

El Dorado County

Department of Transportation

Zone of Benefit Advisory Committee Manual

Issued 5/1/08, Revised ~~12/02/2019~~10/2024

***El Dorado County
Department of Transportation Zone of Benefit Advisory Committee Manual***

<u>Section 1 - General Information</u>	<u>Page #</u>
	1
Introduction	2
Questions and Answers, About Road Zones of Benefit	34-7
<u>Section 2 - Local Ethics Training</u>	88
Local Ethics Training Overview	99
Course Notes—Fair Political Practices Commission Local Ethics Training	10-19
<u>Section 3 - Open Meeting Law – Ralph M. Brown Act</u>	2010
Open Meeting Law (Brown Act) Requirements	21-2211
The Brown Act Legislative References	23
Sample Meeting Agenda	2413
Sample Meeting Notice	2514
<u>Section 4 – Zone of Benefit Advisory Committee Bylaws</u>	15
Zone of Benefit Advisory Committees Bylaws	16
<u>Section 4-5 -Road Maintenance and Repair Guidelines</u>	2619
Road Maintenance and Repair Guideline Overview	2720
Sample Construction Details	28-3221
<u>Section 5-6 – Financial Management</u>	3325
Budgeting and Accounting/Expenditure of Funds	3426
Purchase Order Request Form	3527
Request Form for Reimbursement to Advisory Committee Member Form	3628
<u>Section 6-7 – Contracting and Insurance Requirements</u>	3729
Contracting Requirements	3830
Insurance Requirements	39-4032
<u>Section 7-8 - Zone of Benefit Volunteer Work Program Procedure</u>	4134
Volunteer Work Program Overview Procedure	4235
Agreement and Release Form	4336
Project Information Sheet	4437
<u>Section 8-9 - Budget Preparation</u>	4538
Budget Instructions	46-4739

Section 1 – General Information

INTRODUCTION

This Zone of Benefit Advisory Committee Manual is intended as a practical guide to assist advisory committee members in understanding their role and responsibilities related to the zone of benefit.

Background

A county service area may be established pursuant to the provisions of County Service Area Law (Title 3, Division 2, Part 2, Chapter 2.5 of the California Government Code) in order to authorize or empower a county to finance and provide needed public facilities and services in unincorporated areas.

A zone of benefit is a geographic area within a county service area formed to raise revenue and provide authorized service(s) to the property owners and residents within the boundaries of the identified area; i.e., road maintenance for a group of parcels served by a particular road system. The California State Board of Equalization Tax Area Services Section assigns a zone of benefit a specific tax rate area, or set of tax rate areas. Funding for the services provided in the zone of benefit is through either a voter approved special tax, or as a benefit assessment/service charge.

The funds collected for the established purpose of the zone of benefit are considered public funds. The roads within zones of benefit are considered public roads.

Governance

The County Board of Supervisors is the governing body for all zones of benefit created within a county service area. The Board of Supervisors may or may not establish an advisory committee for a zone of benefit. If the Board establishes an advisory committee, the committee members are appointed by and serve at the pleasure of the Board.

The El Dorado County Board of Supervisors has appointed advisory committees for several zones of benefit, including one cemetery services zone, one streetlight zone, one lighting, landscaping and wetland related services zone, and thirty road maintenance zones of benefit.

The purpose of the advisory committee is to periodically meet with property owners and residents within the zone to determine the specific projects required to fulfill the zone purpose, recommend an annual budget and discuss other issue pertaining to the zone purpose. Advisory committees are required to comply with California's open meeting laws, commonly known as the Ralph M. Brown Act or Brown Act.

Input from an advisory committee and its members is wholly advisory. It is not within the authority of an advisory committee or its members to make decisions, manage or direct the delivery of services on behalf of the zone.

Administration

The County department responsible for the administration of the zones of benefit provides ongoing support to the zones of benefit through administration of funds, contracts for work, budget preparation and other services required to facilitate the zone's purpose. Zones of benefit are treated like any other County department for purposes of financial management and are subject to all of the budgetary and fiscal regulations and ordinances that apply to County business. Each zone pays administrative costs incurred on its behalf. The costs associated with this administrative support must be included in the ~~assessments~~ amounts charged to the parcels within each zone of benefit.

QUESTIONS AND ANSWERS ABOUT ROAD ZONES OF BENEFIT

The County frequently receives inquiries from residents in existing zones of benefit. This list of questions and answers addresses the most common inquiries. Residents and property owners in existing zones of benefit should contact the County with specific questions, and not rely on this document for comprehensive answers to all situations.

Question: *What is a Zone of Benefit?*

Answer: A zone of benefit is a geographic area established under County Service Area law to provide funding for additional services not already being provided by any other entity, or at a higher level that might otherwise be available. Services that can be provided include road maintenance and improvement services, drainage facility, landscape, and lighting maintenance, among a few others.

If you live on a road not maintained by the County's Department of Transportation ~~or Transportation or~~ some other agency, you may submit a petition ~~may be submitted~~ to form a zone of benefit to provide funding for road improvement and maintenance. For more information, please consult the Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit Within a County Service Area. ~~Other documents are also required with the petition, including Irrevocable Offers of Dedication of roads to be maintained, a professionally prepared map of the proposed zone boundaries, and a legal description of the boundaries prepared by a professional surveyor. Next steps include a formation hearing and approval of the funding source for the zone. This does not mean that the County will take over maintenance of the roads. Formation of a zone simply guarantees funds will be available to pay for maintenance through property tax bills.~~

Question: ~~How is a zone of benefit different from a district?~~

Answer: ~~A zone of benefit is a kind of district. An independent District, like a Community Services District, has a Board of Directors and is self governing. A zone of benefit is dependent district governed by the County Board of Supervisors. The S Department of Transportation, serves as a liaison between the residents and the Board.~~

Question: *What are the costs associated with a road zone of benefit? Are there other fees required once the zone is established?*

Answer: An application deposit is required with the request to form a zone. This ~~deposit is~~ deposit is used to defray the initial costs associated with zone formation. Formation charges exceeding the initial deposit must be paid before the formation is finalized. The applicant will be billed for any excess formation costs. Additional costs incurred in order to meet formation requirements, such as charges by an engineer to prepare a ~~map, map,~~ legal description, or a report in support of a benefit assessment are paid by the applicant directly

to the service provider. The applicant must also pay a fee to the California State Board of Equalization, based on their fee schedule.

Once established, the zone will be charged annually as follows:

Auditor/Controller processing costs based on a cost recovery structure. Please see the Auditor-Controller's website at the following URL to view the Cost Recovery Amounts Schedule under Links and Lookups:

<https://www.eldoradocounty.ca.gov/County-Government/County-Departments/Auditor-Controller/Property-Tax/Direct-Charges-Non-Value-Based-Items/Direct-Charge-Information-for-Districts>

- a proportionate amount of the cost of an insurance policy covering the zone roads based on the mileage included in each zone;
- administration fees that are specific to the work required in each zone. Fees include:
 - staff time spent administering the zone including such activities as processing purchase orders, preparing bid documents and contracts, and reviewing and monitoring the budget for each zone. Because this is a direct billing for time worked, or time and materials, this cost will vary with each zone and is dependent upon actual issues requiring staff involvement;
 - the costs associated with budget preparation, monthly reconciliation, and general zone activities, which are spread to all zones in the program;
 - other miscellaneous costs including required public noticing, administrative costs.
- Any and all road work is paid from each respective road zone's account.
- All expenditures must comply with County Ordinance requirements.

Question: *Who sets and approves the amount charged for each parcel?*

Answer: There are two types of charges that can be levied, a special tax or a benefit assessment. The amount of either a special tax or benefit assessment is supported by either a work plan or an engineer's report submitted with the application to form zone of benefit. Either must include allowance for the administrative costs previously described, as well as the maintenance costs.

A special tax requires two-thirds majority approval of the registered voters voting within the zone boundaries. A special tax is a uniform amount to each property, except that unimproved properties may be taxed at a lower rate. A special tax may be established with an escalator and/or with a "sunset clause." Any proposed increase exceeding the approved amount requires a two-thirds majority voter approval in another election.

In the case of a proposed benefit assessment, a report prepared by a licensed engineer explaining the proportional benefit received by each parcel is submitted. The requirements for the report are found in Article 13D of California's constitution. Each owner of interest in a parcel of land within the zone boundaries will then receive a ballot on which they

express their approval of or objection to the proposed assessment. Responses are weighted, based on amount of the proposed assessment to the property and the percent of ownership interest for each ballot cast, in relation to all of the ballots cast. If a majority of the weighted ballots received protest the assessment, it cannot be levied. Any subsequent proposed increase would be subject to the same documentation requirements and approval process. Once established, benefit assessments are confirmed annual by the Board of Supervisors. Any zone resident or property owner may appear before the Board to speak on the proposed assessments.

