

Grand Jury Report

RESPONSE FORM

Grand Jury Report Title : *Rubberized Asphalt Concrete in Mendocino County*

Report Dated : *April 2, 2012*

Response Form Submitted By:

Director Public Works
416 Franklin
Fort Bragg, CA 95437

Response MUST be submitted, per Penal Code §933.05, no later than:
July 7, 2012

I have reviewed the report and submit my responses to the FINDINGS portion of the report as follows:

- I (we) agree with the Findings numbered:
3, 5, and 6 .
- I (we) disagree wholly or partially with the Findings numbered below, and have **attached, as required**, a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.
2, 4, 7, 8, 9, and 15 .

I have reviewed the report and submit my responses to the RECOMMENDATIONS portion of the report as follows:

- The following Recommendation(s) have have been implemented and **attached, as required**, is a summary describing the implemented actions:
1 and 2 .
- The following Recommendation(s) have not yet been implemented, but will be implemented in the future, **attached, as required** is a time frame for implementation:

- The following Recommendation(s) require further analysis, and **attached as required**, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)
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- The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable, **attached, as required** is an explanation therefore:

3

I have completed the above responses, and have attached, as required the following number of pages to this response form:

Number of Pages attached: 2

I understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: www.co.mendocino.ca.us/grandjury. The clerk of the responding agency is required to maintain a copy of the response.

I understand that I must submit this signed response form and any attachments as follows:

First Step: E-mail (word documents or scanned pdf file format) to:

- The Grand Jury Foreperson at: grandjury@co.mendocino.ca.us
- The Presiding Judge: grandjury@mendocino.courts.ca.gov

Second Step: Mail all originals to:

Mendocino County Grand Jury
P.O. Box 939
Ukiah, CA 95482

Printed Name: David W. Goble

Title: Director of Public Works

Signed: 

Date: June 26, 2012

City of Fort Bragg
Director of Public Works
Response to Grand Jury Findings & Recommendations

Findings:

2. RAC projects divert waste tires from the landfill.

City of Fort Bragg staff is unable to confirm or deny this finding. While it seems logical that use of waste tires in RAC would reduce the volume being disposed of at a landfill, city staff has no direct knowledge of that finding.

3. RAC street and highway surfaces provide a quiet ride for the traveling public.

Based upon feedback from local residents who own property adjacent to a street that had a rubberized chip seal surface installed, the noise level appears to be quieter. City of Fort Bragg has no other evidence regarding noise level of RAC surfacing.

4. The design thickness of RAC is less than AC.

Do not agree because rubberized products can be used in a number of surface treatments and design thickness would be determined by the engineer.

5. RAC is not a new, untested product.

Agree; RAC continues to evolve with materials and methods.

6. There are State Tire Recycling Grant Funds available to Public Works agencies that use RAC on their projects.

Agree; City of Fort Bragg has received funds on two different occasions.

7. Extensive studies and testing of RAC by numerous government agencies and industry associations indicate that there are no significant differences between AC and RAC air emissions.

Unable to confirm or deny as this is outside City staff purview. While we agree that there have been studies City staff is not familiar with these studies or their conclusions.

8. Extensive studies and testing of RAC by numerous government agencies and industry associations indicate that there is not an issue with RAC regarding odor.

Unable to confirm or deny as this is outside City staff purview. While we agree that there have been studies City staff is not familiar with these studies or their conclusions.

9. Methods to mitigate any possible RAC odor at the manufacturing plant are to use "warm-mix" RAC, maintaining low temperatures, or inclusion of an "asphalt additive" to the RAC mix.

Unable to confirm or deny as this is outside City staff purview. City staff is unfamiliar with RAC process and how potential odors could be addressed.

15. Mendocino County taxpayers continue to pay the additional costs associated with manufacture and hauling of RAC from outside Mendocino County.

Unable to confirm or deny what costs Mendocino County taxpayers are responsible for when RAC is utilized.

Recommendations:

1. Mendocino County Public Works agencies (Cities of Willits, Fort Bragg and Ukiah and the DOT) use RAC for their projects for pavement top lift and overlays. (Findings 2-6)

Where practical and depending on specific design, use of RAC will be utilized on street projects within the City of Fort Bragg. The last two resurfacing projects have utilized rubberized chip with slurry seal with good results. RAC will be considered on all future street resurfacing projects.

2. Mendocino County Public Works agencies take advantage of the State Tire Recycling Grant funds (Finding 2-6)

The City of Fort Bragg has already taken advantage of RAC grants on two previous streets projects and will continue to do so in the future as long as those funds are offered.

3. To increase transparency, Mendocino County Public Works agencies clearly state in their bid documents for RAC project those District permit requirements that could increase the bid prices. (Findings 13-15)

The City of Fort Bragg always requires contractors to be responsible for obtaining all necessary permits associated with a construction project and does not incorporate particular requirements from other agencies. It is the contractors responsibility to contact permitting agencies and establish necessary costs associated with permitting.