

CEAC Board of Directors

August 19, 2022|9:00 am – 10:45 am



CEAC Board of Directors

17th Annual Policy Conference

Friday, August 19, 2022| 9:00 am – 10:45 am

Capitol Event Center

1020 11th Street, 2nd Floor

Sacramento, CA 95814

Join Zoom Meeting

<https://us02web.zoom.us/j/83677821544?pwd=TFdoY05MZFcLVUplWFhYcFBmTUk4Zz09>

Meeting ID: 836 7782 1544

Passcode: 266877

One tap mobile

+16699006833,,83677821544#,,,,*266877# US (San Jose)

9:00 am

Call to Order (Dashiell)

1. **Approval of Minutes** (Kokkas)
Spring Meeting, March 25, 2022- **Attachment One - Action Item**
2. **Correspondence** (Dashiell)
 - a) Tom Matson published in California Local Highway Safety Improvement Program (HSIP) THE TRAFFIC SAFETY NAVIGATOR SUMMER 2022. – **Attachment Two**
 - b) Letters sent to NACE Executive & President inviting to Fall Conference.
3. **CLODS Report** (CLODS)
4. **NACE Report** (Machado)
5. **CSAC Report** (CSAC Staff)
6. **Regional Directors Reports**
7. **Treasurer's Report** (Johnson) - **Attachment Three – Action Item**
 - a) President requests direction to build Fall Proposed Budget - DIR - California Consumer Price Index "All California" calculation we put in the by-laws is running at 3.5% - 12 month (October 2021-2022) to build 2023 budget?
 - b) Create small working group to address budget issues – **Discussion Item**
8. **Committee Reports:**
 - a) Administrative
 - b) Flood Control and Water Resources
 - c) Infrastructure and Development
 - d) Resource Recovery and Waste Management
 - e) Surveyor
 - f) Transportation
 - g) Fellowship
 - h) Oversight

CEAC Board of Directors

August 19, 2022|9:00 am – 10:45 am

i) Scholarship

9. **Unfinished Business** (Dashiell)

a) **Fall Conference** - virtual option– I don't think we can?

10. **New Business**

a) **Public Works Secretary Seminar (PWSS)** – Is on for 2023 - continue to carry forward budget.

b) Provide funding for all California delegation dinner meeting – one CSAC/CEAC staff to attend 2023 NACE Conference - **Action Item** – approximately \$3,000.

c) President request direction - NACE 2024 planning budget - essentially carry over what was budgeted last time and inflate it slightly?

11. **2023 CEAC Priorities and Legislative Proposals – Action Items**

a) Updates to 2021-22 CEAC Policy and Legislative Priorities - **Attachment Four**

b) Updates to 2021-22 CEAC Legislative and Administrative Policy Guidelines - **Attachment Five**

c) Progressive Design-Build Legislative Proposal - **Attachment Six**

d) Extend existing Design-Build Authority Policy Proposal - **Attachment Seven**

e) Zero Emission Vehicle (ZEV) Fee Revenue Fund Shift - **Attachment Eight**

12. **Life Membership**

a) None

13. **Announcements**

a) None

Scheduled Conferences

a) CEAC Fall Conference Orange County, November 14-18, 2022

b) CEAC Spring Conference, Los Angeles County, March 8-10, 2023

CEAC Board of Directors Meeting Schedule

a) CSAC Fall Conference, Orange County, November 18, 2022

10:45 am

Adjourn

CEAC Board of Directors

August 19, 2022|9:00 am – 10:45 am

Meeting Roster
Voting Board Members: Officers & Regional Directors

Officer	Office	County/Organization
Howard Dashiell	President	Mendocino
Brian Balbas	Vice President	Contra Costa
Panos Kokkas	Secretary	Trinity
Jim Porter	Immediate Past President	San Mateo
George Johnson	Treasurer	Riverside (Retired)
Mehdi Madjd-Sadjadi	Treasurer-Emeritus	Marin (Retired)
Mike Penrose	Parliamentarian	Sacramento (Retired)
Patrick DeChellis	Newsletter Editor	Los Angeles (Retired)
Matt Machado	NACE Representative	Santa Cruz
Dave Gravenkamp	Historian	Siskiyou (Retired)
Regional-Directors	Region	County
Johannes-Hoevertsz	Bay Area	Sonoma
Kent Edler	Central Coast	Santa Cruz
Bob Bronkall	Northern California	Humboldt
Matt Randall	Sacramento Mother Lode	Placer
David Leamon	San Joaquin Valley	Stanislaus
Nardy Khan	Southern California	Orange

Non-Voting Meeting: Committee Chairs and CSAC Staff

Committee Chairs	Committee	County
Josh Pack	Administrative	Butte
Pattie McNamee	Fellowship	Contra Costa (Retired)
Mark Strudley	Flood Control/Water Resources	Santa Cruz
Trisha Tillotson	Infrastructure and Development	Nevada
Howard Dashiell	Oversight	Mendocino
Coby Skye	Resource Recovery & Waste Mgmt.	Los Angeles
Scott DeLeon	Scholarship	Lake
Aleks Jevremovic	Surveyor	Santa Barbara
Dave Fleisch	Transportation	Ventura
CSAC/CEAC Staff	Title	Agency/County
Mark Neuburger	Legislative Representative	CSAC
Catherine Freeman	Senior Legislative Representative	CSAC
Ada Waelder	Legislative Analyst	CSAC
Kristina Gallagher	Legislative Analyst	CSAC
Merrin Gerety	CEAC Program Manager	CSAC/CEAC

LIST OF ATTACHMENTS

Attachment One	Meeting Minutes, March 25, 2022
Attachment Two	The Traffic Safety Navigator Summer 2022
Attachment Three	Treasurer's Report
Attachment Four	Updates to 2021-22 CEAC Policy and Legislative Priorities
Attachment Five	Updates to 2021-22 CEAC Legislative and Administrative Policy Guidelines
Attachment Six	Progressive Design-Build Legislative Proposal
Attachment Seven	Extend Existing Design-Build Authority Policy Proposal
Attachment Eight	Zero Emission Vehicle (ZEV) Fee Revenue Fund Shift

Attachment One
Meeting Minutes, March 25, 2022



CEAC Board of Directors

CEAC Spring Conference

Monterey Marriott Hotel | 350 Calle Principal, Monterey

San Carlos 4

Friday, March 25, 2022 | 10:30 a.m. - 12:00 p.m.

10:37 am p.m.

Call to Order (Dashiell)

Officers present: 10 of 10; Regional Directors: 6 of 6; **Quorum Present**

1. **Approval of Minutes** (Kokkas)

January 26, 2022 - **Attachment 1 Action Item** -

Motion to approve minutes; Johnson, 2nd DeChellis; **Approved**

2. **Correspondence** (Dashiell)

- a) Bank Authorization Appointment of George Johnson Treasurer
- b) 2021 NACE Annual State Report Transmittal
- c) NACE Award Nomination Submittal
- d) Recognition Certificates New Public Works Directors-Deany Siskiyou-Briggs San Bernardino-Diodati San Luis Obispo-Mannle Plumas-Pachinger Calaveras-Peterson Yuba-Simon Tehama

3. **CLODS Report** (CLODS)

Sadjadi mentioned that we had a great presentation for the Buffalo Bull and had many nominations, and the committee picked the most deserving person. He also mentioned that the VP did not have the CLODS tables set up for breakfast since it was together with the cities, we may need to have our own breakfast on Friday and follow CLODS protocols. We will have a discussion with the cities next year about the proposed set up for breakfast.

4. **NACE Report** (Machado)

NACE Spring Conference in Erie County, Buffalo NY April 25-27, 2022; starts on Sunday April 24 with the welcome and the kickoff then starts early Monday and finish on Wednesday. In 2024 we will be going to Palm Spring, Porter and Machado will cochair the committee. Will try to have the cities also join the meeting and will explore options to include the cities. I like to thank Howard for sending the NACE report.

5. **CSAC Report** (CSAC Staff)

Lee mentioned there is a lot of legislative activity and was covered in the respective policy committees with good participation and engagement. There are many opportunities for infrastructure in both state and federal legislation, in addition we educate the legislators about the respective issues.

6. **Regional Directors Reports**

Johannes Hoevertsz – Bay Area – Not met yet due to Covid.