Once approved through the appropriate process, the benefit assessment or special tax is added to the property tax bill for each parcel. The funds are collected with the property taxes and deposited into an ~~interest-bearing~~ interest-bearing account for use within the zone. The County Department assigned to the zone program administers all funds. Monies are not placed in the General Fund and cannot be used for any other purposes.

Question: *Who determines what work needs to be done? Who pays for these services?*

Answer: As part of the formation application, property owners and residents of a zone may recommend the Board of Supervisors appoint an Advisory Committee, and identify a Key Contact to act as liaison to the County. Once appointed by the Board, members of this committee serve in an advisory capacity and, as such, are subject to the provisions of California's open meeting laws, the Ralph M. Brown Act ("Brown Act"). Advisory committee members are subject rules regarding conflict of interest under the Political Reform Act of 1974 ("the PRA"), which is enforced in California by the Fair Political Practices Commission, and are required to complete two hours of Local Officials Political Ethics Training every two years.

All Zone of Benefit Advisory Committees shall adhere to the Bylaws contained in Section 4 of this manual. ~~The~~ Advisory Committees ~~is~~ are required to meet at least four (4) times each year. All meetings are open to the public and must be noticed accordingly. All property owners and residents of the zone have the right to speak and vote on these issues. The Committee develops a recommended budget, including specific road work projects to be completed. The committee may evaluate and make recommendations on the adequacy of the amount of revenue collected within the zone. If an increase to the previously approved benefit assessment or special tax is proposed, it must be approved through the procedures previously described.

County staff presents the zones' proposed budgets to the Board for approval annually as part of the Department of Transportation's (or other Department's, as the program is assigned) budget.

Question: *Are we required to bring our road up to any particular standards? Is there a requirement as to the level of maintenance and/or improvements we must provide?*

Answer: At this time there is no standard established for existing zone roads, although compliance with Fire Safety Regulations is recommended. The property owners and residents in the zone

determine the level of improvements and/or maintenance for roads within their zone, subject to approval of the Board of Supervisors.

Question: *What happens to our money if we don't use it all during the year? What if we don't have the work done that we budgeted for? Is our money lost? Can the County use it for other purposes?*

Answer: By law, zone funds cannot be used for any purpose other than approved work in the zone and costs associated with operation and administration of the zone, [consistent with the terms of the special tax or assessment](#). Any funds budgeted but not used within one fiscal year are carried over into the zone's account for the next fiscal year. If budgeted projects are not completed, the funds will be available for the zone's use in the next year. ~~An exception is that if a zone were to be dissolved, and a balance remained in the account, the excess funds at the time of dissolution would go to the County General Fund.~~ [For additional information, please reference Parts IV and V of the Guidelines.](#)

Question: *Are there any restrictions on what can be done on our road?*

Answer: One requirement of formation is that irrevocable offers of dedication for road and public utility easements be granted to the County¹. Once completed, this action establishes the road as a public road, subject to provisions of applicable State laws, including but not limited to the California Vehicle Code and Streets and Highways Code. Important provisions for public roads include:

- access to the road cannot be restricted (no gates or any other barriers);
- obstructions cannot be placed on or under the surface of the roadway which will impede the speed of vehicles in such a way as to cause discomfort or harm to persons in a vehicle (such as speed bumps, speed dips or undulations); however, rumble strips and delineators are permitted;
- guide or directional signs are permitted; regulatory signs, such as speed limit or stop signs, require approval by the County Department of Transportation;
- road work must be completed by a contractor under a fully executed written agreement with the County. The contractor must meet the County's insurance requirements and satisfy licensing, bonding, and prevailing wage provisions of the Public Contract Code. Projects exceeding \$65,000 may require public bid and award made to the qualified low bidder. County ~~staff will~~[staff will](#) determine when bidding is required based on the project proposal provided by the zone advisory committee;
- limited volunteer work is allowed, upon written approval by the ~~County prior~~[County prior](#) to the start of work; and
- procurement of contracts and materials is subject to provisions of County Ordinance and Public Contract Code.

Question: *If we cannot post a speed limit on our road, how can we control speeders? What is our liability if an accident should occur?*

Answer: The California Vehicle Code states that travel on all public roads shall be at a prudent speed that in no way endangers property or life. The California Highway Patrol is responsible for public roads and will respond to calls on zone roads.

The road zones of benefit are required to contribute to the purchase of a liability insurance policy covering all zone roads.

Question: ~~Once a road-zone of benefit is established, can it be dissolved? If so, what is the cost and what happens to any monies we have collected? Does the road revert to being a private road?~~

~~A zone may be dissolved by following the procedures described in Part IV, Section B of the Guidelines, in conformance with the procedures established under CSA Law.~~

~~A road-zone of benefit can be dissolved by initiation of the Board of Supervisors or by initiation of the property owners or residents. A petition signed by no less than percent (10%) of the registered voters in the zone is required to initiate the dissolution process. A public hearing is conducted by the Board of Supervisors to consider dissolving the zone. Certain findings must be made in order for the dissolution to be approved, including that the roads are not of interest for public use.~~

~~If formation of the zone of benefit was a condition of approval for a subdivision map, a waiver of that condition must be obtained under a subdivision map amendment through the discretionary project review process before dissolution can proceed.~~

~~Any funds remaining in a zone account at the time of dissolution will be used for expenses related to the dissolution. If there are additional funds remaining once the dissolution is complete and all financial obligations met, the monies will be transferred to the County General Fund.~~

~~Because irrevocable offers of dedication⁺ exist, the roads remain public unless and until the Board of Supervisors takes formal action to vacate the right of way and return in to private use.~~

~~⁺This applies only to zones where irrevocable offers of dedication were made. Different circumstances exist in zones formed prior to the County's requirement for irrevocable offers of dedication from each property owner. Roads may be considered to be public through means other than an irrevocable offer of dedication, and action by an entity other than the County or its Board of Supervisors may be necessary to change the status thereof.~~

Section 2 – Local Ethics Training

LOCAL ETHICS TRAINING OVERVIEW

Effective January 1, 2006, Assembly Bill 1234 (AB 1234), incorporated in the California Government Code as section 53234-53235, imposed state ethics training requirements for local officials. As advisory committees to the Board of Supervisors, zone of benefit advisory committee members are required to participate in ethics training as described in Section 53235 (a)(1) of the Government Code below:

“If a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in the performance of official duties, then all local agency officials shall receive training in ethics pursuant to this article.”

Zone of benefit advisory committee members ~~are required to~~ must participate in training every two years. An overview is provided annually by the County department responsible for the administration of zones of benefit. Online training is available on the California Fair Political Practices Commission website. Proof of such training is maintained for a period of five years as required by Government Code.

The approved ethics training course covers the following subject areas:

- Principles of Public Service Ethics
- Scope of Public Service Ethics laws
- Personal Financial Gain
- Governmental Transparency Laws; and
- Fair Process Laws

~~The course notes are included in this Manual for reference and are not a substitute for the training course.~~

Additional information and an online training course are available at the California Fair Political Practices Commission website, <http://www.fppc.ca.gov/> under the link for Training for Local Officials. You can learn more about the rules and regulations connected to conflict of interest at the Fair Political Practices Commission’s website here: <https://www.fppc.ca.gov/learn.html>.

An individual Certificate of Completion is produced at the end of the ~~two hour~~ two-hour training session, a copy of which should be provide to ~~CDA Administration and Finance Division staff~~ the County department responsible for the administration of zones of benefit.

Section 3 – Open Meeting Law – Ralph M. Brown Act

OPEN MEETING LAW (BROWN ACT) REQUIREMENTS

California's open meeting law, known as the Brown Act, requires that boards and commissions be open to the public. Decision-making bodies, which include the governing board as well as many communities and advisory bodies, must conduct their business in an open and public meeting to assure the public is fully informed about local decisions. [An overview of the Brown Act is available on the County's website at https://www.eldoradocounty.ca.gov/files/assets/county/v/1/documents/government/bos/committees-amp-commissions/county-counsel-brown-act-presentation-2024.pdf](https://www.eldoradocounty.ca.gov/files/assets/county/v/1/documents/government/bos/committees-amp-commissions/county-counsel-brown-act-presentation-2024.pdf), and the California League of Cities publishes a guide that you can find here: <https://www.calcities.org/resource/open-public-v-a-guide-to-the-ralph-m.-brown-act>. The below is a general summary of major provisions of the Brown Act. To the extent you have any questions, please contact staff for more information.

