

CALENDAR FOR THE BOARD OF SUPERVISORS  
**CONTRA COSTA COUNTY**  
AND FOR SPECIAL DISTRICTS, AGENCIES, AND AUTHORITIES GOVERNED BY THE BOARD  
**BOARD CHAMBERS ROOM 107, ADMINISTRATION BUILDING, 651 PINE STREET**  
**MARTINEZ, CALIFORNIA 94553-1229**

**KAREN MITCHOFF**, *CHAIR*, 4th DISTRICT

**JOHN GIOIA**, *VICE CHAIR*, 1st DISTRICT

**CANDACE ANDERSEN**, 2nd DISTRICT

**MARY N. PIEPHO**, 3rd DISTRICT

**FEDERAL D. GLOVER**, 5TH DISTRICT

**DAVID J. TWA**, CLERK OF THE BOARD AND COUNTY ADMINISTRATOR, (925) 335-1900

PERSONS WHO WISH TO ADDRESS THE BOARD DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA, MAY BE LIMITED TO TWO (2) MINUTES.

A LUNCH BREAK MAY BE CALLED AT THE DISCRETION OF THE BOARD CHAIR.

The Board of Supervisors respects your time, and every attempt is made to accurately estimate when an item may be heard by the Board. All times specified for items on the Board of Supervisors agenda are approximate. Items may be heard later than indicated depending on the business of the day. Your patience is appreciated.

**AGENDA**  
**January 14, 2014**

**9:00 A.M. Convene, Call to Order and Opening Ceremonies**

Inspirational Thought- "Nothing is impossible, the word itself says "I'm possible". ~ Audrey Hepburn

**CONSIDER CONSENT ITEMS** (Items listed as C.1 through C.70 on the following agenda) – Items are subject to removal from Consent Calendar by request of any Supervisor or on request for discussion by a member of the public. **Items removed from the Consent Calendar will be considered with the Short Discussion items.**

**PRESENTATIONS (5 Minutes Each)**

**PR.1** ADOPT Resolution No. 2014/13 proclaiming January 2014 as Slavery and Human Trafficking Prevention Month. (Supervisor Mitchoff)

**SHORT DISCUSSION ITEMS**

**SD. 1** CONSIDER Consent Items previously removed.

**SD.2** CONSIDER authorizing the additional 30-day hold options for individuals that are gravely disabled as a result of a mental disorder per the application of Article 4.7 of Chapter 2 of Part 1 of the division 5 of the Welfare and Institutions Code (commencing with § 5270.10) and finding that any additional costs or reduction in costs incurred will be covered by the budget without reduction in service. (Anna Roth, CEO, Contra Costa Regional Medical Center & Health Centers)

**SD.3** CONSIDER adopting the FY 2014/15 Recommended Budget development schedule. (David Twa, County Administrator)

**9:30 A.M.**

**SD.4** HEARING to consider adoption of Resolution of Necessity No. 2014/12 for acquisition by eminent domain of real property required for the I-80/San Pablo Dam Road Interchange Improvement Project – Phase 1, San Pablo area. (100% Contra Costa Transportation Authority Funds) (David Kramer, Public Works Department)

### **DELIBERATION ITEMS**

**D.1** CONSIDER accepting report and findings from the survey of municipal advisory committees regarding the addition of an alternate seat(s) to 7-member MACs and an option to add a non-voting youth seat to any MAC, regardless of composition. (David Twa, County Administrator)

**D.2** CONSIDER accepting year-end reports on the County's 2013 Federal and State legislative programs, adopting the 2014 Federal and State Legislative Platforms, and providing further direction to County staff regarding legislative advocacy efforts, as recommended by the Legislation Committee.

**D.3** CONTINUE the CONTINUED PUBLIC HEARING to consider appeal of the County Planning Commission decision to approve proposed wireless telecommunications facility located near 110 Ardmore Road in the Kensington area; and to consider related actions under the California Environmental Quality Act, County File #LP13-2020. (Kevin and Michelle Ferguson, and Laura Owen, Kellin Cooper, Krista Bessinger, Jon Sarlin, and David Kwett, Appellants) (AT&T, Applicant and Contra Costa County/Northern California Joint Pole Association, Owners) (Aruna Bhat and William Nelson, Department of Conservation and Development)(**Continue to February 4, 2014 at 9:30 a.m.**)

**D. 4 PUBLIC COMMENT (2 Minutes/Speaker)**

**D. 5 CONSIDER reports of Board members.**

## **Closed Session**

### **A. CONFERENCE WITH LABOR NEGOTIATORS**

1. Agency Negotiators: David Twa and Ted Cwiek.

Employee Organizations: Contra Costa County Employees' Assn., Local No. 1; Am. Fed., State, County, & Mun. Empl., Locals 512 and 2700; Calif. Nurses Assn.; Service Empl. Int'l Union, Local 1021; District Attorney's Investigators Assn.; Deputy Sheriffs Assn.; United Prof. Firefighters, Local 1230; Physicians' & Dentists' Org. of Contra Costa; Western Council of Engineers; United Chief Officers Assn.; Service Empl. Int'l Union United Health Care Workers West; Contra Costa County Defenders Assn.; Probation Peace Officers Assn. of Contra Costa County; Contra Costa County Deputy District Attorneys' Assn.; and Prof. & Tech. Engineers, Local 21, AFL-CIO.

2. Agency Negotiators: David Twa and Ted Cwiek.

Unrepresented Employees: All unrepresented employees.

### **B. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Gov. Code, § 54956.9(d)(1))**

1. Anthony Garcia v. Contra Costa County, WCAB #'s ADJ 6713872, ADJ 6726055
2. Rosanna Sanchez v. Contra Costa County, WCAB # ADJ 8333212
3. Shahin Shahsavari-Golani v. Contra Costa County, WCAB # ADJ 8622964
4. In re Jordan Taitano vs. Superior Court, Contra Costa County Superior Court Case No. 5-132337-7; District Attorney of Contra Costa County v. Superior Court, Contra Costa County Superior Court Case No. 5-132560-4.
5. Leonard Alfonso v. Contra Costa County, Contra Costa County Superior Court Case No. C13-00308
6. Croskrey, et al. v. County of Contra Costa, et al.  
USDC, Northern District, Case No. C73-0906 JCS

## **ADJOURN**

## **CONSENT ITEMS**

### **Road and Transportation**

- C. 1** ADOPT Traffic Resolution No. 2014/4400 to establish speed limits on Reliez Valley Road, and RESCIND Traffic Resolution No. 1989/3319, as recommended by the Public Works Director, Martinez and Lafayette areas. (No fiscal impact)

### **Claims, Collections & Litigation**

- C. 2** RECEIVE public report of litigation settlement agreements that became final during the period of December 1, 2013 through December 31, 2013.
- C. 3** DENY claims filed by Enterprise Rent-A-Car #75295, Blackhawk Homeowners' Association, Rafael Hernandez, Sheree Howe, Byron Shields (2 claims), and Lefaye Walton., and DENY amended claim of Daniel Tkach.

## **Statutory Actions**

- C. 4 ACCEPT Board Members Meeting Reports for December 2013.

## **Ordinances**

- C. 5 ADOPT Ordinance No. 2014-01 amending the County Ordinance Code to move the classifications of Real Estate Manager-Exempt, Capital Projects Manager-Exempt, and Procurement Services Manager-Exempt from Section 33-5.375 to Section 33-5.347, change the appointing authority of those same classifications, and repeal Section 33-5.375. (No fiscal impact)

## **Appointments & Resignations**

- C. 6 APPOINT Steven West to Seat B4-California Highway Patrol, on the Emergency Medical Care Committee, as recommended by the Health Services Director.
- C. 7 ACCEPT the resignation of Russell Roe, DECLARE a vacancy in the District II Seat of the Contra Costa County Aviation Advisory Committee effective immediately, and DIRECT the Clerk of the Board to post the vacancy as recommended by Supervisor Andersen.
- C. 8 APPOINT Ben Hornstein to the Concord Local Committee representative seat on the Advisory Council on Aging, as recommended by the Employment and Human Services Director.

## **Appropriation Adjustments**

- C. 9 Employment and Human Services Department (0501) / General County Revenue (0005): ADOPT Appropriations and Revenue Adjustment No. 5036 approving the transfer of funds in the amount of \$584,867 from the General Fund Reserve for Audit/Litigation to the Employment and Human Services Department to pay Worldwide Educational Services, Inc amount owed under Settlement Agreement and Mutual Release (Number 21-190-0) (General Fund Reserved)

## **Personnel Actions**

- C. 10 ADOPT Position Adjustment Resolution No. 21401 to add one Manager, Application and Permit Center (represented) position and one Principal Structural Engineer (represented) position in the Department of Conservation and Development. (100% Land Development funds)



- C. 11** ADOPT Position Adjustment Resolution No. 21407 to add one Health Services Planner Evaluator - B position (represented) in the Health Services Department. (100% Housing and Urban Development Funds)
- C. 12** ADOPT Position Resolution No. 21408 to increase the hours of one Public Health Nurse (represented) from part time (32/40) to full time in the Health Services Department. (100% California Children Services funds)
- C. 13** ACKNOWLEDGE receipt of report of suspension of competition and direct appointment to the classification of Human Resources Project Manager (unrepresented) in the Human Resources Department, as provided for in the Personnel Management Regulations, Section 502. (100% General Fund)

### **Grants & Contracts**

**APPROVE and AUTHORIZE execution of agreements between the County and the following agencies for receipt of fund and/or services:**

- C. 14** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute the License Agreement between Contra Costa County and Dan and Mary Helix, John V. Hook, TRE and Steven Pucell, TRE, et al., for use of a portion of Assessor's Parcel No. 148-360-027 in the Pleasant Hill area. (100% Iron Horse Corridor Funds)
- C. 15** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract amendment with the Town of Danville to increase by twelve the number of personnel assigned to the Town and revise payment rates for law enforcement services provided to the Town. (No fiscal impact)

**APPROVE and AUTHORIZE execution of agreement between the County and the following parties as noted for the purchase of equipment and/or services:**

- C. 16** APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract with Nerd Crossing LLC, in an amount not to exceed \$200,000 for consultation and technical support related to the implementation of the County's computerized employee timekeeping system, for the period January 20, 2014 through January 19, 2015. (100% Department User Fees)
- C. 17** APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order with Royal Petroleum in an amount not to exceed \$500,000, for diesel and unleaded fuel, for the period from February 1, 2014 through January 31, 2015, Countywide. (100% Fleet Internal Service Fund)

