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# Memo

August 4, 2021

TO:

Measure X Community Advisory Board

FROM:

Brian M. Balbas, Public Works Director

SUBJECT:

Measure X Funding Request for Flood Control Infrastructure

Despite the considerable discussions at multiple government levels surrounding funding for our Nation's critical infrastructure needs and the consistent efforts of our Contra Costa County Flood Control and Water Conservation District and Public Works Department to secure adequate and sustainable funding sources, we are still facing massive funding shortfalls. With aging critical infrastructure, deferred maintenance, increasing regulatory mandates and stresses brought on by climate change and sea level rise, public health, safety and quality of life, will be severely impacted if we do not act immediately to respond to these issues.

The reality is the longer these improvements are delayed the more it will cost and the higher the likelihood that we will endanger the public's lives, health and property. In this summary report, we have tried to provide some background, context and details to the issues we face and some of the steps we have taken in an effort to address this growing issue in Contra Costa County and across California. We recognize there is a substantial amount of material and we appreciate the Measure X Community Advisory Board's efforts in educating yourselves and the public regarding not just our challenges in flood protection, but for all of the interests that have come before your Advisory Board.

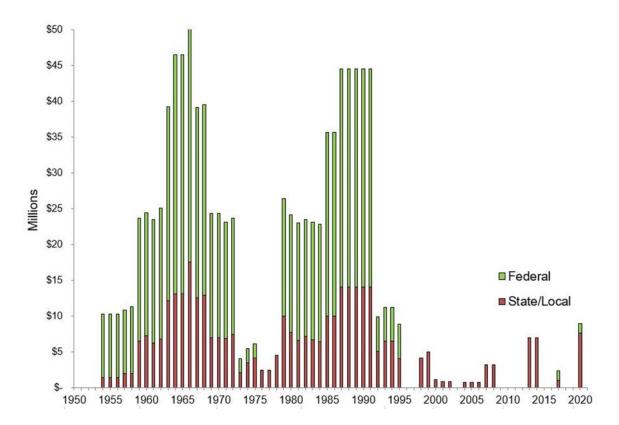
About half of Contra Costa County Flood Control and Water Conservation District's (District) and County Public Works Department's flood protection system has exceeded its design life and the other half is close to reaching its design lifespan. Because of its age, the system requires a high level of maintenance and will eventually need to be replaced. Currently, there is a shortfall in funding to adequately maintain our flood control system. Due to the chronic lack of funds, the system has unmet maintenance needs. Deferred maintenance of the system not only reduces its efficiency, but will ultimately lead to failure of our flood control system infrastructure.

The District manages approximately 79 miles of improved channels and 30 detention basins/dams that protect many cities and unincorporated areas. The County Public Works Department manages approximately 150 miles of streams, channels, and other drainage within our unincorporated areas. Funding for maintenance of a flood control system is 100% local funds as there are no federal or state programs for maintenance. We take advantage of the many federal and state granting opportunities available to help pay for

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new and improved facilities when possible. We also condition some facilities to be installed by developers when construction takes place. However, no grant funding is available to pay for routine and regular maintenance.

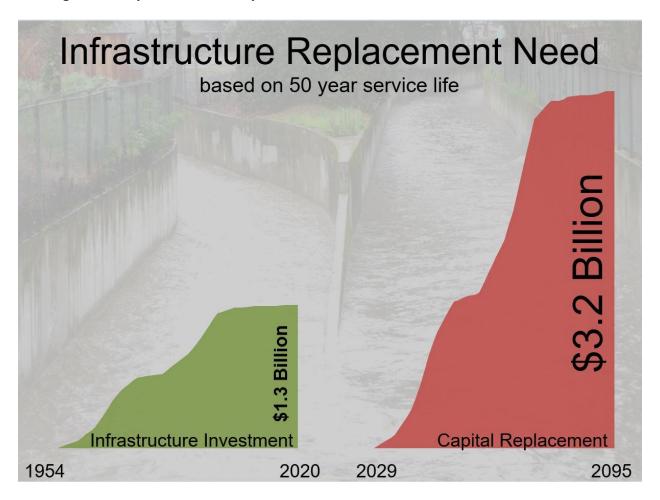
The current value of District infrastructure is estimated at just over \$1.3 Billion, adjusted to 2020 dollars. Much of the earlier constructed infrastructure was financed primarily through federal and state assistance, typically at 90 to 95% of the project costs. In the last twenty years, outside funding percentages have decreased to 50% or less, requiring more local funds, and limiting the ability to deliver projects.



