

Mission Statement

To provide shared risk financing, quality coverage and customized services and solutions to meet the evolving risk management needs of California Public agencies.

Vision Statement

PARSAC, through common goals, built on enduring member relationships and sound risk management practices, strives to be the JPA leader in providing California agencies with innovative programs, services, and expertise in risk management.

Values

Member-driven: PARSAC is a risk sharing pool in which highly engaged members set the direction and priorities of the organization and uphold the guiding principles by which the pool operates.

Collaboration: PARSAC members share a commitment to support each other in achieving a high standard of practice in risk management.

Responsiveness: PARSAC programs and services evolve to meet member needs and result in high member satisfaction and retention.

Service: PARSAC staff are committed to serving the diverse interests of the pool, while providing personalized support and solutions to meet the individual member's unique risk management needs.

Efficiency: PARSAC operates an efficient organization providing competitive programs and services and the highest possible return on member investment.

End Result Statements

As a result of our efforts...

... the Executive Committee, Board of Directors and staff make decisions and develop programs and services that benefit PARSAC members as a whole.

... members understand that financial benefit is achieved through adherence to standards of best practice in risk management and an equitable sharing of risk and funding.

... PARSAC operates efficiently, and regularly evaluates and builds the capacity and infrastructure required to meet the evolving and diverse risk management needs of member agencies.

... a well-informed, supportive member entity commits to a productive and safe community.

... PARSAC benefits from a strong, cohesive member base, with a high level of member satisfaction and retention, and appropriate growth based on our shared values.

Public Agency Risk Sharing Authority of California
[PARSAC]
Executive Committee Meeting
Thursday, August 31, 2018 – 8:00 a.m.
Embassy Suites, 100 Capitol Mall, Sacramento, CA 95811

*In accordance with the requirements of the Brown Act, notice of this meeting must be posted in publicly accessible places,
72 hours in advance of the meeting, in each of the member agencies involved.*

[Note: The Board may take action on any item listed on the Agenda. The General Manager's Recommendation for each item is solely the recommendation of staff and does not limit the Board's authority to take action on any Agenda item.]

I. CALL MEETING TO ORDER: DETERMINE QUORUM

II. REPORTS

President
General Manager

III. MODIFICATIONS OF AGENDA

III. APPROVAL OF CONSENT AGENDA

[Note: if discussion of any item on the consent Agenda is desired, it must be placed on the Regular Agenda.]

**GENERAL MANAGER'S
RECOMMENDATIONS**

A. Meeting Minutes

1. March 29, 2018
2. May 31, 2018

Approve

B. Report on Coverage Denials - January – June 2018

Receive and File

C. Financial Statements – Quarter Ended June 30, 2018

Approve

D. Defense Panel Booklet – Updated

Approve

E. Updates to Liability and Workers' Compensation Funding Policies

1. Resolution 2018-05 GL Program Funding Policy/RSF
2. Resolution 2018-06 W/C Program Funding Policy/RSF

*Approve, Recommend
Board Adopt*

F. Liability Program Claims Audit Report

Receive and File

IV. REGULAR AGENDA

1. Supplemental Actuarial – Mike Harrington – Bickmore

- a. Liability
- b. Workers' Compensation

*Approve, Recommend
Board Adopt*

2. PARSAC Staff Complement, Organization Chart & Salary Schedule

Approve

3. Budget Adjustment

*Approve, Recommend
Board Adopt*

4. Report on Undesignated Equity

*Approve, Recommend
Board Adopt*

5. Strategic Planning – 2018 Workplan – Tech Enhancements

- a. Website Refresh – Feedback – Scot Crocker - Crocker & Crocker
- b. List Serve – Rules
- c. New Committee Members (Loss Control)

*Review and Comment
Approve, Recommend Bd Adopt
Appoint*

6. Risk Control Plan – Short/Long Term Objectives

*Review, Approve and
Recommend Board Adopt*

- 7. **Operational Best Practices**
 - a. Road Manual – *Theron Roschen – Interwest*
 - b. New OSHA Standards - Silica

*Approve, Recommend
Board Adopt*

8. **CSAC Pollution Liability Program**

*Approve, Recommend
Board Ratify*

9. **Disposition of Excess Dividends**

- a. ERMA
- b. CARMA

*Approve and Recommend
Board Ratify*

10. **Proposed Academy**

Review and Discuss

VI. CLOSED SESSION

A. Conference with Legal Counsel - Liability Claims

[Pursuant to Government Code § 54956.95]

New Cases

Police:

Claimant: Flores
Agency: California City

Claimant: Love
Agency: Alturas

Dangerous

Condition:

Claimant: Aryan
Agency: West Hollywood

Claimant: Bonney
Agency: Menifee

Claimant: Contreras
Agency: West Hollywood

Claimant: Dixon
Agency: Menifee

Claimant: Jones
Agency: Pacific Grove

Claimant: Krueger
Agency: Wildomar

Claimant: Lawrenson
Agency: Yucca Valley

Claimant: Sakioka
Agency: Nevada City

Civil Rights:

Claimant: Palmer
Agency: Rialto

Inverse:

Claimant: LeStrange
Agency: Calistoga

Claimant: Santa Catalina Island Co.
Agency: Avalon

Claimant: Tripp's Auto Body
Agency: Grass Valley

EPL:

Claimant: M. B.
Agency: Pacific Grove

Claimant: Blanton
Agency: California City

Claimant: Hightower
Agency: California City

Claimant: Hurtado
Agency: California City

Claimant: Vincent
Agency: California City

Ongoing:

Police:

Claimant: Alexander
Agency: Wheatland

Claimant: Azevedo
Agency: Alturas

Claimant: Cisneros
Agency: Rialto

Claimant: Jackson/Ainely
Agency: South Lake Tahoe

Claimant: Lewis
Agency: Rialto

Claimant: McGowan/Camacho
Agency: Rialto

Claimant: Nelson
Agency: Citrus Heights

Claimant: Ortiz/Pena
Agency: Rialto

Claimant: Piper
Agency: South Lake Tahoe

Claimant: Roberts
Agency: Citrus Heights

Claimant: Smith
Agency: Watsonville

Dangerous

Condition:

Claimant: Bazzle
Agency: Yucca Valley

Claimant: Burke
Agency: Avalon

Claimant: Cobb
Agency: Highland

Claimant: Deutsch
Agency: Calistoga

Claimant: Engle
Agency: Rancho Cucamonga

Claimant: Garcia
Agency: Citrus Heights

Claimant: Gervasio Agency: Watsonville	Claimant: Gonzalez Agency: West Hollywood	Claimant: Hoar Agency: Menifee
Claimant: Johnson Agency: Twentynine Palms	Claimant: Lopez Agency: Rancho Cucamonga	Claimant: Lopez-Nava Agency: West Hollywood
Claimant: Heirs of I. Lowry Agency: Citrus Heights	Claimant: Love Agency: Rialto	Claimant: Luna, Perez, et al. Agency: Highland
Claimant: Marston Agency: Rancho Cucamonga	Claimant: Miller Agency: Twentynine Palms	Claimant: O'Brien Agency: Grass Valley
Claimant: PG&E Agency: Calistoga	Claimant: Roy Agency: Menifee	Claimant: Singleton Agency: Rialto
Claimant: Tattersfield Agency: Coalinga	Claimant: Tarusov Agency: Citrus Heights	
Civil Rights: Claimant: Cox Agency: Placerville	Claimant: Schroeder Agency: Rialto	
Inverse: Claimant: Banzett, et al. Agency: Truckee	Claimant: Dang Agency: Twentynine Palms	Claimant: Multiple Agency: Placerville
Claimants: Multiple Agency: Truckee	Claimant: White Sail Trust Agency: Point Arena	
Concluded: Claimant: Hopkins Agency: Alturas	Claimant: McGuire Claimant: Placerville	Claimant: Patroniti Agency: Rancho Cucamonga
Claimant: Rivera Agency: Rancho Cucamonga	Claimant: Rivera Agency: Rancho Cucamonga	Claimant: Rocklien Agency: Highland
Claimant: Stone Agency: West Hollywood	Claimant: Truex Agency: Placentia	

B. Conference with Legal Counsel – Workers' Compensation
[Pursuant to Government Code § 54956.95]

Workers' Compensation:

Claimant: Anderson Agency: Truckee	Claimant: Breiner Agency: Calistoga	Claimant: Labron Agency: Menifee
Claimant: Raynor Agency: Ridgecrest	Claimant: Rondina (deceased) Agency: Highland	Claimant: Young Agency: Citrus Heights
Claimant: Smith Agency: Yucaipa		

VII. GENERAL INFORMATION

VIII. PUBLIC COMMENT ON ITEMS NOT ON AGENDA

IX. DIRECTORS' GENERAL COMMENTS/SUGGESTIONS FOR NEXT AGENDA

X. ADJOURNMENT

Any writings or documents pertaining to an open session item provided to a majority of the members of the legislative body less than 72 hours prior to the meeting, shall be made available for public inspection at the PARSAC business office, located at 1525 Response Road, Suite 1, Sacramento, CA 95815. For special accommodation because of a disability, please phone Carol Shreve at PARSAC (916) 927-7727 or (800) 400-2642 or email her at cshreve@parsac.org at least 24 hours prior to the meeting time shown above.

UNAPPROVED

PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA

Executive Committee Minutes

March 29, 2018, 8:00 a.m.

Embassy Suites, 100 Capitol Mall, Sacramento, CA 95814

COMMITTEE MEMBERS PRESENT:

President: John Gillison, City of Rancho Cucamonga
Vice President: Steve Rogers, Town of Yountville
Auditor/Controller: Carolyn Steffan, City of Tehama
Treasurer: Greg Franklin, City of Yucaipa
Members-at-Large: Chuck Dantuono, City of Highland
Debra Breidenbach-Sterling, Town of Yucca Valley
Jeff Gardner, City of Plymouth
Cleve Morris, City of Placerville
Tamara Vides, City of Watsonville
Catrina Olson, City of Nevada City
Steve Wright, Officer Emeritus

COMMITTEE MEMBERS ABSENT:

Ronda Rivera, City of Citrus Heights

OTHERS ABSENT:

Mala Subramanian, General Counsel,
Best, Best & Krieger

PARSAC STAFF PRESENT:

General Manager: Joanne Rennie
Risk Manager: Kin Ong
Sr. Accountant: Tracey Smith-Reed
Sr. Admin. Assist.: Carol Shreve

OTHERS PRESENT:

Greg O'Dea, General Counsel,
Longyear, O'Dea & Lavra
Mike Harrington, Bickmore

In compliance with Government Code §54953(c)(2), the following minutes indicate "unanimous" when all voting members listed above were accounted for and voted in favor of a motion. If any member was absent during a vote, abstained, or voted against any motion, they are indicated as such by name.

The PARSAC Executive Committee met at the Embassy Suites, Sacramento, California to discuss, approve, or amend the following items.

I. CALL MEETING TO ORDER: DETERMINE QUORUM

The meeting was called to order at 8:02 a.m. with a quorum present.

II. MODIFICATION TO AGENDA

Staff requested a change to Item 11d, changing fees from liability law enforcement defense firms to all defense. Motion to approve modification to agenda. *[M/S/C: Steffan/Rogers/Unanimous.]*

III. REPORTS

The General Manager stated the meeting would be shortened to allow those leaving Sacramento to exit safely. Demonstrations have impeded freeway access and blocked streets. As a result of the shorter meeting, closed session for claims would be conducted at the May meeting. If settlement authority is required before then, a special meeting would be scheduled.

PARSAC staff recently visited Twentynine Palms, Yucca Valley, Calimesa (fire personnel), Yucaipa, Wildomar, and met with new City Manager and Assistant Manager at Menifee, and a visit with California City would take place in mid-April.

PARSAC attended PARMA in February and met with Pacific Grove employees Tori Hannah and Police Chief, Amy Christy.

PARSAC staff will conduct Risk Management 101 training for Twentynine Palms in mid-April.

Mr. Marshburn conducted a Contractual Risk Transfer workshops in Rancho Cucamonga in January for Southern California and will be presenting Part 2 on April 18, 2018 at PARSAC's office in Sacramento.

PFM met with PARSAC Staff and Greg Franklin earlier in March for an update on PARSAC investments.

During the December Strategic Planning session, technology was the main theme. PARSAC is seeking committee members to work along with Staff and Crocker & Crocker to create an updated/refreshed website.

Membership: promotions for Ronda Rivera of Citrus Heights and David Wilson of West Hollywood, both promoted to Assistant City Managers and Tamara Vides to Deputy City Manager. Rob Mescher of Avalon, Steve Pischel of Placentia and Cathy Krysna of Pacific Grove have all left their respective cities and wish them well.

IV. <u>APPROVAL OF CONSENT AGENDA</u>	<u>Action Taken</u>
A. Meeting Minutes	<i>Approved</i>
1. Executive Committee Meeting – August 31, 2017	
2. Workers Comp Subcommittee – November 2, 2017	
B. Quarterly Financial Statements – ending September 30, 2017	<i>Approved</i>
C. Quarterly Report on Coverage Denials	<i>Received & Filed</i>
D. Resolution 2017-05 to Revise the Workers' Compensation Defense Panel and Exhibits A & B to Revise List of Panel Firms to include Joseph T. Todoroff, II Of Hanna, Brophy, MacLean, McAleer & Jensen, LLP	<i>Approved, Recommend Board Adopt</i>

Motion to approve the consent agenda. *[M/S/C: Gardner/Rogers/Unanimous.]*

V. REGULAR AGENDA

1. Actuarial Review – Liability and Workers' Compensation <i>Presented by Mike Harrington, Bickmore</i>	<i>Approved, Recommend Board Ratify</i>
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Mr. Harrington presented the Liability Actuarial Report. The overall financial position is very good. Although pooled losses have developed adversely in the most recent years, which resulted in increased rates; the pool remains well funded above the 90% confidence level.

The last few years are showing adverse development resulting in a premium increase. Claims are trending greater than expected. The good news is that although PARSAC's claims have gone up, so have the assets.

- The Program's discounted outstanding liability, including EPL, projected at 6/30/18 is \$6.9 million at expected and is \$9.9 million at the 90% confidence level;
- Program assets are \$18 million.
- The Program's actual versus expected incurred loss development decreased \$340K and ultimate loss projections decreased \$335K. However, losses are trending up in the most recent 3 years. Due to this upward trend, the loss funding rate at the 80% and 85% confidence levels increased an average of 9.3% and 20.2% respectively.
- The primary EPL funding rate at the 90% confidence level is .202 (\$5K SIR) and .144 (\$10K SIR), an average reduction of 5.5% from the current year.

Mr. Harrington stated that all pools are having large loss issues. Issues causing the adverse development in liability, deep pockets, #me too movement and larger claims.

The Program remains well funded overall at the 90% confidence level with net equity of \$8.1 million. PARSAC is one of the healthiest pools.

After a very short discussion a motion was made to approve the Liability Actuarial Report and recommend the Board ratify. *[M/S/C: Morris/Vides/Unanimous.]*

Workers' Compensation:

Mr. Harrington presented the Workers' Compensation Program for 2018-19. Overall, the Program is well funded above the 90% confidence level. Other notable observations include:

- The Program's discounted outstanding liability increased \$274K to \$12.2 million (expected) and increased \$338K to \$15 million (90% confidence level).
- Total program assets increased \$2 million to \$25 million and surplus at expected and 90% confidence levels are \$13,284,020 and \$10,410,328, respectively (previously \$11,516,492 and \$8,707,234).
- The estimated funding requirement for claims expenses (excluding excess insurance and administration expense) at the 75% confidence level is \$4,258,502, which includes allocated and unallocated loss adjustment expenses and is discounted for investment income.
- Actual versus expected incurred losses decreased \$1,560,620 and ultimate losses decreased \$1,686,683. However, total claims liabilities increase \$274,186, which is a result of lower than expected paid losses of \$1,481,379.
- Loss funding rate at the 75% confidence level is projected to decrease an average of 4% from the current year.

The Program's financial position remains strong with net equity exceeding \$10.4 million at the 90% confidence level. PARSAC is one of the best funded groups and can weather any storm.

A motion was made to approve the Workers' Compensation Actuarial Report and recommend the Board ratify.
[M/S/C: Steffan/Breidenbach-Sterling/Unanimous.]

2. Inverse Sublimit Interpretation

*Approved, Recommend
Board Ratify*

Staff advised that inverse condemnation actions are premised upon California Constitution which provides that private property cannot be taken, or damaged, for public use without just compensation to the owner. Common types of inverse condemnation claims impacting PARSAC members are:

1. Damage from land instability and landslide;
2. Damage from water and drainage;(surface water, drainage systems, flooding); and
3. Damage from sewage overflows or intrusions.

PARSAC's MOC provides inverse coverage **only when** there is physical damage to tangible property, subject to a sublimit. The Board recently increased sublimit coverage from \$500K to \$700K. An inquiry was made regarding how the sublimit is applied: 1) Does it trigger coverage after the member's SIR is exhausted; or 2) Does the SIR erode the sublimit? If the intention is that the sublimit stacks on top of the SIR, a member with a \$100,000 retention would receive \$700,000 of inverse coverage. However, if the SIR is included, a \$100,000 SIR member would receive \$600,000 of coverage. No precedent has been set for determining how the sublimit is applied, as previous inverse litigation also alleged nuisance and dangerous condition and members have been afforded full coverage limits when multiple covered causes are alleged. Staff's recommendation is to approve the MOC language, and the Declaration page, and that the sublimit be interpreted to provide coverage on top of the member's SIR not to exceed PARSAC's coverage layer of \$1 million.

After a brief discussion, a motion was made to approve and recommend the Board ratify the MOC and Declaration page language, to interpret the coverage to be on top of the member's SIR. [M/S/C: Rogers/Vides/Unanimous.]

3. 2018/19 Program Funding for Liability and Workers' Compensation Programs

Approved

Liability:

Staff thanked the Finance Committee and Chair for their contributions and presented the Liability funding options. The primary funding rate increased 9.3% and 20.2% at the 80% and 85% confidence levels, respectively. Historically, the Program has funded at the 85% confidence level. Recently the Board approved funding at the 80% confidence level due to the pool's healthy financial position. Funding at a lower confidence level provides an upfront dividend to members.

ERMA's preliminary 2018-19 budget indicates an average rate reduction of 3%. The pool experience modification factor is unchanged at 1.250. Estimated premium is \$1,197,577 compared to \$1,179,233 this current year.

The excess coverage rate through CSAC is projected to increase 24% next year, with PARSAC's annual costs estimated at \$1,326,200 compared to the current year's premium of \$1,108,243. An option to increase CSACs' coverage limits from \$35 to \$50 million is factored into the funding projections for an additional annual premium of \$87,200. Other pools are increasing limits to \$50 million to protect their interests. PARSAC has not had any claims with a \$50 million loss.

CARMA, PARSAC's prior excess pool, issued issue a dividend of \$715,000 last year and the Board approved applying \$200,000 of this dividend toward reducing the 2018-19 rates.

Staff and the Finance Subcommittee recommended funding the primary layer at the 80% confidence level and increasing excess limits from \$35 million to \$50 million. The premium for the additional increase in coverage \$50 million to be paid with CARMA dividends, at a cost of \$87,200.

Workers' Compensation:

Staff presented the 2018/19 funding options. Overall, the pool's base funding rate will decrease 4% next year from \$4.09 to \$3.88. The Program's financial position is excellent and funded above the 90% confidence level with surplus exceeding \$10.4 million.

LAWCX is projecting a rate increase of 5%. Additionally, funding of the mid layer pool (\$2 million to \$5 million) is projected to increase approximately 10%. This layer continues to be underfunded and LAWCX has a plan to cure the deficit over a ten-year period and PARSAC's assessment will be \$38K beginning in 2019.

CSAC's excess rate above LAWCX's retention, \$5 million to statutory limits, is projected to increase 15%. Overall PARSAC's excess rate is projected to increase approximately 9%.

The Workers' Compensation Program funding policy mandates funding on a year-to-year basis at a 75% confidence level. This conservative funding approach has been very successful and resulted in overall pool funding above the 90% confidence level with estimated Program surplus exceeding \$10.4 million projected at June 30, 2018.

Staff and the Finance Subcommittee recommended Workers' Compensation funding at the 75% confidence level, and no use of any rate stabilization funds to reduce premiums.

After a short discussion, a motion to was made to approve Liability program to fund at 80% confidence level and increase CSAC's coverage limits from \$35 million to \$50 million; and approve the Workers' Compensation program to fund at the 75% confidence level. *[M/S/C: Breidenbach-Sterling/Steffan/Unanimous.]*

Disposition of Excess Dividends – CARMA / ERMA

*Approved, Recommend
Board Ratify*

ERMA

Staff thanked the Finance Subcommittee for their time and stated that at the Board meeting a portion of the ERMA dividend, \$155,427 had previously been set aside to retain human resources related services.

Staff and the Finance Subcommittee discussed various reallocation of the funds with options such as returning the funds, combining the funds with a future dividend, increasing the EPL rate stabilization fund from \$300,000 to \$500,000, using this \$155,427 to start that transition to \$500K, and then using those funds to offset the premium increase from ERMA for FY 2018/19, which would require a change of policy. Also considered were funds for employee assistance program for agencies without resources to help prevent claims, retuning funds to members would cause three members to be assessed for ERMA's capital fund, as well as setting aside funds for withdrawn members.

The President indicated that ERMA may have another distribution coming to PARSAC in early summer.

The Finance Subcommittee recommended that the PARSAC members could best be served by using the funds to increase the EPL rate stabilization fund from \$300,000 to \$500,000 incrementally over time, using the funds immediately to offset ERMA's premiums for 2018/19.

CARMA

Staff reported that CARMA released \$300K in January. The Finance Subcommittee met in February to consider uses for these funds and recommended allocating \$100,000 to Risk Management Training; \$54,000 to consulting services to assist members with implementing risk assessment recommendations and returning all the remaining funds equally to all members through the grant program to be held in perpetuity until used.

The Executive Committee is now being asked to use some of the grant money within the Safety and Loss Control Program to increase conference attendance (currently \$1,500 per year) by \$1,000 per year per member to encourage succession planning.

After some discussion a motion was made for both the ERMA and CARMA funds as follows:

ERMA: Allocate funds to the rate stabilization fund and use those funds to help with the premium increase from ERMA in 2018/19.

CARMA: Allocate \$100K to Risk Management Training; \$54K for consultant fees; and the balance to be equally distributed to all members through the Safety and Loss Control Grant program for use until perpetuity, and to increase the limit \$2,000 per year (from \$1,500 to \$3,500) to attend conferences and training development to encourage succession planning. *[M/S/C: Rogers/Steffan/Unanimous.]*

4. Safety & Loss Control Grant Program Update

Received and Filed

Staff presented the current fiscal year grant fund balances by member. Seven members have submitted applications for fiscal year 2017/18 totaling \$58,910 with an additional \$6,000 encumbered for risk assessments. The total unused balance as of 3/9/18 was \$260,538, which included unused funds encumbered for fiscal year 2016/17 in the amount of \$449. The unused funds are expected to decrease significantly as reminders were sent to members. Per the policy, all unused grant funds as of May 1, 2018 will be applied to offset the total grant program funding for next year in the final program budget.

Grants are available to improve workplace safety and better control/manage members' liability exposures through the purchase of equipment, training, or related risk management services. Members must complete and submit applications for reimbursement by May 1 of each year, or their grant funds will be considered "unused." Members may request a maximum one-year extension for a specific project by providing an executed agreement. Seven members have submitted applications that were approved for projects such as wellness programs, ERM training, conferences, park and playground hazards and tree trimming.

5. Strategic Planning Update

Staff stated that during the Strategic Planning session in November plans were discussed for the next 3 years. The Board provided information before the planning session, and Mr. DeLizia lead the process on that day. He provided information on pooling industry, risk management, public entity issues. He also discussed PARSAC in terms of its performance and competitiveness in the industry. He compiled the data received and with the assistance of staff crafted new Values and Ends Statements; Mission Statement and a Vision Statement, along with other planning items. Staff presented a different look and feel to the Strategic Plan itself, as it is broken down year by year rather than a cumulative history. The Values, End Statements, Mission Statement and Vision Statement were presented, discussed and changed (by majority vote) as stated below.

Mission Statement: To provide shared risk financing, quality coverage and customized services and solutions to meet the evolving risk management needs of California Public agencies.

The Values were discussed and changed as follows:

Member-driven: PARSAC is a risk sharing pool in which highly engaged members set the direction and priorities of the organization and uphold the guiding principles by which the pool operates.

Collaboration: PARSAC members share a commitment to support each other in achieving a high standard of practice in risk management.

Responsiveness: PARSAC programs and services evolve to meet member needs and result in high member satisfaction and retention.

Service: PARSAC staff are committed to serving the diverse interests of the pool, while providing personalized support and solutions to meet the individual member's unique risk management needs.

Trust and Integrity. PARSAC is committed to excellence and is accountable as stewards of member resources.

Fiscal Responsibility. PARSAC operates an efficient organization providing competitive programs and services and the highest possible return on member investment.

The Ends Statements were discussed and changed as follows:

As a result of our efforts...

End 1: Programs and Services

The Executive Committee, Board of Directors and staff make decisions and develop programs and services that benefit PARSAC members as a whole

End 2: Pool Standards and Funding

Members understand that financial benefit is achieved through adherence to standards of best practice in risk management and an equitable sharing of risk and funding.

End 3: Pool Operations

PARSAC operates efficiently, and regularly evaluates and builds the capacity and infrastructure required to meet the evolving and diverse risk management needs of member agencies.

End 4: Support of Member Entities

A well-informed, supportive member entity commits to a productive and safe community.

End 5: Member Retention and Growth

PARSAC benefits from a strong, cohesive member base, with a high level of member satisfaction and retention, and appropriate growth based on our shared values.

Staff advised that Crocker & Crocker was retained to update the website. Rancho Cucamonga, Watsonville, Yountville and Yucaipa indicated they had personnel for the Tech Subcommittee.

Risk Assessment: A lengthy discussion occurred on the upcoming risk assessment process. Staff stated it will focus on each member, look at key areas, these will be driven by those exposures generating losses: dangerous conditions, employment, contractual risk transfer. Staff will focus efforts on systematic review of member contracts to ensure appropriate risk transfer in areas of high exposure. Changes to those contracts may take some time.

At the request of the Executive Committee the law enforcement risk assessment project will be tabled for now.

Succession Planning: Staff presented the flyer for the Risk Manager/Associate Risk Manager position. PARSAC is open to suggestions for filling this position. If there is no progress in a month, PARSAC will request permission to hire a recruiter.

Member Engagement: Staff requested a list of personnel from each member agency who would benefit from a quarterly bulletin.

After a lengthy discussion our Vision Statement was tabled, and the EC will forward a one-line statement to the GM for review. The matter will be brought forward at the Board meeting.

6. Membership Application - Mission Viejo

Staff stated that the City of Mission Viejo submitted an application for PARSAC membership in both the Liability and Workers' Compensation programs. No one from Mission Viejo attended the meeting, as they had not yet received the consultant report expected mid-April. Staff began the underwriting analysis, which included an onsite risk assessment, city staff interviews, review of the city operations, and a comprehensive review of their loss history. PARSAC is the only pool which conducted an on-site risk assessment. It is a clean, well-maintained, beautiful city.

The City is built on slopes, natural and manmade, which cause considerable concern to staff. City staff voiced their concern with current JPA for a \$1.7 million inverse condemnation settlement with another case is pending. Staff was unable to obtain any information regarding the lawsuits.

At this time, staff recommends conditional approval in the Liability program effective 7/1/2018 upon completing a review of the City's inverse/subsidence exposure. However, if sufficient information is not available to complete the analysis, it is recommended that Mission Viejo's application for Liability membership is approved at \$50K SIR or above, except that a \$500K SIR shall be applied to all inverse condemnation and subsidence claims. Approve the City's Workers' Compensation membership at the \$5,000 SIR level.

Mission Viejo is in Orange County in the Saddleback Valley. It incorporated in 1988 and has a population of 96,000 and is one of the largest master-planned communities in the country. The City is family orientated and received many top ten rankings from various publications for being the safest City in the state and country. It is known for its numerous recreational areas (approximately 2 parks per square mile), community involvement and volunteers. The City facilities and infrastructure were exceptionally maintained.

The City is 18 square miles with 228 miles of streets and roads. Their general fund budget is \$43 million. There are 129 full-time and 149 part-time employees, along with 350 volunteers and an annual payroll of \$12.8 million. Mission Viejo has a stable management team with dedicated and experienced staff who ensure high quality services are provided to the community. It is a contract city with essential services (law enforcement, fire protection and public transit), being provided through Orange County. Its water and waste water are with Santa Margarita Water District. They have a very impressive animal service center.

There was a lengthy discussion about the claims which total approximately 200 in ten years, most of which are generated through the animal service center. The City has not decided which pool to join; and will not make a decision until after the consultant's report is completed. Staff indicated there are so many unknowns. A motion was made to remain open to a special meeting to consider Mission Viejo's membership in PARSAC. *[M/S/C: Morris/Franklin – majority vote – motion passed.]*

7. Update on Other Post Employment Benefit (OPEB) Liability

Staff reported the Government Accounting Standards Board (GASB) approved Statement No. 75 Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions (OPEB), requiring the long-term obligation for Other Postemployment Benefits (retiree healthcare) to be recorded on financial statements as of June 30, 2018. Previously the Board elected to fund the OPEB liability proactively using excess and pool dividends and through annual

required contributions as determined through actuarial funding studies. Staff is pleased to report that based on the most recent OPEB actuarial reports, retiree healthcare is fully funded, and no additional contributions are required at this time.

A motion was made to approve, and recommend the Board ratify, the Actuarial Valuation Report for OPEB funding and GASB 75 Accounting Valuation Report and direct staff not to take a withdrawal from the OPEB trust. *[M/S/C: Morris/Rogers/Unanimous.]*

8. Estimated Retrospective Premium Adjustment (Multiple Years)

Staff reported that the Retrospective Premium Adjustment (RPA) is calculated annually for each self-insured program. The RPA in both programs (liability and workers' compensation) is calculated using a single-layer method allocating each element based on the members' pro-rate contribution to the program.

The Liability program's projected financial position increased compared to the prior year by \$120K. Program assets projected to June 30, 2018 are \$18 million and the program meets the 90% confidence level funding. However, with the additional Target Equity fund reduction of \$5 million, the program falls short of its goal for a dividend return. The funding policy requires meeting both equity targets before a dividend can be declared, and as such, no dividend is recommended this year.

The Workers' Compensation RPA schedule spans the 1990/91 – 2009/10 years and includes three years in deficit totaling \$182K. These deficits were offset by other years, leaving a total dividend available of \$2,237,180. The Workers' Compensation program has historically taken a cautious approach to returning funds due to legislative impacts and the long life of claims. Last year the Board approved a dividend of \$1.25 million representing 45% of the available balance. Options were presented for a dividend return from \$1 million to \$1.5 million. Staff and the Finance Subcommittee recommended a Workers' Compensation distribution of \$1 million in dividends to members to be distributed in the form of a check to be disbursed in June, and that dividends for withdrawn members will be held until all claims are closed.

After a very short discussion a motion was made to approve and have the Board ratify staff and Finance Subcommittee recommendation to distribute of \$1 million in Workers' Compensation dividends to members to be distributed in the form of a check to be disbursed in June, and that dividends for withdrawn members will be held until all claims are closed. *[M/S/C: Steffan/Breidenbach-Sterling/Unanimous.]*

9. Change of Attorney – Longyear, O'Dea & Lavra, LLP

Staff reported that Mala Subramanian of Best, Best & Krieger, PARSAC's long-time General Counsel notified PARSAC she would be stepping down from the position. Mala has been a tremendous asset to the Board for the last 10 years and will be missed. Long-time coverage counsel, Greg O'Dea has, at the Officer's request agreed to serve as General Counsel. Mr. O'Dea has served PARSAC as both coverage and defense counsel for 15 years.

Staff recommends approving the contract with Greg O'Dea of Longyear, O'Dea & Lavra for General Counsel and Coverage Counsel. *[M/S/C: Franklin/Steffan/Unanimous.]*

10. Preliminary Budget 2018/19

Staff thanked the Finance Subcommittee for their time. The budget reflects the Finance Subcommittee's recommendation to maintain funding at the prior year's confidence levels with the Liability Program funding at the 80% confidence level and the Workers' Compensation Program funding at the 75% confidence level.

An overview indicated

- Investment income remains unchanged due to market fluctuations
- Payroll and Benefits decreased by 8%
- The Grant program provides members with funds for loss control needs
- Computer costs increased 150% due to increased technology needs
- Website development costs increased 417% due to update to website and design to meet member needs;

- Staff travel and training increased by 27% for new staff's travel costs and training
- Membership dues increased 500% due to CAJPA accreditation costs and membership in AGRIP
- Loss Control Expense is added for the current year to provide risk assessments for 1/3 of PARSAC's members each year for the next three years

Key Changes to the Liability Program at the 80% confidence level:

Member Contributions increased 14%. The Liability Program budget is charged 50% of general administration expense, or \$1,066,292, less than a 1% change from the prior year.

- Excess Premium Insurance increased by 15% with CSAC's estimated rates to increase by 26% and ERMA by 5%
- Claims Expense increased by 16% based on the Actuary's estimate at the 80% confidence level
- Loss Control Expenses has been added to address loss control needs of the members
- Claims Administration remains the same at \$160,000 for pool administration and \$150,500 for primary claims administration

Key Changes to the Workers' Compensation Program

Member Contributions increased 3%. The Workers' Compensation Program budget is charged 45% of the general administration expense, or \$972,266, less than a 1% change from last year.

- Excess Premium Insurance increased by 14% based on estimates provided by LAWCX
- Claims Expense decreased by \$19,000, less than 1% change
- Self-Insurance Fee increased by 11% based on claims estimates
- Loss Control Expense has been added for the current year to address loss control needs of members
- Consultants decreased by 5% or \$750

In the Property Program member contributions included a 20% increase based on estimated insurance costs.

After a short discussion a motion was made to approve the budget as presented and request the Board ratify. *[M/S/C: Steffan/Franklin/Unanimous.]*

11. Liability and Workers' Compensation Programs Resolutions Revising Defense Panels

Staff indicated that this agenda item contained several parts. An evaluation of the panel is completed periodically to review the effectiveness of each attorney. In addition, the analysis assists PARSAC in paring down the panel to achieve the most efficient and effective litigation. This also enables PARSAC to identify additional resources where the pool is not sufficiently represented.

The majority of PARSAC's litigated cases have been assigned to a handful of attorneys/firms, due to the type and location of litigation, their effective representation, and the established relationship between the member and attorney. Conversely, there are several firms that have not been assigned cases for a variety of reasons, including litigation was outside their specialty, jurisdictions were beyond the territory which the firms serve, or the firms' rates exceed PARSAC's guidelines. Because PARSAC has not utilized, or has only sparingly used some firms, staff is recommending removal of the following firms: Aleshire & Wynder; Bradley, Curley, Asiano, Barrabee, Abel & Kowalski; Law Office of Cathy M. Gandara; Gibeaut, Mahan & Briscoe; Hawkins, Parnell, Thackston & Young; Howard, Rome, Martin & Ridley; Marderosian, Cercone & Cohen; Nelson Rozier; Thompson & Colegate and Weakley & Arendt.

A motion was made to remove the recommended firms from the Liability Defense Panel.

[M/S/C: Rogers/Steffan/Unanimous.]

For similar reasons as outlined in the Liability Reconstitution report, staff proposes that the following firms be removed from panel: Goldman, Magdalin & Krikes; Luna Levering & Schad; Robin, Carmack and Gonias; Stockwell, Harris, Woolverton & Muehl; and the Law Offices of Stacey L. Tokunaga.

A motion was made to remove the names from the Workers' Compensation Defense Panel.

[M/S/C: Breidenbach-Sterling/Steffan/Unanimous.]

Staff recommended that two names be added to the Liability Defense Panel, Peter Cuttitta of Porter Simon and Harvey “Chip” Wimer, III of Graves & King and Boone T. White and Robert A. Sanders of Witzig, Hannah, Sanders & Reagan to the Workers’ Compensation Defense Panel. These attorneys come at members’ requests.

A motion was made to add the recommended names to the defense panels. [M/S/C: Rogers/Dantuono/Unanimous.]

Staff recommends that the firm name of Bordin Martorell be changed to Bordin Semmer, as Josh Bordin-Wosk now has a new partner. A motion was made to approve staff recommendation for the firm name change.
[M/S/C: Dantuono/Franklin/Unanimous.]

Staff advised that several firms had requested a rate increase. Staff surveyed other JPA’s and determined that our rates were lower than others, especially at the associate level. Given the outstanding work product delivered by PARSAC panel defense counsel, staff recommended an increase to \$225 for partners, \$185 for associates and \$95 for paralegals.

A motion was made to approve the rate increase of \$225 for partners, \$185 for associates and \$95 for paralegals.
[M/S/C: Steffan/Breidenbach-Sterling/Unanimous.]

12. Operational Best Practices – Contractual Risk Transfer

Staff advised that PARSAC members often enter into agreements with contractors, vendors, suppliers, tenants or even other public entities. When executing such agreements, it is good risk management practice for the member to transfer the risk of loss by contract. This contractual transfer is achieved through use of hold harmless and indemnity clauses, by which one party assumes the liability of another and agrees to defend them in the event of a claim or lawsuit. While the hold harmless and indemnity agreement is the legal instrument to transfer risk, the insurance policy is often the mechanism to fund that risk. The best method to ensure the transfer takes place is to require insurance. The insurance is intended to protect not only the contactor, but also the City against third party losses. All City contracts and/or professional service agreements should contain standard insurance requirements language. These requirements will convey to the contractor the types and limits of insurance, acceptable insurers, specific endorsement language, and renewal/cancellation notices, etc. prior to the commencement of work.

PARSAC’s website provides an insurance requirement guide, which is intended to be a useful tool in helping members determine the appropriate requirements based on contracted services. The feedback staff received is the website information, although informative, contains too much information and is difficult to follow. As an alternative, staff presented Alliant’s insurance requirements manual. The manual was originally developed as a public document in the late 70’s by public entity risk managers and consultants. It has been updated throughout the years and was recently reviewed by leading industry consultants in risk management.

A motion was made approve, and recommend Board adopt the Alliant’s Risk Transfer Manual to assist members in effective transfer of risks associated with contracted services. [M/S/C: Rogers/Breidenbach-Sterling/Unanimous.]

VI. CLOSED SESSION

A. Conference with Labor Negotiator

Pursuant to Government Code § 54957.6 the Board met in closed session for the opportunity to meet with the labor negotiator on behalf of the unrepresented employees, and by a unanimous vote with an abstention from Rancho Cucamonga, the board voted to approve a Cost of living adjustment of 2.5%.

VII. GENERAL INFORMATION

VIII. PUBLIC COMMENT ON ITEMS NOT ON AGENDA

IX. DIRECTOR'S GENERAL COMMENTS/SUGGESTIONS FOR NEXT AGENDA

X. ADJOURNMENT

The Executive Committee Meeting was adjourned at 1:35 p.m.

Respectfully submitted,

APPROVED: May 30, 2018

Carolyn Shreve
PARSAC Deputy Secretary

John Gillison, City of Rancho Cucamonga
PARSAC President

UNAPPROVED

PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA

Executive Committee Minutes

May 31, 2018, 8:7:45 a.m.

Embassy Suites, 100 Capitol Mall, Sacramento, CA 95814

COMMITTEE MEMBERS PRESENT:

President: John Gillison, City of Rancho Cucamonga
Vice President: Steve Rogers, Town of Yountville
Auditor/Controller: Carolyn Steffan, City of Tehama
Treasurer: Greg Franklin, City of Yucaipa
Members-at-Large: Debra Breidenbach-Sterling, Town of Yucca Valley
Chuck Dantuono, City of Highland
Jeff Gardner, City of Plymouth
Cleve Morris, City of Placerville
Catrina Olson, City of Nevada City
Ronda Rivera, City of Citrus Heights
Tamara Vides, City of Watsonville
Steve Wright, Officer Emeritus

PARSAC STAFF PRESENT:

General Manager Joanne Rennie
Risk Manager: Kin Ong

OTHERS PRESENT:

Greg O'Dea, General Counsel,
Longyear, O'Dea & Lavra

In compliance with Government Code §54953(c)(2), the following minutes indicate "unanimous" when all voting members listed above were accounted for and voted in favor of a motion. If any member was absent during a vote, abstained, or voted against any motion, they are indicated as such by name.

The PARSAC Executive Committee met at the Embassy Suites, Sacramento, California to discuss, approve, or amend the following items.

I. CALL MEETING TO ORDER: DETERMINE QUORUM

The meeting was called to order at 7:45 a.m. with a quorum present.

II. MODIFICATION TO AGENDA

Staff requested that the Committee enter a closed session to discuss personnel matters pursuant to Government Code section 54957. Motion was made to approve modification to agenda.

CLOSED SESSION

A. Conference regarding Personnel Matters (Government Code section 54957)

Pursuant to Government Code § 54957 the Board met in closed session to discuss the appointment of two new employees to the positions of Risk Manager and Associate Risk Manager, and by a unanimous vote the board voted to approve the appointment of the employees to the two positions.

VII. GENERAL INFORMATION

VIII. PUBLIC COMMENT ON ITEMS NOT ON AGENDA

IX. DIRECTOR'S GENERAL COMMENTS/SUGGESTIONS FOR NEXT AGENDA

X. ADJOURNMENT

The Executive Committee Meeting was adjourned at 8:02 a.m.

Respectfully submitted,

APPROVED: May 31, 2018

Carolyn Shreve
PARSAC Deputy Secretary

John Gillison, City of Rancho Cucamonga
PARSAC President

REPORT ON COVERAGE DENIALS

SUMMARY: This report is intended to inform the Executive Committee of coverage denials and is delivered in any quarter where one or more members have received a letter that either fully or partially denies coverage.

RECOMMENDATION: Receive and File

DISCUSSION: Periodically, lawsuits received from member agencies allege causes of action which are not covered under PARSAC's Memorandum of Coverage. These suits are analyzed by PARSAC's coverage counsel to ensure coverage and defense is granted in accordance with the Memorandum. A denial may also be issued if a member chooses to assign defense counsel without using the Defense Panel since such assignment waives coverage per the Resolution.

The following claims were denied during the period of January 1, 2018 – June 2018

<u>Plaintiff/Entity</u>	<u>Cause of Action</u>	<u>Coverage Opinion</u>
<i>Alder v. South Lake Tahoe</i>	Retiree Benefits	Exclusion H
<i>Bank of New York v. City of Rialto</i>	Declaratory Relief Injunctive Relief Equitable Relief, Quiet Title	Exclusion Z
<i>Buckley v. City of Rialto</i>	Breach of Contract/Fraud Negligent Misrepresentation Unjust Enrichment/Conversion	Exclusions D & O
<i>LBC Irwindale, LLC v. Placentia</i>	Brach of Contract/Land use Regulation/Dec relief	Exclusions D, P & Z
<i>Lilley v. Wildomar</i>	Errors & Omissions	Exclusions G
<i>Griffith v. West Hollywood</i>	Breach of Contract	Exclusion D
<i>Ortiz v. City of Rialto</i>	Liability Limitation to \$100,000	Section III.B.3 of the MOC
<i>Palmer v. Rialto</i>	Land use regulation	Exclusion P
<i>Tortilla Republic v. West Hollywood</i>	Inverse Condemnation	Exclusion P

FISCAL IMPLICATIONS: Cost analysis by coverage counsel is included in each annual budget and varies by suit or claim.

ATTACHMENT: None

FINANCIAL STATEMENTS – QUARTER ENDED JUNE 30, 2018

SUMMARY: The financial statements for the quarter ending June 30, 2018 reflect total assets of \$49.7 million. PARSAC ended the year with net income of \$2.3 million. The Liability Program has year to date net income of \$885,000 with the majority of the net income coming from the Workers’ Compensation Program at \$1.47 million. The Property Program income is \$15,000 and expenses allocated to the building fund are \$34,000. The Liability Program while showing \$885,000 in net income did not reflect a \$800,000 claim settlement paid the first week of July 2018. Liability claims expense is slightly over budget for the year, while Workers’ Compensation claims are well below budget due to favorable actuarial projections. With the continued favorable claims development, the Workers’ Compensation program was able to issue a \$1 million dividend to members. Overall, most expenses were within or below budgeted amounts. Investment market values continue to decline while interest rates are on the rise. Year to date investment income which includes interest earnings and changes in market values is a \$12,500 loss.

RECOMMENDATION: Approve the financial statements for the quarter ended June 30, 2018.

DISCUSSION: PARSAC reported a net income for the year of \$2.3 million. Overall claims expense is slightly over budget for the Liability Program while the Workers’ Compensation Program is under budget due to favorable actuarial projections. Most expenses are within or under budget and total non-claims expenses are under budget for the year by \$236,000 or 11% with all expenses under budget by \$2.2 million or 14% due to favorable Workers’ Compensation claims development. Total equity is \$26.6 million with the Liability Program equity at \$14.0 million and Workers’ Compensation at \$11.6 million with the remaining equity held by the building fund and Property/Bond Program. Total equity includes a prior period adjustment to implement GASB 75 recognition of OPEB assets and liabilities. A net asset of \$275,000 for OPEB payments has been recorded and will be amortized over the next 3 years.

Investment Earnings - Investment yields on the portfolio are slowly increasing while market values still are volatile. PFM Asset Management actively manages the portfolio totaling \$36.0 million. The returns shown in the table below are continuing to rise and are now at 2.72%, and exceed LAIF’s quarterly return of 1.9%. All investment earnings are reinvested.

Jun 17 2017	Sep 2017	Dec 2017	Mar 2018	Jun 2018
Yield at Market Value				
1.63%	1.69%	2.05%	2.50%	2.72%
Yield at Cost				
1.49%	1.53%	1.61%	1.72%	1.85%

FISCAL IMPLICATIONS: None.

ATTACHMENT: Financial Report for the Quarter Ended June 30, 2018.



FINANCIAL REPORT
For the Quarter and Year to Date Ended
June 30, 2018

PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA
STATEMENT OF NET POSITION

June 30, 2018

	ASSETS				
	Liability	Workers Comp	Property / Bond	Building	Total
Cash					
LAIF	\$ 2,987,858	\$ 3,785,565	\$ 17,136	\$ 154,343	\$ 6,944,902
Savings Account	337,334	365,445	-	-	702,779
General Account	624,157	676,171	-	-	1,300,328
Claim Trust Accounts	1,059,444	322,711	-	-	1,382,155
Petty Cash	239	-	-	-	239
Total Cash	5,009,032	5,149,892	17,136	154,343	10,330,403
Accounts Receivable	509,321	347,206	428	-	856,955
Excess Insurance Receivable	-	434,631	-	-	434,631
Interest Receivable	96,316	104,342	-	-	200,658
Prepaid Expenses	6,111	2,443	76,656	-	85,210
Prepaid OPEB	-	-	-	-	-
Investments	17,277,228	18,716,996	-	-	35,994,224
Property and Equipment					
Building & Land less accum depr	-	-	-	707,451	707,451
Office Equipment/Furniture less accum depr	-	-	-	-	-
Net Property and Equipment	-	-	-	707,451	707,451
Net OPEB Asset	117,536	72,038	-	-	189,574
Deferred Outflows of Resources - OPEB	188,004	115,229	-	-	303,233
Deferred Outflows of Resources - Pension	373,498	228,918	-	-	602,416
TOTAL ASSETS	\$ 23,577,046	\$ 25,171,695	\$ 94,220	\$ 861,794	\$ 49,704,755
LIABILITIES & NET POSITION					
Liabilities					
Current Liabilities					
Accounts Payable	\$ 16,721	\$ 15,049	\$ 1,673	\$ -	\$ 33,443
Payroll Liabilities	9,400	8,460	940	-	18,800
Accrued Vacation Payable	57,401	51,661	5,740	-	114,802
RPA's Payable	293,921	686,310	-	-	980,231
Unearned Contributions	825,138	719,919	9,764	-	1,554,821
Total Current Liabilities	1,202,581	1,481,399	18,117	-	2,702,097
Long Term Liabilities					
Committee Training Stipend Payable	11,378	10,240	1,137	-	22,755
Claim Reserves - At Expected					
Reserves for Reported Claims	4,705,967	4,414,073	-	-	9,120,040
Incurred But Not Reported Reserve (IBNR)	2,588,116	6,112,902	-	-	8,701,018
Unallocated Loss Reserve ULAE	648,334	1,312,028	-	-	1,960,362
Total Long Term Liabilities	7,953,795	11,849,243	1,137	-	19,804,175
Total Liabilities	9,156,376	13,330,642	19,254	-	22,506,272
Net Pension Liability	226,325	138,716	-	-	365,041
Deferred Inflows of Resources - Pension	12,124	7,431	-	-	19,555
Deferred Inflows of Resources - OPEB	134,340	82,337	-	-	216,677
Net Position					
Contributed Capital	-	-	-	1,233,306	1,233,306
Unrestricted	8,037,604	9,380,554	59,947	(337,143)	17,140,962
Designated Funds - detail on Page 2	5,125,686	764,843	-	-	5,890,529
Net Income	884,591	1,467,172	15,019	(34,369)	2,332,413
Total Net Position	14,047,881	11,612,569	74,966	861,794	26,597,210
TOTAL LIABILITIES & NET POSITION	\$ 23,577,046	\$ 25,171,695	\$ 94,220	\$ 861,794	\$ 49,704,755

PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA
STATEMENT OF NET POSITION
June 30, 2018

SCHEDULE OF DESIGNATED EQUITY

	Liability	Workers Comp	Property/ Bond	Building	Total
Designated Funds					
Designated for Cap Replacement	127,804	104,567	-	-	232,371
Designated for Grant Program	224,618	78,618	-	-	303,236
Designated for EPL Grant Program	772,320	-	-	-	772,320
Designated for Contingency	60,000	40,000	-	-	100,000
Designated for Pension/OPEB Liability	88,628	-	-	-	88,628
Designated for Errors and Omission	60,000	40,000	-	-	100,000
Designated Expanded Coverage ADA / Inverse	815,000	-	-	-	815,000
Designated EPL Coverage Expansion	360,184	-	-	-	360,184
Designated Litigation Manager	100,000	-	-	-	100,000
Designated Risk Management Training	54,000	-	-	-	54,000
Designated Risk Management Consulting	100,000	-	-	-	100,000
Designated Unallocated	575,395	-	-	-	575,395
Designated CARMA Div-withdrawn mbr	149,676	-	-	-	149,676
Designated ERMA Div- withdrawn mbr	308,558	-	-	-	308,558
Designated for Rate Stabilization	707,776	501,658	-	-	1,209,434
Designated for EPL Rate Stabilization	455,427	-	-	-	455,427
Designated for Liebert Cassidy Program	166,300	-	-	-	166,300
Total Designated Funds	\$ 5,125,686	\$ 764,843	\$ -	\$ -	\$ 5,890,529

PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA
CONSOLIDATED
STATEMENT OF REVENUE AND EXPENSE
For the Quarter Ended and Year-to-Date Ended June 30, 2018

	Quarter Ended	Year to Date	Annual Budget	Budget v
	4/1/18 - 6/30/18	7/1/17 - 6/30/18	2017/18	Actual % Budget
Income				
Member Contributions	\$ 3,852,634	\$ 15,410,538	\$ 15,189,907	101%
Retrospective Premium Adjustment	(1,000,000)	(1,000,000)	-	
Rate Stabilization Credit	(25,000)	(99,999)	(100,000)	100%
Special Events Credit	(4,625)	(18,500)	(17,500)	106%
Payroll Adjustment Prior Year	-	286,379	-	
Investment Income	112,837	(12,487)	470,421	-3%
Facility Contribution	16,970	67,880	67,880	100%
Other Income	577,183	892,817	-	
Total Income	3,529,999	15,526,628	15,610,708	99%
Expense				
WC Self Insurance Fees	-	90,852	90,000	101%
Excess Insurance	1,480,101	5,920,407	5,706,175	104%
Claims Expense	(200,926)	4,574,530	6,755,152	68%
Claims Administration	193,532	735,546	730,750	101%
Payroll and Benefits	196,552	955,245	1,100,297	87%
Consultants	29,714	158,325	173,437	91%
Risk Management	233,619	402,792	320,614	126%
General and Administrative	33,138	142,531	162,903	87%
Staff Travel and Training	2,747	15,378	24,900	62%
Board Expenses	21,972	72,950	71,000	103%
Building Maintenance	(5,145)	102,249	135,760	75%
Capital Expenditures	12,211	23,410	70,500	33%
Contingency Expense	-	-	50,000	0%
Total Expense	1,997,515	13,194,215	15,391,488	86%
Net Income	\$ 1,532,484	\$ 2,332,413	\$ 219,220	

PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA
LIABILITY PROGRAM
STATEMENT OF REVENUE AND EXPENSE
For the Quarter Ended and Year-to-Date Ended June 30, 2018

	Quarter Ended	Year to Date	Annual Budget	Budget v Actual
	4/1/18 - 6/30/18	7/1/17 - 6/30/18	2017/18	% Budget
Income				
Member Contributions	\$ 1,643,033	\$ 6,572,132	\$ 6,518,732	101%
Rate Stabilization Credit	(25,000)	(99,999)	(100,000)	100%
Special Events Credit	(4,625)	(18,500)	(17,500)	106%
Payroll Adjustment Prior Year	-	93,524	-	
Investment Income	47,391	(14,174)	197,577	-7%
Other Income	576,255	882,847	-	
Total Income	2,237,054	7,415,830	6,598,809	112%
Expense				
Excess Insurance	578,305	2,313,221	2,304,838	100%
Claims Expense	419,261	2,907,408	2,881,217	101%
Claims Administration	90,970	325,296	320,500	101%
Payroll and Benefits	102,835	482,181	550,148	88%
Consultants	13,238	80,779	89,773	90%
Risk Management	157,280	293,100	209,063	140%
General and Administrative	16,569	72,240	81,453	89%
Staff Travel and Training	1,373	7,689	12,450	62%
Board Expenses	10,986	36,474	35,500	103%
Capital Expenditures	6,716	12,851	38,775	33%
Contingency Expense	-	-	27,500	0%
Total Expense	1,397,533	6,531,239	6,551,217	100%
Net Income	\$ 839,521	\$ 884,591	\$ 47,592	

PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA
WORKERS' COMPENSATION PROGRAM
STATEMENT OF REVENUE AND EXPENSE
For the Quarter Ended and Year-to-Date Ended June 30, 2018

	Quarter Ended	Year to Date	Annual Budget	Budget v Actual
	4/1/18 - 6/30/18	7/1/17 - 6/30/18	2017/18	% Budget
Income				
Member Contributions	\$ 1,591,322	\$ 6,365,288	\$ 6,402,784	99%
Retrospective Premium Adjustment	(1,000,000)	(1,000,000)	-	
Payroll Adjustment Prior Year	-	192,855	-	
Investment Income	65,446	1,687	272,844	1%
Other Income	928	9,970	-	
Total Income	657,696	5,569,800	6,675,628	83%
Expense				
WC Self Insurance Fees	-	90,852	90,000	101%
Excess Insurance	301,166	1,204,663	1,203,558	100%
Claims Expense	(620,187)	1,667,122	3,873,935	43%
Claims Administration	102,562	410,250	410,250	100%
Payroll and Benefits	90,550	431,963	495,134	87%
Consultants	16,140	75,101	81,006	93%
Risk Management	76,339	109,692	111,551	98%
General and Administrative	14,913	62,678	73,306	86%
Staff Travel and Training	1,236	6,920	11,205	62%
Board Expenses	9,887	32,828	31,950	103%
capital Expenditures	5,495	10,559	31,725	33%
Contingency Expense	-	-	22,500	0%
Total Expense	(1,899)	4,102,628	6,436,120	64%
Net Income	\$ 659,595	\$ 1,467,172	\$ 239,508	

PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA
PROPERTY PROGRAM
STATEMENT OF REVENUE AND EXPENSE
For the Quarter Ended and Year-to-Date Ended June 30, 2018

	Quarter Ended	Year to Date	Annual Budget	Budget v Actual
	4/1/18 - 6/30/18	7/1/17 - 6/30/18	2017/18	% Budget
Income				
Member Contributions	\$ 599,183	\$ 2,396,733	\$ 2,196,391	109%
Total Income	599,183	2,396,733	2,196,391	109%
Expense				
Excess Insurance	581,534	2,326,138	2,125,779	109%
Payroll and Benefits	3,167	41,101	55,015	75%
Consultants	336	2,445	2,658	92%
General and Administrative	1,656	7,613	8,144	93%
Staff Travel and Training	138	769	1,245	62%
Board Expenses	1,099	3,648	3,550	103%
Total Expense	587,930	2,381,714	2,196,391	108%
Net Income	\$ 11,253	\$ 15,019	\$ -	

PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA
CRIME BOND PROGRAM
STATEMENT OF REVENUE AND EXPENSE
For the Quarter Ended and Year-to-Date Ended June 30, 2018

	Quarter Ended	Year to Date	Annual Budget	Budget v Actual
	4/1/18 - 6/30/18	7/1/17 - 6/30/18	2017/18	% Budget
Income				
Member Contributions	\$ 19,096	\$ 76,385	\$ 72,000	106%
Total Income	<u>19,096</u>	<u>76,385</u>	<u>72,000</u>	<u>106%</u>
Expense				
Excess Insurance	19,096	76,385	72,000	106%
Total Expense	<u>19,096</u>	<u>76,385</u>	<u>72,000</u>	<u>106%</u>
Net Income	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	

PUBLIC AGENCY RISK SHARING AUTHORITY OF CALIFORNIA
BUILDING FUND
STATEMENT OF REVENUE AND EXPENSE
For the Quarter Ended and Year-to-Date Ended June 30, 2018

	<u>Quarter Ended</u>	<u>Year to Date</u>	<u>Annual</u>	<u>Budget v</u>
	<u>4/1/18 - 6/30/18</u>	<u>7/1/17 - 6/30/18</u>	<u>Budget</u>	<u>Actual</u>
			<u>2017/18</u>	<u>% Budget</u>
Income				
PARSAC Facility Contribution	\$ 16,970	\$ 67,880	\$ 67,880	100%
Total Income	16,970	67,880	67,880	100%
Operating Expense				
Utilities	4,500	18,417	17,750	104%
Janitorial Service	1,800	7,200	8,500	85%
Landscaping Service	1,685	6,739	6,800	99%
Pest Control	213	621	600	104%
Security/Alarm	135	375	450	83%
Property Taxes	-	10,004	12,500	80%
Insurance - Property (Office)	596	2,385	2,500	95%
Building Repairs	1,676	15,178	8,000	190%
Total Operating Expense	10,605	60,919	57,100	107%
Operating Income	6,365	6,961	10,780	65%
Other Expense				
Capital Replacement Fund Expense	(25,245)	2,581	33,660	8%
Depreciation	9,495	38,749	45,000	86%
Total Other Expense	(15,750)	41,330	78,660	53%
Total Expenses	(5,145)	102,249	135,760	75%
Net Income (Loss)	\$ 22,115	\$ (34,369)	\$ (67,880)	

DEFENSE PANEL BOOKLET – UPDATED

SUMMARY: The Liability Defense Panel Booklet has been updated to reflect changes made at the May Board Meeting.

