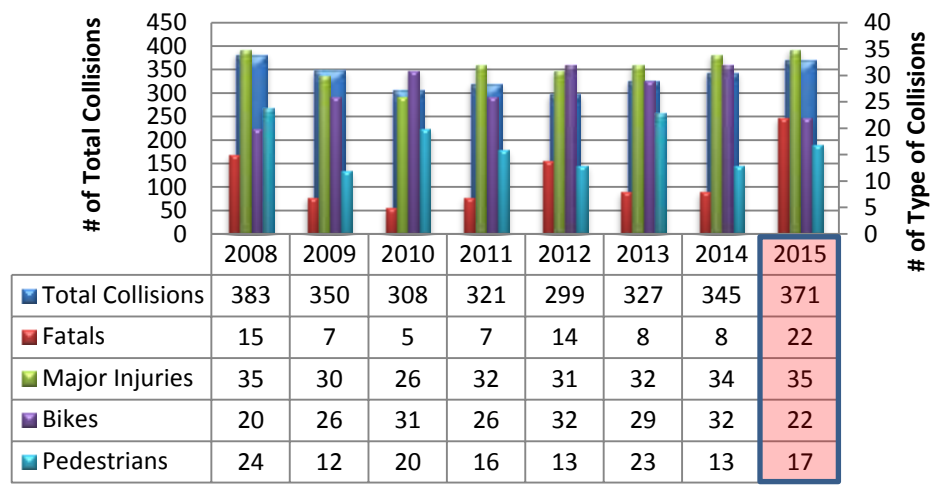
Desired Results

Reduce or maintain collision totals

Zero Fatalities and Major Injury collisions

Status

County Roads Collision Summary



2015 2015 Data is incomplete and preliminary. Final data not available until 2016.
 Data Source: TIMS (Transportation Injury Mapping System, unincorporated County, no State Highways)

Analysis

After several years of declines in total collisions, we are seeing a slight increasing trend in collisions. This is a typical trend found across the state. It seems to coincide with the improving economic conditions and more commute travel. Other categories seem steady with only slight fluctuations in numbers.

2015 saw one of the highest fatality and major collision numbers over the last 8 years.

Actions

Proactive roadway safety surveys by the Traffic Safety Investigator (need to backfill the recently vacated position). Maintenance management system to preserve the transportation network in a healthy operating condition. Continue implementing the three accident review policy.

Implement a Vision Zero Policy and develop an action plan to reduce fatalities and major injury collisions to zero by a certain year.

