COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL

(1) DEPARTMENT	(2) MEETING DATE	(3) CONTACT/PHONE
Administration	July 18, 2006	Vincent Morici, Administrative Analyst (805) 781-5020

(4) SUBJECT
Request to approve recommended responses to findings and recommendations contained in the Grand Jury report on Bicycle Riding in San Luis Obispo County, and to forward the responses to the Presiding Judge of the Superior Court.

(5) SUMMARY OF REQUEST
The Grand Jury has prepared a report addressing several issues associated with bicycle riding in San Luis Obispo. The report directs that the Board of Supervisors respond to six of the seven findings and all four recommendations of the report. The Grand Jury also requires that the County Public Works Department and the Sheriff-Coroner to respond to specific findings and recommendations. This item includes the departmental responses that are recommended to be the responses from the Board of Supervisors to the findings and recommendations. Upon approval, the responses will be forwarded to the Presiding Judge.

(6) RECOMMENDED ACTION
It is recommended that your Board approve the attached responses and forward these responses to the Presiding Judge of the Superior Court.

(7) FUNDING SOURCE(S)	(8) CURRENT YEAR COST	(9) ANNUAL COST	(10) BUDGETED?
N/A	N/A	N/A	☐ No ☐ Yes ☒ N/A

(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST):
The Public Works Department and Sheriff-Coroner were contacted as part of the evaluation of the response to this report. In addition, the San Luis Obispo Bicycle Advisory Committee provided input regarding their perspective on the Grand Jury's findings and recommendations.

(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? ☒ No ☐ Yes, How Many? _____
☐ Permanent _____ ☐ Limited Term _____ ☐ Contract _____ ☐ Temporary Help _____

(13) SUPERVISOR DISTRICT(S)
☐ 1st, ☐ 2nd, ☐ 3rd, ☐ 4th, ☐ 5th, ☒ All

(14) LOCATION MAP
☐ Attached ☒ N/A

(15) Maddy Act Appointments Signed-off by Clerk of the Board
☒ N/A

(16) AGENDA PLACEMENT
☒ Consent ☐ Hearing (Time Est. _____)
☐ Presentation ☐ Board Business (Time Est._____)

(17) EXECUTED DOCUMENTS
☐ Resolutions (Orig + 4 copies) ☐ Contracts (Orig + 4 copies)
☐ Ordinances (Orig + 4 copies) ☒ N/A

(18) NEED EXTRA EXECUTED COPIES?
☐ Number: _____ ☐ Attached ☒ N/A

(19) BUDGET ADJUSTMENT REQUIRED?
☐ Submitted ☐ 4/5th's Vote Required ☒ N/A

(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)
_____

(21) W-9
☐ No ☐ Yes

(22) Agenda Item History
☒ N/A Date_____

(23) ADMINISTRATIVE OFFICE REVIEW

7-18-06

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County of San Luis Obispo

COUNTY GOVERNMENT CENTER, RM. 370 • SAN LUIS OBISPO, CALIFORNIA 93408 • (805) 781-5011

DAVID EDGE
COUNTY ADMINISTRATOR

TO: Board of Supervisors

FROM: Vince Morici, Administrative Analyst

DATE: July 18, 2006

SUBJECT: Response to the 2005-2006 Grand Jury Interim Report on Bicycle Riding in San Luis Obispo County

RECOMMENDATION

Staff recommends that the Board of Supervisors adopt the attached responses from the Public Works Department and the Sheriff-Corner as the Board of Supervisors' response to the 2005-2006 Grand Jury report on Bicycle Riding in San Luis Obispo County

DISCUSSION

The Grand Jury issued an interim report that addresses issues associated with bicycle riding in San Luis Obispo County. The Grand Jury has required that the Sheriff-Corner, Public Works Department and the Board of Supervisors respond to specific findings and recommendations contained in the report.