Kent Edler – Central Coast – Did not have meeting since the last time hope to meet in April.

Bob Bronkall – NorCal – Had our first regional meeting yesterday at the conference, people also zoomed in. There is an interest in having the bedroll conference this year, have a remote Humboldt County option, and a Lake County option, we will

send a message to everyone to decide on the best option.

Matt Randall – Sac/Mother Lode – Have not met since December but have some scheduled in May or summer.

David Leamon new director – San Joaquin – Road commissioners back in full swing in January it was virtual in Tulare in person the first time in two years and Kern County in April.

Nardy Khan – SoCal – Had the last meeting virtual as it is easier to get together, our meetings are two the three hours and have lots of people participate, with many good topics. Next meeting will be in August.

7. **Treasurer's Report: (Johnson) Attachment 2 - Action Item**

In December the Board of Director approved the budget that Mike Crump prepared, the only difference between the December report and this one we increased the Local Streets and Roads report item to include a 10% contingency as it was recommended by the President and that has been included in the budget. There was also a dynamic discussion about an annual Washington DC trip by CEAC, the group will explore future possibilities. **Motion** Sadjadi, 2nd Penrose; **Approved**.

8. **Committee Reports: -**

- a) Administrative – Pack, lively discussion had a great speaker from Monterey County. We will start using the same web site as the survey committee to share information real time.
- b) Flood Control and Water Resources – Khan, added new Vice Chair to the committee Mr. Glenn Shepard from Ventura, had great discussions with DWR and NRCS, and welcome future ideas for discussion.
- c) Infrastructure and Development – Tillotson, not present; however, she reported in writing that numerous bills proposed with respect to infrastructure and development and encourages everyone to email Marina about their concerns. Also, numerous items were recommended for the next meeting.
- d) Resource Recovery and Waste Management – Coby Skye not present; Freeman, Good discussion on SB1383 implementation, and most places are further along than expected, and in the follow-up meeting at the League of Cities again we were told places are further along we may think, and now trying to find the nuances such as what we are missing.
- e) Surveyor – Wilson, meet yesterday and had three good discussions. The first was on the forum, thank you CEAC, and is terrific tool to help figure what we are doing. The second was about records of survey and corner records and associated requests. The final item as the impacts of SB 9, which is more of a planning and development issue.
- f) Transportation – Fleisch, Good meeting, lots of legislation, had in person attendance from Caltrans. At break out session we had a good conversation about the bridge management program and maybe have a working group or sub-committee to create a consistent approach to developing metrics and standards for bridges and to put more meaning behind the analysis similar to PCI for pavements.
- g) Fellowship – McNamee not present; Porter, stated fellowship was a success much alcohol flowed and was nice to see everyone in person. The tip jar made \$1,400, it typically is around \$600, that will go to the scholarship.
- h) Oversight – Dashiell, push to be ready for NACE
- i) Scholarship – DeLeon not present, Dashiell mentioned we need to do

something about scholarships to get scholarships going, maybe something that students can apply online and to advertise the availability to local universities. A discussion followed about the history, and what to do to inform student about the scholarships as we have not given one in the past three to four years. It is recommended that the Regional Directors look for applicants in their respective regions.

9. **Unfinished Business** (Dashiell - Lee)

- a) Policy Conference - *virtual option cost update*; Dashiell discussed about a virtual option for the Policy Conference. CSAC allows two committees that meet at the CSAC center and have a virtual option for the Surveyor and Resource Recovery committees. The cost maybe prohibitive to set the virtual option in the large room we typically meet. A subsequent conversation discussed several options about providing the virtual choices, with no decision.

10. **New Business**

None

11. **Life Membership**

None

12. **Announcements**

- a) None

Scheduled Conferences

- a) NACE Annual Conference, Buffalo, Erie County, New York, April 24-27, 2022
- b) CEAC Policy Conference, Sacramento County, August 18-19, 2022
- c) CSAC 128th Annual Meeting, Anaheim, Orange County, November 14-18, 2022
- d) CEAC Spring Conference, Universal City, Los Angeles County, March 8-10, 2023

CEAC Board of Directors Meeting Schedule

- a) CEAC Policy Conference, Sacramento County, August 19, 2022
- b) CSAC 128th Annual Meeting, Orange County, November 18, 2022
- c) CEAC Spring Conference, Los Angeles County, March 10, 2023

12:02 pm

Adjourn – Motion; Bronkall, 2nd; Johnson; **Approved**

Meeting Roster

Voting Board Members: Officers & Regional Directors

Officer	Office	County/Organization
Howard Dashiell P	President	Mendocino
Brian Balbas P	Vice President	Contra Costa
Panos Kokkas P	Secretary	Nevada
Jim Porter P	Immediate Past President	San Mateo (Retired)
George Johnson P	Treasurer	Riverside (Retired)
Mehdi Madjd-Sadjadi P	Treasurer-Emeritus	Marin (Retired)
Mike Penrose P	Parliamentarian	Sacramento (Retired)
Patrick DeChellis P	Newsletter Editor	Los Angeles (Retired)
Matt Machado P	NACE Representative	Santa Cruz
Dave Gravenkamp P	Historian	Siskiyou (Retired)

Regional Directors
Johannes Hoevertsz **P**
Kent Edler **P**
Bob Bronkall **P**
Matt Randall **P**
David Leamon **P**
Nardy Khan **P**

Region
Bay Area
Central Coast
Northern California
Sacramento Mother Lode
San Joaquin Valley
Southern California

County
Sonoma
Santa Cruz
Humboldt
Placer
Stanislaus
Orange

Committee Chairs
Josh Pack **P**
Pattie McNamee
Mark Strudley
Trisha Tillotson
Howard Dashiell **P**
Coby Skye
Scott DeLeon
Aleks Jevremovic
Dave Fleisch

Committee
Administrative
Fellowship
Flood Control/Water Resources
Infrastructure & Development
Oversight
Resource Recovery & Waste
Scholarship
Surveyor
Transportation

County
Contra Costa
Contra Costa (Retired)
Santa Cruz
Nevada
Mendocino
Los Angeles
Lake
Santa Barbara
Ventura

CSAC/CEAC Staff
Chris Lee **P**
Merrin Gerety **P**
Catherine Freeman **P**
Ada Waelder **P**
Marina Espinoza **P**

Title
Legislative Representative
CEAC Program Manager
Legislative Representative
Legislative Analyst
Senior Legislative Analyst

Agency/County
CSAC
CSAC/CEAC
CSAC
CSAC
CSAC

Others in Attendance
Ian Wilson **P**
Tim Jensen **P**
Steve Lederer **P**
Janice Thompson **P**
Rick Tippitt **P**

Alameda County
Contra Costa County
Napa County
Sonoma County
Retired Trinity County

P indicates present at the meeting

Attachment Two
The Traffic Safety Navigator Summer 2022



THE TRAFFIC SAFETY NAVIGATOR

Summer 2022

The Traffic Safety Navigator is the 2020–2024 California Strategic Highway Safety Plan (SHSP) e-newsletter. The newsletter provides SHSP updates along with insights into best practices for implementing strategies that reduce traffic fatalities and serious injuries on California’s roadways.

IN THIS ISSUE

- What’s New?
- Funding Opportunities
- Improving Safety by Installing Edgelines
- Safety Spotlight: County Engineers Association of California
- Get Involved and SHSP Resources
- What is the SHSP?

WHAT’S NEW?

Welcome to the summer edition of the Traffic Safety Navigator. This edition highlights opportunities for funding through the Safe Streets and Roads for All (SS4A) grant program and the Local Highway Safety Improvement Program (HSIP). It also features a case study on how HSIP Cycle 10 funding was used to install edgelines and accomplishments from the County Engineers Association of California (CEAC). The SHSP Team is also excited to announce the return of Regional Workshops, which will take place virtually in fall 2022. Read below for additional information and exciting updates!

FUNDING OPPORTUNITIES

Safe Streets and Roads for All (SS4A) Grant Program

The Bipartisan Infrastructure Law (BIL) recently established the Safe Streets and Roads for All (SS4A) grant program. The goal of this program is to help support the objectives of the National Roadway Safety Strategy (NRSS), while working towards zero traffic deaths and serious injuries. This program will provide \$5B in grants over the next five years. **This is an exciting opportunity to apply funds towards safety-related projects with financial support from the United States Department of Transportation (USDOT).** Metropolitan Planning Organizations (MPOs), Regional Transportation Planning Agencies (RTPAs), counties, cities, towns, and other special districts that are subdivisions of a state, federally recognized tribal governments, and partners of any of these entities are eligible to apply.