ROAD PROJECT GRANT APPLICATION IMPACTS TO GAS TAX

					FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Grant Program	Project Name	Total Project Costs	Total Grant Funds	Other Funds	Gas Tax (c)	Gas Tax (c)	Gas Tax (c)	Gas Tax (c)	Gas Tax (c)
HSIP Cycle 5	Alhambra Valley Rd Safety Improvements - Rancho La Boca Rd to Ferndale R	\$ 2,227,096	\$ 600,000	\$105K Prop 1B/\$1.383M Martinez AOB	\$ -	\$ -	\$ -	\$ -	\$ -
HSIP Cycle 5	Byron Hwy & Camino Diablo Intersection Improvements	\$ 4,587,147	\$ 900,000	\$1.365M East County AOB/\$918K Martinez AOB	\$ 137,174	\$ 1,215,025	\$ -	\$ -	\$ -
HSIP Cycle 7	Bay Point Sign Upgrade Project	\$ 556,250	\$ 479,900		\$ 31,355	\$ 25,000	\$ -	\$ -	\$ -
HSIP Cycle 7	Byron Highway Traffic Safety Improvements	\$ 615,000	\$ 515,000		\$ 42,187	\$ 38,000	\$ -	\$ -	\$ -
HSIP Cycle 7	Marsh Creek Rd Traffic Safety Improvements	\$ 1,528,000	\$ 1,268,000	\$260K East County AOB	\$ -	\$ -	\$ -	\$ -	\$ -
HSIP Cycle 7	San Pablo Dam Rd Sidewalk Gap Project	\$ 917,577	\$ 713,920		\$ 5,827	\$ 40,000	\$ 80,000	\$ 77,830	\$ -
HSIP Cycle 8	Byron Highway/Byer Rd Intersection Improvements	\$ 1,046,000	\$ 616,730	\$429,270 Disco Bay AOB	\$ -	\$ -	\$ -	\$ -	\$ -
HSIP Cycle 8	Danville Blvd/Orchard Ct Complete Streets Improvements	\$ 4,145,000	\$ 2,718,000	\$1.370M Measure J	\$ -	\$ -	\$ -	\$ -	\$ -
HSIP Cycle 8	Guardrail Upgrade Project	\$ 1,346,000	\$ 1,293,200		\$ -	\$ 31,400	\$ -	\$ 21,400	\$ -
HSIP Cycle 8	San Pablo Dam Rd Traffic Safety Improvements	\$ 804,300	\$ 760,800		\$ -	\$ 27,200	\$ -	\$ 16,300	\$ -
HSIP Cycle 8	Walnut Creek Crosswalk Improvements	\$ 324,400	\$ 324,400	\$100K TDA requested	\$ -	\$ -	\$ -	\$ -	\$ -
TDA 2014-2015	Tara Hills Pedestrian Infrastructure Project	\$ 757,559	\$ 82,500	\$100K Measure J RTS	\$ 55,197	\$ 422,000	\$ -	\$ -	\$ -
TDA 2014-2015	Port Chicago Hwy & Willow Pass Rd Sidewalk Improvements	\$ 1,671,229	\$ 1,163,500	\$200K Measure J RTS/\$308K Bay Pt AOB	\$ -	\$ -	\$ -	\$ -	\$ -
TDA 2015-2016	Pedestrian Crossing Enhancements - Central & East County	\$ 685,600	\$ 200,000		\$ -	\$ 471,219	\$ -	\$ -	\$ -
TDA 2015-2016	Pomona Street Pedestrian Safety Improvement Project - Phase II	\$ 386,506	\$ 120,000	\$22K Unfunded	\$ 26,506	\$ 192,000	\$ -	\$ -	\$ -
TDA 2016-2017	Blackhawk Road Bike Lane Restriping	\$ 360,000	\$ 100,000	\$100K Trust 8192	\$ -	\$ 160,000	\$ -	\$ -	\$ -
TDA 2016-2017	San Pablo Dam Rd Sidewalk Gap Project	\$ 917,577	\$ 713,920		\$ 5,827	\$ 40,000	\$ 80,000	\$ 77,830	\$ -
FAS	Kirker Pass Road Open Grade Overlay	\$ 2,395,000	\$ 1,343,000		\$ 20,000	\$ 95,000	\$ 60,000	\$ -	\$ 877,000
LSRP	Local Streets and Roads Preservation Project	\$ 5,381,251	\$ 4,327,000		\$ -	\$ 400,000	\$ 654,251	\$ -	\$ -
WW Funds	Tice Valley Linear Park	\$ 800,000	\$ -	\$335K Cent County AOB	\$ -	\$ -	\$ -	\$ -	\$ -
ATP Cycle 3	Fred Jackson Way First Mile/Last Mile Connection Project	\$ 4,298,000	\$ 3,298,000	\$1M N Rich AOB?	\$ -	\$ -	\$ -	\$ -	\$ -
ATP Cycle 3	Pacheco Blvd Sidewalk Gap Closure Project - Phase III	\$ 1,276,000	\$ 619,000	\$657K Martinez AOB and/or Gas Tax	\$ 200,000		\$ 37,000		
	TOTAL	\$ 37,025,493	\$ 22,156,870		\$ 524,074	\$ 3,156,845	\$ 874,251	\$ 193,360	\$ 877,000

					FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Grant Program	PENDING APPLICATIONS	Total Project Costs	Total Grant Funds	Other Funds	Gas Tax (c)	Gas Tax (c)	Gas Tax (c)	Gas Tax (c)	Gas Tax (c)
TDA 2017-2018	Walnut Creek Crosswalk Improvements	\$ 324,400		\$224,400 HSIP/\$100K TDA requested	\$ -	\$ -	\$ -	\$ -	\$ -
TDA 2017-2018	Parker Avenue Pedestrian Improvements Project	\$ 165,000		\$100K TDA requested	\$ -	\$ -	\$ -	\$ 65,000	\$ -
TDA 2017-2018	Pedestrian Crossing Enhancements - Shawn Dr at Delmore Rd	\$ 116,860		\$100K TDA requested	\$ -	\$ -	\$ -	\$ 16,860	\$ -
TDA 2017-2018	Imhoff Dr Bicycle Shoulder Project	\$ 144,000		\$100K TDA requested	\$ -	\$ -	\$ -	\$ 44,000	\$ -
TDA 2017-2018	Delta de Anza Trail Crossing Project	\$ 422,000		\$150K TDA requested	\$ -	\$ -	\$ -	\$ 272,000	\$ -
OBAG Cycle 2	Bailey Road Complete Streets Project	\$ 4,710,000		\$3.835 OBAG requested	\$ -	\$ -	\$ -	\$ -	\$ 875,000
TLC/PBTF	Rodeo Downtown Infrastructure Project	\$ 1,200,000		\$470K TLC/PBTF requested/\$730K RDA	\$ -	\$ -	\$ -	\$ -	\$ -
TLC/PBTF	Appian Way/Valley View Rd Intersection Improvements	\$ 4,066,000		\$4.066M TLC/PBTF requested	\$ -	\$ -	\$ -	\$ -	\$ 408,000
TLC/PBTF	Iron Horse Active Transportation Corridor Study	\$ 350,000		\$350K TLC/PBTF requested	\$ -	\$ -	\$ -	\$ -	\$ -
	TOTAL	\$ 11,498,260	\$ -		\$ -	\$ -	\$ -	\$ 397,860	\$ 1,283,000



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

8.

Meeting Date: 02/13/2017

Subject: REVIEW, REVISE as appropriate, and ADOPT the 2017 Calendar.

Department: Conservation & Development

Referral No.: N/A

Referral Name: N/A

Presenter: John Cunningham, DCD

Contact: John Cunningham
(925)674-7833

Referral History:

REVIEW, REVISE as appropriate, and ADOPT the 2017 Calendar. (John Cunningham, Department of Conservation and Development)

Referral Update:

The Committee should review and adopt the 2017 Draft TWIC Calendar.

Recommendation(s)/Next Step(s):

REVIEW, REVISE as appropriate, and ADOPT the 2017 Calendar.

Fiscal Impact (if any):

N/A

Attachments

2017 TWIC Calendar - DRAFT



TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

Supervisor Diane Burgis, District III, Chair
Supervisor Karen Mitchoff, District IV, Vice Chair

2017 Meeting Schedule

DATE	ROOM	TIME
February 13	651 Pine Street, Room 101, Martinez	9:00 to 10:00 a.m.
March 13	651 Pine Street, Room 101, Martinez	9:00 to 10:00 a.m.
April 10	651 Pine Street, Room 101, Martinez	9:00 to 10:00 a.m.
May 8	651 Pine Street, Room 101, Martinez	9:00 to 10:00 a.m.
June 12	651 Pine Street, Room 101, Martinez	9:00 to 10:00 a.m.
July 10	651 Pine Street, Room 101, Martinez	9:00 to 10:00 a.m.
August 14	651 Pine Street, Room 101, Martinez	9:00 to 10:00 a.m.
September 11	651 Pine Street, Room 101, Martinez	9:00 to 10:00 a.m.
October 9	651 Pine Street, Room 101, Martinez	9:00 to 10:00 a.m.
November 13	651 Pine Street, Room 101, Martinez	9:00 to 10:00 a.m.
December 11	651 Pine Street, Room 101, Martinez	9:00 to 10:00 a.m.

The Agenda Packets will be mailed out prior to the meeting dates.

For Additional Information Contact:

John Cunningham, Committee Staff
Direct Line: 925-674-7833
Main Transportation Line: 925-674-7209
John.Cunningham@dcd.cccounty.us



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

9.