RECOMMENDATION: Approve

DISCUSSION: The Board approved changes to the composition of the panel and fees charged by the selected attorneys. Those changes are captured in this update, which will be circulated to the membership. PARSAC retains authority to select specific attorneys for specific cases unless the member has a \$250,000 SIR. Those with a \$250,000 SIR or higher may request a specific attorney for all but law enforcement cases. Those with a \$350,000 or higher SIR may use a contracted City Attorney under certain circumstances. PARSAC works with each member engaged in litigation to select the best fit and expertise for member consultation and defense.

FISCAL IMPLICATIONS: Fees for defense work are set by the Board. Senior Partners with PARSAC track record \$225/hour; associates \$185/hour and paralegals \$95/hour.

ATTACHMENT: Defense Panel Booklet

Liability Program Defense Panel Directory

As Amended July 2018



1525 Response Road, Suite 1
Sacramento, California 95814
T (916) 927-7727 F (916) 927-3075
www.parsac.org



INTRODUCTION

General Information

The Liability Defense Panel was designed to address members' litigation needs in a cost-effective manner. Firms and attorneys are selected based on demonstrated success in their area(s) of specialty.

The maximum rate for defense counsel is \$225 for Senior Partners, \$185 for Associates, and \$95 for Paralegals, unless a higher rate is pre-approved by PARSAC. Members using a firm with a higher rate will be responsible for the additional cost, which will not reduce the self-insured retention.

THERE WILL BE NO COVERAGE FOR ANY CASE THAT IS DEFENDED BY A FIRM THAT IS NOT PRE-APPROVED OR ASSIGNED BY PARSAC.

Members are encouraged to select from among the Panel firms when coverage is in question because PARSAC's coverage position can change when a suit is amended.

Case Assignment

When served with a lawsuit (summons & complaint), immediately forward a full copy to the Claims Adjuster and PARSAC. This will ensure a timely response can be filed with the appropriate court. Prompt action is imperative; failure to do so may result in a default judgment.

PARSAC will collaborate with the member to select defense counsel. To ensure the best possible outcome, PARSAC will assign the most qualified firm, based on the circumstances of the case.

Members with a self-insured retention of \$250,000 or higher may select Panel counsel, except for lawsuits related to police actions. **Contracted city attorneys may not be used as defense counsel unless the Member has an SIR of \$350,000 or higher. PARSAC must be included on all correspondence.**

FOR ASSISTANCE CALL: 800 400 2642

Porter Simon

Peter Cuttitta
40200 Truckee Airport Road
Truckee, CA 96161
Tel: 530-587-2002
Fax: 530-412-1033
Area: Northern CA



www.portersimon.com

Pyka Lenhard Schnaider Zell

A. J. Pyka
837 N. Ross Street
Santa Ana, CA 92701-3419
Tel: 714-835-9011
Fax: 714-667-7806
Area: Southern CA



www.plszlaw.com

Richards Watson & Gershon

Kayser Sume
355 S. Grand Avenue, 40th Floor
Los Angeles, CA 90071-3101
Tel: 213-626-8484
Fax: 213-626-0078
Area: Southern and Central CA



www.rwglaw.com

ALPHABETICAL LISTING by Firm

FOR ASSISTANCE CALL: 800 400 2642

Mitchell Brisso Delaney & Vrieze



Paul Brisso
814 7th Street
Eureka, CA 95501-1114
Tel: 707-443-5643
Fax: 707-444-9586
Area: Northern CA

www.mitchelllawfirm.com

Murchison & Cumming



Daren Hengesbach
801 S. Grand Ave., 9th Floor
Los Angeles, CA 90017
Tel: 213-623-4700
Fax: 213-626-6336
Area: Southern CA

www.murchisonlaw.com

Noland Hamerly Etienne & Hoss



Mike Masuda
470 Camino El Estero
Monterey, CA 93940
Tel: 831-424-1414 ext. 233
Fax: 831-424-1975
Area: Central CA

www.nheh.com

Porter Scott



Carl Fessenden
350 University Avenue, Suite 200
Sacramento, CA 95825
Tel: 916-929-1481
Fax: 916-927-3706
Area: Northern CA

www.porterscott.com

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<i>Southern California</i>	5
<i>Statewide</i>	6

ALPHABETICAL LISTING

By Firm

Northern California

<i>Firm Name</i>	<i>Civil Rights</i>	<i>Law Enforcement</i>	<i>ADA</i>	<i>Dangerous Condition, incl. Roadway</i>	<i>Auto Liability</i>	<i>Land Use / Inverse</i>
Alan Glaessner Hazelwood, et al*	X	X	X			
Angelo Kilday & Kilduff	X	X	X	X	X	
Best Best & Krieger*	X	X	X	X	X	
Borton Petrini				X	X	
Caulfield Law Firm	X	X	X	X	X	
Collins Collins Muir & Stewart	X	X	X	X	X	X
Diepenbrock & Cotter**	X	X	X	X	X	X
Edrington Schirmer & Murphy	X	X	X	X	X	
Ferguson Praet & Sherman	X	X				
Longyear O'Dea & Lavra	X	X	X	X	X	X
Low Ball & Lynch				X	X	
Manning & Kass, et al	X	X				
McNamara Ney Beatty, et al	X	X	X	X	X	
Mitchell Brisso Delaney & Vrieze	X	X		X	X	
Porter Scott	X	X	X	X	X	
Porter Simon	X	X	X	X	X	

* EPL/ERMA

** Railroad

Low Ball & Lynch

Christine Balbo Reed
355 S. Grand Avenue, 40th Floor
Los Angeles, CA 90071-3101
Tel: 213-626-8484
Fax: 213-626-0078
Area: Southern and Central CA

www.rwglaw.com



Manning & Kass Ellrod Ramirez Trester

Eugene Ramirez
801 S. Figueroa Street, 14th Floor
Los Angeles, CA 90017
Tel: 213-624-6900
Fax: 213-624-6999
Area: Statewide

www.maningllp.com



Marderosian & Cohen

Michael Marderosian Heather Cohen
1260 Fulton Mall
Fresno, CA 93721
Tel: 559-441-7991
Fax: 559-441-8170
Area: Central CA

www.mcc-legal.com



McNamara Ney Beatty Slattery Borges & Ambacher

Noah Blechman
1211 Newell Avenue
Walnut Creek, CA 94596
Tel: 929-939-5330
Fax: 929-939-0203
Area: Northern and Central CA

www.mcnamaralaw.com



ALPHABETICAL LISTING by Firm

Law Offices of Scott C. Haith

Scott Haith
 27240 W Turnberry, Suite 200
 Valencia, CA 91355
 Tel: 661-362-0744
 Fax: 661-362-0745
 Area: Southern CA



Jones & Mayer

Christian Bettenhausen
 3777 N. Harbor Boulevard
 Fullerton, CA 92835
 Tel: 714-446-1400
 Fax: 714-446-1448
 Area: Southern CA



www.jones-mayer.com

Kennedy Archer & Harray

Jon Giffen
 24591 Silver Cloud Court, Suite 200
 Monterey, CA 93940
 Tel: 831-373-7500
 Fax: 831-373-7555
 Area: Central CA



www.kahlaw.net

Longyear, O'Dea & Lavra

Greg O'Dea
 3620 American River Drive, Suite 230
 Sacramento, CA 95864
 Tel: 916-974-8500
 Fax: 916-974-8510
 Area: Northern CA



www.longyearlaw.com

FOR ASSISTANCE CALL: 800 400 2642

Central California

<i>Firm Name</i>	<i>Civil Rights</i>	<i>Law Enforcement</i>	<i>ADA</i>	<i>Dangerous Condition, incl. Roadway</i>	<i>Auto Liability</i>	<i>Land Use / Inverse</i>
Allen Glaessner Hazelwood, et al.*	X	X	X			
Angelo Kilday & Kilduff	X	X	X	X	X	
Best Best & Krieger*	X	X	X	X	X	
Borton Petrini				X	X	
Bremer Whyte Brown & O'Meara				X	X	
Collins Collins Muir & Stewart	X	X	X	X	X	X
Edrington Schirmer & Murphy	X	X	X	X	X	
Ferguson Praet & Sherman	X	X				
Kennedy Archer & Giffen			X	X	X	
Low Ball & Lynch				X	X	
Manning & Kass, et al.	X	X				
Marderosian Cercone & Cohen						X
McNamara Ney Beatty, et al.	X	X	X	X	X	
Noland Hamerly Etienne & Hoss†				X	X	
Richards Watson Gershon*			X	X	X	X

* EPL/ERMA

† Agriculture

FOR ASSISTANCE CALL: 800 400 2642

Southern California

<i>Firm Name</i>	<i>Civil Rights</i>	<i>Law Enforcement</i>	<i>ADA</i>	<i>Dangerous Condition, incl. Roadway</i>	<i>Auto Liability</i>	<i>Land Use / Inverse</i>
Allen Glaessner Hazelwood, et al.*	X	X	X			
Angebo Kilday & Kilduff	X	X	X	X	X	
Best Best & Krieger*	X	X	X	X	X	
Bordin Semmer				X	X	X
Borton Petrini				X	X	
Bremer Whyte Brown & O'Meara				X	X	
Brobeck West Borges, et al.				X	X	
Collins Collins Muir & Stewart	X	X	X	X	X	X
Daley & Heft	X	X	X	X	X	
Ferguson Praet & Sherman	X	X				
Fortin Law Group	X	X		X	X	X
Graves & King				X	X	
Haight Brown ††	X	X		X	X	
Law Offices of Scott Haith				X	X	
Jones & Mayer	X	X	X	X	X	X
Manning & Kass, et al.	X	X				
Murchison & Cumming			X	X	X	
Pyka Lenhardt Schmaider Zell				X	X	
Richards Watson Gershon*	X	X	X	X	X	X

* EPL/ERMA

†† Conflict Counsel

FOR ASSISTANCE CALL: 800 400 2642

Ferguson Praet & Sherman

Bruce Praet (police) or Steve Sherman (tort)
1631 E. 18th Street
Santa Ana, CA 92705-7101
Tel: 714-953-5300
Fax: 714-953-1143
Area: Statewide



Fortin Law Group

Kelly Fortin
130 Newport Center Drive, Suite 136
Newport Beach, CA 92660
Tel: 949-629-3640
Fax: 949-209-9499
Area: Southern CA

www.fortinlawgroup.com



Graves & King

Harvey W. "Chip" Wimer, III
3610 Fourteenth Street, 2nd Floor
Riverside, CA 92501
Tel: 951-680-0100
Fax: 951-680-0700
Area: Southern CA

www.gravesandking.com



Haight Brown & Bonesteel

Kevin Osterberg
3750 University Avenue, Suite 560
Riverside, CA 92501
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Fax: 951-341-8309
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www.hbblaw.com



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Michael Wroniak or Christie Swiss
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 Area: Statewide

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Daley & Heft

Robert Heft
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 Solana Beach, CA 92075-2099
 Tel: 858-755-5666
 Fax: 858-755-7870
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Diepenbrock & Cotter

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 Fax: 916-565-6220
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Edrington Schirmer & Murphy

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 Pleasant Hill, CA 94523
 Tel: 925-827-3300
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FOR ASSISTANCE CALL: 800 400 2642

Statewide

<i>Firm Name</i>	<i>Civil Rights</i>	<i>Law Enforcement</i>	<i>ADA</i>	<i>Dangerous Condition, incl. Roadway</i>	<i>Auto Liability</i>	<i>Land Use / Inverse</i>
Allen Glaessner Hazelwood, et al *	X	X	X			
Angelo Kilday & Kilduff	X	X	X	X	X	
Best Best & Krieger*	X	X	X	X	X	
Borton Petrimi				X	X	
Collins Collins Muir & Stewart	X	X	X	X	X	X
Ferguson Praet & Sherman	X	X				
Manning & Kass, et al	X	X				
McNamara Ney Beatty, et al	X	X	X	X	X	

* EPL/ERMA

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San Francisco, CA 94104
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Borton Petrini

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Fax: 209-527-9753
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Cal Stead
5060 California Avenue, Suite 700
Bakersfield, CA 93309
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661-322-4628
www.bortonpetrini.com



Angelo Kilday & Kilduff

Carolee Kilduff or Bruce Kilday
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Sacramento, CA 95825
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Bremer Whyte Brown & O'Meara

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Best Best & Krieger

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Andy Salmond
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Bordin Semmer

Joshua Bordin-Wosk
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Caulfield Law Firm

Andrew Caulfield
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El Dorado Hills, CA 95767
Tel: 916-933-3200
Area: Northern CA

www.caulfieldlawfirm.com



**UPDATES TO LIABILITY FUNDING POLICY RESOLUTION 2018-05 AND
WORKERS' COMPENSATION FUNDING POLICY RESOLUTION 2018-06**

SUMMARY: The Liability and Workers' Compensation Programs state that funding in excess of the 90% confidence level excludes Target Equity and Rate Stabilization Funds, will be available for distribution at the Board of Directors discretion. In both cases, staff recommends changing the Resolutions to correctly state that distribution is made excluding Target Equity and Designated Equity, not the Rate Stabilization Fund. Further, that a paragraph be added to the Liability Funding Program Resolution to have it conform with that of the Workers' Compensation.

RECOMMENDATION: Approve and recommend Board Adopt, Resolution 2018-05 revising the Liability Funding Policy and 2018-06 revising the Workers' Compensation Program Funding Policy.

DISCUSSION: During the website update, it was determined that two resolutions needed minor updates. Both the Liability and Workers' Compensation Resolution are amended to as follows: Funding in excess of the 90% confidence level, excluding Target Equity and [Designated Equity](#), will be available for distribution at the Board of Director's discretion. Further, a paragraph has been added to the Liability Funding policy to align with the Workers' Compensation Funding Policy, which reads [if the overall confidence level falls below 70% according to actuarial projections, the Board of Directors may declare an assessment to be shared by all program participants](#).

ATTACHMENT: Draft Resolutions 2018-05 and 2018-06.

RESOLUTION NO. 2014-03 2018-05

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
PUBLIC AGENCY RISK SHARING AUTHORITY OF
CALIFORNIA ADOPTING A LIABILITY PROGRAM
FUNDING POLICY INCLUDING RATE STABILIZATION
FUND**

WHEREAS, PARSAC seeks to develop a prudently funded program utilizing an annual actuarial study to estimate the Liability Program's ultimate losses and funding levels; and

WHEREAS, PARSAC has set a target equity goal of \$5 million to give the agency the flexibility to increase the pool's self-insured retention (SIR) to \$1 million; and

WHEREAS, PARSAC has created and will maintain a Rate Stabilization Fund in order to mitigate the effect of rate increases; and

WHEREAS, the Board of Directors desires to have a comprehensive review of PARSAC's financial position before deciding on an equity distribution; and

WHEREAS, PARSAC has determined that the establishment and monitoring of four benchmarks attached as Appendix A in conjunction with the Retrospective Premium Adjustment (RPA) calculation will provide the Board with an overall understanding of PARSAC's financial position.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of PARSAC that the Liability Program Funding Policy shall be adopted as follows:

1. Funding for each year will be at the 85% confidence level or at the Board of Director's discretion.
2. The target equity is set at five times a \$1 million SIR or \$5 million.
3. A Rate Stabilization Fund in an amount not to exceed \$750,000 shall be maintained to off-set pool and excess rate increases as determined by the Board of Directors. The fund will be replenished prospectively at the Board of Director's discretion when the fund falls below 50% of capacity.
4. Funding in excess of the 90% confidence level excluding Target Equity and ~~Rate Stabilization Fund~~ Designated Equity, will be available for distribution at the Board of Director's discretion.
5. If the overall confidence level falls below 70% according to actuarial projections, the Board of Directors may declare an assessment to be shared by all program participants.

6. Upon completing five years, a program year shall be available for RPA.
7. The maximum distribution will be calculated in the following percentages. The distribution will be based on the lower of this item or #4 above.

50% of equity in year 6

80% of equity in year 9

60% of equity in year 7

90% of equity in year 10

70% of equity in year 8

8. If there are no open claims for a program year, then the year will be declared closed and 100% may be distributed to members through the RPA.
9. The four benchmarks in Appendix A will be reviewed before an RPA is issued.

Effective Date. This Resolution shall become effective upon approval by two-thirds of the Board of Directors present and voting and replaces Resolution 2014-03.

ADOPTED this 4th-30th Day of ~~December, 2014~~ November, 2018.

~~Greg Franklin~~ John Gillison, President
PARSAC BOARD OF DIRECTORS

ATTEST:

Joanne Rennie, PARSAC Board Secretary

APPENDIX A - FINANCIAL BENCHMARKS

1. Net Contribution to Equity

Calculation: (Contribution - Excess Insurance) / Equity

Measures the impact of pricing inaccuracies on equity (a low ratio is desirable). A low ratio indicates that more equity is available to cover under-charged years. The target is less than 200%

2. Claim Reserves and IBNR to Equity

Calculation: (Claim Reserves + IBNR + ULAE) / Equity

Measures the impact of reserves inaccuracies on equity (a low ratio is desirable). A low ratio indicates more equity available to cover years with large losses. The target is less than 300%

3. Prior Year Loss Development

Calculation: (Year 1 Loss reserves / Year 2 Loss reserves) / (Yr 2 / Yr 3) - 1

Measures the change in loss reserves from one year to the prior year. A lower ratio indicates not much change in reserves between years. Target of less than 20% is desirable.

4. Change in Equity

Calculation: (Year 2 Equity / Year 1 Equity) - 1

Measures the change in equity. Any increase is desirable. The target is less than 10%.

RESOLUTION NO. ~~2013-02~~ 2018-06

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
PUBLIC AGENCY RISK SHARING AUTHORITY OF
CALIFORNIA (PARSAC) ADOPTING A WORKERS'
COMPENSATION PROGRAM FUNDING POLICY
INCLUDING RATE STABILIZATION FUND**

WHEREAS, PARSAC seeks to develop a prudently funded program utilizing an annual actuarial study to estimate the Workers' Compensation Program's ultimate losses and funding levels; and

WHEREAS, PARSAC has set a target equity goal of five times the Self-Insured Retention (SIR) to ensure financial stability and flexibility; and

WHEREAS, PARSAC will create and maintain a Rate Stabilization Fund in order to mitigate the effect of rate increases; and

WHEREAS, the Board of Directors desire to have a comprehensive review of PARSAC's financial position before deciding on an equity distribution; and

WHEREAS, PARSAC has determined that the establishment and monitoring of four benchmarks attached as Appendix A in conjunction with the Retrospective Premium Adjustment (RPA) calculation will enhance the Board's understanding of PARSAC's overall financial position.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Public Agency Risk Sharing Authority of California that the Workers' Compensation Funding Policy shall be adopted as follows:

1. Funding for each year will be at the 75% confidence level **or** at the Board of Director's discretion.
2. The target equity goal is set at five times the \$500,000 SIR or \$2.5 million.
3. A Rate Stabilization Fund in an amount not to exceed \$500,000 shall be maintained to off-set pool and excess rate increases as determined by the Board of Directors. The Fund will be replenished prospectively at the Board of Director's discretion when the fund falls below 50% capacity.
4. Funding in excess of the 90% confidence level excluding target equity and ~~Rate Stabilization Fund~~ **Designated Equity** will be available for distribution at the Board of Director's discretion.
5. If the overall confidence level falls below 70% according to actuarial projections, the Board of Directors may declare an assessment to be shared by all program participants.
6. Upon completing seven years, a program year shall be available for Retrospective Premium Adjustment (RPA).

RESOLUTION NO. ~~2013-02~~2018-06

7. RPA distributions will be made in the following percentages:
50% of equity in year 8 80% of equity in year 11
60% of equity in year 9 90% of equity in year 12
70% of equity in year 10
8. Program years may be considered for closure 15 years after the year-end, and it has been at least one year since closure of the last claim in the proposed year(s). Once declared closed, 100% of remaining equity may be distributed to members through the RPA.
9. If a claim is reported or reopened after a year has been closed and equity returned, the Target Equity reserve will be used first to cover the deficit.
10. The four benchmarks in Appendix A will be reviewed before an RPA is issued.

Effective Date. This Resolution shall become effective upon approval by two-thirds of the Board of Directors present and voting and shall replace Resolution 2013-02.

ADOPTED this ~~5th~~29th day of ~~December 2013~~November 2018.

ATTEST:

~~Greg Franklin~~ John Gillison, President
PARSAC Board of Directors

Joanne Rennie, PARSAC Board Secretary

APPENDIX A - FINANCIAL BENCHMARKS

1. Net Contribution to Equity

Calculation: (Contribution – Excess Insurance) / Equity

Measures the impact of pricing inaccuracies on equity (a low ratio is desirable). A low ratio indicates that more equity is available to cover under-charged years. The target is less than 200%

2. Claim Reserves and IBNR to Equity

Calculation: (Claim Reserves + IBNR + ULAE) / Equity

Measures the impact of reserves inaccuracies on equity (a low ratio is desirable). A low ratio indicates more equity available to cover years with large losses. The target is less than 300%

3. Prior Year Loss Development

Calculation: (Year 1 Loss reserves / Year 2 Loss reserves) / (Yr 2 / Yr 3) - 1

Measures the change in loss reserves from one year to the prior year. A lower ratio indicates not much change in reserves between years. Target of less than 20% is desirable.

4. Change in Equity

Calculation: (Year 2 Equity / Year 1 Equity) - 1

Measures the change in equity. Any increase is desirable. The target is less than 10%.

LIABILITY PROGRAM CLAIMS AUDIT REPORT

SUMMARY: Presented is the Liability Program claims audit report for review. This scope of the audit included a review of 50 primary and pool liability claims. Overall, the report concludes PARSAC is receiving proactive and efficient claims handling services.

RECOMMENDATION: Receive and file.

DISCUSSION: CSAC, PARSAC's excess pool, recently engaged Praxis Claims Consulting to perform a primary and excess claims audit for the Liability Program. The pool utilizes two Third Party Claims Administrators. The majority of claims are handled by the George Hills Company, while Carl Warren directly contracts for primary claim administration with two current and one withdrawn member. The scope of the audit included 47 claims administered by George Hills and 3 by Carl Warren.

The audit concludes George Hills and Carl Warren effectively managed PARSAC's claims in a professional, competent manner; reserves are up to date, there was regular communication with members and pool, the adjusters work well with defense counsel and actively participate in litigation strategy and evaluating liability.

Although all files are properly reserved, George Hills reports pool exposure (loss above the members' retention) to CSAC. CSAC is requesting the full claim exposure be reported. Staff will work with George Hills and CSAC to resolve this issue.

FISCAL IMPLICATION: Effective and efficient claims administration has significant impact on pool expenses. Although the audit represented a sample size of the pool's claim inventory, it appears, overall, the claims are well-managed and this should have positive long-term impact on the Program.

ATTACHMENT: Claims Audit Report.



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SENT VIA E-MAIL

Joanne Rennie
General Manager
Public Agency Risk Sharing Authority of California

RE: Public Agency Risk Sharing Auth. of California

Audit Date: June 2018
Audit Location: Remote Audit

Ms. Rennie:

This will serve as the formal report of findings following the remote audit of claim files being handled by the Public Agency Risk Sharing Authority of California (PARSAC). Claims are handled by George Hills Company, a third-party administrator.

EXECUTIVE SUMMARY, OBSERVATIONS AND RECOMMENDATIONS

Based upon the results of the audit, the claims adjusters from George Hills Company have the technical expertise, experience and sophistication necessary to competently handle claims generated by PARSAC's liability exposures. Praxis submits the following observations and recommendations:

Observations:

- File set-up and initial member contact is timely and complete.
- Coverage evaluations were comprehensive.
- Claim adjusters considered applicable governmental immunities, statutes, and case law in liability evaluations.
- Consistent evidence of supervisory involvement in most files specific to reserving, evaluation, and reinsurance reporting.
- Very proactive involvement by Ms. Joanne Rennie of PARSAC

- Claim file notes were comprehensive and contained a consistently documented plan of action, with two exceptions.
- Diaries were actively managed and timely.
- Initial reporting to excess is timely and ongoing reports appropriate.
- The adjusters recognize the potential for recovery and/or contribution, including liability apportionments and subrogation.
- Investigations are conducted timely and were thorough.
- Reserves, overall, were appropriate, timely posted and adjusted as necessary.
- Reporting by defense counsel was timely, complete and detailed.
- CSAC's reserving philosophy is followed, however, the total ground up incurred was not always apparent in the PARSAC claim file.

Recommendation:

Each file that was deemed to be complying per CSAC's reserving guidelines were technically properly reserved, however the net reserve being reported to CSAC for a specific event, may not be accurate from a ground-up perspective. The incurred reported to CSAC-EIA for a specific PARSAC file via loss runs, reflect the net exposure to PARSAC and does not include the exposure incurred by the member's individual retentions. The reporting of full exposure from the ground up is needed.

AUDIT LOGISTICS

The scheduling of the audit and access to the SIMS system access was coordinated with Mr. Randy Rendig of George Hills. Prior to the audit, a call with Mr. Kin Ong Risk Manager of PARSAC, took place to discuss any questions or concerns.

Praxis reviewed 50 claim files remotely. The files were reviewed by Brian D. Stiefel, CPCU, of Praxis.

GEORGE HILLS COMPANY

Staffing

Pat Vitale, Director of Claims

Pat Vitale, ARM, has over 32 years of experience in public and private sector multi-line claims investigation. Upon joining George Hills in 2012, Ms. Vitale was the PARSAC Litigation Manager for a JPA of 39 cities and specialized in police and dangerous condition cases.

She recently assumed the role of Director of Claims at George Hills. Ms. Vitale's career history includes investigating, administering, supervising and providing litigation oversight on claims for the Alliance of Schools for Cooperative Insurance Programs (ASCIP) which at that time had over 172-member districts and JPAs in California.

Ms. Vitale is a member of CAJPA's Legislative Tort Liability & Reform Committee and the CAJPA Liability, Tort and Training committee. She is a member of the California Association of Independent Insurance Adjusters (CAIIA) and she holds an Associate in Risk Management (ARM) Designation.

Nancy Wayne

Manager/Senior Adjuster/Investigator

She has over 29 years of industry experience and has been with George Hills for almost five years. She services several PARSAC JPA cities in Southern California.

Prior to joining George Hills, she worked for Carl Warren & Company. She has also worked at Hazelrigg Risk Management Services and Ward North America Nova Pro.

Sheri Bowlus

Senior Adjuster

Ms. Bowlus joined George Hills and was formerly employed by Amtrust and Navigators Insurance companies. She has worked on multiple National Accounts and has been working as the Senior Adjuster for the PARSAC account for the past year and half. She has over 30 years claims experience.

CARL WARREN & CO.

Three of the files reviewed were primary files being handled by Carl Warren & Co. All three files were found to be in compliance. The recommendations specific to reserve reporting is applicable to the PARSAC layer files only.

TECHNICAL REVIEW

Government Codes:

It was evident in the files reviewed; that any case being brought against the Pool was analyzed to determine applicable immunities and that proper procedure is followed by the claimant/plaintiff in bringing a case against the pool. Many cases reviewed, reflected that the initial claim was rejected and eventually denied citing applicable immunities.

GH is compliant in this area.

File Documentation/Diary:

Throughout the life of the file, the adjuster's notes should contain chronological documentation of activities, and the cause and effect of these activities as they relate to exposure. Received and generated correspondence should be uniformly stored and identified for ease of access.

The documentation of claim files is accomplished through the use of the SIMS system. The adjusters do a very good job of documenting the coverage, liability, damages, and plan of action through the POA note type on a consistent basis.

GH is compliant in this area.

Supervision:

Files that required supervisory review or involvement were found to contain either notes confirming review or direction being given to the adjuster. There was one file where documentation of supervisory involvement could not be located.

GH is compliant in this area.

Reporting to Member and Excess Carriers:

CSAC-EIA requires that any occurrence, offense, or wrongful act in which the amount incurred has reached 50 percent of their individual self-insured retention be reported to the Authority.

Additionally, the Member shall give the Authority immediate written notice for any claims or suits which the Member becomes aware of that include injury of the following types:

- Death
- Paralysis, paraplegia, quadriplegia
- Loss of eye(s), or limbs
- Spinal cord or brain injury
- Dismemberment or amputation
- Sensory organ or nerve injury or neurological deficit
- Serious burns
- Severe scarring
- Sexual assault or battery including but not limited to rape, molestation or sexual abuse
- Substantial disability or disfigurement
- Any class action
- Any claim or suit in which the Authority is named as a defendant; or
- Any injury caused by lead.

All files reviewed that qualified for excess reporting, have been reported. There were no issues identified in this area.

GH is compliant in this area.

Settlement Authority

The pool has authority for all losses within the pooled layer. The member agencies may resolve claims within their retention. George Hills does not have settlement authority.

All files reviewed reflected adherence to the above guidelines.

GH is compliant in this area.

Liability & Reserve Adequacy:

Files reviewed were appropriately reserved and reflected exposure based on liability and damages.

In cases that were being defended, reserves were established that realistically reflected potential adverse development.

Per CSAC's Liability Claims Administration Guidelines the following formula is recommended in establishing and updating the reserves for each file:

Reserves should reflect neither the best nor worst possible result, but a most likely outcome.
(Maximum Value X Member's % of Liability) + Expense Factor = Reserve.

Although each file that was deemed to be complying per the above were technically properly reserved, the net reserve being reported to CSAC for a specific event, may not be accurate from a ground-up perspective. The reserves reported to CSAC-EIA for a specific PARSAC file via loss runs, reflect the net exposure to PARSAC and does not include the exposure incurred by the member's individual retentions. A separate primary claim file is set up for the members SIR exposure.

In discussion with Pat Vitale at George Hills she indicated that they are aware of the need to report the full ground-up exposure inclusive of both the member's SIR and the PARSAC layer exposure. She stated that she will inquire about the possibility of creating a system generated report that will provide CSAC with a single total incurred for each event to be provided to CSAC monthly.

CSAC's exposure attaches at \$1,000,000 and the attachment point is from the first dollar.

Contribution/Subrogation:

Praxis did not identify any files during the review that had subrogation potential or possible contribution, however, there were nine files in which there were either co-defendants or entities to which the entire risk was tendered.

GH is compliant in this area.

Litigation Management:

PARAC has a defense panel that covers the entire State. Panel attorneys are selected based on their experience, specific expertise in areas of litigation (i.e. civil rights, dangerous conditions, inverse condemnation, etc.) or outcomes. PARSAC reports that the panel attorney performance is reviewed annually

In the litigated cases reviewed, defense counsel's initial case analysis and budget were received, detailed and complete. Counsel generally outlined the case status, reviewed potential defenses, discussed possible early motions and, when able, commented on potential exposure. Immunities available were discussed and analyzed. Follow-up status reports were timely and complete with updated issues and recommendations.

GH and the Pool are compliant in this area.

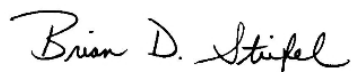
Wrap-up Discussions:

A wrap-up call between Brian D. Stiefel and Randy Rendig had a call to discuss the results of the audit. A subsequent call also took place on June 21st with Mr. Kin Ong Risk Manager of PARSAC.

CONCLUSION:

The George Hills Company adjusters have the technical expertise, experience and sophistication necessary to properly handle the current open inventory of claims to conclusion. File set-up, initial contact, and initial investigations are timely and well organized. Coverage is reviewed and addressed early on, and exceptions are discussed and resolved. Diary, file activity notes and documentation are current.

Sincerely,



Brian D. Stiefel, CPCU
Praxis Claims Consulting
Brian@Praxisclaims.com

cc: Heather Fregeau
CSAC-EIA

Randy Rendig & Pat Vitale
George Hills Company, Inc.

Kin Ong, ARM
Risk Manager

PARSAC

SUPPLEMENTAL ACTUARIAL

SUMMARY: The actuary has completed a supplemental analysis of the Liability loss data at June 30, 2018. Although ultimate loss estimates only increased \$32,786 (including EPL claims), outstanding liabilities increased \$927,429 due to lower than expected claim payments. The Liability Program continues to be well funded above the 90% confidence level. The Workers' Compensation report is in progress due to loss data issues. The actuary is working with LWP to ensure accuracy of its data. The supplemental Workers' Compensation report will be mailed prior to this meeting.

RECOMMENDATION: Approve and recommend Board Adopt.

DISCUSSION: The actuary completes an analysis of the Liability and Workers' Compensation programs based on loss data at September 30, 2017 and projects losses through June 30, 2018. A supplemental review of loss data is conducted at the end of the fiscal year based on actual claims activity and the actuary provides an updated analysis of each program's ultimate losses and outstanding liabilities.

In this supplemental analysis, the actuary has determined that the outstanding liabilities for the Liability program increased \$927,429, while actual paid losses decreased \$917,554 and ultimate loss projections increased \$32,786. Due to an increase in outstanding liabilities, program surplus is \$10,099,878 at expected (previous estimate \$11,027,307) and \$6,724,351 (previously \$8,045,937) at the 90% confidence level.

FISCAL IMPLICATION: The Liability Program is well funded above the 90% confidence level with sufficient surplus to absorb unexpected, adverse loss experience.

DRAFT



Monday, August 6, 2018

Ms. Joanne Rennie
General Manager
Public Agency Risk Sharing Authority of California
1525 Response Road, Suite 1
Sacramento, CA 95815

Re: Actuarial Update of the Self-Insured Liability Program

Dear Ms. Rennie:

As you requested, we have updated our review of the Public Agency Risk Sharing Authority of California's self-insured liability program (PARSAC), based upon actual loss experience through June 30, 2018. This report documents our estimates of ultimate loss and the resulting outstanding liabilities for the program including employment practices liability claims.

We estimate the program's expected liability for outstanding claims to be \$7,942,417 as of June 30, 2018, an increase of \$927,429 from our initial estimate. This figure includes loss and loss adjustment expenses, and is discounted for investment income at 1.5%. Of this amount, \$7,225,536 is for general and auto liability, \$68,547 is for employment practices liability, and \$648,334 is for unallocated loss adjustment expenses.

A summary of the outstanding liabilities as of June 30, 2018 is as follows:

	<u>Undiscounted</u>	<u>Discounted</u>
General and Auto	\$7,413,120	\$7,225,536
Employment Practices	69,802	68,547
ULAE	665,166	648,334
Total	\$8,148,088	\$7,942,417

The \$7,942,417 estimate is the minimum liability to be booked by PARSAC as of June 30, 2018 in accordance with Governmental Accounting Standards Board (GASB) Statement #10. GASB #10 requires PARSAC to accrue a liability on its financial statements for the ultimate cost of claims and expenses associated with all reported and unreported claims, including ALAE and ULAE. GASB #10 does not prohibit the discounting of losses to recognize investment income.

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Our conclusions regarding the Authority's liability for unpaid loss and loss adjustment expenses (LAE) at June 30, 2018 are summarized in the table below.

Public Agency Risk Sharing Authority of California
Self-Insured Liability Program
Estimated Liability for Unpaid Loss and LAE
at June 30, 2018

	Expected	Marginally Acceptable 70% CL	Recommended Range		Conservative 90% CL
			Low 75% CL	High 85% CL	
Loss and ALAE	\$7,413,120	\$8,310,108	\$8,710,416	\$9,777,905	\$10,563,696
ULAE	665,166	745,651	781,570	877,354	947,862
Investment Income	<u>(204,416)</u>	<u>(229,150)</u>	<u>(240,189)</u>	<u>(269,625)</u>	<u>(291,293)</u>
Discounted Loss and LAE	\$7,873,870	\$8,826,608	\$9,251,797	\$10,385,635	\$11,220,265
EPL Discounted Loss and LAE	<u>68,547</u>	<u>76,841</u>	<u>80,543</u>	<u>90,413</u>	<u>97,679</u>
Total Discounted Loss and LAE	\$7,942,417	\$8,903,450	\$9,332,340	\$10,476,048	\$11,317,944
Available Funding	<u>18,042,295</u>	<u>18,042,295</u>	<u>18,042,295</u>	<u>18,042,295</u>	<u>18,042,295</u>
Surplus	\$10,099,878	\$9,138,845	\$8,709,955	\$7,566,247	\$6,724,351

Of the \$7,942,417 of discounted outstanding liabilities as of June 30, 2018, \$2,984,895 can be considered short-term liabilities and \$4,957,522 can be considered long-term liabilities.

Our current evaluation should be viewed as an update, or supplement to our most recent actuarial review of PARSAC's self-insured liability program (as documented in our May 8, 2018 report.) As such the limitations and conditions described in that report also apply to the estimates presented in this report.

For this report we were provided with a detailed claims listing showing pool paid and incurred losses as of June 30, 2018, which appears to be accurate and consistent with that provided for the prior study. This listing was provided on a claimant basis and we aggregated the claims to an occurrence basis.

In developing this update, we have taken an actual-versus-expected approach to revising our ultimate loss estimates. We compared actual loss emergence since our prior report to our expectation, and adjusted our estimated ultimates accordingly. It should be noted that a more detailed analysis may have produced different estimates.

DRAFT

We appreciate the opportunity to be of service to PARSAC in preparing this report. Please feel free to call Becky Richard at (916) 244-1183, Mike Harrington at (916) 244-1162 or David Kim at (916) 244-1166 with any questions you may have concerning this report.

Sincerely,

Bickmore

DRAFT

Becky Richard, ACAS, MAAA
Senior Manager, Property and Casualty Actuarial Services, Bickmore
Associate, Casualty Actuarial Society
Member, American Academy of Actuaries

DRAFT

Mike Harrington, FCAS, MAAA
President, Actuarial Consulting, Bickmore
Fellow, Casualty Actuarial Society
Member, American Academy of Actuaries

DRAFT

David Kim, MA
Senior Actuarial Analyst, Property and Casualty Actuarial Services, Bickmore

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Actual Versus Expected Incurred Loss Development

In the tables below we display actual versus expected development of incurred losses and ALAE by accident year between the 9/30/2017 evaluation date and the 6/30/2018 evaluation date.

**Non-EPL
Actual Versus Expected Incurred Loss and ALAE
Between 9/30/17 and 6/30/18**

<u>Year</u>	<u>Expected Incurred*</u>	<u>Actual Incurred</u>	<u>Difference</u>
2008-09	\$0	\$796	\$796
2009-10	897	2,867	1,970
2010-11	6,501	40,000	33,499
2011-12	4,174	129,214	125,040
2012-13	22,675	0	(22,675)
2013-14	16,011	0	(16,011)
2014-15	47,930	109,389	61,459
2015-16	252,495	648,811	396,316
2016-17	549,000	514,492	(34,508)
2017-18	569,000	214,749	(354,251)
Totals	\$1,468,683	\$1,660,318	\$191,635

Based on the assumptions from the prior report, it was expected that incurred losses would increase by \$1,468,683 between the two evaluation dates. However, actual development was \$1,660,318; or \$191,635 more than expected.

**EPL
Actual Versus Expected Incurred Loss and ALAE
Between 9/30/17 and 6/30/18**

<u>Year</u>	<u>Expected Incurred*</u>	<u>Actual Incurred</u>	<u>Difference</u>
2008-09	\$0	\$0	\$0
2009-10	193	0	(193)
2010-11	132	0	(132)
2011-12	155	0	(155)
2012-13	528	0	(528)
2013-14	563	0	(563)
2014-15	6,500	0	(6,500)
2015-16	12,395	0	(12,395)
2016-17	11,760	0	(11,760)
2017-18	4,997	5,000	3
Totals	\$37,223	\$5,000	(\$32,223)

* From Exhibit 3, Column (E) of May 8, 2018 Actuarial Report

Based on the assumptions from the prior report, it was expected that incurred losses would increase by \$37,223 between the two evaluation dates. However, actual development was \$5,000; or \$32,223 less than expected.

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Actual Versus Expected Paid Loss Development

In the tables below we display actual versus expected development of paid losses and ALAE by accident year between the 9/30/2017 evaluation date and the 6/30/2018 evaluation date.

**Non-EPL
Actual Versus Expected Paid Loss and ALAE
Between 9/30/17 and 6/30/18**

<u>Year</u>	<u>Expected Paid*</u>	<u>Actual Paid</u>	<u>Difference</u>
2008-09	\$0	\$796	\$796
2009-10	3,624	5,594	1,970
2010-11	4,578	36,205	31,627
2011-12	6,606	118,481	111,875
2012-13	21,943	0	(21,943)
2013-14	20,661	0	(20,661)
2014-15	421,832	227,963	(193,869)
2015-16	610,659	258,202	(352,457)
2016-17	425,877	39,385	(386,492)
2017-18	65,165	8,749	(56,416)
Totals	\$1,580,945	\$695,375	(\$885,570)

Based on the assumptions from the prior report, it was expected that paid losses would increase by \$1,580,945 between the two evaluation dates. However, actual development was \$695,375; or \$885,570 less than expected.

**EPL
Actual Versus Expected Paid Loss and ALAE
Between 9/30/17 and 6/30/18**

<u>Year</u>	<u>Expected Paid*</u>	<u>Actual Paid</u>	<u>Difference</u>
2008-09	\$0	\$0	\$0
2009-10	193	0	(193)
2010-11	132	0	(132)
2011-12	85	0	(85)
2012-13	446	0	(446)
2013-14	595	0	(595)
2014-15	7,768	0	(7,768)
2015-16	11,850	0	(11,850)
2016-17	8,911	0	(8,911)
2017-18	2,004	0	(2,004)
Totals	\$31,984	\$0	(\$31,984)

* From Appendix G, Middle Column of May 8, 2018 Actuarial Report

Based on the assumptions from the prior report, it was expected that paid losses would increase by \$31,984 between the two evaluation dates. However, actual development was \$0; or \$31,984 less than expected.

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Change in Ultimate Losses

The tables below display the change in estimates of the program's ultimate loss and ALAE by accident year.

**Non-EPL
Change in Ultimate Loss and ALAE**

<u>Year</u>	<u>Prior Ultimate*</u>	<u>Current Ultimate</u>	<u>Change</u>
2008-09	\$924,120	\$924,916	\$796
2009-10	897,817	899,787	1,970
2010-11	3,263,654	3,297,153	33,499
2011-12	846,214	971,254	125,040
2012-13	2,606,296	2,583,621	(22,675)
2013-14	1,309,459	1,293,448	(16,011)
2014-15	1,334,801	1,357,961	23,160
2015-16	2,385,963	2,632,524	246,561
2016-17	2,823,421	2,700,917	(122,504)
2017-18	2,247,075	2,041,741	(205,334)
Totals	\$18,638,820	\$18,703,322	\$64,502

**EPL
Change in Ultimate Loss and ALAE**

<u>Year</u>	<u>Prior Ultimate*</u>	<u>Current Ultimate</u>	<u>Change</u>
2008-09	\$20,000	\$20,000	\$0
2009-10	193	0	(193)
2010-11	8,010	7,878	(132)
2011-12	12,211	12,056	(155)
2012-13	49,365	48,301	(1,064)
2013-14	31,546	30,967	(579)
2014-15	24,748	17,614	(7,134)
2015-16	25,986	13,863	(12,123)
2016-17	25,904	15,568	(10,336)
2017-18	26,721	26,721	0
Totals	\$224,684	\$192,968	(\$31,716)

* From Exhibit 3, Column (A) of May 8, 2018 Actuarial Report

As shown, overall we have increased our estimated ultimates since our initial report. The more than anticipated non-EPL incurred loss development mentioned above translates to an increase in our estimates of ultimate losses. The changes by accident year generally track well with the actual versus expected incurred loss development.

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Change in Outstanding Losses

The tables below display the change in estimates of the program's outstanding loss and LAE liabilities by accident year, based upon revisions to selected ultimate losses and paid loss emergence since our initial report.

Non-EPL			
Change in Discounted Outstanding Loss and LAE			
<u>Year</u>	<u>Prior Outstanding*</u>	<u>Current Outstanding</u>	<u>Change</u>
2008-09	\$0	\$0	\$0
2009-10	0	0	0
2010-11	5,677	7,632	1,955
2011-12	11,930	25,935	14,005
2012-13	34,663	33,454	(1,209)
2013-14	29,545	34,159	4,614
2014-15	633,484	857,900	224,416
2015-16	1,497,340	2,118,715	621,375
2016-17	2,404,975	2,656,024	251,049
2017-18	2,325,266	2,140,051	(185,216)
Totals	\$6,942,880	\$7,873,870	\$930,990

EPL			
Change in Discounted Outstanding Loss and LAE			
<u>Year</u>	<u>Prior Outstanding*</u>	<u>Current Outstanding</u>	<u>Change</u>
2008-09	\$0	\$0	\$0
2009-10	0	0	0
2010-11	0	0	0
2011-12	78	0	(78)
2012-13	679	0	(679)
2013-14	1,002	952	(50)
2014-15	12,724	12,471	(253)
2015-16	15,473	13,644	(1,829)
2016-17	17,609	15,315	(2,294)
2017-18	24,543	26,165	1,622
Totals	\$72,108	\$68,547	(\$3,561)

* From Appendix I , Page 1 of May 8, 2018 Actuarial Report, adjusted to include ULAE.

As shown, outstanding claims liabilities for loss and LAE have increased by \$930,990 for non-EPL claims and decreased by \$3,561 for EPL claims. Overall, the program's outstanding claims liabilities for loss and LAE have increased by \$927,429 since our initial report. This is driven by less than anticipated paid losses since the prior report.