Activities eligible to receive funding through this grant program include:

1. Development or update of a comprehensive Safety Action Plan, such as a Vision Zero Plan
2. Conducting planning, design, and development activities in support of a Safety Action Plan
3. Implementing infrastructure, behavioral, and operational safety activities identified in a Safety Action Plan

The Notice of Funding Opportunity (NOFO) was released in May of 2022, and applications are due **September 15, 2022**. Award announcements are expected at the end of 2022 or early 2023. For more information on grant application requirements, visit the [Safe Streets and Roads for All \(SS4A\) Grant Program webpage](#).

Local Highway Safety Improvement Program (HSIP) Cycle 11 Call-For-Projects

In May 2022, Caltrans announced the Local Highway Safety Improvement Program (HSIP) Cycle 11 Call-for-Projects. There is an estimated \$210M available for this HSIP cycle. This funding opportunity is available to any local agency that owns, operates, and maintains public roadways in California including cities, counties, federally recognized tribes, and other local agencies. These applications will require a completed Local Road Safety Plan (LRSP) or an equivalent.

Please note funding restrictions and requirements apply to Cycle 11 funding, including having an existing non-compliant HSIP project or having more than one HSIP project not yet in the construction phase five years after project selection.

The application deadline is **September 12, 2022**. Previous application examples from other cycles can be found on the Caltrans website. For more information on application requirements, visit the [Local HSIP Cycle 11 Call-For-Projects webpage](#).

IMPROVING SAFETY BY INSTALLING EDGELINES

Lane departure crashes result in 45 percent of California's fatalities and 42 percent of California's serious injuries. According to the Federal Highway Administration (FHWA), if drivers cannot clearly identify the edge of the travel lanes and see the road alignment ahead, the risk of roadway departure may be greater. Edgelines are solid white lines at the edge of a travel lane that enhance the visibility of travel lane boundaries. The FHWA recommends installing 6-inch edgelines as part of their [Proven Safety Countermeasures](#).



Photo Courtesy of Molly O'Brien, Kimley-Horn

One of the actions in the 2020–2024 SHSP Implementation Plan includes LD.3 – Add “Installing Edgelines” as a set-aside for Local HSIP Funding. In 2020, the Local HSIP Funding Cycle 10 included a \$5M set-aside for agencies to submit stand-alone projects for adding edgelines along roadways. Agencies could also include adding these improvements as part of project applications under the Benefit-Cost Ratio (BCR) application process. For Cycle 10, a total of 23 projects that included the addition of edgelines were funded, encompassing approximately 450 miles of roadway across California. For the set-aside category, 10 stand-alone edgeline projects were also funded totaling 116 miles and approximately \$3M was awarded under the funding set-aside for edgelines.

In 2022, the Local HSIP Cycle 11 funding available in set-asides for installation of edgelines is \$2M, with a maximum of \$250K per agency. Agencies will still be able to include the addition of edgelines as part of projects submitted in the BCR category as well. Please refer to the previous article on HSIP Cycle 11 funding opportunities for more information on how to apply.

SAFETY SPOTLIGHT: COUNTY ENGINEERS ASSOCIATION OF CALIFORNIA

By Tom Mattson, County Engineers Association of California

The County Engineers Association of California (CEAC) is a 108-year-old organization open to all 58 counties. It promotes the advancement of engineering methods and ethical practices by means of discussion, exchange, and dissemination of engineering and administrative data and ideas that promote effective, efficient, and modern methods in engineering and administrative units of local government.

CEAC focuses on road safety through legislative platforms, internal transportation committees, and participation in external safety committees such as the HSIP and the SHSP. At each transportation

committee meeting, CEAC representatives report on what they are doing, state-of-the-art safety practices, and funding availability. CEAC helps communicate the safety needs of California counties to state and federal entities.

Recent CEAC accomplishments include work with the County of Ventura Public Works Agency on the \$7.5M Yerba Buena Road Improvement project, which improved road safety and rehabilitated 15 miles of winding roads in the Santa Monica Mountains near Malibu adding 13,600 feet of guardrail. They also worked with Madera County's Oakhurst Midtown Connector project, which includes construction of a new, two-lane road connecting State Route 41 with Indian Springs Road to create a secondary access route improving circulation for daily traffic to/from the school zone and providing a secondary route for diverting commuter traffic around the school zone.

CEAC actively encourages transportation partners to keep safety as their number one priority and share successes and failures in enacting local safety programs. CEAC advocates for local California counties at the state and federal levels and was instrumental in the creation of the Local HSIP Advisory Committee set-up by Caltrans. To learn more, visit the [CEAC website](#).

GET INVOLVED AND SHSP RESOURCES



CHECK OUT THE SHSP CRASH DATA DASHBOARD

The California SHSP Crash Data Dashboard was developed to provide SHSP implementers with direct access to crash data to support data-driven implementation of the SHSP. The dashboard currently uses finalized crash data from the Fatality Analysis Reporting System (FARS) and the Statewide Integrated Traffic Records System (SWITRS) and allows users to customize reports by location and other characteristics, including whether a fatal or serious injury crash was within five miles of a tribal boundary.

[View Dashboard](#)



WE CAN'T DO IT WITHOUT YOU

The SHSP is just the start. The 5 Es need to work together to implement the actions developed in the SHSP. Involvement in an SHSP Challenge Area Team is a direct way to influence countermeasures selected to improve safety. Volunteers are needed for all Challenge Areas.

[Get Involved](#)



SHARE YOUR STORIES

We want to know about your successful implementation of traffic safety countermeasures! We will be highlighting success stories on the SHSP website and in future newsletters.

Share Your Story



UPCOMING EVENTS

- **SAVE THE DATE!** SHSP Fall Regional Workshops will take place virtually on the following dates:
 - September 27–29, 9 a.m.–12 p.m. PDT
 - October 11–13, 9 a.m.–12 p.m. PDT
 - Additional details are forthcoming, mark your calendars now!
- November 15–16, 2022 Safer CA Conference, San Diego, CA
 - cccsa.ca/saferca-2022



SUGGESTIONS FOR FUTURE TOPICS?

We want to know what topics are of interest to California! Complete our simple feedback form to provide suggestions on future e-newsletter topics.

Submit Feedback

To stay up-to-date on SHSP news, subscribe [HERE](#).

WHAT IS THE SHSP?

The California Strategic Highway Safety Plan (SHSP) is a comprehensive, statewide transportation safety plan which provides a framework for reducing fatalities and serious injuries across all travel modes and on all public roads. Started in 2005, the SHSP is updated regularly to ensure continued progress and to meet changing safety needs. Currently, over 580 safety stakeholders from over 230 public and private agencies and organizations work together on this effort under the guidance of the SHSP Executive Leadership and SHSP Steering Committees. The SHSP addresses the 5 Es: Education, Enforcement, Engineering, Emergency Response, and Emerging Technologies. In summer 2020, state transportation leaders recognized a bolder and more focused approach was necessary to combat the rise in fatalities and serious injuries that have occurred on California roadways since 2010. Four new Guiding Principles have been incorporated into the SHSP update process to further improve safety:

- 1. Integrate Equity**
- 2. Implement a Safe System Approach**
- 3. Double Down on What Works**
- 4. Accelerate Advanced Technology**



VISION

Safe public roads
across California



MISSION

Ensure safety for
all modes of travel
on California's
public roads



GOAL

Zero Fatalities and
Serious Injuries

Learn More

More Information

For more information about the California SHSP, please visit
<https://dot.ca.gov/programs/safety-programs/shsp>

Questions? Comments? Email to SHSP@dot.ca.gov

Attachment Three
Treasurer's Report

CEAC Treasurer's Report Notes, August 19, 2022

The CEAC budget for 2022 increased county member dues by a total of \$100,000 to cover anticipated costs for the year. The total amount of the member dues was estimated to be \$260,000 in the final approved budget. Not all counties have paid their dues. Currently, there are ten counties that have not yet paid their dues for 2022. I am providing a list of those counties in case someone has a personal relationship with the County Engineer of that respective county to would facilitate the payment of the outstanding CEAC dues. The ten counties are as follows: Alpine, Imperial, Inyo, Marin, Mariposa, Mono, San Benito, San Francisco, Sutter, and Yolo. I am currently working directly with Yolo and expect to receive payment soon. The total amount of the combined uncollected member dues is \$25,075.

