



2011-12 CEAC Legislative & Administrative Policy Guidelines

Adopted by the CEAC Board of Directors – August 27, 2010

Transportation

1. Continue to support the current formula for allocation of Proposition 42 revenues and in particular the local streets and roads monies. (Staff and Transportation Committee)
2. Continue work on implementation of Proposition 1B the nearly \$20 billion transportation bond, and in particular timing of the allocation of the \$2 billion in local streets and roads monies, and criteria for the \$1 billion State/Local Partnership Program. (Staff and Transportation Committee)
3. Continue work with Caltrans committees to implement SAFETEA LU and in particular the federal rural road safety program for allocation of approximately \$140 million annually, including, but not limited to, SHSP Implementation Steering Committee, SHSP 5% Report, High Risk Rural Road Program and Safe Routes to School, etc. (Staff and Transportation Committee)
4. Continue to support lowering the voting threshold below the current two-thirds requirement for the imposition of sales taxes for infrastructure. (Staff and Transportation Committee)
5. Establish a budget task force to develop recommendations to address transportation funding issues related to State Highway Account (SHA) reductions, borrowing and potential firewall protections and SHOPP spending levels. (Staff & Transportation Committee)
6. Support legislation to amend Government Code Section 13340 to include both State and local portions of the Highway User Tax Account (HUTA) to ensure the Controller transfers gas taxes to transportation in year budget adoption is delayed. (Staff and Transportation Committee)
7. Monitor Caltran'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. (Staff and Transportation Committee)
8. Support restoration of the fuel tax to the State's Aeronautics Fund for General Aviation airports. (Staff and Transportation Committee)
9. Continue the needs assessment effort with the League, the California Business, Transportation, and Housing Agency, Caltrans and FHWA in order to document the condition of local streets and roads, and identify the extent of the revenue shortfall for preservation of this system. The objective is to ensure that funds available for

transportation purposes are equitably distributed between cities, counties and the state in order to provide a seamless transportation system. (Brian Lee, Staff and Transportation Committee)

10. 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. (Staff and Transportation Committee)
11. Support efforts to also identify safety and other critical needs for the rural transportation system and support additional funding for such purposes, such as a set aside for the rural system in the reauthorization policy for TEA 21. (Staff and Transportation Committee)
12. 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. (Staff and Transportation Committee)
13. Support the distribution of any future statewide transportation dollars amongst counties based on 75 percent registered vehicles and 25 percent maintained miles. (Staff and Transportation Committee)
14. Support legislation to require the sharing of revenue generated by the commercial weight fees among all parties responsible for maintaining public roads, which are accessible by heavy vehicles. (Staff and Transportation Committee)
15. Continue participation on the Caltrans committee of county, city, state, RTPA and bicycle representatives to develop criteria to evaluate applications for eligibility from the Bicycle Transportation Account (BTA) funds. Also support an alternative to the Bicycle Transportation Plan (BTP) requirements. (Staff and Contra Costa County)
16. Sponsor 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. (Staff and San Bernardino and Lake Counties)
17. Support legislation that categorically exempts road safety projects from CEQA and state and federal permitting requirements (i.e. 404 permits, 1601 agreements). (Staff and Transportation Committee)
18. Sponsor legislation to amend Streets & Highways Code to allow Boards of Supervisors to delegate authority to staff to approve addition of streetlights in Lighting/Maintenance Districts based on local criteria. (Staff and San Joaquin County)
19. 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. (Staff and Transportation Committee)

20. Support additional funding for bicycle and pedestrian facilities, but need to ensure that the revenues utilized do not compete with the current transportation funding sources. (Staff and Transportation Committee)
21. Continue to monitor Metropolitan Planning Organizations (MPOs) to ensure that their authority in the transportation area is restricted to planning and programming. (Consultant, CEAC Project Manager and Transportation Subcommittee)
22. Continue CEAC participation at various forums (i.e. RTPA & Caltrans monthly meetings, California Transportation Commission, etc.) (Staff and Transportation Committee)
23. Support implementation of SAFETEA LU provisions related to reciprocity between CEQA and NEPA in order to expedite transportation project delivery. (Staff and Transportation Committee)
24. 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. (San Joaquin County and Staff)
25. 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. (Staff and Transportation Committee)
26. Sponsor legislation to provide clarification to the ambiguity in the definitions of “retention”, “wrongfully withheld,” and “improperly withheld,” in Section 7107 of the Public Contract Code. This is necessary due to a recent erroneous ruling, which could result in additional costs to local agencies and contractors. (Staff and Ventura County)
27. 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. (Staff and Los Angeles County)
28. Support legislative efforts to regain local authority in determining the financial viability of sureties involved in public works contracts. (Staff and Public Works Administration Committee)
29. Conduct as needed meetings between AGC/CEAC/League/CELSOC and other groups on issues of mutual interest. (Staff and Public Works Administration Committee)
30. Continue to represent county interests on legislation relating to force account limits and mandatory participation within the California Uniform Construction Cost Accounting Act. (Staff and Public Works Administration Committee)

