

2) STATE

Legislative Report: The legislative report from the County's legislative advocate, Mark Watts, is attached (*October TWIC Report*).

Mr. Watts will be present at the October meeting to discuss state legislation, the status of the state budget/transportation revenues, Iron Horse corridor status and other items of interest to the Committee.

School Safety & Siting

School Siting: The California Department of Education (CDE) has recently initiated an effort to revise Title 5 (see attachment: CDE Title 5 Announcement). Title 5 contains the language that addresses school site selection and design. The launch of the effort was on October 4th with a conference call hosted by CDE.

We are seeking advice from the Committee on how to better address this longstanding issue. In the interest of crafting a more effective strategy, a list of barriers to progress on this issue is provided:

- **Authority:** CDE staff may not have statutory authority to impose requirements on local school districts. That said, time spent on outreach to our legislative delegation may be required in addition to working with CDE directly. Companion legislation may be necessary to achieve the desired impact of new Title 5 regulations. In the recent Title 5 Revision conference call, reference was also made to the State Board of Education as being a controlling factor in any changes to the regulations as well. Outreach to the State Board may be advisable.
- **Denial of the problem:** Despite the problem being acknowledged by numerous agencies in various documents (1), when pressed on the issue decision makers often state that there is no problem with the school siting program.
- **Diminishment of the problem:** In meeting with advocates, decision makers, and state staff there is often the response that problems with school siting are only seen in limited areas so that, *on average*, there isn't really a problem with the program. By "averaging" the issue, the gravely acute safety and land use problems with those certain school sites are ignored.
- **Building Industry:** As we have discussed in the past, the building industry has expressed concerns about placing additional requirements on school site development.

(1) • The Superintendent of Public Instruction has acknowledged the issue in two published studies, • The original AB32 scoping plan in 2008 included school siting requirements in the draft plan. Those requirements were removed in the final draft. • Early implementation of the Health in All Policies initiative included school siting as an issue; that issue was removed in later planning documents. • CDE and the Office of Policy and Research acknowledged that school siting needs to be addressed at a Policy Symposium in 2012. Specifically, these agencies stated that school siting needs to be brought under the fold of the new land use planning paradigm initiated by AB32, SB375, etc. There has been no progress on this issue to date.

Speed Camera/Automated Speed Enforcement (ASE): The two largest barriers to increasing both safety and walk/bike rates for students during the home/school/home trip are **1)** school siting and land development patterns, and **2)** speeding vehicles. School siting is being addressed as described in the section above and land development patterns are currently the focus of numerous state, regional, and local efforts focused on climate change and growth management related efforts.

The remaining issue, speeding vehicles, remains to be addressed in a systematic and effective manner. ASE has been proposed as a solution and has been discussed by TWIC in the past. Staff believes that ASE is likely to be the best strategy to control speeds in appropriate areas. However, state authorization is needed prior to implementation. Information on Automated Speed Enforcement is attached: ASE Information.pdf.

TWIC is reviewing the state legislative platform later in the agenda, the Committee should consider adding support for ASE. At the time the County moved ahead with the school zone reform bill (SB 632) in 2015 the San Francisco Metropolitan Transportation Authority was planning to introduce ASE legislation. It appears that the legislation will now be introduced in 2017. However, the initial scope of the bill, described as a "pilot program" is planned to be limited as follows:

- **Geographic:** City/County of San Francisco, and San Jose.
- **Situational:** Authorization will be limited to areas where there is a history of collisions where speed was a factor.

Given these limitations, Contra Costa County will not see the benefit of the legislation.

Regarding the geographic limitation, SFMTA staff indicated that there is an adopted Vision Zero policy in both San Francisco and San Jose demonstrating a broad, formal base of support for safety increases and speed control. In summary, Vision Zero is a recognition that traffic fatalities are preventable, and a commitment to ensure that no one is killed in traffic. Jurisdictions that adopt Vision Zero (VZ) set out to end traffic deaths within a specific time frame. Dozens of entities in the United States have adopted VZ policies including local jurisdictions, Caltrans, and the Federal Highway Administration. While no Contra Costa jurisdiction has an adopted VZ policy, the Contra Costa County Public Works Department is considering implementing similar policies. See the attached, Vision Zero (San Jose).pdf for more information on the concept.

Regarding the situational limitation, the approach that there needs to be collisions (and we assume injuries or deaths) before implementing solutions is fundamentally flawed. Staff understands this limitation was negotiated with advocacy groups concerned with the ASE proposal.

If the County is interested in developing the ASE tool for use in the County we will need to seek our own authorization. If TWIC and the Board of Supervisors is interested in pursuing ASE as a strategy staff the effort should begin with the development of a Vision Zero policy possibly with countywide advocacy rather than through a County-led or initiated effort.

RECOMMENDATION: DIRECT staff to bring draft letters to the appropriate parties to the full Board of Supervisors regarding the Title 5 revision process, DISCUSS any other state issues of note and take other ACTION as appropriate.

3) **FEDERAL**

No written report in May.

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