1. The General Rule: Meetings of legislative bodies of local agencies must be public and agendaized beforehand where all can attend, state their views, and where the statutory notice requirements of the Brown Act are satisfied.

2. The "Meeting": A "Meeting" is any gathering of a "quorum" (majority) of a "legislative body"; where any business of the local Zone of Benefit Committee is discussed by a majority of the committee in one location, there is a "meeting" subject to the Brown Act. The meeting can be regularly held, a special meeting, an informal meeting, a social gathering, etc.

A "meeting" also occurs when a quorum of members of the Advisory Committee participate in a "serial meeting," wherein the members engage in a series of discussions (either directly, through personal intermediaries, or through technological devices such as texting or e-mail) for the purpose of developing a concurrence as to action to be taken. For instance, for a five-member ~~board~~ committee, a meeting occurs when Member A separately communicates with Members B and C in order to obtain concurrence. Such "meetings" are subject to the Brown Act, including the notice and agenda requirements discussed below.

3. Notice Required: The Zone of Benefit Committees are advisory bodies to the Board of Supervisors for their zones. Advisory ~~Bodies-Committees~~ should set regular meeting time(s) ~~through pursuant to the~~ By-laws or other official actions found in Section 4 of this Manual. No further regular hearing notice to the general public is required by law. Agendas for each meeting must be posted at least 72 hours before that regular meeting in a location freely accessible to members of the public. At the time the agenda is posted or upon distribution to the members of the Advisory Committee, whichever comes first, the Advisory Committee must mail the agenda to any person who has made a written request to receive the agenda by mail. Such a request is only valid for the calendar year in which it was made and must be renewed the following year.

4. Agendas and Committee Actions: The law requires each committee to prepare an agenda for each meeting. The agenda must have a brief general description ~~+~~ generally not to exceed twenty words ~~+~~ of each item of business to be transacted or discussed at the meeting. Anyone in the Zone may place an item on the agenda for a particular meeting. This includes road improvements/maintenance to be or being performed, etc. ~~The committees may not take any action on a non-agendaized item unless one of the three situations exists:~~

~~(a) An emergency situation exists;~~

~~(b) Two thirds of the committee determine that the need to act arose after the agenda was posted;~~

~~(c) When a current item first appeared on an agenda from a meeting held five days or less before.~~

~~sh These exceptions to the general rule must not be abused or lightly used by a committee.~~

5. Public Attendance and Speaking Rights. Meetings must be held at a location that (1) does not discriminate on the basis of race, religion, color, national origin, ancestry, or gender and (2) is accessible to disabled persons. The general public is allowed to attend any public zone of benefit committee meeting, whether or not they are landowners or homeowners in the particular zone. The Advisory Committee cannot, as a condition of attending the meeting, require a member of the public to register, fill out a questionnaire, or sign an attendance list, but may request that the person voluntarily give their name for the record. Similarly, all members of the attending public have the right to speak at any such meeting, regardless of their status with regard to the particular zone. The Any member of the public may, during the public comment portion of an item, speak on any item on the agenda. Every regular meeting must also provide any member of the public to speak during open forum public has the right to speak on any topic within that is on the agenda for the power of the zone committee, whether or not the chosen topic is agendized beforehand.

~~If a non-agendized topic is raised by the public, the best course is to listen and refer the topic to a future meeting as an agendized matter if it warrants further committee discussion and/or action. Alternatively, the committee may (by two thirds (2/3) vote) agree to discuss the matter as a need arising after the agenda was prepared. The zone committee has the authority to expel unruly or disruptive members of the public if their behavior hinders proceedings.~~

~~6. Closed Meetings. Advisory Committees should very rarely need to meet in closed session (i.e., a meeting that is *not* open to the general public). Such closed session meetings are allowed for very limited purposes, such as discussions with counsel concerning potential litigation involving the zone. Please contact the Community Development Agency County department responsible for administration of the zones of benefit for additional guidance on this issue. Closed meetings for Zone of Benefit Advisory Committees must be approved in advance by the County.~~

~~7. Remedies and Enforcement.~~

~~(a) Brown Act violations are criminal misdemeanors for the zone committee members involved. The actions taken in violation of the law are not themselves invalidated by criminal complaints. Criminal liability is based on the committee members' mere participation in the illegal meeting and his or her knowledge that the law is being violated. The local District Attorney would file criminal charges.~~

~~(b) Any person or entity can file an action in Superior Court to either stop or prevent violations or to have committee conduct declared illegal. Violations not in substantial compliance with the open meeting notice and agenda requirements could invalidate the actions taken at those meetings. Violations of other Brown Act provisions would generally not affect the validity of actions taken. Depending upon the circumstances, Brown Act procedures required that the complainant first complain to the zone committee within either thirty (30) days or ninety (90) days after an action before going to court. The committee then has thirty (30) days to "cure and correct" its action. If no cure and correction is done, a lawsuit must be filed within fifteen (15) days thereafter. If a committee action is not challenged within thirty (30) days, it may not be later invalidated by a civil lawsuit.~~

~~(c) Certain types of actions taken or decisions taken made may not be invalidated for Brown Act violations under any circumstances. These types of actions, relevant to zone committees, are:~~

- ~~i. Actions creating contract obligations, including those let by competitive bidding;~~
- ~~ii. Actions related to the collection of taxes.~~

~~8. If zone committee members have further questions regarding the Brown Act not answered above, please contact the County department responsible for administration of zones of benefit.~~

~~THE BROWN ACT LEGISLATIVE REFERENCES~~

~~The Ralph M. Brown Act passed by the California State Legislators is updated annually. A complete copy of the Brown Act is on file with the Community Development Agency. The key elements of the Act are summarized, and legislative references provided.~~

~~PURPOSE, § 54950~~

~~One of the most important elements of the Brown Act is that all aspects of the decision-making process, from discussion to voting should be open to public scrutiny. “*Open decisions, openly arrived at*”.~~

~~NOT INLCUDED, § 54952.2~~

~~Meetings do not include:~~

- ~~○ individual conversations between advisory committee members and another person;~~
- ~~○ attendance of a quorum of the advisory committee members at a publicized meeting organized to address a topic of local concern by a person or organization other than themselves, *provided that quorum does not discuss zone business.*~~

~~MEETINGS, § 54954.1, 54954.2, 54954.3~~

~~Each zone advisory committee is required by law to provide a time, date and place for regular meetings, . for For example, the El Dorado County Board of Supervisors meets every Tuesday at 9:00 a.m. This should be published yearly.~~

~~NOTICE, § 54954.1~~

~~Notice and agenda packets need only be mailed to those who have filed a written request for such information. Such requests are valid for the calendar year in which made and must be renewed after January 1 of the following year.~~

~~NOTE: The County makes such a request to each zone advisory committee in the first week of January each year.~~

~~AGENDAS, § 54954.2~~

~~An agenda must be posted in a location that is freely accessible to the public at least 72 hours before each regular meeting. It should contain a brief general description of each item of business and the date, time and place of the meeting.~~

~~NON-AGENDIZED ITEMS, § 54954.2~~

~~No decision may be made on an item not on the posted agenda. However, during the public comment segment of the meeting, questions from the general public may be answered.~~

~~If, however, the advisory committee determines there is a need to take immediate action on at an item that comes to light after the agenda has been posted, any action taken must be approved by a 2/3 majority vote of the advisory committee, or unanimously of less than 2/3 of the advisory committee members are present.~~

~~DISORDERLY CONDUCT, § 54957.9~~

~~Sometimes and individual or group can become disruptive at meetings. If they fail to comply with the advisory committee chair's's request to be quiet, and the advisory committee has given them an opportunity to be heard, they may be physically removed from the meeting. It is best to have this done by a law enforcement officer. Setting a time limit for each speaker will help to avoid this situation.~~

Sample Agenda

Must be **approved by staff and** posted 72 hours prior to start of meeting.
The ADA notice is required on each agenda in exactly the format given.

HAPPY CAMPERS ROAD ZONE OF BENEFIT

Regular Advisory Committee Meeting

Thursday, August 32, 2001

8:30 P.M.