Meeting Date: 02/13/2017

Subject: CONSIDER recommendations on referrals to the Committee for 2017, REVISE as necessary, and take ACTION as appropriate.

Department: Conservation & Development

Referral No.: N/A

Referral Name: This is an annual administrative item of the Committee.

Presenter: John Cunningham, DCD

Contact: John Cunningham
(925)674-7833

Referral History:

This is an annual Administrative Item of the Committee.

Referral Update:

See attached recommended referrals to the Committee for 2017.

Discussion of recommended changes:

Item 5: The removal of "single use plastic bags" from the development of an ordinance is in response to the passage of Senate Bill 270 (Padilla - 2014) and the subsequent Proposition 67 referendum in 2016. This effort is now addressed as a standalone item in the referral list, #21. Additional non-substantive revisions are included to clarify the intent of the referral.

Item 6: These activities are consistent with the requirements in the Sustainable Groundwater Management Act (SGMA) which is comprised of three bills: AB-1739 (Dickinson - 2014) Groundwater management, SB-1319 (Pavley - 2014) Groundwater, and SB-1168 Groundwater management (Pavley - 2014). The legislation requires local agencies to develop groundwater sustainability plans specific to their regional needs.

Item 12: The basis of this suggested change is twofold:

1) Removal of "...review the ability to revise the County design standards...": Staff fulfilled the direction of the referral relative to "review the ability to revise the County road design standards" and found that it would not be advisable at this time to undertake such an effort. Given the pervasiveness of road standards throughout the County Code, the revision would be a substantial undertaking requiring an inordinate amount of staff and consultant time.

Magnifying staff's concerns with the time and cost associated with updating the road design standards is the limited applicability of the code. Most often the road standards are used with greenfield type of development.

This type of development no longer occurs regularly in the unincorporated areas. The majority of development is infill and redevelopment, the type of projects which often rely on exceptions to whatever standards happen to be in place at the time.

2) The addition of "monitor the implementation of...Complete Streets Policy": After the adoption of the Complete Streets Policy by the Board of Supervisors on July 12, 2016, TWIC directed staff to report back on the implementation process. This revision formalizes TWICs direction to staff. The goal of the revisions of the original "revise County road design standards" is more effectively met by this approach.

Item 19: This is a non-substantive change reflecting the change in terminology for Uber and Lyft type of companies.

Item 21: See discussion in *Item 5* above regarding single use plastic bag ban. The passage of SB 270 and subsequent referendum (Prop 67 - 2016) requires that local jurisdictions ensure and monitor implementation.

Recommendation(s)/Next Step(s):

CONSIDER recommendations on referrals to the Committee for 2017, REVISE as necessary, and take ACTION as appropriate.

Fiscal Impact (if any):

There is no fiscal impact.