PARSAC - General Liability (Non-EPL)

**Estimated Outstanding Liabilities for Unpaid Loss and LAE
As of June 30, 2018**

Year	Paid Loss & ALAE as of 6/30/18 (1)	Case Reserves as of 6/30/18 (2)	Incurred Loss & ALAE as of 6/30/18 (3)	Selected Ultimate Loss & ALAE (4)	Outstanding Liability as of 6/30/18 (5)	IBNR as of 6/30/18 (6)	ULAE Estimate (7)	Discount Factor (8)	Discounted Outstanding Liability as of 6/30/18 (9)
1996-1997	\$0	\$0	\$0	\$0	\$0	\$0	\$0	1.000	\$0
1997-1998	0	0	0	0	0	0	0	1.000	0
1998-1999	0	0	0	0	0	0	0	1.000	0
1999-2000	0	0	0	0	0	0	0	1.000	0
2000-2001	0	0	0	0	0	0	0	1.000	0
2001-2002	0	0	0	0	0	0	0	1.000	0
2002-2003	0	0	0	0	0	0	0	1.000	0
2003-2004	0	0	0	0	0	0	0	1.000	0
2004-2005	0	0	0	0	0	0	0	1.000	0
2005-2006	0	0	0	0	0	0	0	1.000	0
2006-2007	0	0	0	0	0	0	0	1.000	0
2007-2008	0	0	0	0	0	0	0	1.000	0
2008-2009	\$924,916	\$0	\$924,916	\$924,916	\$0	\$0	\$0	1.000	\$0
2009-2010	899,787	0	899,787	899,787	0	0	0	1.000	0
2010-2011	3,290,097	3,795	3,293,892	3,297,153	7,056	3,261	633	0.993	7,632
2011-2012	947,126	20,754	967,880	971,254	24,128	3,374	2,165	0.986	25,935
2012-2013	2,552,382	308	2,552,690	2,583,621	31,239	30,931	2,803	0.983	33,454
2013-2014	1,261,521	0	1,261,521	1,293,448	31,927	31,927	2,865	0.982	34,159
2014-2015	556,004	765,603	1,321,607	1,357,961	801,957	36,354	71,958	0.982	857,900
2015-2016	648,547	1,928,808	2,577,355	2,632,524	1,983,977	55,169	178,019	0.980	2,118,715
2016-2017	201,073	1,807,107	2,008,180	2,700,917	2,499,844	692,737	224,307	0.975	2,656,024
2017-2018	8,749	206,000	214,749	2,041,741	2,032,992	1,826,992	182,417	0.966	2,140,051
Total	\$11,290,202	\$4,732,375	\$16,022,577	\$18,703,322	\$7,413,120	\$2,680,745	\$665,166		\$7,873,870

(1), (2) and (3) provided by PARSAC.

(4) Ultimates from May 8, 2018 Bickmore Actuarial Report (exhibit 4, page 1), adjusted for actual versus expected loss development.

(5) = (4) - (1)

(6) = (5) - (2)

(7) Total from May 8, 2018 Bickmore Actuarial Report, Page 2, Allocated to Year Based Upon (5).

(8) Factors from May 8, 2018 Bickmore Actuarial Report, Appendix I, Page 1, (E).

(9) = [(5) + (7)] x (8)

PARSAC - General Liability (EPL)

**Estimated Outstanding Liabilities for Unpaid Loss and LAE
As of June 30, 2018**

Year	Paid Loss & ALAE as of 6/30/18 (1)	Case Reserves as of 6/30/18 (2)	Incurred Loss & ALAE as of 6/30/18 (3)	Selected Ultimate Loss & ALAE (4)	Outstanding Liability as of 6/30/18 (5)	IBNR as of 6/30/18 (6)	ULAE Estimate (7)	Discount Factor (8)	Discounted Outstanding Liability as of 6/30/18 (9)
1996-1997	\$0	\$0	\$0	\$0	\$0	\$0	\$0	1.000	\$0
1997-1998	0	0	0	0	0	0	0	1.000	0
1998-1999	0	0	0	0	0	0	0	1.000	0
1999-2000	0	0	0	0	0	0	0	1.000	0
2000-2001	0	0	0	0	0	0	0	1.000	0
2001-2002	0	0	0	0	0	0	0	1.000	0
2002-2003	0	0	0	0	0	0	0	1.000	0
2003-2004	0	0	0	0	0	0	0	1.000	0
2004-2005	0	0	0	0	0	0	0	1.000	0
2005-2006	0	0	0	0	0	0	0	1.000	0
2006-2007	0	0	0	0	0	0	0	1.000	0
2007-2008	0	0	0	0	0	0	0	1.000	0
2008-2009	\$20,000	\$0	\$20,000	\$20,000	\$0	\$0	\$0	1.000	\$0
2009-2010	0	0	0	0	0	0	0	1.000	0
2010-2011	7,878	0	7,878	7,878	0	0	0	1.000	0
2011-2012	12,056	0	12,056	12,056	0	0	0	0.993	0
2012-2013	48,301	0	48,301	48,301	0	0	0	0.989	0
2013-2014	30,000	0	30,000	30,967	967	967	0	0.985	952
2014-2015	4,931	0	4,931	17,614	12,683	12,683	0	0.983	12,471
2015-2016	0	0	0	13,863	13,863	13,863	0	0.984	13,644
2016-2017	0	0	0	15,568	15,568	15,568	0	0.984	15,315
2017-2018	0	5,000	5,000	26,721	26,721	21,721	0	0.979	26,165
Total	\$123,166	\$5,000	\$128,166	\$192,968	\$69,802	\$64,802	\$0		\$68,547

(1), (2) and (3) provided by PARSAC.

(4) Ultimates from May 8, 2018 Bickmore Actuarial Report, adjusted for recent loss development.

(5) = (4) - (1)

(6) = (5) - (2)

(7) Total from May 8, 2018 Bickmore Actuarial Report.

(8) Factors from May 8, 2018 Bickmore Actuarial Report, Appendix EPL, Page 7.

(9) = [(5) + (7)] x (8)

PARSAC - General Liability (Non-EPL)

**Estimated Outstanding Liabilities for Unpaid Loss and LAE
As of June 30, 2018 - Short and Long Term**

Year	Outstanding Liability and ULAE as of 6/30/18 (1)	Paid Factor 2018-19 (2)	Short Term Paid Losses During 2018-19 (3)	Long Term Paid Losses After 2018-19 (4)	Discount Factor (5)	Discounted Outstanding Liability and ULAE as of 6/30/18 (6)	Discounted Short Term Paid Losses During 2018-19 (7)	Discounted Long Term Paid Losses After 2018-19 (8)
1996-1997	\$0	1.000	\$0	\$0	1.000	\$0	\$0	\$0
1997-1998	0	1.000	0	0	1.000	0	0	0
1998-1999	0	1.000	0	0	1.000	0	0	0
1999-2000	0	1.000	0	0	1.000	0	0	0
2000-2001	0	1.000	0	0	1.000	0	0	0
2001-2002	0	1.000	0	0	1.000	0	0	0
2002-2003	0	1.000	0	0	1.000	0	0	0
2003-2004	0	1.000	0	0	1.000	0	0	0
2004-2005	0	1.000	0	0	1.000	0	0	0
2005-2006	0	1.000	0	0	1.000	0	0	0
2006-2007	0	1.000	0	0	1.000	0	0	0
2007-2008	\$0	1.000	\$0	\$0	1.000	\$0	\$0	\$0
2008-2009	0	1.000	0	0	1.000	0	0	0
2009-2010	0	1.000	0	0	1.000	0	0	0
2010-2011	7,689	1.000	7,689	0	0.993	7,632	7,632	0
2011-2012	26,293	0.578	15,197	11,096	0.986	25,935	15,084	10,851
2012-2013	34,042	0.526	17,906	16,136	0.983	33,454	17,773	15,681
2013-2014	34,792	0.558	19,414	15,378	0.982	34,159	19,270	14,889
2014-2015	873,915	0.568	496,384	377,531	0.982	857,900	492,702	365,197
2015-2016	2,161,996	0.504	1,089,646	1,072,350	0.980	2,118,715	1,081,564	1,037,151
2016-2017	2,724,151	0.350	953,453	1,770,698	0.975	2,656,024	946,382	1,709,642
2017-2018	2,215,409	0.169	374,404	1,841,005	0.966	2,140,051	371,627	1,768,423
Total	\$8,078,286		\$2,974,093	\$5,104,193		\$7,873,870	\$2,952,035	\$4,921,835

- (1) is the sum of columns (5) and (7) from Exhibit 1.
- (2) based on payout patterns from the May 8, 2018 Bickmore Actuarial Report.
- (3) = (1) X (2)
- (4) = (1) - (3)
- (5) Factors from May 8, 2018 Bickmore Actuarial Report.
- (6) = (1) X (5)
- (7) is (3) discounted for 6 months at 1.5% discount rate.
- (8) = (6) - (7)

PARSAC - General Liability (EPL)

Estimated Outstanding Liabilities for Unpaid Loss and LAE
As of June 30, 2018 - Short and Long Term

Year	Outstanding Liability and ULAE as of 6/30/18 (1)	Paid Factor 2018-19 (2)	Short Term Paid Losses During 2018-19 (3)	Long Term Paid Losses After 2018-19 (4)	Discount Factor (5)	Discounted Outstanding Liability and ULAE as of 6/30/18 (6)	Discounted Short Term Paid Losses During 2018-19 (7)	Discounted Long Term Paid Losses After 2018-19 (8)
1996-1997	\$0	1.000	\$0	\$0	1.000	\$0	\$0	\$0
1997-1998	0	1.000	0	0	1.000	0	0	0
1998-1999	0	1.000	0	0	1.000	0	0	0
1999-2000	0	1.000	0	0	1.000	0	0	0
2000-2001	0	1.000	0	0	1.000	0	0	0
2001-2002	0	1.000	0	0	1.000	0	0	0
2002-2003	0	1.000	0	0	1.000	0	0	0
2003-2004	0	1.000	0	0	1.000	0	0	0
2004-2005	0	1.000	0	0	1.000	0	0	0
2005-2006	0	1.000	0	0	1.000	0	0	0
2006-2007	0	1.000	0	0	1.000	0	0	0
2007-2008	\$0	1.000	\$0	\$0	1.000	\$0	\$0	\$0
2008-2009	0	1.000	0	0	1.000	0	0	0
2009-2010	0	1.000	0	0	1.000	0	0	0
2010-2011	0	1.000	0	0	1.000	0	0	0
2011-2012	0	1.000	0	0	0.993	0	0	0
2012-2013	0	0.648	0	0	0.989	0	0	0
2013-2014	967	0.538	520	447	0.985	952	516	436
2014-2015	12,683	0.517	6,557	6,126	0.983	12,471	6,508	5,962
2015-2016	13,863	0.561	7,777	6,086	0.984	13,644	7,719	5,925
2016-2017	15,568	0.551	8,578	6,990	0.984	15,315	8,514	6,801
2017-2018	26,721	0.362	9,673	17,048	0.979	26,165	9,601	16,564
Total	\$69,802		\$33,105	\$36,697		\$68,547	\$32,859	\$35,688

(1) is the sum of columns (5) and (7) from Exhibit 1. Ultimates for 2016-17 from May 8, 2018 Bickmore Actuarial Report.

(2) based on payout patterns from the May 8, 2018 Bickmore Actuarial Report.

(3) = (1) X (2)

(4) = (1) - (3)

(5) Factors from May 8, 2018 Bickmore Actuarial Report.

(6) = (1) X (5)

(7) is (3) discounted for 6 months at 1.5% discount rate.

(8) = (6) - (7)

**PARSAC STAFF COMPLEMENT, ORGANIZATIONAL CHART
AND SALARY SCHEDULE**

SUMMARY: At the May meeting staff was authorized to extend offers of employment to two individuals, one budgeted position, the other funded through prior years' salary savings. Staff was directed, at an earlier meeting, to change the title from Director of Risk Management to Deputy General Manager for incumbent, Kin Ong. These come back today for confirmation of changes, placement within the organizational chart and salary schedules in compliance with Government Code § 570.5.

RECOMMENDATION: Approve title changes from Associate Risk Manager to Senior Management Analyst and Deputy General Manager from Director of Risk Management. Approve Organizational Chart. Approve FY 2018-19 Salary Schedule in accordance with government code.

DISCUSSION:

A. Title Changes

PARSAC staff consisted of four full time positions and one unfilled position. Titles of these positions, which are flexibly staffed, are inconsistent. The administrative and accounting positions were identified as "senior", the management analyst and technician (unfilled) positions were labeled I and II. Titles for those positions are changed so that all positions are described as base task level with more proficient staff identified as "senior;" creating a promotional opportunity consistent with employee development and succession planning. The Associate Risk Manager position approved at the May Executive Committee meeting was filled as a Senior Management Analyst reflective of the needs of the organization. The newly created Director of Risk Management title is changed to Deputy General Manager to reflect the direction of the Committee.

B. Organizational Chart

Approval of the organization chart is requested for confirmation of changes and placement within the organization.

C. Salary Schedule

The Salary Schedule is published annually in compliance with Government Code §570.5. It reflects the COLA granted July 1, the additional position and title changes.

D. Job Descriptions

Approval of the Job Descriptions for Deputy General Manager, Risk Manager and Sr. Management Analyst is requested pursuant to the changes made within PARSAC staff.

FISCAL IMPLICATIONS: No additional funds are required for this budget year, there remains \$86,171 in salary savings to offset costs for next year as well as future reduction in the cost/dependence on consultants as new staff gains expertise.

ATTACHMENTS: Organization Chart; Salary Schedule; Job Descriptions

BUDGET ADJUSTMENT

SUMMARY: Presented for your review are adjustments to the budget to reflect the additional staff person authorized at the May meeting. Additionally, staff has realigned consultant loss control funds (line item) to Board Education and Training, to cover increased costs for member RM 101. The Finance Committee reviewed and recommends approval.

RECOMMENDATION: Approve and Recommend Board Adopt.

BACKGROUND: After approximately two years of recruiting for loss control staff, the position was upgraded and flexibly staffed to better serve the organization's risk management needs. Fortuitously, the services of an expert in loss control and safety was retained. Erike Young joined staff July 23rd and is immediately useful in recrafting the loss control program and reducing dependence on contracted services. Joining Erike is Chris Behnke, in a Senior Management Analyst capacity. These two individuals will provide additional support to the membership immediately and will be instrumental to the realization of PARSAC's long term succession plan.

The prior agenda item identified staff complement and title changes for the previously approved Deputy General Manager and the addition of a Senior Management Analyst, which was eliminated from staff complement in favor of the loss control position two years earlier. The Budget is adjusted to reflect changes in staffing.

The budget is further adjusted to take advantage of member interest in the Risk Management 101 program which has been on-going for many years and is most commonly used to introduce new Board members to PARSAC practices and risk management in general. Recently, member agencies started using the program to in cultrate a team of staff members to better manage the member's risk. The addition of staff allows us to redirect planned consultant loss control funds to Board Education and Training to cover the additional expense.

FISCAL IMPLICATIONS: Salary savings of \$83,396 for FY 16/17 and \$122,360 for FY 17/18 were placed in program equity. The savings represent salary and PERS contribution for the unfilled position. Budgeted funds were premised on a Classic employee with family health; the new Risk Manager position was hired as PEPRAs for additional savings. The added position was also hired as PEPRAs. Both individuals have single health. Funds required for the additional position and slight increase in the budgeted risk management position are \$119,585 which includes salary, benefits and an anticipated increase in health benefit costs in January, retirement costs are offset by employee contribution. \$86,171 will remain in program equity as salary savings. Subsequent budgets will reflect increased payroll with an offset from reduced consultant fees. A new OPEB study is required to reflect the change in staffing.

Twenty thousand dollars (\$20,000) half from liability and half from work comp was redirected to the line item "Board Education and Training." These funds cover the cost of transportation, lodging and meals for the RM 101 program.

ATTACHMENT: 2018-19 Budget Adjustment

III. A. ALL PROGRAMS

	Prior Year Actual	Current Yr Budget	Current Year Forecast	Proposed Budget	Budget Difference
	2016/17	2017/18	2017/18	2018/19	% change
Income					
Member Contributions					
Liability Contributions	\$ 6,492,768	\$ 6,518,732	\$ 6,546,332	\$ 7,275,480	12%
Rate Stabilization Credit	(230,000)	(100,000)	(100,000)	(200,000)	
EPL Rate Stabilization Credit	-	-	-	(155,427)	
Special Events Credit	(17,500)	(17,500)	(18,500)	(17,500)	0%
Workers' Compensation Contributions	6,197,781	6,402,784	6,365,288	6,666,124	4%
WC Rate Stabilization	(70,998)	-	-	-	
Property Income	2,097,657	2,196,391	2,396,733	2,634,083	20%
Bond Income	71,855	72,000	76,385	72,000	0%
Liability Payroll Adjustment -prior year	89,824	-	93,524	-	
WC Payroll Adjustment -prior year	69,976	-	192,855	-	
Total Member Contributions	14,701,363	15,072,407	15,552,617	16,274,760	8%
Other Income	9,969	-	11,321	-	
Total Income	14,711,332	15,072,407	15,563,938	16,274,760	8%
Expense					
Excess Insurance					
Liability Insurance - CSAC	1,111,805	1,121,901	1,108,188	1,413,400	26%
Employment Practices Premium -ERMA	1,211,165	1,182,937	1,179,233	1,253,033	6%
Liability Excess Premiums	2,322,970	2,304,838	2,287,421	2,666,433	16%
Workers Comp Premium - LAWCX	1,139,984	1,203,558	1,204,663	1,307,233	9%
Property Insurance - PEPPIP	2,024,440	2,125,779	2,326,137	2,564,792	21%
Bond Insurance	71,855	72,000	76,385	72,000	0%
Total Excess Insurance	5,487,394	5,634,175	5,818,221	6,610,458	17%
Liability Claims Expense					
Liability Claims Expense at expected	1,267,213	1,911,514	1,935,278	2,023,818	6%
Unallocated Loss Adj Expense	-	327,294	327,294	197,213	-40%
Funding to 80% CL	-	642,409	907,291	987,656	54%
Claim Administration Fees	306,500	310,500	310,500	331,500	7%
Sewer Consulting	14,652	10,000	4,275	15,000	50%
Total Liability Claims Expense	1,588,365	3,201,717	3,484,638	3,555,187	11%
Workers Compensation Claims Expense					
WC Claims Expense at expected	2,522,241	2,812,548	3,098,624	2,792,073	-1%
Unallocated Loss Adj Expense	-	511,263	515,550	573,167	12%
Funding to 75% CL	-	550,124	566,898	583,730	6%
Claim Administration Fees	400,000	410,250	400,000	420,756	3%
Total Workers Compensation Claims Exp	2,922,241	4,284,185	4,581,072	4,369,726	2%

** Includes Claims Administration of \$731,256.

III. A. ALL PROGRAMS

	Prior Year Actual	Current Yr Budget	Current Year Forecast	Proposed Budget	Budget Difference
	2016/17	2017/18	2017/18	2018/19	% change
Expense - continued					
WC Self Insurance Fee	91,018	90,000	91,017	100,000	11%
Payroll and Benefits					
Employee Salary	634,646	667,067	619,882	818,547	23%
Merit Increase	-	15,000	-	22,000	47%
Accrued Vacation Expense	(16,100)	7,000	4,282	7,000	0%
COLA Increase	-	13,926	-	14,700	6%
Deferred Compensation	17,500	19,000	19,000	20,500	8%
Performance Pay	-	15,000	500	15,000	0%
Payroll Taxes PARSAC	9,788	12,000	9,560	13,500	13%
Medical Benefit	98,834	118,000	97,534	125,000	6%
Ancillary Health Benefits	11,520	19,000	12,715	19,000	0%
PERS Retirement Cost	100,146	140,186	117,914	164,815	18%
Employee pension withholding	(44,042)	(54,276)	(45,133)	(69,166)	27%
Pension exp - GASB 68	(374,649)	-	-	-	
Retiree Medical - OPEB	126,596	128,392	128,392	-	-100%
Total Payroll and Benefits	564,239	1,100,295	964,646	1,150,896	5%
Consultants					
Actuarial Liability Fee	8,650	12,000	12,000	12,000	0%
Actuarial WC Fee	10,650	14,500	14,500	14,500	0%
Computer Consultant	2,976	6,000	6,000	15,000	150%
Web Development	48	2,900	2,900	15,000	417%
Legal- General	21,171	26,550	25,356	26,550	0%
Financial Audit/Accounting	23,900	25,251	25,251	26,000	3%
Investment Consultant*	51,514	54,486	49,936	51,508	-5%
Consultants Liab Other	2,198	16,000	16,000	16,150	1%
Consultants WC Other	1,421	15,750	15,750	15,950	1%
Total Consultants	122,528	173,437	167,693	192,658	11%
Risk Management					
Safety & Loss - Liability					
New Member Audit	-	5,000	-	5,000	0%
Grant Program	142,510	135,063	135,063	135,425	0%
EPL Grant - from EPL Grant Fund	19,718	-	25,000	-	
EPL Consortium - from Consortium Fund	82,650	-	82,080	-	
Lexipol	32,296	65,000	40,000	65,000	0%
On-line Training	1,543	4,000	2,000	4,000	0%
Loss Control	-	-	-	20,000	New
Safety & Loss - WC					
Grant Program	116,594	105,051	105,051	120,425	15%
Video Program	-	500	-	-	-100%
On-line Training	1,262	6,000	3,000	4,000	-33%
Loss Control	-	-	-	20,000	New
Total Risk Management	396,573	320,614	392,194	373,850	17%

** Includes Claims Administration of \$731,256.

III. A. ALL PROGRAMS

	Prior Year Actual	Current Yr Budget	Current Year Forecast	Proposed Budget	Budget Difference
	2016/17	2017/18	2017/18	2018/19	% change
Expense - continued					
General and Administrative					
Advertising & Promotion	6,047	11,000	11,000	11,000	0%
Dues	1,024	1,500	1,500	9,000	500%
Subscriptions	-	600	251	500	-17%
Copier Maintenance	602	724	590	1,500	107%
Computer Cost	14,112	5,000	5,000	7,500	50%
Repairs & Maintenance	-	500	-	500	0%
Insur Liab Office	8,729	9,000	11,683	10,000	11%
Employee WC Insurance	15,072	25,000	15,625	20,000	-20%
Temporary Services	-	-	-	12,000	New
Office Expense	12,011	8,251	7,449	8,250	0%
Printing	4,599	4,751	4,171	4,750	0%
Postage & Express Mail	2,910	3,000	2,850	2,800	-7%
Telephone	11,775	10,000	9,464	9,000	-10%
Payroll Service	1,426	1,700	1,517	950	-44%
Internet Service - web host,domain, dsl	1,020	1,000	528	-	-100%
Bank Service Fee	6,555	6,000	4,578	6,000	0%
Facility Expense	62,960	67,880	62,550	67,747	0%
Total General and Administrative	148,842	155,906	138,756	171,497	10%
Staff Travel and Training					
Staff-Education & Training	4,966	5,400	5,400	8,000	48%
Staff-Travel Cost	11,424	13,000	12,500	16,000	23%
Staff - Vehicle Maintenance	1,509	6,500	5,351	7,500	15%
Total Staff Travel and Training	17,899	24,900	23,251	31,500	27%
Board Expenses					
Board Directors- Travel & Meetings	71,159	59,000	59,000	60,000	2%
Board Directors- Education	-	12,000	12,000	35,000	
Total Board Expenses	71,159	71,000	71,000	95,000	34%
Building Maintenance					
See Building Schedule - page 9	42,662	67,880	63,183	67,746	0%
Total Building Maintenance	42,662	67,880	63,183	67,746	0%
Contingency Expense	-	50,000	-	50,000	0%
Capital Expenditures - See pg. 10	-	70,500	38,775	65,000	0%
Non-Cash Expense / Capital Expenditures					
Office - Depreciation	1,480	7,000	-	1,500	-79%
Total Non-Cash Expense	1,480	7,000	-	1,500	-79%
Total Expense	11,454,400	15,251,609	15,834,446	16,835,018	10%
Operating Net Income (Loss)	3,256,932	(179,202)	(270,508)	(560,258)	
Non-Operating Revenues (Expenses)					
Investment Income	538,188	470,421	580,000	610,872	30%
Change in Market Value	(570,107)	-	(600,000)	-	
Total Investment Income	(31,919)	470,421	(20,000)	610,872	30%
Excess Insurance Dividends Received	1,449,496	-	300,000	-	
Member Dividend Declared	(1,000,000)	-	-	-	0%
Total Other Income (Expense)	417,577	470,421	280,000	610,872	0%
Net Income (Loss)	\$ 3,674,509	\$ 291,220	\$ 9,492	\$ 50,614	

** Includes Claims Administration of \$731,256.

REPORT ON UNDESIGNATED EQUITY

SUMMARY: PARSAC's audited financial statements for several years reflected equity not captured in the retrospective premium adjustment schedule or specifically designated for a program or service. This "equity" was labeled, "undesignated." Staff, at the recommendation of the Finance Subcommittee and direction of the EC, undertook a lengthy process to validate the equity by program, by year. All equity is accounted for and validated. There remains unallocated equity from early years in the liability program, however the significant fluctuations in equity identified by the prior accountant no longer exist. The Finance Committee has reviewed and makes the following recommendation.

RECOMMENDATION: Approve and recommend the Board Adopt the designation of previously undesignated equity; attribute that equity to the liability program balance. Direct staff to validate findings, using the June 30 actuarial study and 2018 audit. Report back at the November meeting. Create an internal policy that ties the RPA process to the audit.

DISCUSSION: A fluctuation in equity was identified during the retrospective premium adjustment (RPA) process, over a period of years. This was brought to the Finance Subcommittee's attention and later to the Executive Committee. At the Finance Subcommittee's direction then brand-new accountant, Tracey Smith-Reed, took on the task of quantifying the fluctuations and cause. The process entailed tying out the cumulative RPA schedules to the historic audits. There were many variables in the identification and quantification process.

By way of example, the original retrospective rating plan was developed in 1986. The methodology was based upon the premise that within each program year there are multiple pools, each one of which receives its own retrospective rating calculation. Deposit premiums, administrative expenses, claims expenses, interest income, and IBNR are allocated into each coverage period and each pool layer. The original plan required a series of calculations to allocate individual member's costs, which was difficult to explain and quite confusing. Over the years, the process was simplified and now is a single layer process. Prior to 2005, funds for the self-insured programs were co-mingled. In 2005 the Board directed that the funds be separated and accounted for by each program.

During the early years, audit standards did not require individualized program accounting. PARSAC's audits were presented on a consolidated basis. Transitioning from consolidated to program audits required support documentation that was no longer available, as the records span a period of more than thirty years.

Reconciliation of RPA schedules to audited financial statements appeared to be the best way of validating accuracy of equity by program. To ensure validity, staff elected, to "draw a line in the

sand” for the liability program determining that credible data existed from 2005 forward. Workers’ Compensation data dates to inception. To verify the data, RPA schedule inputs were traced back to audited financial statements, using claim data captured in the “true up” actuarial report. Once all inputs were verified the most recent three-year RPA schedules were prepared using claims data from the June 30 audit for each of the periods. There remained a discrepancy in both programs. The Finance Committee suggested that the accountant test the remaining years of credible data and supported the process used to identify and designate equity. Staff discussed the use of a forensic accountant to validate the process. As all assets have been accounted for, the Finance Committee thought this step unnecessary.

Attached to this report are historic audited dividend releases and RPA summary. Note, there are significant differences in the amounts recorded as dividend releases. This may be a substantial factor in the difficulty in pinning down historic RPA equity to audit equity.

FISCAL IMPLICATIONS: The discrepancy in the Workers’ Compensation Program is approximately two hundred and fifty thousand (\$250,000). The liability program discrepancy is approximately two and one half million dollars (\$2,500,000). Once agreed upon, and no longer fluctuating, these amounts become allocated equity to the respective program.

ATTACHMENTS: Dividends Returned Per Audit Report (schedule)
Liability Program RPA history (schedule)

STRATEGIC PLANNING UPDATE
2018 Workplan Technology Enhancements

SUMMARY: The Executive Committee is asked to review and comment on proposed updates to the PARSAC website, as presented by Scot Crocker. Additionally, to review and comment on the structure for a proposed “list serve” including development of guidelines for users. Lastly, to select two additional members for the Safety and Loss Control Grant Committee.

RECOMMENDATION: Approve the art and format for the website and recommend Board adopt. Concur on operational guidelines for users of the PARSAC list serve and direct staff to present for adoption at the November Board Meeting. Appoint two members to the Safety and Loss Control Committee.

DISCUSSION: At Strategic Planning direction was given to place greater emphasis on technology and tools for member use. Scot Crocker was retained to revamp the website. Scot met with members of the Executive Committee to determine their needs and recommendations. Content from the entire site was scrubbed and revised. By way of example, policy statements and resolutions residing on the website were updated and approved, earlier in the agenda. Scot will present artistic concept and structure of the site for approval; and discuss the dashboard to be developed in phase three. New staff member, Chris Behnke, researched “list serves” and will discuss different approaches to the process.

The Safety and Loss Control Grant Committee currently has three members, two members are needed to comply with the by-laws.

FISCAL IMPACT: Funds for the website update and list serve were budgeted. Additional technology improvements will be budgeted in future years.

LIST SERVE OR DISCUSSION BOARD: USE AND GUIDELINES

SUMMARY: Members have expressed interested in a List Serve service, also known as a discussion board, to exchange information with their peers. Staff seeks direction from the Executive Committee on the format of this module to most effectively serve the membership.

RECOMMENDATION: User/Poster will compile summarized responses and post for all users. Identify and approve operational guidelines and recommend Board adopt.

DISCUSSION: Technology offers new opportunities to share and exchange information. One of the more prominent means of communication online is through a List Serve. A list serve is a method of communicating with a group of people via email. When many people participate in this forum, the amount of information that can be shared is beneficial to all PARSAC members. The list serve will be accessible through PARSAC's website enabling members to quickly post questions and share information with their peers.

Rules

Most list serves are intended to be used by members (peer to peer). However, it can also be set up to permit others to log in and act as a quick way to get information out. Not all information may be relevant or of interest to all participants. Therefore, rules should be established with all users prior to subscribing. Suggested user rules may include:

- Messages should be limited to individuals who are able to respond to the content.
- Users should be cautioned on what they post. Information that would be a privacy concern (*i.e.*, no identification of specific claimant or claim, no HIPPA data) or any discussion of specific claims or litigation will be prohibited.
- All postings should be relevant to local government or risk management. Users should not post political statements, use the service for personal or commercial benefit or post any message that could be perceived as being spam, abusive or hateful.
- Users should not discuss anything that is under consideration by the Board/committees or normally falls under the Board/committee purview.
- If a Monitor is assigned, the monitor may choose to accept messages that are relevant and interesting to the list community or reject messages that are inappropriate or do not meet the distribution criteria.
- If a message is rejected it will be followed with an explanation as to why it is being rejected and returned to the sender.

Anyone who participates in a list serve should be aware of the issues raised and the allocation of liability for claims arising from their use. The Communications Decency Act of 1996 (47 U.S.C. § 230 et seq.) (“CDA”) provides a quasi-safe harbour for monitoring efforts.

The CDA states that no provider or user of an interactive computer service shall be treated as a publisher or speaker of any information provided by another information provider. The CDA grants immunity to such providers for civil liability. The Act does not apply, however, to allegations involving the violation of a criminal statute or the infringement of intellectual property. PARSAC may wish to consider some level of monitoring for these forums. List serves can often veer off track toward irrelevant and objectionable material when a monitor is not assigned. An effective monitoring practice can help maintain the value of these forums.

Parameters/Guidelines

The Committee may consider the following guidelines including:

- Will the list serve be monitored or non-monitored? What is the role of the monitor?
- If monitored, who will monitor? PARSAC staff, “Community Leaders,” user who posts?
- Identify the number and type of Communities, *i.e.*, workers’ compensation, employment, safety and loss, risk management, general discussion, etc.
- Will discussion groups be broken down by departments *e.g.*, Fire, Police, etc.
- Does response go to all subscribers or only the message originator?
- Does monitor send a summary email to all subscribers?
- Require subscribers to log into the list serve system before responding to message thread.
- Set size limitation on content posted.
- Process for approving new users. Does PARSAC vet and approve or does member assign user?
- Determine maximum number of users; who can be a user, *i.e.*, all employees, only Board or Alternate, only management, etc.
- Set parameters to determine if users are still active.
- How long will the postings be archived, who may access archived messages?

FISCAL IMPLICATION: The list serve development is included in the budget for PARSAC’s website redesign. Staff time or legal counsel has not been budgeted to ensure this service functions as intended by the Board.

RISK CONTROL 2020 PLAN – SHORT AND LONG-TERM OBJECTIVES

SUMMARY: The Risk Control 2020 Plan builds upon the existing programs while considering the program challenges and aligning program objectives with PARSAC’s 2018-2020 Strategic Plan. The Plan focuses on improving program resources and delivery in the following areas:

- Member Engagement and Support
- Data Integrity and Reporting
- Technology and Operational Efficiency
- Member Training and Education

RECOMMENDATION: Review, Approve and recommend Board Adopt.

DISCUSSION: The primary objective of the PARSAC risk control program is to protect the assets of the pool and our members. This is accomplished by partnering with our member agencies in the development and implementation of risk management best practices and prioritizing pool resources to those exposures with the highest potential for loss.

Additionally, the risk control program has adopted an objective-based approach, which focuses both on insurable and non-insurable risks of our members. Under an objective-based program, risk is defined as “the effect of uncertainty on objectives,” and focuses on reducing the uncertainty associated with the non-insurable risks of our members. These risks include hazard, financial, compliance, reputational, operational, and strategic risks. By assisting our members in addressing risks that can impact achieving their mission and objectives, it will in turn help PARSAC achieve its mission.

Risk Control Program Challenges

PARSAC currently provides a number of resources and services for our members. These range from on-site risk assessments, online training, consultation services, operational best practice templates, and most recently the Grant Program. It appears many of the workplace safety resources that are available are not being fully utilized by our members. As an example, while fourteen members have signed up for the online training program, only six members are actively using the service. The lack of utilization is often due to members not having the resources to learn and administer the programs locally.

PARSAC provides on-site risk assessments to assist members better manage their overall risk and safety management programs, while focusing on those exposures that have experienced a high volume of claims. It is PARSAC’s goal to conduct a risk assessment for each member once every three years. As past risk assessments were conducted by different consultants, there was not a consistent format which makes corrective action tracking difficult.

The ability to access and analyze loss data has also been an issue both at the pool and member levels. With several changes in TPAs over the years, the quality and credibility of the data does not allow for a comprehensive loss analysis to be completed. This is compounded by not having

standardized claim codes. Improving coding and data will be a focus for PARSAC staff over the next few years.

The use of technology and mobile devices for safety and risk management have grown tremendously in the last several years and provide an opportunity to reduce losses and improve efficiency, as well as helping with safety compliance requirements and documentation. The ability to analyze data is currently a manual process, but with the use of business intelligence software customized reports can be quickly developed online for use at both a pool and member level.

As noted above, PARSAC offers a number of training and education resources both online and in-person; however, most of these resources are OSHA compliance focused. Most of the risk management focused trainings are conducted in-person and can require a significant commitment of time to attend. As succession planning for our members was identified as a significant risk, there is an opportunity to provide resources for our members in this area.

Risk Control 2020

The Risk Control 2020 Plan builds upon the existing programs while taking into account the program challenges noted above and aligning program objectives with PARSAC's 2018-2020 Strategic Plan. The Plan focuses on improving program resources and delivery in the following areas:

- Member Engagement and Support
- Data Integrity and Reporting
- Technology and Operational Efficiency
- Member Training and Education

As part of the Plan, both short and long-term objectives have been developed and discussed below.

Short-Term Objectives

Risk Assessments

With the addition of in-house resources, staff will develop a PARSAC specific Risk Assessment program that is customized to municipal risk exposures. As part of the program, a municipal scorecard will be developed to allow findings to be prioritized and to show program improvement over time. One-third of the members will have a risk assessment each year and an annual risk assessment report will be provided to the Board at the May meeting.

Remote Training Manager

In order to help members ensure that required safety training is completed by employees, PARSAC will create the Remote Training Manager program. The RTM will manage the administration of the TargetSolutions learning management system for the members and provide monthly status reports. As part of the RTM program, PARSAC will work with the members to:

- Identify Cal/OSHA training requirements for all employees
- Assign training to employees throughout the year based on the agency's desired frequency
- Maintain the Learning Management System (LMS), which includes documenting:
 - ✓ Assigned training
 - ✓ On-the-job and class room training
 - ✓ Program and policy employee acknowledgements
- Provide management status and progress reports

Success of the RTM program will require the support of the City Manager and Department Supervisors.

Member Contract Review

Reviewing contracts for appropriate risk transfer language is the most used service by members and has helped the pool effectively reduce its risk exposure over the years. As not all contracts may have been reviewed by staff, PARSAC will be conducting a multi-year project to review all contracts of our members over the next three years, starting with ten members for the 2018-2019 program year. As part of the project, members will be asked to send PARSAC all of their current contracts and each contract will be reviewed for current risk transfer language. In addition to recommendations provided for individual contracts, staff will prepare a report summarizing the overall findings and recommendations.

Quick Sheets

Understanding that policies and procedure documents are written to meet compliance requirements, they are often long and are not explicit in what action is required of a member. This often results in programs not being properly implemented. In order to assist members with program implementation, staff will develop Quick Sheets that will summarize the program requirements and provide specific guidance on resources to implement. Quick Sheets will be one-page documents and made available on the PARSAC website.

Long-Term Objectives

Data Integrity and Claims Coding Project

Understanding that quality data is dependent upon consistent claims coding, staff will undertake a multi-year project to develop claims coding standards in partnership with our TPAs. Once the standards are created, staff will work with the TPAs to recode prior claims for the last ten years.

Business Intelligence Software and Dashboard Reporting

Once the updated website is complete, members will have individual logins to access their information through a customized web-portal. Included in this portal will be loss analysis reports

and dashboards, as well as access to the underlying loss data. By utilizing commercially available business intelligence software, staff will be able to create standard dashboard reports and allow members to customize their own reports. As loss analysis is currently done manually using Excel, the business intelligence software will also increase the efficiency of staff.

Online Risk Management for Public Entity Training

In order to provide public entity risk management training for our members, staff will develop an online training program based on the RMPE 352 textbook. Training will be hosted on a YouTube or similar platform, with a dedicated PARSAC channel only accessible to members. The course will be available on-demand and could be supplemented with list serve or webinar to support students.

Mobile Safety Management Platform

As every member is required to comply with Cal/OSHA requirements, the use of technology can assist with those efforts while also improving operational efficiency. Specific use cases include:

- Inspections
- Ergonomic assessments
- Asset/inventory management
- Permits (lockout/tagout, confined space, hot work)

As with the online safety training, staff would administer the platform for the members.

FISCAL IMPLICATIONS: Savings from prior program years have been allocated to fund proposed programs.

OPERATIONAL BEST PRACTICES

ROAD MANUAL

SUMMARY: Interwest Consulting Group reviewed and updated PARSAC's Street Maintenance Guide to incorporate new regulations, standards and best practices. Theron Roschen, Interwest's Municipal Services Manager, will present the changes to the Executive Committee.

RECOMMENDATION: Approve, recommend Board adopt.

DISCUSSION: Dangerous condition claims are a leading cost driver for PARSAC. In the past 10 years, there have been over 1,100 claims reported, accounting for almost \$17 million in incurred costs for PARSAC and its members. These claims arise because of Joint and Several liability. Joint and several liability is used in civil cases where two or more parties are found liable for damages. The plaintiff in such cases may collect the entire judgment from any one of the parties, or from all the parties in various amounts until the judgment is paid in full. If any of the defendants have insufficient assets to pay their proportionate share of the award, the other defendants must make up the difference. As often is the case, the other defendants do not have adequate insurance to cover the damages and the PARSAC member must pay the majority of the damages, even if the member was only 1% at fault. Claimants in dangerous conditions litigation often allege the member failed to maintain, inspect or improperly designed the roadway. It is a priority to mitigate the pool's exposure in this area. PARSAC partnered with Interwest Consulting Group to develop a routine Street Maintenance and Operations Guide several years ago to assist members inspect, evaluate and maintain their roadways. Key areas addressed include:

- ✓ Repair and maintenance of the public street network
- ✓ Traffic signals and street lighting programs
- ✓ Traffic signs and markings
- ✓ Sidewalk repair and maintenance
- ✓ Roadside drainage and maintenance
- ✓ Landscape maintenance
- ✓ Street sweeping and litter control
- ✓ Special events support, *i.e.* road closures/detours

- ✓ Documentation and complaint response

Staff engaged Interwest to update the Guide to reflect new regulations and standards. In addition, there are new topics that have been added to the Guide to provide members a more complete document that reflects all their operations. Updates and additions include some of the following:

- ✓ Add process for web/social media & 311 work order requests
- ✓ Add work order management and GIS integration
- ✓ Integrate the ADA Self Evaluation and Transition Plan concepts and PARSAC template.
- ✓ Include discussion on the use of Pavement Management Systems and O&M staff providing early input on CIP projects
- ✓ Add discussion of battery backup for traffic signals
- ✓ Add reference to MS4 Stormwater permit requirements and best management devices/practices
- ✓ Identify best practices for recreational trails
- ✓ Add sign reflectivity
- ✓ Add reference to Work Area Traffic Control Handbook “WATCH” and MUTCD Field Guide for Temporary Traffic Control
- ✓ Add reference (or appendix) to PARSAC report “Recommended Practices for Storm Preparedness and Storm Event Response”
- ✓ Snow removal best practices
- ✓ As-built plan management
- ✓ Encroachment permit policies including new small cell site law
- ✓ O&M contracting: Job Order Contracts and use of California Multiple Award Schedule (CMAS) Bidding
- ✓ Streets & Highway Code limits on use of city forces vs public bidding

FISCAL IMPLICATION: The cost to update the guide is not to exceed \$9,160. Implementing these best practices standards should reduce exposure and lower the members’ and pool’s long-term litigation costs.

ATTACHMENT: Revised Streets Maintenance and Operations Guide

Street Maintenance & Operations Guide





Introduction

Loss prevention and controlling risk through training and information sharing are part of the important mission of PARSAC. PARSAC continually strives to identify initiatives to serve member agencies in terms of reviewing their municipal service practices, policies, and procedures with a focus on loss prevention and risk reduction.

The *Street Maintenance and Operations Guide* was developed in partnership with Interwest Consulting Group to create awareness and provide guidance relating to the importance of continually reviewing and improving the performance of operation and maintenance activities within the public right-of-way. This guide describes recommended practices for the full range of street and landscape maintenance activities performed by municipal service agencies on a daily and weekly basis.

The practices and statements contained in this guide are intended to provide general guidance on **what** an agency should be doing, not **how** it should be done. Information provided in this guide should not be used to create arbitrary standards. PARSAC recommends a non-prescriptive approach which allows each agency to tailor their practices and policies to meet their own local organizational, climatic, political, or community related conditions.

The *Street Maintenance and Operations Guide* can be used to review operations and serve as a reference for recommended activities in each topic area. In the absence of an agency policy or procedure manual, it can serve as a resource in formulating an approach for dealing with identified gaps or deficiencies within current agency practices.

This guide is formatted to assist agencies in the development of formal written policies, practices, and procedures which will assist in improving the quality and effectiveness of service delivery. The goal of PARSAC in developing the *Street Maintenance and Operations Guide* is to:

- *Provide a tool for evaluating and assessing current street and landscape related operations and maintenance activities and protocols.*
- *Provide suggested maintenance activities (scheduled and unscheduled) which are compatible with industry accepted standards.*
- *Provide a template for the creation of checklists to allow agencies to perform a self assessment of current policies, processes, and protocols.*
- *Provide guidance and technical assistance to identify necessary improvements to improve organizational performance and effectiveness.*



Governmental Immunities

Even with the most efficient loss control program, your entity will experience claims and lawsuits arising from its streets and roads. Plaintiffs often allege their injuries were caused by a dangerous condition created by your entity. Under **Government Code §835** A public entity is liable for injuries caused by a dangerous condition of its property if (1) the property was in a dangerous condition at the time of the injury, (2) that the injury was proximately caused by the dangerous condition, (3) that the dangerous condition created a reasonably foreseeable risk of the kind of injury which was incurred, (4) the condition was created by the negligent act or omission of an employee or the entity had sufficient actual or constructive notice to correct the dangerous condition.

When the Legislature created dangerous condition liability, it also created immunities that public agencies could not be held liable for. Governmental immunities protect federal, state and local governments from liability for torts that an employee commits within the scope of his or her official duties. It is critical that your agency protect its immunities as they are one of the most effective defenses available to public agencies. Cited below are several immunities commonly applied to Streets and Roadway claims against public entities.

Govt. Code §830.6 provides public entities with “design immunity.” Under the design immunity, a public entity is generally not liable for any injury caused by a dangerous condition of public property. The following three elements must be satisfied to establish design immunity:

- *A causal relationship between the plan or design and the accident;*
- *Discretionary approval of the plan or design before construction or improvement;*
- *Substantial evidence supporting the reasonableness of the plan or design.*

The most important actions that a public entity can take to preserve the design immunity are:

1. Ensure that there is discretionary approval of the plan or design by the legislative body of the public entity, or by an employee of the public entity exercising discretionary authority to give approval to the plan or design; and

That the public entity maintains copies of the design plans and construction plans so that the plans can be used as evidence to demonstrate the design and that it was approved by the appropriate employee or public body. **As-built**

Drawings are a very important piece of information that every agency must record. As-Built drawings are also called Record Drawings and sometimes referred as red-line drawings. These drawings demonstrate how the contractor built the project and what changes were made during the construction/design process.

Many agencies have As-built Drawings scanned for electronic transmittals. Tagging these drawings for searchable databases is helpful. There are different products and apps that will allow agencies to keep track of plan changes almost immediately. PlanGrid, ArcGIS, FieldWire and other apps allow to add photos and much more information that later on will facilitate the process of completing these drawings. These applications can save money and time as changes can be tracked almost immediately and at the field avoiding errors and mistakes.

Govt. Code §830.4 immunizes an entity against liability arising from the failure to provide regulatory traffic control signals, stop signs, yield right of way signs, speed restriction signs and roadway markings. In other words, a condition is not rendered dangerous merely because of the absence of these regulatory signs or markings. This section does not exonerate the entity from liability where the failure to maintain such devices or markings makes the roadway dangerous. Therefore, it is imperative that your agency maintain your signals, signs and markings.

Govt. Code §830.8 applies to warning signs and devices other than those listed in 830.4. An entity is not liable where the injury arises from a failure to provide warning signals, signs, markings or devices. This immunity is inapplicable where the entity fails to provide warning signs that are necessary to warn of a dangerous condition that would not be apparent to a person exercising due care. This is known as the “concealed trap” exception. Thus, your entity should post appropriate warning signs where it is aware that conditions of the road could pose a dangerous condition that would not be readily apparent to a user of the road. A good example of this is signs posted by Cal Trans on in the mountains where ice might form on a bridge, which would not be apparent to the drivers. Again it is incumbent on your entity to develop competent design and maintenance practices.

It should be noted that when a public entity apply for grants from state and federal sources, these documents are public record. In the grant application, public entities must build support for why funds are needed. Often, they include language such as: the intersection is dangerous and signalization is needed to improve safety for motorists and pedestrians. This creates potential liability when there is an injury at this location. The plaintiff’s attorney will use this to show that the intersection has notice of a dangerous condition. Public entities are advised to

use language that avoid putting them in a compromised situation. The entity should consult with their city attorney prior to submission of the application.

Keeping Public Improvement Standards current with existing laws, also lessens agency liability exposure and can reduce the maintenance burden for public facilities that are accepted by the agency. The purpose of establishing Public Improvement Standards is to condition private development and provide that public facilities ensure the health, safety and quality of life are installed for the community. The Public Improvement Standards establish the minimum requirements for the design and construction of any public improvement in the agency.

State Standards include:

- CalDAG (California Disabled Accessibility Guidebook)
- California Manual on Uniform Traffic Control Devices (CAMUTCD)
- MUTCD Field Guide for Temporary Traffic Control
- Work Area Traffic Control Handbook "WATCH"
- Caltrans DIB 82-05 Pedestrian Accessibility Guidelines for Highway Projects
- Caltrans Highway Design Manual
- Caltrans Local Assistance Procedures Manual (LAPM)
- Caltrans Standard Plans and Standard Specifications
- Caltrans Traffic Manual
- Policy on High and Low Risk Underground Facilities Within Highway Rights of Way
- California Building Code (CBC)
- California Business & Professions Code
- Professional Engineers' Act
- Professional Land Surveyors' Act
- California Government Codes
- Subdivision Map Act
- Streets & Highways Code
- Vehicle Code
- California Code of Regulations
- Cal-OSHA Construction Safety Orders
- General Industry Safety Orders

Federal Standards include:

- American Association of State Highway and Transportation Officials (AASHTO)
- ADAG (Americans with Disabilities Act Guidelines)

- PROWAG (Pedestrian Right-of-Way Accessibility Guidelines)
- Regulatory permits and/or agreements may be required by other State and Federal agencies. Including but not limited to the Regional Water Quality Control Board, the California
- Department of Fish & Wildlife and the U.S. Army Corps of Engineers.

Other update considerations include:

- ADA compliant traffic signal pedestrian push buttons, audible pedestrian crossing heads
- Pavement structural sections that accommodate added traffic loading from recycling, green waste and on-demand delivery trucks
- Bus pullouts and associated structural section
- New “Complete Street” concepts that accommodate bicycle and pedestrian modes, i.e. bulb outs, wider sidewalks, bike lanes, parking

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Sample Sidewalk Ordinance

Service Request Form

Work Request Form

Traffic Signal Turn On Checklist

Traffic Signal Operational Checklist

Traffic Sign Inventory Data Sheet

Drainage Projects Approval and Status Sheet

Drainage Basin Inspection Form

Manhole / Drop Inlet Inspection Form

Sidewalk Curb & Gutter Inspection Form

Recommended Practices Storm Preparedness and Storm Event Response

ADA Transition Plan Template

Administration

Customer service is a key operational component of an effective Operations and Maintenance program. Customer service staff should receive orientation training in all operational areas and participate in the development of procedures and protocols for processing incoming calls for service. Customer service staff should be able to effectively evaluate and document calls or reported problems in order to determine initial level of response.

Protocols and procedures should be established and documented for processing and dispatching calls during business hours and after business hours for all operational areas. During business hours, staff will likely be available to receive and document calls directly, determine response, and dispatch as necessary. After hours, and during periods where staff may not be available, a process should be established to address emergency calls or any calls that may require immediate attention. One possible solution would be to establish an after-hours recorded message or auto attendant where callers would be provided a direct contact number or transferred by a menu selection based on a particular type of call or emergency such as a dark traffic signal or downed stop sign. The more routine calls would be captured via voice mail or other like medium. Instructions on the afterhours should be very brief and specific.

Again, customer service staff should be involved in the development of this process. This process should also be developed so the customer service line can be rolled over on short notice such as in the case of each business day and returned to normal operation at the beginning of each business day.

Consideration should also be given to the type of phone system in use. Some network or digital phone systems will only operate for a short period of time during a power outage. Back up analog phone lines and/or power supplies should be considered.

311 Service is part of an ongoing effort by the agencies to make access to City government easier and more responsive



1.1

Customer Service & Trouble Call Dispatch

to the needs of residents, businesses and visitors. With 311, there is no need to search the phone directory for the right City department – as there is one central call center to initiate work orders or connect a resident to the appropriate department.

The timely repair of a reported issue reduces the agency's exposure to liability.

In addition, Service Request applications such as "GORequest" is a hosted web-based software system that allows residents submit questions or requests for service directly via their phone App or website and lets agency employees directly enter requests received by phone, email, or in-person.

The data is processing and has the following benefits:

- Residents get an immediate response acknowledging their request
- Residents receive regular updates regarding the progress of their request
- GPS and camera features built into the mobile devices make it simple for residents to send you a photo and location of the issue
- Supervisors know how productive their crews are
- Managers know how often pre-set service levels are being met
- Officials have a better understanding of the community's needs and priorities

Through Twitter, Facebook, and other platforms, public works professionals can make timely updates that will keep the public up-to-date with the happenings of a city.

Using social media to post updates on things like construction impacts, emergency situations, special events, and upcoming projects is a good way to inform large amounts of people quickly. These means of communicating are also more cost-effective and environmentally friendly than mass mailings.

Many cities have begun blogs that provide a place for individuals to get updates about the city plans and current projects. However, blogs typically require a response, so there will be an investment of agency resources to maintain the communication and overall public satisfaction.



In each operational area, protocols should be established and documented for level of response and response time based on information provided by the caller. For example, if a caller reports a stop sign that has been knocked down or is missing, this should prompt an immediate response based on the priority of the sign (or traffic control device). The call should be dispatched for repair immediately. If the caller reports a 'no parking' sign that is missing, this could be worked into a routine maintenance schedule at a later day or date. If the caller reported a 'no parking' sign that was knocked down across the sidewalk, this should prompt an immediate response.

The focus during evaluation is hazard mitigation. Proper evaluation is critical in protecting your agency from liability. Appropriate response times should be established and documented in each operational area based on these evaluations and available resources. See example points on the following page.