**Figure 1.** \$1.3 Billion investment, adjusted to 2020 dollars, in flood control projects from 1951 – 2020.

This critical flood protection infrastructure protects approximately \$34 Billion of community resources, including homes, businesses and roads, in low-lying areas.

The level of flood protection has been severely impacted or decreased because of lack of local funding for maintenance and replacement of failing systems is inadequate or non-existent, due to the property tax rates being at a fixed percentage since 1979, when Proposition 13 was passed. Areas that are most notably affected are in West Contra Costa County due to the extremely low tax revenue collected for maintenance (low to zero revenue). New and increasing impacts due to climate change and sea level rise on our coastal areas only adds to the challenges. The deferred maintenance cost for our stormwater facilities is currently approximately \$27 Million per year. In addition, replacing District flood protection facilities is currently estimated at \$3.2 Billion. This estimate is based on a 50 year life, and the replacement cost for all facilities spread over 75 years starting in 2030 (see chart below).



**Figure 2.** Current infrastructure value of \$1.3 Billion would need \$3.2 Billion for complete replacement.

In addition to the challenges of historically inadequate funding for operations, maintenance and replacement of our flood protection infrastructure and storm water systems, we face increased regulatory requirements. The District understands, appreciates and supports the need for these requirements, however, they substantially increase the cost, time and effort necessary to complete regular routine maintenance and capital replacement of the system we are responsible for operating and maintaining.

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Since 1991, the California Regional Water Quality Control Board has created new requirements as part of the Municipal Regional Permit and increased existing requirements to reduce pollutants in our waterways. In response to these requirements the County Clean Water Program, consisting of the County and cities, was formed in 1993. In an effort to help address the additional costs of the requirements a Stormwater Utility Assessment (SUA) was created to fund these new requirements. While this initial SUA was helpful in covering costs related to new clean water requirements, changes in legislation and the cap on what could be assessed eventually caught up to these assessments. Now, these funds are insufficient to adequately address the increased requirements that have been implemented with each subsequent permit from the Regional Board. Given the requirements of Proposition 218, increasing these SUA's is simply not considered feasible today. The SUA for every city and the County is currently at the cap that can be collected annually.

The issues surrounding funding flood control infrastructure and the requirements from the California Regional Water Quality Control Board as part of the Municipal Regional Permit have been discussed, reviewed and analyzed for many years. In fact, the Contra Costa County Civil Grand Jury has filed three reports on these subjects. We have also attached the Grand Jury Reports as part of this document.

- Grand Jury Report 1305 in 2013 entitled "Getting to Clean Water in Contra Costa County". This report highlighted several issues associated with the negotiations related to the Municipal Regional Permit and implementation issues associated with the permit, including funding concerns. It provides some insight into the complexity of the issues and gives an idea of the funding issues that plagued the permit at that time and continue with subsequent permits issued since that time.
- Grand Jury Report 1705 in 2017, entitled "Funding Flood Control Infrastructure," had six findings and four recommendations. It recommended that the Board of Supervisors continue to pursue efforts to educate elected officials about the urgency of passing statewide flood control and stormwater funding, identify funds to begin reducing the deferred maintenance backlog, identify funds to begin building reserves for reconstruction of the aging infrastructure, and prepare for a County-wide campaign to educate the public on the need to replace aging infrastructure. In August 2017, the Board responded, in essence agreeing with all the findings and implementing all the recommendations; however, no funds have been made available to the District.
- Grand Jury Report 1907 in 2019, entitled "Stormwater Trash Reduction". This report was directed to the County and cities of the Clean Water Program. The Board responded to the issues directed to the County in August 2019, essentially agreeing with the six findings and implementing the two recommendations. The recommendations were to have the Board direct staff to provide a concise summary of the Municipal Permit Annual Report accomplishments, challenges, costs and funds needed for full compliance, as well as to identify additional revenue sources to fully fund requirements. The recommended need for revenue was forwarded to the County's Finance Committee, but due to COVID, those