- C. 18** APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order with Ramos Oil Company, Inc. in an amount not to exceed \$350,000, for diesel and unleaded fuel, for the period from February 1, 2014 through January 31, 2015, Countywide. (100% Fleet Internal Service Fund)
- C. 19** APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order with Southern Counties Fuel in an amount not to exceed \$1,300,000, for diesel and unleaded fuel, for the period from February 1, 2014 through January 31, 2015, Countywide. (100% Fleet Internal Service Fund)
- C. 20** APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order with Redwood Coast Petroleum in an amount not to exceed \$175,000, for diesel and unleaded fuel, for the period from February 1, 2014 through January 31, 2015, Countywide. (100% Fleet Internal Service Fund)
- C. 21** APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order with Hunt & Sons, Inc. in an amount not to exceed \$225,000, for diesel and unleaded fuel, for the period from February 1, 2014 through January 31, 2015, Countywide. (100% Fleet Internal Service Fund)
- C. 22** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Recovery Innovations, Inc., in an amount not to exceed \$516,029 to provide community-based mental health support services to County's adult mental health clients for the period January 1 through June 30, 2014. (68% Mental Health Services Act, 32% Mental Health Realignment Services)
- C. 23** AMEND the Board Order that was approved by the Board of Supervisors on October 1, 2013 (C.34) with Precyse Solutions, LLC, to reflect the correct beginning payment limit of \$550,000 instead of \$555,000, with an increase in the payment limit of \$135,223 instead of \$130,223 with no change in the approved payment limit of \$685,223, for temporary medical coding and tumor registrar services for Contra Costa Regional Medical Center and Contra Costa Health Centers, with no change in the original term from June 1, 2012 through July 31, 2013. (100% Enterprise Fund I)
- C. 24** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Aspira Technologies, Inc. in an amount not to exceed \$229,200, to provide consultation and technical assistance to the Department's Information Systems Unit with regard to information technology analytics, for the period from December 1, 2013 through November 30, 2014. (100% Enterprise Fund I)

- C. 25** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Rainbow Community Center of Contra Costa County in an amount not to exceed \$220,507 to provide Mental Health Services Act prevention and early intervention services for the period July 1, 2013 through June 30, 2014, with a six-month automatic extension through December 31, 2014 in an amount not to exceed \$110,253. (100% Mental Health Services Act)
- C. 26** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a novation contract with Helios Healthcare, LLC, in an amount not to exceed \$473,840 to provide sub-acute skilled nursing care services for the period July 1, 2013 through June 30, 2014, with a six-month automatic extension through December 31, 2014 in an amount not to exceed \$236,920. (100% Mental Health Realignment)
- C. 27** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Staff Care, Inc., in an amount not to exceed \$1,300,000 to provide temporary physician services for Contra Costa Regional Medical and Health Centers, for the period January 1 through December 31, 2014. (100% Enterprise Fund I)
- C. 28** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with William E. Berlingieri, M.D., in an amount not to exceed \$313,600 to provide professional outpatient psychiatric services to adult clients in West County, for the period January 1 through December 31, 2014. (100% Mental Health Realignment)
- C. 29** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Jon Whalen, M.D., in an amount not to exceed \$300,800 to provide professional outpatient psychiatric services at the East County Medical Clinic, for the period February 1, 2014 through January 31, 2015. (100% Mental Health Realignment)
- C. 30** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Maxim Healthcare Services, Inc., effective October 9, 2013 to modify the rate sheet to add two new classifications, a Remote ICD-9 and Remote ICD-10/Dual coding personnel for continuation of temporary registry services, with no change to the payment limit of \$1,200,000, and no change in the original term of April 1, 2013 through March 31, 2014. (100% Enterprise Fund I)
- C. 31** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with John Moranville, M.D. in an amount not to exceed \$274,400 to provide professional outpatient psychiatric services for mentally ill patients in Central County, for the period January 1 through December 31, 2014. (100% Mental Health Realignment)

- C. 32** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Applied Remedial Services, Inc., in an amount not to exceed \$290,000 for removal and disposal of hazardous waste materials at the Contra Costa Regional Medical and Health Centers, for the period January 1 through December 31, 2014. (100% Enterprise I Fund)
- C. 33** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Mental Health Management I, Inc. (dba Canyon Manor), in an amount not to exceed \$209,751 to provide mental health subacute care and treatment services for the period July 1, 2013 through June 30, 2014, with a six-month automatic extension through December 31, 2014 in an amount not to exceed \$104,875. (100% Mental Health Realignment)
- C. 34** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Sodexo Laundry Services, Inc., in an amount not to exceed \$2,280,000 to provide linen rental and laundering services for the Contra Costa Regional Medical and Health Centers, for the period October 1, 2013 through September 30, 2016. (100% Enterprise Fund I)
- C. 35** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Oliver Wyman Actuarial Consulting, Inc., in an amount not to exceed \$195,000 to provide actuarial consulting services for the Contra Costa Health Plan, for the period December 1, 2013 through November 30, 2014. (100% CCHP Enterprise Fund III)
- C. 36** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Ramon Berguer, M.D., in an amount not to exceed \$400,000 to provide general surgery services for patients at Contra Costa Regional Medical and Health Centers, for the period January 1 through December 31, 2014. (100% Enterprise Fund I)
- C. 37** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Young Men's Christian Association of the East Bay, in an amount not to exceed \$805,168, to provide on-site school counseling services for the period July 1, 2013 through June 30, 2014, with a six-month automatic extension through December 31, 2014, in an amount not to exceed \$402,584. (48% Federal Financial Participation; 52% Mental Health Realignment)
- C. 38** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Ujima Family Recovery Services in an amount not to exceed \$1,697,684 to provide perinatal substance abuse treatment services for the period July 1, 2013 through June 30, 2014, with a six-month automatic extension through December 31, 2014 in an amount not to exceed \$848,842. (88% Federal Perinatal Set-Aside; 12% Drug Medi-Cal)

- C. 39** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Cheryl Adams-Woodford in an amount not to exceed \$130,700 to provide project management, consultation, and technical assistance with regard to the PeopleSoft General Ledger System, for the period January 1 through December 31, 2014. (100% Enterprise Fund I)
- C. 40** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Crestwood Behavioral Health, Inc., including modified indemnification language, in an amount not to exceed \$7,383,000 to provide subacute skilled nursing care services for the period July 1, 2013 through June 30, 2014, with a six-month automatic extension through December 31, 2014 in an amount not to exceed \$3,691,500. (12% Mental Health Services Act, 88% Mental Health Realignment)
- C. 41** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Lincoln Child Center, Inc., effective January 1, 2014, to increase the payment limit by \$369,948 to a new payment limit of \$3,714,585 to provide additional services, with no change in the term; and to increase the automatic extension payment limit by \$369,948 to a new payment limit of \$2,227,241, with no change in the term of the automatic extension. (48% Federal Financial Participation; 36% Mental Health Realignment; 12% Mental Health Services Act; 4% Pittsburg Unified School District)
- C. 42** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Bi-Bett in an amount not to exceed \$2,602,160 to provide substance abuse prevention, treatment, and testing services for the period July 1, 2013 through June 30, 2014, with a six-month automatic extension in an amount not to exceed \$1,301,080 through December 31, 2014. (69% Substance Abuse Treatment and Prevention Block Grant; 11% California Work Opportunities and Responsibility to Kids; 11% AB 109; 9% Behavioral Health Court Second Chance Act funds)
- C. 43** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with A. Scott Cohen, DDS and Mark Stevenson, DDS, a professional corporation, in an amount not to exceed \$225,000 to provide specialty endodontic services to Contra Costa Health Plan members, for the period December 1, 2013 through November 30, 2015. (100% CCHP Member Premiums)
- C. 44** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with East Bay Medical Oncology/Hematology Medical Associates, Inc., in an amount not to exceed \$3,000,000 to provide professional hematology/oncology services for the period December 1, 2013 through November 30, 2015. (100% Contra Costa Health Plan Member Premiums)

- C. 45** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Advent Advisory Group, LLC, including modified indemnification language, in an amount not to exceed \$68,000 to provide compliance auditing services for the period October 1, 2013 through September 30, 2015. (100% Contra Costa Health Plan Member Premiums)
- C. 46** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Cypress Women's Cancer Treatment Center, a medical corporation, in an amount not to exceed \$150,000 to provide professional gynecology/oncology services for the period January 1, 2014 through December 31, 2015. (100% Contra Costa Health Plan Member Premiums)
- C. 47** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with United Family Care, LLC (dba Family Courtyard), in an amount not to exceed \$357,120 to provide augmented board and care services for County-referred mentally disordered clients, for the period December 1, 2013 through November 30, 2014. (100% Mental Health Realignment funds)
- C. 48** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with BAS Resources, Inc. (DBA - BAS Healthcare), in an amount not to exceed \$140,000 to provide psychiatric recruitment services for the Behavioral Health Services Division/Mental Health Psychiatric Program, for the period January 1 through December 31, 2014. (100% Mental Health Realignment)
- C. 49** APPROVE and AUTHORIZE the County Treasurer to enter into a contract for financial services with Morgan Stanley Smith Barney LLC ("Morgan Stanley"), including indemnification of Morgan Stanley, for the purpose of managing the investment of bond proceeds for the Contra Costa County Community College District. (100% Fee Based)
- C. 50** APPROVE and AUTHORIZE the County Treasurer to enter into a contract for financial services with BlackRock Investment Management, LLC ("BlackRock"), including indemnification of BlackRock, for the purpose of managing the investment of bond proceeds for the Contra Costa County Community College District. (100% Fee Based)
- C. 51** APPROVE and AUTHORIZE the County Treasurer to enter into a contract for financial services with Legg Mason Private Portfolio Group, LLC ("Legg Mason"), including indemnification of Legg Mason, for the purpose of managing the investment of bond proceeds for the Contra Costa County Community College District. (100% Fee Based)

- C. 52** APPROVE and AUTHORIZE the Purchasing Agent to amend, on behalf of the Health Services Director, a purchase order with Epic Systems Corporation to increase the payment limit by \$2,070,000 to a new payment limit of \$17,470,000 for the Electronic Health Record system software, interfaces, training and implementation for Contra Costa Health Services, and to amend the term to expire June 30, 2014 instead of February 16, 2015. (100% Enterprise Fund I)
- C. 53** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Victor Kogler in an amount not to exceed \$125,938 to provide consultation and technical assistance with regard to the system of care to the Behavioral Health Services Division/Alcohol and Other Drugs Services, for the period January 1 through December 31, 2014. (100% Federal Prevention Set-Aside)
- C. 54** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Youth Homes, Inc. in an amount not to exceed \$423,842 to provide Mental Health Services Act prevention and early intervention services to transitional aged youth who are experiencing serious mental illness, for the period December 5, 2013 through June 30, 2014. (68% Mental Health Services Act; 32% Federal Financial Participation)
- C. 55** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Telecare Corporation in an amount not to exceed \$1,011,482 to provide and manage services for Hope House, a sixteen bed short-term residential facility for mentally ill adults, for the period December 5, 2013 through June 30, 2014. (51% Federal Financial Participation; 49% Mental Health Services Act)
- C. 56** APPROVE and AUTHORIZE the Chief Information Officer, or designee, to pay an amount not to exceed \$240,000 for maintenance and support of County mainframe computer software for the period January 1, 2014 through December 31, 2014, under the IBM Agreement for Software Maintenance. (100% Department User fees)
- C. 57** APPROVE AND AUTHORIZE the County Counsel, or designee, to execute, on behalf of the County, a contract with Baker & O'Brien, Inc., in an amount not to exceed \$1,100,000 to provide refining industry analyses in connection with refinery property tax appeals, for the period from January 1, 2014 through December 31, 2014. (100% Property Tax Administration fees)

### **Other Actions**

- C. 58** ACCEPT the 2013 annual report from the Transportation, Water and Infrastructure Committee, as recommended by the Committee.

