

# County of El Dorado

## BOARD OF SUPERVISORS

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330 FAIR LANE PLACERVILLE, CA 95667  
TELEPHONE (530) 621-5390  
FAX NO. (530) 622-3645

SUZANNE ALLEN DE SANCHEZ.....CLERK OF THE BOARD



July 2, 2009

Will Kempton, Director  
California Department of Transportation  
P.O. Box 942873  
Sacramento, CA 94273-0001

Mr. Kempton:

On June 23, 2009, at the regular meeting of the County of El Dorado (County) Board of Supervisors (Board), the County Department of Transportation brought an agreement between the California Highway Patrol and the County to the Board for approval. This agreement was to provide Traffic Enforcement Services under the State-required Construction Zone Enhanced Enforcement Program (COZEEP) for County projects being constructed within the State Highway System.

As a part of the Board's consideration of this agreement, the Board spent considerable time discussing the COZEEP program, particularly with respect to the appropriateness of expending County Traffic Impact Mitigation (TIM) Fees on COZEEP activities within locally-sponsored State Highway construction projects. As you are aware, one of the County TIM fee programs is to mitigate traffic impacts created by local development on those portions of the State Highway System located within the County.

The Board understands that the County's current responsibilities for utilization of the COZEEP program are outlined within Section 2-215 of the Caltrans Construction Manual along with provisions contained within specific project cooperative agreements between the State and the County. The Board also understands that the COZEEP program has been an effective and valuable safety tool.

Recognizing the above, the Board does not believe that traffic enforcement services performed on a State Highway, whether during construction of a capital improvement project or not, should be the responsibility of the County and that these enforcement activities should not be locally-funded. Furthermore, it is the Board's opinion that all highway safety enforcement activities are the responsibility of the California Highway Patrol, even if the required enforcement is needed within a construction zone.

Additionally, the Board expressed concern over the state-wide costs for the COZEEP program, considering the current financial conditions of the State and local agency budgets. The Board feels there may be more economical ways of managing traffic safety within construction zones, such as increasing the penalty of fines within construction zones from, perhaps, double to triple and/or designing more self-sustaining staged traffic control layouts.

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Therefore, the Board is hereby requesting that the State explore alternatives to the COZEEP program and develop more economical ways of implementing traffic safety within State Highway construction zones.

Thank your for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ron Briggs", is written over a horizontal line. The signature is highly stylized and somewhat illegible due to its cursive nature.

Ron Briggs  
Chairman, County of El Dorado Board of Supervisors

cc: County of El Dorado Board Members  
Gayle Erbe-Hamlin, Chief Administrative Officer, County of El Dorado  
James W. Ware, P.E., Director, County of El Dorado, Transportation