1.2

Trouble Call & Problem Evaluation



Immediate Response PRIORITY 1

- Anything reported as a hazard
- Dark or malfunctioning traffic signal (confirm utility outage or problem with device)
- Downed traffic signal pole or signal head
- Downed or missing stop sign, yield sign, or railroad crossing advance warning sign
- Missing manhole cover or valve cover in pavement
- Sink hole or severe pot hole in pavement
- Potentially hazardous materials spill
- Downed street light pole
- Downed tree across road or sidewalk
- Sewage spills or over flows
- Street flooding
- Obstruction in public roadway or sidewalk
- Assistance requested by emergency response agency (law enforcement, fire, or other agency requesting emergency assistance)

Next Business Day Response or Investigation PRIORITY 2

- Missing or downed higher priority warning or regulatory sign (signal ahead, speed limit, etc.) not reported as a hazard
- Illegal dumping or rubbish spill not reported as a hazard
- Pothole or settlement in pavement not reported as a hazard
- Joint displacement or crack in sidewalk
- Downed tree not blocking roadway or sidewalk, not reported as hazard
- Any problem requiring prompt inspection (not immediate)
- Reported vandalism or graffiti, next day investigation
- Trees or shrubs blocking traffic signals or traffic signs
- Visibility obstructions



**To Be Scheduled with Routine or
As Soon As Possible
PRIORITY 3**

- *Potholes not reported as hazards*
- *Vandalized traffic signs, street light poles, hardscape, and graffiti on public property*
- *Roadside litter*
- *Malfunctioning street lights and illuminated signs*
- *Pavement markings needing repainting or replacement*

These are examples and may not be complete or may vary given particular priorities or policies set by the local agency.



1.3

Computerized Service Request & Work Order Tracking

All service calls, service requests, and/or work orders should be tracked electronically. Procedures for this tracking should be documented outlining specific areas of information that should be captured. Codes should be established to define specific problems and operational areas. See below for example of information that should be tracked.

- *Date and time of call*
- *Problem (code)*
- *Operational area (signals, street lights, signs, etc.)*
- *Roadway, segment ID coding (established by agency)*
- *Caller name, address, and phone number*
- *Problem location. Street address, closest cross street or intersection, location on street (side, median, corner, etc)*
- *Thorough description of problem as reported*
- *Assigned to (name or code of staff member document is assigned to)*
- *Assigned date*
- *Scheduled repair date*
- *Resolution code (repaired, replaced, inspected, etc)*
- *Resolution date and time*

Tracking calls in this manner will allow for easy retrieval and status checks, sorting by date, problem area or other criteria. This type of tracking will also enable reporting on performance trends and performance measures. Procedures and intervals should be established and documented for regular performance review and review of outstanding documents or calls.



Early consideration should be given to the implementation of an enterprise, computerized maintenance management system (CMMS). There are a variety of systems available today in the industry that incorporate the ability to track customer service calls, attach work orders to specific assets in the public works inventory, customer relations modules, cost tracking also attached to assets, pavement management, work scheduling (scheduled maintenance), work monitoring and assignment. The advantages of implementing an enterprise CMMS would be the elimination of isolated data bases and multiple tracking systems. The enterprise model establishes a single system for tracking all aspects of activities within the organization from customer relations and service to infrastructure inventories to cost tracking and management.

CUSTOMER SERVICE TRAINING IN OPERATIONAL AREAS

- ✓ *Establish and document procedures for processing trouble calls during and after regular business hours.*
- ✓ *Establish and document procedures and response priorities for reported problems or hazards.*
- ✓ *Establish and document procedures and documentation forms for capturing information for reported hazards or problems (service requests and / or work order forms).*
- ✓ *Establish and document procedure for resolving service request and work order documentation with actual date / time that work or request was inspected and/ or completed.*
- ✓ *Develop system and process for tracking and monitoring the status or work order and service request documentation.*

1.4

Computerized Maintenance Management System (Enterprise System)



1.5

Contracting vs. Force Accounting



With any deficiency that is identified, the timely improvement/repair is important to reduce liability. Agencies may be tempted to use their own forces, however, understanding the thresholds where work must be publicly bid is important.

The *Force Account limit* is the limit of work that a public agency can do with its own forces before they must go out for competitive bids. Force account is the dollar value of labor, materials and equipment at the rate the public agencies charge themselves. Labor cost calculations are based on the entity's actual cost of labor. Force account limits do not apply to maintenance work.

California State Law (General Law) defined in the California Public Contract Code (PCC) sets the force account limits and bid thresholds for public agencies. There are two Public Contract Code sections (20161 and 20162) that mandate that California public works projects be competitively bid. They vary by type of agency. For example, a general law city has a force account limit of \$5,000, while a county has a \$4,000 limit if their population is less than 500,000 and \$6,500 if it is above 500,000. All new work over that amount must be formally advertised for competitive bid.

Charter Cities can write their own rules but the local voters must approve these rules. They may set force account limits and bidding thresholds at different levels. CIFAC will always encourage Cities to follow general law when it comes to the public contracting section of their Charter.

Then there are public agencies that are signatory to the California Uniform Construction Cost Accounting Act (CUCCAA). They can self-perform the work to \$45,000 and use informal bidding up to \$175,000, above which they must advertise for formal bidding. More on this topic below.

Work that is exempt from competitive bidding includes emergency work, small contracts (each agency defines a different amount for small and specialized personal services).

There are three requirements that must be met before the bid can be awarded. Generally, the project can only be awarded to the **lowest responsible** bidder who submits a **responsive** bid.

Public Bidding

A *responsible* bidder must typically be a licensed contractor who has not been barred from government contracts for prior misconduct. In addition, a responsible bidder must have the equipment and skills necessary to perform the work in question or have a subcontractor who has those particular skills. If the bidder is deemed not responsible because it does not meet the above criteria, the public agency need not award the contract the lowest bidder.

The second requirement is that the bid be *responsive*. Quite simply, the bid must be an unconditional offer to provide the goods and services that are being bid upon and the bid must comply with all the bid procedures that are set forth in the requirements of the bid documents. For example, a bid which excludes a portion of the work which was to be bid on is deemed non-responsive.

A public entity can reserve the right to waive minor irregularities relative to the responsiveness of the bid. However, if the entity waives the regularity it cannot result in the bid process being unfair or give the low bidder an unfair advantage over the other bidders. In turn, a public entity has authority and discretion to reject all bids and to re-advertise for bids.

Alternatively, the public entity can reject the lowest bidder if the lowest contractor (a) is not a responsible bidder, (b) the lowest bidder refuses to sign a contract, or (c) the bid is not responsive. However, the awarding body must act in good faith. If a public entity rejects the lowest bidder, that bidder may be entitled to a hearing if the rejected bidder was deemed to be not responsible.

A disgruntled bidder, including a rejected low bidder, can file a protest with the awarding public entity. If the public entity does not satisfactorily resolve the dispute, the bidder can file a legal action seeking a writ of mandate requiring the public entity to review the contract.



Uniform Cost Accounting Act

The Uniform Cost Accounting Act at Public Contract Code section 22000 et seq. ("UCAA") allows participating agencies to avoid the formal bidding procedure for projects that fall under certain cost thresholds. The UCAA includes two thresholds: 1) the "Direct Hire Threshold" which allows public agencies to hire their own employees through a force account or hire other entities directly through a negotiated contract or purchase order to perform public construction contracts and 2) the "Informal Bidding Threshold" which allows public agencies to use an informal bidding procedure.

The threshold amounts set forth in the UCAA are periodically changed by the California legislature. As of January 1, 2012, the Direct Hire Threshold is \$45,000, meaning any project costing \$45,000 or less can be performed by the public agency's employees through a force account or the public agency can hire another entity directly through a negotiated contract or purchase order. The Informal Bidding Threshold is \$175,000, meaning any contract costing \$175,000 or less may be bid using the informal bidding procedure set forth in the UCAA. Any project over \$175,000 must be let through formal bidding procedures.

The ability to complete construction costs worth \$45,000 or less without bidding is definitely appealing when compared to the competitive bidding threshold of \$15,000 under Public Contract Code section 20111.

The informal bidding procedure, available for projects \$175,000 or under, can also be a good option as it allows the avoidance of the formal bidding requirements of Public Contract Code section 20111. However, the UCAA does require public agencies to meet their own set of administrative requirements that can be laborious. Specifically, the public agency must pass a resolution opting into the UCAA and follow the notification procedures for informal bidding described in the UCAA.



The notification procedure in the UCAA requires public agencies to mail a written notice on a yearly basis to all construction trade journals designated in the UCAA's Commission Manual inviting licensed contractors to submit their name for inclusion on the public agency's list of qualified bidders for the year. Based on the responses, the public agency must maintain a list of qualified contractors, organized according to categories of work. If a project qualifies for the informal bidding process, the agency solicits bids from the contractors on its list and chooses the lowest responsible bidder from bids received from this list.

The public agency can also use the prequalification process under Public Contract Code section 20111.5 in conjunction with the list to promote a qualified pool of bidders. It is also important to note that once a public agency opts to use the UCAA, it must follow the procedures required by the UCAA for every project. In other words, public agencies cannot choose to use the UCAA for some projects and not others.
California Multiple Award Schedule

Public Contract Code (PCC) § 10298 and 10299 authorizes local agencies to use California Multiple Award Schedule (CMAS) and other Department of General Services (DGS) agreements without competitive bidding. However, each local government agency should make its own determination whether the CMAS program is consistent with their procurement policies and regulations and the work does not meet the definition of Public Works (Public Contract Code (PCC) § 1101). Products and services that have been competitively assessed, negotiated, or bid primarily by the State General Services Administration can be used by public agencies.

For more information, contact:

Department of General Services
Procurement Division – CMAS Unit
707 Third Street, Second Floor, MS 2-202
West Sacramento, California 95605
Phone: (916) 375-4365
E-mail: cmas@dgs.ca.gov
Website: www.dgs.ca.gov/pd/Programs/Leveraged/CMAS.aspx



Job Order Contracting

Another recent trend for local agencies is the use of Job Order Contracting (JOC). This is a way for agencies to get commonly encountered maintenance and construction projects done quickly and easily through multi-year contracts. JOC reduces contract procurement time along with construction project procurement costs by awarding long-term contracts for a wide variety of maintenance product and projects.

With an emphasis on partnering and team work between owners and contractors, JOC provides the methodology to execute a fixed-price for multiple simultaneous task. A major element of the JOC contracting process is the use of a unit price book (UPB), which would provide preset costs for tasks. As part of the bid, the contractor submits a coefficient (a multiplier) to be applied to the preset unit prices appearing in the UPB. After contract award, and during the course of the contract, the coefficient is used to calculate the price for each project which will be the preset unit prices multiplied by the quantity multiplied by the coefficient. The agency can elect to use or not use the items in the UBC. Once a fixed price for tasks is established through a JOC, the agency can direct work quickly.

JOC Contracts:

- Selected through open bid process
- Outreach is done to solicit bids
- Maximum Contract Value in Current JOC: \$2,500,00
- Subject to increase as allowed by Public Contract Code
- Based on CA Consumer Price Index
- Minimum Contract Value: \$25,000
- Term of Contract: 12 Months After NTP on first Job Order

The above procurement methods remove risk, saves time and reduces complexity as maintenance issues can be quickly addressed.

Pavement Maintenance & Management

Pavement trouble calls should be inspected and evaluated same day or next day with repairs made or scheduled according to evaluation. Many calls such as small potholes can be temporarily repaired at the time of evaluation with a permanent or more thorough repair to be scheduled. This type of routine or process can be expected for pothole or pavement repairs during winter months. Evaluations or recommended repairs should be documented and added to service request or work order including anticipated or scheduled repair date (see Section 1.3). Methods for evaluation and repairs and appropriate response times should be identified and documented and used in the training of field personnel.

Special attention should be given to pavement conditions in the areas of pedestrian and bicycle facilities such as crosswalks and bike lanes. Conditions that may be of a minor concern to motorists are likely an increased concern to pedestrians and bicyclists.

Pavement trouble calls should be tracked by attaching the service request or work order documentation to the roadway or a specific segment on the roadway. Tracking calls in this manner will provide valuable performance and historical information related to each roadway or roadway segment.



2.1

Pavement Trouble Calls & Response

2.2

Pavement Inventory & Pavement Management System

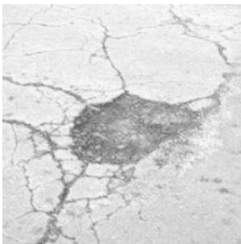
Consideration should be given to establishing a roadway system inventory. This roadway and segment data base can be the foundation of a well established computerized maintenance management system (Section 1.4). The roadway/segment inventory framework can be built at the desktop using maps and then printed out with distances, measurements, and other data to be added during the field survey. Suggested data points to be gathered are listed below.

- *On Street, From Street, and To Street (segment)*
- *Street class (arterial, collector, residential)*
- *Segment length and width (square feet)*
- *Median square feet*
- *Pavement type*
- *Initial condition evaluation (PCI)*

Each street and segment should have a unique numeric identifier for ease of identification and data sorting. Once an inventory system has been established, service requests and/or work orders can be attached to specific segments on streets.

With the development of the street inventory, pavement condition evaluations should begin with evaluation criteria based on accepted industry standards. The purpose of a Pavement Management Application (PMA) is to establish and maintain a uniform definition and procedure for the application of various maintenance strategies to extend the overall expected life cycle of the City's transportation system in the most economical and efficient manner. In addition, it provides a multi-year work plan that can be implemented based on expected and / or desired needs and funding.

The procedure is to collect, organize, and maintain a complete roadway database that describes the City's lane mile network system. This data is then analyzed to identify existing deterioration levels, prioritize cost-effective repairs, and create an optimal long-term spending plan. There are numerous software applications. One of the dominant systems is the Bay Area Metropolitan Transportation Commission's StreetSaver software. StreetSaver reports the pavement



condition index (PCI), which is a measurement of the pavement condition and ranges from 0 to 100, where 0=failed road and 100=new pavement. The City may then evaluate maintenance priorities and make informed recommendations of improvements based on running various budget and treatment scenarios. This also provide a “look-ahead” of the overall street system.

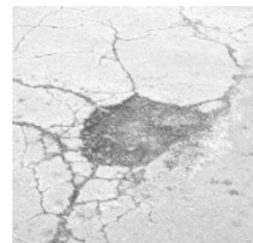
The software can run several funding scenarios and project what the City’s overall pavement condition would be for those scenarios. Some example funding scenarios are as follows:

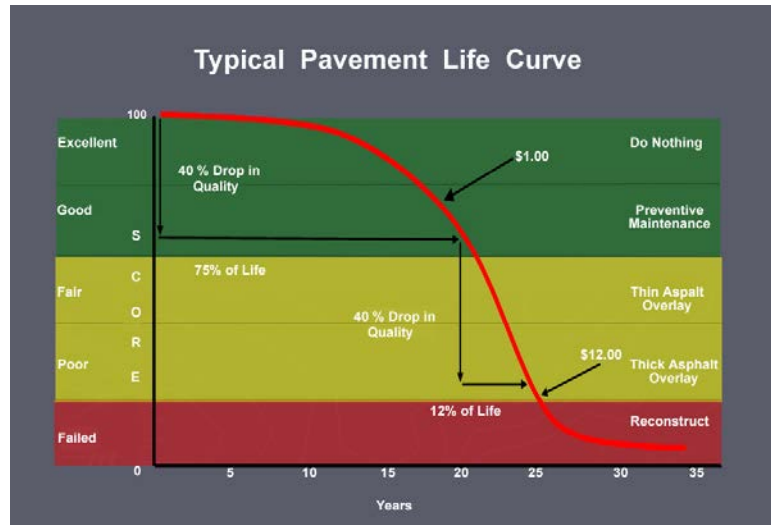
- 5-year projection based on the City’s current budget allocations for pavement maintenance
- 5-year projection based on unlimited funding to achieve PCI rating of 75 or other target
- 5-year budget projection based on maintaining the City’s current PCI rating as is

The aforementioned scenarios can include backlog projections and expenditures for preventative, rehabilitation and reconstruction pavement treatments. A geographic information system (GIS) component is an integral part of the PMA. GIS can create various maps showing the pavement condition of all of the streets and which streets would be upgraded in each fiscal year for the selected scenarios.

The data collection in a PMA is often a visual assessment of the severity and type of pavement distress for a given street segment. Although, there are automated mobile data collection systems that can also collect Public Works assets, i.e. signs, manholes etc. With all these systems, it is important that current data be maintained. Therefore, each year’s pavement maintenance work should be entered into the system. For thoroughfare and collector streets an assessment should be performed on a 3-years cycle. All other streets should be on a 5-year cycle.

The timing of pavement maintenance treatments is important as well. Research and experience has shown it is far less expensive to maintain a road in good condition than it is to allow a road to deteriorate before repairing it (refer to the figure on the following page). The curve shows the rate at which the pavement condition deteriorates over time.

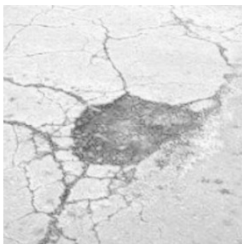




A roadway worsens slowly at the beginning of its projected life span. At this point, preventative surface treatments are significantly less costly. The level of pavement deterioration per year increases drastically as the pavement enters the Fair Range, and is considered the critical zone in the pavement's life. At this point, it becomes much more expensive to keep the roadway in good service condition. Therefore, it is important to generate a pavement maintenance strategy that includes the best (cost-effective) balance of "preventative maintenance" and reconstruction / repairs to meet the City's goal.

During inspections or evaluations for repair, attention should be paid to the area surrounding the work area. The area should be marked for location of underground utilities and request sent to the appropriate utility company or agency. Pavement repairs should be coordinated with the agency or department responsible for traffic signals. Traffic signal detectors can be located just below the pavement surface and can be easily compromised.

Pavement markings near or within the work area should be noted. Coordinate the pavement repairs with the agency or department responsible for the pavement markings. Any pavement markings covered or impacted by the pavement repairs should be replaced in kind or with an acceptable temporary marking before leaving the work site.



2.3

Pavement Maintenance

A routine program for street inspections by street classification should be established and documented. Work orders documenting such inspections should be created and logged into the work order tracking system and dated at the time the inspections are performed. This establishes a historical record of street inspections performed.

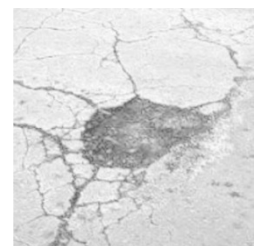
Policy for inspection intervals and methods should be established by the agency. Inspectors should evaluate pavement stability, settling, cracking, the presence and effects of vegetation and water accumulation. Drainage facilities such as ditches used to convey water away from the road bed should also be evaluated. Problems should be noted and prioritized by severity and repaired accordingly.

During inspections or evaluations for repair, attention should be paid to the area surrounding the work area. The area should be marked for location of underground utilities and request sent to the appropriate utility company or agency. Pavement repairs should be coordinated with the agency or department responsible for traffic signals. Traffic signal detectors can be located just below the pavement surface and can be easily compromised.

Pavement markings near or within the work area should be noted. Coordinate the pavement repairs with the agency or department responsible for the pavement markings. Any pavement markings covered or impacted by the pavement repairs should be replaced in kind or with an acceptable temporary marking before leaving the work site.

Limit lines at intersections should be in place before leaving work area. Temporary crosswalk bars should also be in place before leaving the work area. When painted center lines or lane lines are covered, they should be replaced with appropriate permanent markings or with approved reflective temporary markings. The agency or department that maintains pavement markings should be notified immediately upon completion of pavement repair.

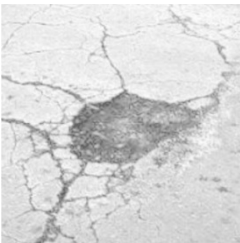
Always refer to the appropriate Federal, State, and/or local agencies for specific standards or any required permits.



2.4

Performance Measures & Trends

A regular routine of performance measures should be established in order to monitor service request and work order completion trends.



Preventive Maintenance for Recreational Trails

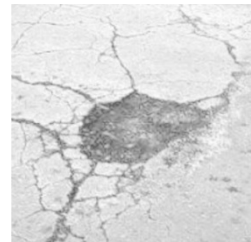
The growth in recreational trails owned by the Agencies and Park systems over the last 20 plus years has exploded. Most if not all efforts related to recreational trails over these years has been focused on construction of new trails. There have been little organized efforts in trail preservation and or preventive maintenance (PM) methods to extend the usable life of the trails. This exposes the agency to liability exposure. The agencies that have a PM programs for their recreational trails typically rely on treatments that started out as highway or street treatments that may have been modified for use on the trails and may not be the best fit. In addition there may be environmental constraints along the trail that should be considered.

It is recommended that trail owners develop a planned program for trail preservation activities as part of their trail construction program to address Pavement Preservation Treatment. Pavement preservation treatments normally used on streets and highway can be successfully modified for use on trails. These include the following.

- Fog sealing of a recreational trail in good condition can extend the pavement life and provide a quality surface for trail users.
- Chip Seals with a reduced size of the chip ($\frac{1}{8}$ " minus) to yield a smoother surface, schedule the application during later part of the summer when the trail has maximum strength, and limit the weight of construction equipment.
- A properly designed slurry/micro system could not only protect the surface but also level a deteriorated trail.
- Use crack sealants for trails that are user friendly. On roadways the sealants needs to be very soft and elastic to deal with seasonal movements. For trails a harder oil should be used, with routing of cracks so that the material is not over-banded on the trail. This could lead to trip and fall claims.
- Traffic control for trails is very difficult because of the large number of access points. The best method is early and aggressive notification to inform users of construction operations and also explain why the PM treatment is being applied.

2.5

Recreational Trails

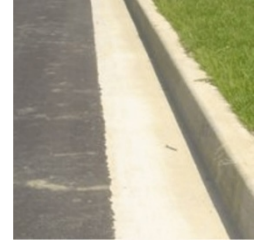


- Care must be taken during both the planning and construction phase not to damage the existing trail structure by over loading it with construction equipment.
- Apply Pavement Management System for recreational trails.

SECTION 2 SUMMARY CHECKLIST

- ✓ *Train field staff in the appropriate assessment and prioritization of pavement service calls and conditions.*
- ✓ *Train field staff in the assessment of pavement conditions in the area of crosswalks, bike lanes, and other shared pavement facilities.*
- ✓ *Consider developing system / process to track pavement service calls and work orders attached to a specific roadway address or segment.*
- ✓ *Establish and document a routine for roadway inspection intervals and methods.*
- ✓ *Establish and document a process to ensure all pavement markings are accounted for and repaired following pavement maintenance.*
- ✓ *Establish and document a regular process for status review of pavement work orders and service requests.*

Sidewalk, Curb & Gutter



All sidewalk, curb and gutter trouble calls should be given a high priority and investigated immediately for severity. Reported problems should be evaluated, any immediate hazard eliminated, and permanent repairs scheduled. All sidewalk, curb and gutter inspections or evaluations should be documented (work order) including photos and date of inspection. As with a roadway, sidewalks deficiencies after hours should be dispatched immediately and made safe until repairs can be made (placement of reflective traffic cone or barricade).

3.1

Sidewalk Trouble Calls & Response

3.2

Sidewalk Inventory

An inventory of all sidewalks, curbs & gutters, commercial and residential, should be established with general conditions accompanying the inventory data. Sidewalk, curb and gutter data should be collected and identified by street and segment with locations noted (side of street), including sidewalk width, curb and gutter type, designed ramps, and any other unique conditions. Data points or defects should be identified by address or distance from cross street (segment). Sidewalk data gathered in this manner can be easily displayed geographically (GIS). Problems or defects discovered during inventory should be immediately made safe and noted in the inventory as locations requiring additional permanent repair. Work orders that are created and scheduled for the more permanent repairs should be prioritized with date of inspection noted. Sidewalk repair schedules can be generated and sorted based on severity and date of inspection.



The Sidewalk Maintenance Program is intended to prevent trip and fall incidents due to the deterioration of aging sidewalks, expansion of roots, and ground settlements. Curb and gutter areas should also be evaluated with each sidewalk inspection as they too are traversed by pedestrians and bicyclists.

During the initial inventory, sidewalk defects should be ranked for severity and priority. See list below for examples of rankings and priority.

High PRIORITY

Arrange for immediate hazard elimination (placement of reflective cone or barricade) and schedule for grinding, ramping with asphalt, or other appropriate treatment. Location should retain its ranking for scheduling of permanent repairs (potential capital project). Provide description of deficiencies, temporary repairs made and date of temporary repairs.

Medium PRIORITY

Arrange for appropriate temporary repairs, grinding or asphalt patch. Location should retain its ranking for scheduling of permanent repairs. Provide description of deficiencies, temporary repairs made and date of temporary repairs.

Low PRIORITY

Noted defects that may not require any immediate treatment. Examples would be cracking (1/4 inch or less), potential for root damage (uplift), or potential for settlement. Location should retain its ranking for scheduling of follow-up inspections. Note dates for each additional inspection.

3.3

Sidewalk Evaluation



Important to note that sidewalk, curb, and gutter inspections and evaluation should be subjective and made case by case in consideration of sidewalk use, proximity to schools, higher use residential and commercial areas. A defect may be considered minor in one area and severe in another. For curb and gutter temporary repairs, consideration should be given to flow lines to avoid creating areas of standing water. Additional points to consider during inspection and evaluation are listed below.

- *Areas of excessive slope, uplift or settlement*
- *Cracks that have a gap of half an inch should be filled*
- *Holes that are half an inch or greater in depth and in diameter should be filled*
- *Check for any damage around traffic signals, utility poles, ground utility boxes, street lights and regulatory sign posts*
- *Check for and maintain ADA clearance minimums*

Designated pedestrian paths of travel and crossing points should be included with the sidewalk inspection and maintenance program. Walk way surface within crosswalks, pedestrian bridges, public stairways or ramps should be inspected using the established criteria for sidewalk inspections and defects addressed in the same manner.

Agencies must also develop an ADA transition plan. Title II of the ADA requires State and local governments to make their programs and services accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, programs and events – but also to policy changes that governmental entities must make to ensure that all people with disabilities can take part in, and benefit from, the programs and services of State and local governments. In addition, governmental entities must ensure effective communication – including the provision of necessary auxiliary aids and services – so that individuals with disabilities can participate in civic life. Visit www.ada.gov for more complete facts and information.



What is an ADA Transition Plan and Does my Municipality Need One?

An important way to ensure that Title II's requirements are being met in jurisdiction is through a Self-evaluation, which is required by the ADA. A Self-evaluation enables local governments to identify the facilities that must be modified or relocated to ensure that local governments are in compliance. Among other items, it also identifies services, policies and practices that are not accessible. There is no exemption from Title II requirements for small municipalities. While public entities that have less than 50 employees are not required to comply with limited sections of the regulations, a Self-evaluation must be on file for three years with a grievance procedure for ADA complaints.

What is needed?

The Self-evaluation and ADA Transition Plan must include an inventory and schedule for providing upgraded access features, including curb ramps and access to local government offices and facilities. The transition plan should accomplish the following four tasks:

- Identify physical obstacles in the public agency's facilities that limit access,
- Describe in detail the methods that will be used to make the facilities accessible,
- Specify a prioritized schedule of the upgrades to meet ADA in each year following the transition plan; and
- Indicate the official responsible for implementation of the plan.

The most common issue facing local governments is having an inventory of curb ramps. It is important to understand when reviewing the inventory that many areas requiring corrective action may seem insignificant, as a quarter inch lip at a ramp or a tenth of a degree of slope. While this may appear trivial to some, these issues can make a significant difference to a person with a disability and jeopardize your compliance. The test for implementation of ADA improvements being unduly burdensome on an agency is



the proportion of the cost compared to the agency's overall budget, not simply the project cost.

This will be key in your negotiation of the Transition Plan with your community ADA stakeholders. Also of note is that your ADA Transition Plan is not a static document and should be updated periodically to reflect changing budgets, construction costs and community needs to ensure the Plan reasonably reflects the current situation.

Does ADA apply to road maintenance projects?

When streets and facilities are newly built or altered, they must have curb ramps wherever there are entries from a pedestrian walkway into the roadway. This is accomplished through your Capital Improvements Projects and enforcement of the Improvement Standards on development. While resurfacing a street or sidewalk is considered an alteration for these purposes, filling in potholes alone will not trigger the alterations requirements. A recent Department of Justice (DOJ) interpretation states that resurfacing includes the following treatments: addition of a new layer of asphalt, reconstruction, rehabilitation, open-graded surface course, micro-surfacing, chip seals, and in-place asphalt recycling. So basically, with all road resurfacing ADA compliant ramps must be upgraded within the project limits. This will obviously impact your annual maintenance budget and coverage area.

Will my Federal Funding be in jeopardy if I don't have an ADA Transition Plan?

The DOJ is auditing all entities to check for Title II compliance. The DOJ can and will start withholding Federal funding if a municipality is found to be non-compliant. If the DOJ implements your ADA Transition Plan for you, you will have to bring everything into compliance within 3 years. As Caltrans administer most federal funds, they now are requesting the submittal and ADA certification of Exhibit 9C of the Local Assistance Procedure Manual for any project funding authorization. Penalties can be retroactive to previous constructed projects.



The agency should establish a policy related to sidewalk defects and repair. Always refer to the appropriate federal, state, and/or local agencies for appropriate standards or requirements.

Sidewalks

Liability between municipalities and landowners for injuries sustained by pedestrians due to defective sidewalk conditions has been the subject of lawsuits and statutory enactments for years. In California, municipalities generally own the sidewalks adjacent to private property owners' land, but state law provides that the landowners are responsible for maintaining the sidewalk fronting their property in a safe and usable manner. The Streets and Highway Code 5610 et seq. require owners of lots or portions of lots fronting on any portion of a public street shall maintain any sidewalk in such condition that the sidewalk will not endanger persons or property and will not interfere with the public's use of those areas. Regardless of responsibility, when notified of a problem, the City is still compelled to respond and eliminate any hazard.

Permanent repairs or sidewalk, curb and gutter replacement would be scheduled based on evaluations and rankings made during inspections.

Smaller sidewalk, curb and gutter displacements can be ground smooth. Larger displacements can be ramped with asphalt until permanent repairs can be made. Permanent sidewalk, curb, and gutter repairs would be complete replacement of the defective area.

Although State law allows municipalities to assess maintenance costs to property owners who fail to perform this duty, it does not impose liability on them for injuries to third parties as a result of this failure. As a result, a number of California cities have adopted ordinances to create joint liability for property owners when injuries result from poorly maintained sidewalks, parkways and curbs. Consideration should be given to adopt a sidewalk liability ordinance that would provide your agency the right to recover from property owners any judgments made against the City for injured persons or property damage.



Some cities impose the entire repair cost on the property owner regardless of the cause of any damage or displacement. Many cities exempt damage caused by city trees from the repair obligation. Another option followed by many cities is a 50/50 sharing of repair costs.⁸ Some cities, in addition to a general sidewalk repair program, have instituted a program which requires a defective sidewalk to be repaired upon the sale of the property. This has the benefit of allowing the cost of repair to be recovered or paid as part of the price of the property. One means of imposing such a requirement is to require that the escrow documents include a certificate of compliance with the sidewalk ordinance. In addition, some cities require the sidewalk to be repaired as a condition of the issuance of a building permit above a set value.

Thus, in analyzing liability in a case involving an allegedly defective sidewalk condition, a major issue will be whether the municipality has a liability shifting ordinance. If such an ordinance exists, it must be read carefully to determine its scope, as each ordinance differs from municipality to municipality.

Refer to the *Appendix* for a sample ordinance.



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3.4

Sidewalk, Curb, & Gutter Maintenance



3.5

Performance Measures & Trends

A regular routine of performance measures should be established in order to monitor service request and work order completion trends.

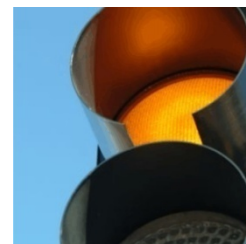
Regular monitoring of performance trends is a critical aspect of sidewalk, curb and gutter maintenance due to the nature of deferred maintenance. Emphasis must be placed on the documentation of evaluations and temporary repairs (scheduled work orders) so as not to fall behind with permanent repairs or replacement. This type of systematical documentation will provide for effective fiscal management of the program.



SECTION 3 SUMMARY CHECKLIST

- ✓ *Develop a sidewalk, curb and gutter inventory program noting age and other useful attributes.*
- ✓ *Develop ADA Transition Plan.*
- ✓ *Establish and document procedures for evaluating sidewalk conditions and priorities for repair.*
- ✓ *Establish and document a regular status review process for all sidewalk, curb and gutter service calls and work orders.*

Traffic Signals, Intersection Beacons, Warning Flashers



With traffic signal maintenance, it is important to establish a formal process for documenting trouble calls (see Section 1.3 of this manual). A malfunctioning traffic signal, beacon, or flasher may appear to be functioning normally while one particular phase or cycle may not be operating correctly. When documenting the call, two critical pieces of information to capture related to an apparent problem are the time of day the problem occurred and what type of movement was the caller trying to make when the problem was observed (which direction were they traveling or facing etc). It is also very important to document the problem exactly as the caller reports it.

Most traffic signal trouble calls should be dispatched immediately for service or as a minimum, dispatched for investigation and evaluation in order to determine response. In the event of traffic signal(s) reported as being dark, a good first step would be to confirm any reported power outage with the local utility company. If problems can be tied to a utility power outage, locations should be noted so an operational check can be made once power is restored. In the event of a power outage, careful consideration should be given to the deployment of temporary stop signs. If traffic signs have been deployed and the traffic signal powers-up into normal operation, you now have conflicting traffic control devices. If the agency policy is to deploy temporary stop signs for dark traffic signals, the intersection must be programmed to power up in the four way red flash mode.

Emergency response protocols and response times should be established for traffic signal emergencies reported during regular business hours and after hours. Consider the following problems and items.

4.1

Traffic Signal Trouble Calls & Response

TRAFFIC SIGNAL POLE KNOCK DOWNS INCLUDING PEDESTRIAN PEDESTALS, PEDESTRIAN AND TRAFFIC SIGNAL HEADS

- Define and document operational minimums for traffic signals until such repairs are complete.
- Define and document procedures for the use of portable or temporary traffic signals until repairs are made. Road classifications and traffic volumes should be considered and included in documentation.

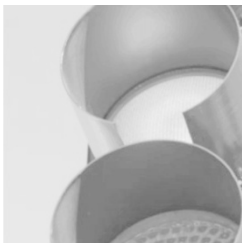
TRAFFIC SIGNAL POWER DOWN OR ELECTRICAL SERVICE INTERRUPTION

- Define and document criteria for the use of portable generators (or not) in the absence of battery backup.
- Communicate with local law enforcement the operational limits of battery backup and your agency's operational procedures during such events.

NOTE: Power interruptions— (brownouts and blackouts), can cause traffic signals to flash or to go dark. A traffic signal that is dark or flashing contributes to traffic congestion and jeopardizes safety for vehicles and pedestrians. Emergency vehicles are unable to preempt the operation of the nonfunctional traffic signal, experiencing unwanted delays. In addition, power interruptions render useless the signals that are interconnected with railroad crossings, which keep the tracks clear of vehicles before the arrival of a train. A power interruption lasting only a fraction of a second may send the signals into the flash mode, and the signals may continue flashing until manually reset.

Uninterruptible power supplies (UPSs)—or battery backups function as a separate source to maintain a continuous supply of electric power for a given time whenever utility power is not available. Adding a UPS to a traffic signal costs less than \$5,000, as long as the cabinets in use have sufficient room. The maintenance costs are minimal.

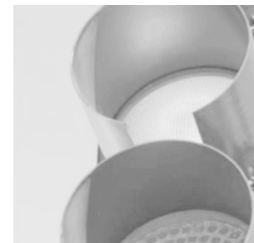
Installing UPSs at key intersections, those commonly traveled by emergency service vehicles, and/or at those with sizable volumes of pedestrians—particularly pedestrians with disabilities—yield safety additional benefits.



Early consideration should be given to the development of a computerized inventory system for all traffic signals, beacons, and warning flashers (see Section 1.4 CMMS). These inventories will allow for easy integration with a computerized maintenance management system. Each signal, beacon, or flasher will have a unique identification enabling work orders or service requests to be attached directly to the specific asset. The work order process will allow for tracking of utility costs, the scheduling of routine maintenance, cost/performance based reporting, and enhanced budget development. These inventories can also be integrated with GIS mapping applications and displayed geographically.

4.2

Traffic Signal, Beacon, & Warning Flasher Inventories



4.3

Traffic Signal Beacon, & Warning Flasher Scheduled Maintenance

A schedule for routine maintenance and operational checks of all traffic signals, beacons, and warning flasher should be established and documented. Electronic inventories or maintenance management systems are very effective tools in developing inspection, maintenance, and replacement schedules. Utilizing a work order tracking process future schedules can be planned based on maintenance history stored in the system. Examples of scheduled maintenance practices using these systems are listed below.

RE-LAMPING

- *Re-lamping schedules should be planned out over the manufacturers recommended service life of the fixture. In short, if the manufacturer's service life is five years then one fifth of the agency's fixtures should be re-lamped each year. This will allow for effective fiscal planning and an ongoing program that will insure the functionality of the fixtures. By utilizing the inventory or maintenance management system, a small portion of signals, beacons, or flashers can be scheduled each month, year around, or seasonally.*

TRAFFIC SIGNAL CONTROLLER TESTING AND CERTIFICATION

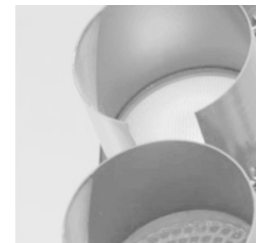
- *Procedures and schedules for traffic signal controller testing and certification should be documented and established by the agency traffic engineer. Always refer to the appropriate federal, state, and/or local agencies for specific standards and requirements. At the completion of each testing and certification procedure, a "walk around" operational check list should be completed before leaving the job site (see Section 4.4).*



TRAFFIC SIGNAL, BEACON, AND FLASHER CONTROLLER CABINET CLEANING

- *All cabinets should be inspected and cleaned at least twice yearly. This activity can be managed in a manner similar to re-lamping so designated cabinets can be visited monthly throughout the year. Cabinets should be cleaned of dust and dirt, filters changed (if equipped), thoroughly inspected for water intrusion and insect or varmint infestation. Again, at the completion of each cleaning procedure, a “walk around” operational check list should be completed before leaving the job site (see Section 4.4).*

All traffic signal, beacon, and warning flasher controller cabinets should be kept secure at all times. Consideration should be given to re-keying these cabinets or installing double locks where only specific designated agency staff would have access.

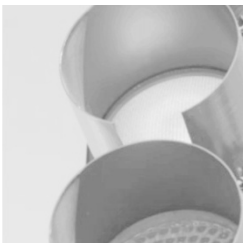


4.4

Traffic Signal, Beacon, & Flasher Operational Checks

A routine operational check list should be established for traffic signals. Whether dispatched to an intersection as a result of a reported problem or performing routine scheduled maintenance on the intersection, a “walk around” operational check should be performed before leaving the work site. Items that might be included on this check list are noted below.

- ✓ *Head alignment and function including ped heads*
- ✓ *Clear visibility of all heads/lamps*
- ✓ *Visor and back plate condition*
- ✓ *Lamp function all colors*
- ✓ *Signal phasing, timing, and detection (all directions)*
- ✓ *Pedestrian calls, button function, and time-out*
- ✓ *Controller cabinet condition (cleaning, leaks, infestations)*



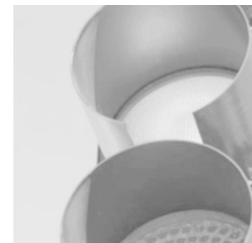
A regular routine of performance measures should be established in order to monitor service request and work order completion trends.

4.5

Performance Measures & Trends

SECTION 4 SUMMARY CHECKLIST

- ✓ *Establish process for documenting trouble calls including date / time, location and problem specifics.*
- ✓ *Establish and document process for evaluating, prioritizing, and dispatching trouble calls.*
- ✓ *Develop inventory and maintenance schedules for traffic signals, beacons, and warning flashers.*
- ✓ *Develop routine operational checklists to be used / reviewed at the culmination of each intersection or facility inspection.*
- ✓ *Establish and document a regular status review process for traffic signal, beacon, and warning flasher work orders and service requests.*



Street Lights & Illuminated Signs

Street lights are another part of the municipal infrastructure that can be very near and dear to the hearts of its residents. The expectations of callers reporting street light problems are routinely very high. A process for documenting trouble calls and response times to reported problems should be established. Information that should be obtained from the caller is listed below.

- *Date/time of call*
- *Name, address, and phone number of reporting person*
- *Street light pole number (if applicable)*
- *Problem address; The street light is in front of what address?*
- *Brief description of the problem*

A documented street light trouble call process should also include information on emergencies such as a street light pole knocked down, light fixture hanging or broken glass on the ground, or access plate removed and wires exposed. These types of calls should be given the highest priority and responded to 24/7. In many cases the emergency may be addressed temporarily and the scene made safe with permanent repairs to be scheduled.

Trouble calls related to illuminated signs can be documented and scheduled. Only in case of reported dangling fixtures or sign panels would the calls be dispatched 24/7. As with street lights, in the event of an afterhours dispatch the scene could be made safe with permanent repairs to be scheduled or made the following day. Again, these procedures should be documented.



5.1

Street Light Trouble Calls & Response

5.2

Street Light & Illuminated Sign Inventories

Consideration should be given to the establishment of a street light and illuminated sign electronic inventory. This type of system would simplify the assignment of a unique identification number to each street light pole and illuminated sign. Number decals would then be applied to each light pole or sign fixture for simplified system identification. Costs could be tracked in the system attached to individual utility meters and/or labor for repair could be attached to individual lights. The tracking of repair costs would allow for performance evaluations of individual fixtures. These inventories can also be integrated with GIS mapping applications and displayed geographically.



A systematic schedule of operational inspections should be established for street lights and illuminated signs. Items to be inspected are condition of pole, presence of hand hole cover, condition of base and anchors (cracks, dents, corrosion), and condition of fixture and wiring. The jurisdiction can be divided into service areas to facilitate tracking and scheduling of inspections.

Night time operational checks should be performed as resources allow and can be scheduled throughout the year utilizing a service area structure and computerized inventory or maintenance management system. In the absence of sufficient funding or resources to support regular inspections, service areas with a high rate of reported problems can be identified.

5.3

Street Light & Illuminated Sign Inspections and Maintenance

5.4

Performance Measures & Trends

A regular routine of performance measures should be established in order to monitor service request and work order completion trends.

With the implementation of an electronic maintenance management system and utilizing work orders to track utility and repair costs/activities tied directly to specific assets, performance of the specific asset(s) can also be evaluated and maintenance or replacement schedules modified accordingly.

SECTION 5 SUMMARY CHECKLIST

- ✓ *Establish process for documenting trouble calls including date / time, location, and problem specifics.*
- ✓ *Develop inventory and maintenance schedules for street lights and illuminated signs.*
- ✓ *Establish and document a regular status review process for street light and illuminated sign work orders and service requests.*



Traffic Signs & Pavement Markings

Procedures and protocols for evaluating traffic sign trouble calls should be established and documented. Customer service and dispatch staff should be involved in the development of these procedures. Along with information routinely collected from callers (Section 1.3), customer service staff should document the following information on a service request or work order.

- ✓ *What type of sign is it? Can you describe the sign?*
- ✓ *Is the sign leaning lying on or leaning into a lane of traffic or a sidewalk?*
- ✓ *Does the sign appear to be in danger of falling?*
- ✓ *Is there a sharp post or pole stub remaining in the ground?*

Procedures and protocols should also be established for service turnaround time for traffic signs. Response times should be established for all priority regulatory, warning, and street name signs. These protocols would apply only to those signs requiring routine maintenance but not reported as a hazard or emergency.



6.1

Traffic Signs Trouble Calls & Response

6.2

Traffic Sign & Pavement Markings Inventories

Inventories should be established for all traffic signs, street name signs, and pavement markings. The inventories should be established using roadway segments measured in the direction of travel or as you would see the signs while driving down the road. The signs should be measured from the previous cross street. The list below describes example data points that should be captured for traffic signs. Codes can be created for each data point.

- Sign Type (*MUTCD nomenclature and description*)
- Sign Distance, *distance from previous cross street*
- Direction of Travel
- Sign location (*east side, median, overhead, etc*)
- Direction sign faces
- Sign size (W X H)
- Reflective sheeting type (*engineer grade, high intensity, diamond grade, etc.*) – NOTE: See Discussion of Sign Retroreflectivity below
- Total number of signs on post
- Illuminated sign (Y or N)
- Sign Install Date

Sign Retroreflectivity

Retroreflectivity is the ability of a street sign material to return light to its source at night. Street signs must be reflective in order for drivers to safely see them a reasonable and safe distance away. This is an important safety matter when considering residents in communities.

New requirements in the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) states that retroreflectivity street signs are mandatory on any roads where the public travels.

Make sure your community is up to code with the FHWA Street Sign Safety Guides located on the FHWA website.



This is valuable information to have because you don't want your street signs below standards in your community and they could cause issues for you legally.

The following procedures are recommended by the FHWA to evaluate individual signs. They include:

Nighttime Inspection- Where an inspector uses low-beam headlights at normal speed and typical viewing distances.

Calibration Signs- Includes viewing a 'calibration sign' that helps the inspector establish minimum retroreflectivity level thresholds prior to a nighttime inspection. **Comparison Panels**- This procedure requires a panel that is a representation of the minimum required retroreflectivity levels. The panel is attached to the sign that needs to be evaluated and reviewed by an inspector.

Measured Sign Retroreflectivity- This uses the ASTM E1709 Standard for measuring retroreflectivity for signs using a portable retroreflectometer.

The list below describes example data points that should be captured for pavement markings. Codes can be created for each data point.

- *Legend or Striping Type (MUTCD nomenclature and description)*
- *Legend Distance, distance from previous cross street*
- *Striping Type beginning and end point distances*
- *Direction of Travel*
- *Legend material (paint, thermo-plastic, etc.)*
- *Legend Color*
- *Legend Install Date*

Traffic sign and pavement marking inventories assembled in this manner will greatly simplify the development of scheduled maintenance programs, field inspections, and ongoing maintenance and will allow for the tracking of costs associated to specific signs and markings.



6.3

Traffic Signs Installation & Maintenance

During installation or maintenance of traffic signs, careful consideration should be given to the area surrounding the sign and adjacent facilities. Signs should not be installed in a manner that might create a visibility obstruction. Signs should not be installed where visibility of the sign might be obstructed by surrounding landscape, utility poles, or other signs.

Careful consideration should be given to vertical and horizontal clearance around a traffic sign. Multiple signs and sometimes single signs mounted on a post behind the sidewalk can create clearance problems for pedestrians or bicyclists using the sidewalk. Check for minimum clearance once the installation is complete.

With an established traffic sign inventory system, traffic sign maintenance activities can be scheduled throughout the year. An example of a scheduled maintenance activity would be the replacement of stop signs that, by age, have exceeded the manufacturers recommended service life for reflectivity. If, for example, the manufacturers recommended service life was ten years, the inventory would be queried for stop signs with a last replaced date 10 years or more prior to the query date. Reports such as this can be generated monthly, throughout the year not only for stop signs but for any type of sign where reflectivity would be critical. In the absence of an established inventory, arterial and collector street should be considered for night time inspections of traffic sign reflectivity. Mechanical means are also available for testing sign face reflectivity. Signs that appear dull at night should be scheduled for replacement.

A process should be established and documented for visual inspections and inventory verification of traffic signs. The focus should be on higher priority regulatory and warning signs. The visual inspection would also include an evaluation of the sign mounting hardware; sign face condition, and visibility approaching each sign. Defects should be documented and scheduled for maintenance.



While performing visual inspections and inventory verification of traffic signs on roadways, pay careful attention to raised objects within the roadway or within four feet of the edge of pavement. Raised objects such as planter boxes or guard rails can easily be missed for the placement of an appropriate object marker. Consider using flexible marking near pedestrian or bicycle facilities or where the marker may experience a high rate of impacts.

Always refer to the appropriate federal, state, and/or local agencies for specific standards or requirements related to the placement of traffic signs.



6.4

Pavement Markings Inspections & Maintenance

A program for the regular maintenance and inspection of pavement markings should be established and documented. This program should include painted markings, thermo-plastic markings, raised reflective pavement markers and lane line striping. See list below for points to consider during pavement markings inspections.

Pavement Markings

- *Check for brightness of color (including curb markings)*
- *Check for reflectivity, night and wet weather*
- *Check for tracking of grime and road oils onto markings*
- *Ensure immediate replacement of markings (or temporary markings) following pavement maintenance activities*
- *Consideration should be given to the placement of thermo-plastic markings in pedestrian and bicycle areas as they can be slippery when wet*
- *Pedestrian pathway surfaces should be inspected for defects prior to repainting crosswalks or delineation pathways*

Raised Reflective Pavement Markers

- *Raised reflective pavement markers with more than 50% of their reflective surface compromised should be replaced*
- *Ensure visibility in wet weather*



Pavement marking maintenance or replacement schedules and the type of markings used (paint or thermo-plastic) should be established based on traffic volumes or road classification. Apart from their durability, another important consideration with the extended maintenance life of thermo-plastic markings is that they can greatly reduce risk to employees by limiting exposure time to high traffic volumes. Painted markings are a very practical and cost effective solution to pavement markings in residential areas or on lower volume streets. Pavement marking maintenance intervals are often best determined by visual inspections or can be prioritized by road class.



6.5

Traffic Signs and Pavement Markings Performance Measures & Trends

Performance measures should be established to monitor service request and work order completion trends. Open or unresolved service requests and work orders should be evaluated on a regular basis. Performing this routine will allow for the regular monitoring of work order and service request status and average work order and service request closure times compared to standards established by the agency.

SECTION 6 SUMMARY CHECKLIST

- ✓ *Establish and document process for evaluation of traffic sign and pavement marking trouble calls including assessment, prioritization, and response times.*
- ✓ *Develop inventory and maintenance schedules for traffic signs and pavement markings.*
- ✓ *Establish and document a regular status review process for traffic signs and pavement markings work orders and service requests.*



Roadside Drainage Maintenance

Drainage trouble calls may not always be related to plugged culvert pipes or drain inlets but also may involve complaints about high weeds or brush, collapsed culvert pipes under roadways or driveways, or missing grates over drain inlets. All calls should be evaluated as to their level of hazard and responded to accordingly. Missing grates over drain inlets can be a hazard to pedestrians as well as vehicles and should be responded to and remedied immediately. Collapsed or collapsing cross culvert pipes under roadways can present themselves as settlement or sink holes in the roadway and should be dispatched for immediate inspection. Roadside ditches in rural areas can be likely targets for the illegal disposal of hazardous materials. If a caller reports a hazardous material or something suspicious, the call should be dispatched to the appropriate first responder for investigation. During winter months or periods of heavy, sustained rainfall, reports of plugged drain inlets or culvert pipes should be dispatched immediately as ponding or rushing water can result in localized street flooding, damage to adjacent property and facilities.

Trouble calls should be documented in the form of service requests or work orders (see Section 1.3) and can be tracked using the inventory or maintenance management system. These documents can also allow for the tracking of costs tied directly to specific assets.



7.1

Roadside Drainage Trouble Calls & Response

7.2

Roadside Drainage Inventories

Maps and inventories should be established for underground storm water drainage systems as well as roadside drainage systems. The drainage inventory should consist of drain inlets, underground drainage systems, drainage ditches, driveway culverts, cross culverts, and drainage swales. Once captured for inventory, these facilities can easily be mapped (GIS). Using these systems to track service requests and work orders, drainage inventories assembled in this manner will greatly simplify the development of scheduled maintenance programs, field inspections, and ongoing maintenance.



Establish and document regular schedules for maintenance and inspection of roadside drainage ditches, culverts, and cross culverts. Culvert pipes and drain inlets should be inspected for continuity and free flow. Manholes and drain inlets should be inspected and attention should be paid to the road surface in the area of and over buried drainage facilities and pipes. Settlements may indicate failures in underground pipe lines.

Roadside ditches should be cleared of weed and brush by either manual or mechanical means. Care should be taken while cleaning mechanically around culvert pipes or outfalls and areas should be marked and surveyed for underground utilities prior to cleaning mechanically. When cleaning roadside ditches, only enough material should be removed to maintain slope and flow line. Some roadside ditches may be jurisdictional or some measure of oversight provided by a state or federal agency such as US Army Corps of Engineers or Department of Fish and Game. Be sure to check with the appropriate local office to obtain any required permits prior to cleaning manually or mechanically.

Cross culvert pipes under public roadways should be marked with a visible reflective marker, preferably flexible, for ease of locating these facilities during night time hours or periods of low visibility.

Drainage facilities should be inspected for free flow prior to the rainy season and periodically throughout the rainy season. Road side ditches, creeks and channels should be checked for free flow prior to and following heavy rainfall events or high water flow. SWPPP inspections should also be conducted in areas of construction and development prior to rainfall events to ensure BMP's are in place and fully functional.

7.3

Roadside Drainage Inspections & Scheduled Maintenance



7.4

Roadside Drainage Performance Measures & Trends

By tracking work orders and service requests using the drainage inventory or maintenance management system, facility performance can be monitored along with the response time and completion rate of service calls. Unresolved or open documents should be reviewed weekly.