- C. 59** ACCEPT the Contra Costa County Library Commission 2013 Annual Report and 2014 Work Plan, as recommended by the Interim County Librarian. (No fiscal impact)
- C. 60** UPDATE the official list of persons to serve, in priority order, as standby officers for the respective members of the Board of Supervisors, as recommended by the County Administrator.
- C. 61** ACCEPT the recommendation from the County Administrator to include \$3,000 to the District Office's budgets for each Municipal Advisory Council (MAC) within the district's boundaries, in the Fiscal Year 2014-15 Recommended Budget. (100% General Fund)
- C. 62** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract extension with University of San Francisco, School of Nursing and Health Professions to continue providing field instruction in the Health Services Department for the Contractor's registered nurse students from December 31, 2013 through December 31, 2016. (No fiscal impact)
- C. 63** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment/extension with the Food Bank of Contra Costa and Solano, effective August 1, 2013, to increase the payment limit by \$55,081 to a new payment limit of \$136,748, to provide additional coordination of food services for County residents diagnosed with HIV disease, and extend the term from February 28, 2014 to April 30, 2014. (100% Ryan White HIV/AIDS Treatment Extension Act)
- C. 64** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute an Unpaid Student Training Agreement with Mount St. Mary's College, to provide supervised field instruction at Contra Costa Health Services Department for Contractor's physical therapist students, for the period September 1, 2013 through August 31, 2016, including modified indemnification language. (No fiscal impact)
- C. 65** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute an unpaid student training agreement with The Wright Institute to provide field instruction in the Health Services Department for the Contractor's Clinical Psychology Doctorate students, for the period August 1, 2013 through July 31, 2016. (No fiscal impact)
- C. 66** ADOPT Resolution No. 2014/14 authorizing the Health Services Director or his designee to inform the State of California that Contra Costa County selects the County Savings Determination methodology to calculate the amount of Indigent Care Realignment funds to be redirected to the State effective in Fiscal Year 2013-14 and forward. (No Fiscal Impact)



- C. 67** ACCEPT the Alamo-Lafayette Cemetery District's 2013 Annual Report, as recommended by Supervisor Andersen.
- C. 69** ACCEPT the report prepared by the Office of the Sheriff in accordance with Penal Code Section 4025(e) representing an accounting of all Inmate Welfare Fund receipts and disbursements for Fiscal Year 2012/13, as recommended by the Sheriff-Coroner. (No fiscal impact)
- C. 70** APPROVE issues to refer to the Transportation, Water and Infrastructure Committee for 2014 as recommended by the Committee. (No fiscal impact)

### **GENERAL INFORMATION**

The Board meets in all its capacities pursuant to Ordinance Code Section 24-2.402, including as the Housing Authority and the Successor Agency to the Redevelopment Agency. Persons who wish to address the Board should complete the form provided for that purpose and furnish a copy of any written statement to the Clerk.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to a majority of the members of the Board of Supervisors less than 72 hours prior to that meeting are available for public inspection at 651 Pine Street, First Floor, Room 106, Martinez, CA 94553, during normal business hours.

All matters listed under CONSENT ITEMS are considered by the Board to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time the Board votes on the motion to adopt.

Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Chair calls for comments from those persons who are in support thereof or in opposition thereto. After persons have spoken, the hearing is closed and the matter is subject to discussion and action by the Board. Comments on matters listed on the agenda or otherwise within the purview of the Board of Supervisors can be submitted to the office of the Clerk of the Board via mail: Board of Supervisors, 651 Pine Street Room 106, Martinez, CA 94553; by fax: 925-335-1913.

The County will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Clerk of the Board at least 24 hours before the meeting, at (925) 335-1900; TDD (925) 335-1915. An assistive listening device is available from the Clerk, Room 106.

Copies of recordings of all or portions of a Board meeting may be purchased from the Clerk of the Board. Please telephone the Office of the Clerk of the Board, (925) 335-1900, to make the necessary arrangements.

Forms are available to anyone desiring to submit an inspirational thought nomination for inclusion on the Board Agenda. Forms may be obtained at the Office of the County Administrator or Office of the Clerk of the Board, 651 Pine Street, Martinez, California.

Applications for personal subscriptions to the weekly Board Agenda may be obtained by calling the Office of the Clerk of the Board, (925) 335-1900. The weekly agenda may also be viewed on the County's Internet Web Page:

[www.co.contra-costa.ca.us](http://www.co.contra-costa.ca.us)

## STANDING COMMITTEES

The **Airport Committee** (Supervisors Karen Mitchoff and Mary N. Piepho) meets quarterly on the first Monday of the month at 1:00 p.m. at Director of Airports Office, 550 Sally Ride Drive, Concord.

The **Family and Human Services Committee** (Supervisors Candace Andersen and Federal D. Glover) meets on the second Monday of the month at 1:00 p.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Finance Committee** (Supervisors Federal D. Glover and Mary N. Piepho) meets on the fourth Monday of the month at 10:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Hiring Outreach Oversight Committee** (Supervisors Karen Mitchoff and Federal Glover) meets on the second Monday of the month at 10:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Internal Operations Committee** (Supervisors Candace Andersen and Karen Mitchoff) meets on the first Monday of the month at 10:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Legislation Committee** (Supervisors Karen Mitchoff and Mary N. Piepho) meets on the first Thursday of the month at 10:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Public Protection Committee** (Supervisors John Gioia and Federal D. Glover) meets on the fourth Monday of the month at 1:00 p.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Transportation, Water & Infrastructure Committee** (Supervisors Candace Andersen and Mary N. Piepho) meets on the first Thursday of the month at 1:00 p.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

Airports Committee	TBD	TBD	See above
Family & Human Services Committee	TBD	TBD	See above
Finance Committee	TBD	TBD	See above
Hiring Outreach Oversight Committee	TBD	TBD	See above

Internal Operations Committee	February 3, 2014	10:30 a.m.	See above
Legislation Committee	TBD	TBD	See above
Public Protection Committee	TBD	TBD	See above
Transportation, Water & Infrastructure Committee	TBD	TBD	See above

**PERSONS WHO WISH TO ADDRESS THE BOARD DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA, MAY BE LIMITED TO TWO (2) MINUTES**

**A LUNCH BREAK MAY BE CALLED AT THE DISCRETION OF THE BOARD CHAIR**

**AGENDA DEADLINE: Thursday, 12 noon, 12 days before the Tuesday Board meetings.**

### **Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order):**

Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in its Board of Supervisors meetings and written materials. Following is a list of commonly used language that may appear in oral presentations and written materials associated with Board meetings:

**AB** Assembly Bill  
**ABAG** Association of Bay Area Governments  
**ACA** Assembly Constitutional Amendment  
**ADA** Americans with Disabilities Act of 1990  
**AFSCME** American Federation of State County and Municipal Employees  
**AICP** American Institute of Certified Planners  
**AIDS** Acquired Immunodeficiency Syndrome  
**ALUC** Airport Land Use Commission  
**AOD** Alcohol and Other Drugs  
**ARRA** American Recovery & Reinvestment Act of 2009  
**BAAQMD** Bay Area Air Quality Management District  
**BART** Bay Area Rapid Transit District  
**BayRICS** Bay Area Regional Interoperable Communications System  
**BCDC** Bay Conservation & Development Commission  
**BGO** Better Government Ordinance  
**BOS** Board of Supervisors  
**CALTRANS** California Department of Transportation  
**CalWIN** California Works Information Network  
**CalWORKS** California Work Opportunity and Responsibility to Kids  
**CAER** Community Awareness Emergency Response  
**CAO** County Administrative Officer or Office

**CCCPFD** (ConFire) Contra Costa County Fire Protection District  
**CCHP** Contra Costa Health Plan  
**CCTA** Contra Costa Transportation Authority  
**CCRMC** Contra Costa Regional Medical Center  
**CCWD** Contra Costa Water District  
**CDBG** Community Development Block Grant  
**CFDA** Catalog of Federal Domestic Assistance  
**CEQA** California Environmental Quality Act  
**CIO** Chief Information Officer  
**COLA** Cost of living adjustment  
**ConFire** (CCCFPD) Contra Costa County Fire Protection District  
**CPA** Certified Public Accountant  
**CPI** Consumer Price Index  
**CSA** County Service Area  
**CSAC** California State Association of Counties  
**CTC** California Transportation Commission  
**dba** doing business as  
**DSRIP** Delivery System Reform Incentive Program  
**EBMUD** East Bay Municipal Utility District  
**ECCFPD** East Contra Costa Fire Protection District  
**EIR** Environmental Impact Report  
**EIS** Environmental Impact Statement  
**EMCC** Emergency Medical Care Committee  
**EMS** Emergency Medical Services  
**EPSDT** Early State Periodic Screening, Diagnosis and Treatment Program (Mental Health)  
**et al.** et alii (and others)  
**FAA** Federal Aviation Administration  
**FEMA** Federal Emergency Management Agency  
**F&HS** Family and Human Services Committee  
**First 5** First Five Children and Families Commission (Proposition 10)  
**FTE** Full Time Equivalent  
**FY** Fiscal Year  
**GHAD** Geologic Hazard Abatement District  
**GIS** Geographic Information System  
**HCD** (State Dept of) Housing & Community Development  
**HHS** (State Dept of ) Health and Human Services  
**HIPAA** Health Insurance Portability and Accountability Act  
**HIV** Human Immunodeficiency Syndrome  
**HOV** High Occupancy Vehicle  
**HR** Human Resources  
**HUD** United States Department of Housing and Urban Development  
**IHSS** In-Home Supportive Services  
**Inc.** Incorporated  
**IOC** Internal Operations Committee  
**ISO** Industrial Safety Ordinance  
**JPA** Joint (exercise of) Powers Authority or Agreement  
**Lamorinda** Lafayette-Moraga-Orinda Area  
**LAFCo** Local Agency Formation Commission

**LLC** Limited Liability Company  
**LLP** Limited Liability Partnership  
**Local 1** Public Employees Union Local 1  
**LVN** Licensed Vocational Nurse  
**MAC** Municipal Advisory Council  
**MBE** Minority Business Enterprise  
**M.D.** Medical Doctor  
**M.F.T.** Marriage and Family Therapist  
**MIS** Management Information System  
**MOE** Maintenance of Effort  
**MOU** Memorandum of Understanding  
**MTC** Metropolitan Transportation Commission  
**NACo** National Association of Counties  
**NEPA** National Environmental Policy Act  
**OB-GYN** Obstetrics and Gynecology  
**O.D.** Doctor of Optometry  
**OES-EOC** Office of Emergency Services-Emergency Operations Center  
**OPEB** Other Post Employment Benefits  
**OSHA** Occupational Safety and Health Administration  
**PARS** Public Agencies Retirement Services  
**PEPRA** Public Employees Pension Reform Act  
**Psy.D.** Doctor of Psychology  
**RDA** Redevelopment Agency  
**RFI** Request For Information  
**RFP** Request For Proposal  
**RFQ** Request For Qualifications  
**RN** Registered Nurse  
**SB** Senate Bill  
**SBE** Small Business Enterprise  
**SEIU** Service Employees International Union  
**SUASI** Super Urban Area Security Initiative  
**SWAT** Southwest Area Transportation Committee  
**TRANSPAC** Transportation Partnership & Cooperation (Central)  
**TRANSPLAN** Transportation Planning Committee (East County)  
**TRE** or **TTE** Trustee  
**TWIC** Transportation, Water and Infrastructure Committee  
**UASI** Urban Area Security Initiative  
**VA** Department of Veterans Affairs  
**vs.** versus (against)  
**WAN** Wide Area Network  
**WBE** Women Business Enterprise  
**WCCTAC** West Contra Costa Transportation Advisory Committee