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. (Staff and Transportation and Flood Control Committee)

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. (Staff and Transportation and Flood Control Committee)
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). (Staff and Coop Committee)
4. Support legislation that exempts the maintenance of existing public works facilities/infrastructure from permit requirements under the Endangered Species Act. (Staff and Transportation and Flood Control Committee)
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. (Staff, Transportation and Flood Control Committees)
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). (Staff and Transportation and Flood Control Committees)

Flood Control

1. Support funding of the State Flood Control Subvention Program. (Staff and Flood Control Committee)
2. Support legislation that would provide local jurisdictions with more flexibility and options to fund storm water programs. (Staff and Flood Control Committee).
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. (Staff and Flood Control Committee)
4. Support streamlining of FEMA's administrative processes under the public assistance program. (Staff and Flood Control Committee)
5. Oppose federal cost-cutting endeavors made at the expense of state and local governments. (Staff and Flood Control Committee)
6. Support an exemption for routine maintenance of flood control facilities from the Clean Water Act's Section 404 permit requirements. (Staff and Flood Control Committee)
7. 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. (Staff and Flood Control Committee)

8. Oppose any attempts to impose requirements of the Surface Mining and Reclamation Act (SMARA) on county flood control and water conservation district activities. (Staff and Flood Control Committee)
9. Monitor implementation of Federal NPDES Storm water Regulation Phase II. (Staff and Flood Control Committee)
10. 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). (Staff and Flood Control Committee)
11. Support efforts to obtain federal funding for CALFED Bay-Delta activities. (Staff and Flood Control Committee)
12. 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. (Staff and Flood Control Committee)
13. Participate in discussions with the State Water Resources Control Board regarding water quality violations by small sewer treatment plants. (Staff and Flood Control Committee)
14. Support efforts to reduce liability for public agencies to perform "Good Samaritan" clean up of abandoned mines and concentrated environmental hazardous waste on private property. (Staff and Flood Control Committee)
15. Support efforts to develop new, or expand existing, storage capacity for flood control, water supply and environmental use. (Staff and Flood Control Committee)
16. 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. (Staff and Flood Control Committee)
17. Support legislation that promotes a comprehensive plan for increased flood protection statewide. (Staff and Flood Control Committee)
18. Support legislation that promotes coordination of DWR, FEMA, and ACOE flood protection and flood plain management regulations. (Staff and Flood Control Committee)
19. Oppose legislation that shifts state or federal flood control liability or obligations to local agencies. (Staff and Flood Control Committee)
20. Support increased funding for integrated regional water management implementation. (Staff and Flood Control Committee)
21. Implement Memorandum of Understand (MOU) with the Department of Water Resources in the development of a Statewide Flood Control Needs Assessment. (Staff and Flood Control Committee)

Land Use

1. Expand current SB 375 CEQA streamlining for specified infill projects to all infrastructure necessary to support that development. (Staff and Land Use Committee)
2. Support funding sources for infrastructure related to infill projects that fall under the CEQA streamlining in SB 375. (Staff and Land Use Committee)

Surveyor

1. Include funding for horizontal and vertical control surveying networks to support transportation infrastructure construction in future infrastructure funding legislation. (Staff and Surveyor Committee)
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. (Staff and Surveyor Committee)
3. Participate in the California Geographic Information Association and the California Geographic Information Coordinating Council. (Surveyor Committee)
4. Support funding for Counties' Geographic Information Systems (e.g. authorize local agencies to recover full costs of creating and maintaining automated records). (Staff and Surveyor Committee)
5. Support legislation which will allow use of a non-conditional lot line adjustment map to replace the lot line adjustment process. (Staff and Surveyor Committee)