SECTION 7 SUMMARY CHECKLIST

- ✓ *Establish and document process for evaluation of drainage system, roadside ditch, creek and channel trouble calls including assessment, prioritization, and response times.*
- ✓ *Develop inventory and maintenance schedules for drainage system facilities, roadside ditches, culverts, creeks and channels.*
- ✓ *Establish and document seasonal inspection schedules to ensure free flow of drainage facilities and storm water pollution prevention compliance.*
- ✓ *Establish and document a regular status review process for traffic drainage system, roadside ditch, creek and channel work orders and service requests.*



Stormwater Pollution Prevention



Municipal Stormwater Program - Regulatory Requirements

The Federal Clean Water Act (CWA) is the principal legislation for establishing requirements for the control of stormwater pollutants. Enforcement of the CWA and other laws such as the Endangered Species Act and California's Porter-Cologne Act has generated a number of federal, state, and local requirements and programs that deal directly or indirectly with controlling stormwater discharges.

The Municipal Storm Water Program regulates storm water discharges from municipal separate storm sewer systems (MS4s) throughout California. U.S. EPA defines an MS4 as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by a State (40 CFR 122.26(b)(8)).

Section 402(p) of the Clean Water Act requires storm water permits for discharges from an MS4 serving a population of 100,000 or more. The State Water Resources Control Board - Municipal Storm Water Program manages the Phase I Permit Program (serving municipalities over 100,000 people), the Phase II Permit Program (for municipalities less than 100,000), and the Statewide Storm Water Permit for the State of California Department of Transportation. The State Water Board and Regional Water Quality Control Boards (collectively, the Water Boards) implement and enforce the Municipal Storm Water Program.

Phase 1 Program

The Regional Water Quality Control Boards have adopted National Pollutant Discharge Elimination System (NPDES) permits to regulate storm water for municipalities. Most of these permits are issued to a group of co-permittees encompassing an entire metropolitan area. Phase I MS4 permits require the discharger to develop and implement a Storm Water Management Plan/Program with the goal of

8.1

Municipal Stormwater Program

Reducing the discharge of pollutants to the maximum extent practicable.

Phase 2 Program

The State Water Resources Control Board issued a General Permit for the Discharge of Storm Water from Small MS4s (Order 2003-0005-DWQ) to provide permit coverage for smaller municipalities, including non-traditional Small MS4s, which include facilities such as military bases, public campuses, prison and hospital complexes. The Phase II Small MS4 General Permit covers Phase II permittees statewide. On February 5, 2013 the Phase II Small MS4 General Permit was re-adopted (Order 2013-0001-DWQ) and the new requirements became effective on July 1, 2013.

1.2 What types of Municipal Operations generate pollutants?

It's important to note that some municipal facilities may be classified as an industrial-type facility subject to the State NPDES General Permit for Industrial Activities. Please check with your agency's stormwater program coordinator for details. The following is a short list of Fixed Facilities and Field Program Activities that are subject to the Municipal Stormwater Program:



Fixed Facilities Activities	Field Program Activities
Building Maintenance & Repair	Salt Application
Parking Lot Maintenance	Street Sweeping and Cleaning
Landscape Maintenance	Street Repair and Bridge Maintenance
Salt Storage	Sidewalk Surface Cleaning
Vehicle Fueling and Storage Tank Filling	Storm Drain System Cleaning
Equipment Maintenance & Repair	Sidewalk Repair
Vehicle and Equipment Storage	Controlling Litter
Vehicle and Equipment Cleaning	Fountain Maintenance
Material Handling & Storage	Landscape Mowing/Trimming/Planting
Material Loading & Unloading	Fertilizer & Pesticide Management
Minor Construction	Solid Waste Collection and Recycling

1.3 Best Management Practices

Best Management Practices (BMP's) are structural, vegetative, or managerial practices used to treat, prevent, or reduce water pollution.

Basically, there are two types of BMP's: Source Control and Treatment Control. As the name implies, source control BMP's can consist of an activity, maintenance procedure, a physical or structural device, or a management practice used to prevent or reduce the release of pollutants to stormwater implemented at the pollutant's source.

Treatment Control BMP's are implemented after the pollutants leave the source and used to treat the contaminated stormwater prior to it entering a watercourse or drainage system. Examples of treatment control BMP's include wet ponds and detention ponds, infiltration basins, vegetative swales, porous pavements, and water quality inlets.

1.4 Training

Choosing the correct BMP can be as easy as following your agency's stormwater management program. Please consult with your agency's stormwater program coordinator for more information and training on the proper implementation of the correct BMP for each particular Municipal Operation. Training can also be acquired through the California Stormwater Quality Association (CSQA). Please visit CSQA's website at www.casqa.org

Failure to implement your agency's Municipal Operations stormwater program BMP's can result in severe fines and negative publicity for your agency.



Landscape Maintenance

Callers reporting problems with publicly owned and maintained landscaping can have very high expectations for a prompt resolution to their concerns. All reported landscaping problems should be scheduled for inspection as soon as possible. Problems or complaints usually involve excessive irrigation, insufficient irrigation, broken or leaky water lines, leaning trees, trees with broken limbs, or downed trees. Anything that might be deemed a problem to pedestrian or vehicle traffic should be dispatched immediately while most problems can be scheduled for investigation the following work day. A work order or service request should be created to document caller information and the reported problem.



9.1

Landscape Trouble Calls & Response

9.2

Landscape Inventories

Inventories should be established for landscaped areas and ultimately for trees. These inventories will facilitate the development of maps or geographic displays of landscaped areas. Consider adding hardscape that may be part of landscaped areas to the landscape inventory. Scheduled and routine maintenance programs are more readily developed with an established tree and landscape inventory.

To be effective and successful at reducing tree and sidewalk conflicts on a comprehensive scale, cities should act on several levels. Several broad categories that can be used by local governments:

- Policies and Ordinances (to guide the management and protection of trees and sidewalks, including both new construction and repair/maintenance)
- Processes (to establish clear expectations and actions within government and those tasked with oversight of trees and sidewalks)
- Updated Improvement Standards and tools (for new construction and repair)
- Street Tree Inventory and Urban Forest Management Plans
- Funding for maintenance

By involving both a certified arborist in collaboration with an engineer early in the process, city staff will be able to make key decisions sooner, looking at tree health (and value and feasibility of preservation versus removal/replacement), liability exposure, discussing potential tools for use in making repairs and reduced maintenance needs.



Ensure that trees and shrubbery are maintained in a manner that will not obstruct visibility of traffic or traffic control devices. Ensure that trees and shrubbery are maintained in a manner that will not interfere with pedestrian, bicycle, or vehicle traffic. Ensure that irrigation systems are working and timed in a manner that will not allow for irrigation water to run across lanes of traffic, sidewalks, or bicycle paths. A program for regular inspections and maintenance of landscaped areas should be established and documented. Chemicals and fertilizers used in landscaped areas should be recommended by a licensed pest control advisor (PCA) and copies of these documents should be kept on file by the agency.

A process should be established to notify property owners of private shrubbery or trees encroaching onto to public property. Although the agency will likely have to abate any immediate hazard or encroachment, a means may be established to recoup costs from the property owner.

In areas where larger established public trees may be found, consideration should be given to regular hazard assessments conducted by a certified arborist.

9.3

Landscape Maintenance & Inspections

SECTION 8 SUMMARY CHECKLIST

- ✓ *Establish and document process for evaluation of tree and landscape trouble calls including assessment, prioritization, and response times.*
- ✓ *Develop inventory and maintenance schedules for trees and landscaping including sight obstruction inspections and hazard assessments by arborists.*
- ✓ *Establish and document a regular status review process tree and landscape work orders and service requests.*



Street Sweeping & Litter Removal

Street sweeping trouble calls will likely be missed sweeping days or poor performance by the sweeper. All street sweeping calls should be documented in the form of a service request or work order and sweeper dispatched to re-sweep as soon as can be scheduled. Other street sweeping call may be related to clean up following traffic accidents or spills. These calls will have a higher expectation of response and should be dispatched immediately as the material on the roadway may present a hazard to traffic. Response times should be established and documented for these types of calls. Calls or complaints related to litter (not dumped material) should be scheduled as routine.



10.1

Street Sweeping & Litter Trouble Calls & Response

10.2

Street Sweeping Schedules

Establish and document routine street sweeping schedules to include dates and time of day. The schedule should be established to avoid sweeping on high volume street during peak hours. The established schedule should not conflict with garbage service or pickup and should follow garbage pickup days. Schedules should be established and monitored so as not to conflict with school start or end times. Student drop off and students walking to and from school should be considered.



Litter removal schedules may be established year around but weather should always be considered. Wind, heat, and rain can be counterproductive to litter removal. Whether agency employees or volunteer are used for litter removal projects, appropriate training should be conducted and documented. Working safely around traffic and hazardous materials that may be encountered should be discussed and appropriate safety equipment provided.

10.3

Litter Removal Schedules



Construction, Traffic Control Plans, & Detours

Roles and responsibilities should be established and documented for contractors working in agency owned rights of way. During construction and within the established construction limits, the contractor should be responsible for maintaining all traffic control devices and infrastructure such as traffic signs, pavement markings, sidewalks, drain inlets, and street lighting. Many of these items may be covered in standard construction specifications used by the agency but should be part of a review process at the start of every construction project. The agency should maintain control of traffic signals and timing and the contractor should process requests for changes in traffic signal operation with the local agency.



11.1

Construction Roles & Responsibilities

11.2

Protocols for Processing Traffic Control Plans

Traffic control plans and detours should be submitted for construction projects subject to approval by the agency traffic engineer. Only the approved traffic control plan should be used during construction and a copy should be on the construction site at all times. Changes in any approved traffic control plan should only be authorized by the agency traffic engineer.



Detours should only be established following approval by the agency traffic engineer. All detours should be signed in a manner that would clearly direct traffic completely through the alternate route. Emergency detours should only be established by experienced staff familiar with the street infrastructure and be approved by the agency engineer or approved law enforcement staff as soon as practical. When establishing detours, emergency or otherwise, careful consideration should be given to the route and the type of traffic that may be traveling the route. Roadway structure, bridges, overhead clearance, and turning requirements should all be carefully considered. Local police and fire agencies should always be notified when roads are closed for any duration. Notifications should include dates and times of closures accompanied by the name of an agency contact. Media alerts distributed by the agency public information officer are also recommended.

11.3

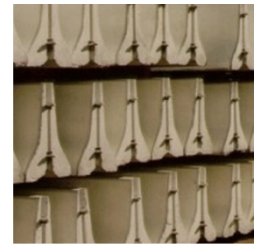
Protocols for Processing & Establishing Detours



Emergencies

All agency Streets Operations and Maintenance Staff should receive some level of NIMS (National Incident Management System) training as well as SEMS (Standardized Emergency Management System) training. Public agencies are normally required to have completed this type of training in order to be qualified for disaster relief at both the state and federal level. These programs will provide very useful training related to incident and emergency management as well as mutual aid and resource sharing.

Refer to the *Appendix for Recommended Practices Storm Preparedness and Storm Event Response*



12.1

Training

12.2

Call Out & Response

Emergency call out and contact lists should be established for key agency staff containing work, home, and mobile phone numbers. Procedures and protocols should be established for the levels of contact to be made based on the level of emergency. Some emergencies such as severe storms or accidents may warrant contacting a department manager or engineer while other incidents may warrant contacting an agency director or city manager. The process should identify who should be contacted in what type of an emergency.

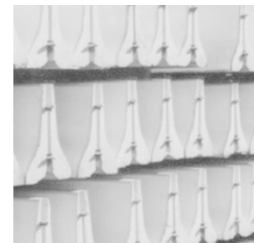
Following severe weather or other emergency events, public infrastructure should be safety inspected. Roads or structures that may have been closed during an event should remain closed or off limits until such facilities can be thoroughly inspected. Trees should be checked for broken or hanging limbs and address accordingly.



Along with the emergency call out and contact list, roles and responsibilities should be assigned to all agency staff that may be expected to respond or report to work in the event of a major emergency or disaster. Roles and responsibilities should be documented and any necessary training or preparation conducted. Information and technology staff may be assigned to communications (telephone, computer, and/or radio systems) while administrative staff may be assigned to answer telephones and document trouble calls. Anything that might be considered a resource during an emergency should be assigned to specific individuals and a clear chain of command established.

12.3

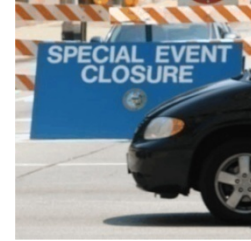
Roles & Responsibilities



Special Events & Associated Road Closures

All community or special events should be coordinated through the agency public information office or directly through the public works department. Agency risk management staff should also be involved in review. Coordination meetings should be established between agency staff and event organizers to discuss procedures and requirements.

Agencies may want to consider the encroachment permit process to document contact names and information of event organizers or responsible parties and to make clear any requirements the agency may want to make of the event organizers.



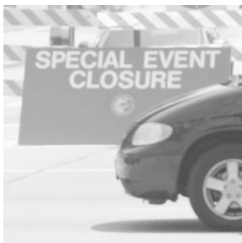
13.1

Protocols for Processing Special Events

13.2

Traffic Control Plans for Special Events

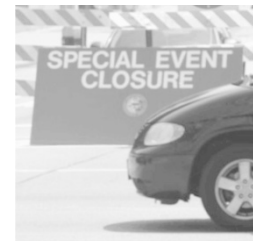
Should the special event be planned for public or private property that may require detours and road closures, the agency should require the development of a traffic control plan. The agency may offer to develop the plan or the organizers may be required to have the plan professionally developed subject to approval by the agency traffic engineer. Event organizers may also be responsible for providing traffic control devices for the plan and/or detours subject to approval by the agency or, the agency may offer to establish traffic controls and detours for the event. Either should be approved by agency and public works management.



During coordination meetings with agency staff and event organizers, roles and responsibilities should be clearly established. Work and after hours contact information should be shared along with an emergency plan for any unexpected occurrences. Local police and fire agencies should always be notified when roads are closed for any duration and for any reason. Notifications should include dates and times of closures accompanied by the name of an agency contact. Media alerts distributed by the agency public information officer are also recommended.

13.3

Roles & Responsibilities



Work Zone Safety

The Work Zone Safety and Mobility Rule (Rule) was published on September 9, 2004, in the Federal Register. All state and local governments that receive federal-aid funding were required to comply with the provisions of the rule no later than October 12, 2007. The Rule updates and broadens the former regulation at 23 CFR 630 Subpart J to address more of the current issues affecting work zone safety and mobility. The changes to the regulation encourage broader consideration of the safety and mobility impacts of work zones across project development, and the implementation of strategies that help manage these impacts during project delivery.

The Rule specifically applies to all State and local agencies that receive Federal-aid highway funding. Specifically, the provisions of the Rule apply to all highway construction projects financed in whole or in part with Federal-aid highway funds. However, agencies are encouraged to apply the good practices that the Rule fosters to all road projects.

Local public agencies that receive Federal-aid highway funding will need to implement the policies and procedures required by the Rule. In some cases local public agencies will develop their own work zone policies and procedures, while in other cases local public agencies may be required to adopt the applicable policies and procedures developed and implemented by their respective State. This will vary among States.

This may also depend, in part, on whether the Federal-aid funds are received by the local public agency directly from the FHWA Division Office or through the State. Some local public agencies may already have their own work zone policies and procedures in place. If a local public agency uses its own policies and procedures, it is recommended that the State and local public agency work together to ensure their policies and procedures do not conflict.



14.1

Work Zone Safety & Mobility Rule

For all projects, a Traffic Management Plan (TMP) must include a Temporary Traffic Control (TTC) Plan. Section 630.1012 (Project-Level Procedures) states that this plan must be consistent with the provisions under Part 6 (Temporary Traffic Control) of the MUTCD and with the work zone hardware recommendations in Chapter 9 (Traffic Barriers, Traffic Control Devices, and Other Safety Features for Work Zones) of the *American Association of State Highway and Transportation Officials (AASHTO) Roadside Design Guide*. Furthermore, this section of the Rule states that in developing and implementing the TTC plan, pre-existing roadside safety hardware must be maintained at an equivalent or better level than existed prior to project implementation.

The U.S. Department of Transportation, Federal Highway Administration's web site, www.ops.fhwa.dot.gov/wz/resources/final_rule.htm, should be used as an information resource in the development of your Agency's policies and procedures.



In conjunction with the Agency's development and/or adoption of work zone policies and procedures, field staff or staff providing oversight to construction and maintenance projects should receive recognized or approved training in traffic control and work zone safety.

Traffic control and work zone safety training and/or certification requirements vary from state to state. Some states require the training to be conducted by a specific state recognized institution or individual with the course material also to be recognized by that state. The National Work Zone Safety Information Clearinghouse, www.workzonesafety.org, is a valuable resource for researching traffic control training and certification requirements most of which is listed state by state.

14.2

Traffic Control Training



Snow and Ice Removal

Not all agencies experience snow and ice conditions. However, those that do, should have a quality Snow and Ice Removal Plan will minimize risk for agencies during the winter months. The purpose of this Plan is to establish procedures for the City Public Works Department staff to efficiently conduct snow and ice control operations and as an information source for citizens of the community. The Plan should be designed to ensure that all work is completed in a well-planned, safe, efficient and environmentally sound manner with the available resources.

Best practices recommended:

1. Create a Checklist or Log

- Have contractors available with set notice and frequency parameters defined
- Implement incident reporting procedures
 - Assign person(s) responsible and snow and ice removal personnel (including backups)
- Purchase required equipment and material stockpile (blowers, plows, shovels, salt, etc.)

2. Regulate Removal Frequency

Don't wait until the last minute. The bulk of snow and ice removal should take place prior to large accumulations. Removal must continue throughout the storm event if snow and ice continues to accumulate. Have a priority network for emergency responders, major streets, and transit.

3. Move Snow Pile Drainage

Pile snow and ice in an area where the run-off will drain to a safe location. This will prevent the run-off from becoming an additional hazard when it freezes again.

4. Plow After Hours

Take advantage of the hours when the traffic is less to remove snow, ice, slush and frozen run-off. Contractors should also be available during these after-hour periods.

5. Coordinate Plowing and Public Parking

When possible, direct people to park in lots that have already been plowed. This allows unplowed areas to be free for snow removal. In addition, some public parking lots may be needed to store snow removed from the road right of way.



15.1

Snow and Ice Removal Plan

6. Don't Forget to Clear Walkways

Clear paths for walking if your agency assumes this responsibility. Roadway right of ways and public parking lots are difficult to keep completely free of ice and snow due to their size. Keeping a walking path clear reduces the opportunity and risk of falling. Many City ordinances require that property owners clear sidewalks of snow and ice by 12:00 pm on the day following the snowfall. Officials target high-mobility pedestrian corridors for strict on-the-ground enforcement. These corridors – including downtown, hospital areas and neighborhoods with high concentrations of elderly and disabled citizens should be identified.

7. Observe Thawing Periods

This is a period of time often neglected for snow removal. Thawing snow and ice freezes again at night to create a hazard in the morning. Take advantage of thawing periods and remove all melting snow and ice.

8. Apply Salt and Sand

Use salt, sand and alternative materials on areas that have been cleared of ice and snow. This practice slows down further accumulations. Sand provides some traction on ice.

9. Public Building Plan

Proper precautions at the entrances to public buildings during snow and rain can help avoid a slip and fall claims. Make sure to keep walkways, driveways, parking lots and all public spaces free from snow, ice, and water. Make sure to salt and keep entrances dry with entrance mats. If you hire out snow removal, make sure that the company monitors the space and has a continued plan for additional snow, melting and refreezing of ice. Check to see how they set their priority and what times they'll be out to do the work. With the average pay out of over \$10,000 on a slip and fall claim, this is a top priority.

9. Mutual Aid

Have Mutual Aid agreements in place with nearby agencies to address localized issues.



Appendix

Sample Sidewalk Ordinance

Service Request Form

Work Request Form

Traffic Signal Turn On Checklist

Traffic Signal Operations Checklist

Traffic Sign Inventory Data Sheet

Drainage Projects Approval and Status Sheet

Drainage Basin Inspection Form

Manhole / Drop Inlet Inspection Form

Sidewalk Curb & Gutter Inspection Form

Recommended Practices Storm Preparedness and Storm Event

Response

ADA Transition Plan Template

Recommended Practices Storm Preparedness and Storm Event Response



In Partnership with



Introduction

Storm preparedness and having the proper response plan to storm events is essential to reduce the risk of loss of life and damage to homes, businesses, critical utilities, transportation infrastructure, and natural habitat. Intense precipitation and wind event impacts will be exacerbated, given the existing challenges agencies are facing, such as an aging infrastructure, limited revenues, and the socioeconomic vulnerability of many communities.

Loss prevention and controlling risk through training and information sharing are part of the important mission of the Public Agency Risk Sharing Authority of California (PARSAC). Formed in 1986, PARSAC is a statewide, risk sharing Joint Powers Authority that provides comprehensive coverage to cities, towns and non-municipal public agencies through the state of California. PARSAC continually strives to identify initiatives to serve member agencies in terms of reviewing their municipal service practices, policies, and procedures with a focus on loss prevention and risk reduction. Assisting PARSAC in the development of this guide is Interwest Consulting Group. Since 2002, Interwest has delivered cost-effective, high quality municipal services within city engineering, public works, and building departments throughout California.

The recommended practices for Storm Preparedness and Storm Event Response was developed in partnership with Interwest Consulting Group to create awareness and provide guidance relating to operation and maintenance activities in preparation prior, and during a storm event. This guide describes recommended practices for a full range of activities performed by municipal service agencies.

The practices and statements contained in this guide are intended to provide general guidance on **what** an agency should be doing, not **how** it should be done. Information provided in this guide should not be used to create arbitrary standards. PARSAC recommends a non-prescriptive approach which allows each agency to tailor their practices and policies to meet their own local organizational, climatic, political, or community related conditions.

The Recommended Practices can be used to review operations and serve as a reference for recommended activities in each topic area. In the absence of an agency policy or procedure manual, it can serve as a resource in formulating an approach for dealing with identified gaps or deficiencies within current agency practices.

Municipalities need to assess their risks and identify which functions are critical to their day-to-day operations. Officials need to determine which employees are essential, and have back-up and cross-trained staff in place to address a storm event. This guide provides positive steps agencies can take to reduce their liability risk exposure associated with storm events. The goal of PARSAC in developing these recommended practices for storm event preparedness is to:

- ❖ Provide a tool for evaluating and assessing current operations and maintenance related activities and protocols
- ❖ Provide suggested activities (scheduled and unscheduled) which are compatible with industry accepted standards
- ❖ Provide a template for the creation of checklists to allow agencies to perform a self assessment of current policies, processes, and protocols
- ❖ Provide guidance and technical assistance to identify necessary improvements to improve organizational performance and effectiveness

NOTE: This report does not address snow removal. Other resource should be used and incorporated into the agency practices.

Some storm event could be so severe that there is the potential for the area to be designated as a Disaster Area. While the primary function of the municipality reduce the risk of loss of life and damage to property, be mindful to track the quantiles used and take digital photographs of any damage or hazardous conditions. This will be useful for later reimbursement to your agency. However, do not take any risks when documenting damage.

First responders are traditionally viewed as police, fire, and emergency medical services. However, public works staffs are active participants in emergency planning, response, recovery and rebuilding. ***Public Works staffs are first responders, and they are the last to leave.***

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Section A – Plan of Action

Storm season occurs at different times of the year based on the region of your community. Be aware that storms may also occur at any time. It is suggested that a storm preparedness discussion be added to the agenda of staff or organizational meetings, or arrange a brown bag lunch session, as the season approaches. Many individuals within an organization can lead a storm preparedness discussion for their section. Get the conversation started!

PREPAREDNESS DISCUSSION GOALS

As you prepare for your talk, keep the following goals in mind to ensure you facilitate a productive and informative discussion.

- Share the potential impact of winter storms
- Emphasize the importance of having supplies and equipment ready
- Outline your organization's communication, plans, and policies

As the storm season approaches, challenge your staff that with each work order or task, they should be able to return with a list of locations where there is a potential infrastructure issue that needs to be address.

General Checklist for Seasonal Storm Preparedness

Generally these activities should occur to be storm ready.

Note: Many facilities may be under the jurisdictional waterway of the United States. Work performed must per Department of Fish & Wildlife (DFW) and Army Corp of Engineer's regulations as required during summer months or during time frame allowed by DFW or the Army Corp.

Storm Drain System

- Drop Inlets- Inspect/clean prior to winter-Typically September
- Manholes- Inspect/clean prior to winter- Typically September
- Storm Drain Lines
 - Inspect lines prior to winter- Typically summer
 - Clean blockages as required
 - TV any suspected areas of damaged lines
 - Note any known slow flowing lines or lines that require monitoring during rain events on a map.
- Develop Storm Patrol list of known historical issues or newly discovered issues and monitor these during rain events.

Creeks and Channels

- Inspect and clean all culverts, outfalls and bridges
- Identify, inspect and clean all channels for build-up of sediment that may impact flow Inspect and clean all access roads and access points to ensure they are accessible during winter months.

- Inspect all banks, weirs and other adjacent areas to creeks and channels for erosion issues and develop a plan to repair either temporarily or permanently
- Inspect all trash racks in creeks and channels for proper operation, accessibility and obstructions prior to and during rain events
- Identify any rodent issues that may compromise integrity of banks and slopes and develop/implement a plan for control.
- Develop Storm Patrol list of known historical issues or newly discovered issues and monitor these during rain events.

Detention Basins

- Inspect and clean all inlet/outlet pipes and other drainage components
- Inspect all banks, weirs and other adjacent areas to detention basins for erosion issues and develop a plan to repair either temporarily or permanently
- Perform necessary weed abatement prior to winter and as required
- Identify any rodent issues that may compromise integrity of banks and slopes and develop/implement a plan for control
- Develop Storm Patrol list of known historical issues or newly discovered issues and monitor these during rain events.

Levees

- Inspect all banks and other adjacent areas to levees for erosion issues and develop a plan to repair either temporarily or permanently
- Perform necessary weed abatement prior to winter and as required by pertinent agencies
- Identify any rodent issues that may compromise integrity of banks and slopes and develop/implement a plan for control.
- It would be prudent to have the site inspected by a geotechnical engineer
- Develop Storm Patrol list of known historical issues or newly discovered issues and monitor these during rain events.

Pump Stations

- Run annual load test on generator and per any local air quality regulations. Repair any malfunctions as needed
- Perform monthly or quarterly test runs of generator per any local air quality regulations
- Service generators routinely and at least prior to winter
- Check operation and clean any trash racks
- Inspect and test pumps in wet well prior to winter
- Inspect and service pumps routinely
- Inspect and test bubbler system prior to winter
- Inspect and test monitoring system prior to winter. Make sure all alerts work and notifications are current and in place
- Perform tests on electrical panels
- Develop Storm Patrol list of known historical issues or newly discovered issues and monitor these during rain events

Buildings

- Inspect and clean all roof areas. Address known leaks prior to winter
- Inspect and clean all gutters/downspouts/other drainage components in months prior to winter. Make necessary repairs as required or put in place temporary fixes until permanent repairs can be made.

- Make sure HVAC units are water tight prior to winter
- Caulk or otherwise seal any other penetrations to building roof or structure
- Develop Storm Patrol list of known historical issues or newly discovered issues and monitor these during rain events.

Property, Parks and Landscapes

- Inspect and clean all field inlets a drain lines during late summer. Address known leaks prior to winter
- Make a general inspection of municipal yard areas for dead trees or dead limbs, debris, or other objects that could be blown by storm winds.
- Remove any leaves or other debris that can block drains
- Check drainage in playgrounds
- Caulk or otherwise seal any other penetrations to building roof or structure of any outbuilding such as restrooms or pump houses.
- Develop Storm Patrol list of known historical issues or newly discovered issues and monitor these during rain events.

Other Concerns

- Consider stockpiling sandbags and plastic sheeting. The sandbags can be stacked to form a barrier to keep water from flooding low areas. Plastic sheeting and visqueen can be placed on slopes and secured with sand bags to prevent water from eroding the slope. Communicate locations for public sandbags locations.
- The fall is a good time to put down mulch and/or seed with native grasses; it may be possible to vegetate bare areas, before the storm season.

Section B – Levels of Storm Response

Levels of Storm Response Distinction and Maintenance

Maintenance levels are defined by the increasing amount of workload for storm events. As more crews are dedicated to perform their work, the maintenance supervisors and their managers will progressively determine when to extend the crew's time to the point where half or more of all the crews are working extended hours. At that point, judgment will be used to place all field crews on 12-hour shifts.

Maintenance Response Designation	Description of Work
Normal Operating Status:	Crews complete daily workload with little roll over to the next day's work. After hour on call supervisor is able to perform service calls with specific crews tasked to complete the work.
Extended Hours Operating Status:	Crews need additional time at end of day to complete work to avoid roll over. On call highway maintenance supervisor needs to bring in a second supervisor to help manage the extra crews or sign shop on call supervisor post signs for flooded/closed roads.
Emergency Operating Status:	Crews are working extended hours with roll over. Crews are scheduled for 12-hour shifts.

Section C – Road Closures/ Openings and Media Alerts

1. During wet weather (emergency storm conditions) barricades such as, but not limited to road closed, road flooded, detour ahead, etc. will be deployed. Generally, these barricades are deployed on major streets and arterials.
2. A live link to the municipality's Internet page listing current road closures should exist. This page should be updated frequently, so that the public and the media can relay on this timely information. Note any locations of public sandbags and material.
3. Designate a contact for emergency situations in which the Sheriff/Police's Department, Fire Department, Highway Patrol, etc. request road closures or barricades.
4. Maintain all barricades and remove after roadway cleared.

Section D – Critical Services

Critical Services should be defined as Level-A priorities, where the response should be performed within hours to address immediate life safety situations. Your organization should have a plan of action for the following:

TYPICAL LEVEL-A RESPONSES:

1. Traffic Signals that have been knocked down and critical signal malfunctions
2. Stop, Yield, and Railroad Crossing Signs
3. Emergency Pavement & Roadway Maintenance
4. Placement of road closure signs and barricades with flooding
5. Debris removal that is blocking roadway and/or waterway at bridges and major culverts

Sand & Sandbags

Sand and sandbags should be made available to the public for use on private property upon “Emergency” declaration by the proper authority. Designate public sandbag stations and communicate location to the media. In “non-emergency” situations, sand & sandbags for private property typically can be purchased at hardware or home improvement stores. There are many devices that automate or increase the speed of sandbag filling. Consider purchasing these devices.

Section E - Storm Staging Plan

The following pages present procedures and checklists for storm preparedness leading to and throughout the storm event. The checklists are by typical municipal work crew sections.

Pavement Section

Pre Storm Preparation

1. Outfit trucks to carry drainage rod's, augers, etc. check warehouse for supplies
2. Rain gear and storm equipment is updated. (night boxes, boots, drain rods)
3. Storm procedures and practices are reviewed with the crews. (tasks, routes)
4. Check all loader buckets
5. Prepare street sweepers for leaf removal
6. Keep a list of sand bag locations
7. Alert pavement supervisors of the possibility to clear DI grates, have area designated radio unit assigned.

Storm Conditions

Normal Operating Hours

1. Keep sweeping crew working if possible, clean off DI's
2. Shift crews to do drainage work.
3. Place crews in designated areas on stand by to unplug street DI's
4. Keep hydro patch material on patch trucks

Extended Operating Hours

1. Crews will help other sections as needed.

Extreme Storm Conditions

1. Sweeping crew drain, sweep off and unplug DI's
2. All crews drain in a designated area with call numbers designated
3. Call in road that are flooded
4. Crews dispatched to patrol and unplug street DI's
5. Keep hydro patch material on patch trucks
6. Estimated Flood Stage:
7. Crews are divided 30% nights / 70% days for 12 hr. shifts
8. Supervisors are on alert for emergency situations
9. 12 hour shift crews dispatched to patrol and unplug street DI's

Post Storm follow up

1. Return to Pre storm preparation

STORM READINESS CHECKLIST

PAVEMENT



Check readiness of:

Comments:

EQUIPMENT:

2-WAY RADIOS _____
BARRICADE TRAILER _____
BARRICADE TRUCKS _____
FROST LOADER _____
LOADERS _____
MOTOR GRADERS _____
PAGERS _____
SAND TRUCK _____
SUPERVISOR TRUCKS _____
SWEEPERS _____
TEN-WHEELERS FOR LEAF DETAIL _____
COORDINATE WITH EQUIPMENT DIVISION FOR NIGHT AND WEEKEND FUEL AND REPAIRS
CHECK CONTRACT AND CONTACT RENTAL AGENCIES FOR LOADERS, SWEEPERS _____

PERSONELL:

DETERMINE AREAS AND PRIORITIES FOR EACH RADIO UNIT FOR P.D.I.'S _____
ESTABLISH WORK STATION FOR ROAD CLOSURES/BARRICADES COORDINATOR _____
REQUEST VOLUNTEERS FOR OVERTIME _____
REVIEW 24 HR. OPERATION PLAN _____
REVIEW ON CALL SUPERVISOR LIST _____
TRAIN FIELD WORKERS FOR FLOOD AND STORM CONTROL ROOM _____
REVIEW/TRAIN FOR UNPLUGGING DROP INLETS _____

MATERIALS:

PROVIDE BARRICADES IN DRAINAGE WAREHOUSE _____
CHECK CONTRACT FOR SAND AND CONTACT VENDORS TO ARRANGE 24 HR. AVAILABILITY _____
HYDRO-PATCH AT STOCKPILE LOCATIONS _____

Section E - Storm Staging Plan

Engineering Operations

Pre Storm Preparation (First week of October)

1. Initiate management emergency on call list for November through March
2. Check rain gear, tools and night outfits, radio and phone.
3. Review storm procedures and practices.
4. Update mail-out and fax list
5. Verify contact person and update phone numbers.
6. Field checking of chronic locations

Storm Conditions

Normal Operating Hours

1. Teams will be needed with the second team to do field inspection
2. Check forecast every 3 hours

Extended Operating Hours

1. Some overtime may be required
2. 2 person teams will staff the office to provide support to EOC

Extreme Storm Conditions

1. 12-hour shifts required (30% nights / 70% days for 12 hr. shifts)
2. Check forecast hourly
3. Fax flood related info to as required
4. Up-date press release
5. Provide field investigation

Post Storm follow up

1. Field Investigations of damages.
2. Recommending re-opening roads and bridges
3. Provide engineering support to maintenance forces for emergency repairs
4. Maintain a list of storm damaged areas (including locations, photos, and preliminary cost estimates).
5. Collect data at damaged locations for potential FEMA and FHWA repair projects.
6. Prepare for upcoming storm event

STORM READINESS CHECKLIST

ENGINEERING



Check readiness of:

Comments:

AVAILABILITY OF CELLULAR PHONES _____

CELLULAR PHONE NUMBER LIST _____

CENTRAL RADIO COMMUNICATIONS CHECK _____

CREDIT CARDS FOR FUEL _____

DESIGNATE STAFF FOR DESIGN OF DETOUR ROUTES _____

DISCUSS POSSIBILITY OF SHIFT CHANGES _____

UPDATE STORM RESPONSE PLAN _____

FOOD CONTRACT OR PLAN FOR AVAILABILITY _____

ON CALL ENGINEER LIST _____

PREPARE ADVANCE PRESS RELEASES SAND BAG DISTRIBUTION _____

REQUEST VOLUNTEERS FOR NIGHT WORK _____

UPDATE AND DISTRIBUTE OFFICE RADIO/PHONE LIST _____

UPDATE PHONE LIST FOR EMERGENCY SUPPLIES, LEVEE DISTRICTS, CITY ETC. _____

Section E - Storm Staging Plan

Safety Section

Pre Storm Preparation

1. Assist with wet weather and storm response safety training.
2. Instruct employees to check condition of personal protective devices and uniforms.
3. Check warehouse on status of barricades, cones, and other temporary traffic control devices and order additional inventory as necessary.
4. Assist in preparing storm response vehicles with appropriate signs, cones, barricades, and other temporary traffic control devices or safety equipment.
5. Assist in preparing night time emergency response boxes with reflective advanced warning signs, ANSI vests, flashlights and batteries.

Storm Conditions

Normal Operating Hours

1. Monitor and maintain reserve night time emergency response boxes.
2. Manage supply of barricades, signs and cones in the Warehouse for deployment.
3. Coordinate the acquisition, storage, and issuance of personal protective devices and uniforms such as rain gear, coats, vests, safety glasses, etc.
4. Have safety staff ready to assist in barricade and/or sign deployment as well as special assignments such as inspections of specific roads or water ways.
5. Administer the facility security to allow additional employee access for after hours storm response.

Extended Operating Hours

1. Safety representatives will maintain a ready status.

Extreme Storm Conditions

1. Assign Safety staff to 12-hour shifts.
2. Assist in the acquisition, storage, and deployment of barricades, cones, signs, and other temporary traffic control devices.
3. Assist with maintaining and deploying communication devices such as cell phones and 2 way radios.
4. Assist with identifying staff skills and licensing to aid in the deployment of staff.
5. Coordinate the acquisition, storage, and issuance of personal protective devices and uniforms such as rain gear, coats, vests, safety glasses, etc.
6. Coordinate pick up and distribution of emergency supplies and materials and monitor inventory.
7. Manage facility security to grant/restrict facility access as necessary.
8. Respond to employee related accidents and injuries.

Post Storm follow up

1. Follow up inventory.
2. Insure proper accident and injury reporting has been completed.

STORM READINESS CHECKLIST

SAFETY



Check readiness of:

Comments:

EQUIPMENT:

2-WAY RADIOS _____

CELL PHONES _____

SAFETY STAFF TRUCKS _____

PERSONELL:

DETERMINE SAFETY STAFFING READYNESS _____

DETERMINE TRAINING NEEDS OF PERSONNEL _____

REVIEW 24 HR. OPERATION PLAN _____

MATERIALS:

ADVANCED WARNING SIGNS _____

BARRICADES _____

BATTERIES _____

CONES (TRAFFIC CONES) _____

FIRST AID KITS _____

HARD HATS _____

KEYS (FACILITY & GATES) _____

LANTERNS / FLASHLIGHTS _____

RAIN BOOTS _____

RAIN GEAR _____

SAFETY VESTS _____

STAFF COATS _____

STOP/SLOW PADDLES _____

Section E - Storm Staging Plan

Administration

Pre Storm Preparation

1. Send letter requesting volunteers for phone and service request work in case of twelve-hour shifts.
2. Update training guides and arrange training for volunteer staff.
3. Update general office phone list
4. Update employee home addresses and phone number list.
5. Update purchasing information list (sandbag distributors, equipment rental, various materials, and vendor and contract information).
6. Prepare emergency operations work schedule for administrative staff Include downtown administrative and engineering volunteer staff.
7. Verify credit cards for purchase of fuel. Request or replace as necessary.
8. Check on availability of cellular phones for use in the office in case phones go down. (Only main line has generator back-up.)
9. Monitor fax machines and radios.
10. Answer calls from the public and other office functions as normal. Include data entry of service requests. Increase and decrease number of phones logged on as necessary to handle normal winter volumes.
11. Contact Central Radio Communications to confirm they are prepared to handle calls. Send them updated phone number information.
12. Update and distribute annual coding information and procedures.
13. Get extra fuel keys from equipment shop

Storm Conditions

Normal Operating Hours

1. Answer public calls and perform other office functions which are storm related, increasing the number of phones logged in as necessary to handle winter storm volumes. Do data entry of service requests.
2. These tasks will be performed with administrative staff only at this level. Peripheral duties will be delayed to allow focus on storm related issues only. May include overtime but we expect phones to be handled by Central Radio Communications after hours. In addition, coordinate with other Departments that may have volunteers.
3. Monitor fax machines and radios as necessary. Supervisors begin to handle dispatching.

Extended Operating Hours

1. Add second shift of 9 hours with overlap to allow time for the incoming crew to assess the situation, and do any backlog of work

Extreme Storm Conditions

1. Answer public calls and perform other office functions, which are storm related. All phones would be logged in as necessary. Data entry of service requests.
2. Continued monitoring fax machines and radios as necessary, mostly handled by supervisors.
3. Staff may be assigned to shifts as necessary.

Post Storm follow up

1. Normal office operations and procedures would resume.
2. Staff may continue overtime to catch up on vital office functions which may have been delayed due to the storm, i.e. payroll and purchasing.

Section E - Storm Staging Plan

Signal/Street Light Maintenance

Pre Storm Preparation (First week of October)

1. Check readiness of equipment on STORM READINESS CHECKLIST
2. Review/coordinate storm relief plan with staff

Storm Conditions

Normal Operating Hours

1. Day shift field techs patrol areas for wind damage, i.e., loose/turned heads, damaged backplates, etc.
2. Assign lift trucks and portable generators to staging areas
3. Intersections on systems are monitored for problems via modems.
4. Crews are held on duty until storm passes or day shift starts
5. Trouble calls and field status reports are compiled

Extended Operating Hours:

1. Swing shift staff is increased. Technicians patrol field for problems, or continue with routine maintenance plan.
2. Crews are held on duty until storm passes or day shift starts
3. Trouble calls and field status reports are compiled

Extreme Storm Conditions

1. Field techs patrol areas for wind damage, i.e., loose/turned heads, damaged backplates, etc.
2. Go to extended hour shifts. Night staff is increased. Tech patrol field for problems, or continue with routine maintenance.
3. Additional lift trucks and portable generators are assigned to designated areas.
4. Intersections on systems are monitored for problems via modems in coordination with traffic operations.

Post Storm follow up

1. Day shift field techs patrol areas for wind damage, i.e., loose/turned heads, damaged, backplates, etc.
2. Swing shift staff returns to 1 technician
3. Temporary field repairs are fixed permanently
4. Tools and equipment are repaired, trucks are re-stocked
5. Damage report is compiled for FEMA and FHWA coordinator

STORM READINESS CHECKLIST

SIGNAL/STREET



Check readiness of:

Comments:

EQUIPMENT:

2-WAY RADIOS _____
PORTABLE GENERATORS _____
PLATFORM TRUCKS _____
LIFT TRUCKS _____
SUPERVISOR TRUCKS _____
PERSONAL PAGERS _____
2-WAY RADIOS AND VEHICLE FUNCTIONS _____
PERSONAL PROTECTIVE EQUIPMENT _____
NIGHT VISIBILITY EQUIPMENT _____
RAIN GEAR _____
KNOCKDOWN SPARE PARTS _____

PERSONELL:

ON CALL TECHNICIANS LIST _____
REQUEST VOLUNTEERS FOR OVERTIME _____
REVIEW 24 HR. OPERATING PLAN _____
REVIEW EMERGENCY OPERATIONS PLAN _____
SUPERVISOR LIST _____

MATERIALS:

ADVANCED WARNING SIGNS _____
BARRICADES _____
BATTERIES _____
CONES (TRAFFIC CONES) _____
FIRST AID KITS _____
HARD HATS _____
KEYS (FACILITY & CONTROLLER CABINTES) _____
LANTERNS / FLASHLIGHTS _____
RAIN BOOTS _____
RAIN GEAR _____
SAFETY VESTS _____
STAFF COATS _____
TEMPORARY TRAFFIC SIGNAL HEADS AND KNOCK-DOWN POLES _____
STOP/SLOW PADDLES _____

Section E - Storm Staging Plan

Traffic Signs And Markings

Pre Storm Preparation (First week of October)

1. Type III "Road Closed" barricades are chained in storage areas.
2. Rain gear and storm equipment is updated. (night boxes, boots, drain rods)
3. Storm procedures and practices are reviewed with the crews.(tasks, routes)
4. Check supply of Barricades

Storm Conditions

Normal Operating Hours

1. Crews are dispatched to service calls
2. Crews patrol Storm List and place Barricades
3. Crews available to make and install Emergency Signs
4. Crews dispatched to chronic locations

Extended Operating Hours:

1. Same as above

Extreme Storm Conditions

1. Additional crews patrol Storm List and remove blockages and place Barricades
2. Roads are closed as needed
3. Additional crews for signs

Post Storm follow up

1. Retrieve Barricades, reset signs, repaint damaged markings

STORM READINESS CHECKLIST

TRAFFIC SIGNS AND MARKINGS



Check readiness of:

Comments:

EQUIPMENT:

2-WAY RADIOS _____

ALL VEHICLES _____

SUPERVISOR TRUCKS _____

CELL PHONES - 3 each _____

CHECK NIGHT BOXES - 6 each _____

PERSONELL:

CHECK ON CALL SUPERVISOR LIST _____

IDENTIFY CALL NUMBERS AND STAFF TO PLACE ROAD FLOODED BARRICADES _____

PLAN RURAL ROAD INSPECTION _____

REQUEST VOLUNTEERS FOR EMERGENCY WORK _____

REVIEW 24 HR. OPERATING PLAN _____

REVIEW EMERGENCY OPERATIONS PLAN _____

REVIEW LAST YEARS ROAD FLOODED LIST AND PLACE PERMANENT SIGNS FOR SEASON
(SUBJECT TO FLOODING) _____

REVIEW/TRAIN FIELD WORKERS FOR STORM RESPONSE _____

MATERIALS:

CHECK OPERATION OF BARRICADES _____

SUPPLY OF ROAD CLOSED SIGNS & FLOODED SIGNS _____

SIGNS FOR SANDBAGS ETC. _____

MATERIALS TO MAKE EMERGENCY SIGNS (DETOUR, SANDBAG, EMERGENCY CENTER) _____

NIGHT BOXES FOR CREWS (LIGHTS, VESTS, CONES, and GLOVES). _____

Section E - Storm Staging Plan

Tree/Landscape Maintenance

Pre Storm Preparation (First week of October)

1. Check all vehicles for necessary draining equipment.
2. Staging plan should be reviewed with all employees
3. All employees should have received their annual training
4. Specialized night boxes are checked and secured
5. All reserve equipment has been checked for operation
6. A list of volunteers available for emergency night shift is established.

Storm Conditions

Normal Operating Hours

1. Operators report to Corporation yard for drainage assignments.
2. All crews are instructed to check their vehicles for necessary drainage equipment such as auger rods, hooks, handles, etc., including rain gear before leaving yard
3. Drainage crews are sent to pre-assigned areas.
4. Landscape crews are scheduled to work in or near their pre-determined draining area if possible. Additional crews will be assigned if needed.
5. Tree crews should be fully staffed before delegating crews to draining assignments.

Extreme Storm Conditions (wind gusts in excess of 35 mph)

1. Tree/Landscape Section is placed on extended hour shifts.
2. Crews are sent home for night duty.
3. Landscape crews are directed into pre-determined draining areas.
4. Landscape crews are dispatched with chainsaws, chippers, and chipper trucks.
5. Self-loading dump trucks are dispatched to push trees out of the roadways and to assist tree crews with large trees.

Post Storm follow up

1. Clean up downed trees & branches left at site
2. All crews dedicated to clean up, could take up to two to three weeks
3. Return to Pre storm preparation

STORM READINESS CHECKLIST

TREE/LANDSCAPE



Check readiness of:

Comments:

EQUIPMENT:

2-WAY RADIOS _____

BRUSH CHIPPERS/BLADES _____

CHIPPER TRUCKS _____

LIFT TRUCKS _____

SUPERVISOR TRUCKS _____

PERSONELL:

CONTRACTS FOR TREE REMOVAL _____

ESTABLISH DRAINAGE PLAN _____

ON CALL SUPERVISOR LIST _____

REQUEST VOLUNTEERS FOR OVERTIME _____

REVIEW 24 HR. OPERATING PLAN _____

REVIEW EMERGENCY OPERATIONS PLAN _____

COORDINATE WITH SOLID WASTE FOR NCU _____

TRAIN FIELD WORKERS FOR FLOOD AND STORM CONTROL ROOM _____

TRAINING FOR UNPLUGGING DROP INLETS _____

MATERIALS:

MAP BOOKS _____

MAINTAINED ROAD INDEX BOOKS _____

NIGHT BOXES _____

Section E - Storm Staging Plan

Bridge Maintenance

Pre Storm Preparation

1. Type III "Road Closed" barricades are chained in storage areas
2. Rain gear and storm equipment are updated. (night boxes, boots, drain rods)
3. Storm procedures and practices are reviewed with the crews.(tasks, routes)
4. Stockpile quarry rock
5. Secure supply of visquine plastic and clips for erosion protection
6. Confirm crane contract and contact crane service
7. Prepare spoil sites for winter dumping
8. Lubricate and check operation of any floodgates
9. Final inspection of culverts and bridges is conducted

Storm Conditions

Normal Operating Hours

1. Crews respond to reported locations of blocked drainage structures within the right of way and patrol designated areas to remove blockages
2. Crews patrol Bridge Storm List and remove drift and blockages
3. Crews respond to reported locations of blocked drainage structures within the right of way and patrol designated areas to remove blockages
4. Crews patrol areas on Bridge Storm List and remove blockages
5. Closed roads as needed

Extended Operating Hours

1. Same as above.

Extreme Storm Conditions

1. Crews patrol area on culvert list and remove blockages
2. Additional crews patrol area on Bridge Storm List and remove blockages
3. Roads are closed as needed
4. Additional crews dispatched to patrol and unplug street DI's
5. Crane service is used to removed drift from bridges as needed
6. All available crews respond to reported locations of blocked drainage structures within the right of way and patrol designated areas to remove blockages (It may be several days until river levels subside)

Post Storm follow up

1. Opening roads and bridge inspections in coordination with Engineering Ops
2. Completing potential emergency opening work
3. Debris removal for roads and bridges
4. Restock supplies, i.e., quarry rock, sand
5. Inspect gravel roads for culvert blow outs
6. Remove highwater debris
7. Inspect eroded shoulders, sign shop and others in field to assist
8. Type III barricade removal and field storage

STORM READINESS CHECKLIST

BRIDGE



Check readiness of:

Comments:

EQUIPMENT:

PAGERS _____
2-WAY RADIOS _____
MOTOR GRADERS _____
PORTABLE PUMPS _____
RENTAL AGENCY FOR AVAILABILITY OF EMERGENCY LIGHTING _____
ROAD BROOM _____
SUPERVISOR TRUCKS _____
WATER TRUCK _____
PORTA-POTTI _____
CHAIN SAWS _____
RAIN GEAR _____

PERSONELL:

DETERMINE AREAS AND PRIORITIES FOR EACH RADIO UNIT FOR P.D.I.'S _____
CHECK ON CALL SUPERVISOR LIST _____
COORDINATE AND INSPECT REGIONAL TREATMENT PLANT _____
LUBE AND SERVICE MECHANICAL COMPONENTS BRIDGES _____
LUBE FLOOD FLAP GATE ON FRANKLIN BLVD. _____
MAJOR CROSS PIPE INSPECTION _____
OPEN AND LUBE SNODGRASS BRIDGE _____
PREPARE WINTER DUMP SITES _____
REQUEST VOLUNTEERS FOR OVERTIME _____
REVIEW 24 HR. OPERATING PLAN _____
REVIEW EMERGENCY OPERATIONS PLAN _____
REVIEW STORM RESPONSE PROCEDURES _____
TRAIN FIELD WORKERS FOR FLOOD AND STORM CONTROL ROOM _____
TRAINING FOR UNPLUGGING DROP INLETS _____
TRAINING FOR PORTABLE PUMPS _____

MATERIALS:

BARRICADES AT LOCATION A. _____
BARRICADES AT LOCATION B _____
CONTRACT FOR K-RAIL AND CONTACT VENDOR _____
CONTRACT FOR QUARRY ROCK AND CONTACT VENDOR FOR 24 HR. SERVICE _____
CONTRACT FOR STEEL PLATING _____
CONTRACTS FOR CRANE SERVICE AND CONTACT VENDOR _____
MAP BOOKS _____
NIGHT BOXES _____
STOCK TYPE III BARRICADES _____
DRAINAGE MAPS _____

Section F – Worker Safety

Employee safety should be the highest priority. During a major storm, however, the obligation to the public means those employees may need to work in hazardous conditions. In extraordinary circumstances, it may be necessary to deploy crews to open a road or to take other actions necessary to protect life and property. In those conditions, do everything to keep employees safe, but also do the best to ensure that the other first responders can accomplish their missions.

Storm Safety Rules

All Departmental employees should obey the following safety rules during a storm event:

1. All Public Works employees will operate in pairs or teams.
2. All employees will wear full Personal Protective Equipment (PPE) during a storm event. PPE shall include a hard hat, gloves, high-visibility jacket, steel-toed boots, protective eyewear, and any other equipment deemed necessary by a supervisor.
3. When outside during winter weather, all employees must wear appropriate, heavy duty winter clothing.
4. All employees operating vehicles or heavy equipment must keep winter clothing in the vehicle or equipment.
5. Every member of a working pair or team will have access to a 2-way radio.
6. Aerial devices or equipment will not be operated or used when sustained winds exceed 35 mph.
7. When the Director or Superintendent orders operations to cease due to storm conditions, all employees will immediately stop work and return to the shop.
8. Crews responding to an emergency will remain on scene until relieved.
9. Crews that have completed work, but not on call will return to the shop without delay.
10. Vehicle operators shall not drive through any standing water.
11. Check for hazardous conditions such as downed trees, downed wires, leaking fuel, etc. and report.
12. Treat every downed wire as “live” until status is determined by the appropriate utility.
13. Any use of chain saws shall be done with full protective gear including hard hat, safety glasses and face shield, gloves, steel-toed boots, and cut-proof chaps.