Staff has evaluated the Grand Jury report and the responses that prepared by the Sheriff-Coroner and Public Works Department. The responses by Public Works and the Sheriff-Coroner provide an adequate response to the Grand Jury. We recommend that your Board adopt the response from the Public Works Department as the Board of Supervisors response to the Grand Jury findings 4 and 7 and Grand Jury recommendations 1, 2 and 3. We further recommend that your Board adopt the Sheriff-Coroner's response as the Board of Supervisors response to Grand Jury findings 1,2, and 5 and Grand Jury recommendations 1 and 3.

The San Luis Obispo Bicycle Advisory Committee (SLOBAC) provided input in the form of a letter and supporting materials that were sent to the Chairman of the Board Supervisors Staff does not recommend adopting SLOBAC's position as the formal Board response. SLOBAC has made several suggestions related to establishing law enforcement programs for cycling violations, signage, road maintenance, purchase of equipment and use of county staff for bicycle training and educational programs.

SLOBAC already has input to issues related to signage and road maintenance through Public Works participation with this committee. SLOBAC's input may form the basis for future discussions during the development of the county budget where these suggestions can be matched with the overall priorities of county road system

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improvements. The Bike Coalition has recently been awarded $56,000 in Regional State Highway Account funding was obtained by the Bike Coalition. These funds will be available over the next couple of years and can be used to further "Bike-ed" type programs. The Sheriff notes that the primary responsibility for enforcement of vehicle code rests with the California Highway patrol and as such, it would not be appropriate for the Sheriff to implement targeted enforcement of cycling violations of the vehicle code. SLOBAC and others can approach the California Highway Patrol to determine whether there are sufficient resources to operate a targeted enforcement program for cycling vehicle code violations.

The Public Works response to the Grand Jury Report is shown as Attachment 1 and the Sheriff-Corner response is shown as Attachment 2. It is recommended that these be adopted as the Board's response to the Grand Jury Report.

OTHER AGENCY INVOLVEMENT

The Public Works Department and Sheriff-Coroner were contacted as part of the evaluation of the response to this report. In addition, the San Luis Obispo Bicycle Advisory Committee provided input regarding their perspective on the Grand Jury's findings and recommendations.

FINANCIAL CONSIDERATIONS

No significant expenses are anticipated by adopting the responses by the Public Works Department and the Sheriff-Coroner.

RESULTS

Adoption of the findings and recommendations will fulfill the County's obligation to respond to Grand Jury reports as specified in Section 933 of the Penal Code

Attachment 1: Public Works Department response
Attachment 2: Sheriff-Coroner response

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS
Noel King, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252
Fax (805) 781-1229 email address: pwd@co.slo.ca.us

June 8, 2006

MEMORANDUM

TO: The Honorable Rodger Piquet
California Superior Court, San Luis Obispo County

FROM: Glen L. Priddy, Deputy Director of Public Works - Engineering Services GP

VIA: Noel King, Director of Public Works NK

SUBJECT: San Luis Obispo County Public Works Department - Response to Grand Jury Report on Bicycle Riding in San Luis Obispo County

The Grand Jury Report on Bicycle Riding in San Luis Obispo County requires response from the County Public Works Department on Findings 4 and 7 and Recommendations 1, 2 and 4.

Finding 4:

Providing enough shoulder width for bike lanes on rural roads is not always possible. There is too little signage on roads without bikeways, warning both cyclists and motorists to use caution and share the road.

Reply:

The Public Works Department is in partial agreement with this finding.

The Public Works Department installed "Share the Road" signage in the summer of 2000 at the request of the Bicycle Advisory Committee (BAC). The signs had been approved for use under federal signage guidelines in 1999. In 2000, the Department and the BAC established criteria for sign placement which were as follows:

- Roads with existing bike traffic
- Roads with speeds at or over 45 mph
- Roads with widths less than 32 feet
- Roads with average daily traffic over 1500 vehicles

ATTACHMENT 1

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Based on those criteria, over thirty signs were installed on the principal interregional routes on the County road network. Under the above criteria, using today's traffic volume, several additional signs may be warranted to cover the primary bike routes.