Solid 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. (Staff and Solid Waste Management Committee)
2. Oppose legislation that would allow low-level radiation disposal at Class III municipal landfills. (Staff and Solid Waste Management Committee)
3. Support legislation to incorporate more recycled materials (especially waste tires) into Caltrans road construction/rehabilitation projects. (Staff and Solid Waste Management Committee)
4. Oppose administrative and legislative changes that would limit full diversion credit for alternative daily cover. (Staff and Solid Waste Management Committee)
5. Support legislation and collaborate with other organizations that would increase manufacturer responsibility and product stewardship. (Staff and Solid Waste Management Committee)

6. Support legislation that enables local agencies to enter into waste hauling contracts that provides for cost-effective implementation of AB 939. (Staff and Solid Waste Management Committee)
7. 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. (Staff and Solid Waste Management Committee)
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. (Staff and Solid Waste Management Committee)
9. Support legislation that would promote development of conversion technologies, with full diversion credit, as an alternative to land filling. (Staff and Solid Waste Management Committee)
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 rates. (Staff and Solid Waste Management Committee)
11. Support administrative and legislative changes to impose penalties on haulers and solid waste facilities for misrepresenting the origin of waste disposal data. (Staff and Solid Waste Management Committee)
12. Support administrative and legislative changes that would implement recommendations of the "Report to the Legislature – A Comprehensive Analysis of the Integrated Waste Management Act Diversion Rate Measurement System," as adopted by the California Integrated State Management Board pursuant to requirement of SB 2202 on November 13, 2001 (Sher, Chapter 740, Statutes of 2000.) (Staff and Solid Waste Management Committee)
13. Support legislation that increases local government representation on the California Integrated Waste Management Board. (Staff and Solid Waste Management Committee)
14. Support legislation that ensures local government's authority to direct the flow of waste. (Staff and Solid Waste Management Committee)
15. 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). (Staff and Solid Waste Management Committee)
16. Support administrative and legislative efforts to eliminate overlap and enhance coordination between the California Integrated Waste Management Board, air districts and other Cal EPA agencies and oppose contradictory goals and missions among state agencies. (Staff and Solid Waste Management Committee)

17. Support administrative and legislative changes that would enhance coordination of programs and regulations between the California Integrated Waste Management Board 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 affects on waste diversion activities. (Staff and Solid Waste Management Committee)
18. 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. (Staff and Solid Waste Management Committee)
19. Support legislation requiring manufacturer responsibility and/or point-of-sale surcharges for universal, special and hazardous wastes. (Staff and Solid Waste Management Committee)
20. 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. (Staff and Solid Waste Management Committee)

Transportation, Solid Waste, & Flood Control

1. Monitor and respond to legislative and regulatory activities of the State Water Resources Control Board (SWRCB). (Staff and Solid Waste Management and Flood Control Committees)

Tort Reform

1. Support tort reform efforts to provide public agencies immunity from dangerous conditions that arise from not having streetlights and provide design immunity for facilities that are more than 10 years old and that have not been modified. (Contra Costa County and Staff)

Miscellaneous

1. Sponsor resolution that encourages the California State University System to provide additional educational opportunities for potential engineering and technical students. (Scholarship Committee)

Oversight & Special Tasks Committee

1. Continue development of CEAC/CSAC relationship and CEAC committee structure and legislative involvement. (Staff and Oversight Committee)
2. Develop an educational and informative presentation regarding the role of public works in county government for presentation at the CSAC New Supervisors Institute and seek representative from CEAC to present information. (Staff and Oversight Committee)

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. Assist in the development of the CEAC Vision 2012.
5. 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
 - d. Solid Waste
 - e. Surveyor
 - f. Oversight
6. 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. North Bay Region
 - c. Central Coast Region
 - d. Sacramento Mother-Lode Region
 - e. San Joaquin Valley Region
 - f. South Central Coast Region
 - g. Southern California Region
7. Attend and provide presentations at CEAC Board of Director meetings (four times a year).
8. 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.
9. Coordinate & monitor the CEAC Hospitality Suite: appropriate room, site visits, cleanup, etc.
10. 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.
11. Update and maintain accurate CEAC databases.
12. Coordinate and publish CEAC documentation:
 - a. designing announcements
 - b. programs
 - c. agendas
 - d. postcards
 - e. invitations
 - f. notices
 - g. flyers

13. Prepare and publish CEAC Roster annually.
14. Prepare and publish CEAC Stationary.
15. Publish CEAC Newsletter four times a year.
16. Prepare and publish monthly legislative reports for the five CEAC policy committees.
17. Update and maintain CEAC website.
18. Track and prepare financial analysis for CEAC budget.
19. Coordinate, review and share administration of the CEAC/League of California Cities contract for the spring meeting, and various RFP's for CEAC consultants.