During winter storms, employees are encouraged to bring personal thermos bottles for keeping hot beverages and/or food.

Driving Tips

While many Public Works employees are experienced drivers and/or motor equipment operators, severe weather driving conditions are not routine. Please remember the following helpful tips:

- Always wear your seat belt as required by law and policy.
- Slow down and operate equipment well within posted speed limits and as conditions warrant.
- Be alert and avoid distractions.
- Do not use a cell phone while driving.
- Reduce speed near intersections and near blind corners.
- Keep running and operating lights on at all times.
- Maintain generous stopping distances between your vehicle and others.
- Steer with smooth, precise movements.
- Be aware that bridges decks can freeze before the roadway.

Section G – Status Reports

The Department should have a Status Report compiled by each of the Maintenance Managers. It is transmitted to the appropriate representative as often as directed. Its purpose is to provide a one-page summary of the conditions being experienced by the Department maintenance forces. It may also be utilized to provide information to the Press concerning operations.

Several sections of the Status Report are suggested:

- Situation
- Facilities
- Resources Deployed
- Mutual Aid
- Critical Issues

The “Situation” section gives a brief description of the conditions which are contributing to the emergency situation. It might read: “High winds and moderate rainfall continuing since last report.”

The “Facilities” section gives a brief overview of the status of facilities maintained by each of the Department’s maintenance sections. For instance, the Status of the “Roads” section might read: “Minor flooding reported.” The Remarks column might read: “See attached Road Closure List updated 2:00 p.m.” or “Section shifted to 24-hour operation.”

The “Resources Deployed” section summarizes the number of Crews in the field, the total number of Personnel on duty, the number of Supervisors on-hand and indicates when the coming Shift change will occur.

The “Mutual Aid” section indicates whether the Department can operate through the next 24 hours with the resources (personnel, materials and equipment) at hand, or if additional resources from other agencies might be needed.

The “Critical Issues” section lists items of particular concern to the managers that need to be conveyed. These might include issues that are beyond the control of the Maintenance and Operations staff which need to be discussed between Departments.

Department Status Report

Reported By:	Agency:
Position:	Phone:

Situation:

Facilities	Status	Remarks
<p>Roads</p> <p>Bridges</p> <p>Signal</p> <p>Signs</p> <p>Lights</p> <p>Trees</p>		

Resources Deployed

Crews	Personnel	Supervisors	Next Shift Change

Mutual Aid needed in next 24 hours?
 Yes No Unknown

Critical Issues:

(Insert City Name)

ADA Self-Evaluation and Transition Plan

(Insert date of preparation)

Prepared by:

(Insert Name of Preparer)

(Insert Contact Information for Preparer)

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1.0 ADA Self-Evaluation and Transition Plan Development Process

1.1 Introduction

1.1.1 Overview

The Americans with Disabilities Act (ADA) is a comprehensive civil rights law for persons with disabilities in both employment and the provision of goods and services. The ADA states that its purpose is to provide a “clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.” Congress emphasized that the ADA seeks to dispel stereotypes and assumptions about disabilities and to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities. Appendix A provides definitions for terms used in this report that are found in the ADA and the ADA Accessibility Guidelines (ADAAG).

This ADA Self-Evaluation and Transition Plan is prepared in fulfillment of the requirements set forth in Title II of the ADA. The ADA states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities. This report will assist (insert City Name) in identifying policy, program, and physical barriers to accessibility and in developing barrier removal solutions that will facilitate the opportunity of access to all individuals.

This report describes the process by which policies, programs, and facilities were evaluated for compliance with the ADA; presents the findings of that evaluation; and provides recommendations for ensuring accessibility. This part provides an overview of the requirements and process for developing the Self-Evaluation and Transition Plan. The next two parts detail the findings and recommended actions related to providing accessible policies, procedures, and programs (Part 2) and those related to the City’s program for providing accessible buildings and facilities (Part 3). Part 4 outlines the City’s complaint procedures for disability discrimination. Part 5 is the City’s transition plan for sidewalks and curb ramps in pedestrian rights-of-way. Part 6 describes suggested components of the City’s program accessibility resources and toolkit.

1.1.2 Legislative Mandate

The development of a transition plan is a requirement of the federal regulations implementing the Rehabilitation Act of 1973, which require that all organizations receiving federal funds make their programs available without discrimination toward people with disabilities. The Act, which has become known as the “civil rights act” of persons with disabilities, states that:

No otherwise qualified handicapped individual in the United States shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (Section 504)

Subsequent to the enactment of the Rehabilitation Act, Congress passed the Americans with

Disabilities Act (ADA) on July 26, 1990. (Insert City name) is obligated to observe all requirements of Title I of the ADA in its employment practices; Title II in its policies, programs, and services; any parts of Titles IV and V that apply to the City, its programs, services, or facilities; and all requirements specified in the ADA Accessibility Guidelines (ADAAG) that apply to facilities and other physical holdings. The Department of Justice's Title II regulation adopts the general prohibitions of discrimination established under Section 504 and incorporates specific prohibitions of discrimination for the ADA. Title II provides protections to individuals with disabilities that are at least equal to those provided by the nondiscrimination provisions of Title V of the Rehabilitation Act.

This legislative mandate, therefore, prohibits (insert City name) from, either directly or through contractual arrangements:

- Denying persons with disabilities the opportunity to participate in services, programs, or activities that are not separate or different from those offered others, even if the City offers permissibly separate or different activities.
- In determining the location of facilities, making selections that have the effect of excluding or discriminating against persons with disabilities.

Title II of the ADA stipulates that public entities must identify and evaluate all programs, activities, and services and review all policies, practices, and procedures that govern administration of the programs, activities, and services for all government entities employing more than fifty people. These administrative requirements include:

- Completion of a self-evaluation;
- Development of an ADA complaint procedure;
- Designation of a person who is responsible for overseeing Title II compliance; and
- Development of a transition plan if the self-evaluation identifies any structural modifications necessary for compliance. The transition plan must be retained for three years.

This report and certain documents incorporated by reference establish the ADA Self-Evaluation and Transition Plan for (insert City name).

In addition, the California Code of Regulations, Title 24, Part 2 mandates that all publicly funded buildings, structures, and related facilities shall be accessible to and usable by persons with disabilities. These regulations, which are often referred to as Title 24, pertain to (insert City name) buildings and facilities that were constructed using state, City, or municipal funds or that are owned, leased, rented, contracted, or sublet by the City. Title 24 regulations and standards were also incorporated in the evaluation of architectural barriers in (insert City name).

1.1.3 Discrimination and Accessibility

There are two types of accessibility: physical accessibility and program accessibility. Absence of discrimination requires that both types of accessibility be provided.

The ADA establishes requirements to ensure that buildings and facilities are accessible to and usable by people with disabilities. Design guidelines to achieve accessibility have been developed and are maintained by the U.S. Access Board under the jurisdiction of the ADA. The ADA Accessibility Guidelines (ADAAG) cover a wide variety of facilities (including buildings and outdoor recreation areas) and establish minimum accessibility requirements for new construction and alterations to these facilities. The City may achieve physical accessibility by ensuring that a facility is barrier-free and meets ADAAG technical requirements and State of California standards, including those found in Title 24. Barriers include any obstacles that prevent or restrict the entrance to or use of a facility.

Programmatic accessibility includes physical accessibility, but also entails all policies, practices, and procedures that permit people with disabilities to participate in programs and to access important information. Program accessibility requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from a public entity's programs and services.

The City may achieve program accessibility by a number of methods, both structural and non-structural:

- Structural methods such as altering an existing facility;
- Acquisition or redesign of equipment;
- Assignment of aides; and/or
- Providing services at alternate accessible sites.

When choosing a method of providing program access, the City will give priority to the one that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities. In compliance with the requirements of the ADA, the City provides equality of opportunity but does not guarantee equality of results.

1.1.4 Undue Burden

The City does not have to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity, would create a hazardous condition for other people, or would represent an undue financial and administrative burden. This determination can only be made by the ADA Coordinator, department head, or designee and must be accompanied by a statement citing the reasons for reaching that conclusion.

The determination that an undue financial burden would result must be based on an evaluation of all resources available for use in a program. For example, if a barrier removal action is judged

unduly burdensome, the City must consider other options for providing access that would ensure that individuals with disabilities receive the benefits and services of the program or activity.

1.2 ADA Self-Evaluation and Transition Plan Development Requirements

The Self-Evaluation is the City's assessment of its current policies, practices, and procedures. It identifies and corrects those policies and practices that are inconsistent with the requirements of Title II of the ADA. In keeping with these requirements and as part of the Self-Evaluation,

(Insert City name):

- Identified all its programs, activities, and services; and
- Reviewed all the policies, practices, and procedures that govern the administration of its programs, activities, and services.

The ADA also sets forth specific requirements for preparation of an acceptable Transition Plan. At a minimum, the elements of the plan should include:

- A list of the physical barriers in City facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- A detailed outline of the methods to be used to remove these barriers and meet the current standards and accessibility regulations;
- A schedule for taking the steps necessary to achieve compliance with Title II of the ADA; and
- The name of the individual responsible for the plan's implementation.

1.3 ADA Self-Evaluation and Transition Plan Development Process

Edit this section to accurately reflect the City's action, or plan for action, to review the delivery of programs, activities and services to the public, and to evaluate and prioritize facility improvements. Refer to Sections 1, 5, and 6 for of the SETP Checklist document for checklists and sample procedures that can be adapted for use by your City.

The process developed and implemented to complete *(insert City name)*'s ADA Self-Evaluation and Transition Plan included meetings with department heads and Public Works staff; the administration of program accessibility questionnaires; a review of the City's published rules, regulations; a survey to identify physical barriers in public facilities and pedestrian rights-of-ways, and a public involvement process obtain input from the public and to review the Transition Plan recommendations.

1.3.1 Introduction

Services and programs offered by *(insert City name)* to the public must be accessible. Accessibility applies to all aspects of a program or service, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, and transportation.

The goals of the Self-Evaluation were:

1. To develop policy recommendations for the City and each of its departments, divisions, and programs;
2. To ensure that the views of the disability community are included in the City's policies; and
3. To foster ties between City staff and representatives of the disability community.

The process of making City facilities and programs accessible to all individuals will be an on-going one, and the City will continue to review accessibility issues such as resolution of complaints and reasonable modifications to programs. The City will also periodically evaluate the success of improving access to programs by the practices and procedures developed during the Self-Evaluation process.

The evaluation of the services and programs of *(insert City name)* included the following activities.

Modify the following description to reflect the activities that were included in your City's evaluation of its services and programs. Refer to Section 2 of the SETP Checklist document for a checklist and sample procedures that can be adapted for use by your City.

1.3.2 Program Accessibility Questionnaire

The Self-Evaluation of *(insert City name)*'s services, programs, and activities required and involved the participation of every department and division of the City. The City distributed a program accessibility questionnaire *(include a copy in Appendix 2 of your City's report)* to each department/division for its staff to complete. Staff members were asked to complete a written program accessibility survey, which included an inventory of all services and programs provided to the public and the locations at which these were provided. The survey included a review of the following information:

- A summary of the program and its purpose, the specific activities that comprise the program, and the nature of any advertising or program material produced;
- Any program or admission eligibility requirements;
- An overview of participation in the program, including who participates and how participation is facilitated;
- The methods used by the department to provide accessibility;
- Any access complaints or requests for improving access to the program;
- A list of facilities, or portions of facilities, used for the program and the activity that takes place there;
- Program providers, including outside organizations;
- Transportation services;
- Communication, including television, audiovisual presentations and the City's website;
- Emergency evacuation procedures;
- Accessible/Adaptive Equipment;
- Customer Service;
- Notice Requirements;
- Printed Information;
- Public Telephones and Communication Devices;
- Training and Staffing;
- Program Eligibility Requirements and Admission;
- Public Meetings;
- Tours and Trips;
- Use of Consultants;
- Emergency Evacuation Procedures;
- Facilities; and
- Special Events and Private Events on Public Properties

1.3.3 Review of Published Rules and Regulations

The published policies and practices of (insert City name) were analyzed to determine whether services offered are and/or language used is discriminatory to people with disabilities.

1.3.4 Public Participation Process

A public involvement process assisted in the development of this Self-Evaluation and Transition Plan in order to obtain input from the community. The plan should in involved an room for participation in person on committees and in meetings, and also using on-line forms of outreach and communication.

Provide a brief description of the public involvement process that was used to assist in the development of the plan. Include both public meetings and on-line community-building and communications with the disabled community.

1.4 Facilities Transition Plan

The City conducted a survey of architectural barriers in its buildings and facilities from (*insert dates*). Only those areas open to the public were surveyed. The surveys provide the City an overview of the architectural barriers that prevent people with disabilities from using its facilities and participating in its programs.

1.5 Sidewalks and Curb Ramps Transition Plan

Provide a brief description of the process (surveys, inventories, interviews, meetings, etc.) that was used to assist in the development of the plan. Refer to Section 5 of the SETP Checklist document for a checklist and sample procedures that can be adapted for use by your City.

2.0 Policies, Procedures, and Program Accessibility: Findings and Recommended Actions

2.1 Introduction

Services and programs offered by *(insert City name)* to the public must be accessible. Accessibility applies to all aspects of a program or service, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

2.1.1 Overview

The following sections detail the review of current Citywide and unique policies, services, programs, and activities based on meetings with City staff and responses to the program accessibility questionnaire from the following departments, divisions, and programs.

Modify this list to reflect your City's departments, divisions within departments, and programs. You may find it useful to list Departments In alphabetic order.

- **Assessor**
- **Building Department**
- **City Attorney**
- **Planning Department**
- **Police Department**
- **Public Works Department**
 - Road Services Division
 - Waste Management Division

2.1.2 Finding and Recommended Actions

Citywide Findings and Recommended Actions

Findings and recommended actions are provided in Section 2.2 for citywide programmatic accessibility barriers in the following areas:

*Accessible/Adaptive Equipment Customer Service
Notice Requirements
Printed Information
Televised and Audiovisual Public Information
Website
Public telephones and communication devices
Training and Staffing
Program Eligibility and Admission
Public Meetings
Transportation Services
Tours and Trips
Use of Consultants for Delivering Program Services
Emergency Evacuation Procedures
Facilities
Special Events on Public Properties*

These findings and recommendations apply to all departments and will be made part of each department's ADA implementation strategy to guide the administration of programs.

2.2 Findings and Recommended Actions—Citywide Practices, Activities, and Programs

Accessible/Adaptive Equipment Self-Evaluation Findings:

*List findings from the Accessible/Adaptive Equipment section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Actions Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires**.*

Customer Service

Self-Evaluation Findings:

*List findings from the Customer Service section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires** and best practices.*

Notice Requirements

Self-Evaluation Findings:

*List findings from the Notice requirements section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires** and best practices.*

Printed Information

Self-Evaluation Findings:

*List findings from the Printed Information section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires and best practices**.*

Televised and Audiovisual Public Information

Self-Evaluation Findings:

*List findings from the Televised and Audiovisual Public Information section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires and best practices**.*

Website

Self-Evaluation Findings:

*List findings from the Website section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires and best practices.***

Public telephones and communication devices

Self-Evaluation Findings:

*List findings from the Public Telephones section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires and best practices.***

Training and Staffing

Self-Evaluation Findings:

*List findings from the Training and Staffing section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires and best practices.***

Program Eligibility and Admission

Self-Evaluation Findings:

*List findings from the Program Eligibility and Admission section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires and best practices**.*

Public Meetings

Self-Evaluation Findings:

*List findings from the Public Meeting section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires and best practices**.*

Transportation Services

Self-Evaluation Findings:

*List findings from the Transportation Services section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires** and best practices.*

Tours and Trips

Self-Evaluation Findings:

*List findings from the Tours and Trips section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires** and best practices.*

Use of Consultants for Delivering Program Services

Self-Evaluation Findings:

*List findings from the Consultants section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires and best practices**.*

Emergency Evacuation Procedures

Self-Evaluation Findings:

*List findings from the Emergence Evacuation Procedures section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires and best practices**.*

Facilities

Self-Evaluation Findings:

*List findings from the Facilities section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires and best practices**.*

Special Events on Public Properties

Self-Evaluation Findings:

*List findings from the Special Events section of the **Program Accessibility Questionnaires** that pertain to all or most City departments.*

Action Steps:

*List action steps required to make programs, activities, and services accessible based on analysis of the **Program Accessibility Questionnaires and best practices**.*

2.3 Individual Findings - Department Specific Districts, and Programs

Complete this section for each department and the divisions and programs within that department based on an analysis of the **Program Accessibility Questionnaires**. The department order should be identical to the list in Section 2.1.1—Overview

Sample (insert name of Department)

Description of Programs and Services

Provide a brief description of this department (including divisions and programs within it) and the department's purpose.

Contact Person

Provide the name of the contact person: either the head of the department or the staff person who completed the **Program Accessibility Questionnaire**.

Locations of Operations

Provide a list of the addresses of the department offices and all locations where public programs, services, or activities occur.

Practices That Facilitate the Participation of People with Disabilities in (insert Department name) Programs and Activities

Under each major heading below, list the findings from the **Program Accessibility Questionnaires** that show how people with disabilities can easily access the department's programs.

Accessible/Adaptive Equipment Customer Service

Notice Requirements

Printed Information

Televised and Audiovisual Public Information

Website

Public telephones and communication devices

Training and Staffing

Program Eligibility and Admission

Public Meetings

Transportation Services

Tours and Trips

Use of Consultants for Delivering Program Services

Emergency Evacuation Procedures

Facilities

Special Events on Public Properties

2.4 Municipal Code Review

The following review of *(insert City name)*'s Municipal Code highlights certain requirements that may inadvertently reduce the accessibility of the programs, services, and activities available to the public. As a follow-up to this review, it is recommended that the City conduct a legal and policy review of alternative municipal code language.

The Municipal Code is comprised of the following sections:

Provide a list of all Municipal Code Chapters.

Only those sections of the Municipal Code that were found to contain language that may inadvertently reduce the accessibility to programs, services, and activities available to the public are described below.

Self-Evaluation Findings:

Municipal Code Title

Code Section:

*Provide the title of the Municipal Code and the number of the Code Section.
Include the language in the Municipal Code that may discriminate against people
with disabilities.*

Recommended Language:

*Provide suggested alternative language. This language must be reviewed by your
legal department.*

3.0 Transition Plan for City Facilities

3.1 Introduction

The Transition Plan for City Facilities combines the findings of the policy assessments, program evaluations, and facility surveys conducted by the City during *(insert dates)*.

The following information is included in the Transition Plan for the removal of architectural barriers to program access:

- Identification of the architectural barriers to program access: Refer to *(insert City Name) Access Survey – Facility Reports*
- Identification of the specific barrier removal actions and architectural modifications: Refer to *(insert City Name) Access Survey – Facility Reports*.
- Identification of a schedule for barrier removal: Refer to *Time Frames for Completion* in this section.
- Identification of responsibility for ensuring barrier removal: The responsibility for ensuring barrier removal resides with the ADA Coordinator for *(insert City Name)*.

3.1.1 Overview—*(insert City name)*'s Approach

It is the intent of the City to have its ADA Coordinator work together with department heads and budget staff to determine funding sources for the City's on-going program of architectural barrier removal projects. Once funding is identified, the ADA Coordinator will coordinate the placement of the projects in the City's Capital Improvement Plan.

3.1.2 Evaluation/Survey Process

*Modify the following description to reflect the survey process that your City has undertaken.
Refer to Section 5 of the SETP Checklist document for a checklist and sample procedures that can be adapted for use by your City.*

The survey process was accomplished using teams of surveyors equipped with measuring devices, facility diagrams, and survey forms. The surveys identify physical barriers in City facilities based on ADAAG and Title 24 standards. Diagrammatic sketches of each site and building or floor plan were annotated during the survey process and are included in the facility reports. The diagrams indicate the location of architectural barriers and are numbered to correspond to the *Access Survey Report*. These annotated diagrams will assist City staff in prioritizing barriers for removal. The diagrams provide a visual reference for evaluating the physical and programmatic barriers posed by each architectural barrier.

The elements and their related features addressed in the facility survey include:

*Modify this list to reflect the building and site elements
that your City has surveyed.
Survey form numbers refer to forms
available from MIG Communications.*

Building or Site Feature

Parking Area
Passenger Loading Zone
Curb Ramp
Walk
Ramp
Stairway
Hazard
Door or Gate
Sign
Drinking Fountain
Telephone
Building Level or Lift
Elevator
Turnstile
Automated Teller Machine
Transaction Counter

Types of Spaces

Corridor or Aisle
Room
Multiple User Restroom
Single User Restroom
Toilet Room
Bathing Facility
Locker Room
Library
Kitchen/Kitchenette

Eating Area/Vending Machines
Auditorium
Area of Rescue Assistance

Recreation Features

Games and Sports Area
Grandstand/Bleachers
Swimming Pool/Wading Pool/Spa
Picnic Area
Site Furnishings: Fixed Trash/Recycling
Fixed Bench
Wood Stove/Fireplace
Storage Facilities for Mobility Devices
Utilities in Recreation Areas
Camping Facilities
View Area/Telescopes
Outdoor Rinsing Shower
Beach Access Route
Outdoor Recreation Access Route
Play Equipment Area
Fishing Piers and Platforms
Boating Facilities
Golf Course

3.1.2 Facility Reports

A facility report has been produced for each site and building, detailing each item found to be in noncompliance with ADAAG and Title 24 standards. The facility report for each site includes:

Modify the following descriptions to reflect the content and format of the facility reports.

- **Access Survey Report:** Each specific barrier encountered during the survey process is listed in table format. Barriers are organized by architectural element and located by reference number on the facility diagram.
- **Conceptual Solution:** A feasible conceptual solution to resolving the barrier is provided in text format.
- **Cost Estimate:** A cost estimate is provided for the removal of each barrier.
- **Priority Level:** A priority is given for each barrier removal.
- **Reference Diagram:** A reference diagram locates the barriers at each facility.

3.2 Transition Plan

3.2.1 Barrier Removal Priorities—Citywide

Recognizing that the City has limited funds and cannot immediately make all facilities fully accessible, City staff utilized the following criteria as the basis for prioritizing the removal of architectural barriers:

Modify the following list to reflect the prioritization process that your City has established.

- *Quantity and frequency* of public use.
- *Uniqueness of the facility*: Can the programs offered in this facility be shifted to an alternative, accessible location? (Identify the specific location.)
- *Age or condition of the facility*: Age or condition should not be major criteria, but can be factors if the building is scheduled to be vacated or demolished.
- *Geographic distribution*: Distribution of services throughout the City.
- Critical nature of the programs offered at the facility: Police, medical care, etc
- *Social need*: Facilities that meet social needs such as homeless shelters, health clinics, etc.
- *Citizen rights and responsibilities*: Facilities where services are provided to exercise citizen rights— voting, right to a trial, access to elected officials, etc. Facilities where taxes are paid, permits and licenses are obtained, and where services are obtained.
- *Identified complaints*: Efforts can be focused on where there are identified accessibility complaints.

3.2.2 Barrier Removal Priorities—Within a Facility

The criteria listed below were used to assist in the determination of specific program-based barrier removal actions within a facility for this Transition Plan.

Modify the following list to reflect the prioritization process that your City has established.
Refer to Section 6 for a checklist and sample procedures that can be adapted for use by your City.

- *Priority One*: The highest priority is placed on those barrier removal items that provide accessibility at the main entrance of a facility or improve a path of travel to the portion of the facility where program activities take place (for example, parking, walks, ramps, stairs, doors, and corridors).

- *Priority Two:* A second level priority is placed on those barrier removal items that improve or enhance access to program use areas (for example, meeting rooms, public offices, and restrooms).
- *Priority Three:* A third level priority is placed on those barrier removal items that improve access to amenities serving program areas (for example, drinking fountains, telephones, site furnishings, and vending machines).
- *Priority Four:* A fourth level priority is given to areas or features not required to be modified for accessibility (for example, no public programs located in this area or duplicate features where accessibility is already provided).

Since not all of barriers must be removed in order to provide program access, those barriers that limit access to public programs, services, and activities are given first priority. These criteria will also be used for prioritizing the removal of architectural barriers in future projects.

3.2.3 New Construction and Renovations

Modify the following description to reflect current policies and procedures in your City.

Although the City has an on-going program of renovating its facilities to achieve compliance with the ADA, renovations to City facilities to achieve compliance with the ADA have not always complied fully with ADAAG technical requirements and State of California standards. The following recommended actions apply to all new construction and renovation projects in the City:

Edit the following list of actions to accurately reflect the City's plans for ensuring that new construction and renovation projects comply with accessibility requirements.

Recommended Actions:

1. Ensure that all buildings and facilities conform to the technical requirements of ADAAG, per Title II of the ADA, and State of California standards for City-funded public developments. New development and renovations must comply with these standards.
2. Prior to construction, schedule a review with the City's ADA Coordinator of all City plans and specifications for the construction of facilities. No project should proceed to construction without a completed and clean document review.
3. Develop a procedure to ensure that the ADA Coordinator is informed of all plans prior to construction to ensure compliance with accessibility requirements.

3.2.4 Time Frames for Completion

The following table, *Architectural Barrier Removal Projects*, includes a list of facilities that receive a high level of use by the public, provide programs and/or services that are unique and cannot occur in another location, and are distributed throughout the City thereby providing maximum access for all residents. The table includes those facilities that are considered by the City as being its highest priorities for addressing the removal of architectural barriers.

It is the intent of the City to address these barriers within a time frame of *(insert range of years)* years depending on immediate necessity, degree of complexity, and overall cost. *(Insert City name)* reserves the right to modify barrier removal priorities in order to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, and changes in City programs.

Interim Measures

In accordance with the requirements of the ADA, when barriers are scheduled to be removed over a period of time, interim measures to provide program access will be implemented. Interim measures may include the redesign of equipment, assignment of aides to beneficiaries, delivery of services at alternate accessible sites, or the use of accessible conveyances. In addition, other methods may be employed that result in accessible, programs and activities being readily accessible to and usable by individuals with disabilities.

4.0 Complaint Procedures for Discrimination Based on Disability

4.1 Complaint Procedures for Americans with Disabilities Act

Insert your City's ADA Complaint procedure here.

Refer to Section 3 of the checklist document and sample complaint procedures that can be adapted for use by your City. Include the website URL, as well as a copy of the ADA grievance web page.

5.0 Sidewalks and Curb Ramps Transition Plan

5.1 Introduction

The Transition Plan for Sidewalks and Curb Ramps combines the findings of the review of the policies, procedures, and design standards for sidewalk and curb ramp programs and highlights those issues that may inadvertently reduce the accessibility of public rights-of-way in the City of *(insert City name)*. The Transition Plan is based on the City’s curb ramp inventory, a series of interviews and meetings with City of *(insert City name)* staff, and *(any other activities undertaken as part of your City’s self-evaluation, such as a review of recent Public Works Department staff reports and resolutions)*.

5.1.1 Overview—City of (insert City name)’s Approach

The City of *(insert City name)* maintains approximately *(insert number)* miles of streets, many of which contain curbs, gutters, and sidewalks. In accordance with the *(insert City name)* Municipal Code and the Streets and Highways Improvement Act of 1911, property owners are responsible for the maintenance of curbs, gutters, and sidewalks adjacent to their property.

Edit the following section to accurately portray the City’s approach to making accessibility improvements to pedestrian rights-of-way.

The City of *(insert City name)* has a number of programs devoted to making the City’s streets and sidewalks more accessible: the new development and infill program; the Citizen Request program; the annual installation, repair, and maintenance program; street-related capital improvement projects; and federally aided street overlay construction projects. Public Works receives and evaluates requests from a variety of sources for sidewalk repairs on an on-going basis. If repairs are warranted, Public Works undertakes temporary repairs and then places the location on a computerized database for future permanent repairs based on available funding.

Name the department that is responsible for coordinating sidewalk and curb ramp improvements and provide a descriptive paragraph of recent accomplishments.

5.1.2 Evaluation/Survey Process

*Provide a descriptive paragraph of surveys already completed or the specific plan to evaluate curb ramps and sidewalks throughout the City.
Refer to Section 5 for a checklist and sample complaint procedures that can be adapted for use by your City.*

5.1.3 Priorities for Curb Ramp Repair, Replacement, and New Construction

To promote both efficiency and accessibility, the City of *(insert City name)* may choose to construct curb ramps at every point where a sidewalk intersects a curb; however, the City is not necessarily required to do so. Alternative routes to buildings that make use of existing curb cuts may be acceptable under the concept of program accessibility in the limited circumstances where individuals with disabilities need only travel a marginally longer route. In addition, the fundamental alteration and undue burden limitations may limit the number of curb ramps that the City may be required to provide.

As a component of the City's Self-Evaluation and Transition Plan, criteria were developed for prioritizing new curb ramp construction and alterations. The categories that will be used to rank curb ramp improvements are:

*Edit the following list to accurately reflect the City's criteria for accessibility improvements to pedestrian rights-of-way.
Refer to Section 6 of the ADA Checklist document for a checklist and sample complaint procedures that can be adapted for use by your City.*

- Repair of hazardous conditions,
- Installation of new curb ramps to connect existing sidewalks, and
- Repair of existing curb ramps that do not comply with ADAAG technical requirements and State of California standards.

In addition, to achieve or maintain program accessibility, it may be appropriate for the City of *(insert City name)* to establish an ongoing procedure for installing curb ramps upon request in areas frequented by individuals with disabilities who are residents, employees, or visitors.

However, when streets, roads, or highways are newly built or altered, the City must provide ramps or sloped areas wherever there are curbs or other barriers to entry from a sidewalk or path. Likewise, when new sidewalks or paths are built or altered, they must contain curb ramps or sloped areas wherever they intersect with streets, roads, or highways.

It is the goal of the City to continue its efforts to improve pedestrian accessibility. To achieve its goal, the City plans to utilize the following criteria to guide its sidewalk and curb ramp program:

Edit the following list to accurately reflect the City's criteria for selecting areas for accessibility improvements to pedestrian rights-of-way.

- *Provide access to state or local governmental facilities or offices.*
Since the ADA requires that funding priority be given to "walkways serving local and state government offices and facilities," these conditions have received the highest priority in the City's self-evaluation process.
- *Provide access to places of public accommodation.*
Locations that provide access to "public, commercial, medical, professional, educational, or recreational services" are high priorities for curb ramps sites.
- *Provide access to public transit.*
A goal of the curb ramp program is to improve access to bus stops along heavily used bus routes.
- *Enhance safety at pedestrian crossings.*
High priority is given to curb ramps that will allow for safe crossings at controlled or marked intersections.
- *Create connected systems of accessible pathways.*
City staff will look for opportunities to complete a partially accessible intersection or pathway and to expand an existing pathway system.

5.2 Transition Plan—Sidewalks and Curb Ramps

5.2.1 General Policies and Practices

Self-Evaluation Findings: Although the City has already instituted a number of programs to increase pedestrian accessibility, it will expand these programs in order to meet its overall goals.

Edit the following list of actions to accurately reflect the City's plans for making accessibility improvements to pedestrian rights-of-way

Recommended Actions:

1. Institute regular (annual or twice-yearly) public forums to supplement the curb ramp Citizen Request Program as part of the City’s on-going responsibilities to improve accessibility for pedestrians.
2. Complete a Citywide curb ramp inventory to determine where ramps need to be repaired, replaced, or newly constructed to meet current ADAAG technical requirements and State of California standards.
3. Survey and document the suitability of the adjacent marked crossings, pedestrian traffic signals, and sidewalks connecting these curb ramps.
4. Formally assign a Public Works staff person as the coordinator of the curb ramp Citizen Request Program, curb ramp installations, and updating standard construction details.
5. Formally establish the policies associated with this Transition Plan by documenting and making the content of the policies available to the public.
6. Provide information on the City’s curb ramp program to local and regional transit providers in order to help coordinate the delivery of accessible transit services.

5.2.2 Standard Curb Ramp Construction Details

Provide a description of the ADA/Title 24 compliance status of the City’s construction details and plans, if any, to revise standard curb ramp construction details.

- *Does your City have its own construction standards? Or does it use Caltrans standards?*
- *Have the standards been reviewed for compliance?*

5.2.3 New Development and Infill Program

Provide a description of the City’s policies, procedures, and plans for providing sidewalks and curb ramps during new development/infill projects.

- *What is the planning and review process for the public pedestrian right-of way?*

5.2.4 Citizen Request Program

Provide a description of your City's plans for how citizens can make a request for new curb ramps or modifications to pedestrian rights-of-way.

- *Does your City have a formal request program or form?*
- *How does your City log, prioritize, and implement requests?*

5.2.5 Annual Installation, Repair, and Maintenance Program

Provide a description of your City's plans for maintaining accessible pedestrian rights-of-way.

5.2.6 Street-Related Capital Improvement Projects

Provide a description of the City's plans for pedestrian improvements to increase accessibility that are part of Capital Improvement Projects.

5.2.7 Federally Aided Street Overlay Construction Projects

Provide a description of the planned and on-going improvements to the pedestrian rights-of-way associated with federally funded street overlay projects.

6.0 Program Accessibility Guidelines, Standards & Resources

6.1 Introduction

In order to facilitate access to all City Programs and Departments, the City will maintain these program accessibility guidelines, standards and resources. This information is available to all employees and volunteers. The City will add to these guidelines when necessary to address its needs and include information and technological devices that help staff and volunteers members communicate with individuals with a variety of disabilities. The City will periodically review the components of this section, as new technologies are developed in order to ensure that the best types of modifications are included. The City will maintain relationships with groups which serve people with disabilities to assist in maintaining the resources in this section. This section also contains the accessibility standards of care that govern new construction and alterations to facilities.

6.2 Federal Accessibility Standards & Regulations & Resources

There are both State and Federal regulations for accessible facilities. Below are resources for both the State of California and Federal facility regulations.

U.S. Department of Justice

- **The U.S. Department of Justice**, <http://www.ada.gov>. The US DOJ provides many free ADA materials including the Americans with Disability Act (ADA) text. Printed materials may be ordered by calling the ADA Information Line [1.800.514.0301 (Voice) or 1.800.514.0383 (TDD)]. Publications are available in standard print as well as large print, audiotope, Braille, and computer disk for people with disabilities. Documents, including the following publications, can also be downloaded from the Department of Justice website.
- **ADA Regulation for Title II**, <http://www.ada.gov/reg2.html>. This publication describes Title II of the Americans with Disabilities Act, Pub. L. 101-336, which prohibits discrimination on the basis of disability by public entities. Title II of the ADA protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. This rule adopts the general prohibitions of discrimination established under section 504, as well as the requirements for making programs accessible to individuals with disabilities and for providing equally effective communications. It also sets forth standards for what constitutes discrimination on the basis of mental or physical disability, provides a definition of disability and qualified individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination.
- **Title II Technical Assistance Manual (1993) and Yearly Supplements**, <http://www.ada.gov/taman2.html> and supplement <http://www.ada.gov/taman2up.html>. This manual explains in lay terms what state and local governments must do to ensure that their services, programs, and activities are provided to the public in a nondiscriminatory manner.

- **Current Text of the Americans with Disabilities Act of 1990**, including changes made by the ADA Amendments Act of 2008 (P.L. 110-325), <http://www.ada.gov/pubs/adastatute08.pdf>. The ADA prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation. It also mandates the establishment of TDD/telephone relay services.
- **ADA Information for Law Enforcement**, <http://www.ada.gov/policeinfo.htm>. This page contains compliance assistance materials to help state and local law enforcement officers understand how to interact with victims, witnesses, suspects, and others who have disabilities.

US Access Board

- **The US Access Board**, <http://www.access-board.gov>. The US Access Board writes Federal regulations for Facilities, Public Rights-of-Way, Transportation, and Communications. This page also contains research papers, newsletters, annual reports and more. In addition to regular print, publications are available in: large print, disk, audiocassette, and Braille. Multiple copies of publications can be ordered by sending a request to pubs@access-board.gov. In addition to the guidelines, guidance material is also available to assist staff in understanding and implementing federal accessibility guidelines. Copies of Advisory Committee Reports that have been written but not yet adopted as law are also provided.
- **ADA and ABA Accessibility Guidelines Homepage**, <http://www.access-board.gov/provac/alterations/guide.htm>. Includes a Side-by-Side Comparison of the ADA-ABA guidelines, the original ADA standards, and the International Building Code (2003 edition) issued by the Access Board.

6.3 State of California Accessibility Standards & Regulations & Resources

Title 24, California Building Code

- **The State of California** has also adopted a set of design guidelines for accessible facilities, which can be found in the California Code of Regulations, Title 24, Part II, California Building Code (CBC), www.iccsafe.org. CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. CBC provisions provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment. Although California has adopted most of the ADAAG requirements, there are some differences. In general, the more restrictive requirement (whether federal or state) should be applied when designing accessible facilities. The complete Title 24 or any of its parts is available for purchase from the International Code

Council (ICC), 5360 South Workman Mill Road, Whittier, CA 90601, 1.800.423.6587, www.iccsafe.org or at various bookstores that carry technical books.

Since the CBC is updated every three years, the City should have an ongoing program of regularly reviewing these changes and updating policies and procedures related to accessibility to keep them current.

Division of the State Architect

- **The Division of State Architect (DSA)**, <http://www.dsa.dgs.ca.gov/Pubs/default.htm>, also provides information and resources for accessible or universal design. The DSA's website is <http://www.dsa.dgs.ca.gov>. For technical assistance contact DSA's Access Compliance Program at 1130 K Street, Suite 101, Sacramento, California 95814 (916.322.4700).
- **DSA's 2003 California Access Compliance Reference Manual.** The purpose of this book of regulations and statutes together is to clarify the obligations for architectural accessibility in California.

6.4 General Disability Etiquette

A guide to disabilities and disability etiquette should be assembled and distributed to staff and volunteers in addition to staff training. The guide will ensure that staff and volunteers are familiar with a variety of types of disabilities and that they are sensitive to the abilities and needs of people with disabilities in order not to offend or demean them. The guide should be periodically updated to ensure that it includes current acceptable language for talking about disabilities. Some examples of disability etiquette guides:

- **The County of Long Beach**, disability etiquette publication http://www.longbeach.gov/hr/ada/disability_etiquette.asp.
- **Easter Seals Disability Etiquette website** http://www.easterseals.com/site/PageServer?pagename=ntl_etiquette.
- **City of Sacramento's Disability Etiquette Website** http://www.cityofsacramento.org/adaweb/learning_about_disabilities.htm.

6.5 Local, State, and National Organizations who Provide Disability Services and Information

Local Centers for Independent Living

Edit the following section to add local centers for independent living and other organizations who provide services to people with disabilities.

State & National Organizations Who Provide Services to People with Disabilities

- **ADA Coordinator's Toolkit**, <http://www.dbtacnorthwest.org/tools/tool-kits/ada-coordinators>.
- **Accessible Information Exchange: Meeting on a Level Playing Field (Providing Accessible Meetings)**, <http://www.ada.gov/business/accessiblemtg.htm>
- **United Cerebral Palsy of Central California**, <http://www.ccucp.org>. United Cerebral Palsy of Central California is a non-profit social service organization dedicated to serving men, women, and children with disabilities. Programs include adaptive services, assistive technology services, summer programs, life skills training, and a center for arts and technology.
- **The AT Network (Assistive Technology) local advocates**, <http://www.atnet.org/index.php?page=advocacy>. AT Advocates are community based, information and referral specialists who can assist consumers with a variety of assistive technology issues. They work at Independent Living Centers in California. AT Advocates can provide information on assistive technology, provide referrals to qualified AT professional for evaluations, assessments and training, help locate vendors, services and funding resources, make outreach and community education presentations.
- **Abledata**, <http://www.abledata.com>. The National Institute on Disability and Rehabilitation Research of the U.S. Department of Education maintains a national web-based service, which provides up-to-date links to assistive technologies and disability-related resources.
- **Disability Resources, Inc.**, <http://www.disabilityresources.org>. Disability Resources, Inc. is a national nonprofit organization that provides information about resources for independent living. DRI maintains an on-line directory of assistive technology resources.
- **CATS**, <http://www.atnet.org>. CATS is a statewide project of the California Department

of Rehabilitation that promotes access to assistive technologies, related services, and information to enable people with disabilities to be successful, independent, and productive. CATS maintain several directories on their website including assistive technology vendors and service providers for Hard of Hearing/Deaf, Learning Disabled, Mobility/Physical/Orthopedic, Speech/Language, visually impaired/Blind.

- **World Institute on Disabilities (WID) Accessibility and Assistive Technology Resource List**, <http://www.wid.org/resources/accessibility-assistive-technology/>. WID maintains a comprehensive list of accessible technology resources.
- **The Center for Accessible Technology**, <http://www.cforat.org>. CFORAT provides access to computers for people with disabilities. Their goal is for children with disabilities to succeed in school, adults with disabilities can find (and keep) jobs and all people with disabilities can use the internet, email and benefit from the digital revolution.
- **BuyAccessible Wizard**, <http://www.buyaccessible.org>. The BuyAccessible Wizard is a web-based application that guides users through a process of gathering data and providing information about Electronic and Information Technology (EIT) and section 508 compliance. This wizard helps federal government officials who acquire EIT products or services make decisions.
- **American Association of People with Disabilities Telecommunications and Technology Policy Initiative**, <http://www.aapd.com/TTPI/TTPI.html>. The American Association of People with Disabilities (AAPD), the country's largest cross-disability membership organization, organizes the disability community to be a powerful voice for change – politically, economically, and socially. The mission of the Telecommunications and Technology Policy Initiative (TTPI) is to ensure that all technology products and services are designed with disability users in mind.

6.5 Accessible Websites

Local Organizations who Provide Information about Creating & Maintaining Accessible Websites

Edit the following section to add local resources for providing accessible websites.

State & National Organizations who Provide Information about Creating & Maintaining Accessible Websites

How to tell if your web site is accessible

- **HiSoftware Services**, www.hisoftware.com. This company provides accessible software consulting.
- **Free website accessibility checker** provided by HiSoftware <http://www.cynthiasays.com>
- **IBM's Rational Policy Tester® for accessibility compliance (website accessibility checker)**, <http://www-01.ibm.com/software/awdtools/tester/policy/accessibility/>. This software helps determine the site's level of compliance with government standards.
- **Web Accessibility Initiative for Evaluating Website Accessibility**, <http://www.w3.org/WAI/eval/Overview.html>. This is a list of resources which provide general procedures and tips for evaluation in different situations, from evaluation during Web site development to ongoing monitoring of existing sites. This list is intended to supplement other content management and quality assurance procedures.
- **List of Communication and Information Technology Resources maintained by the Access Board**, <http://www.access-board.gov/links/communication.htm>

Resources for Web developers

- **Accessibility of State and Local Government Websites to People with Disabilities**, <http://www.ada.gov/websites2.htm>. Publications providing guidance on making state and local government websites accessible.
- **Rich Media Home**, <http://ncam.wgbh.org/richmedia/index.php>. A growing collection of resources for developers and users interested in ways to make rich media accessible to people with disabilities.
- **Section 508 guide for web developers**, <http://www.access-board.gov/sec508/guide/1194.22.htm>
- **Section 508 on-line accessible software development training**, <http://www.section508.gov/IRSCourse/>
- **ADA Pacific Center Website Accessibility tips**, <http://www.adapacific.org/ait/e-series/tips.htm#start>
- **Web Accessibility for Community Colleges Webcast Archive**, <http://www.adaproject.org/WebcastArchives.html>

6.6 Emergency Preparedness

Local Disability Organizations who Provide Information about Emergency Preparedness

Edit this section to add local resources for providing emergency preparedness plans.

National Resources for Emergency Preparedness Plans

- **The Access Board Emergency Evacuation Plan Checklist**, <http://www.access-board.gov/evac.htm>. An overview of these the Access Board's design requirements. Also included are links to information developed by other organizations on evacuation planning and disaster preparedness.
- National Organization Disability resources on **Emergency Preparedness for Employers and Businesses**, <http://www.nod.org/index.cfm?fuseaction=Page.viewPage&pageId=1564>
- **Prepare Now Earthquake Tips for the Hearing Impaired**, <http://www.preparenow.org/deaf.html>
- **United States Department of Labor** Emergency Preparedness for People with Disabilities, <http://www.dol.gov/odep/programs/emergency.htm>. The Office of Disability Employment Policy (ODEP) assumed a leadership role on the Interagency Coordinating Council as chair of the Subcommittee on Emergency Preparedness in the Workplace. The subcommittee has developed **Preparing the Workplace for Everyone**, a framework of guidelines for federal agencies related to including employees and visitors with disabilities in emergency plans: http://www.dol.gov/odep/pubs/ep/preparing/Workplace_Final.pdf
- **Federal Agency for Emergency Management**, <http://www.fema.gov/plan/prepare/specialplans.shtm>. This site has a helpful checklist for including individuals with special needs in evacuation plans.
- **National Center for Accessible Media** Accessible Emergency Alerts for People with Disabilities, <http://ncam.wgbh.org/alerts/>. The Access to Emergency Alerts project unites emergency alert providers, local information resources, telecommunications industry and public broadcasting representatives, and consumers in a collaborative effort to research and disseminate replicable approaches to make emergency warnings accessible.

- Recommendations from the Emergency Transportable Housing Advisory Committee on tailoring or clarifying coverage of emergency transportable housing in its facility guidelines, <http://www.access-board.gov/eth/>

6.7 Providing Accessible Facilities & Programs: Museums, Parks and Recreation, and Schools

Facilities & Programs

- **ADA Document Portal**, <http://www.adaportal.org>. The ADA document portal provides links to an ADA Collection consisting of more than 7,400 documents on a wide range of topics. The ADA Document Portal is supported by the ten ADA & IT Technical Assistance Centers.
- **DisabilityInfo.Gov**: A one-stop interagency portal for information on Federal programs, services, and resources for people with disabilities, their families, employers, service providers, and other community members.
- **Architect and Contractor Toolkit**, <http://www.dbtacnorthwest.org/tools/architect>
- **Beneficial Designs**, <http://www.beneficialdesigns.com>. Beneficial Designs works toward universal access through research, design, and education. Beneficial Designs develops assistive and adaptive technology, performs rehabilitation research, contract design, legal consultation, standards development, and serves as a rehabilitation information resource.
- **Common ADA Errors**, <http://www.ada.gov/error.htm>. This document lists a sampling of common accessibility errors or omissions that have been identified through the Department of Justice's ongoing enforcement efforts. The significance of the errors is discussed and references are provided to the requirements of the ADA Standards for Accessible Design.
- **Pacific ADA Center**, <http://www.adapacific.org/about.htm>. The purpose of the Pacific ADA Center (Pacific DBTAC) is to build a partnership between the disability and business communities and to promote full and unrestricted participation in society for persons with disabilities through education and technical assistance. The DBTAC provides information, on-line classes, problem solving assistance, and referrals for implementing the Americans with Disabilities Act and Accessible Electronic and Information Technology.

Hiring

- DBTAC Northwest's **Employer and Business ADA Compliance Tool Kit**, <http://www.dbtacnorthwest.org/tools/business>

- **Questions and Answers: Promoting Employment of Individuals with Disabilities in the Federal Workforce,**
<http://eeoc.gov/federal/qanda-employment-with-disabilities.html>
<http://www.ada.gov/votingck.htm>

Voting

- **ADA Checklist for Polling Places,** <http://www.ada.gov/votingck.htm>
- **Voting and Disability Resource List,**
www.sedbtac.org/ada/publications/voting_disability_resources.txt

Museums

- **American Association of Museums,** <http://www.aam-us.org>. Accessible exhibit design publications are available for purchase from AAM's website, including Everyone's Welcome (available in a variety of formats), which addresses museum programs and the ADA, the Accessible Museum, which offers model programs of accessibility for older people and people with disabilities, and What Museum Guides Need to Know to provide access to blind and visually impaired visitors.
- **Smithsonian Institution,** <http://www.si.edu/opa/accessibility/exdesign/start.htm>. The Accessibility Program has developed the Smithsonian Guidelines for Accessible Exhibition Design.
- **Department of Justice's Resources on Museum Accessibility,**
http://www.ada.gov/business/museum_access.htm

Parks & Recreation

- **Access Board Recreational Guidelines,** <http://www.access-board.gov/recreation/final.htm>. Final accessibility guidelines to serve as the basis for standards to be adopted by the Department of Justice for new construction and alterations of recreation facilities including amusement rides, boating facilities, fishing piers and platforms, golf courses, miniature golf, sports facilities, and swimming pools and spas:
http://www.parks.ca.gov/pages/21944/files/ca_stateparksaccessguiderev_titlepagewithdisclaimer.pdf
- **National Center on Accessibility,** <http://www.ncaonline.org>. NCA is a cooperative project between the National Park Service and Indiana University to provide information and technical assistance, primarily on recreation access. An example of the research activities of the NCA is the National Trails Surface Study. This study is primarily the result of questions that NCA has, for many years and continues to receive from organizations, agencies and individuals who desire to make their trails accessible; are interested in an unobtrusive surface that blends and is friendly to the environment; and provides a quality trail experience for people with and without disabilities. NCA also

publishes ‘What is an Accessible Trail?’ which summarizes the federal guidelines for outdoor developed areas and is available for downloading from its website. The NCA website also has information on campground accessibility, accessible picnic tables, access to beaches, and inclusion of people with disabilities in aquatic venues.

- **National Center on Physical Activity and Disability**, <http://www.ncpad.org>. The Center provides information and resources on physical activity to help people with disabilities find ways to become more active and healthier. The Center also provides information on how to provide access to fitness centers, schools, recreation facilities, camps, and health and leisure services.
- **United Cerebral Palsy’s Sports and Leisure**: http://www.ucp.org/ucp_channel.cfm/1/15. UCP’s Sports and Leisure Channel is designed for people with disabilities who are interested in sports and other leisure activities and proposes creative ideas for inclusive community recreation programs, including outdoor adventure activities for people with disabilities.
- **Paralyzed Veterans of America (PVA) Sports and Recreation Resources**, http://www.pva.org/site/PageServer?pagename=sports_main. PVA is a national advocacy organization representing veterans. PVA’s Sports and Recreation Program promotes a range of activities for people with disabilities, with special emphasis on activities that enhance lifetime health and fitness.
- **United Spinal Association list of Wheelchair Recreation, Sports & Travel in California**, <http://www.usatechguide.org/techguide.php?vmode=1&catid=402>
- **United States Association of Blind Athletes**, <http://www.usaba.org>. The United States Association of Blind Athletes enhances the lives of blind and visually impaired people by providing the opportunity for participation in sports and physical activity. More resources for the blind and visually impaired are available in the Blind/Visually impaired section below.

Schools

- **Disabilities, Opportunities, Internetworking, and Technology (DO-IT)** <http://www.washington.edu/doit>. DO-IT serves to increase the participation of individuals with disabilities in challenging academic programs and careers. It promotes the use of computer and networking technologies to increase independence, productivity, and participation in education and employment.
- **DisabilityInfo.gov online resources for Education**, <http://www.disabilityinfo.gov/digov-public/public/DisplayPage.do?parentFolderId=61>. A comprehensive list including college preparatory materials, transition issues for children with special needs in elementary, middle school, high school, and secondary education. Guidelines for Accessing Alternative Format, inclusion materials, educational technology.
- **Exceptional Parents Unlimited**, <http://www.exceptionalparents.org/advocate.html>.

Educational Advocates at Exceptional Parents Unlimited (EPU) are specially trained professionals in special education law. Each advocate is also the parent, or family member, of a child with special needs that has personal experience with their child in the educational system.

Transportation

Programs that provide transportation for their programs should provide accessible transportation as needed/requested by program participants. The City should continue to maintain its accessible transportation fleet. The City should purchase or contract lift-equipped vans or buses to transport individuals who use wheelchairs and use City-provided transportation.

- Accessible Transportation List of Resources from **Disabilityinfo.gov**, <http://www.disabilityinfo.gov/digov-public/public/DisplayPage.do?parentFolderId=126>. This list includes resources for rural transportation, transporting seniors, and much more.

6.8 Information for Specific Disabilities

Blind/Visual Impaired: Things to Know, Things to Do

Things to Know:

- The definition of legally blind is 20/200 vision with best correction. Most persons who are considered blind have some sight.
- Most persons who are blind are mobile and independent.
- While many people who are blind can use Braille, the majority of persons who are blind do not.