A review of the attached Treasurer's report with the budget, actuals to date, and the year-end projections shows a shortfall to the CEAC General Fund estimated to be \$35,745, where expenditures exceed income. That shortfall will require a draw on reserves and reduce the CEAC General Fund balance from \$112,285 at the beginning of the year down to \$76,540 by year end.

A budget correction plan should be developed to evaluate reducing non-essential expenses and considering options to raise revenue in order to create a balanced budget. A small working group should be designated to evaluate options for the CEAC Board to consider soon. A budget correction should be developed to provide the direction for the 2023 budget.

As stated above, the CEAC member dues are currently established to generate \$260,000 annually. The largest expenditures are NACE dues at \$48,400 and the CSAC service contract at \$219,286. Combined, those two items total \$267,686, which exceeds the total amount of the CEAC member dues at \$260,000. With some members not paying, that creates an even bigger gap.

COUNTY ENGINEERS ASSOCIATION OF CALIFORNIA

TREASURER'S REPORT: August 19, 2022

Account Balances Beginning January 1, 2022

CEAC General Fund	Balance
PWSS Sub Account	\$112,285
Bedroll Sub Account	\$11,917
LS&R Sub Account	\$6,838
	<u>\$220,783</u>

Total Account Balance 1/1/22	\$351,823
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	Budget	Current Actual	Year end Projected	
2022 INCOME				
Membership Dues	\$260,000	\$240,245	\$240,245	
Affiliate Dues	\$18,000	\$16,596	\$16,596	
Spring Conference Income	\$20,000		\$20,000	
Policy Conference Income	\$12,000		\$12,000	
Annual Conference Income	\$20,000		\$20,000	
Bedroll Income	\$0		\$0	
PWSS Income	10,000		\$0	
Misc. Income (job posting, etc.)	<u>\$5,000</u>	<u>\$6,705</u>	<u>\$8,000</u>	
CEAC General Fund Income	\$345,000	263,546	\$316,841	\$316,841
LS&R Contributions	<u>\$253,000</u>	<u>\$249,629</u>	<u>\$249,629</u>	<u>\$249,629</u>
Total Estimated Funds Available	\$598,000	\$513,175	\$566,470	\$918,293

2022 EXPENDITURES				
NACE Dues	\$48,400	\$48,400	\$48,400	
CSAC Service & Expense Contract	\$213,000	\$109,655	\$219,286	
Spring Conference Expenses	\$15,000		\$15,000	
Policy Conference Expenses	\$15,000		\$15,000	
Annual Conference Expenses	\$25,000		\$25,000	
PWSS Expenses	\$12,000		\$0	
Bedroll Expenses	\$0		\$0	
CEAC PWSS Reception Sponsorship	\$2,000		\$0	
CEAC/CLOUDS Meeting Expenses	\$6,000		\$6,000	
Newsletter Editor Expenses	\$500		\$500	
Scholarships	\$6,000		\$6,000	
Awards & Gifts	\$1,500	\$100	\$1,500	
Office Supplies	\$500	\$70	\$500	
Tax Fees & Accounting	\$800	\$400	\$400	
Officers Travel & Expenses	<u>\$10,000</u>	<u>\$9,700</u>	<u>\$15,000</u>	
CEAC General Fund Expenses	\$355,700	\$168,325	\$352,586	
LS&R Expenses	\$344,600	\$24,899	\$100,000	

CEAC Estimated Year End Balance	
Beginning Balance	\$112,285
CEAC General Fund Income	\$316,841
CEAC General Fund Expenses	<u>(\$352,586)</u>
Projected Draw on Reserves	\$35,745
CEAC General Fund Year End Balance	\$76,540
LS&R Projected Year End Balance	\$370,412

Attachment Four

Updates to 2021-22 CEAC Policy and Legislative Priorities



2021-22 CEAC Policy and Legislative Priorities

The on-going Legislative and Administrative Policy Guidelines are best achieved through collaboration and shared responsibility. To achieve the following, CEAC, CSAC staff, and individual county staff must combine resources, including policy and technical knowledge and expertise to maximize our influence, efficacy, and successful outcomes.

STATE PRIORITIES

Transportation

1. California Implementation of Federal Transportation Reauthorization. CSAC will advocate for county priorities in California's implementation of any new federal transportation bill, including maximizing and protecting dedicated funding for local bridges, prioritizing fix-it-first investments, infrastructure hardening, and maximizing funding for local safety and active transportation projects.
2. Protect State Transportation Funding and Promote Streamlining. CSAC staff will continue to monitor the allocation of state transportation revenues to counties and oppose any effort to use transportation revenues outside their intended purposes. Moreover, CSAC staff will continue to proactively seek additional flexibility for counties and streamline project delivery and environmental review processes.
3. Traffic Safety and Collision Reduction. CEAC will identify opportunities to support policies intended to reduce traffic-related fatalities and injuries by promoting vehicle, pedestrian, and bicycle safety. CSAC staff will support legislative efforts to reduce speeds on local streets and roads and efforts to improve roadway infrastructure, enhance traffic safety enforcement, support public education and traffic safety campaigns, and improve safety data.
4. City and County Pavement Improvement Center. Participate in and support the work of the City and County Pavement Improvement Center (CCPIC). Work with CEAC's governing board members to ensure CCPIC does not duplicate efforts of other academic institutions and that the technical trainings, research, etc. are focused on the priorities identified by the CEAC and League of California Cities membership. CSAC staff will focus on partnering with other agencies and educational institutions to provide ongoing funding for the CCPIC and contribute to the growth of the CCPIC program.
5. Develop CSAC Policy on Autonomous Vehicles and Emerging Technology. Technological advancements, including autonomous vehicles and associated infrastructure, are rapidly changing. Counties may already be responding to, and deploying, new technology. As technology continues to change, CSAC must be poised to respond and ensure, at minimum, any new mandates are funded and implications for

public agency liability are considered. CSAC staff will work with the CEAC Transportation Policy Committee to develop and recommend to CSAC new policy.

6. Explore Road User Charge Policy Options. Work with CSAC to reexamine the association's position on mileage-based user charges as an eventual replacement for the gasoline excise tax. As improvements in the fuel efficiency of vehicles reduces gas tax revenue per mile travelled, alternatives to the gas tax are being seriously considered by transportation stakeholders. CEAC will study the policy implications of mileage based user fees and work with CSAC to develop positions on this method of taxation, which will be the focus of extensive study and a state pilot project over the next several years.

Land Use

1. Ensure Adequate Funding for Infrastructure Impacted by Development. Support proposals which promote housing development by adequately funding infrastructure, but oppose measures that arbitrarily limit fees or other exactions necessary to support county infrastructure, or facilities, required by new development.
2. Fund Infill Infrastructure. Support funding sources for infrastructure related to infill projects that fall under applicable streamlining, including the Affordable Housing and Sustainable Communities grant program, as well as other proposals to fund infill infrastructure in tandem with affordable housing development, including proposals for a bond measure.
3. Subdivision Map Act. Oppose legislation to reform the California Subdivision Map Act that removes or decreases local control and conditional use requirements.
4. Protect Rule 20A. Oppose legislation or Public Utilities Commission (PUC) action that threatens Rule 20A for overhead/underground conversion project funding. Engage in Phase 2 of the PUC proceeding to advocate for continued availability of ratepayer funding for Rule 20A projects, expansion of the public interest criteria, and changes to make the program more accessible to disadvantaged unincorporated communities.

Resource Recovery and Waste Management

1. AB 1826 and SB 1383 Implementation. Engage in CalRecycle and the Air Resources Board's process for implementing AB 1826 and SB 1383 which creates an organic management program in California. Continue to advocate for resources for local governments to develop the necessary infrastructure to implement organics diversion programs.
2. Conversion Technology. Support legislative efforts to advance the development, design and implementation of conversion technologies.
3. Funding for Resource Recovery infrastructure. Advocate for sustainable and diverse funding streams to develop and manage the infrastructure necessary to manage California's waste and recycling needs.