Low volume rural roads in outlying areas are more difficult to effectively sign. Some roads go for miles or have frequent curves in which motorists and cyclists need to travel the road with caution. Signs placed every few miles are quickly forgotten and cannot make up for erratic or unsafe operation on the roadway. A proliferation of signs results in their being regarding merely as road background and not the warning device which the sign is intended to be. Moreover, these signs become a target for graffiti and damage. The department does not agree with the placement of bicycle signs on low volume rural roads.

Finding 7:

There is an ongoing need for additional bikeways and maintenance of existing bikeways. Although there are a number of funding sources for bikeways and safe cycling and pedestrian friendly infrastructure is expensive. The competition for these funds is fierce.

Reply:

The Public Works Department is in agreement with this finding.

The Public Works Department was rather successful in the 1990's in receiving Bike Transportation Grants for installing Class II bike lanes. In the past five years, the department has received a number of pedestrian safety grants to construct these types of improvements. However, as noted, there has been increased competition for these funds and the County cannot plan to be as successful in the future. To advance bike and pedestrian facilities, the Department has worked with the various advisory councils on utilizing Urban State Highway Account (USHA) funds, distributed through San Luis Obispo Council of Governments to the various communities. This source will likely also be reduced in the future as the maintenance needs for the road system, including sweeping and maintenance of bike lanes, will increase and require these funds to be directed towards maintenance of existing facilities.

The department has established priorities, through the Board of Supervisors, that funding be directed first to maintenance, second to safety improvements, and finally to betterments which includes addition of bike lanes, pedestrian facilities, and road capacity improvements. The department has recently completed an update to our pavement management plan which calls for $5.5 million dollars per year for road preventative maintenance. This work is needed to assure proper surface conditions of the roadway for all its users, including bicyclist. With the need for preventative maintenance, as well as routine maintenance work such as bike lane sweeping, department revenue, such as USHA funds, will need to be focused toward these efforts and betterment projects will likely diminish.

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RECOMMENDATIONS

Recommendation 1:

Working with local cycling groups and the Bicycle Advisory Committee, local law enforcement agencies, and San Luis Obispo County should generously support the county-wide implementation of the "BikeEd" program or similar training program. Support may be monetary, venue provision, advertising, staff assistance, etc. or other in-kind services.

Reply:

The Public Works Department has implemented this recommendation through providing staff support for the Bicycle Advisory Committee, through the department's submittal of applications to the State Office of Traffic Safety for funds to support the "BikeEd" program, and through supporting of the use of Regional State Highway Account funding to implement the "BikeEd" program.

The Public Works Department provides staff assistance by serving as secretary to the Bicycle Advisory Committee (BAC) which seeks to implement bike safety under the three E's of Enforcement, Education, and Engineering. For the past three years, the Department has submitted applications to the State Office of Traffic Safety (OTS) to provide approximately $60,000 to fund bike rodeos, helmet give-away and driver feedback signs to monitor driver speeds. Each time these have been turned down. OTS is currently funding actions towards reduction in drunk driving.

The Bike Coalition was successful in having SLOCOG provide $56,000 in Regional State Highway Account (RSHA) funds programmed at the beginning of 2006. These funds should be available for use, by the Regional Rideshare office, over the next couple years and should achieve the "BikeEd" program envisioned. These RSHA funds can also be a future funding source into the future and would promote "BikeEd" across the various jurisdiction responsible for bike facilities or enforcement.

Recommendation 2:

The County should continue to actively seek funding for bikeways and bike and safety pedestrian safety construction projects and programs, such as the "Safe Routes to Schools" program.

Reply:

The Public Works Department has implemented and will continue to implement this recommendation.