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> discussions have been on hold. No additional funds have been made available to the District or County.

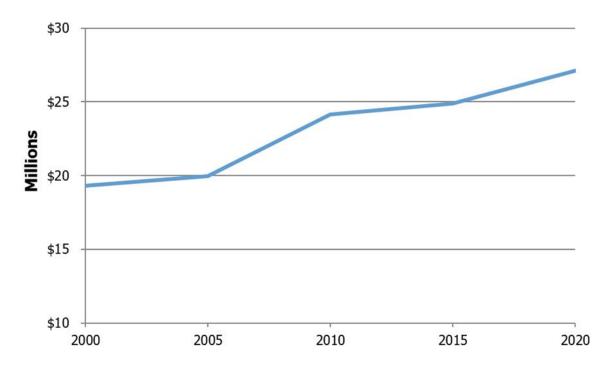
The permitting requirements for maintenance and capital replacement of flood control infrastructure have also become more difficult and costly with additional requirements. These permits differ from the requirements of the Municipal Regional Permit for clean water issued by the Regional Board. The permitting referenced here pertains more to working in waters of the Army Corp or Engineers, Waters of the State and jurisdictions under the purview of agencies like the California Department of Fish and Wildlife. We have worked with multiple regulators and formed great partnerships to respond to the need to protect native species and improve habitat, but these efforts take time and funding to meet the requirements of various interested parties.

The lack of funding for maintaining, improving and replacing flood control and clean water facilities is common across the state. For years we have advocated at local, state and federal levels but have yet to find viable solutions. Some of the efforts undertaken include:

- In 1996, Proposition 218 streamlined funding for utilities (sewer, water and garbage), but stormwater and flood control were not included.
- In 2012, the County Clean Water Program presented to County voters a stormwater funding initiative that failed.
- In 2016, a statewide stormwater funding initiative was stopped from going to the voters after progressing for two years.
- In 2017, Senate Bill 231 was passed, allowing stormwater agencies to establish tax rates using Prop 218, however this has not been implemented due to legal challenges.

The District and Public Works Department have shared these funding challenges annually with the California State Association of Counties, County Engineers Association of California, representatives at the State Capitol, the County Board of Supervisors, and the County Board of Supervisors - Transportation, Water, and Infrastructure Committee. We have attached to this report several examples of outreach and educational documents developed to assist in understanding the critical level of funding shortfall for these facilities.

There are many critical services that County departments and not for profit organizations provide to the citizens of the County. Not providing adequate flood protection and stormwater services is only increasing the risk to public safety, private property and the environment. Although our funding shortfall to resolve the backlog of maintenance needs is about \$27 Million annually, we respectfully request \$5.2 Million per year of Measure X funding to maintain the most immediate and critical needs. Figure 3 shows the annual costs continue to increase because we are not able to properly maintain the flood protection systems.



**Figure 3.** With chronic inadequate funding, our current maintenance backlog of \$27 Million will continue to grow.

The remainder of this report summarizes the specific funding request that we are including in our presentation to the Measure X Community Advisory Committee. It mirrors the PowerPoint slides that will be included in our August 4, 2021 presentation.