Contra  
Costa  
County

To: Board of Supervisors  
From: Karen Mitchoff, District IV Supervisor  
Date: January 14, 2014

Subject: Proclaiming January 2014 as Slavery and Human Trafficking Prevention Month

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

#### VOTE OF SUPERVISORS

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Laura Case 925-521-7100

By: , Deputy

cc:

## ATTACHMENTS

Resolution No.  
2014/13

*The Board of Supervisors of  
Contra Costa County, California*

In the matter of:

**Resolution No. 2014/13**

**Proclaiming January 2014 as Slavery and Human Trafficking Prevention Month**

WHEREAS, Human Trafficking is the illegal [trade](#) in human beings for the purposes of commercial [sexual exploitation](#) or [forced labor](#); a modern-day form of [slavery](#); and

WHEREAS, Human Trafficking is a lucrative industry and the fastest growing criminal industry in the world; Globally, it is tied with the illegal arms trade, as the second largest criminal activity, following the drug trade, and uses violent and exploitive tactics to prey upon vulnerable members of our communities – especially women and children; and

WHEREAS, the crime of Human Trafficking violates an individual's dignity, security, privacy and humanity due to the systematic use of physical, emotional, sexual, psychological and economic exploitation, control and/or abuse; and

WHEREAS, the impact of Human Trafficking is wide-ranging, directly affecting foreign nationals as well as domestic men, women, children, and society as a whole; and

WHEREAS, it is often the most vulnerable members of our communities who are victimized by Human Trafficking, with perpetrators exploiting that vulnerability for their own needs and gains; targeting an estimated 1.2 million victims nationally each year with over half of those being forced into the sex industry and 98% of those victims being female; and

WHEREAS, the County's Zero Tolerance for Domestic Violence Initiative acknowledges that fighting modern slavery is a shared community responsibility and therefore has worked with numerous public and private agencies to establish the Zero Tolerance for Human Trafficking Coalition, in order to strengthen the County's comprehensive response to human trafficking initiated by County Departments, law enforcement agencies, and numerous community and faith-based organizations and continuing to build its collaboration by linking with local, regional and federal agencies; and

WHEREAS, the County works to raise awareness so individuals will become more informed, and will take action to end Human Trafficking in their communities.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Contra Costa County does hereby proclaim January 2014 as SLAVERY AND HUMAN TRAFFICKING PREVENTION MONTH, and urges all residents to actively participate in the efforts to both raise awareness of and end all forms of human trafficking in our communities.

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**FEDERAL D. GLOVER**

Chair,  
District V Supervisor

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**JOHN GIOIA**

District I Supervisor

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**CANDACE ANDERSEN**

District II Supervisor

---

**MARY N. PIEPHO**

District III Supervisor

---

**KAREN MITCHOFF**

District IV Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa,



By: \_\_\_\_\_, Deputy



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Approval of an additional 30-day hold option for individuals that are gravely disabled as a result of a mental disorder per W&I Code 5270.10.

**RECOMMENDATION(S):**

1. Authorize the additional 30-day hold options for individuals that are gravely disabled as a result of a mental disorder per the application of Article 4.7 of Chapter 2 of Part 1 of the division 5 of the Welfare and Institutions Code (commencing with § 5270.10).
2. Find that any additional costs or reduction in costs incurred will be covered by the budget without reduction in service.

**FISCAL IMPACT:**

No net County cost. The potential impact could result in a cost savings to the County.

**BACKGROUND:**

When any person, as a result of a mental disorder, is a danger to self, others or gravely disabled, designated Contra Costa County authorities with probable cause may require that this person be placed in a facility designated by the County and approved by the Mental Health

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon, 957-5201

By: , Deputy

BACKGROUND: (CONT'D)

Licensing Bureau for 72-hour treatment and evaluation. If a person is detained for 72 hours, he or she may be certified for an additional 14 days of intensive treatment related to the mental disorder. In Contra Costa County, mental health professionals have no venue other than temporary conservatorship to continue treatment of a gravely disabled individual beyond the 14-day hold.

Contra Costa County is seeking to implement Section 5270 of the California Welfare & Institutions Code with the intent of reducing the number of conservatorship petitions filed for gravely disabled mentally ill consumers (California Welfare & Institutions Code 5270.10). The implementation will allow Contra Costa County Behavioral Health Services to increase the evaluation period of consumers by an additional 30 days (California Welfare & Institutions Code 5270.15) to allow additional time to stabilize some clients.

In order to implement the additional 30-day hold, the County Board of Supervisors, by resolution, must authorize the additional 30-day hold option. In keeping with the Legislature's intent, the implementation of this hold option will reduce the number of conservatorships, reduce the costs associated with the conservatorship process and enable person to receive the appropriate level of treatment.



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: January 14, 2014

Subject: FY 2014/15 Recommended Budget Development

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**RECOMMENDATION(S):**

1. DECLARE the Board's intent to adopt a FY 2014/15 General Fund budget that balances annual expenses and revenues;
2. ACKNOWLEDGE that the State of California and residents throughout the State continue to struggle to manage the outcomes of the recently depressed economy;
3. ACKNOWLEDGE that significant economic issues continue to challenge the Board of Supervisors in its effort to finance services and programs which Contra Costa County residents need, or expect will be provided to them by the County, especially in a time of slow economic recovery;
4. ACKNOWLEDGE that, in addition to the effects on the provision of services for residents, these State and local economic issues have challenged the maintenance of the Board of Supervisors' reserve policy;
5. ACKNOWLEDGE that restoration of the County's reserve funds, maintaining an improved credit rating, and maintenance of the County's physical assets remain a priority of the Board of Supervisors over the long term;
6. ACKNOWLEDGE that the State's long term structural budget imbalance is expected to mean additional and sizable reductions in State revenues to county government;
- 7.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Lisa Driscoll, County Finance Director  
(925) 335-1023

By: , Deputy

### RECOMMENDATION(S): (CONT'D)

RE-AFFIRM the Board of Supervisors' policy prohibiting the use of County General Purpose Revenue to back-fill State revenue cuts;

- DIRECT Department Heads to work closely with the County Administrator to develop a Recommended Budget for consideration of the Board of Supervisors that balances expenses with revenues, minimizes net County cost and maintains core service levels;
- ACKNOWLEDGE that the employees of Contra Costa County have already been negatively affected as a result of the requirement to balance the County's expenses with available revenues;
- ACKNOWLEDGE that the 2014-2015 assessment roll will be prepared using an inflation factor of 1.00454 rather than the 1.02 factor that is the norm;
- ACKNOWLEDGE that this situation is expected to improve for County employees, as we work to manage and cope with the outcomes of slow economic recovery;
- DIRECT the County Administrator to continue to meet with the County's union representatives and employees to explain the size, scope and anticipated length of the County's fiscal challenges and to gain their input/suggestions;
- DIRECT the County Administrator to continue to make this information readily available to the residents of the County;
- DIRECT Departments, in cooperation with Labor Relations and Union representatives, to begin, if necessary, the meet and confer process with employee representatives about the impact of potential program reductions on the terms and conditions of employment for affected employees;
- DIRECT the County Administrator to return to the Board of Supervisors on April 22, 2014 with a FY 2014/2015 Recommended Budget that meets the above requirements;
- DESIGNATE Tuesday, April 22, 2014 for FY 2014/2015 budget hearings (including Bielensoen Hearings, if needed) and Tuesday, May 13, 2014 for the adoption of the FY 2014/15 County and Special District Budgets; and
- DIRECT the Clerk of the Board to publish notice of the budget hearings and the availability of the Recommended Budget documents.

### FISCAL IMPACT:

None at this time. However, the result of the recommendations herein, if implemented, are designed to maintain the County's fiscal stability in FY2014/2015 and improve it in subsequent years.

### BACKGROUND:

The actions recommended in this documentation direct the County Administrator to return to the Board on April 22, 2014 with a Recommended Budget that balances expenses with revenues for FY 2014/15. This action aligns with both the Budget and Reserve Policy of the Board of Supervisors. Continued labor negotiation as well as the expiration of additional labor contracts with many County employee groups, as well as State actions to manage the reoccurring budget deficit will be taking place in the same time-frame as development of the Recommended Budget. The outcomes of all these events have the potential for significant impacts on the County's financial situation.

### **Recommended Budget Development**

There are many challenges that the County will continue to face to create a balanced budget in the coming fiscal year, including the State's recurring budget deficits. Although the County Administrator continues to believe that there will be growth in local property tax, other general purpose and program revenues used to fund the baseline cost of services into FY 2014/15 are expected to recovery very slowly. Significant wage concessions were negotiated for the majority of County employees through the 2012/13 fiscal year. Negotiations recently completed and currently underway with the majority of our bargaining groups are expected to include modest wage increases. These increases combined with significant pension increases will challenge the County's fiscal health. The County has sustained most of the structural reductions that balanced the last eight County budgets so that significant one-time solutions are no longer required to balance the budget. It is imperative that the County achieve contract settlements in alignment with projected revenue growth; otherwise, compensation costs will create a potential gap for FY 2014/15, which must be filled to achieve a balanced budget.

There are always factors over which the County has little or no control (such as federal and State budgets shortfalls, economic changes, and demographics) that will affect the size of the baseline budget and ultimately the County's

budget challenge. While 'part one of the Fiscal Cliff' has been avoided, the Federal government still must resolve significant budget issues over the next several weeks.

The majority of the County's general purpose revenues are generated through property taxes. Revenue and Taxation Code section 51 provides that base year values determined under section 110.1 shall be compounded annually by an inflation factor not to exceed 2 percent. Section 51(a)(1)(C) provides that, for any assessment year commencing on or after January 1, 1998, the inflation factor shall be the percentage change, rounded to the nearest one-thousandth of 1 percent, from October of the prior fiscal year to October of the current fiscal year in the California Consumer Price Index (CCPI) for all items, as determined by the California Department of Industrial Relations. With the exception of seven times (2011, 2010, 2004, 1999, 1966, 1995, and 1983), the inflation factor has been 1.02 percent for the last 37 years. Information from the Department of Industrial Relations shows that the CCPI increased from 241.537 in October 2012 to 242.633 in October 2013. Rounded to the nearest one-thousandth of 1 percent, this is an increase of 0.454 percent. Accordingly, we will prepare our 2014 assessment roll using an inflation factor of 1.00454.