Smokey Fire Station #237

1234 Ash Lane

Hidden Valley, California 98456

Advisory Committee:

Jane Calamatini Rolph Herriman Sal Manella

Richard Tracy Chris Cross

AGENDA:

1. **Call to Order.**
2. **Consideration of minutes of previous meeting.**
- ~~3. **Additions to Agenda**—Items added to the agenda must be approved by the Advisory Committee pursuant to Government Code Section 54954.2.~~
- ~~4.3.~~ **Public Comment**—any person may address the Committee at this time upon any subject within the jurisdiction of the Happy Campers Road Zone of Benefit Advisory Committee; however, any matter that requires action will be included on the agenda of the next regular meeting of the Committee.
- ~~5.4.~~ **Business:**
 - a. **Correspondence:** ~~the~~The Committee will consider correspondence received since the last Advisory Committee ~~meeting, and~~meeting and formulate a response.
 - b. **Grading and graveling on Honeymoon Flats Road;** consideration of quotes.
 - c. **Repair of sink hole on Sunnyside Drive.**
 - d. **Cost of future paving projects** - bid or not bid?
- ~~6.5.~~ **Reports:**
 - a. Reading of Budget Summary from County
 - b. Ad Hoc Committee on Increasing Resident Participation
 - c. Ad Hoc Committee on Decreasing County Administrative Charges.
- ~~7.6.~~ **Future Agenda Topics:** This item is to provide the Committee Members an opportunity to request items to be placed on future agendas.
- ~~8.7.~~ **Adjournment** – Next Regular Advisory Committee Meeting – December 4, 2000.

In compliance with the Americans with Disabilities Act, if you are a disabled person and need disability related modification of accommodation to participate in the meeting, please contact Jane Calamatini at (530)555-4444. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

Sample Notice for mailing, also post with agenda 72 hours prior to start of meeting.
Include the ADA statement in exactly the format given.
Do not distribute Agenda or Notices strictly via email.

NOTICE:

HAPPY CAMPERS ROAD ZONE OF BENEFIT

Regular Advisory Committee Meeting

Thursday, August 32, 2001

8:30 P.M.

Smokey Fire Station #237

1234 Ash Lane

Hidden Valley, California 98456.

(The paragraph below **as worded** is required on each posted NOTICE – and requires a name and telephone number for contact.)

Copies of the Agenda may be obtained by calling Jane Calamatini at (530)555-4444. In compliance with the Americans with Disabilities Act, if you are a disabled person and need disability related modification of accommodation to participate in the meeting, please contact Jane Calamatini at (530)555-4444. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

Section 4 – Zone of Benefit Advisory Committee Bylaws



County of El Dorado
BYLAWS
For Zone of Benefit Advisory Committees

ARTICLE I. NAME

The official name of the Committees shall be the El Dorado County Zone of Benefit Advisory Committee hereinafter referred to as the Committee.

ARTICLE II. AUTHORITY

The following bylaws of the Committee are hereby adopted by the Department of Transportation.

ARTICLE III. PURPOSE/OBJECTIVES

The purpose of the Committee is to:

1. Periodically meet with property owners and residents within the zone to determine the specific projects required to fulfill the zone purpose;
2. Recommend an annual budget; and
3. Discuss issues pertaining to the zone purpose.

ARTICLE IV. MEMBERSHIP

1. Committees shall consist of three to seven (3-7) members, each of whom shall serve at the pleasure of the Board of Supervisors and may be removed for any reason with or without notice. One Committee member will be appointed as the key contact to act as the liaison with the County.
2. Each committee member shall serve a term of twelve (12) months following the Board of Supervisors appointments in December of each year.
3. Committee members may resign at any time upon notice given to the Committee's key contact or by emailing the County at zoneofbenefit@edcgov.us.
4. Individuals may be nominated for vacancies on the Committee during publicly noticed meetings. New appointments will not be effective until the Board of Supervisors takes formal action in December of each year.
5. Should all members of a Committee resign, no business shall be conducted until the Board of Supervisors establishes a new Committee.
6. Only one person in a household may serve on the same Committee.
7. In accordance with Assembly Bill 1234, all Committee members shall complete state ethics training requirements for local officials within six (6) months of appointment and every two (2) years as long as the individual

serves on the Committee. Proof of such training shall be provided to the County and is maintained for a period of five (5) years as required by Government Code.

8. No member of the Committee shall represent their personal views as that of the Committee.

ARTICLE V. MEETINGS

1. Regular meetings of the Committee shall be held at least four (4) times per year, with one being the General Meeting.
2. Each Committee is required by law to provide a time, date, and place for regular meetings. This should be published yearly and emailed to the County.
3. All meetings shall be in-person at a location that is freely accessible to the public and allows ADA accommodation for participation.
4. Special meetings may be called by a quorum of the Committee. The key contact shall submit a proposed agenda to staff for review and approval.
5. Committees shall use the Sample Notice and Agenda included in this Manual as a guide to ensure all government codes and other important factors such as the ADA statements are included. Notices and agendas must be submitted to staff for review and approval no less than one week prior to the meeting date. The approved notice and agenda shall be posted in conspicuous places in the zone and at the meeting location at least 72 hours before the meeting time.
6. All meetings shall be open to the public, except those closed sessions permitted by law, pursuant to the provisions of Government Code Section 54950 et seq (or better known as the Brown Act). Closed meetings must be approved in advance by the County.
7. Notice and agenda packets need only be mailed to those who have a written request for such information. Such requests are valid for the calendar year in which made and must be renewed after January 1 of the following year.
§54954.1

ARTICLE VI. PROCEDURES

1. Meetings shall be conducted in such manner as the Committee directs, within the rules herein set forth and any regularly adopted agenda.
2. A majority of the Committee shall constitute a quorum for the transaction of business. The only action which can be taken at a meeting attended by less than a quorum is to adjourn the meeting to a certain day and time or indefinitely. The Committee shall give public notice of the time and place during the meeting so adjourned.
3. Except as otherwise required by law, for a motion to pass, there must be an affirmative action of the majority of those “present and voting”. Those “present” would count toward establishing a quorum and abstentions would

count towards the vote on the motion. Abstention votes act just like “no” votes.

4. Members of the Committee who are unable to attend a meeting shall, if possible, so inform the key contact or County staff in advance of said meeting to determine a quorum in advance.
5. All property owners and residents of the zone have the right to speak and vote on the issues.
6. The vote of the majority of the committee members, property owners, and residents of the zone present at a meeting at which a quorum is present will be the act of the committee and recorded in the respective meeting minutes.
7. Meeting minutes shall be submitted to the County within one week following the meeting.
8. Sometimes an individual or group can become disruptive at meetings. If they fail to comply with the Committee’s requests to be quiet, and the Committee has given them an opportunity to be heard, the Committee may take a brief break or opt to adjourn the meeting.

ARTICLE VII. POWERS AND DUTIES

1. The Committee shall be an advisory body to and for the Board of Supervisors and should therefore conduct themselves in a professional manner to appropriately represent the Board and the County.
2. Committee members shall conduct meetings and all correspondence with residents and County staff ~~in a respectful manner~~with common courtesy and decorum. ~~Hostile behavior~~Staff may recommend to the Board that a committee member who acts in a manner inconsistent with common courtesy and decorum ~~toward residents and/or staff may result in a member being prohibited~~be removed or not be reappointed to the Committee in a subsequent year. ~~from future Committee membership.~~ This paragraph does not in anyway alter or limit the authority of the Board to remove any member for any reason.
3. These bylaws may be revised from time to time at the County’s discretion.

Section **4-5** – Road Maintenance and Repair Guidelines

ROAD MAINTENANCE AND REPAIR GUIDLELINE OVERVIEW

Advisory committee members are responsible for making recommendations regarding the appropriate maintenance and repair work to be performed in the zone of benefit. The information in this section has been developed to assist advisory committee members in obtaining the detailed information necessary to develop a contract for work in their zones.

While advisory committee members may meet with contractors to determine the specifications for work to be performed, the authority to enter into a contract for work lies with the Board of Supervisors or with the officers or employees within the County who are delegated that responsibility.

The sample construction details in this section provide a guide for describing the type of work to be completed. The development of a scope of work for the contract will be expedited if the description of the work locations, type of material, quantity and type of work are clearly defined.

SAMPLE CONSTRUCTION DETAILS

AGGREGATE BASE

The work shall consist of providing all labor, materials and equipment to install aggregate base on designated roadways. Material shall be Class 2, ¾ inch maximum installed to a depth of four (4) inches rolled and compacted to no less than 90% relative density. In preparation for double chip seal, the aggregate base shall be rolled, watered.

Measurement of aggregate base shall be made by the ton. Verification of weights shall be made by submittal of all weight tickets from the plant of origin. All weight tickets shall clearly indicate tare weight. Material shall be in conformance with Section 26 of the Standard Specifications. Testing for compaction compliance shall be at the discretion of the County upon recommendation of the Road Zone Advisory Committee.

ASPHALT CONCRETE

The asphalt concrete mix shall conform to Sections 39 and 92 of the [most current version of the Caltrans Standard Specifications, or successor sections](#). Asphalt cement shall be PG 64-16 or equivalent. The aggregate shall be ¾" Maximum, Medium Grade Type A.