4. Market Development. Support legislative efforts to expand local markets for recyclable materials, to support limits on single use plastics, to support producer responsibility, to support bottle bill reform for CRV buyback programs and support efforts to increase requirements for recyclable contents in products.

Flood Control & Water Resources

1. Stormwater Funding Outreach and Engagement Effort. Increase public awareness and countywide support for stormwater programs by providing education and information on the needs, challenges, and benefits of stormwater and flood control programs throughout the state.
2. Stormwater Funding. Continue to support the development of a funding mechanism that would allow cities and counties to finance compliance with Clean Water Act permit requirements, stormwater capture and flood protection services.
3. Waters of the State Dredge and Fill Rulemaking Implementation. Develop reliable and comprehensive data regarding the implementation of the State Water Board's new dredge and fill regulations to advocate and inform the Water Board and stakeholder about the real impacts of the regulation.
4. Resiliency. Support for resources to make flood control and county infrastructure resilient to climate change and natural disasters.

Surveyor

1. Surveyor Recorder Relationship Clean-up. Support coordinated effort with the County Records Association to update outdated language in the Government Code relating to transfer and sharing of documents, through Senate Committee on Governance and Finance Omnibus bill.
2. Surveyor Monument Preservation. Support legislation that would simplify the collection of the Monument Preservation Fund Fee.

FEDERAL PRIORITIES

Transportation

1. Federal Transportation Reauthorization and Emergency Aid. Support reauthorization of a federal transportation bill consistent with the priorities adopted by CEAC and CSAC. CSAC staff will advocate for backfilling lost local transportation fuel tax revenues due to the COVID-19 crisis in federal emergency aid legislation, as well as funding for local bridge, safety, and active transportation projects. Finally, CSAC will request direct subventions to counties for transportation infrastructure in any federal infrastructure package outside of the traditional highway funding bill process.
2. CEQA-NEPA Reciprocity. Support delegation of NEPA authority to the local/regional level so that counties can participate directly in the CEQA-for-NEPA program. Such a change would allow California to implement a California reciprocity program in a manner

that reduces duplication and is not equally or more burdensome than the current process.

3. Offset Impacts from Federal Lands. Support continued federal funding to offset impacts to counties from federal lands, such as the Secure Rural Schools program.

Flood Control

1. Clean Water Act. Support legislation that would amend Section 404 of the Clean Water Act to provide a narrow exemption for maintenance activities involving the removal of sediment, debris and vegetation from flood control channels and basins.

Attachment Five
Updates to 2021-22 CEAC Legislative and Administrative Policy Guidelines



2021-22 CEAC Legislative & Administrative Policy Guidelines

The on-going Legislative and Administrative Policy Guidelines are best achieved through collaboration and shared responsibility. To achieve the following, CEAC, CSAC staff, and individual county staff must combine resources, including policy and technical knowledge and expertise to maximize our influence, efficacy, and successful outcomes.

TRANSPORTATION

1. Continue to support and leverage resources for the California Statewide Local Streets and Roads Needs Assessment efforts. Continue to work with counties, cities, regional agencies, and Caltrans to secure funding for the needs assessment contract. Continue working with the California Local Highway Bridge Program Advisory Committee to enhance the bridge needs analysis of the report by adding a new, standalone section to it that focuses specifically on local bridge needs. Consider enhancing future reports by including an analysis of the need of funding for active transportation infrastructure and other capital improvements and explore potential funding opportunities to cover the cost of completing such an analysis.
2. Continue to monitor state transportation funding to ensure the funding commitment pursuant to the base gas tax, fuel tax swap, and SB 1 - the Road Repair and Accountability Act of 2017 is met. Work with the Legislature, Administration, California Department of Tax and Fee Authority, State Controller's Office, the Department of Finance, and transportation stakeholders to explore ways to improve the administration of the transportation tax swap.

Continue to protect the allocation of SB 1 transportation revenues to counties so that these funds are used for their intended purpose and advocate against efforts that would require counties to consult with other local governments prior to spending these funds.

3. Continue to support the current formula for allocation of Proposition 42 replacement revenues (Highway User Tax Account, Section 2103) and in particular the local streets and roads monies.
4. Continue to work with the California congressional delegation to achieve a long-term reauthorization of the Secure Rural Schools Act (SRS) to off-set the impacts of removing the National Forest System lands from economic development.
5. Continue to support lowering the voting threshold below the current two-thirds requirement for the imposition of sales taxes for infrastructure. Furthermore, support efforts to allow unincorporated areas to pursue local sales tax measures solely for services in the unincorporated area of the county.

6. Monitor Caltrans's efforts to propose regulations or efforts that exceed their statutory authority regarding implementation of Transportation Development Act (TDA) law to prohibit those actions from infringing upon statutory authority of local agencies.
7. Support restoration of the fuel tax to the State's Aeronautics Fund for General Aviation airports.
8. Monitor any potential changes by the California Transportation Commission (CTC) to change the STIP Guidelines in relation to flexibility to utilize STIP monies for local rehabilitation. Pursue statutory clarification of this eligibility if necessary.
9. Support efforts to identify safety and other critical needs for the rural transportation system and support additional funding for such purposes.
10. Strengthen policy and legislative development for statewide transportation issues with the transportation planning agencies, including the California Councils of Government (CALCOG) and Rural Counties Task Force to ensure local governments are united in their advocacy efforts.
11. Support the distribution of any future statewide transportation dollars amongst counties based on 75 percent registered vehicles and 25 percent maintained miles.
12. Support legislation to amend the Vehicle Code Section 34501.2 to exempt drivers' hours of service for road maintenance agency personnel during emergencies from the 80 hours in any 8 consecutive days requirement.
13. Support legislation that categorically exempts road safety projects from CEQA and state and federal permitting requirements (i.e. 404 permits, 1601 agreements).
14. Support legislation at both the state and federal level on telecommunications and electrical restructuring policy to ensure that local governments; are adequately compensated for use of public rights-of-way, 2) control access of such rights-of-way, and 3) retain zoning authority over placement of satellite dishes, cellular towers and antennas.
15. Continue to monitor Metropolitan Planning Organizations (MPOs) to ensure that their authority in the transportation area is restricted to planning and programming.
16. Continue CEAC participation at various forums (i.e. RTPA & Caltrans monthly meetings, California Transportation Commission, etc.)
17. Support legislation to require a County Franchise and encroachment permit control of all water and electric distribution facilities in order to restore lost revenues to counties and to regain control of right-of-ways.
18. Monitor legislation that mandates a certain percentage of county fleets to be of a specific nature, including but not limited to: zero emissions vehicles, alternative fuel vehicles, and dual fuel vehicles.
19. Support legislative efforts to allow pre-qualification of contractors on public works projects and seek amendments to that legislation to increase enforcement and oversight of the Contractor's State License Board, including more exhaustive background and criminal investigation during the initial licensing of contractors.

20. Support legislative efforts to regain local authority in determining the financial viability of sureties involved in public works contracts.
21. Conduct as needed meetings between AGC/CEAC/League/ACEC and other groups on issues of mutual interest.
22. Continue to represent county interests on legislation relating to force account limits and mandatory participation within the California Uniform Construction Cost Accounting Act.
23. Work with coalition partners to support legislation that will promote safety for students travelling via active modes by allowing local governments to expand school zones based upon engineering studies and providing disincentives, including points on driver's licenses, for violation of traffic laws within school safety zones.
24. Support efforts to increase the minimum Surface Transportation Program (STP) funding guarantees for smaller, rural counties. The current minimum STP guarantees are a legacy of the Federal Aid Urban/Federal Aid Secondary route designations formerly used to apportion federal transportation funding. While the designations are no longer used, counties with systems that were previously designated Federal Aid Secondary have not seen their STP minimum allocation increased since 1993. CEAC will support policies to ensure that STP minimum funding amounts for counties are indexed to increases in the overall STP funding available to the state.
25. Support policies that reduce traffic-related fatalities and injuries by promoting vehicle, pedestrian, and bicycle safety.
26. Monitor the California State Transportation Agency's implementation of the Climate Action Plan for Transportation Infrastructure.
27. Support efforts to promote use of recycled material when sufficient local flexibility is provided. Oppose policies creating overly-prescriptive requirements related to the use of recycled materials.