As per the norm, Department Heads will be expected to work closely with the County Administrator to design a balanced budget that restricts the growth in net County cost while minimizing service delivery cuts. Wherever possible, categorical/program revenues will be increased to offset the increased cost of doing business. Restrictions on increases in net County cost needed to balance the budget may result in the loss of federal and State program revenues, and this added loss may cause program reductions.

### **Meet and Confer**

Departmental budget requests are due to the County Administrator's Office on February 14. At that time Department Heads will know which, if any, positions may be affected by reductions necessary to balance the budget. Departments, in cooperation with Labor Relations, will if necessary, begin the meet and confer process with employee representatives regarding the impact of potential program reductions on the terms and conditions of employment for affected employees. Early planning will allow Departments a reasonable period of time to meet and confer, and permit them to implement all budgetary required actions prior to July 1, 2014. As with the last eight fiscal years, this progress will allow the County to adopt a budget that is balanced from the first day of the new fiscal year.

### **Public Notice**

The County Budget Act requires that the Board of Supervisors publish a notice in a newspaper of general circulation throughout the county, stating when budget documents will be available and the date of Budget Hearings. The FY 2014/15 Budget document will be available to the public on April 8, 2014.

### **Conclusion**

The County Administrator will return to the Board on April 22 with a FY 2014/15 Recommended Budget that meets the requirements listed above. Tuesday, April 22 will be reserved for FY 2014/15 budget hearings including Bielsenson hearings if needed. Additionally, it is recommended that the County Administrator return to the Board of Supervisors on Tuesday, May 13 for adoption of the FY 2014/15 County and Special District Budgets, including any changes the Board makes on April 22.

### **CONSEQUENCE OF NEGATIVE ACTION:**

Delayed processing of the FY 2014/15 budget and potential impact on the fiscal stability of the County and Special Districts.

### **CHILDREN'S IMPACT STATEMENT:**

None.



Contra  
Costa  
County

To: Board of Supervisors

From: Julia R. Bueren, Public Works Director/Chief Engineer

Date: January 14, 2014

Subject: Resolution of Necessity Hearing for the I-80 San Pablo Dam Rd. Interchange Improvement Project - Phase 1, San Pablo area.

**RECOMMENDATION(S):**

OPEN the public hearing and ask if any notified property owners wish to be heard as to the four items specified in Section B below; CLOSE the Public Hearing.

Upon completion and closing of the hearing, MAKE the findings and determinations listed under Section B below and ADOPT Resolution of Necessity (No. 2014/12) to acquire the required properties by eminent domain. Project No.: 4660-6X4170

**FISCAL IMPACT:**

In eminent domain actions the judgment will be the price paid for the property, and may include court costs which are regarded as a roughly calculable expense of the property acquisition. Costs of acquisition in this case are 100% reimbursable from the Contra Costa Transportation Authority (CCTA). (100% CCTA Funds) SCH No. 2009082009

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: David Kramer (925)  
313-2227

By: , Deputy

cc:

## BACKGROUND:

### A. Proposed Project

CCTA in cooperation with the State of California, acting by and through its Department of Transportation (Caltrans), and the City of San Pablo (City), propose to reconstruct the Interstate 80 (I-80)/San Pablo Dam Road Interchange. Phase 1 of the Project consists of relocating the El Portal Drive access to westbound I-80 to the north, and replacing the Riverside Avenue Pedestrian Overcrossing. Phase I construction work will involve adding an auxiliary lane between the relocated El Portal Drive on-ramp and the San Pablo Dam Road off-ramp, constructing a frontage road between San Pablo Dam Road and McBryde Avenue, reconstructing the Riverside Avenue pedestrian/bicycle overcrossing to extend over Amador Street, and providing improved pedestrian and bicycle facilities within the I-80/San Pablo Dam Road Interchange. The proposed improvements will alleviate congestion, improve traffic safety along I-80, provide improved safe pedestrian access to Riverside Elementary School and improved pedestrian and bicycle facilities within the I-80/San Pablo Dam Road Interchange.

On June 25, 2013, this Board APPROVED the proposed project and ADOPTED the Mitigated Negative Declaration and Finding of No Significant Impact pertaining to this project.

Under an Agreement between Contra Costa County (County), Caltrans, CCTA and the City for the Exercise of the Power of Eminent Domain for the I-80/San Pablo Dam Road Interchange Improvement Project–Phase 1 (dated July 16, 2013), the Parties agreed and reaffirmed that the County is designated as the party to administer the portion of the Cooperative Agreement relating to the acquisition of real property, through eminent domain or otherwise, by and through its Board of Supervisors, County Officials and departments, and County attorneys.

This segment of the project is from the El Portal Drive on-ramp to McBryde Avenue, and will require the County to acquire various property interests from four (4) parcels within the project area in San Pablo. The property interests include acquiring fee title to two (2) parcels; one full take improved with a Single Family Home, in which the tenant has secured replacement housing and is expected to vacate the property by February, and one part take, improved with a Single Family Home and temporary construction easements in two (2) parcels; one improved with a gas station and one improved with a Single Family Home, along the El Portal Drive off-ramp to Riverside Avenue. The property interests to be acquired are more particularly described in Appendix A.

The County, through the Real Estate Division of the Public Works Department, has made offers of just compensation to the owners of the properties for the property interests required for this segment of the project. Each offer was based on an appraisal of the fair market value of said property rights.

Construction of the project is scheduled to begin in the fall of 2014. In order to proceed with the project, it is necessary for the County to exercise its power of eminent domain to acquire the property interests described herein.

Pursuant to Section 1245.235 of the Code of Civil Procedure, notice was given to all the persons listed on the attached Exhibit “A” whose names and addresses appear on the last equalized County Assessment Roll. This notice consisted of sending by first-class and certified mail on November 27, 2013, a Notice of Intention, which notified the owners that a hearing is scheduled for January 14, 2014 at 9:30 a.m. in the Board's Chambers, at which time they may appear to be heard on the matters referred to in the notice.

### B. Scope of Hearing and Findings Required by Code of Civil Procedure section 1245.235

#### 1. The public interest and necessity require the proposed project.

The interchange ramps on I-80 near San Pablo Dam Road are in need of reconstruction to reduce traffic congestion and optimize traffic flows. By removing two isolated ramps – westbound El Portal Drive on-ramp and westbound McBryde Avenue off-ramp to the north and south of the I-80/San Pablo Dam Road interchange – significant improvements to I-80 mainline operations will occur. Further, increases in traffic volume will result in more traffic congestion not only in the freeway system, but also in the local streets located near the on-ramp and



off-ramp. This will result in diminished pedestrian and bicycle safety if the pedestrian and bicycle overcrossing is not improved.

2. The project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

Through the planning phase of the project, a number of interchange configurations and highway alignments were studied. The interchange configurations and highway alignment selected achieved the required operational traffic improvements, safe pedestrian overcrossing, and improved pedestrian and bicycle facilities with the least impact to adjacent properties. The alternative designs not selected would have resulted in greater impact to both residential and commercial properties. The interchange configurations and highway alignments that were considered, and the selected configuration and alignment, are more specifically discussed in the Final Initial Study/Environmental Assessment (IS/EA).

3. The properties sought to be acquired are necessary for the project.

The property interests sought for this phase of the project are necessary for the reconstruction of I-80 San Pablo Dam Road Interchange, relocation of an on-ramp and off-ramp, adding an auxiliary lane and reconstruction of an overcrossing to extend over Amador Street. All efforts have been made to reduce physical and operational impacts to adjacent properties both during and after construction. The project cannot be constructed as planned without the acquisition of these property interests.

4. The offer of compensation required by Section 7267.2 of the Government Code has been made to owner or owners of record.

The County, through the Real Estate Division of the Public Works Department, has made an offer of just compensation to the owners of record for the rights required for this project. Each offer was based on an appraisal of the fair market value of the property rights being acquired. In this case, efforts were made to acquire each required property or property right through negotiated purchase and sale instead of condemnation. Attempts to negotiate a settlement involved discussions, and in some cases meetings, with the owners of record and/or their representatives. But, the negotiations were not successful, requiring the County to proceed with the adoption of this Resolution of Necessity.

CONSEQUENCE OF NEGATIVE ACTION:

The County will be unable to acquire the property interests necessary for the project.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Resolution No. 2014/12

Appendix "A"

Exhibit "A"

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
**and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 01/14/2014 by the following vote:

**AYES:** ☐

**NOES:** ☐

**ABSENT:** ☐

**ABSTAIN:** ☐

**RECUSE:** ☐



**Resolution No. 2014/12**

The Board of Supervisors of Contra Costa County, California, by vote of four-fifths or more of its members, **RESOLVES** that:

Pursuant to Government Code Section 25350.5 and Streets & Highways Code 760, Contra Costa County (County) and Contra Costa Transportation Authority (CCTA) in cooperation with the State of California, acting by and through its Department of Transportation (Caltrans) and the City of San Pablo, intend to construct the Interstate 80 San Pablo Dam Road Interchange Project (Project). Phase 1 of the project is a public improvement that consists of adding an auxiliary lane, relocating on and off ramps, frontage improvements, and reconstructing a pedestrian/bridge overcrossing from south of El Portal Drive to north of McByrde Avenue, in the San Pablo area, and, in connection therewith, acquiring interests in certain real property.

The property interests to be acquired consist of four (4) parcels and are generally located in the San Pablo area. The property interests are more particularly described in Appendix "A", attached hereto and incorporated herein by this reference.

On November 27, 2013, notice of the County's intention to adopt a resolution of necessity for acquisition by eminent domain of the real property described in Exhibit "A" was sent to persons whose names appear on the last equalized County Assessment Roll as owners of said property. The notice specified January 14, 2014, at 9:30 a.m., in the Board of Supervisors Chambers in the Administration Building, 651 Pine Street, Martinez, California, as the date, time, and place for the hearing thereon.

The hearing was held on that date and at that time and place, and all interested parties were given an opportunity to be heard. Based upon the evidence presented to it, this Board finds, determines, and hereby declares the following:

1. The public interest and necessity require the proposed project; and
2. The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; and
3. The properties described herein are necessary for the proposed project; and
4. The offers required by Section 7267.2 of the Government Code were made to the owner or owners of record.
5. Insofar as any of the property described in this resolution has heretofore been dedicated to a public use, the acquisition and use of such property by Contra Costa County for the purposes identified herein is for a more necessary public use than the use to which the property has already been appropriated, or is for a compatible public use. This determination and finding is made and this resolution is adopted pursuant to Code of Civil Procedure Sections 1240.510 and 1240.610.
6. On June 25, 2013, this Board APPROVED the proposed project and ADOPTED the Mitigated Negative Declaration pertaining to this project that was published on June 1, 2010. SCH#2009082009.

The County Counsel of this County is hereby **AUTHORIZED** and **EMPOWERED**:

To acquire in the County's name, by condemnation, the titles, easements, and rights of way hereinafter described in and to said real property or interest(s) therein, in accordance with the provisions for eminent domain in the Code of Civil Procedure and the Constitution of the State of California:

Parcels 1 and 3 are to be acquired in fee title.