Things to Do:

- Introduce yourself. Identify who you are and what your job or role is. Give the person verbal information that is visually obvious to those who can see.
- Be descriptive when giving directions. For instance, saying, "Over there," has little meaning to someone who cannot see you point. Instead, saying, "Four doors after turning right from the elevator," would be much more helpful.
- Always ask someone if they need your assistance and how you can assist them. Lead someone who is blind only after they have accepted your offer to do so. Allow them to hold your arm rather than you holding theirs. It is important that they control their own movements.

- Many techniques are used as tools for independence. Some persons who are blind use a "clock" reference for things directly in front of them such as a meal. For example, something could be positioned at three o'clock (to their right) or six o'clock (directly in front and close). Before using this technique, ask the person if this is useful. Remember to describe things from their perspective, not yours.

Alternative Formats: Braille, Large Print, OCR, Audio

Braille Services

The following individuals provide Braille printing services:

- **Patty Nash**, pattynash@sbcglobal.net, 1715 Central Ave, #17 in Alameda. Phone: (510) 521-2042.
- **Lynne Laird**, andlyn@sbcglobal.net, 2909 Forest Ave. Berkeley, CA 94705-1310. (510) 845-5858.

Large Print

A copy machine capable of enlarging printed materials should be available for staff. It is often easier to obtain an electronic copy of a document and enlarge the font than to use a photocopier to make the font larger.

- **Guidelines for large print for people with low vision:**
<http://www.aph.org/edresearch/lpguide.htm>
- **Large Print Reviews**, <http://www.largeprintreviews.com>. Presenting reviews of large print books, audiobook reviews, low vision software evaluations, and other items of interest to individuals with low vision. Including articles on eye health, eye diseases and disorders, accessibility issues, literature, products for the blind and visually impaired, plus travel articles and travel tips.

Optical Character Recognition (OCR) Systems

Optical character recognition (OCR) systems provide persons who are blind or visually impaired with the capacity to scan printed text and then have it spoken in synthetic speech or saved to a computer file.

- **American Foundation for the Blind list of OCR products**,
<http://www.afb.org/ProdBrowseCatResults.asp?CatID=38>

Audio

If a request is made for a document to be transferred onto an audiotape, the following company provides this service.

*Edit this section to add a list of local organizations
who provide audio transcription services.*

Local Resources for the Blind/Visually Impaired

*Edit this section to add local resources for providing to persons who are blind or
and visually impaired.*

State & National Organizations who Provide Blind Services

- **Braille Institute Universal Media Services**, <http://www.brailleinstitute.org/>
The Braille Institute is the largest and main resource for transcribing documents to Braille in California. The Institute provides an environment for people who are blind and visually impaired through integrated educational, social and recreational programs and services. They provide assistance at 5 of their regional centers in Southern California through more than 350 community outreach locations.
- **Lighthouse for the Blind and Visually Impaired**, <http://www.lighthouse-sf.org>. The LightHouse is the largest agency providing direct service, advocacy and information to the blind and visually impaired community of Northern California. Since 1902, they have offered solutions to living with vision loss.
- **State of California Office of Special Services to the Blind:**
<http://www.cdss.ca.gov/cdssweb/PG83.htm>. Under the Office for Special Services, the Office of Services to the Blind (OSB) provides information and referral on services, programs, entitlements, and products of benefit to individuals who are blind or visually impaired and their families or service providers. OSB staff assists such individuals in understanding the availability of services, their eligibility for services, and the purpose and scope of the various service programs.
- **Lighthouse International**, <http://www.lighthouse.org>. Founded in 1905, Lighthouse International is a non-profit organization whose goal is to prevent the disability associated with vision loss and to enhance the daily lives of people with visual

impairments at any age. New York Lighthouse Vision Rehabilitation Services is a major provider of vision rehabilitation services in New York State. Other activities of Lighthouse International include professional education, research, prevention, and advocacy. In partnership with the Royal National Institute for the Blind, it built VisionConnection, a global Internet portal for people who are partially sighted or blind. It sells products for consumers through the Lighthouse Store, and to professionals through its Professional Products Division, also known as the Low Vision SuperStore.

- **American Foundation for the Blind**, <http://www.afb.org>. The American Foundation for the Blind is committed to improving accessibility in all aspects of life—from cell phones to ATMs, on web sites and in workplaces. Services include assistance in making products and services accessible to people with visual impairments. AFB offers expert consulting services and accessible media production. AFB provides objective product evaluations of adaptive technologies through its assistive technology product database. Local assistance is available through the American Foundation for the Blind-West, 44 Montgomery Street, Suite 1305, San Francisco, CA 94040 (415.392.4845) or by email at sanfran@afb.net
- **National Federation of the Blind**, <http://www.nfb.org>. NFB is a national organization advocating on behalf of persons who are blind or have low vision. NFB provided on-line resources for technology for the blind, including a technology resource list, a computer resource list, screen access technology, sources of large print software for computers, and sources of closed circuit TV (CCTV's).
- **Abledata**, <http://www.abledata.com>. The National Institute on Disability and Rehabilitation Research of the U.S. Department of Education maintains a national web-based service, which provides up-to-date links to assistive technologies and disability-related resources. Abledata maintains a comprehensive section on blind and low-vision resources.
- **United States Association of Blind Athletes**, <http://www.usaba.org>. The United States Association of Blind Athletes enhances the lives of blind and visually impaired people by providing the opportunity for participation in sports and physical activity.
- **National Center for Accessible Media**, <http://ncam.wgbh.org/index.html> is a research and development facility dedicated to the issues of media and information technology for people with disabilities in their homes, schools, workplaces, and communities.
- **National Network of ADA Centers** article on screen readers, <http://www.accessibletech.org/articles/webinfo/screenReaders.html>

Deaf/Hard of Hearing: Things to Know, Things to Do

Things to Know:

- Most persons who are deaf or hard-of-hearing have some hearing.
- Sign language is not another form of English. It is a language with its own grammar, context and rules.
- Lip-reading, while helpful without sound clues, is only about 30% effective.
- Long conversations with persons who lip-read can be very fatiguing.
- Not all persons who are deaf use sign language, read or write.
- Not all persons who are deaf speak or lip-read.

Things to Do:

- Determine how the person prefers to communicate.
- If the person uses an interpreter, address the person directly, not the interpreter.
- If the person reads lips, speak in a normal not exaggerated way. Short, simple sentences are best.
- If the person reads lips, avoid blocking their view of your face. Make sure the lighting is good.
- Gain their attention before starting a conversation.
- If there is any doubt that you have been misunderstood, ask if they understand you.
- Be aware of situations where a person may be waiting for assistance (i.e., transportation, a table, the start of an activity), where the common method of communication is by announcement or the calling of the person's name. Develop an alternative method for notifying the deaf and/or hard-of-hearing person.

How to Communicate with Deaf People: Relay services, Interpreters, Captioning, Assistive Listening Devices

City Programs should have access to a text telephone or have access to a telephone transfer service such as the California Relay Service or 711, as required by the law and offered by public telephone companies.

- **California Relay Service (CRS) or 711**, http://www.ddtp.org/california_relay_service/. The CRS provides specially-trained operators to relay telephone conversations back and forth between people who are deaf, hard of hearing, or speech-disabled and all those they wish to communicate with by telephone.
- **Hands On Video Relay Service**, Hearing callers (877) 467-4877 English or (877) 467-4875 Espanol.
- **Sorenson Video Relay**, <http://www.sorensonvrs.com/> or call toll free at (866) 327-8877. Have the contact information of the deaf or hard-of-hearing individual (i.e. name, videophone number, or IP address) ready. You must remain on hold until the call is answered by the next available interpreter.
- **Sprint Video Relay Service**, http://www.sprintvrs.com/returning_user.cfm or (866) 410-5787.
- **U.S. Access Board Guidelines on accessibility, usability, and compatibility of telecommunications**, <http://www.access-board.gov/telecomm/telecom.pdf>
- **TDI**, <http://www.tdi-online.org>, TDI's (formerly known as Telecommunications for the Deaf, Inc.) mission is to promote equal access in telecommunications and media for people who are deaf, hard of hearing, late deafened, or deaf blind. TDI's on-line resources include information about telecommunications access such a TTY, pagers, telephony, VoIP, and more.
- **National Network of ADA Centers** article on accessing relay services:
<http://www.accessibletech.org/articles/telecom/relayServices.html>
- **National Network of ADA Centers** article on captioning:
<http://www.accessibletech.org/articles/multimedia/audioDescriptionStandard.html>

ASL Interpreters

A pool of on-call American Sign Language interpreters should be developed. This list should be routinely updated to ensure their availability. Some programs may need to have a pool of interpreters who are available on a twenty-four-hour basis to handle emergency procedures.

The required qualifications of these interpreters should be established. Many non-certified interpreters provided by local services may have excellent skills and be qualified to handle most circumstances. However, certain circumstances, such as the provision of emergency

medical services, may require interpreters who are approved by the courts and can ensure a level of confidentiality.

Certified American Sign Language Interpreters are available by contacting any of the following agencies:

Edit this section to add a list of local of sign-language interpreters.

You may want to contact each agency in advance of a need for services to determine their rates so that you are prepared to cover the communication expenses, should the need arise.

You should always request RID certified interpreters. Only in the event that certified interpreters are unavailable should you rely on non-certified interpreters.

Individuals who are hard of hearing generally do not use ASL interpreters. Always ask the individual requesting an accommodation what type of accommodation works best for them. Determining what accommodation(s) will be provided is an interactive process. Depending on the situation, accommodating an individual who is hard of hearing may include note writing, use of assistive listening devices, and/or provision of Computer Assisted Real-Time (CART) captioning.

In some cases, video remote sign language interpreting may be appropriate. In court, medical, and for large public meetings this service may not be appropriate. There are some circumstances where interpreting can be on using web cameras. This service provides flexibility and also costs less than live interpreting.

Captioning

All audiovisual presentations such as videos and broadcasts of meetings must be closed captioned. To the extent practical, City Departments should have access to a device for encoding closed captioning on films and videotapes used for training and other programs.

Edit this section to add a list of local of local captioning providers.

- **List of captioning resources from AT Network** including both California-based and remote captioning services, <http://www.atnet.org/index.php?page=captioning-services-2>
- **Advocacy for Captioning**, <http://www.captions.org>

Computer Assisted Real-Time (CART)

Computer Assisted Real-Time (CART) captioning is available by contacting any of the following individual providers:

Edit this section to add a list of local CART providers.

Assistive Listening Systems & Devices

Systems and devices to amplify sound for persons with hearing disabilities should be available for public meetings and events. Various technologies exist for these devices. Different types of devices are more suitable for different types of hearing disabilities. Devices should be chosen to accommodate the greatest number of individuals.

- **US Access Board's Assistive Listening Systems Technical Bulletins**, <http://www.access-board.gov/adaag/about/bulletins/als-a.htm>
- **American Speech-Language-hearing Association page on Assistive Listening Devices**, http://www.asha.org/public/hearing/treatment/assist_tech.htm
- **The California Telephone Access Program (CTAP)**, <http://www.ddtp.org/>. The California Telephone Access Program (CTAP) distributes telecommunications equipment and services to individuals certified as having difficulty using the telephone. CTAP is a California State mandated program, under governance of the California Public Utilities Commission (CPUC). Equipment and some network services are available at no charge to eligible consumers.

Local Organizations who Provide Deaf Services

Edit this section to add a list of local organizations who provide services to the deaf and hard of hearing.

State & National Organizations who Provide Deaf Services

- **Deaf Counseling Advocacy and referral Agency (DCARA)**, <http://www.dcara.org>. DCARA provide a variety of services, which include: Advocacy, Peer Counseling, Communication Access, Independent Living Skills, Employment Assistance, Information and Referral, and Community Education.
- **Hearing and Speech Center of Northern California**, www.hearingspeech.org
- **State of California Office for Deaf Access**, <http://www.cdss.ca.gov/cdssweb/PG145.htm>. The ODA has two primary purposes. First, it acts as a liaison between the California Department of Social Services (CDSS)

Director's Office and the deaf community, various programs, agencies, and other organizations concerned with deafness or hearing loss. Second, the ODA provides contract administration and program oversight of CDSS' contracts with a network of eight, private, non-profit agencies that provide a variety of DAP services to California's deaf, deaf-blind, hard of hearing and late-deafened populations.

- **National Association of the Deaf**, <http://www.nad.org/>. NAD is a national consumer organization representing people who are deaf and hard of hearing. NAD provides information about standards for American Sign Language Interpreters and the Captioned Media Program on its website.

Deaf/Blind (Both Deaf and Blind): Things to Know, Things to Do

Things to Know:

- Many people who are deaf and blind became so later in life. Many deaf/blind people have some vision and/or some hearing. People who were deaf and became blind later in life may prefer finger spelling and sign, but people who were blind first may not know any sign language.
- There are many different ways to communicate with deaf/blind people. Be flexible and patient. Communication with deaf/blind people can take a long time.
- Plan things in advance so the deaf/blind individual knows what to expect and can plan accordingly. Try not to make last minute changes. If for any reason plans must change, explain the situation.
- Tunnel or other kinds of partial vision can be confusing to the deaf/blind. If a deaf/blind person has some vision, it may be more confusing than useful at times.

Things to Do:

- Treat a person who is deaf-blind as you would treat anyone else. Always be natural – never patronizing in your words and your actions.
- Offer your arm when walking with a person who is deaf-blind. Do not push him or her ahead of you; let them hold your arm, just below the elbow.
- Address a person who is deaf-blind directly, not through someone else. Speak by forming the letters of the manual alphabet distinctly while he or she holds one hand lightly over yours to feel the position of your fingers. Be careful to move the fingers directly from the position of one letter to the next and pause slightly between words. If you or the person who is deaf-blind are unfamiliar with the manual alphabet, you can print capital letters in their palm. Be sure to pause between words.

- Let the person who is deaf/blind know when you enter or leave the room. Always communicate who you are.
- Use the words “see” and “hear” or “blind” naturally, without hesitation if your conversation calls for them.
- Personal items such as wallets, purses and keys should not be touched unless you are asked. A deaf-blind person can handle money, pay the check, open doors etc. Do not move a coat, cane etc. without first telling the deaf/blind person.
- Guide his hand to objects by leading with yours. Let his hand rest lightly on the back of your hand as you move it slowly towards what you want to touch. When you make contact, slowly slip your hand out from underneath. This works for objects you want to show him for whatever reason. It might be just so he can explore it, or it might be a handrail on the stairs, or even a drink or snack.
- Let the deaf/blind person think for herself. Give as much information as possible, then let the deaf/blind person make the decisions for herself.
- Allow time for a deaf/blind person to answer a question. A pause of a few seconds may well mean she is considering, not that she has no idea.

Accessible/Adaptive Equipment for the Deaf/Blind: Adaptive TTY

- **Adaptive TTY,**
http://en.wikipedia.org/wiki/Telecommunications_Relay_Service#DeafBlind_variation

Local Organizations who Provide Deaf/Blind Services

Edit this section to add a list of local of organization who provide services for the deaf/blind community.

State & National Organizations who Provide Deaf/Blind Services

- **Frequently asked questions about deaf/blindness,** <http://www.deafblindinfo.org/start/faq>
- **A to Z Deafblind,** <http://www.deafblind.com>
- **Center for the Deaf Blind,** www.deaf-blind.org
- **Guidelines for Working/Playing with Deaf-Blind People,** <http://dss.jsu.edu/db.htm>

Physical Disability/Mobility Impairment: Things to Know, Things to Do

Things to Know:

- There are many reasons (not just paralysis) why someone uses a wheelchair or has mobility impairment.
- There is a wide range of physical abilities among those who use wheelchairs. Persons using them may require different degrees of assistance or no assistance at all.
- Some persons do not use wheelchairs exclusively, but may use canes, leg braces, and in some cases, no assistive devices at all for short periods.
- Some people with mobility impairments have a hidden mobility disability, such as a person with heart disease who can not walk very far.

Things to Do:

- If you are requested to fold, carry or store a wheelchair, treat it with care. They can break, and are difficult to repair on short notice. It is extremely disruptive to the user if their wheelchair is unavailable.
- When speaking to someone who uses a wheelchair, give the person a comfortable viewing angle of your face. Having to look straight up is not a comfortable viewing angle.
- Make sure all wheelchair-accessible routes have good signage. The signs should be placed low enough so that a wheelchair user can see them. If construction temporarily changes an accessible path of travel, make sure that this new route is well signed.
- Always ask before offering help.

Auxiliary Aids/Assistive Devices for People with Mobility Impairments

The following Assistive Devices may be useful for provide customer services to people who use wheelchairs.

- Staff can provide a pen and clipboard and pen for completing forms is a desk.

- Flexible lighting to accommodate a person who is sitting or standing at the counter.
- A reacher or grabber to extend a person's reach, such as <http://www.reliefdepot.com/store/product.php?productid=270>
- Accessible electronic equipment such as a laptop.
- Chairs with arm rests or higher seats may be easier to use for people with limited mobility.

Local Organizations who Provide Services for People in Wheelchair & People with Mobility Impairments

Edit this section to add a list of local organizations who provide services to people with mobility impairments.

State & National Organizations who Provide Services for People in Wheelchair & People with Mobility Impairments

- **ADA Document Portal**, <http://www.adaportal.org>, provides links to an ADA Collection consisting of more than 7,400 documents on a wide range of topics. The ADA Document Portal is supported by the ten ADA & IT Technical Assistance Centers.
- **DisabilityInfo.Gov**: A one-stop interagency portal for information on Federal programs, services, and resources for people with disabilities, their families, employers, service providers, and other community members.
- **Beneficial Designs**, <http://www.beneficialdesigns.com>. Beneficial Designs works toward universal access through research, design, and education. Beneficial Designs develops assistive and adaptive technology, performs rehabilitation research, contract design, legal consultation, standards development, and serves as a rehabilitation information resource.
- **Common ADA Errors**, <http://www.ada.gov/error.htm>. This document lists a sampling of common accessibility errors or omissions that have been identified through the Department of Justice's ongoing enforcement efforts. The significance of the errors is discussed and references are provided to the requirements of the ADA Standards for Accessible Design.

Psychiatric Disabilities: Things to Know, Things to Do

Things to Know:

- People who have psychiatric disabilities have varying personalities and different ways of coping with their disability. Some may have trouble picking up on social cues; others may be supersensitive. One person may be very high energy, while someone else may appear sluggish. Treat each person as an individual. Ask what will make them most comfortable and respect their needs to the maximum extent possible.
- People with psychiatric disabilities may at times have difficulty with daily life activities. Their disorder may interfere with their ability to feel, think or relate to others. Most people with psychiatric disabilities are not violent. One of the main obstacles they face is the attitudes that people have about them. Because it is a hidden disability, chances are you will not even realize that the person has a mental health condition.
- A person with a brain injury may have poor impulse control. The person may make inappropriate comments and may not understand social cues or “get” indications that she has offended someone. In frustration to be understood, or to get ideas across, a person with a psychiatric disability may seem pushy. All of these behaviors arise as a result of the injury.
- Remember that the person is an adult and, unless you are informed otherwise, can make their own decisions.

Things to Do:

- Provide a direct line that bypasses a phone tree if a person has trouble handling phone menus. For some people, using a phone menu is a challenging task.
- It may be easier for the person to function in a quiet environment without distractions, such as a radio playing, people moving around or loudly patterned curtains.
- A person with a brain injury may have poor impulse control. The person may make inappropriate comments and may not understand social cues or “get” indications that she has offended someone. In a frustration to understood, or to get own ideas across, they may seem pushy.
- Gauge the pace, complexity, and vocabulary of your speech according to theirs. Do not use baby talk or talk down to people who have psychiatric disabilities.
- In a crisis, stay calm and be supportive as you would with anyone. Ask how you can help, and find out if there is a support person who can be sent for. If appropriate, you might ask if the person has medication that he needs to take.

- Remember that the person is an adult and, unless you are informed otherwise, can make their own decisions.
- People with psychiatric disabilities may be anxious to please and always give you the answer they think you want to hear. Questions should be phrased in a neutral way to elicit accurate information. Verify responses by repeating each question in a different way.
- Try to keep the pressure of the situation to a minimum.
- It may be easier for the person to function in a quiet environment without distractions, such as a radio playing, people moving around or loudly patterned curtains.
- People with psychiatric disabilities may be anxious to please and always give you the answer they think you want to hear. Questions should be phrased in a neutral way to elicit accurate information. Verify responses by repeating each question in a different way.

Local Organizations who Provide Information about Psychiatric Disabilities

Edit this section to add a list of local organizations who provide services to people with psychiatric disabilities.

State & National Organizations who Provide Information about Psychiatric Disabilities

- **National Alliance on Mental Illness (NAMI)**, <http://www.nami.org>. For three decades, NAMI has established itself as the most formidable grassroots mental health advocacy organization in the country. Dedication, steadfast commitment and unceasing belief in NAMI's mission by grassroots advocates have produced profound changes. NAMI's greatest strength is the dedication of their grassroots leaders and members. NAMI promotes awareness, support, and advocacy for the mentally ill and their families.
- **Internet Mental Health**, <http://www.mentalhealth.com>. This site is a free encyclopedia of mental health information created by a Canadian psychiatrist. The site provides current information about mental illness, State-of-the-art, interactive psychiatric tools. Internet Mental Health does not accept any corporate sponsors.

Developmental Disabilities: Things to Know, Things to Do

Things to Know:

- People who have developmental disabilities have varying personalities and different ways of coping with their disability. Some may have trouble picking up on social cues; others may be supersensitive. One person may be very high energy, while someone else may appear sluggish. Treat each person as an individual. Ask what will make him most comfortable and respect his needs to the maximum extent possible.
- People with developmental disabilities may at times have difficulty with daily life activities. Their disorder may interfere with their ability to feel, think or relate to others.
- A person with a brain injury may have poor impulse control. The person may make inappropriate comments and may not understand social cues or “get” indications that she has offended someone. In her frustration to understand, or to get her own ideas across, she may seem pushy. All of these behaviors arise as a result of the injury.
- Remember that the person is an adult and, unless you are informed otherwise, can make their own decisions.

Things to Do:

- Provide a direct line that bypasses a phone tree if a person has trouble handling phone menus. For some people, using a phone menu is a challenging task.
- People with learning disabilities have a different way of learning. They may require more time or alternative formats to be able to understand new things.
- Ask what will make him most comfortable and respect his needs to the maximum extent possible. People who have developmental disabilities have varying personalities and different ways of coping with their disability. Some may have trouble picking up on social cues; others may be supersensitive. One person may be very high energy, while someone else may appear sluggish. Treat each person as an individual.
- Speak to a person with a developmental disability in clear sentences, using simple words and concrete—rather than abstract—concepts. Break down complex questions into smaller parts.
- Gauge the pace, complexity, and vocabulary of your speech according to theirs. Do not use baby talk or talk down to people who have developmental disabilities.
- In a crisis, stay calm and be supportive as you would with anyone. Ask how you can help, and find out if there is a support person who can be sent for.

- Remember that the person is an adult and, unless you are informed otherwise, can make their own decisions.
- People with developmental disabilities may be anxious to please and always give you the answer they think you want to hear. Questions should be phrased in a neutral way to elicit accurate information. Verify responses by repeating each question in a different way.
- Stress can affect the person's ability to function. Try to keep the pressure of the situation to a minimum.
- It may be easier for the person to function in a quiet environment without distractions, such as a radio playing, people moving around or loudly patterned curtains.
- Provide clear signs with pictograms. These can help a person who has developmental disabilities to find their way around a facility.

Local Organizations who Provide Information about Developmental Disabilities

Edit this section to add a list of local organizations who provide services to people with developmental disabilities.

State & National Organizations who Provide Information about Developmental Disabilities

- **Area VIII Developmental Disabilities Board,** <http://www.scdd.ca.gov/>. The State Council on Developmental Disabilities.
- **California Department of Developmental Services,** <http://dds.ca.gov>. The California Department of Developmental Services is the agency through which the State of California provides services and supports to individuals with developmental disabilities.
- **State Council on Developmental Disabilities,** <http://www.scdd.ca.gov>. The State Council on Developmental Disabilities (SCDD) is established by state and federal law as an independent state agency to ensure that people with developmental disabilities and their families receive the services and supports they need.
- **The Arc,** <http://www.thearc.org/NetCommunity/Page.aspx?pid=183>. The Arc (formerly Association for Retarded Citizens of the United States) is the country's largest voluntary organization committed to the welfare of all children and adults with mental retardation and their families.

Learning Disabilities: Things to Know, Things to Do

Things to Know:

- People with learning disabilities have a different way of learning. They may require more time or alternative formats to be able to understand new things.

Things to Do:

- People with dyslexia or other reading disabilities have trouble reading written information. Give them verbal explanations and allow extra time for reading.
- It may be easier for the person to function in a quiet environment without distractions, such as a radio playing, people moving around or loudly patterned curtains.
- Ask the person how you can best relay information. Be direct in your communication. A person with a learning disability may have trouble grasping subtleties.

Local Organizations who Provide Information about Learning Disabilities

Edit this section to add a list of local organizations who provide services to people with learning disabilities.

State & National Organizations who Provide Information about Learning Disabilities

- **Recording for the Blind & Dyslexic (RFB&D)**, <http://www.rfbd.org>. Recording for the Blind & Dyslexic® (RFB&D), a national nonprofit, volunteer organization, has been the leading accessible audiobook library for students with disabilities such as visual impairment or dyslexia that make reading standard print difficult or impossible for the last 60 years. With titles available in every subject area and grade level, RFB&D's digitally recorded audio textbooks on CD and downloadable audio textbooks help students challenged by the printed page.
- **The Braille and Talking Book Library**, <http://www.library.ca.gov/services/btbl.html>. Blind and visually disable people may borrow recreational reading materials and magazines on cassette, digital cartridge, and Braille provided by the Library of Congress National Library Service for the Blind and Physically Handicapped (NLS) network. The book collection contains thousands of fiction and nonfiction titles, including classics, biographies, romances, mysteries, westerns, science fiction, cookbooks, politics, history, and self-help guides.

Speech Impairments: Things to Know, Things to Do

Things to Know:

- Speech impairments can be caused by a variety of conditions.
- Speech impairments may be a single condition, or may be part of other impairments. For example, some disorders only affect the sound of the voice. Other disorders are part of a more complex condition, such as cerebral palsy.
- Most people with speech disorders understand everything that is said to them.

Things to Do:

- Give the person your full attention. Do not interrupt or finish the person's sentences. If you have trouble understanding, don't nod or pretend to understand. Just ask him to repeat. In most cases the person won't mind and will appreciate your effort to hear what he has to say.
- If you are not sure whether you have understood, you can repeat for verification.
- Move your conversation to a quieter environment.
- After trying, you still cannot understand the person, ask him to write it down or to suggest another way of facilitating communication or dial 711 and for the California Relay System for the hearing and speech impaired.
- It may be easier for the person to function in a quiet environment without distractions, such as a radio playing, people moving around or loudly patterned curtains.
- Ask the person how you can best relay information. Be direct in your communication. A person with a learning disability may have trouble grasping subtleties.
- If you are not sure that the person understands you, ask if they would like you to write down what you were saying.
- Provide a direct line that bypasses an operator in case the person needs to call.

Local Organizations who Provide Information about Speech Impairments

Edit this section to add a list of local organizations who provide services to people with Speech Impairments.

State & National Organizations who Provide Information about Speech Impairments

- **American Speech-Language-Hearing Association (ASHA)**, <http://www.asha.org/default.htm>. ASHA) is the professional, scientific, and credentialing association for 135,000 members and affiliates who are audiologists, speech-language pathologists, and speech, language, and hearing scientists.

Multiple Chemical Sensitivity: Things to Know, Things to Do

Multiple Chemical Sensitivity is an unusually severe sensitivity or allergy-like reaction to many different kinds of pollutants including solvents, VOC's (Volatile Organic Compounds), perfumes, petrol, diesel, smoke, "chemicals" in general and often encompasses problems with regard to pollen, house dust mites, and pet fur & dander. The problem is ongoing, and not a one-time event. A person with MCS patient is affected by many different triggers.

Things to Know:

- A person with MCS may need to wear a mask in order to protect themselves from perfumes, smoke, and other substances that are generally not a problem for most people, but are for that individual.
- People with MCS may have many different triggers. Some scents may harm some persons with MCS, but not others.

Things to Do:

- Open a window, or allow the person with MCS to sit next to an open window.
- Accommodate the individual by phone if possible so they can avoid exposure to scents.
- Avoid the use of air fresheners, scented cleaning products. Avoid wearing any perfumes or other fragranced products such as laundry detergent, fabric softeners, hair care products, lotions, aftershave, deodorants.
- Provide advance notice of building events such as new construction, remodeling, roofing, pesticide applications, floor waxing, carpet shampooing and similar activities with

provisions for alternative workspace as necessary. Post signs at all entrances and exits to notify building occupants of upcoming or recent activities.

- Keep the ventilation system functioning at optimum performance and free of contaminants. Install and maintain separate exhaust systems to remove fumes from restrooms, cooking areas and copy rooms.
- Eliminate or minimize the use of carpeting. If carpeting and carpet adhesives are used, select the least toxic products with low or no Volatile Organic Compound's (VOC's) and air well prior to installation. Avoid flooring materials that require frequent stripping and waxing. Select the least toxic/allergenic/unscented building materials, furnishings and supplies. Materials should have no or low VOCs including formaldehyde.

Local Organizations who Provide Information about Multiple Chemical Sensitivity

Edit this section to add a list of local organizations who provide services to people with multiple chemical sensitivity.

State & National Organizations who Information about Multiple Chemical Sensitivity

- **Job Accommodation Network Employees with Multiple Chemical Sensitivity and Environmental Illness**, <http://www.jan.wvu.edu/media/MCS.html>
- **Understanding & Accommodating People with Multiple Chemical Sensitivity**, <http://www.ilru.org/html/publications/bookshelf/MCS.html>
- **The Environmental Illness Resource**, <http://www.ei-resource.org>
- **Environmental Health Network**, <http://ehnca.org/>
- **Multiple Chemical Sensitivity Referral and Resources**, <http://www.mcsrr.org/>
- **Creating an Accessible Indoor Environment**, <http://missourikidshealthcoalition.wetpaint.com/page/Attachment+to+Mary+Lamielle%27s+Letter>. A helpful letter with details on maintaining an indoor environment.

6.9 Funding for Projects

- **CalTrans** has published a transportation funding guidebook in August 2008 titled “**State and Federal Funds Available for Local Agency Projects**”, <http://www.dot.ca.gov/hq/LocalPrograms/lam/lagb.htm>. This document provides concise, high-level overviews of several Federal and State transportation funding programs available to local agencies. Each program description contains key facts about eligibility, project selection, significant dates, references, sources for assistance and other essential information.

Appendix A - Accessibility Definitions

The following is a summary of many definitions found in the ADA and ADAAG. Please refer to the Americans with Disabilities Act of 1990, the Title II Technical Assistance Manual, and the ADA Accessibility Guidelines for Buildings and Facilities (ADAAG) as amended through September 2002 for the full text of definitions and explanations.

Accessible Route

An *accessible route* is a continuous unobstructed path that connects all accessible elements and spaces of a building or facility and that complies with Chapter 4 of ADAAG. Interior accessible routes may include corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures. Exterior accessible routes may include parking access aisles, curb ramps, crosswalks at vehicular ways, walks, ramps, and lifts.

ADA

Acronym for the Americans with Disabilities Act.

Adaptive/Auxiliary Aids and Services

The term *auxiliary aids and services* includes:

- Qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments;
- Qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments;
- Acquisition or modification of equipment or devices; and
- Other similar services and actions.

ASL

American Sign Language. Manual (hand) language with its own syntax and grammar used primarily by people who are deaf.

Complaint

A *complaint* is a claimed violation of the ADA.

Curb Ramp

A *curb ramp* is a short ramp cutting through a curb or built up to it.

Detectable Warning

Detectable warnings are standardized surface features built in or applied to walking surfaces or other elements to warn individuals with visual impairments of hazards on a circulation path.

Disability

The term *disability* means, with respect to an individual:

- A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- A record of such impairment; or
- Being regarded as having such impairment.

A. Qualified Individual with a Disability

A *qualified individual with a disability* means an individual with a disability who, with or without reasonable modification to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.

B. Regarded as Having a Disability

An individual is disabled if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

Discrimination on the Basis of Disability

Discrimination on the basis of disability means to:

- Limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability;
- Limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability;
- Participate in a contract that could subject a citizen with a disability to discrimination;
- Use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability;
- Fail to make reasonable modifications to accommodate known physical or mental limitations of an otherwise qualified individual with a disability unless it can be shown that the modification would impose an undue burden on the City's operations;
- Use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public; and
- Fail to use tests in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.

Having a Record of Impairment

An individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity; or has been diagnosed, correctly or incorrectly, as having such impairment.

Hearing Impairment

Partial or total deafness.

Learning disabilities

Any form of physical or mental disability that delays development or acquisition of knowledge.

Marked Crossing

A *marked crossing* is a crosswalk or other identified path intended for pedestrian use in crossing a vehicular way.

Mobility disabilities/mobility impairment

A condition limiting physical ability; generally considered to include lack of a limb or loss of limb use due to disease, amputation, paralysis, injury, or developmental condition; or limitation of movement due to cardiovascular or other disease.

Physical or Mental Impairments

Physical or mental impairments may include, but are not limited to: vision, speech, and hearing impairments; emotional disturbance and mental illness; seizure disorders; mental retardation; orthopedic and neuromotor disabilities; learning disabilities; diabetes; heart disease; nervous conditions; cancer; asthma; hepatitis B; HIV infection (HIV condition); and drug abuse if the drug user has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

The following conditions are not physical or mental impairments: transvestitism; transexualism; current illegal drug use; homosexuality or bisexuality; compulsive gambling; kleptomania; pyromania; pedophilia; exhibitionism; voyeurism; pregnancy; height; weight; eye color; hair color; left-handedness; poverty; lack of education; a prison record; and poor judgment or quick temper that are not symptoms of a mental or physiological disorder.

Program Accessibility

A public entity's services, programs, or activities, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities. This standard, known as *program accessibility*, applies to all existing City facilities.

Reasonable Modification

If individuals' disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether *reasonable modification* would enable these individuals to perform the essential functions of the program or activity.

Reasonable modification is any change in program or activity or in the way things are customarily done that enables an individual with a disability to enjoy equal program opportunities. Modifications may mean adjustments:

- To a registration or application process to enable an individual with a disability to be considered for the program or activity; and
- That enable individuals with disabilities to enjoy equally the benefits of the program or activity as other similarly situated individuals without disabilities enjoy.

Modification includes making existing facilities and equipment used by individuals readily accessible and usable by individuals with disabilities.

Modification applies to:

- All decisions and to the application or registration process;
- All services provided in connection with the program or activity; and
- Known disabilities only.

Modification is not required if:

- It changes the essential nature of a program or activity;
- It creates a hazardous situation; or
- It poses an undue burden.

Service Animal

The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government. Service animals perform some of the functions and tasks that the individual with a disability cannot perform for him or herself. Some of the typical uses of service animals are:

- Guiding persons with visual impairments;
- Alerting persons with hearing impairments to sounds;
- Pulling wheelchairs or carrying and picking up things for persons with mobility impairments; or
- Assisting persons with mobility impairments to maintain their balance.

Although a number of states have programs to certify service animals, agencies or businesses may not insist on proof of state certification before permitting the service animal to accompany the person with a disability.

SETP

Acronym for Self-Evaluation and Transition Plan.

Substantial Limitation of Major Life Activities

An individual is disabled if she or he has a physical or mental impairment that:

- Renders her or him unable to perform a major life activity, or

- Substantially limits the condition, manner, or duration under which she or he can perform a particular major life activity in comparison to other people.

Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

In determining whether a physical or mental impairment *substantially limits* the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered:

- The nature and severity of the impairment;
- The duration or expected duration of the impairment; and
- The permanent or long-term impact (or expected impact) of or resulting from the impairment.

TDD

A Telecommunication Device for the Deaf allows a person to transmit typed messages over the phone lines to another person with a TDD. Most TDD's include a keyboard for typing messages to send and a display and/or printer to receive messages.

TTY

TTY stands for Text Telephone and is a registered trademark for a specific kind of TDD.

Appendix B - Program Accessibility Questionnaire for Program Providers

Insert sample Program Accessibility Questionnaire.

Appendix C - Standard Construction Details for Sidewalks and Curb Ramps

Insert sample Curb Ramp construction details

Appendix D - Facility Reports

Insert facility and pedestrian right-of-way evaluations.

**Appendix E - Copies of Completed Programs, Services, and Activities
Surveys**

Insert completed Program Accessibility Questionnaires.

OPERATIONAL BEST PRACTICES
Respirable Crystalline Silica Program

SUMMARY: In October 2016, Cal/OSHA adopted a new respirable crystalline silica regulation which became effective on June 23, 2018. This new standard requires that all employers that have activities that generate silica dust on a worksite implement a written Respirable Crystalline Silica Program. Staff has reviewed, as a member of LAWCX, has reviewed the Respirable Crystalline Silica Program template and is recommending that it be adopted as a Best Practice Program.

RECOMMENDATION: Approve, recommend Board adopt.

DISCUSSION: Crystalline silica is a common mineral that is found in materials such as stone, artificial stone, and sand. When workers cut, grind, or drill materials that contain crystalline silica, or use industrial sand, they can be exposed to very small silica dust particles. These tiny particles (known as “respirable” particles) can travel deep into workers’ lungs and cause silicosis, an incurable and sometimes deadly lung disease. Respirable crystalline silica also causes lung cancer, other potentially debilitating respiratory diseases such as chronic obstructive pulmonary disease, and kidney disease. In most cases, these diseases occur after years of exposure to respirable crystalline silica.

Examples of how employees can be exposed to silica include:

- Cutting, chipping, grinding, and drilling concrete or masonry (creating airborne silica dust)
- Creating dust containing silica by sweeping, shoveling, cleaning, or removing construction materials, including naturally occurring sands and soils with a high silica content •
- Mixing sack concrete, grout, sand, or gravel
- Heavy equipment operation/dirt work (bobcat, backhoe, loader etc.) in soils and sands naturally containing silica

The new standard also includes specific provisions for employee monitoring, training, work practices, and recordkeeping. As part of PARSACs risk assessment process, we will be assisting members to implement the provisions of the regulation. The following are new requirements that are included in the model program:

- Determine the amount of silica that workers are exposed to if it is, or may reasonably be expected to be, at or above the action level of 25 µg/m³ (micrograms of silica per cubic meter of air), averaged over an 8-hour day;

- Implement dust controls and safer work methods to protect workers from silica exposures above the PEL;
- Provide respirators to workers when dust controls and safer work methods cannot limit exposures to the PEL;
- Establish and implement a written exposure control plan that identifies tasks that involve exposure and methods used to protect workers;
- Restrict housekeeping practices that expose workers to silica, such as use of compressed air without a ventilation system to capture the dust and dry sweeping, where effective, safe alternatives are available;
- Offer medical exams—including chest X-rays and lung function tests—every three years to workers exposed at or above the action level for 30 or more days per year;
- Train workers on the health effects of silica exposure, workplace tasks that can expose them to silica, and ways to limit exposure; and
- Keep records of workers' silica exposure and medical exams.

FISCAL IMPLICATION: Implementation of risk management standards will increase member awareness of hazards, reduce exposures and ultimately lower the members' and pool's claim costs.

ATTACHMENT: Respirable Crystalline Silica Program and Quick Sheet

PARSAC Quick Sheet

Respirable Crystalline Silica



Does this policy apply?

Silica can be found in many building supply materials, including....

- concrete
- rock
- mortar
- masonry
- sand
- and some paints

If you do any of the following to these materials...

- grind
- drill
- crush or demolish
- cut or saw
- jackhammer
- abrasive or sand blast

YES, the dust that is created from these operations contains respirable crystalline silica and you must implement policies and procedures to protect your employees.

Next Steps

If this policy applies, you need to do the following:

1. Review the PARSAC Silica Policy Template and insert information for your City.
2. Provide employees required training. Online safety training is part of PARSAC's services and is available through your TargetSolutions account.
3. Review approved work practices and ensure the City has the proper equipment to perform the work safely.
4. If needed, apply for PARSAC Grant Funds to purchase required equipment.
5. Need help....contact PARSAC at 916-927-7727



Approved Work Practices



1. Use Water

Water can keep silica dust out of the air — and out of your workers lungs. Use tools with water attachments to control dust at the source. Water can also keep dust down during activities like sweeping and demolition.



2. Use a Vacuum

Use tools with vacuum attachments to capture the dust right where it starts. Dust is drawn into a hood or cover attached to the tool, through a hose, and into a HEPA-filter vacuum.



3. Wear a Respirator

When other controls don't work well enough and the work creates more dust than Cal/OSHA allows, workers must be provided a respirator. If provided, you must follow your written respiratory protection program and provide fit tests.

Why is Silica Harmful?

Workers can be in danger even if the dust cannot be seen. Silica is made up of tiny particles that can damage lungs.

Silicosis can form in the lungs in as little as a few weeks of very high dust exposure. But even breathing in small amounts over time can cause the disease years later. Silicosis makes it difficult to breathe and there is not a cure for it.

Silica dust also causes lung cancer, increases risk of getting tuberculosis, and has been linked to COPD and other illnesses.

For more information about silica:

The National Institute of Occupational Safety and Health (NIOSH) - Silica <http://www.cdc.gov/niosh/topics/silica/>

NAME OF ENTITY
Respirable Crystalline Silica Program
Insert Date

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Purpose

This Respirable Crystalline Silica Program was developed to prevent employee exposure to hazardous levels of respirable crystalline silica that could result through construction activities or nearby construction activities occurring on worksites. Respirable crystalline silica exposure at hazardous levels can lead to lung cancer, silicosis, chronic obstructive pulmonary disease, and kidney disease. It is intended to meet the requirements of the Occupational Exposures to Respirable Crystalline Silica Regulation (CCR Title 8, Section 5204) established by the State of California Department of Industrial Relations (Cal/OSHA).

All work involving chipping, cutting, drilling, grinding, or similar activities on materials containing crystalline silica can lead to the release of respirable-sized particles of crystalline silica (i.e., respirable crystalline silica). Crystalline silica is a basic component of soil, sand, granite, and many other minerals. Quartz is the most common form of crystalline silica. Many materials found on construction sites contain crystalline silica, including but not limited to cement, concrete, asphalt, pre-formed structures (inlets, pipe, etc.). Consequently, this program has been developed to address and control these potential exposures to prevent our employees from experiencing the effects of occupational illnesses related to respirable crystalline silica exposure.

Scope

This Respirable Crystalline Silica Program applies to all employees who have the potential to be exposed to respirable crystalline silica when covered by the Cal/OSHA regulation. The Cal/OSHA Occupational Exposures to Respirable Crystalline Silica Regulation applies to all occupational exposures to respirable crystalline silica in construction work, except where employee exposure will remain below 25 micrograms of respirable crystalline silica per cubic meter of air (25 $\mu\text{g}/\text{m}^3$) as an 8-hour time-weighted average (TWA) under any foreseeable conditions.

Responsibilities

INSERT NAME OF ENTITY firmly believes protecting the health and safety of our employees is everyone's responsibility. This responsibility begins with upper management providing the necessary support to properly implement this program. However, all levels of the organization assume some level of responsibility for this program including the following positions.

Respirable Crystalline Silica Program Administrator

- Ensure directors, managers, lead workers, site managers, competent persons, and employees are educated in the hazards of silica exposure and trained to work safely with silica in accordance with Cal/OSHA's Occupational Exposures to Respirable Crystalline Silica Regulation and Cal/OSHA's Hazard Communication Standard.

- Maintain written records of training (for example, proper use of respirators), inspections (for equipment, personal protective equipment, and work methods/practices), medical surveillance (under lock and key), respirator medical clearances (under lock and key), and fit-test results.
- Conduct an annual review (or more often if conditions change) of the effectiveness of this program. This includes a review of available dust control technologies to ensure these are selected and used when practical.
- Coordinate work with other employers and contractors to ensure a safe work environment relative to silica exposure.

Managers/Supervisors

- Ensure all applicable elements of this Respirable Crystalline Silica Program are implemented.
- Assist the Program Administrator in conducting jobsite assessments for silica containing materials and perform employee respirable crystalline silica hazard assessments in order to determine if exposure monitoring and medical surveillance is necessary.
- Assist in the selection and implementation of the appropriate control measures in accordance with the construction tasks identified in Cal/OSHA's Table 1 and potentially including (but not limited to) a written standard operating procedure (SOP), exposure monitoring, hazard communication training, medical surveillance, and housekeeping.
- Ensure employees using respirators have been properly trained, medically cleared, and fit-tested in accordance with our Respiratory Protection Program. This process will be documented.
- Ensure work is conducted in a manner that minimizes and adequately controls the risk to workers and others. This includes ensuring workers use appropriate engineering controls and work practices and wear the necessary personal protective equipment (PPE).
- Where there is risk of exposure to silica dust, verify employees are properly trained on the applicable contents of this program, the project-specific SOP, and the applicable Cal/OSHA standards (such as hazard communication). Ensure employees are provided appropriate PPE when conducting such work.

Competent Person

- Conduct jobsite assessments for silica containing materials and perform employee respirable crystalline silica hazard assessments in order to determine if an employee's exposure will be above 25 µg/m³ as an 8-hour TWA under any foreseeable conditions.
- Select and implement the appropriate control measures in accordance with the construction tasks identified in Cal/OSHA's Table 1 and potentially including (but not limited to) a written SOP, exposure monitoring, hazard communication training, medical surveillance, housekeeping and others.

NOTE: Cal/OSHA's Table 1 is a list of 18 common construction tasks along with acceptable exposure control methods and work practices that limit exposure for those tasks.

- Ensure the materials, tools, equipment, PPE, and other resources (such as worker training) required to fully implement and maintain this Respirable Crystalline Silica Program are in place and readily available if needed.
- Make frequent and regular inspections of jobsites, materials, and equipment to implement the written SOP for the task being conducted.
- Identify existing and foreseeable respirable crystalline silica hazards in the workplace and take prompt corrective measures to eliminate or minimize them.

Notify the manager/supervisor and/or Program Administrator of any deficiencies identified during inspections in order to implement corrective action promptly.

- Assist the manager/supervisor and/or Program Administrator in conducting jobsite assessments for silica-containing materials and performing employee respirable crystalline silica hazard assessments in order to determine if an exposure control plan, exposure monitoring, and medical surveillance are necessary.

Employees:

- Follow recognized work procedures (such as the construction tasks identified in Cal/OSHA's Table 1) as established in the project's SOP and this program.
- Use the assigned PPE in an effective and safe manner.
- Participate in respirable crystalline silica exposure monitoring and the medical surveillance program.

- Report any unsafe conditions or acts to your manager/supervisor.
- Report any exposure incidents or any signs or symptoms of silica illness to your manager/supervisor.

Definitions

If a definition is not listed in this section, please contact your supervisor. If your supervisor is unaware of what the term means, please contact the Program Administrator.

Action Level

Action level means a concentration of airborne respirable crystalline silica of 25 $\mu\text{g}/\text{m}^3$, calculated as an 8-hour TWA.

Competent Person

Competent person means an individual who is capable of identifying existing and foreseeable respirable crystalline silica hazards in the workplace and who has authorization to take prompt corrective measures to eliminate or minimize them.

Employee exposure

Employee exposure means the exposure to airborne respirable crystalline silica that would occur if the employee were not using a respirator.

High-Efficiency Particulate Air (HEPA) Filter

High-efficiency particulate air (HEPA) filter means a filter that is at least 99.97 percent efficient in removing monodispersed particles of 0.3 micrometers in diameter.

Objective Data

Objective data means information such as air monitoring data from industry-wide surveys or calculations based on the composition of a substance, demonstrating employee exposure to respirable crystalline silica associated with a particular product or material or a specific process, task, or activity. The data must reflect workplace conditions closely resembling or with a higher exposure potential than the processes, types of material, control methods, work practices, and environmental conditions in the employer's current operations.

Permissible Exposure Limit (PEL)

Permissible exposure limit (PEL) means the employer shall ensure no employee is exposed to an airborne concentration of respirable crystalline silica in excess of 50 $\mu\text{g}/\text{m}^3$, calculated as an 8-hour TWA.

Physician or Other Licensed Health Care Professional (PLHCP)

Physician or other licensed health care professional (PLHCP) means an individual whose legally permitted scope of practice (i.e., license, registration, or certification) allows him or her to independently provide or be delegated the responsibility to provide some or all of the particular health care services required by the Medical Surveillance Section of the Cal/OSHA Respirable Crystalline Silica Standard.

Respirable Crystalline Silica

Respirable crystalline silica means quartz, cristobalite, and/or tridymite contained in airborne particles that are determined to be respirable by a sampling device designed to meet the characteristics for respirable-particle size-selective samplers specified in the International Organization for Standardization (ISO) 7708:1995: Air Quality-Particle Size Fraction Definitions for Health-Related Sampling.

Specialist

Specialist means an American Board Certified specialist in pulmonary disease or an American Board Certified specialist in occupational medicine.

Requirements

Specified Exposure Control Methods

When possible and applicable, INSERT NAME OF ENTITY will conduct activities with potential silica exposure to be consistent with Cal/OSHA's Table 1. Supervisors will ensure each employee under their supervision and engaged in a task identified on Cal/OSHA's Table 1 has fully and properly implemented the engineering controls, work practices, and respiratory protection specified for the task on Table 1 (unless we have assessed and limited the exposure of the employee to respirable crystalline silica in accordance with the Alternative Exposure Control Methods Section of this program).

The task(s) being performed by INSERT NAME OF ENTITY identified on Cal/OSHA's Table 1

Table 1 - Specified Exposure Control Methods When Working With Materials Containing Crystalline Silica

Equipment/task	Engineering and work practice control methods	Required respiratory protection and minimum assigned protection factor(APF)	
		≤ 4 hours/shift	> 4 hours/shift
(i) Stationary masonry saws	<p>Use saw equipped with integrated water delivery system that continuously feeds water to the blade</p> <p>Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions</p>	None	None.
(ii) Handheld power saws (any blade diameter)	<p>Use saw equipped with integrated water delivery system that continuously feeds water to the blade.</p> <p>Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions:</p>		
	– When used outdoors	None	APF 10.
	– When used indoors or in an enclosed area	APF 10	APF 10.
(iii) Handheld power saws for cutting fiber-cement board (with blade diameter of 8 inches or less)	<p>For tasks performed outdoors only: Use saw equipped with commercially available dust collection system. Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions. Dust collector must provide the air flow recommended by the tool manufacturer, or greater, and have a filter with 99% or greater efficiency</p>	None	None.

Equipment/task	Engineering and work practice control methods	Required respiratory protection and minimum assigned protection factor(APF)	
		≤ 4 hours/shift	> 4 hours/shift
(iv) Walk-behind saws	Use saw equipped with integrated water delivery system that continuously feeds water to the blade Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions:		
	- When used outdoors	None	None.
	- When used indoors or in an enclosed area	APF 10	APF 10.
(v) Drivable saws	For tasks performed outdoors only: Use saw equipped with integrated water delivery system that continuously feeds water to the blade. Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions	None	None.
(vi) Rig-mounted core saws or drills	Use tool equipped with integrated water delivery system that supplies water to cutting surface Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions	None	None.

<i>Equipment/task</i>	<i>Engineering and work practice control methods</i>	<i>Required respiratory protection and minimum assigned protection factor (APF)</i>	
		<i>≤ 4 hours/shift</i>	<i>> 4 hours/shift</i>
(vii) Handheld and stand-mounted drills (including impact and rotary hammer drills)	Use drill equipped with commercially available shroud or cowling with dust collection system. Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions. Dust collector must provide the air flow recommended by the tool manufacturer, or greater, and have a filter with 99% or greater efficiency and a filter-cleaning mechanism. Use a HEPA-filtered vacuum when cleaning holes.	None	None.
(viii) Dowel drilling rigs for concrete	For tasks performed outdoors only: Use shroud around drill bit with a dust collection system. Dust collector must have a filter with 99% or greater efficiency and a filter-cleaning mechanism. Use a HEPA-filtered vacuum when cleaning holes.	APF 10	APF 10.
(ix) Vehicle-mounted drilling rigs for rock and concrete	Use dust collection system with close capture hood or shroud around drill bit with a low-flow water spray to wet the dust at the discharge point from the dust collector or operate from within an enclosed cab and use water for dust suppression on drill bit.	None	None
	Or operate from within an enclosed cab and use water for dust suppression on drill bit.	None	None

Equipment/task	Engineering and work practice control methods	Required respiratory protection and minimum assigned protection factor(APF)	
		≤ 4 hours/shift	> 4 hours/shift
(x) Jackhammers and handheld powered chipping tools	Use tool with water delivery system that supplies a continuous stream or spray of water at the point of impact:		
	– When used outdoors	None	APF 10.
	– When used indoors or in an enclosed area	APF 10	APF 10.
	OR use tool equipped with commercially available shroud and dust collection system. Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions. Dust collector must provide the air flow recommended by the tool manufacturer, or greater, and have a filter with 99% or greater efficiency and a filter-cleaning mechanism:		
	– When used outdoors	None	APF 10.
	– When used indoors or in an enclosed area	APF 10	APF 10.
(xi) Handheld grinders for mortar removal (<i>i.e.</i> , tuckpointing)	Use grinder equipped with commercially available shroud and dust collection system. Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions. Dust collector must provide 25 cubic feet per minute (cfm) or greater of airflow per inch of wheel diameter and have a filter with 99% or greater efficiency and a cyclonic pre-separator or filter-cleaning mechanism	APF 10	APF 25.