Attachments

DRAFT TWIC Referrals 2017

**DRAFT 2017 Referrals to the Transportation,
Water and Infrastructure Committee**

*(Submitted to TWIC at their February 13, 2017
meeting)*

1. Review legislative matters on transportation, water, and infrastructure.
2. Review applications for transportation, water and infrastructure grants to be prepared by the Public Works and Conservation and Development Departments.
3. Monitor the Contra Costa Transportation Authority including efforts to implement Measure J.
4. Monitor EBMUD and Contra Costa Water District projects and activities.
5. Review projects, plans and legislative matters that may affect issues associated with the health of the San Francisco Bay and Delta, including but not limited to conveyance Delta levees, flood control, dredging, climate changedrought planning, habitat conservation, governance, water storage, development of an ordinance regarding single-use plastic bags and polystyrene foam food containers, and water quality, supply and reliability, consistent with the Board of Supervisors adopted Delta Water Platform.
6. Review and monitor the establishment of Groundwater Sustainability Agencies and Groundwater Sustainability Plans for the three medium priority groundwater basins within Contra Costa County as required by the Sustainable Groundwater Management Act.
7. Review issues associated with County flood control facilities.
8. Monitor creek and watershed issues and seek funding for improvement projects related to these issues.
9. Monitor the implementation of the Integrated Pest Management policy.
10. Monitor the status of county park maintenance issues including, but not limited to, transfer of some County park maintenance responsibilities to other agencies and implementation of Measure WW grants and expenditure plan.
11. Monitor and report on the East Contra Costa County Habitat Conservation Plan.
12. Review the ability to revise the County design standards for residential streets to address traffic calming and neighborhood livability issues when these roads are builtMonitor the implementation of the County Complete Streets Policy.
13. Monitor and report on the Underground Utilities Program.
14. Monitor implementation of the Letter of Understanding with PG&E for the maintenance of PG&E streetlights in Contra Costa.
15. Freight transportation issues, including but not limited to potential increases in rail traffic such as that proposed by the Port of Oakland and other possible service increases, safety of freight trains, rail corridors, and trucks that transport hazardous materials, the planned truck route for North Richmond; and the deepening of the San Francisco-to-Stockton Ship Channel.
16. Monitor the Iron Horse Corridor Management Program.
17. Monitor and report on the eBART Project.
18. Review transportation plans and services for specific populations, including but not limited to County Low Income Transportation Action Plan, Coordinated Human Services Transportation Plan for the Bay Area, Priorities for Senior Mobility, Bay Point Community Based Transportation Plan, Contra Costa County Mobility Management Plan, and the work of Contra Costans for Every Generation.
19. Monitor issues of interest in the provision of general transportation services, including but not limited to public transportation and taxicab/rideshare transportation network companies services.

20. Monitor the statewide infrastructure bond programs.

~~20-21.~~ Monitor implementation and ensure compliance with the single-use carryout bag ban consistent with Public Resources Code, Chapter 5.3 (resulting from Senate Bill 270 [Padilla – 2014]).

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Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

10.

Meeting Date: 02/13/2017
Subject: COMMUNICATION/News Clippings.
Department: Conservation & Development
Referral No.: N/A
Referral Name: N/A
Presenter: John Cunningham, DCD **Contact:** John Cunningham
(925)674-7833

Referral History:

Communication items are added to the TWIC agenda on an as-needed basis.

Referral Update:

Communication Received: News, etc.:

1/5/17 Letter from Julie Bueren, Director of Public Works, to Dale Dennis, Program Manager of the East Contra Costa Regional Fee and Financing Authority regarding the reimbursement of funds (\$3 million + interest) to the County.

1/10/17 Letter from the Board of Supervisors to Senator Jim Beall, Chair of the Senate Transportation and Housing Committee regarding the California Traffic Control Devices Committee handling of a County sponsored bill, SB 632: School Speed Zones.

[Redefining Mobility Summit](#): CCTA event related to innovative transportation technologies.

Recommendation(s)/Next Step(s):

RECEIVE communication and DIRECT staff as appropriate.

Fiscal Impact (if any):

N/A

Attachments

[01-10-17 SIGNED - BOS to Sen TransHousing Chair reCTCDC-SB632](#)

[CCC PWD to ECCRFFA re Repayment](#)

[CCTA Redefining Mobility.pdf](#)

The Board of Supervisors

County Administration Building
651 Pine Street, Room 106
Martinez, California 94553

John Glola, 1st District
Candace Andersen, 2nd District
Diane Burgis, 3rd District
Karen Mitchoff, 4th District
Federal D. Glover, 5th District

**Contra
Costa
County**



David Twa
Clerk of the Board
and
County Administrator
(925) 335-1900

January 10, 2017

Honorable Jim Beall, Chair
Senate Transportation and Housing Committee
State Capitol, Room 2209
Sacramento, CA 95814

Subject: California Traffic Control Device Committee Review of Senate Bill 632 (Cannella)

Dear Senator Beall:

On behalf of the Contra Costa County Board of Supervisors, I am writing to inform you of the County's concerns regarding the California Traffic Control Device Committee's (CTCDC) review of Senate Bill 632 (Cannella/2015). SB 632 addresses, among other issues, school area safety by authorizing local jurisdictions to size the school zone to reflect on-the-ground realities. As you are aware, the Senate Transportation & Housing Committee (Senate T & H hereafter) referred the item to the CTCDC for review due to the technical issues addressed in the Bill.