Parcels 2 and 4 are to be acquired as temporary construction easements for the following periods:

Parcel 2 – thirty months between July 1, 2014 and December 31, 2016; and

Parcel 4 – thirty months between July 1, 2014 and December 31, 2016

To prepare and prosecute in the County's name such proceedings in the proper court as are necessary for such acquisition; and

To deposit the probable amount of compensation based on an appraisal, and to apply to said court for an order permitting the County to take immediate possession and use said real property for said public uses and purposes.

PASSED and ADOPTED on , by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed and adopted by the vote of two thirds or more of the Board of Supervisors of Contra Costa County, California, at a meeting of said Board of Directors on the date indicated above.

Date: \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**ATTESTED: January 14, 2014**

David J. Twa, County Administrator and Clerk of the Board of Supervisors

**Contact: David Kramer (925) 313-2227**

By: , Deputy

**cc:**

## Exhibit "A"

Cestmir Herstus & Mary Catherine McGinley, Trustees of the Cestmire Herstus and Mary Catherine McGinley 1999 Revocable Trust PO Box 20955 El Sobrante, CA 94820	Cestmir Herstus & Mary Catherine McGinley, Trustees of the Cestmire Herstus and Mary Catherine McGinley 1999 Revocable Trust 6410 Tri Lane El Sobrante, CA 94803
Aldo E & Sandra Orellana 3152 Rollingwood Drive San Pablo, CA 94806	Energey AU, LLC c/o Nick Goyal 41805 Albrae St., 2 <sup>nd</sup> Floor Fremont, CA 94538

:AMB

G:\realprop\I80 San Pablo Dam Road\Condemnation\NOI 12-20-13\Exhibit A revised.doc

## APPENDIX "A"

### **CESTMIR HERSTUS AND MARY CATHERINE McGINLEY, TRUSTEES OF THE CESTMIR HERSTUS AND MARY CATHERINE McGINLEY 1999 REVOCABLE TRUST (63743)**

LAND DESCRIPTIONS OF ONE (1) PARCEL OF LAND IN THE CITY OF SAN PABLO, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

BEING THAT CERTAIN ENTIRE PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO CESTMIR HERSTUS AND MARY CATHERINE McGINLEY, TRUSTEES OF THE CESTMIR HERSTUS AND MARY CATHERINE McGINLEY 1999 REVOCABLE TRUST, RECORDED SEPTEMBER 9, 2013 UNDER RECORDER'S SERIES NUMBER 2013-0220977, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

#### **PARCEL 1 (63743) FEE PARCEL**

**BEGINNING** AT THE SOUTHWESTERLY CORNER OF SAID QUITCLAIM DEED, SAID POINT BEING COINCIDENT WITH THE SOUTHWESTERLY CORNER OF LOT 21 IN BLOCK 3, AS SAID LOT AND BLOCK ARE SHOWN ON THE MAP ENTITLED "MAP OF EAST RIVERSIDE BOULEVARD, CONTRA COSTA COUNTY, CALIFORNIA", FILED APRIL 6, 1908, IN VOLUME 1 OF MAPS, AT PAGE 19, OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE NORTH 19°37'29" WEST 45.49 FEET ALONG THE WESTERLY LINE OF SAID QUITCLAIM DEED TO THE NORTHWESTERLY CORNER THEREOF;
2. THENCE NORTH 70°22'31" EAST 77.09 FEET ALONG THE NORTHERLY LINE OF SAID QUITCLAIM DEED TO THE EASTERLY LINE OF THE LAND DESCRIBED IN THE DIRECTOR'S DEED TO MARY CATHERINE McGINLEY RECORDED AUGUST 25, 1997 UNDER RECORDER'S SERIES NUMBER 97-0153556, OFFICIAL RECORDS OF SAID COUNTY;
3. THENCE SOUTH 25°54'16" EAST 49.18 FEET ALONG SAID EASTERLY LINE TO THE SOUTHEASTERLY CORNER THEREOF;
4. THENCE SOUTH 72°44'08" WEST 82.54 FEET ALONG THE SOUTHERLY LINE OF SAID QUITCLAIM DEED TO THE **POINT OF BEGINNING**.

CONTAINING 3,760 SQUARE FEET (0.086 ACRES), MORE OR LESS.

#### **AU ENERGY, LLC (63746)**

LAND DESCRIPTIONS OF ONE (1) PARCEL OF LAND IN THE CITY OF SAN PABLO, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESIGNATED AS PARCEL 3, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO AU ENERGY, LLC RECORDED MARCH 30, 2010 AS RECORDER'S SERIES NUMBER 2010-0062340, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

#### **PARCEL 2 (63746-1) TEMPORARY CONSTRUCTION EASEMENT EXPIRES 12/31/16**

A 10 FOOT TEMPORARY EASEMENT FOR A THIRTY (30) MONTH PERIOD BETWEEN JULY 1, 2014 TO DECEMBER 31, 2016 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON, IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE SHOWN AS SOUTH 07°29'56" WEST 105.00 FEET ON THAT CERTAIN RECORD OF SURVEY FILED DECEMBER 18, 1990 IN LICENSED SURVEYORS MAP BOOK 97 AT PAGE 6, OFFICIAL RECORDS OF SAID COUNTY, (THE BEARING OF SOUTH 07°31'24" WEST TAKEN FOR THE PURPOSE OF THIS DESCRIPTION);

THENCE ALONG THE EXTERIOR BOUNDARY LINES OF SAID LANDS OF AU ENERGY THE FOLLOWING THREE (3) COURSES;

1. SOUTH 07°31'24" WEST 104.99 FEET;
2. SOUTH 42°17'56" WEST 53.82 FEET;

3. SOUTH 89°15'40" WEST 42.72 FEET;
4. THENCE LEAVING LAST SAID LINE, NORTH 07°51'44" EAST 10.11 FEET TO A LINE THAT IS PARALLEL WITH AND 10.00 FEET NORTHERLY OF SAID EXTERIOR BOUNDARY;

THENCE ALONG SAID PARALLEL LINE THE FOLLOWING THREE (3) COURSES;

5. NORTH 89°15'40" EAST 36.86 FEET;
6. NORTH 42°17'56" EAST 46.34 FEET;
7. NORTH 07°31'24" EAST 101.86 FEET TO SAID EXTERIOR BOUNDARY;
8. THENCE SOUTH 82°28'36" EAST 10.00 FEET ALONG LAST SAID LINE TO THE **POINT OF BEGINNING**.

CONTAINING 1,933 SQUARE FEET (0.044 ACRES), MORE OR LESS.

**ALDO E. AND SANDRA ORELLANA (63754)**

LAND DESCRIPTIONS OF TWO (2) PARCELS OF LAND IN THE UNINCORPORATED AREA OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO ALDO E. AND SANDRA ORELLANA RECORDED DECEMBER 10, 2001 UNDER RECORDER'S SERIES NUMBER 2001-0379235, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**PARCEL 3 (63754-1) FEE PARCEL**

**BEGINNING** AT THE INTERSECTION OF THE SOUTHERLY LINE OF THAT CERTAIN LOT DESIGNATED AS LOT 6, AS SAID LOT IS SHOWN ON THAT CERTAIN MAP ENTITLED "WILART PARK, CONTRA COSTA COUNTY, CALIFORNIA," FILED APRIL 6, 1950 IN MAP BOOK 40 AT PAGE 1 WITH THE NORTHERLY LINE OF THAT CERTAIN PARCEL DESCRIBED AS PARCEL 1 IN RELINQUISHMENT No. 31445 TO THE COUNTY OF CONTRA COSTA, RECORDED DECEMBER 7, 1966, BOTH OF OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE NORTH 88°45'47" WEST 5.99 FEET ALONG SAID SOUTHERLY LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 383.33 FEET (A RADIAL LINE FROM THE RADIUS POINT TO THE BEGINNING OF SAID CURVE BEARS SOUTH 59°22'57" EAST), SAID POINT ALSO HEREIN DENOTED AS POINT "A"
2. THENCE NORTHERLY 17.49 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°36'51"
3. THENCE NORTH 28°00'11" EAST 36.08 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 170.33 FEET;
4. THENCE NORTHERLY 22.91 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°42'26" TO THE EASTERLY LINE OF SAID LOT 6;
5. THENCE SOUTH 01°14'13" WEST 39.41 FEET ALONG LAST SAID LINE TO SAID NORTHERLY LINE OF PARCEL 1 ;
6. THENCE SOUTH 44°17'34" WEST 40.14 FEET ALONG LAST SAID LINE TO THE **POINT OF BEGINNING**.

CONTAINING 686 SQUARE FEET (0.016 ACRES), MORE OR LESS.

**PARCEL 4 (63754-2) TEMPORARY CONSTRUCTION EASEMENT EXPIRES 12/31/16**

A TEMPORARY EASEMENT FOR A THIRTY (30) MONTH PERIOD BETWEEN JULY 1, 2014 TO DECEMBER 31, 2016 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON, IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE ABOVEMENTIONED POINT "A";

1. THENCE NORTH 88°45'47" WEST 11.53 FEET ALONG SAID SOUTHERLY LINE OF LOT 6 TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF

373.33 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 58°30'53" EAST);

2. THENCE NORTHERLY 22.69 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°28'55";
3. THENCE NORTH 28°00'11" EAST 36.08 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 160.33 FEET;
4. THENCE NORTHERLY 19.54 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°58'57"
5. THENCE NORTH 16°18'15" EAST 38.95 FEET TO THE EASTERLY LINE OF SAID LOT 6;
6. THENCE SOUTH 01°14'13" WEST 38.97 FEET ALONG LAST SAID LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 170.33 FEET (A RADIAL LINE FROM THE RADIUS POINT TO THE BEGINNING OF SAID CURVE BEARS SOUTH 69°42'15" EAST);
7. THENCE SOUTHWESTERLY 22.91 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°42'26";
8. THENCE SOUTH 28°00'11" WEST 36.08 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 383.33 FEET;
9. THENCE SOUTHERLY 17.49 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°36'51" TO SAID SOUTHERLY LINE OF LOT 6 AND **TRUE POINT OF BEGINNING**;

CONTAINING 971 SQUARE FEET (0.022 ACRES), MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, AND EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.0000677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT:



DAN S. SCOTT III, PLS 7840      DECEMBER 30, 2013  
DATE





Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: January 14, 2014

Subject: SURVEY FINDINGS AND RECOMMENDATIONS ON PROPOSALS TO ADD MAC ALTERNATE AND YOUTH SEATS

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**RECOMMENDATION(S):**

1. ACCEPT report and findings from the survey of municipal advisory committees (MACs; used here to also encompass two advisory committees and community services districts that are appointed as MACs) regarding the addition of an alternate seat(s) to 7 member MACs and an option to add a non-voting Youth seat to any MAC, regardless of composition.
2. FIND also that quorum requirement is statistically nearly the same for both 5 and 7 member bodies (at 60% and 57%, respectively).
3. MODIFY the MAC Policy to permit up to two alternate seats for each MAC, which can be recruited and filled upon Board approval at the discretion of the corresponding District Supervisor.
4. MODIFY the MAC Policy to permit the addition of one non-voting youth representative seat to each MAC, which can be recruited and filled upon Board approval at the discretion of the corresponding District Supervisor.
5. DIRECT the County Counsel to develop parental permission/release of liability forms for youths participating on County MACs.