The department will continue to develop a priority list for funding, seeking concurrence with the BAC, and submitting project applications for these projects as the programs

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permit. As noted, competition is stiff and funding will most likely require resubmitting project application a number of times.

Recommendation 4:

Motorists and cyclists alike would travel safer if narrow, rural roads were marked with permanent signage warning both cyclists and motorists to use caution and share the road.

Reply:

The Public Works Department will implement this recommendation within the context of working with the Bicycle Advisory Committee as discussed in the response to Finding 4. We note that not all rural roads will be marked with permanent signage for the reasons also included in the response to Finding 4.

The Public Works Department will continue to work to install additional signs on established bike routes using the criteria established by the Bicycle Advisory Committee.

File: CF 270.190.01 Grand Jury
CF 800.10.01 Bikeways - General

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Patrick Hedges
Sheriff-Coroner
P.O. Box 32
San Luis Obispo, CA 93406

San Luis Obispo County Sheriff's Department

Area Code: (805)

Administration 781-4540

Animal Services 781-4400

Civil Enforcement 781-5484

Crime Prevention 781-4547

Custody 781-4600

Detectives 781-4500

Patrol 781-4550

Coast Station 528-6083

Dispatch 781-4550

North Station 237-3000

South Station 473-7100

Watch Commander 781-4553

Permits 781-4575

Property 781-4533

Records 781-4140

Warrants 781-4588

June 19, 2006

The Honorable Roger Picquet
Presiding Judge of the Superior Court
County Government Center
San Luis Obispo, CA 93408

RE: 2005-2006 Grand Jury Interim Report - Bicylces

Dear Judge Picquet:

I have reviewed the 2005-2006 San Luis Obispo County Grand Jury Interim Report regarding bicycle riding in San Luis Obispo County. My response to their Findings and Recommendations is as follows:

Finding:

1. *"Bicyclists are required to obey all traffic laws. Every person riding a bike on a street or highway has all the rights and is subject to all the rules applicable to the driver of a motor vehicle (Vehicle Code 21200)."*

The respondent agrees with this finding.

2. *"Law enforcement agencies set higher priority on enforcement of motorized traffic. There are so many more cars than bicycles, and the consequences of a traffic accident while driving a car are likely to be significantly more serious than those involving a bicycle."*

The respondent agrees with this finding.

5. *"There was unanimous agreement among local cycling club members and cyclists interviewed that too many cyclists fail to follow basic Vehicle Code regulations. Cycling groups from the League of American Bicyclists to SLO Bike Club encourage tough enforcement of traffic laws for cycling violations."*

The respondent can neither agree nor disagree with this finding. I have no independent information as to what the cyclists may have discussed with the Grand Jury.

ATTACHMENT 2

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Recommendation:

1. *" Working with local cycling groups and the Bicycle Advisory Committee, local law enforcement agencies and San Luis Obispo County should generously support the county-wide implementation of the "BikEd" program or similar bicycle safety training program. Support may be monetary, venue provision, advertising, staff assistance, etc. or other in-kind services. (Findings 1, 5 & 6)"*

The recommendation has been implemented. The Sheriff's Department has presented bike educational programs in local schools for some time. Members of the department's bicycle patrol unit, in conjunction with school resource deputies, train school children in bicycle safety and rules of the road.

3. *"Law enforcement agencies should implement target enforcement programs aimed at improving cyclist compliance with traffic regulations to insure public safety. (Findings 1, 2, 3 & 5)*

This recommendation will not be implemented. Inasmuch as the primary responsibility for enforcement of the Vehicle Code in the unincorporated areas of the county rests with the California Highway Patrol (CHP), it would be inappropriate for the Sheriff's Department to institute a target enforcement program that is within the CHP scope of responsibility. That said, the Sheriff's Department will work in cooperation with the CHP in promoting traffic safety to the extent that staffing permits and will continue to take appropriate action when violations of the Vehicle Code are observed.

Sincerely,

Patrick Hedges
Sheriff-Coroner

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