TRANSPORTATION & FLOOD CONTROL

1. Support legislation amending the Clean Water Act to include the definition of a transportation structure that was presented in the Guidance for the Uniform Application of the Regulations throughout the South Pacific Division (PGL 0-98-02 issued on May 29, 1998). Specifically section 5.a which exempts serviceable transportation structures, including roads, whether constructed on embankments or not, road embankments, culverted road crossings, and bridge piers, bridge columns, bridge piles, and pile caps.
2. Support legislation that requires all changes to Endangered Species Act to address the impact of the proposed legislation on service delivery and as necessary augment staffing levels to the level of no impact.
3. Facilitate better communication between State and Federal regulatory agencies in order to expedite the delivery of public works projects (i.e. direct City/County/State/Federal Cooperative Committee to pursue this objective).
4. Support legislation that exempts the maintenance of existing public works facilities/infrastructure from permit requirements under the Endangered Species Act.

5. Support reform of the Federal and State Endangered Species Acts based on adopted CSAC policy which supports the Act, being more responsive to local concerns (i.e. better science on which to base decision, a plan for recovery of the species, a definition of other impacts related to the protection of the species, and broader public review forums prior to the designation of an endangered species), and taking into account socioeconomic impacts of Endangered Species Act programs.
6. Monitor actions that require any state fee or charge to be directly related to cost of review (i.e. California State Water Resources Control Board, Regional Water Quality Control Board permits for roadway and bridge construction projects).

FLOOD CONTROL

1. Support funding of the State Flood Control Subvention Program. Support the development of bond program guidelines that help provide more resources to counties and public works programs.
2. Support legislation that would provide local jurisdictions with more flexibility and options to fund storm water programs.
3. Continue to support legislation that would amend the California Constitution to exempt fees and charges for flood control, storm water, street lighting and urban runoff management from Proposition 218.
4. Support additional statutory changes to address outstanding SB 5 (Chapter 364, Statutes of 2007) implementation issues.
5. Support streamlining of FEMA's administrative processes under the public assistance program.
6. Support changes to the State Water Resources Control Board's proposed Wetland and Riparian Protection Policy that results in a reasonable requirement that will have the least impact on the development, operation, and maintenance of essential public works projects and facilities.
7. Oppose federal cost-cutting endeavors made at the expense of state and local governments.
8. Support an exemption for routine maintenance of flood control facilities from the Clean Water Act's Section 404 permit requirements.
9. Support an amendment to Section 1601 of the State Fish and Game Code that exempts from the Streambed Alteration Agreement process: routine maintenance and preventative repair of existing flood control facilities; reconstruction of damaged flood control facilities; and, any activity which would impact up to three acres of jurisdictional area.
10. Oppose any attempts to impose requirements of the Surface Mining and Reclamation Act (SMARA) on county flood control and water conservation district activities.
11. Monitor implementation of Federal NPDES Storm water Regulation Phase II.
12. Support legislation, which exempts the act of Section 401 Clean Water Act certification

by the State Water Resources Control Board (SWRCB) from review under the California Environmental Quality Act (CEQA).

13. Encourage the development of a statewide baseline Phase I NPDES permit which would include a definition of maximum extent practicable (MEP), safe harbor provisions, and state funding of inspections of state permitted facilities.
14. Participate in discussions with the State Water Resources Control Board regarding water quality violations by small sewer treatment plants.
15. Support efforts to reduce liability for public agencies to perform “Good Samaritan” cleanup of abandoned mines and concentrated environmental hazardous waste on private property.
16. Support efforts to develop new, or expand existing, storage capacity for flood control, water supply and environmental use.
17. Support legislation that authorizes/requires the Department of Water Resources to enter into funding partnerships with local agencies to study the adequacy of complete local flood control systems.
18. Support legislation that promotes a comprehensive plan for increased flood protection statewide.
19. Support legislation that promotes coordination of DWR, FEMA, and ACOE flood protection and flood plain management regulations.
20. Oppose legislation that shifts state or federal flood control liability or obligations to local agencies.
21. Support increased funding for integrated regional water management implementation.
22. Continue to work with the Department of Water Resources during the implementation phases of the Statewide Flood Control Needs Assessment as encapsulated in DWR’s Flood Futures Report.
23. Support Delta solutions that are implemented in a manner that protects existing water rights, water quality, agriculture viability, Delta governance and flood management.
24. Support efforts to better coordinate agencies responsible for addressing illegal homeless encampment issues on public property.
25. Encourage regulatory agencies responsible for protection of habitat and wildlife to enforce protection regulations on private properties.
26. Support bill proposals to improve water quality by regulating and controlling source contaminants.
27. Support legislation that would amend Government Code Section 8690.6(b) to increase the amount on the unencumbered balance in the Disaster Response Emergency Operations Account.
28. Support legislation that would allow and encourage state and federal regulatory agencies to offer service agreements with large-volume public entity or utility

applicants and permittees to fund additional personnel or contractors needed for expeditious permit processing.

LAND USE

1. Expand current SB 375 CEQA streamlining for specified infill projects to all infrastructure necessary to support that development.
2. Support funding sources for infrastructure related to infill projects that fall under the CEQA streamlining in SB 375.
3. Support CEQA streamlining for infrastructure necessary to support infill development.
4. Support guidelines for the Affordable Housing and Sustainable Communities grant program, and other programs funded with cap and trade auction proceeds, that ensure that counties are well-positioned to take advantage of these funding opportunities
5. Support proposals which promote housing development by adequately funding infrastructure, but oppose measures that arbitrarily limit fees or other exactions necessary to support county infrastructure, facilities, or services required by new development.

SURVEYOR

1. Include funding for horizontal and vertical control surveying networks to support transportation infrastructure construction in future infrastructure funding legislation.
2. Support legislation that would allow use of no more than 25% of the Survey Monument Preservation Fund for examining of records of survey and corner records so that the cost of service is covered.
3. Participate in the California Geographic Information Association and the California Geographic Information Coordinating Council.
4. Support funding for Counties' Geographic Information Systems (e.g. authorize local agencies to recover full costs of creating and maintaining automated records).
5. Support legislation which will allow use of a non-conditional lot line adjustment map to replace the lot line adjustment process.

RESOURCE RECOVERY & WASTE MANAGEMENT

1. Support legislation that requires state, federal, and other public agencies to comply with diversion mandates set forth by AB 939. If for some reason these agencies are unable to comply, their waste shall be excluded from local jurisdiction's base and reporting years - "total waste generated". Therefore, local jurisdictions shall not be required to divert waste that is generated by state, federal facilities or other public agencies, such as school districts.
2. Oppose legislation that would allow low-level radiation disposal at Class III municipal landfills.

3. Support legislation to incorporate more recycled materials (especially waste tires) into Caltrans road construction/rehabilitation projects.
4. Support legislation and collaborate with other organizations that would increase manufacturer responsibility and product stewardship.
5. Support legislation that enables local agencies to enter into waste hauling contracts that provides for cost-effective implementation of AB 939.
6. Support policies and legislation that aims to promote improved markets for recyclable materials, and encourages: the use of recycled content in products sold in California; the creation of economic incentives for the use of recycled materials; and the expansion of the Beverage Container Recycling Grant Program.
7. Support legislation that provides funding for local organics infrastructure development.
8. Oppose legislation that increases or creates surcharges on local landfills to fund State programs having limited benefit to local jurisdiction's solid waste programs.
9. Support legislation that would promote development of conversion technologies, with full diversion credit, as an alternative to land filling, and provide state funding to local jurisdictions for such projects.
10. Support administrative and/or legislative changes that would, for the purpose of measuring compliance with requirements of the California Integrated Waste Management Act of 1989, focus on diversion programs rather than diversion or per capita disposal rates.
11. Support administrative and legislative changes to impose penalties on haulers and solid waste facilities for misrepresenting the origin of waste disposal data.
12. Support legislation that ensures local government's authority to direct the flow of waste.
13. Monitor all legislative, regulatory and administrative (i.e., rules, policies, guidelines, and procedures) proposals, including those from regulatory agencies relating to solid waste management (i.e., double liner requirements).
14. Support administrative and legislative efforts to eliminate overlap and enhance coordination between the Department of Resources, Recycling and Recovery, air districts and other Cal EPA agencies and oppose contradictory goals and missions among state agencies.
15. Support administrative and legislative changes that would enhance coordination of programs and regulations between the Department of Resources, Recycling and Recovery and the State Water Resources and Regional Water Quality Control Boards regarding collection of trash/debris before it enters the waters of the state and its effects on waste diversion activities.
16. Support legislation that protects local solid waste franchising and fee-setting authority and oppose legislation that imposes unfunded mandates on local governments, places local governments in a position of monitoring and/or enforcing compliance with state regulations that should be the responsibility of the state agency that promulgates the regulations, or subjects local agencies to civil penalties for actions or decisions made by private companies.