**FISCAL IMPACT:**

None.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

, County Administrator and Clerk of the Board of Supervisors

Contact: Julie DiMaggio Enea  
925.335.1077

By: , Deputy

cc:



## BACKGROUND:

On December 11, 2012, in response to a proposal to add Youth and Alternate seats to the Alamo MAC (Item C.111), the Board asked the County Administrator to survey County MACs to determine if the Countywide MAC Policy should be modified to provide:

- (1) an option to add an Alternate seat for a 7-member MAC
- (2) an option to add a non-voting Youth seat to any MAC, regardless of size

Working through the County Supervisors' offices, the County Administrator distributed surveys to the following MACs:

5 Member Composition	7 Member Composition
Bethel Island Byron Diablo Kensington Knightsen M-16 (Clyde) Pacheco	Alamo Bay Point Contra Costa Centre El Sobrante North Richmond Rodeo

Eight of the thirteen MACs responded, four each of 5 and 7 member MACs. The Discovery Bay Community Services District was not surveyed because, while it serves the function of a MAC, the MAC itself was terminated in 1998 and, therefore, the body's composition is fixed and the survey is not applicable to it.

The survey responses, attached for information, produced the following findings:

- Ability to Convene. Both 5 and 7 member MACs reported a 10% meeting cancellation rate due to lack of quorum, regardless of the difference in committee composition and availability of alternate members. While the 5 member committees convened no special meetings, the 7 member committees convened special meetings, which resulted in the same meeting cancellation rate as the 5 member committees. Seat vacancies – both the frequency and duration – appear to be a more significant attendance factor for 7 member MACs than the 5 member MACs.
- Need/Desire for Alternate Seats. All of the respondents reported that their committees can function effectively without the addition of an alternate seat. Five of the eight respondents reported that their committees would benefit from having an alternate seat. Four of these five are 7 member MACs. Two of the three MACs that anticipated no benefit to adding an alternate seat already have alternate seats.
- Need/Desire for Youth Seats. With the exception of the North Richmond MAC, youths do not frequently attend MAC meetings nor do they frequently offer public comment when they do. Half of the respondents indicated that they have had youth-related issues on their agendas but youth issues represent a very small percentage of the agenda items. Youth issues tend to focus around parks, civic events, school resources, and youth health.

Six of the eight respondents indicated that a youth representative would benefit their MACs but only three of the eight identified a youth seat as a need. All of the MACs reported that they meet during times normally available to school aged children.

## CONSEQUENCE OF NEGATIVE ACTION:

Disapproval of the recommendation will maintain the status quo.

## CHILDREN'S IMPACT STATEMENT:

The recommendation would support Children's Report Card outcome (5) Communities that are Safe and Provide a High Quality of Life for Children and Families, by providing a formal avenue for youths to voice concerns and provide input on community issues affecting them.

### ATTACHMENTS

MAC Survey Responses Nov 2013

### MAC Survey on Alternate and Youth Seats

		5+1 IV	5+2 V	5 III	5 III	7 V	7 5I	7+2 I	7 IV
		Pacheco	M-16 (Clyde Parks)	Byron	Knightsen CSD	Rodeo	N. Richmond	El Sobrante	CC Centre
1	How many <i>regular</i> MAC meetings were scheduled during the period January 1-July 30, 2013 (18 month period)?	16	3	15	16	16	15	18	10
2	How many <i>special</i> MAC meetings were scheduled during the period January 1-July 30, 2013?	0	0	0	0	1	0	2	0
3	How many <i>regular</i> meetings were cancelled due to a lack of quorum during the period January 1-July 30, 2013?	0	0	3	2	2	3	2	2
4	How many seat vacancies occurred during the period January 1-July 30, 2013 and what was the duration (in weeks) of each vacancy?	1 open seat and 1 open alternate both positions are still open.	1 open seat and 2 alternates	1 seat vacant for 2 mos	1 for four mos	6, three-four weeks per vacancy	1 seat for several mos	1 seat for 19 mos; 1 seat for 9 mos	3: 11 weeks, 25 weeks, 8 weeks
5	Would your advisory committee benefit from the addition of an Alternate seat and, if so, why? <i>(Note that "Alternate", as used here, may vote only in the absence of a regular member and is not automatically appointed to the MAC when a regular seat becomes vacant.)</i>	We already have an open position for an alternate we do not need a second alternate.	No	No, not necessary	Yes	Yes	Yes, MAC is unanimously in favor	Yes: We have one member that has an ill child and has not been able to attend hardly any meetings	Yes
6	Does or could your MAC function effectively without an Alternate member?	Yes	Yes	Yes	Yes	Yes	Yes, most of the time	Yes	Yes
7a	Of the items listed on your agendas for meetings during the period January 1-July 30, 2013, how many items directly	0	3	0	0	2	12	5	0
7b	Please provide three examples of such issues, if any.	N/A	Parks issues affect kids.	N/A	N/A	Civic events, good neighbor agreement grant awards	Healthy Richmond Update (includes youth objectives); Healing Circles of Hope – Youth services project; Young Adult Empowerment Center Update	Crime reports, school bond issues, new highschool bldg, ES clean-up day, ES Stroll	N/A
8a	Do youths frequently attend your meetings?	No	No	No, not necessary	No	No	Yes	No	No
8b	If yes, do they frequently offer public comment?	No	N/A	N/A	N/A	N/A	No	N/A	N/A
9	Are your meetings scheduled at a time of day that would permit school-aged youth to attend, e.g., on weekends or after 4:00	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
10	Would your advisory committee benefit from the addition of a Youth seat and, if so, why? <i>(Note that "Youth seat" refers a high school aged youth with non-voting status and whose attendance does not affect the quorum.)</i>	Don't see a benefit or need at this point.	Yes, because our young people need to be aware of the issues affecting their parks (funding, graffiti, utilization) and are well-suited to share the information with those of their age group.	Yes	Yes	The Rodeo Municipal Advisory Council unanimously supports any effort to include youth at their meetings and strongly supports the idea of adding a seat onto the current RMAC format.	Yes, the North Richmond MAC used to have a Youth Seat years ago. The MAC unanimously supports the creation of a Youth Seat.	Yes	No
11	Does your advisory committee need the youth perspective on the matters that come before it?	No	In the narrow sense, no, but in the larger view yes.	Infrequently	No	Yes	Yes	Yes	No
	Person completing survey	Olivier Fontana, Chair	Cindy Welles	Linnea Juarez, Chair	Linda Weekes	Paul Adler	Luz Gomez on behalf of Chair Don Gilmore	Barbara Pendergrass	Laura Case



**Contra  
Costa  
County**

To: Board of Supervisors  
From: LEGISLATION COMMITTEE  
Date: January 14, 2014

Subject: 2014 Federal and State Legislative Platforms and 2013 Year-End Legislative Activity Reports

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**RECOMMENDATION(S):**

1. ACCEPT the Year-End reports on the County's 2013 federal and state legislative programs.
2. ADOPT the Contra Costa County 2014 Federal and State Legislative Platforms, as recommended by the Legislation Committee.
3. DIRECT the County Administrator to return to the Board of Supervisors, as necessary, to update the County's 2014 Legislative Platforms to reflect intervening legislative actions.
4. DIRECT the County Administrator to review legislation to identify bills that affect the County's adopted legislative platforms and to recommend appropriate positions on specific bills for consideration by the Legislation Committee and/or the Board of Supervisors.
5. AUTHORIZE Board members, the County's federal and state legislative representatives and the County Administrator, or designee, to prepare and present information, position papers and testimony in support of the 2014 Federal and State Legislative Platforms.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: L. DeLaney, 925-335-1097

By: , Deputy

cc:

### FISCAL IMPACT:

No direct impact to the County from the acceptance of the Year-End reports and the adoption of the Legislative Platforms.

### BACKGROUND:

Each January, Year-End reports are submitted to the Board of Supervisors on the County's federal and state legislative programs and activities for the prior calendar year. At the same time, the Board of Supervisors also considers the Federal and State Legislative Platforms for the coming year.

Year-End reports for 2013 were prepared by the County's federal advocates, Alcalde & Fay--represented by Mr. Paul Schlesinger, and by the County's state advocates, Nielsen Merksamer--represented by Ms. Cathy Christian and Mr. James Gross. Staff of the CAO's office, Ms. Lara DeLaney, and staff of the Department of Conservation and Development, Mr. John Cunningham, provided input into the development of the Year-End Reports and the Legislative Platforms, along with staff of Public Works and other affected departments. The public provided input into the development of the Platforms at Legislation Committee meetings.

The Legislation Committee reviewed the Draft 2014 Federal and State Platforms at their meeting in December 2013 and recommend that the Board of Supervisors adopt the 2014 Proposed Platforms, as amended.

## 2013 FEDERAL LEGISLATIVE PROGRAM YEAR-END REPORT

Despite an increasingly partisan and immobilized Congress and the continuing restrictions on earmarks, we are pleased to report significant progress on several fronts important to Contra Costa County.

Funding was obtained for water resources projects that are high on the County's priority list. As a result of our efforts with the County, the following projects were funded in the FY 2013 work plan for the Army Corps of Engineers, totaling \$4,540,900 for County projects:

### Construction

- San Francisco Bay to Stockton Channel Deepening Project- \$1,546,900

### Operations & Maintenance

- San Pablo Bay & Mare Island Strait Dredging - \$499,000
- Suisun Bay Channel Dredging- \$2,495,000

In addition to funding, we assisted the County in advancing solutions to a number of policy and process issues with the Army Corps of Engineers, including levee vegetation policy issues and credit for work-in-kind.

With respect to levee vegetation, HR 399 was introduced by Congresswoman Matsui and co-sponsored by our delegation, requiring the Army Corps to undertake a comprehensive policy review of their guidelines on vegetation management for levees. Provisions addressing the levee vegetation issue were included in both the Senate Water Resources Development Act (WRDA) and House Water Resources Reform and Development Act (WRRDA) bills, as well as in the House Energy & Water Appropriations bill. The final resolution will be reflected in the WRDA/WRRDA conference report.

(Note: The conference committee on the water resources bill will continue its work in 2014. Despite making progress in December 2013, conferees working to resolve differences between the Senate's Water Resources Development Act (S. 601) and the House's Water Resources Reform and Development Act (H.R. 3080) ran out of time. One of the biggest differences being considered by conferees is the process for authorizing Army Corps navigation, flood control and wetland restoration projects – the Senate bill would authorize about \$5.7 billion in projects through 2018, while the House bill would authorize 23 projects at about \$3.1 billion over five years. Until now, Congress has used earmarks to designate Corps projects in the legislation – a practice that conflicts with the

current earmark moratorium. The House and Senate bills address many water resources issues important to counties, including Corps Vegetation Management policy clarifications, language that would include state and local governments in decision-making processes, pilot programs that allow local governments the lead role in implementing projects and studies, levee safety, and invasive species.)