The topics below are the critical immediate areas we have identified to include in our Measure X funding request. AS previously stated, our needs are significantly higher than the amounts we are requesting, however we recognize the competing interests throughout our County for these valuable Measure X funds. We also intend to continue our work at a local, state and federal level to improve long term sustainable funding and revenue to address the mounting flood protection infrastructure needs in Contra Costa County and across our nation.

We provided some information on each topic in the table below in an effort to try to address some general areas the Community Advisory Board is interested in as part of any presentation before your Board.

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**Summary of PWD Measure X Proposals** 

Topic	Region	Communities	Request	Timeframe
1. Flood Protection	West County	Underserved	\$2,200,000	Annual
2. Storm Drains	Unincorporated	All	\$1,400,000	Annual
3. Watershed Plans	County	All	\$400,000	*10 years
4. Street Sweeping	Unincorporated	All	\$600,000	Annual
5. Green Infrastructure	Unincorporated	Underserved	\$1,000,000	Annual

Annual Request: \$5,200,000 \*10 Year Request: \$4,000,000

Each topic is addressed in detail in the following sections.

# **Topic 1 – Flood Protection Safety in West County**

# **Topic**

Unincorporated and City Communities of Concern Safety in West County – Flood Control Levees Maintenance, Asset Management, and Resilience in North Richmond, San Pablo, Richmond, Pinole, and Rodeo (Environmental Justice and Climate Change Resiliency)

# **Background**

The communities of North Richmond and Rodeo, and portions of San Pablo, Richmond, and Pinole, are at risk of flooding because local Flood Control District tax revenue is inadequate for needed maintenance as well as improvements to provide climate change resilience. This affects over 16,000 residents adjacent to Wildcat Creek, San Pablo Creek, Rheem Creek, Pinole Creek, and Rodeo Creek, representing about 8.5 miles of channels and levees.

#### **Needs**

Adequate maintenance funding is needed to reduce the maintenance backlog, annual routine maintenance, as well as provide local match for grants to improve these facilities for resiliency to sea level rise. Tax funding has been low or zero since Proposition 13 froze them, per the table below. The current annul need of \$2.4M minus revenue of \$200k results in \$2.2M additional funding needed annually.

Annual Funding Needs for Maintenance vs. Revenue (2020)				
	Current	Annual		
Facility	Need	Revenue		
Wildcat Creek	\$1,000,000	\$137,841		
San Pablo Creek	\$750,000	\$0		
Rheem Creek	\$110,000	\$23,090		
Pinole Creek	\$125,000	\$0		
Rodeo Creek	\$450,000	\$37,639		
Totals:	\$2,435,000	\$198,570		
Total Need:	\$2,236,430			

### **Underserved Impacts**

These communities along the shoreline - North Richmond, San Pablo, Richmond, Pinole, and Rodeo - require flood protection to contain runoff from communities in upper watersheds, which are more resourced. Even minor tax increases to provide increased flood protection will disproportionally impact these underserved communities.

#### **Trends**

Flood risks will only increase yearly in these communities due to lack of maintenance and future sea level rise.

### **Racial Equity**

The impacted populations of North Richmond, Richmond, Pinole, and Rodeo adjacent to the levees and flood control channels are mostly underrepresented groups.

#### Gaps

The most significant unmet needs are 1) community awareness, 2) eliminating the maintenance backlog, 3) routine maintenance, and 4) providing local match for grants to improve these facilities for resiliency to sea level rise.

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#### **Prevention**

The community is aware of local flooding issues, however, the priority of this information is lower than the variety of other challenges the people in these economically marginalized areas face. The community stakeholders, along with the Flood Control District and County leaders, need to be active partners in stressing the severity of continued inaction and improve awareness of potential flooding and future risks.

### **Intersectional**

Flooding will impact mobility-challenged persons, the homeless, evacuation routes, roadways, grocery stores, housing, and safety net services.