17. Support legislation requiring manufacturer responsibility and/or point-of-sale surcharges for universal, special and hazardous wastes.
18. Support legislation that encourages and provides economic incentives for the conversion of landfill gas as a renewable energy resource and its role in meeting California's Renewable Portfolio Standard.
19. Support reliable funding, meaningful market development, solid waste siting reform and additional tools, including conversion technology, as necessary components to any new solid waste diversion requirement.

TRANSPORTATION, RESOURCE RECOVERY AND WASTE MANAGEMENT & FLOOD CONTROL

1. Monitor and respond to legislative and regulatory activities of the State Water Resources Control Board (SWRCB).
2. Support legislation that places on regulatory agencies provisions similar in nature to those in Fish and Game Code Section 1600 regarding application processing deadlines for publicly-owned infrastructure projects.
3. Support legislation that would reduce State staffing redundancies and streamline State permit processes by directing State regulatory agencies to defer fish and wildlife and habitat mitigation requirements to the State Department of Fish and Wildlife.

DESIGN IMMUNITY

1. Consistent with CSAC policy related to tort reform – that government should not be more liable than private parties and in some cases there is reason for government to be less liable than private parties:
 - a. Support proposals to mitigate the effects of joint and several liability upon public entities by limiting liability to any party to be responsible for their own proportion of damages.
 - b. Support proposals to strengthen the statutory immunities associated with the operation of public infrastructure such as immunities under Government Code Section 830 et seq.
 - c. Support proposals that limit post judgment interest and/or that provide public entities with the flexibility in paying judgments over time.
 - d. Support proposals to mitigate the effects of liability upon public entities by applying the Doctrine of Comparative Fault to inverse condemnation actions.

MISCELLANEOUS

1. Sponsor resolution that encourages the California State University System to provide additional educational opportunities for potential engineering, technical, and surveying students.

ADMINISTRATIVE RESPONSIBILITIES

1. Coordinate, design, format and assist in the preparation of the CEAC Annual Report.
2. Coordinate, develop and format CEAC Policy and Legislative Priorities on an annual basis.
3. Coordinate, develop and format CEAC Legislative and Administrative Policy Guidelines on an annual basis.
4. Attend, prepare agendas, secure speakers and provide presentations at CEAC policy committee meetings (at a minimum of three meetings a year per committee)
 - a. Transportation
 - b. Land Use
 - c. Flood Control and Water Resources
 - d. Resource Recovery and Waste Management
 - e. Surveyor
5. Attend and provide presentations, as available, at CEAC regional meetings (they meet at a minimum of two to three times a year each)
 - a. Northern California Region
 - b. Bay Area Region
 - c. Central Coast Region
 - d. Sacramento Mother-Lode Region
 - e. San Joaquin Valley Region
 - f. Southern California Region
6. Attend and provide presentations at CEAC Board of Director meetings (at a minimum of three times a year).
7. Assist in preparation and organization of the CEAC spring and fall conferences, as well as the CEAC policy conference. Coordination includes development and organization of the CEAC guest program, annual NACE president's dinner, recruiting and coordinating conference speakers and sponsors, reserving adequate meeting rooms, catering, audio-visual, transportation, registration, etc.
8. Coordinate & monitor the CEAC Hospitality Suite: appropriate room, site visits, cleanup, etc.
9. Reconcile the financial accounting for the spring & annual conferences between CEAC, the League and CSAC working as the liaison between the CSAC director of finance and CEAC treasurer.
10. Update and maintain accurate CEAC databases.
11. Coordinate and publish CEAC documentation:
 - a. designing announcements
 - b. programs
 - c. agendas
 - d. postcards
 - e. invitations
 - f. notices
 - g. flyers

12. Prepare and publish CEAC Roster annually.
13. Prepare and publish CEAC Stationary.
14. Publish CEAC Newsletter four times a year.
15. Prepare and notice legislative reports for the five CEAC policy committees as needed.
16. Update and maintain CEAC website.
17. Track and prepare financial analysis for CEAC budget.
18. Coordinate, review and share administration of the CEAC/League of California Cities contract for the spring meeting, and various RFP's for CEAC consultants.
19. Participate in and support CSAC in legislative, budget, and administrative efforts and other special projects as needed, i.e. local streets and roads needs assessment, local streets and roads awards program, CCIPC, etc.

Attachment Six
Progressive Design-Build Legislative Proposal



County Engineers Association of California LEGISLATIVE PROPOSAL ACTION REQUEST FORM

Please return this form by COB Wednesday, August 3, 2022

For your proposal to be considered, please respond to **all** questions included in this form. Proposals must be submitted to CEAC through your Public Works Director or Department Head. Please submit this form to Ada Waelder at awaelder@counties.org

Proposals will be referred to the appropriate policy committees and considered during the 2022 CEAC Policy Conference, August 18-19, 2022.

Contact Name: Vincent Yu

County: Los Angeles County Public Works

Position: Deputy Director

Phone: (626) 458-4010

Email: vyyu@pw.lacounty.gov

Brief Description of Legislative Proposal:

This legislative proposal intends to amend Public Contract Code Sections §22160 and 22164 relating to public contracts to allow the use of progressive Design-Build.

I. BACKGROUND INFORMATION

A. Problem

- (1) What problem does the proposal address? Please share specific facts and examples to illustrate the problem.

Public Contract Code (PCC) Sections §22160 (a) and 22160 (b) (1) currently only provides local agencies, including counties, the ability to use "conventional" Design-Build (D-B).

PCC Section §22164 (f) (1) (a) mandates that counties may only use the D-B project delivery method if its selection criteria includes a set price for the entire project.

This "conventional" D-B method requires that the contract be awarded on a lump sum or stipulated sum basis.

However, PCC Sections §20928 – 20928.4 authorizes local agencies to use alternative D-B project delivery methods, including "progressive" D-B for specified CALFED¹ surface storage projects (reservoirs) that receive funding from Proposition 1 (2014).

Specifically, PCC Section §20928.1 (a) (2) defines D-B to include "conventional," "progressive," and "target price" methods.

- (2) **Does the proposal address a problem of statewide significance? Give specific facts and examples, which demonstrate a statewide need for the proposal.**

Yes. The proposal would modify the intent of the Legislature to specify that D-B includes conventional, progressive, and target price. The proposal would also modify the selection criteria for best value selection to indicate that the prescribed minimum factor of price be included only if applicable to the delivery method. This would allow for the selection of a D-B entity based on qualifications only for "progressive" and "target price" methods.

- (3) **Have counties been involved in any litigation regarding this problem? If so, cite the case.**

No.

- (4) **What other source materials, case law, or data, document the existence of the problem (e.g., periodicals, government agency reports, private studies, law review articles, newspaper articles)?**

Not applicable.

¹ CALFED Bay-Delta Program was created in 1994 by California, Federal, and local agencies and made construction of new dams upstream of the Delta a cornerstone of CALFED. In 2000, CALFED identified numerous reservoirs that could potentially be built by local agencies.

B. Interested Parties

(1) What counties, organizations, or individuals are interested in the problem?

This proposal would grant all counties the ability to use progressive D-B for the delivery of projects with a value of \$1 million or more. Other counties and local agencies, such as San Diego, Orange, and Placer Counties, are expected to support this proposal.

Construction industry organizations, such as Design Build Institute of America (DBIA), Associated General Contractors of America (AGC), American Institute of Architects (AIA), California Community College Facility Coalition (CACCFC), California Coalition for Adequate School Housing (CASH), and Construction Management Association of America (CMAA), are interested.