ASPHALT CONCRETE SWALE FILL

This work consists of providing all labor, materials and equipment for filling, with asphalt concrete, a swale in an existing roadway to eliminate drainage across the road surface. The area to be filled is 70 feet long and 10 feet wide. The depth of the fill will vary from 0 to 15 inches across fill area. The work shall include cleaning the existing roadway, application of SS1 or equivalent tack coat; and application of asphalt concrete in 3 inch lifts, in accordance with Section 39 of the Standard Specifications to a depth of 0 to 15 inches as required to accomplish the fill. Aggregate size shall be ¾ inch maximum; asphalt cement shall be PG 64-16 or equivalent.

ASPHALT LEVELING COURSE

Asphalt concrete to a compacted depth of one (1) inch to (3) inches depending on conditions in the field shall be used in accordance with the Asphalt Concrete section of these special provisions to level the road surface in preparation for pavement.

CHIP SEAL – Single Chip Seal Application

This work shall consist of providing all labor, materials and equipment for application of asphaltic emulsion and screening. Measurement of bituminous seals shall be per square foot. Where a single chip seal over a dirt or gravel surface is indicated, the asphalt emulsions shall be a type SC800 and spread at the rate of .25 to .40 gallons per square yard with adjustments to spread rates in the field based on conditions. Where a single chip seal over a paved surface is indicated, the asphalt emulsions shall be a type Polymer or Latex Modified CRS 2H and spread at the rate of .25 to .40 gallons per square yard with adjustments to spread rates in the field based on conditions. The temperature of the emulsion shall be between 130 degrees and 180 degrees Fahrenheit. Atmospheric temperatures shall be a minimum of 65 degrees Fahrenheit and not greater than 110 degrees Fahrenheit. Aggregate (chip) screenings shall be

3/8" x No.6 and spread at a rate of 20 to 30 pounds per square yard for each application, with adjustments to spread rate in the field based on conditions. Chips shall be free of dust and other deleterious materials. Excess chips shall be swept within forty-eight (48) hours of application.

CHIP SEAL - Double Chip Seal Application

This work shall consist of providing all labor, materials and equipment to apply double chip seal over aggregate base. The first application of asphaltic emulsions shall be a type CRS2 and spread at the rate of .25 to .30 gallons per square yard. The second application shall be CRS2 with an application rate of .25 to .30 gallons per square yard with adjustments to spread rates in the field based on conditions. The temperature of the emulsion shall be between 130° and 180° Fahrenheit at the time of application. Atmospheric temperatures shall be a minimum of 65° Fahrenheit. Aggregate (chip) screenings shall be 3/8" x No.6 and spread at a rate of 22 to 25 pounds per square yard for each application, with adjustments to spread rate in the field based on conditions. Chip seal shall be rolled with a rubber tire roller and swept when cured, between two and four weeks after application. Chips shall be free of dust and other deleterious materials. Double chip seal must tie smoothly in with existing paved surfaces.

CHIP SEAL – Double Chip Seal Application with Fabric

The work shall consist of all labor, materials and equipment for application of double chip seal with fabric application and shall include paving asphalt binder, pavement fabric and first and second application of chip seal.

The fabric used for this process shall be a needle-punched, thermally bonded on one side, 100% polypropylene staple fiber fabric that conforms to the following properties:

Tensile Strength, either direction (lbs./kn)	101 minimum
ASTM D-4632	
Elongation at Break, either direction, (%)	50 minimum
ASTM D-4632	
Mullen Burst Strength, (PSI)	180 minimum
ASTM D-3786	
Weight (oz/SY)	4.1 minimum
ASTM D-3776	
Asphalt Retention by Fabric (Oz/SY)	26.9 oz/SY residual minimum
ASTM D-6140	
<u>Tensile Strength, either direction (lbs./kn)</u>	<u>101 minimum</u>
<u>ASTM D-4632</u>	
<u>Elongation at Break, either direction, (%)</u>	<u>50 minimum</u>
<u>ASTM D-4632</u>	
<u>Mullen Burst Strength, (PSI)</u>	<u>180 minimum</u>
<u>ASTM D-3786</u>	
<u>Weight (Oz/SY)</u>	<u>4.1 minimum</u>
<u>ASTM D-3776</u>	
<u>Asphalt Retention by Fabric (Oz/SY)</u>	<u>26.9-oz/SY residual minimum</u>

ASTM D-6140

The pavement shall be clean and dry prior to any operations. Loose materials shall be swept off and weeds shall be removed from all cracks. Cracks in excess of 1/4 inch in width shall be filled with a hot melt, polymer-modified-asphalt crack sealant such as Henry #93 Duroflex or equal. Fabric binder shall not be placed when weather conditions will not remain suitable to complete the fabric and chip placement.

Pavement fabric shall be machine place in paving asphalt binder having an original viscosity of 3750 poise at 140 degrees Fahrenheit applied at the rate of .30 to .35 gallons per square yard. The amount of paving asphalt used will be determined by the in the field depending upon the estimated absorption of the asphalt into the surface due to the relative percentage of existing cracks. The mat shall be rolled using pneumatic rollers until completely embedded into the oil. This may take several passes depending on ambient temperatures.

The mat may be sanded using dry sand applied at a rate of 3 to 6 pounds per square yard prior to rolling or a parting agent may be used on the roller tires. If sand is used, it shall remain in place until immediately prior to the application of chips. All sand must be swept clean prior to application of chip emulsion. Excess pieces of mat not attached to the oil shall be trimmed off. Wrinkles in the mat caused by any means shall not be permitted. Longitudinal joints shall be lapped two to four inches. Transverse joints shall be butt joints. Overlapping the mat will not be permitted in these joints. Mat shall be placed within six inches of gutters unless otherwise directed by the zone of benefit Advisory Committee member.

Minimum air temperature for fabric installation is 60 degrees Fahrenheit and rising with a corresponding minimum pavement temperature of 55 degrees Fahrenheit. Binder shall not be placed on wet or damp pavement. The paving asphalt shall be applied at a temperature of not less than 285 degrees Fahrenheit and not more than 325 degrees Fahrenheit. Minimum air and ground temperatures for the placement of the chip seal shall be per the Standard Specifications.

The first chip seal application shall be performed within 72 hours of the placement of the fabric. All loose materials shall be removed prior to emulsion application. The bituminous material used for the chip seal shall be Polymer or Latex Modified CRS 2H. This emulsion shall be applied at the rate of .30 to .40 gallons per square yard over the paving fabric, depending on the relative success of complete saturation of the mat into the paving asphalt. If the ground temperature is warm enough to cause sticking of the fabric to the tires of the distributor truck, a parting agent may be used on the tires, or, alternatively, an application of 2 to 4 pounds per square yard of 3/8" x No.6 chips may be placed on the mat prior to the application of the emulsion. These chips need not be swept off prior to emulsion application if the chips are kept within this range of coverage. After the emulsion application, 3/8" x No. 6 chips shall be placed at the rate of 22 to 27 pounds per square yard in accordance with Section 37 of the Standard Specifications. Pneumatic tired rollers shall be used to embed the chips. A minimum of five coverages at a maximum roller speed of 10 miles per hour will be required. Cul-de-sacs, dead end streets and the parking areas along streets wider than 26 feet will receive an additional 10 coverages. Sufficient rollers shall be used to complete these required coverage' before the end of each day's operation.

The second chip seal shall be placed within 24 hours of the first chip seal. All loose chips will be swept off prior to the application of the emulsion. The same emulsion used on the first application above will be applied at a rate of .30 to .35 gallons per square yard. 5/16" x No. 8

chips shall be placed at a rate of 20 to 25 pounds per square yard. Rolling shall proceed as described above.

All certificates of compliance for the mat and emulsion will be supplied to the zone of benefit Advisory Committee

CLEARING AND GRUBBING

Removal of all trees and or brush necessary to perform the work described herein shall be in accordance with Section 16, "Clearing and Grubbing" of the Standard Specifications. Said brush and trees will be removed from the worksite and properly disposed of by the Contractor at no additional cost to the County.

CRACKSEALING

The work shall consist of providing all labor, materials and equipment for filling approximately _____ linear feet of existing cracks, which measure one fourth (1/4) inch or greater in width, with hot rubberized crack filler, to the existing road surface.

EARTHWORK

All excavation, embankment and backfill shall conform to the provisions in Section 19,"Earthwork," of the Standard Specifications except as modified below:

Trench backfill within the roadway shall be three inches minus and compacted to a relative compaction of not less than 90% in lieu of the 95% requirement in the sixth paragraph of Section 19-3.06, "Structure Backfill" of the Standard Specifications.