#### **Transformational Bold Ideas**

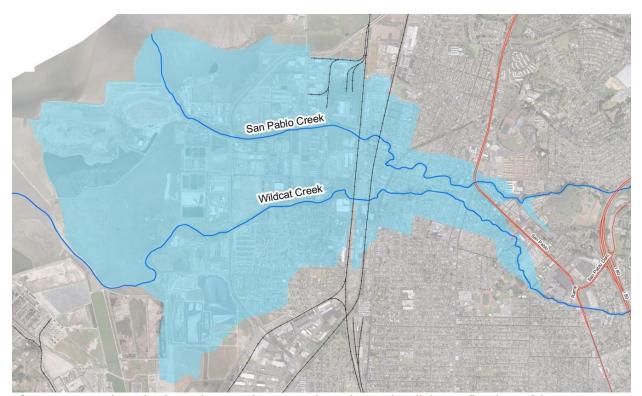
Community members can organize and create awareness about their need for increased flood protection, to be used for social media campaigns, political outreach, etc. This new funding will allow the community to track progress toward their flood reduction goals.

#### Success

All communities of concern with flood control facilities are made aware of the issues, a sustainable funding plan is in place to provide maintenance and resilience, and community members are engaged in the process. Ultimately the risk of flooding is reduced and that also reduces the public safety risks and potential losses to property and livelihoods.

#### **Visuals**

Below are maps and photos supporting this topic.



**Figure 1-A.** Blue shading shows where North Richmond will have flooding if levees are not maintained, or if not improved to accommodate sea level rise. Rheem, Pinole, and Rodeo Creeks currently do not provide protection from 100-yr flood or sea level rise.



**Figure 1-B.** Silt build up due to lack of routine maintenance in Rheem Creek due to lack of funding.



Figure 1-C. Creek bank erosion on Pinole Creek.



Figure 1-D. Creek bank erosion and storm drain pipe failure on Rodeo Creek.

# **Topic 2 – Storm Drain Maintenance and Safety in Unincorporated County**

# **Topic**

Unincorporated County Community Safety - Storm Drain Inventory, Assessment, Repairs, Asset Management, Resiliency (Climate Change Resiliency)

# **Background**

The unincorporated County has an estimated 400 miles of underground storm drains and ditches in public rights of way, which are not adequately maintained due to limited funding. We estimate there is the same quantity of storm drains on private property that also serve the community, but are privately maintained. Combining the PWD and privately maintained storm drains locations data indicates that storm drains directly impact about 25% of the unincorporated population (44,000 residents). There are also indirect impacts to other residents due to sinkholes, road closures, flooding, etc. impacting their travel.

#### **Needs**

Inventory of the entire of public storm drain system, perform conditions assessment, establish a repair program, perform priority repairs, and conduct asset management. The funding need of \$2M minus current funding of \$600k results in \$1.4M additional funding needed annually.

# **Underserved Impacts**

A majority of these facilities are in low-lying areas including North Richmond, Tara Hills, Rodeo, Pacheco, and Bay Point. These areas require storm drains to contain runoff from communities in upper watersheds, which are more resourced. Even minor tax increases to provide increased flood protection will disproportionally impact these underserved communities.

### **Trends**

Much of the storm drain system has reached the end of its life and is failing, or will fail soon. The lack of asset management information leads to flooding, collapses and sinkholes. Also, storm drains have become more important for community resiliency due to the need to trace hazardous spills, and the need to handle more intense runoff due to climate change impacts. The Regional Water Quality Control Board now requires us to submit a complete storm drain inventory.

### **Racial Equity**

The populations in North Richmond, Rodeo, Pacheco, and Bay Point are disproportionally impacted by this issue.

### Gaps

The most significant unmet needs are 1) community awareness, 2) eliminating the maintenance backlog, 3) routine maintenance, and 4) performing a comprehensive inventory.

### **Prevention**

The community is aware of local flooding issues, however, the priority of this information is lower than the variety of other challenges the people in these economically marginalized areas face. The community stakeholders, along with the Flood Control District and County leaders, need to be active partners in stressing the severity of continued inaction and improve awareness of potential flooding and future risks.