The CTCDC formed a school zone subcommittee to respond to Senate T & H and Contra Costa County was invited to participate in the effort. The work of the subcommittee resulted in the attached draft response to the Senate T&H. County staff believes the CTCDC recommendations, and the process to come up with those recommendations, are flawed. The County went on record with the CTCDC as such on several occasions. The County's input, accompanied by a substantial amount of evidence and data, was not discussed and did not have any effect on the dialog or outcome. That said, we believe the response from the CTCDC is wholly inadequate. A summary of our specific concerns:

School Zone Size Recommendation is in Direct Conflict with the School Zone Subcommittee Stated Objective: At the outset of the CTCDC's School Zone Subcommittee's work on the school zone issue the group unanimously agreed that 1) the existing distances in the statutes were arbitrary, and 2) whatever recommendations the CTCDC were to make could not be arbitrary but rather evidence-based. The recommended changes in the letter to the Senate remain arbitrary in conflict with the original, rational agreement.

Local Authority Regarding School Zone Establishment is in Direct Conflict of CTCDC Stated Objective: At the outset, the Committee was in agreement that affording local jurisdictions flexibility to determine the size of the zone was a desirable characteristic of the bill. Despite this, the CTCDC recommendation did not support the flexibility afforded to the local jurisdictions in the bill.

"When Children Are Present" (WCP) Signage: Discussions at the CTCDC established that the Committee is well aware there are substantial, fundamental problems with the WCP signage. Yet, in the letter to Senate T&H, no change is recommended in the underlying statutes and no mention is made of the known flaws of the WCP signage.

Senator Jim Beall
January 10, 2016

In defense of the CTCDC, the issues in SB 632 are complex. Given the ultimate deviation of the CTCDC from their original, admirable response objectives (discussed above), it appears that the Committee did not have the resources to give the bill and underlying issues the appropriate level of attention.

The County respectfully requests that the Senate Transportation & Housing Committee set aside the response from the CTCDC and refer the issue to Caltrans and the Department of Public Health for a comprehensive review with appropriate resources, analysis and outreach. The numerous, fundamental changes in state transportation policy (complete streets, active transportation, safe routes to school, health in all policies, greenhouse gas reduction, smart mobility framework, vision zero/toward zero deaths) and public health data now available, all strongly indicate that the statutes addressed in SB 632 should be reviewed in an appropriately substantive manner.

While the bill is not currently active, it is entirely likely that the concepts in the bill will be re-introduced at a later date. These issues *must* be addressed if we are to make progress on school area safety and increase the walk/bike rates of students traveling to and from school. The County believes that now is the time to progress on these issues.

Sincerely,



Federal D. Glover, Chair
Contra Costa County Board of Supervisors
Supervisor, District V

C: Honorable Members of the Contra Costa County State Legislative Delegation
Honorable Members, Senate Transportation & Housing Committee



Contra Costa County
Public Works
Department

Julia R. Bueren, Director

Deputy Directors
Brian M. Balbas, Chief
Mike Carlson
Stephen Kowalewski
Carrie Ricci
Joe Yee

January 5, 2017

Dale Dennis, Program Manager
East Contra Costa Regional Fee and Financing Authority
255 Glacier Drive
Martinez, California 94553

Dear Mr. Dennis,

Contra Costa County (County) would like to request that East Contra Costa Regional Fee and Financing Authority (ECCRFFA) evaluate its current fund balance and the status of the ECCRFFA Program to determine if it would be possible to expedite the reimbursement of the Prop 1B funds (\$3 million plus interest) that was provided to ECCRFFA in March 2008 to facilitate the completion of Segment 3 of the SR4 Bypass and the County's share of the Cost of Relinquish payments for the transfer of the SR4 Bypass and relinquishment of the old SR4 facility, which was relinquished to the County in January 2012 (\$1.862 million). Due to a downturn in gas tax revenue and a resultant funding shortage (discussed in more detail below), the County is requesting reimbursement of the Prop 1B funds and the Cost of Relinquishment payment in FY 2016/17 to support our transportation construction program. Reimbursement/payment of these two items is currently shown in the 2015 ECCRFFA Strategic Plan in FY 2017/18 and FY 2018/19.