EROSION CONTROL

All grading and erosion control shall be in conformance with Chapter 15.14 of the El Dorado County Ordinance Code, "Grading Erosion and Sediment Control."

GRADING

The work shall consist of providing all labor, materials and equipment to grade the designated roadways to provide a smooth and uniform surface for application of aggregate base and double chip seal. Grading shall be performed to allow proper drainage of the road surface.

PATCHING – REMOVE AND REPLACE

This work consists of providing all labor, materials and equipment for repairing potholes in an existing chip seal surface. The potholed area shall be neat cut in a square pattern six (6) inches outside of the outer boundary of the hole and excavated a minimum of four (4) inches. This depth may vary due to the presence of unsuitable materials in the subgrade. If required to provide a stable base for repair, ¾ inch Class 2 aggregate meeting the requirements of Section 26 of the Standard Specifications shall be installed and compacted prior to the installation of asphalt concrete. A tack coat shall be applied and the area filled with asphalt concrete compacted and tying in to the existing road surface.

PATCHING – ASPHALT BLANKET

This work consists of providing all labor, materials and equipment for application of asphalt concrete blanket patch repairs, including but not limited to cleaning existing ~~pot hole~~pothole area, applying SS1 tack coat or equivalent and hot applying the asphalt patch to tie into existing grade. The patch shall be comprised of asphalt concrete compacted to a depth between one (1) inch and three (3) inches depending on conditions in the field. The existing surface may be either graveled, chip sealed or paved. Materials shall be in accordance with the specifications for asphalt concrete section of these special provisions.

Section ~~5-6~~ – Financial Management

BUDGET AND ACCOUNTING

Reports for the individual budgets and accounts established by the County Auditor-Controller for each zone are made available to the appointed key contact ~~a designated member~~ of the advisory committee upon request ~~on a quarterly basis~~.

Each year during the budget preparation cycle, staff of the County department assigned to administer the zones of benefit reviews the budgets submitted by the advisory committees to ensure all expenditures are accounted for in the budget submittal. The resulting budget is included in the department budget and brought to the Board of Supervisors in the form of a public hearing at the same time as the County's budget is presented.

Section 8 of this Advisory Committee Manual provides specific guidelines on budget preparation.

EXPENDITURE OF FUNDS

The financial management of the zones of benefit is treated as any other department of the County. No expenditures may be made unless the expenditures are supported by actual revenue collections.

The County department assigned to administer the zones of benefit may purchase ~~of services and/or supplies on behalf of a zone and of the zone are be made by the County department assigned to administer the zones of benefit and to be~~ paid from the zone account. The Purchase Order Request Form found in this section provides the guidelines for ~~making a purchase~~ this process.

Contracts for work to fulfill the purpose of the zone are between the contractor and the County on behalf of the zone. Section 6 of this Advisory Committee Manual provides details on the requirements for a County contract for work in a zone of benefit. Notwithstanding the above, advisory committees are encouraged to become actively involved in seeking competitive processes for services and supplies. In instances when formal bids are not required, it is recommended that at least three (3) informal quotes be sought and documented prior to submitting expenditure or contract requests to County staff.

Reimbursements may be made to an advisory committee member from the zone account only for specific items that have been approved by the Board of Supervisors, and only to an advisory committee member for whom a current Certificate of Completion of Ethics Training is on file with the County. The Request for Reimbursement to Advisory Committee Member form found in this section provides the guidelines for making a purchase.

Items eligible for reimbursement are limited to: postage mailing labels, name tags, envelopes, paper, staples, writing implements, adhesive tape, printer cartridges, and photocopying expenses. Original receipts must be presented with requests for reimbursement.

**El Dorado County
Zone of Benefit Advisory Committee
Purchase Request Form**

All purchases need some kind of authorization in advance.

Purchase Orders are issued to the supplier (vendor).

These items require a contract or purchase order:-

Services

Room Rental

Rental of Equipment is not authorized.

Purchase Order Steps:

1. Complete the information below. Include the name of Zone Contact who will pick up the items, and/or the delivery location for items to be delivered, such as such as asphalt patch. You may be asked to provide a written quote from the vendor to accompany your purchase request.
2. Contact the County to obtain the purchase order number (email is encouraged).
3. Give PO Number to the supplier or vendor when making purchase.
4. Include the PO number on the original invoice and packing slip, if provided.
5. Vendor will send the original invoice to the County for payment.

Name of Supplier (Vendor):	
<u>Delivery</u> Address: <u>*write N/A if not applicable</u>	
<u>Zone</u> Contact Name:	
Phone Number:	
Item(s) to be Purchased:	Dollar Amount (each):
Total:	
Purchase Order Number:	

**El Dorado County
County Service Area Zone of Benefit**

Request for Reimbursement to Advisory Committee Member

- This form is used by Advisory Committee Members to request reimbursement for the specific expenditures listed below.
- Only the expenditures listed below are eligible for reimbursement. All other expenditures must be made through the County via an approved Purchase Order. Contact Zone Administration with any questions.
- Only Advisory Committee Members who have completed the AB1234 Ethics Training are eligible to receive reimbursement.

Items approved by the Board of Supervisors on November 8, 2005 as eligible for reimbursement: Postage, mailing labels, name tags, envelopes, paper, staples, writing implements, adhesive tape, printer cartridges and photocopying expenses.

Complete this form and attach original receipts; scanned copies are acceptable when sent with this form.

Mail or deliver to:
Attention: Zone of Benefit Administration
El Dorado County Department of Transportation
2580 Fairlane Court
Placerville CA 95667

I hereby certify that the expenses claimed for the County were necessary for the performance of my duties as an Advisory Committee Member for the

_____ Zone of Benefit

Number _____ within County Service Area # _____, and that no prior claim has been made for any portion thereof.

I have personally made payment for the items included on the attached receipt(s), and each item included is eligible for reimbursement.

Total of receipts; original receipt(s) must be attached: \$ _____

Name – please print.

Mailing Address: _____

(Signature)

(Date)

Section ~~6~~7 – Contracting and Insurance Requirements

CONTRACTING REQUIREMENTS

All zone of benefit contract work must be completed by a licensed contractor who meets the County's insurance requirements, complies with prevailing wage standards, is registered with the Department of Industrial Relations, and who possesses a current El Dorado County business license. payment and performance bonds are required on ~~all projects~~all projects of \$25,000 or more.

The ~~Key key Contact~~contact should confirm availability of funds when soliciting quotes. Sufficient funding includes an allowance for the costs of preparing and processing the contract documents.

~~A~~Once a proposal is submitted to the County, ~~County~~ staff will: 1) ensure funds are available, based on the cash on deposit for the zone at the time the work is to be performed; 2) verify the project is budgeted; 3) clarify scope of work; and 4) initiate authorization for the work, subject to the requirements for the type of work proposed.

Clarification of the scope of work will include County staff's evaluation of the overall character of the work proposed as either Maintenance Services or Public Work, or a combination of both. The County will provide direction.

In general, any public project carried out by the County is subject to the bidding rules established by the Uniform Public Construction Cost Accounting Act (Public Contract Code Section 22000 et seq). That Act defines a "public project" to mean any construction, ~~construction,~~ reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility. If work is a public project, it is subject to the following bid thresholds:

- Approved projects up to \$60,000: Bidding is not required, zone obtains proposals.
- Approved projects \$60,000.01 to \$200,000: Informal bidding is required. ~~The Key C~~contact requests County staff to initiate the informal bid process. The contract is awarded to the low bidder.
- Approved projects exceeding \$200,000: **Formal bidding is required.** The Board of Supervisors must adopt the plans, specifications and working details in advance. Once the contract is awarded, the contract must be executed by the Board of Supervisors.

Under the Act, "Maintenance" work is not required to be bid. The Act defines "Maintenance Services", ~~that is to include routine~~include routine, recurring, and usual work to preserve or protect the condition of an existing facility for its intended purposes, and the resurfacing of streets and highways at less than one inch. ~~Where~~If one or more On-Call Maintenance Services Agreements is in place, a work order or task order may be issued from an existing contract.

If a zone desires to use a different Contractor not under an On-Call Maintenance Services Agreement:

- Bidding is not required for work totaling \$100,000 or less.
- Approved projects up to \$~~7275,213802~~**: the Purchasing Agent will sign contracts.
- Approved projects in excess of \$~~72,21375,802~~: the Board of Supervisors will sign contracts. Placing a contract on the Board of Supervisors' Agenda will add approximately four (4) weeks to the processing time until a Notice to Proceed may be issued.
- ** As of July 1, 20~~23~~19. The Purchasing Agent's authority is subject to change annually on July 1.