# **Intersectional**

There are impacts on transportation, emergency response, and the environment due to failed storm drains. The increase in storm drainage failures is a direct result of these funding issues. They will continue to increase unless additional funds are identified. These failures have far reaching impacts to everyone

### **Transformational Bold Ideas**

To raise awareness, community members can adopt a storm drain, or pick up trash from the street to prevent it from entering the storm drain. As provided in our background materials, stormwater should be part of a larger comprehensive water program in California (drinking water, wastewater and storm water).

#### Success

All public storm drains are mapped, monitored, and maintained properly. There are no collapses, sinkholes, or failures. Sustainable funding is in place to ensure proper function and maintenance.

### **Visuals**



**Figure 2-A.** Roadway sinkhole due to storm drain pipe collapse which is a safety concern for motorists, bicyclists, and pedestrians.



Figure 2-B. Roadway sinkhole due to storm drain pipe collapse.



**Figure 2-C.** Most metal pipes throughout the County are greater than 50 years old (well exceeding their intended lifespan) and the bottom has rusted through, or will soon. This pipe is considered as failed, and may soon collapse to create a sinkhole.



**Figure 2-D.** Approximately 50% of our storm drain data needs to be verified and updated into GIS system for better assessment of location information, hazardous material tracing, and emergency response.

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# **Topic 3 – Watershed Plans for Entire County**

#### **Topic**

County-wide Watershed Plans – Community Planning, Multi-Benefit Projects, Resiliency, Leverage Grants, Environmental Protection and Restoration (Environmental Justice, Climate Change Resiliency)

# **Background**

Watershed plans will reduce contamination, improve the environment, provide health benefits for people, reduce climate change impacts, and increase community engagement. The Regional Water Quality Board now requires that watershed plans be developed, and could hold up permitting of public improvement projects and maintenance if not implemented. We receive no funding to create watershed plans.

#### **Needs**

Communities are not resourced to develop watershed plans, and involving multiple jurisdictions makes it complicated. About \$400k per year for 10 years is needed to develop watershed plans throughout the County. These plans keep the County and all 19 cities as well.

# **Underserved Impacts**

The communities of North Richmond, Tara Hills, Rodeo, Pacheco, and Bay Point are not resourced to fund basic services, much less watershed plans.

#### **Trends**

The regional Water Quality Board requires watershed plans, and with their implementation we can leverage future grants for restoration, invasives removal, and climate change resiliency projects.

# **Racial Equity**

The populations in North Richmond, Tara Hills, Rodeo, Pacheco, Bay Point, Pittsburg, and Antioch, which are communities of concern, are disproportionally impacted by this issue, because they are in the low lying areas which receive much of the runoff and contamination from the upper watersheds.

# Gaps

Lack of funding, lack of community awareness.

# **Prevention**

The various stakeholders can engage in planning teams to develop aspects of their local watershed plan to contribute to the whole.

#### **Intersectional**

Committees will see the benefits of watershed planning such as health and resiliency to climate change, and will work to implement them over time.

#### **Transformational Bold Ideas**

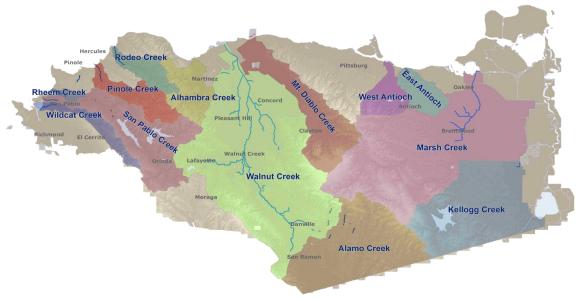
Community members can adopt a section of creek or watershed, hold community events, and engage with developing their watershed plan.