Over the years, the County has been a committed partner in delivering the various regional projects included in the ECCRFFA Strategic Plan and CCTA Measure J Funding Plan. As mentioned above, when funding issues surfaced during the recent tough economic times, the County assisted by providing the \$3 million of Prop 1B funds to ECCRFFA to complete Segment 3 of the SR4 Bypass. The original agreement between the County and ECCRFFA provided for reimbursement no later than June 30, 2011. However, due to cash flow issues and the importance of delivering other important regional projects, the County agreed to delay reimbursement of these funds. The County worked with ECCRFFA to restructure the payment schedule to ensure the regional projects moved forward. In a similar fashion, the County also partnered with ECCRFFA and Caltrans during the Transfer and Relinquishment process for the SR4 Bypass and old SR4 and agreed to have the Cost to Relinquishment payment deferred to help with the delivery of important regional projects. The County used its own local gas tax funds to provide much needed road work on the section of old SR4 between

"Accredited by the American Public Works Association"

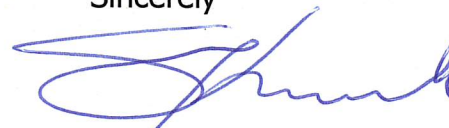
255 Glacier Drive Martinez, CA 94553-4825
TEL: (925) 313-2000 • FAX: (925) 313-2333
www.cccpublicworks.org

Sellers Avenue and Marsh Creek Road, which was relinquished to the County in poor condition.

The County's main source of revenue for its local road program is gas tax revenue. With more fuel efficient vehicles and the electric vehicle market increasing, coupled with the decline in the sales price of gasoline, County gas tax revenues have declined from a high of \$26 million just 3 years ago to approximately \$19 million annually. As a result, we have delayed construction of several minor projects in FY 16/17 and are looking at needing to delay several more projects, including major safety projects in FY 17/18, and are also looking at cancelling the surface treatment program for FY 17/18. Although the reimbursement/payment of funds from ECCRFFA will not fix a long standing State transportation funding issue, it will help us get through this fiscal year and next fiscal year in hopes that the legislature in Sacramento can finally arrive at a transportation funding fix.

Again, the County would respectfully request reimbursement of Prop 1B and Cost of Relinquishment funds in full in FY 16/17. Based on discussions with ECCRFFA staff, it is our understanding that ECCRFFA revenues have been higher than expected and there may be an opportunity to reimburse the County sooner than shown in the 2015 ECCRFFA Strategic Plan. Thank you in advance for your consideration and we look forward to working with you to accomplish this much needed action.

Sincerely



for Julia R. Bueren
Public Works Director

JRB:SK:lz
G:\Admin\skow\Dale Dennis ltr 1-5-17.docx

c: Steve Kowalewski, Deputy Director
Jerry Fahy, TE
Nancy Wein, TE
John Cunningham, DCD
Michele Wara, Administration

Redefining Mobility Summit

March 30, 2017

Thursday, March 30, 2017
8:00 AM - 5:00 PM

Roundhouse @ Bishop Ranch
2600 Camino Ramon
San Ramon, California 94583

Cost: \$350

Enter promo code EARLYBIRD
to save \$50 on the cost of
admission through February 15



Join GoMentum Station, Bishop Ranch, the Contra Costa Transportation Authority (CCTA), and our partners for the third annual Redefining Mobility Summit in San Ramon, California.

At the Summit, you'll have the opportunity to hear from government and industry leaders about how innovate research and cutting edge technology is revolutionizing transportation – and the chance to experience the technology firsthand with live demonstrations!

REGISTRATION NOW OPEN

For more information, please visit
www.gomentumstation.net/registration

02-13-17 TWIC Mtg Packet Page 96 of 96