Public Work, that is work to create a new facility, improve an existing facility or fix a failure after damage or injury, is subject to the bidding requirements of the **Public Contract Code.**

- Approved projects up to \$60,000: Bidding is not required, zone obtains proposals.

- ~~Approved projects \$60,000.01 to \$200,000: Informal bidding is required. The Key Contact requests County staff to initiate the informal bid process. The contract is awarded to the low bidder.~~
- ~~Approved projects exceeding \$200,000: **Formal bidding is required.** The Board of Supervisors must adopt the plans, specifications and working details in advance. Once the contract is awarded, the contract must be executed by the Board of Supervisors.~~

Upon receipt of a fully executed contract, a Notice to Proceed will be issued to the Contractor and the Zone Key Contact. ***Work may not begin until the Notice to Proceed has been received.*** Once the work is completed, the zone contact ~~should~~shall notify the County. Payment will be authorized upon confirmation of Completion by the zone contact and recording of the Notice of Completion.

Emergency work: Emergency work is subject to approval by County staff. As with all purchase orders and contracts, ***work may not begin until a Notice to Proceed has been received by the Contractor and Zone ~~Key-key Contact~~contact.*** Contractors performing zone emergency work must comply with all County contract requirements (licensing, insurance & prevailing wage).

➤ **Projects not budgeted:** Requests for work not indicated in the approved budget and work plan require recommendation ~~by a quorum of the advisory committee~~ through minutes of a properly noticed, public meeting reflecting agreement. Sufficient funds must be available; other projects may be overridden to provide necessary funds.

GENERAL INSURANCE REQUIREMENTS

Contractor shall provide proof of a policy of insurance satisfactory to County's Risk Management Division and documentation evidencing that Contractor maintains insurance that meets the following requirements:

1. Full Workers' Compensation and Employers' Liability Insurance covering all employees of Contractor as required by law in the State of California.
2. Commercial General Liability Insurance of not less than One Million Dollars (\$1,000,000) combined single limit per occurrence for bodily injury and property damage, including but not limited to endorsements for the following coverage: premises, personal injury, operations, products and completed operations, blanket contractual, and independent contractors' liability and a \$2,000,000 aggregate limit.
3. Automobile Liability Insurance of not less than One Million Dollars (\$1,000,000) is required in the event motor vehicles are used by Contractor in performance of the Contract.
4. In the event Contractor is a licensed professional and is performing professional services under this Contract, Professional Liability Insurance is required with a limit of liability of not less than One Million Dollars (\$1,000,000).
5. Explosion, Collapse and Underground coverage is required when the scope of work includes XCU exposures.

PROOF OF INSURANCE REQUIREMENTS:

1. Contractor shall furnish proof of coverage satisfactory to County's Risk Management Division as evidence that the insurance required herein is being maintained. The insurance will be issued by an insurance company acceptable to County's Risk Management Division, or be provided through partial or total self-insurance likewise acceptable to the Risk Management Division.
2. The County of El Dorado, its officers, officials, employees, and volunteers shall be included as additional insured, but only insofar as the operations under this Agreement are concerned. This provision shall apply to all general and excess liability insurance policies. Proof that County is named additional insured shall be made by providing the Risk Management Division with a certified copy, or other acceptable evidence, of an endorsement to Contractor's insurance policy naming County as additional insured.
3. In the event Contractor cannot provide an occurrence policy, Contractor shall provide insurance covering claims made as a result of performance of this Contract for not less than three (3) years following completion of performance of this Contract.
4. Any deductibles or self-insured retentions must be declared to and approved by County. At the option of County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects County, its officers, officials, employees and volunteers; or Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.
5. Contractor shall require each of its subcontractors to procure and maintain Commercial General Liability Insurance, Automobile Liability Insurance and Workers' Compensation Insurance of the types and in the amounts specified above, or shall insure the activities of its subcontractors in its own policy in like amounts. Contractor shall also require each of its subcontractors to name Contractor and the County of El Dorado as additional insureds on each subcontractor's general and

excess liability insurance policies. Contractor shall furnish proof of coverage satisfactory to County as evidence that the subcontractor insurance required herein is being maintained.

INSURANCE NOTIFICATION REQUIREMENTS:

1. Contractor agrees that no cancellation or material change in any policy shall become effective except upon thirty (30) days prior written notice to County at the office of the Department of Transportation, 2850 Fairlane Court, Placerville, California 95667.
2. Contractor agrees that the insurance required herein shall be in effect at all times during the term of this Agreement, inclusive of the guarantee/warranty period specified herein below. In the event said insurance coverage expires at any time or times during the term of this Contract, Contractor shall immediately provide a new certificate of insurance as evidence of the required insurance coverage. In the event Contractor fails to keep in effect at all times insurance coverage as herein provided, County may, in addition to any other remedies it may have, terminate this Contract upon the occurrence of such event. New certificates of insurance are subject to the approval of County's Risk Management Division.

ADDITIONAL STANDARDS: Certificates shall meet such additional standards as may be determined by County's Community Development Agency either independently or in consultation with County's Risk Management Division, as essential for protection of County.

COMMENCEMENT OF PERFORMANCE: Contractor shall not commence performance of this Agreement unless and until compliance with each and every requirement of the insurance provisions is achieved.

MATERIAL BREACH: Failure of Contractor to maintain the insurance required herein, or to comply with any of the requirements of the insurance provisions, shall constitute a material breach of the entire Agreement.

REPORTING PROVISIONS: Any failure to comply with the reporting provisions of the policies shall not affect the coverage provided to County, its officers, officials, employees or volunteers.

PRIMARY COVERAGE: Contractor's insurance coverage shall be primary insurance as respects County, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by County, its officers, officials, employees or volunteers shall be in excess of Contractor's insurance and shall not contribute with it.

PREMIUM PAYMENTS: The insurance companies shall have no recourse against County, its officers, agents, employees or any of them for payment of any premiums or assessments under any policy issued by any insurance company.

CONTRACTOR'S OBLIGATIONS: Contractor's indemnity and other obligations shall not be limited by the insurance required herein and shall survive the expiration of this Agreement.

Section ~~7~~8 – Zone of Benefit Volunteer Work Program

ZONE OF BENEFIT VOLUNTEER WORK PROGRAM OVERVIEW

In March of 1996, the El Dorado County Board of Supervisors approved a program permitting road zones to use volunteers to work in the easements. The purpose of the program is to provide the Advisory Committees with an option to reduce costs associated with maintenance of zone roads. The program requirements and guidelines are as follows:

I. PROGRAM REQUIREMENTS

- The Advisory Committee must approve the scope of work and the intent to proceed.
- The County must approve the project and any related expenditures *prior to the start of the project*.
- All volunteers must be at least eighteen (18) years of age.
- All volunteers must understand and sign the "Agreement and Release Regarding Voluntary Services" for each project.
- The County shall keep all "Agreement and Release Regarding Voluntary Services" for three (3) years following completion of the work.
- All roads must remain open and passable at all times during the work.
- All work must be within the easements only.
- **NO ALCOHOL OR ILLEGAL DRUGS MAY BE PRESENT AT ANY TIME DURING THE COURSE OF THE WORK.** No one should be operating machinery while taking prescribed or over the counter medication that recommends they not operate machinery. Anyone suspected to be under the influence of an illegal or controlled substance is to be dismissed for their own safety and the safety of those around them.

Approved tasks:

- cleaning debris from drainage ditches
- filling of potholes
- removing roadside chaparral and weeds
- tree trimming along the roadside
- minor snow removal
- removal of garbage/trash from the road surface or from the side of the road
- installation of Stop signs upon recommendation of the Department of Transportation.