#### Success

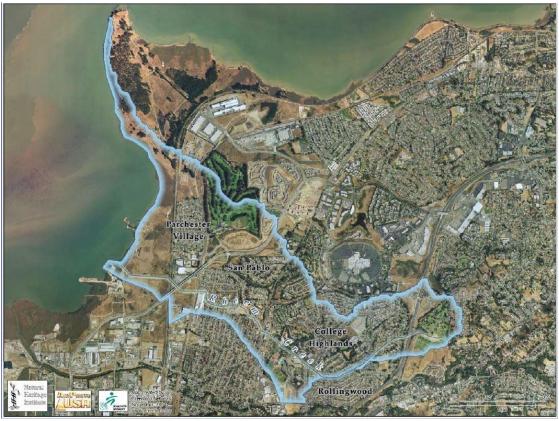
For each watershed in the County, a long-range watershed plan with a project list at the neighborhood scale is developed, and various communities are engaged in implementing their watershed plan, ultimately improving flood protection and our natural resources. This will reduce public safety issues and improve quality of life.

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# **Visuals**



**Figure 3-A.** A watershed is an area where all the rain and other drainage meet at a point, like the San Francisco Bay. Watersheds do not follow city limits. The major watersheds in the County are shown.



**Figure 3-B.** Watershed plans study multiple environmental aspects of the watershed to determine where it has been impacted and presents opportunities where it can be improved or restored. This is a portion of the Rheem Creek Watershed.

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# **Topic 4 – Street Sweeping in Unincorporated County**

# **Topic**

Unincorporated County Street Sweeping – Removing contaminants, trash, and sediment, bicycle safety, flood prevention and community beautification (Environmental Justice)

# **Background**

Street sweeping removes pollutants, improves watershed health, increases roadway safety, and beautifies neighborhoods. The Regional Water Board requires street sweeping of areas with curb and gutter. No funding mechanism is in place to fund street sweeping, so limited gas tax funds (which should be used for road repairs) are used to perform limited sweeping.

### **Needs**

Our communities are not resourced to provide the street sweeping services needed. Funding of \$600k annually is needed to bring resolution to this issue. This will allow the current use of road funds to be freed up for road repairs.

# **Underserved Impacts**

The communities of North Richmond, Tara Hills, Rodeo, Pacheco, and Bay Point are not resourced to fund street sweeping.

#### **Trends**

Additional street improvements are being built, litter is increasing, and new contaminants on roadways (tire rubber, microbeads) are leading to the need for more street sweeping (length and frequency).

# **Racial Equity**

The populations in North Richmond, Tara Hills, Rodeo, Pacheco, and Bay Point, which are communities of concern, are disproportionally impacted by this issue.

#### Gaps

Lack of funding, challenges with parked cars, inconsistent quality, and community involvement.

# **Prevention**

The community is aware of the benefit of street sweeping, however, the priority of this activity is lower than the variety of other challenges the people in these economically marginalized areas face. The community stakeholders, along with the Flood Control District and County leaders, need to be active partners in stressing the severity of inaction and improve awareness of potential flooding and future risks.

#### **Intersectional**

People want the improved street sweeping because it reduces contamination flooding into the bay, improves watershed health, increases bicycle and pedestrian safety, decreases flooding and beautifies neighborhoods.

# **Transformational Bold Ideas**

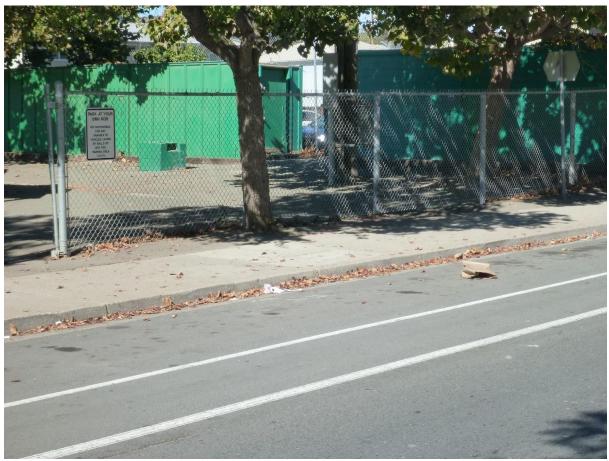
Community members can adopt a block, educate others on the importance of street sweeping, coordinate moving cars on sweeping days, and provide feedback on the quality of work performed.