The proposal would be supported by construction trades as it does not change PCC Section §22164 (c) (1) that requires that a D-B entity only be prequalified or shortlisted to submit a cost proposal for a D-B contract, if it provides an enforceable commitment to the local agency that the D-B entity, in its entirety, including subcontractors at every tier, will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeshipable occupation in the building and construction trades.

(2) What counties, organizations or individuals would be sources of information about the problem?

All counties and other local agencies in the State of California and construction industry organizations, such as DBIA, AGC, AIA, and CMAA.

(3) Who would be likely to support/oppose the proposal? Why?

Support from counties and other local agencies is expected as the proposal would grant all counties and other local agencies the ability to use progressive D-B for the delivery of projects with a value of \$1 million or more.

Support from construction industry including the construction trades is expected as the proposal would not change PCC §22164 (c) (1) and improve efficiency in project delivery.

There is no known opposition for the proposal at this time.

(4) Identify groups or other governmental agencies that could be affected by the proposal, either favorably or adversely? Please discuss.

This proposal would favorably impact all counties and other local agencies in the State of California by granting the ability to use progressive D-B for the delivery of projects with a value of \$1 million or more.

The construction industry and construction trades would be favorably impacted by the proposal due to improved project delivery efficiency.

II. PROPOSAL

A. Existing Law

(1) What are the statutory provisions currently applicable to the proposal?

PCC Sections §22160 and 22164

(2) What case law is relevant to this issue? Please summarize and cite.

Not applicable.

(3) Why is existing law inadequate to deal with the problem?

The PCC currently does not allow local agencies, including counties, to use progressive D-B for the delivery of projects. The proposal intends to amend PCC Sections §22160 and 22164, relating to public contracts, to allow the use of progressive D-B.

B. Suggested Legislation

(1) Describe the specific bill proposal.

Please see proposed bill, which was previously introduced by Senator Robert Hertzberg in February 2020, as Senate Bill 1205.

(2) Do similar provisions exist in other California laws?

PCC Sections §20928 – 20928.4 authorize local agencies to use progressive D-B for construction of specified CALFED surface storage projects reservoirs that receive funding from Proposition 1 (2014).

The proposal would align PCC Sections §22160 and 22164 with §20928 to allow progressive D-B to be used for projects other than CALFED surface storage projects with a value in excess of \$1 million

(3) Describe a hypothetical application of the proposal.

Some local agencies, including charter cities and community colleges, are given different legislative authority than counties and have been able to successfully use the progressive D-B method to deliver a variety of projects, including bond-funded projects on [community college campuses](#), a [senior and community center](#), and a multilevel and Leadership in Energy and Environmental Design [terminal at an airport](#). Counties and other local agencies could similarly use progressive D-B to deliver construction projects with improved efficiency .

C. Fiscal Impact

(1) Would there be any potential fiscal impact on counties under the proposal? If so, describe.

Progressive D-B is expected to lead to lower project costs, expedited project delivery, and higher quality design.

(2) Would there be any potential financial impact on other persons or organizations public or private?

There is positive fiscal impact to the State, local governments, organizations, or constituent groups as a result of this proposal due to improved project delivery efficiency.

D. History

(1) Has this proposal ever been introduced in the Legislature? If so, what was the bill number and why did it fail?

Yes. Senate Bill 1205 was introduced by Senator Hertzberg in February 2020. The bill did not advance due to a short legislative session as a result of the COVID-19 pandemic.

(2) Is judicial or executive branch resolution of the problem possible? Explain.

Legislative action is required to align PCC Sections §22160 and 22164 with §2098 to allow progressive D-B to be used for projects other than CALFED surface storage projects with a value in excess of \$1 million

E. Public Policy

(1) What are the public policy reasons in support of this proposal? Against?

The proposal will lead to operational effectiveness and a reduction in project costs by giving counties the authority to use progressive D-B for projects with a value in excess of \$1 million.

(2) Would this proposal affect any related public policy? If so, describe.

This proposal would support Los Angeles County Policy 12.3.2 – Utilities and Infrastructure, Construction Contracts, of the County's State Legislative Agenda, which reads:

"Support legislation that authorizes counties to use the D-B contract method for projects to construct buildings and directly related improvements and support or sponsor legislation that would delete the existing sunset date on D-B authority granted to counties and that would eliminate the current project cost threshold required for the use of the design-build method."

Attachment Seven

Extend Existing Design-Build Authority Policy Proposal

Legislative Proposal to extend the Design-Build procurement process past its sunset date of January 1, 2025. The Orange County Public Works Department has submitted a proposal for CEAC to amend its Policy and Legislative priorities to support the extension of existing statutory authority for local governments and agencies to use the design-build procurement process within PCC Sections 22160-22169.

SB 785 (Wolk) *Chapter 931, Statutes of 2014*, enacted more uniform provisions authorizing the Department of General Services, California Department of Corrections, and most local agencies, counties included, to use the Design Build procurement process for specified public works projects within Public Contract Codes Sections 22160-22169. The bill was co-sponsored by the Associated General Contractors of California and the Design Build Institute of America. The proposal seeks to support any potential legislation these groups may put forward. If no such bill is brought forward, OCPW would then make a request for CEAC sponsored legislation for 2024. Sponsor(s): Francisco Barajas, Legislative Manager, Orange County Public Works.

CSAC Staff Comments: The design-build method is an approach to delivering public works projects that counties find beneficial. SB 785 (Wolk) *Chapter 931, Statutes of 2014*, eliminated inconsistencies in then-existing law and provided agencies with a general authorization to develop projects using the design-build method. The design-build project delivery process provides many advantages for public agencies. CSAC supports local control and recognizes that local governments should have flexibility to cooperatively develop systems by which services are provided and problems resolved.

Relevant CSAC County Platform Priority:

Chapter 10: Housing, Land Use and Transportation:

Section 2: System Policy and Transportation Principles Goal #3

Section 2 Management Policy Goal #1

Staff Recommendation: Support the amendment of CEAC's Policy and Legislative Priorities as outlined below.

Suggested Language

Protect State Transportation Funding and Promote Streamlining. CSAC staff will continue to monitor the allocation of state transportation revenues to counties and oppose any effort to use transportation revenues outside their intended purposes. Moreover, CSAC staff will continue to proactively seek additional flexibility for counties and extend existing streamlined project delivery authority as well as environmental review processes.

Attachment Eight
Zero Emission Vehicle (ZEV) Fee Revenue Fund Shift

Los Angeles County: ZEV Revenue Split & Shift to HUTA

The Los Angeles County Public Works Department requests that CEAC sponsor a bill to amend existing SB 1 (2017) sections be amended to shift revenues derived from registration fees collected on Zero-Emission Vehicles (ZEV) to be deposited in both the Road Maintenance and Rehabilitation Account (RMRA) and the Highway User Tax Account (HUTA) funds. Currently, revenues from ZEV registration fees are only deposited in the RMRA. The proposer indicates that making this change would help to offset the impacts that transitioning to zero emission vehicles (ZEV) will have on the portion of Road funds that local cities and counties need to support operations and maintenance programs.

CSAC Staff Comments:

The effort by the current state administration to encourage the adoption of ZEVs by the public as well as the recent increases in individuals purchasing ZEVs will lead to reductions in fuel derived transportation revenues. This reality is broadly recognized by federal, state and local transportation policy staff and SB 1 through the ZEV fee and other mechanisms. These were the initial attempts to ensure that these transportation modes contribute to the maintenance of the state's transportation network. CEAC and CSAC were part of the broad coalition of state and local stakeholders that successfully worked toward the passage of SB 1 and successfully defended against the attempt by Proposition 6 (2018) to overturn SB 1. CEAC and CSAC have adopted policy positions which require the association to protect state transportation revenues and oppose efforts to use transportation revenues outside their intended purposes. Proposing to alter the fund(s) that receive ZEV revenues would conflict with existing CEAC and CSAC policy platforms. CEAC has identified exploring a Road User Charge as a policy priority and staff recommends that the Association determines how it can best participate in that process.

Relevant CSAC County Platform Priority:

Chapter 10: Housing, Land Use and Transportation:

Section 4: Conclusion

Relevant CEAC Policy and Legislative Priorities

Transportation: Priority 2