Prohibited tasks:

- paving of the roads
- other work not specifically approved that may involve work directly on the road surface
- any tasks outside of the road easement

II. RECOMMENDED GUIDELINES

Assign one person to supervise the project. The supervisor's responsibilities shall include:

- 1) completing the "Project Information Sheet", documenting plans for the project
- 2) creating a safe work area for the volunteers and the members of the public (safety clothing, signage during or after work is completed, and/or traffic controls)
- 3) ensuring availability of materials and equipment on site and in good working condition during the duration of work
- 4) monitoring the quality of the work performed
- 5) assigning and providing instruction as needed on the safe and proper use of materials and equipment, including the proper disposal of materials

**COUNTY OF EL DORADO
DEPARTMENT OF TRANSPORTATION**

AGREEMENT AND RELEASE REGARDING VOLUNTARY SERVICES

I, _____, being eighteen years of age or older, hereby agree to participate as a volunteer in performing certain services for the _____ Road Zone of Benefit #_____, within County Service Area #_____, in the County of El Dorado. I will be participating in these activities with the knowledge that there is some risk that I could be injured in the course of performing these services. I have been advised that by RESOLUTION of the Board of Supervisors, it is the policy of the County of El Dorado to NOT cover volunteers as employees of the County for purposes of Workers' Compensation benefits. In addition, the risk management resources of the County do NOT cover the volunteers or others within the work area. I understand that my volunteer participation is subject to my having homeowners' or individual liability insurance coverage in a minimum amount of \$300,000; and represent that such coverage is currently in effect and I will notify the County Risk Manager immediately if such coverage is terminated. I understand that if a claim is paid by the County's insurer or the County or the zone of benefit, for injuries or damages caused by work done by volunteers acting without the County's prior written approval, the County's insurer may subrogate to the homeowner and/or their insurer for recovery. If, however, the work has been given prior written approval, the County's insurance carrier may subrogate only to a volunteer's insurance carrier, if any.

I hereby agree that I, my heirs, guardians, legal representative and assigns will not make a claim against or file an action against the County of El Dorado or any of its agents, officers or employees, for injury or damage resulting from negligence, howsoever caused, by any employee, agent or officer of the County of El Dorado as a result of my participation in this volunteer activity or services. In addition, I hereby release and discharge the County of El Dorado, its agents, officers, and employees from all actions, claims, and demands that I, my heirs, guardians, legal representatives or assigns now have or may hereafter have for injury or damage resulting from participation in these volunteer activities or services.

I HAVE CAREFULLY READ THIS AGREEMENT AND FULLY UNDERSTAND ITS CONTENTS. I AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND A CONTRACT BETWEEN ME AND THE COUNTY OF EL DORADO, AND I SIGN IT OF MY OWN FREE WILL.

Signature: _____ Dated: _____

VOLUNTEER GENERAL INFORMATION

Volunteer Name - First, Last _____ Emergency contact name - First, Last _____

Address _____ City _____ Address _____ City _____ Zip _____

Home telephone # _____ Telephone # _____

Statement of Duties: _____

I understand the duties I am to perform as a volunteer for the County of El Dorado as described above and acknowledge that I am physically able to perform these services and that I am not aware of any physical limitations that would preclude me from performing such services.

Signature: _____ Dated: _____

**COUNTY OF EL DORADO
DEPARTMENT OF TRANSPORTATION**

VOLUNTEER WORK PROJECT INFORMATION SHEET
(To be completed by the designated project supervisor.)

Zone Name:	
Project Supervisor:	
Date(s) project is scheduled:	
Project location:	
Description of work:	
Volunteers to be on site:	
Materials (provide cost estimate):	Source:
Equipment (motorized equipment is not authorized):	Source:
Safety considerations:	
Total costs - not to exceed \$	Date approved by <u>Department of Transportation County:</u>

--	--

Section ~~8-9~~ – Budget Preparation

BUDGET PREPARATION INSTRUCTIONS

Budget Preparation Steps

Step 1 – Estimate the Fund Balance as of the end of the current year

Worksheet Step #1 – Estimate the fund balance as of the end of the current fiscal year (6/30/20xx).

1. Review the current fiscal year Actuals on the Budget Worksheet.
2. Note the current remaining funds. Start with the available fund balance from the management report.
3. Review the Estimated Additional Expenditures Table.
4. Enter any anticipated expenses before the end of the fiscal year in the highlighted cell and a brief description
2. ~~Add revenue expected before the end of the fiscal year (6/30/20xx)~~
- 3.4. ~~Subtract expenditures that will be made by the end of the year (6/30/20xx), consider:~~
 - i. outstanding work projects, volunteer work;
 - ii. meeting costs including room rentals, allowable office supplies and postage; and
 - iii. remaining interfund-County charges not paid.
5. Calculate the estimated fund balance as of June 30, 20xx as follows. The total of all estimated additional expenditures will automatically populate from the table into the corresponding cell above. The worksheet will automatically calculate the Zone’s Estimated Remaining Funds for the fiscal year:

	TOTAL REVENUE:	-134,419.92
	BUDGETED EXPENDITURES:	133,923.00
	CURRENT FY EXPENDITURES:	0.00
	CURRENT REMAINING FUNDS*:	\$ (134,419.92)
*Remaining Funds will change if there is additional work to be completed prior to June 30 2024.		
	ESTIMATED ADDITIONAL EXPENDITURES*:	SEE BELOW! \$ 9,240.00
*Enter the estimated amount to be spent prior to June 30 2024 in the section below, if no work is planned enter 0 in the yellow box.		
	ESTIMATED REMAINING FUNDS*:	-125,179.92
*This number populates in the FUND BALANCE section highlighted in FY 24/25 Budget		
ESTIMATED ADDITIONAL EXPENDITURES*:		
\$ -	5300 - County Admin	
\$ 5,000.00	5356 - DOT Admin	
\$ 4,215.00	7257 - Insurance	
\$ 25.00	4400 - publication/notices	
\$ -	(EX: Herbicide Treatment or Cold Patch for potholes)	
\$ 9,240.00	Total	

5.

– [Fund Balance from report] + [Estimated Revenue through 6/30/20xx] – [Estimated Expenditures through 6/30/20xx] = [Ending Fund Balance] (this is a formula in the electronic worksheet).

- i. The calculated Ending Fund Balance will be used on the Proposed Budget Worksheet #2 in Step 2 below.

Step 2 – Prepare the Proposed Budget for the upcoming fiscal year

Worksheet Step #2 – Prepare the Proposed Budget for upcoming fiscal year.

1. ~~Bring the estimated fund balance forward from Worksheet #1 (this cell is linked to Worksheet #1 in the electronic workbook).~~ The estimated fund balance will automatically populate from the current fiscal year's estimated remaining funds (see green box above).
2. Anticipated revenues have been entered based on the current assessment or tax.
- ~~2.3.~~ Enter estimated expenditures for the upcoming fiscal year (see Proposed Budget Guidelines below).

Step #3 – Work Plan—Complete the Work Plan for contract and volunteer work for the coming year.

Complete Signature Page/Checklist

1. ~~Provide all documents listed on the checklist in your submittal to the Community Development Agency.~~

Proposed Budget Guidelines

Estimated Revenue

Keep in mind that the fund balance is the only funding available to the zone as of July 1 of the new fiscal year. Use of the revenue that is anticipated to come in later in the year is considered a loan against anticipated revenue. If expenditures exceed the fund balance less any revenue received, the result is a negative cash balance in the zone fund. Because zone funds are interest bearing, a negative cash balance results in negative interest being accrued. Negative interest reduces the available cash to the zone. Board of Supervisors approval is necessary for an advance against anticipated ~~revenue, and revenue and~~ **should not** be relied on for work ~~in~~ prior to receipt of revenue.

Funds designated for future fiscal year projects may be “saved” ~~through~~ by budgeting for contingency. These practices are covered in the annual budget preparation workshop conducted prior to the advisory committee budget submission deadline.

Budgeting Expenditures

When ~~you are~~ completing the estimates for ~~both~~ maintenance ~~and administrative~~ expenses, please be realistic.

When completing ~~your~~ the work plan, include anticipated volunteer projects ~~that you are planning~~ as well as work that ~~you will want to request a contract~~ lead to a contract request.

Consider the following:

~~Insurance charges will be provided by the County.~~

Office expenses – reimbursable expenses include mailing labels, name tags, postage, envelopes, paper, printer cartridges, photocopying, staples, writing implements and adhesive tape.

As needed contract expenses such as weed abatement, landscape services and snow removal.

Road maintenance and construction including contracts for road maintenance work and materials for volunteer work.

Road materials such as hot or cold asphalt and rock used in volunteer work program.

Cost of public notices will be budgeted if the zone is funded by a benefit assessment and, if there will be a bid ~~and/or if an election is planned.~~

~~Note: As of Fiscal Year 2013/2014 Rental of equipment for volunteer work is NOT authorized.~~

Rental of one of the pre-designated meeting rooms for public meetings. Contact the County for available sites.

Election cost if one is planned. Time and materials are billed by the Elections Department.:

~~From 2008: [Base charge of \$345]+[(per voter allowance)x(number of registered votes in the zone)]= Estimated election cost.~~

Insurance and County Administrative charges will be provided by the County.

Administrative charges will depend on the amount of time spent on administration for the zone of benefit. If you are planning a bid, additional administrative time is required, as well as an allowance for advertising.

Note: As of Fiscal Year 2013/2014 Rental of equipment for volunteer work is NOT authorized.