#### Success

A high-quality street sweeping program with sustainable funding to address the many benefits highlighted above.

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# **Visuals**



**Figure 4-A.** Trash along a street. When it rains, the trash flows along the curb and gutter, and into the storm drain inlet.



**Figure 4-B.** More outreach is needed to educate communities that all trash in the street will make its way into storm drain inlets, which carry stormwater into the San Francisco Bay.

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# Topic 5 – Green Infrastructure Conversions in Unincorporated County

# **Topic**

Unincorporated County Communities of Concern Green Infrastructure Planning, Maintenance, and Asset Management (Environmental Justice, Climate Resiliency).

# **Background**

Green Infrastructure (GI) cleans stormwater, reduces contamination, improves watershed health, provides health benefits for people, and reduces climate change impacts. The Regional Water Board now requires GI be incorporated into new projects, as well as systematically replacing grey infrastructure over time. No funding mechanism is in place to fund GI, although some GI can be developer funded and potentially some installations can be funded with grant funds.

#### **Needs**

Annual funding of \$1M to plan, install, and maintain GI in unincorporated County. A small amount can be used to provide local match to leverage grants to install GI (the most expensive component).

# **Underserved Impacts**

The communities of North Richmond, Tara Hills, Rodeo, Pacheco, and Bay Point are not resourced to install GI, whereas other communities can possibly pass a tax measure.

#### **Trends**

GI is required to be installed by the Regional Water Board, and the required amount of GI will increase over time.

### **Racial Equity**

The populations in North Richmond, Tara Hills, Rodeo, Pacheco, and Bay Point, which are mainly communities of concern, are disproportionally impacted by this issue.

#### Gaps

Lack of funding, lack of community awareness, lack of available land.

# **Prevention**

A community engagement program can be developed to get people involved in planning and pursuing GI projects. Community leaders can provide information to their community on progress made to install GI and meet Regional Board requirements.

# **Intersectional**

Community members want the GI amenities such as trees, landscaping, and clean water in their communities, all of which improve community health.

### **Transformational Bold Ideas**

Community members can adopt a block, clean up trash, and engage with planning the GI features to be installed on their block.

#### **Success**

A long-range GI plan with a project schedule at the neighborhood scale is developed and sustainable funding is in place to implement it over time.

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# **Visuals**



**Figure 5-A.** An example of green infrastructure along a street in San Pablo. It cleans runoff from streets and sidewalks, provides urban greening, and provides climate change resiliency.



**Figure 5-B.** An example of green infrastructure in a parking lot. This is a demonstration project located at 255 Glacier Drive.

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# **Attachments:**

CCCFD 2013 Status of Flood Protection Infrastructure
City of Antioch Response to Grand Jury Report No. 1305
2013 Grand Jury Report 1305: "Getting to Clean Water in Contra Costa County"
CCCPW Response to Civil Grand Jury Report No. 1705 Board Order
2017 Grand Jury Report 1705: "Funding Flood Control Infrastructure"
CCCFC Capital Improvement Plan 2018 Update 2018
CCCPW Response to Civil Grand Jury Report No. 1907 Board Order
2019 Grand Jury Report 1907: "Stormwater Trash Reduction"
CA's Flood Protection: Infrastructure Crisis
CCCFD: A Balanced Approach to Funding Stormwater Services

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 Allison Knapp, Deputy Director-Administrative Services Tim Jensen, Supervising Civil Engineer-Flood Control Chris Lau, Supervising Civil Engineer-Maintenance Michelle Cordis, Senior Civil Engineer-Flood Control Michele Wara, Executive Secretary-Administrative Services