<i>Equipment/task</i>	<i>Engineering and work practice control methods</i>	<i>Required respiratory protection and minimum assigned protection factor(APF)</i>	
		<i>≤ 4 hours/shift</i>	<i>> 4 hours/shift</i>
(xii) Handheld grinders for uses other than mortar removal	For tasks performed outdoors only: Use grinder equipped with integrated water delivery system that continuously feeds water to the grinding surface. Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions	None	None.
	OR use grinder equipped with commercially available shroud and dust collection system. Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions. Dust collector must provide 25 cubic feet per minute (cfm) or greater of airflow per inch of wheel diameter and have a filter with 99% or greater efficiency and a cyclonic pre-separator or filter-cleaning mechanism:		
	- When used outdoors	None	None.
	- When used indoors or in an enclosed area	None	APF 10.
(xiii) Walk-behind milling machines and floor grinders	OR use machine equipped with integrated water delivery system that continuously feeds water to the cutting surface Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions	None	None.

Equipment/task	Engineering and work practice control methods	Required respiratory protection and minimum assigned protection factor(APF)	
		≤ 4 hours/shift	> 4 hours/shift
	<p>OR use machine equipped with dust collection system recommended by the manufacturer. Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions.</p> <p>Dust collector must provide the air flow recommended by the manufacturer, or greater, and have a filter with 99% or greater efficiency and a filter-cleaning mechanism. When used indoors or in an enclosed area, use a HEPA-filtered vacuum to remove loose dust in between passes.</p>	None	None.
(xiv) Small drivable milling machines (less than half-lane)	Use a machine equipped with supplemental water sprays designed to suppress dust. Water must be combined with a surfactant Operate and maintain machine to minimize dust emissions	None	None.
(xv) Large drivable milling machines (half-lane and larger)	<p>For cuts of any depth on asphalt only: Use machine equipped with exhaust ventilation on drum enclosure and supplemental water sprays designed to suppress dust Operate and maintain machine to minimize dust emissions.</p>	None	None.
	<p>For cuts of four inches in depth or less on any substrate:</p> <p>Use machine equipped with exhaust ventilation on drum enclosure and supplemental water sprays designed to suppress dust</p> <p>Operate and maintain machine to minimize dust emissions</p>	None	None.

Equipment/task	Engineering and work practice control methods	Required respiratory protection and minimum assigned protection factor(APF)	
		≤ 4 hours/shift	> 4 hours/shift
	<p>OR use a machine equipped with supplemental water spray designed to suppress dust.</p> <p>Water must be combined with a surfactant</p> <p>Operate and maintain machine to minimize dust emissions</p>	None	None.
(xvi) Crushing machines	Use equipment designed to deliver water spray or mist for dust suppression at crusher and other points where dust is generated (e.g., hoppers, conveyers, sieves/sizing or vibrating components, and discharge points). Operate and maintain machine in accordance with manufacturer's instructions to minimize dust emissions Use a ventilated booth that provides fresh, climate-controlled air to the operator, or a remote control station	None	None.
(xvii) Heavy equipment and utility vehicles used to abrade or fracture silica-containing materials (e.g., hoe-ramming, rock ripping) or used during demolition activities involving silica-containing materials	Operate equipment from within an enclosed cab When employees outside of the cab are engaged in the task, apply water and/or dust suppressants as necessary to minimize dust emissions	None	None.

<i>Equipment/task</i>	<i>Engineering and work practice control methods</i>	<i>Required respiratory protection and minimum assigned protection factor(APF)</i>	
		<i>≤ 4 hours/shift</i>	<i>> 4 hours/shift</i>
(xviii) Heavy equipment and utility vehicles for tasks such as grading and excavating but not including: Demolishing, abrading, or fracturing silica-containing materials	Apply water and/or dust suppressants as necessary to minimize dust emissions.	None	None.
	OR when the equipment operator is the only employee engaged in the task, operate equipment from within an enclosed cab	None	None.

When implementing the control measures specified in Table 1, INSERT NAME OF ENTITY shall:

- For tasks performed indoors or in enclosed areas, provide a means of exhaust as needed to minimize the accumulation of visible airborne dust;
- For tasks performed using wet methods, apply water at flow rates sufficient to minimize release of visible dust;
- For measures implemented that include an enclosed cab or booth, ensure the enclosed cab or booth:
 - Is maintained as free as practicable from settled dust;
 - Has door seals and closing mechanisms that work properly;
 - Has gaskets and seals that are in good condition and working properly;
 - Is under positive pressure maintained through continuous delivery of fresh air;
 - Has intake air that is filtered through a filter that is 95% efficient in the 0.3-10.0 μm range (e.g., MERV-16 or better); and
 - Has heating and cooling capabilities.
- Where an employee performs more than one task included on Cal/OSHA's Table 1 during the course of a shift and the total duration of all tasks combined is more than four hours, the required respiratory protection for each task is the respiratory protection specified for more than four hours per shift. If the total duration of all tasks on Table 1 combined is less than four hours, the required respiratory protection for each task is the respiratory protection specified for less than four hours per shift.

Alternative Exposure Control Methods

Alternative exposure control methods apply for tasks not listed in Cal/OSHA's Table 1 or where we cannot fully and properly implement the engineering controls, work practices, and respiratory protection described in Table 1.

We will assess the exposure of each employee who is or may reasonably be expected to be exposed to respirable crystalline silica at or above the action level in accordance with either the performance option or the scheduled monitoring option.

- **Performance Option** – We will assess the 8-hour TWA exposure for each employee on the basis of any combination of air monitoring data or objective data sufficient to accurately characterize employee exposures to respirable crystalline silica.

- **Scheduled Monitoring Option:**
 - We will perform initial monitoring to assess the 8-hour TWA exposure for each employee on the basis of one or more personal breathing zone air samples that reflect the exposures of employees on each shift, for each job classification, and in each work area. Where several employees perform the same tasks on the same shift and in the same work area, we will plan to monitor a representative fraction of these employees. When using representative monitoring, we will sample the employee(s) who are expected to have the highest exposure to respirable crystalline silica.

 - If initial monitoring indicates employee exposures are below the action level, we will discontinue monitoring for those employees whose exposures are represented by such monitoring.

 - Where the most recent exposure monitoring indicates employee exposures are at or above the action level but at or below the PEL, we will repeat such monitoring within six months of the most recent monitoring.

 - Where the most recent exposure monitoring indicates employee exposures are above the PEL, we will repeat such monitoring within three months of the most recent monitoring.

 - Where the most recent (non-initial) exposure monitoring indicates employee exposures are below the action level, INSERT NAME OF ENTITY will repeat such monitoring within six months of the most recent monitoring until two consecutive measurements, taken seven or more days apart, are below the action level, at which time we will discontinue monitoring for those employees whose exposures are represented by such monitoring, except when a reassessment is required. We will

reassess exposures whenever a change in the production, process, control equipment, personnel, or work practices may reasonably be expected to result in new or additional exposures at or above the action level, or when INSERT NAME OF ENTITY has any reason to believe new or additional exposures at or above the action level have occurred.

We will ensure all respirable crystalline silica samples taken to satisfy the monitoring requirements of this program and Cal/OSHA are collected by a qualified individual (i.e., a Certified Industrial Hygienist) and the samples are evaluated by a qualified laboratory (i.e., accredited to ANS/ISO/IEC Standard 17025:2005 with respect to crystalline silica analyses by a body that is compliant with ISO/IEC Standard 17011:2004 for implementation of quality assessment programs).

Within five working days after completing an exposure assessment, we will individually notify each affected employee in writing of the results of that assessment or post the results in an appropriate location accessible to all affected employees.

Whenever an exposure assessment indicates employee exposure is above the PEL, we will describe in the written notification the corrective action being taken to reduce employee exposure to or below the PEL.

Where air monitoring is performed, we will provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to respirable crystalline silica. When observation of monitoring requires entry into an area where the use of protective clothing or equipment is required for any workplace hazard, we will provide the observer with protective clothing and equipment at no cost and shall ensure the observer uses such clothing and equipment.

Once air monitoring has been performed, we will determine its method of compliance based on the monitoring data and the hierarchy of controls. INSERT NAME OF ENTITY will use engineering and work practice controls to reduce and maintain employee exposure to respirable crystalline silica to or below the PEL, unless we can demonstrate that such controls are not feasible. Wherever such feasible engineering and work practice controls are not sufficient to reduce employee exposure to or below the PEL, we will nonetheless use them to reduce employee exposure to the lowest feasible level and shall supplement them with the use of respiratory protection.

In addition to the requirements of this program, we will comply with other programs and Cal/OSHA standards (such as CCR Title 8, Section 1530.1 [Ventilation]), when applicable where abrasive blasting is conducted using crystalline silica-containing blasting agents or where abrasive blasting is conducted on substrates that contain crystalline silica.

Control Methods

We will provide control methods that are either consistent with Table 1 or otherwise minimize worker exposures to silica. These exposure control methods can include engineering controls, work practices, and respiratory protection. Listed below are control methods to be used when Table 1 is not followed:

LIST AND DISCUSS CONTROL METHODS

Respiratory Protection

Where respiratory protection is required by this program, we will provide each employee an appropriate respirator that complies with the requirements of the INSERT NAME OF ENTITY's Respiratory Protection Program and the Cal/OSHA Respiratory Protection Standard (CCR Title 8, Section 4144).

Respiratory protection is required where specified by the Cal/OSHA Table 1, for tasks not listed in Table 1, or where we have not fully and properly implemented the engineering controls, work practices, and respiratory protection described in Table 1. Situations requiring respiratory protection include:

- Where exposures exceed the PEL during periods necessary to install or implement feasible engineering and work practice controls;
- Where exposures exceed the PEL during tasks, such as certain maintenance and repair tasks, for which engineering and work practice controls are not feasible; and
- During tasks for which an employer has implemented all feasible engineering and work practice controls and such controls are not sufficient to reduce exposures to or below the PEL.

Housekeeping

We do not allow dry sweeping or dry brushing where such activity could contribute to employee exposure to respirable crystalline silica unless wet sweeping, HEPA-filtered vacuuming, or other methods that minimize the likelihood of exposure are not feasible.

We do not allow compressed air to be used to clean clothing or surfaces where such activity could contribute to employee exposure to respirable crystalline silica unless:

- The compressed air is used in conjunction with a ventilation system that effectively captures the dust cloud created by the compressed air; or
- No alternative method is feasible.

Standard Operating Procedure

When employee exposure on a construction project is expected to be at or above the action level, a written SOP will be established and implemented. This SOP will contain at least the following elements:

- A description of the task(s) in the workplace that involve(s) exposure to respirable crystalline silica;
- A description of the engineering controls, work practices, and respiratory protection used to limit employee exposure to respirable crystalline silica for each task;
- A description of the housekeeping measures used to limit employee exposure to respirable crystalline silica; and
- A description of the procedures used to restrict access to work areas, when necessary, to minimize the number of employees exposed to respirable crystalline silica and their level of exposure, including exposures generated by other employers or sole proprietors.

The written SOP will designate a competent person to make frequent and regular inspections of jobsites, materials, and equipment to ensure the SOP is implemented.

The written SOP will be reviewed at least annually to evaluate its effectiveness and updated as necessary. Having said this, SOPs are project specific and most project durations do not exceed a year. The written SOP will be readily available for examination and copying, upon request, to each employee covered by this program and/or SOP, their designated representatives, and Cal/OSHA.

Medical Surveillance

Medical surveillance will be made available for each employee who will be required to use a respirator for 30 or more days per year due to their respirable crystalline silica exposure. Medical surveillance (i.e., medical examinations and procedures) will be performed by a PLHCP and provided at no cost to the employee at a reasonable time and place.

We will make available an initial (baseline) medical examination within 30 days after initial assignment, unless the employee has received a medical examination that meets the requirements of the Cal/OSHA Occupational Exposures to Respirable Crystalline Silica Regulation within the last three years. The examination shall consist of:

- A medical and work history, with emphasis on past, present, and anticipated exposure to respirable crystalline silica, dust, and other agents affecting the respiratory system in addition to any history of respiratory system dysfunction, including signs and symptoms of respiratory disease (e.g., shortness of breath, cough, wheezing), history of tuberculosis, and smoking status and history;
- A physical examination with special emphasis on the respiratory system;
- A chest X-ray (a single postero-anterior radiographic projection or radiograph of the chest at full inspiration recorded on either film [no less than 14 x 17 inches and no more

than 16 x 17 inches] or digital radiography systems) interpreted and classified according to the International Labour Office (ILO) International Classification of Radiographs of Pneumoconiosis by a NIOSH-certified B Reader;

- A pulmonary function test to include forced vital capacity (FVC) and forced expiratory volume in one second (FEV1) and FEV1/FVC ratio, administered by a spirometry technician with a current certificate from a NIOSH-approved spirometry course;
- Testing for latent tuberculosis infection; and
- Any other tests deemed appropriate by the PLHCP.

We will make available medical examinations that include the aforementioned procedures (except testing for latent tuberculosis infection) at least every three years. If recommended by the PLHCP, periodic examinations can be more frequently than every three years.

We will ensure the examining PLHCP has a copy of the Cal/OSHA Occupational Exposures to Respirable Crystalline Silica Regulation, this program, and the following information:

- A description of the employee's former, current, and anticipated duties as they relate to the employee's occupational exposure to respirable crystalline silica;
- The employee's former, current, and anticipated levels of occupational exposure to respirable crystalline silica;
- A description of any PPE used or to be used by the employee, including when and for how long the employee has used or will use that equipment; and
- Information from records of employment-related medical examinations previously provided to the employee and currently within the control of INSERT NAME OF ENTITY.

We will ensure the PLHCP explains to the employee the results of the medical examination and provides each employee with a written medical report within 30 days of each medical examination performed. The written report shall contain:

- A statement indicating the results of the medical examination, including any medical condition(s) that would place the employee at increased risk of material impairment to health from exposure to respirable crystalline silica and any medical conditions that require further evaluation or treatment;
- Any recommended limitations on the employee's use of respirators;
- Any recommended limitations on the employee's exposure to respirable crystalline silica; and;
- A statement that the employee should be examined by a specialist if the chest X-ray is classified as 1/0 or higher by the B Reader or if referral to a specialist is otherwise deemed appropriate by the PLHCP.

We will also obtain a written medical opinion from the PLHCP within 30 days of the medical examination. The written opinion shall contain only the following in order to protect the employee's privacy:

- The date of the examination;
- A statement that the examination has met the requirements of the Cal/OSHA Occupational Exposures to Respirable Crystalline Silica Regulation; and
- Any recommended limitations on the employee's use of respirators.

If the employee provides written authorization, the written opinion shall also contain either or both of the following:

- Any recommended limitations on the employee's exposure to respirable crystalline silica; and/or
- A statement that the employee should be examined by a specialist if the chest X-ray is classified as 1/0 or higher by the B Reader or if referral to a specialist is otherwise deemed appropriate by the PLHCP.

If the PLHCP's written medical opinion indicates an employee should be examined by a specialist, we will make available a medical examination by a specialist within 30 days after receiving the PLHCP's written opinion. We will ensure the examining specialist is provided with all the information the employer is obligated to provide to the PLHCP.

We will ensure the specialist explains to the employee the results of the medical examination and provides each employee with a written medical report within 30 days of the examination. The written report will contain:

- A statement indicating the results of the medical examination, including any medical condition(s) that would place the employee at increased risk of material impairment to health from exposure to respirable crystalline silica and any medical conditions that require further evaluation or treatment;
- Any recommended limitations on the employee's use of respirators; and
- Any recommended limitations on the employee's exposure to respirable crystalline silica.

In addition, we will obtain a written opinion from the specialist within 30 days of the medical examination. The written opinion shall contain the following:

- The date of the examination;
- Any recommended limitations on the employee's use of respirators; and
- If the employee provides written authorization, the written opinion shall also contain any recommended limitations on the employee's exposure to respirable crystalline silica.

Hazard Communication

INSERT NAME OF ENTITY will include respirable crystalline silica in the our Hazard Communication Program established to comply with the Cal/OSHA Hazard Communication Standard (CCR Title 8 Section 5194).

We will ensure each employee has access to labels on containers of crystalline silica and those containers' respective safety data sheets (SDSs).

All employees will be trained in accordance with the provisions of the Cal/OSHA Hazard Communication Standard and the training section of this program. This training will cover concerns relating to cancer, lung effects, immune system effects, and kidney effects.

We will ensure each employee with the potential to be exposed at or above the action level for respirable crystalline silica can demonstrate knowledge and understanding of at least the following:

- The health hazards associated with exposure to respirable crystalline silica;
- Specific tasks in the workplace that could result in exposure to respirable crystalline silica;
- Specific measures we have implemented to protect employees from exposure to respirable crystalline silica, including engineering controls, work practices, and respirators to be used;
- The contents of the Cal/OSHA Occupational Exposures to Respirable Crystalline Silica Regulation;
- The identity of the competent person designated by INSERT NAME OF ENTITY; and
- The purpose and a description of our Medical Surveillance Program.

INSERT NAME OF ENTITY will make a copy of the Cal/OSHA Occupational Exposures to Respirable Crystalline Silica Regulation readily available without cost to any employee who requests it.

Record Keeping

We will make and maintain an accurate record of all exposure measurements taken to assess employee exposure to respirable crystalline silica. This record will include at least the following information:

- The date of measurement for each sample taken;
- The task monitored;
- Sampling and analytical methods used;
- Number, duration, and results of samples taken;

- Identity of the laboratory that performed the analysis;
- Type of PPE, such as respirators, worn by the employees monitored; and
- Name, employee number, and job classification of all employees represented by the monitoring, indicating which employees were actually monitored.

We will ensure exposure records are maintained and made available in accordance with Cal/OSHA CCR Title 8, Section 3204. Exposure records will be kept for at least 30 years.

We shall make and maintain an accurate record of all objective data relied upon to comply with the requirements of the Cal/OSHA Occupational Exposures to Respirable Crystalline Silica Regulation. This record shall include at least the following information:

- The crystalline silica-containing material in question;
- The source of the objective data;
- The testing protocol and results of testing;
- A description of the process, task, or activity on which the objective data were based; and
- Other data relevant to the process, task, activity, material, or exposures on which the objective data were based.

We will ensure objective data are maintained and made available in accordance with CCR Title 8, Section 3204. Objective data records will be kept for at least 30 years.

We will make and maintain an accurate record for each employee enrolled in the Medical Surveillance portion of this program. The record shall include the following information about the employee:

- Name and employee number;
- A copy of the PLHCPs' and/or specialists' written medical opinions; and
- A copy of the information provided to the PLHCPs and specialists.

We will ensure medical records are maintained and made available in accordance with CCR Title 8, Section 3204. Medical records will be kept under lock and key for at least the duration of employment plus 30 years. It is necessary to keep these records for extended periods because silica-related diseases such as cancer often cannot be detected until several decades after exposure. However, if an employee works for an employer for less than one year, the employer does not have to keep the medical records after employment ends, as long as the employer gives those records to the employee.

Program Evaluation

This program will be reviewed and evaluated on an annual basis by INSERT INFORMATION unless changes to operations, the Cal/OSHA Occupational Exposures to Respirable Crystalline Silica Regulation (CCR Title 8, Section 1532.3), or another applicable Cal/OSHA Standard require an immediate re-validation of this program.

Applicable Forms

The following lists applicable forms relating to this program.

- Form A - Acknowledgement of Receipt

FORM A

ACKNOWLEDGEMENT OF RECEIPT

My signature below serves to acknowledge that I have received a copy of the Respirable Crystalline Silica Program. I understand and agree it is my responsibility to read and familiarize myself with the provisions of this document, to follow the established safety procedures, and to adhere to safe work practices. Furthermore, I understand it is my duty as an employee of the INSERT NAME OF ENTITY to immediately report any workplace safety/exposure concerns to my Supervisor, Department Director, or Human Resources Division, or INSERT SPECIFIC INFORMATION.

Employee's signature

Employee's name printed

Date of receipt

CSAC POLLUTION LIABILITY PROGRAM

SUMMARY: CSAC Pollution Liability Program provides inexpensive first and third-party coverage. This Program will complement PARSAC's coverage and provides first party coverage that is currently not available to members through the Memorandum of Coverage (MOC).

RECOMMENDATION: Approve participation in CSAC's Pollution Liability Program upon completing the application by all members and recommend the Board ratify.

DISCUSSION: PARSAC's MOC excludes pollution liability coverage; however, coverage is afforded when loss is:

1. Sudden and accidental;
2. It is known to the member with seven days;
3. It is reported within 20 days of the member becoming aware of the loss; and
4. The member takes reasonable steps to correct, mitigate the release of pollutants.

The most common pollution exposure affecting PARSAC members are sewer backups and operation of member wastewater treatment facilities. Pollution losses may also arise from water treatment facilities, use and storage of hazardous materials, storm drains, underground storage tanks and contractors performing work for the member. Except for sewer related claims, the pool has not experienced pollution losses. However, the exposure exists and coverage for first party losses (loss affecting member owned facilities) are not covered under the MOC.

CSAC offers a Pollution Liability Program. The program provides first and third-party coverage. This group purchase insurance program provides public entities coverage for bodily injury, property damage, and cleanup costs caused by pollution conditions at scheduled owned or leased sites or arising from certain operations.

First-party coverage includes:

- Cleanup as a result of pollution conditions at, on or under the scheduled sites (including streets and roads, and sanitary sewer lines) except landfills and former military bases
- On-site Sudden and Accidental Airport Coverage discovered in seven days/ 21 days reporting.
- Pollution coverage for vehicles owned or leased by the insured
- Coverage included for above ground storage tanks; Underground Storage Tanks (UST) require scheduling.

Third-party coverage includes:

- Bodily injury, property damage, and off-site cleanup coverage, plus first party on-site cleanup coverage, as a result of pollution conditions at, on or migrating from scheduled sites (including associated streets and roads, storm drains & outfalls, and **sanitary sewer lines**)
- Products liability (Bodily Injury and Legal Defense for Contaminants only) for water products sold or distributed by the insured
- Blanket coverage on Non-Owned Disposal Sites

The program provides \$10 million limits with \$50 million aggregate. The policy is written on a claims-made versus occurrence basis. A \$75,000 self-insured retention applies to underground storage tanks and each pollution claim, while at \$250,000 retention is applicable to third party sewer backups.

Major exclusions include, but not limited to:

- Known Conditions
- Intentional Acts
- Unscheduled Known Underground Storage Tanks and/or USTs not in compliance with applicable State or Federal laws
- Landfills and Military Sites
- Contractual Liability
- Automobiles, Aircraft and Watercraft or Rolling Stock – Except Loading and Unloading on Insured's Premises
- Pollution Conditions Occurring After a Property has been Divested by the Insured
- Intentional Non-Compliance with Statute, Regulation or Executive Order
- Material Change in Use
- Product Liability (except transportation, non-owned locations, contracting operations, biosolids, and potable, reclaimed or recycled water)
- Lead Based Paint and Asbestos (except BI & PD with Inadvertent Disturbance)
- Damage to Insured's Property
- Non-Disclosed Known Contamination
- Lead Contaminated Water

FISCAL IMPLICATION: The policy term is three years with an estimated annual premium of \$8,500 for the pool. This year's premium will be paid from contingency funds and a premium adjustment will be made during next year's premium reconciliation to actual payroll.

ATTACHMENT: Pollution Application



This is a pollution application packet for the CSAC EIA Pollution Program.

In order to provide a bindable quote, we will need the following:

- A signed, completed application – leave no questions unanswered
- A schedule of vacant and non-vacant land you wish to cover; locations must be scheduled to be fully covered
 - The underwriter may request to see Phase I Environmental studies for vacant land, especially if the sites have any history of possible contamination
- A current property schedule or schedule of values (SOV); locations must be scheduled to be fully covered
 - If you currently place your property coverage with Alliant, we should be able to pull a recent SOV from our database. Please indicate if you would like us to do so. Please note, that coverage is schedule specific so if you have locations not listed on the property SOV, we need you to provide the additional locations to be covered (ie: parks, land, parking lots, etc.)
- If you have Underground Storage Tanks you wish covered, please provide the most recent tank tightness testing results for each tank (be sure to complete the Storage Tank Supplemental). **Tanks must be schedule to be covered.** If you need financial assurance coverage a separate program can provide this. Please contact us separately to discuss.
- A signed and dated letter confirming no known losses *or* a copy of current loss runs (property and liability)
- The effective date you wish to bind coverage. Premium will be pro-rated to the effective date, if joining mid-term.

Be advised that the CSAC EIA pollution program does not provide on-site coverage for landfills (only third-party off-site remediation).

A completed application is not a guarantee of coverage. Comprehensive underwriting review and an issued policy endorsement will indicate coverage has been provided under the program.

If you have any further questions, please don't hesitate to contact:

Chantelle Lobaugh
CSAC EIA Program Specialist
clobaugh@alliant.com
(949) 527-9801



CSAC EIA ENVIRONMENTAL INSURANCE PROGRAM APPLICATION

This application is for a "Claims-Made and Reported" pollution and remediation legal liability policy.

PLEASE READ IT CAREFULLY

SECTION I – GENERAL INFORMATION

1. **APPLICANT NAME:** _____
 Street Address: _____
 City/State/Zip Code: _____
 Contact Name: _____ Contact Title: _____
 Telephone: _____ Fax: _____
 E-mail: _____ Website: _____
 Federal Employer Identification Number: _____

2. **POPULATION:** _____
3. **PAYROLL:** \$ _____
4. **ANNUAL REVENUES:** \$ _____
5. **PROPERTIES:**
 Attach a complete list of all locations to be considered for coverage which includes the physical address and current occupancy/use for each specific location including land and other locations to be covered. (statement of values – not just properties for which you have a property or general liability insurance obligation)

SECTION II – IN-FORCE POLLUTION COVERAGE

1. **CURRENT POLLUTION COVERAGE PROVIDED UNDER OTHER POLICIES:**
 Are you a new applicant to the CSAC EIA Pollution Program? Yes No
 If yes, please summarize the current in-force pollution coverage in the table provided below.

Current Carrier	Policy Period	Retro Active Dates	Limits or Sub-limits	Self-Insured Retention Amount	Premium
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$

- a. Has any insurance company denied, canceled or non-renewed pollution liability coverage? Yes No
 If yes, give details:

- b. Have any claims been filed and/or losses been incurred against any pollution policy? Yes No
 If yes, give details and attach loss runs:

SECTION III – RECORD, COMPLIANCE HISTORY AND FUTURE SITE PLANS

1. RECORD:

- a. Have you ever been investigated, cited and/or prosecuted for contravention or violation of any standard or law relating to any release of pollutants? Yes No
If yes, give details:

- b. Have you ever had any pollution claims including, but not limited to, claims by private persons, entities, government agencies, Non-Owned Disposal Sites (NODS), or other third-parties? Yes No
If yes, please describe:

- c. Are you aware of any past or present contamination on, at, under or migrating from any location herein, or any circumstances which may reasonably be expected to give rise to a claim or generate a request for coverage under this policy? Yes No
If yes, please identify each site and explain:

2. COMPLIANCE HISTORY:

- a. Have you received any notices of violations (NOVs), fines, penalties, complaints, or other enforcement actions regarding compliance with environmental law within the past five (5) years? Yes No
If yes, please explain:

- b. Are there any statutes, standards, or other city, state and/or federal regulations relating to the protection of the environment with which you cannot at present comply? Yes No
If yes, please explain:

- c. Has there been any past, present or planned remediation, monitoring or sampling to investigate potential contamination on, at, under or migrating from any location listed herein? Yes No
If yes, please provide a written explanation and attach copies of all applicable reports:

3. FUTURE SITE PLANS AND INVESTIGATIONS:

- a. Does the Applicant have any plans to sell or sublease any part of the location and/or sell any of the business operations performed at any location listed herein? Yes No
If yes, please explain:

- b. Does the Applicant have any plans or are they aware of any plans by a future perspective owner or tenant for development, improvement, betterment, demolition or plans for changes in use or business operations at any location listed herein? Yes No
If yes, please explain:
- c. Does the Applicant have any plans or are they aware of any plans by a future perspective buyer or tenant to initiate or complete any studies, investigations, testing and/or monitoring for environmental conditions at any location listed herein? Yes No
If yes, please explain:

SECTION IV – EXPOSURE AND RISK MANAGEMENT INFORMATION

1. RISK CLASSES:

- a. Do you own or operate any Aboveground Storage Tanks (ASTs) and/or Underground Storage Tanks (USTs)? Yes No
If yes, please complete the Underground Storage Tank Coverage Supplemental Application for each (see attached).
- b. Do you own or operate any Water Treatment Facilities? Yes No
If yes, please complete the Water Treatment Plant Supplemental Application for each (see attached).
- c. Do you own or operate any Wastewater Treatment Facilities? Yes No
If yes, please complete the Wastewater Treatment Plant Supplemental Application for each (see attached).
- d. Do you own or operate any Current of Former Landfills, Transfer Stations, and/or Recycling Facilities? Yes No
If yes, please complete the Recycling/Waste Facility Supplemental Application for each (see attached).
- e. Do you own or operate any Airports? Yes No
If yes, please complete the Airport Supplemental Application for each (see attached).
- f. Do you perform any pesticide/herbicide applications, maintenance activities, and/or water/sewer line installations on property you do not own or lease? Yes No
If yes, please complete the Contracting Services Supplemental Application (see attached).

2. RISK MANAGEMENT PROCEDURES:

Please attach any written procedures and/or protocols you employ that document your risk management practices

- a. Do you perform standard due diligence investigations on properties prior to acquisition? Yes No
If yes, please explain:

- b. Do you perform due diligence and review facility compliance packages on Non-Owned Disposal Sites (NODS) to which your waste material is sent? Yes No
- c. Do you have Asbestos and Lead Based Paint Management protocols in place? Yes No
- d. Do you have Water Intrusion/Mold Management protocols in place? Yes No
- e. Do you require all your Subcontractors to meet minimum insurance requirements that include Contractor's Pollution Liability (CPL) coverage? Yes No

3. SITE SECURITY:

- a. Do you currently have an approved Terrorism Prevention and Response Plan? Yes No
- b. Do you have a cyber security program in place for your operations/facilities? Yes No
- c. Has a vulnerability assessment been performed on your operations/facilities? Yes No

SECTION V - SITE OPERATION AND HISTORY

- 1. Do you have any environmental site assessments or questionnaires that have been performed for the location(s) where you would like coverage?
If yes, please attach. Yes No
- 2. Are there any anticipated changes in use of the location(s) during the policy period?
If yes, please describe: Yes No
- 3. Are there any abandoned tanks or equipment at the location?
If yes, have they been closed in accordance with regulation? Yes No
- 4. With respect to prior coverage, has any Underwriter refused, canceled, or non-renewed coverage?
(Not applicable in Missouri)
If yes, provide details: Yes No

In the following section please complete the information as necessary or indicate N/A if no exposure.

SECTION VI - RAW MATERIALS

N/A

Please provide the following information:

NAME	QUANTITY (at any one time)	STORAGE (on pallet, 55 gallon drum, etc.):

SECTION VII – WASTE

N/A

Please provide the following information:

TYPE OF WASTE	QUANTITY (at any one time)	METHOD OF STORAGE ON-SITE	DISPOSAL METHOD

SECTION VIII – WATER

- Is there any surface water at your locations?
If yes, what kind (lined pond, intermittent stream, river, etc.)? Yes No
- Are there any potable water wells on your location?
If yes, what kind (lined pond, intermittent stream, river, etc.)?
Do the results meet federal, state, and local standards? Yes No
 Yes No
 Yes No
- Are there third party drinking water wells located within a ½ mile of your location? Yes No
- Is there a septic system at your location?
If yes, is it connected to areas storing hazardous substances? Yes No
 Yes No

SECTION IX – THIRD PARTIES

- Do third parties regularly come on to your location?
If yes, is it connected to areas storing hazardous substances? Yes No

How many on an average day?

How often?

SECTION X – TRANSPORT ENVIRONMENTAL COVERAGE

N/A

- What materials are being transported to and from your location?
- Please describe the conveyance and containment (i.e. 55 gallon drum in pickup truck):
- How often is your material being picked up and who is the carrier?
- Please provide the following information on the vehicles you operate by vehicle type:

Vehicle Type	Number of Units	Cargo or Material Hauled (indicate if hazardous)	Radius of Operation
Private Passenger			
Light Truck			
Medium Truck			
Heavy/Extra Heavy Truck			
Trailers			
Other:			

SECTION XI – MOLD

1. Please provide a copy of your mold management plan and HVAC maintenance plan.
2. Please describe how you respond to water intrusion events (flooding, pipe leakage, etc.):
3. Please provide details of all previous mold-related incidents, claims or losses (attach additional pages if needed):

SECTION XII – ZOO NOTIC DISEASE - (for locations with a zoo)

1. Have you implemented the CDC federal guidelines to protect visitor health?
If yes, please provide a description of measures implemented:
2. Number of visitors per year:

N/A
 Yes No

SECTION XIII – PATHOGENIC AND RADIOLOGICAL WASTE

1. Do you generate or handle radioactive waste?
If yes, please provide a detailed description the source of your waste handling, storage and disposal methods:
2. Do you generate or handle pathogenic waste?
If yes, please provide a detailed description of the source, your waste handling, storage and disposal methods:

N/A
 Yes No
 Yes No

APPLICANT FRAUD WARNINGS

Any person who knowingly and willfully presents false information in an application for insurance may be guilty of insurance fraud and subject to fines and confinement in prison.

The proposed insured affirms that the foregoing information is true and agrees that these applications shall constitute a part of any policy issued whether attached or not and that any willful concealment or misrepresentation of a material fact or circumstances shall be grounds to rescind the insurance policy.

After reasonable inquiry, I warrant that the information and statements contained in this application for insurance are true and correct, and that no material facts have been withheld or misstated. I understand that this application, and all other materials and information submitted to the Company in connection with this application for insurance, are incorporated and made a part hereof. I also understand that the Company will rely upon the application, materials and information submitted in the underwriting process in the formation of any subsequent contract of insurance entered into.

I understand that the completion of this application does not bind coverage. Acceptance of a quotation from the Company is required prior to binding coverage with the Company.

Applicant's Signature: _____ Title: _____
Print Applicant's Name: _____ Date: _____
Agent/Broker Name: Chris Tobin – Alliant Insurance Services

STORAGE TANKS – Supplemental		N/A <input type="checkbox"/>
Please utilize the table and key below to provide information about your storage tanks. UST means underground storage tank. AST means above-ground storage tank.		
Are all of your tanks in compliance with the applicable regulations?		
If no, please provide details:		<input type="checkbox"/> Yes <input type="checkbox"/> No

1. Please complete the information below for the tanks you would like covered – Please note this coverage does not provide financial assurance, please contact Alliant if you need coverage for financial assurance:

Tank No.	UST	AST	Size (Gallons)	Age	Construction (Material, Single or Double Wall)	Contents (specify material)	Leak Detection Prevention Method (specify for tank and piping)*	Containment Is the AST diked? Construction of dike?	Piping** see key below
	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/> Yes <input type="checkbox"/> No	

* If tank tightness testing, leak detection, or inventory monitoring and control systems, please provide copies of the most recent test data.

** Piping Key: P=pressure flow; S=suction flow; DBW=double wall; SW=single wall

Water Treatment Plant (WTP) Supplemental Application

N/A

Please read carefully and complete this supplemental application for each applicable facility.

APPLICANT NAME: _____

1. **WTP Name:** _____
Street Address: _____
City/State/Zip Code: _____
USEPA / State Identification Number: _____

2. **WTP Specifications:**
- What year was the WTP designed & built? _____
 - Total Population serviced? _____
 - Design Capacity (gallons per day)? _____
 - Average Gallons treated per day? _____
 - Source of water supply (well, river, etc.)? _____
 - Number of pump/booster stations? _____
 - How many miles of distribution pipeline? _____
- If you intend to cover your owned pipes these must be scheduled under your location schedule.**

3. **Summarize the water treatment process employed:**

4. **Have you received any Notice of Violations (NOVs) within the past five (5) years?** Yes No
If yes, please explain:

5. **Attach or provide a web link for most recent Customer Satisfaction Report.**

6. **Summarize your facility/water supply security:**

Wastewater Treatment Plant (WWTP) Supplemental Application N/A

Please read carefully and complete this supplemental application for each applicable facility.

APPLICANT NAME: _____

1. **WWTP Name:** _____
Street Address: _____
City/State/Zip Code: _____
USEPA / State Identification Number: _____

2. **WWTP Specifications:**

- What year was the WWTP designed & built? _____
- Total Population serviced? _____
- Design Capacity (gallons per day)? _____
- Average Gallons processed per day? _____
- Does the facility accept industrial or pre-treated wastewater? _____
- How does the plant dispose of bio-solids/sludge? _____
- What is the discharge point for treated wastewater? _____
- Number of pump/lift stations? _____
- How many miles of sewer collection pipeline?
If you intend to cover your owned pipes these need to be scheduled under your location list. _____
- What is the average age of the sewer collection pipeline system? _____

3. **Summarize the wastewater treatment process employed:**

4. **Have you received any Notice of Violations (NOVs) and/or Odor Complaints within the past five (5) years?** Yes No
If yes, please explain:

5. **Summarize any portions of the system that are combined sanitary/storm water lines.**

6. **Summarize your facility security:**

Recycling/Waste Facility Supplemental Application

N/A

Please read carefully and complete this supplemental application for each applicable facility.

APPLICANT NAME: _____

- 1. Facility Name:** _____
Street Address: _____
City/State/Zip Code: _____
USEPA / State Identification Number: _____
Type of Facility: Choose an item. _____
If Other, please explain: _____

- 2. Recycling / Waste Facility Specifications (third party off-site coverage only):**
- Is the Facility Operational or Closed? _____
 - What year was the Facility designed & built? _____
 - If Operational, what is the projected the Closure date? _____
 - Design / Permitted Capacity? _____
 - Average tons accepted per day? _____
 - Total acres of property including buffer? (attach map) _____
 - Disposal Area acres? _____
 - What type of liner is used? _____
 - Is there a leachate monitoring & collection system? _____
 - Is there a methane gas monitoring & collection system? _____

3. Summarize the types of materials accepted by the Facility:

4. Are there any groundwater monitoring wells supporting the facility? Yes No
If yes, attach copies of monitoring results for the past year as well as a map showing the location of each monitoring well, or provide a web link to documentation.

5. Have you received any Notice of Violations (NOVs) and/or Odor Complaints within the past five (5) years? Yes No
If yes, please explain:

- 6. For Closed Landfills:**
- a. Have all closure requirements been met and an engineer's certificate issued? Yes No
 - b. Has the facility been inspected by any Federal/State agency of the USEPA? Yes No
If yes, please attach a copy of findings or web link to documentation.

Airport Supplemental Application

N/A

Please read carefully and complete this supplemental application for each applicable facility.

APPLICANT NAME: _____

1. **Airport Name:** _____
Street Address: _____
City/State/Zip Code: _____

This Airport is for: General Aviation or Commercial Airport

2. **Airport Specifications:**
- What year did the airport begin operations? _____
 - Total Acreage? _____
 - Average number of flights daily? _____

3. **Does the Airport contain a Fuel Farm?** Yes No

If yes, please complete the following:

- a. Who is responsible for maintaining the Fuel Tank Farm?
- b. If Applicant does not operate and maintain the Fuel Tank Farm, what Pollution Liability Insurance limits is the Operator required to carry?
- c. If a fuel dispenser hydrant system is utilized, summarize the operational and integrity controls:

4. **Does the Airport employ plane deicing operations?** Yes No

If yes, please complete the following:

- a. Who is responsible for performing the deicing?
- b. Summarize the deicing process including location and chemicals employed:
- c. Summarize the deicing runoff collection system:

5. **Have you received any of Notice of Violations (NOVs) and/or Noise Complaints within the past five (5) years?** Yes No

If yes, please explain:

6. **Summarize your facility security:**

Contracting Services Supplemental Application

N/A

Please read carefully and complete this supplemental application.

APPLICANT NAME: _____

1. Does the Applicant perform Pesticide and/or Herbicide applications? Yes No
If yes, please complete the following:

a. Summarize method(s) of application:

b. Are all persons applying Pesticides and/or Herbicides certified? Yes No

c. Does Applicant maintain written protocols for chemical handling & application? Yes No

2. Does the Applicant have any Contracting Services exposure? Yes No
If yes, please complete the following:

a. Summarize the types of Services the Applicant performs on Non-Owned/Leased locations:

b. Does Applicant have written procedures in place to assure the One-Call System is employed for all sub-grade work? Yes No

c. Does Applicant have written procedures in place regarding work in contaminated areas? Yes No

3. Has the Applicant received any Notice of Violations (NOVs) within the past five (5) years? Yes No
If yes, please explain:

4. Summarize any pollution conditions that the Applicant has caused during prior chemical applications and/or while performing any Contracting Services:

Indoor Air Quality Addendum

NOTE: This addendum forms a part of the original signed and executed application for this policy.

Named Insured

Policy No: EPC

Policy Term

1. Has any water or indoor air quality related construction/maintenance defects been encountered (including but not limited to HVAC system problems, leaks in the roof, windows or siding, as well as broken plumbing or sewer backups)? No Yes

If yes, what are they and how have they been addressed?

2. Any properties located in an area subject to periodic ponding or flooding? No Yes

If yes, when was the last time the building was impacted by such ponding or flooding and to what extent? What precautions are in place to mitigate future damage?

3. Have any indoor air quality / mold studies or inspections been done? No Yes
If yes, please provide a copy.

4. Do any of the buildings' exterior walls have an Exterior Insulation Finish System (EIFS)? No Yes
If yes, for each building, please complete the table below:

Building Address	Age of EIFS System	Date of Last Inspection	Evidence of Water Intrusion

5. Have any of the buildings had mold growth in which remediation costs exceeded \$25,000? No Yes
If yes, please provide details.

Building Address	Location and Description of Mold Growth	Total Costs for Remediation

6. Do you have a documented complaint procedure in place? No Yes

7. Have there been any third party complaints for indoor air quality / mold at any of the covered locations? If yes, please complete the table below: No Yes

Building Address	Incident Description	Mitigation of Loss	Total Costs for Incident

8. At the time of the completion of this addendum, are you aware of any facts or circumstances which may reasonably be expected to result in a Claim or Claims being asserted against your company arising from indoor air quality/mold at the Covered Location?

No Yes

If yes, please provide details.

9. Please attach copies of the following relevant to the Covered Location(s) to which this addendum applies:

- Water / Mold Operation and Maintenance Plan;
- 5 yrs. of Property and GL Loss Runs.

The applicant represents that all statements in this addendum are true and correct to the best of their knowledge and that no material or relevant facts have been omitted, suppressed or misstated. The applicant represents that due diligence has been conducted to know of the information listed on this addendum.

Named Insured's authorized signature:

Printed name of authorized person

Title:

Date:

Contact Person and Telephone Number

E-Mail Address

DISPOSITION OF EXCESS DIVIDENDS

SUMMARY: ERMA and CARMA recently distributed dividends of \$488,957 and \$86,438 respectively. The Finance Subcommittee discussed options for the disposition of these funds and have provided the below recommendation.

RECOMMENDATION: Approve allocation of \$200,000 to EPL rate stabilization; \$166,000 for two additional years on LCW Consortium and return balance to members (\$122,957), and recommend Board Ratify.

DISCUSSION:

I. ERMA

After several years of conservative funding, ERMA is now in excellent financial position with surplus exceeding \$15 million at the expected confidence. Overall ERMA is funded above the 90% confidence level and PARSAC recently received a dividend distribution of \$488,957.

The Board previously allocated ERMA dividends for rate stabilization, grant funding, drawing down PARSAC's OPEB liability and LCW consortium membership. The Finance Subcommittee discussed the following options:

- (1) Return all funds as collected (funds will be set aside for withdrawn members until all years are closed)
- (2) Apply dividends to the EPL Rate Stabilization Fund. Rate stabilization is used to offset potential rate increases in the future. There is \$300,000 currently in this fund and funds may not exceed \$500,000.
- (3) Apply dividends to continue LWC consortium subscription. In 2014, PARSAC funded 5 years of consortium subscriptions, which will conclude at the end of this fiscal year. Dividends may be applied to fund additional subscription years. The annual subscription fee is \$83,000.
- (4) Allocate additional EPL grant funds. EPL grants are available for updating personnel manuals, employee handbooks, training, policy development. The aggregate EPL grant balance is \$700,000.
- (5) Allocate dividends based on a combination of all the above.

The Finance Subcommittee recommends \$200,000 is allocated to the EPL rate stabilization fund, \$166,000 for two additional years of LCW consortium subscription, and the balance, \$122,957, to be returned to members.

II. CARMA

PARSAC participated in the CARMA excess liability pool from 1993 until 2009. PARSAC received a dividend of \$86,438. The Finance Subcommittee may consider the following options:

- (1) Return all funds as collected
- (2) Apply \$42,224 to the rate stabilization fund to bring the balance to \$750,000 per policy and allocate the balance \$44,214 to safety grants to be share equally by the members (\$1,288).

The Finance Subcommittee recommends option 2.

FISCAL IMPLICATIONS: Applying dividends as recommended reduces the impact on members' premium contribution to fund services and offsets future rate increases.

ATTACHMENT: ERMA Dividend

PARSAC ACADEMY

SUMMARY: In conjunction with the November Board of Directors meeting, PARSAC will hold its annual academy. Staff has secured speakers for a discussion on Implicit Bias and Defending Dangerous Conditions claims. Additionally, Staff will present the State of PARSAC and a discussion on Law Enforcement liability is in development. Staff seeks feedback and direction from the Executive Committee for additional, if any, discussion topics.

RECOMMENDATION: Review and discuss.

DISCUSSION: PARSAC's annual academy is scheduled for November 28th. Staff has developed a preliminary outline of discussion topics and speakers as follows:

Implicit Bias

Suzanne Solomon, Liebert, Cassidy, Whitmore, will discuss Implicit Bias. Ms. Solomon regularly advises governmental agencies on all aspects of employment law. At Liebert Cassidy Whitmore, Ms. Solomon's litigation practice focuses on defense of single and multi-plaintiff employment claims for discrimination, retaliation, harassment, violation of wage and hour laws, due process, First Amendment retaliation, and numerous other tort and statutory employment law claims.

Implicit bias refers to the attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Residing deep in the subconscious, these biases are different from known biases that individuals may choose to conceal for the purposes of social and/or political correctness.

Minimizing Risk and Defending Claims for Dangerous Condition of Public Property-Inverse Condemnation

Greg Fox will present a session on Dangerous Conditions of Public Property. Mr. Fox is a founding senior partner of the firm Bertrand, Fox, Elliot Osman & Wenzel. Mr. Fox has over forty years of experience trying cases before juries in both state and federal courts. His expertise includes constitutional and civil rights issues as well as public entity torts, contracts, business and environmental law. Mr. Fox also provides formal training to public and private clients regarding new developments in the law, risk management techniques and practical advice on conflict resolution before litigation.

Dangerous conditions claims are the most prevalent source of litigation against PARSAC members and inverse condemnation claims are typically the most costly. This session will provide participants with tips and advice on how to minimize risk and exposure in dangerous conditions of public property, inverse condemnation and violation of mandatory duty claims. Topics will include specific claim stage pre-litigation strategies that can result in dismissal of lawsuits or reduction in exposure, indemnity and additional insured protections and pitfalls, do's and don'ts of early investigation of claims, communicating with claimants, training public works and other entity employees on claim investigation, defending against subrogation claims, litigation strategies, including the use of cross-complaints, demurrers/motions for judgment on the pleadings, summary judgment motions and frivolous lawsuit fee shifting statutes, and key immunities available to immunize entities from dangerous condition of public property and violation of mandatory duty claims, including trail immunity, reasonable inspection immunity and immunity for failing to inspect and/or ameliorate dangerous conditions on private property when under a mandatory duty.

Law Enforcement Liability

This session is in development. Topics being considered include use of body worn cameras, internal investigations, dealing with the mentally ill, defending use of force and search and seizure claims, policies, procedures and training.

State of PARSAC

Staff will provide the Board an overview of PARSAC's programs, financial position, discuss ratings, premium calculations, loss trends and emerging trends.

Staff seeks feedback from the Executive Committee on the proposed outline as well as additional discussion topics.

FISCAL IMPLICATION: Funds are budgeted for additional travel and hotel costs which are estimated at \$5,000.

Public Agency Risk Sharing Authority of California
2018-19 Member Demographics

Member Entity	Area ¹	Pop. ¹	Emp. ²	GL SIR ³	WC SIR ³	EPL SIR ³	Group Purchased Deductible		Spec Events	GL Subro ⁴
							Prop	Bond		
Amador City	0.30	189	4	10	--	10	5,000	2,500	✓	
Avalon	2.90	3,820	137	25	10	25	5,000	25,000	✓	✓
Belvedere	2.40	2,094	21	25	100	25	5,000	2,500		
Blue Lake	0.54	1,253	23	5	0	5	5,000	2,500	✓	
California City	100	14,110	155	100	--	100	10,000	25000	✓	✓
Calimesa	15	8,300	29	10	25	25	5,000	2500	✓	✓
Calistoga	2.50	5,261	75	10	25	10	5,000	2,500	✓	✓
Citrus Heights	14.00	86,291	279	100	100	100	5,000	2,500	✓	
Clearlake	10.58	15,531	67	50	50	25	5,000	2,500	✓	
Coalinga	1126.49	18,087	112	25	25	25	5,000	2,500	✓	
Ferndale	1.00	1,382	19	5	5	5	--	--		✓
Grass Valley	4.75	12,860	95	25	25	25	5,000	2,500	✓	
Highland	15.00	54,733	43	100	0	25	5,000	25,000	✓	✓
Menifee	48.00	90,660	84.6	25	5	25	5,000	2,500	✓	✓
Nevada City	2.50	3,068	64	25	--	25	5,000	2,500	✓	
Pacific Grove	2.30	15,624	340	150	100	50	5,000	2,500	✓	
Placentia	6.70	52,268	175	100	--	100	5,000	2,500	✓	
Placerville	5.80	10,743	232	50	--	50	5,000	2,500	✓	✓
Plymouth	2.50	1,005	21	5	0	5	5,000	2,500	✓	✓
Point Arena	2.00	478	8	5	0	5	--	2,500	✓	
R. Cucamonga	40.20	177,324	757.7	500	250	250	10,000	2,500	✓	
R. Cucamonga FPD	50.00	165,456	190	250	250	75	5,000	2,500		
R. Santa Margarita	13.00	48,602	32	10	10	10	5,000	2,500	✓	
San Juan Bautista	3.00	1,800	15	5	--	5	5,000	2,500	✓	
South Lake Tahoe	11.00	21,024	287	250	--	100	5,000	2,500	✓	
Tehama	0.75	417	4	5	0	5	5,000	25,000	✓	✓
Trinidad	1.00	365	15	5	0	5	5,000	2,500	✓	
Truckee	34.00	16,000	142	25	10	25	5,000	2,500	✓	✓
Twentynine Palms	58.00	29,961	32	10	0	10	5,000	2,500	✓	
Watsonville	6.19	53,796	412	500	150	250	5,000	25,000	✓	
West Hollywood	1.90	35,899	273	250	100	250	5,000	2,500		
Wheatland	8.80	3,600	28	5	5	5	5,000	2,500	✓	✓
Wildomar	25.00	35,168	13	5	0	5	5,000	2,500	✓	
Yountville	1.60	2,933	27	10	5	10	5,000	2,500	✓	✓
Yucaipa	27.00	54,367	171	50	5	50	5,000	2,500	✓	
Yucca Valley	40.00	21,485	113	100	5	100	5,000	2,500	✓	
<i>Pool Totals</i>		1,065,954	4,495							

¹Area in sq. mi; from liability renewal

²F/T, P/T and Volunteers combined; from 2017-18 liability renewal (not FTE)

³SIRs stated in 000's of dollars

⁴George Hills Co. liability subrogation recovery program