Also included in the House version of WRDA is a provision we requested that will deauthorize the lowest reach of Lower Walnut Creek. The Contra Costa County Flood Control & Water Conservation District is asking the Corps to relinquish federal oversight of a small portion of the Corps-constructed Walnut Creek project. Deauthorization is a process where Congress directs the Corps to remove a portion of a Corps-constructed facility from the federal system, allowing additional local control and oversight of a facility. The deauthorization will facilitate making improvements to the existing facilities in a manner that will enhance ecosystem values without undue federal interference.

With respect to the Delta Counties Coalition, we continued to coordinate efforts with the County and other participants of the coalition to ensure decision-makers in Washington were aware of our concerns regarding the proposed Bay Delta Conservation Plan (BDCP). They have continued their very strong efforts on our behalf.

### **Advocacy related to the Sacramento-San Joaquin Delta**

We have been pleased to work with County officials and staff in advocating with the federal government to help develop and achieve the County's objectives with regard to the Delta. Our efforts on the County's behalf have been in conjunction with other federal advocates working on behalf of their clients; other members of the Delta Counties Coalition (DCC). Moreover, we have assisted the County in playing a lead role within the DCC on developing and implementing Delta strategies as they relate to the Army Corps of Engineers.

During DCC trips to Washington, we have secured meetings with senior Corps officials, in addition to coordinating scheduling for the DCC and arranging for many of the meetings that have been scheduled with Congress and the Executive Branch. We have been the lead among DCC advocates with regard to work not just with the Corps but with the House Committee on Transportation and Infrastructure, the Senate Committee on Environment and Public Works, the Senate and House Appropriations Committees, Senators Boxer and Feinstein, Congressmen Miller, McNerney, Swalwell, Thompson, and Huffman, and the Office of Management and Budget.

### **Federal grant funding for County projects**

During 2013 we continued to work with the County to gain access to funding that is made available through various federal grant programs, and we were pleased that the County's grant initiatives met with positive results.

The County was awarded significant funding from the Office of Justice Programs at the Department of Justice (DOJ), including \$750,000 in a second round of Second Chance Act funds to fund reentry services; \$411,000 from the Smart Probation program; \$400,000 for its domestic violence initiative, and \$200,000 assessment/planning grant from DOJ as part of the agency's Domestic Violence Homicide Prevention Demonstration Initiative. In addition, the County was awarded \$399,946 from the SAMHSA's Gains Center for Behavioral Health and Justice Transformation for the County's Behavioral Health Treatment Court Collaborative.

### **Funding for Mt. Diablo Mercury Mine Clean-up**

We continued to work this year toward securing federal funding in the amount of \$483,000 for clean-up of the Mt. Diablo Mercury Mine. Given the current moratorium on earmarks, we recognized that it would not be possible to secure a line-item appropriation for this important project. But, with the language that we previously worked to include in the Statement of Managers accompanying the 2007 Water Resources Development Act (WRDA), which directed the Army Corps to give priority consideration to the Mt. Diablo Cleanup when allocating funds made available for the Remediation of Abandoned Mine Sites program (RAMS), we also recognized that any funding made available by the Appropriations bill for the general RAMS program is almost certain to be provided for our cleanup.

We are pleased that the Senate Energy and Water Appropriations bill, at the County's request, includes \$1 million for the RAMS program. If Congress can produce an Appropriations bill for the Army Corps of Engineers (Energy and Water Appropriations), as opposed to folding the funding for such programs under a Continuing Resolution, and even if this amount is reduced in conference committee, it would appear that there will be sufficient funds to allow the Corps to provide the \$483,000 we require for Mt. Diablo Clean-Up.

To set the County up for this apparent success, we helped develop the legislative strategy, secured meetings with pertinent congressional staff when County officials were in D.C. in the spring, accompanied County personnel to the meetings, and then followed up with staff from the County's congressional delegation and the Appropriations Committees throughout the year.

### **Other Advocacy Projects**

In addition to managing the issues on the County's legislative platform, we have also assisted the County when new issues surfaced that required attention or communication with our delegation. Below are a few examples that illustrate the breadth of our support for the County:

- o Communicated to our delegation the County's plans for a call center in Concord to support a health benefits exchange center;
- o Researched and provided the County with information on congressional gun violence prevention initiatives;
- o Monitored status of CDBG funding and provided executive summaries to the County;
- o Provided correspondence to our delegation in support of \$1 million appropriation for the RAMS program, which will be a revenue source of the Mt. Diablo Mercury Mine project;
- o Distributed the County's Reentry Resource Guide to our congressional delegation;
- o Provided the County with an update on the Drug Enforcement Administration's drug disposal rules;
- o Provided the County with an update on H.R. 82, which related to hospital security;
- o Provided support letters to our delegation regarding H.R. 205 related to pension reform;
- o Assisted the County on tribal gaming issues regarding the Scotts Valley Band of Pomo Indians.

We were also pleased to help coordinate the trip to Washington in March 2013 by County Supervisors and senior staff. This trip was helpful to the County, and to those in our delegation, elsewhere on the Hill, and in federal agencies to whom our County officials articulated County needs and learned of ways in which the federal government might assist in helping to assure that these needs are met. In addition to meeting with our Congressional delegations, we met with a range of committee staff as well as representatives from the Army Corps and the Department of Justice.

Activities such as these certainly contribute to the perception around Capitol Hill and elsewhere in Washington that Alcalde & Fay serves as the County's office in Washington D.C.; a place that these offices can call, trusting that they will be communicating, if through an agent, with appropriate County officials.

As always, it has been a privilege to represent the County with their efforts as they relate to the federal government.

### **PROPOSED 2014 FEDERAL LEGISLATIVE PLATFORM**

Each fall, the County Administrator's Office initiates the development of the coming year's State and Federal Legislative platforms by inviting members of the Board of Supervisors, Department Heads and key staff to provide recommended changes or additions to the current Platforms. On October 1, 2013, departments were invited to provide suggested changes to the Federal Platform by submitting input in writing. Staff also consulted with our federal lobbyist, Paul Schlesinger of Alcalde & Fay, who informed the development of the County's Draft 2014 Federal Platform.

The Legislation Committee reviewed the 2013 Draft Federal Platform in December, the Transportation, Water and Infrastructure Committee also reviewed relevant sections of the Federal Platform (TWIC), and both

Committees recommend that the Board of Supervisors adopt the Proposed 2014 Federal Platform as amended. (See *Attachment A, Proposed 2014 Federal Platform*.)

The 2014 Federal Legislative Platform identifies 10 funding needs for FFY 2015; 4 requests for the reauthorization of the federal transportation act; and 6 requests for the reauthorization of the Water Resources Development Act.

## **FEDERAL FUNDING NEEDS**

**Changes from the 2013 Federal Platform:** Owing to the fact that appropriations requests, also known as federal earmarks, are no longer being considered by Congress in the federal budget development process, the County no longer identifies projects for appropriation but instead recognizes funding needs for federally-sponsored projects.

The Proposed Platform includes 10 identified needs for FFY 2015, a reduction of two projects from 2013. The projects removed from the Proposed Platform include an Army Corps of Engineers project related to Lower Walnut Creek and funding for County operation of a VHF Public Safety Radio System, a backup to the East Bay Regional Communication System (EBRCS) system. With regard to the Lower Walnut Creek project, if the Water Resources Development Act (WRDA) is successfully passed, the WRDA bill could include a provision to deauthorize the project from Army Corps control, so federal funding would not be appropriate. (Note the inclusion of the Lower Walnut Creek deauthorization project in the WRDA section of the Proposed Platform.)

## **REAUTHORIZATION OF THE FEDERAL TRANSPORTATION ACT**

**Changes from the 2013 Federal Platform:** Minor text changes to projects are proposed. These text changes include clarification of the identification of "several potential alignments" for the North Richmond Truck Route Project (p. 5), and other minor text changes to the Rural Road Funding Program, and the Highway Bridge Funding program. (pp. 5-6).

## **REAUTHORIZATION OF WATER RESOURCES DEVELOPMENT ACT (WRDA)**

**Changes from the 2013 Federal Platform:** *None proposed.*

## **APPROPRIATIONS AND GRANTS SUPPORT POSITIONS**

**Changes from the 2013 Federal Platform:** Text changes to support positions for Buchanan Field Airport and Byron Airport to specify infrastructure improvements to Buchanan Field to include "potential replacement of the 60 year old control tower," and to clarify for Byron Airport that "full build out of the airport as shown in the Master Plan" is dependent on "utility" and infrastructure improvements. (p. 8)

Other proposed changes include:

**Kirker Pass Road Truck Climbing Lanes:** Text changes to update the funding needed to complete the project. (p. 9)

**Regional Habitat Planning and Conservation:** Text changes to the policy related to the U.S. Fish and Wildlife Service's "Cooperative Endangered Species Conservation Fund" to include: "The County will pursue increasing appropriations to the Fund in partnership with numerous counties in northern and southern California and will support requests of the California Habitat Conservation Planning Coalition to increase the Fund up to \$85 million." (p. 9)

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## FEDERAL POLICY POSITIONS

**Changes from the 2013 Federal Platform:** Text changes are proposed to the following policy positions.

**Child Care Issues:** (p. 11) “Research continues to show that quality, affordable childcare is a necessity to ensuring a family’s stability and economic success. Currently in Contra Costa County, there are over 10,000 low-income children eligible for affordable childcare services, yet only 29% of that need is met. Research also shows that in addition to a child’s long-term success with school and employment, investing in high-quality early care and education results in a higher than average return on investments in the areas of crime reduction and positive health, education and economic outcomes.”

With regards to childcare, the County will support the President’s “Preschool for All” Initiative meant to close America’s school readiness gap and ensure all children have access to quality care by expanding high quality learning opportunities for children 0-5. This proposal includes:

- An increase of over 100,000 new childcare slots and \$12 billion over the next 10 years;
- A focus on children and their families who are at or below 200% of poverty;
- Financing through a new cost-sharing partnership with states, already a proven successful model with Head Start in Contra Costa County.”

**Veterans Halls:** (p. 19) Add policy: “The County will support legislation to provide America’s veterans organizations with resources to make necessary repairs to their meeting halls and facilities.”

Across America, the meeting halls and posts of Veterans Service Organizations such as the American Legion and Veterans of Foreign Wars serve as unofficial community centers. Unfortunately, many of these facilities have deteriorated in recent years due to declining membership and reduced rental revenues as a result of the economic downturn.

The County will support legislation that would create a competitive grant program for veterans’ organizations, classified by the IRS as 501c19 non-profit organizations and comprised primarily of past or present members of the United States Armed Forces and their family members, to use for repairs and improvements to their existing facilities.”

**Water Quality, Quantity and Delta Outflow:** (p. 19) Add policy: “Congress may consider legislation that could adversely affect water quality, quantity and flows in the Sacramento-San Joaquin Delta to the detriment of the County residents, economy and resources. The Board of Supervisors will rely on it adopted Delta Water Platform to determine the appropriate response to federal legislative issues brought to the Board’s attention.”

## 2013 STATE LEGISLATIVE PROGRAM YEAR-END REPORT

October 13 marked the Governor’s signing deadline for all 2013 legislation. Upon issuing his last legislative update, the Governor signed a total of 1,003 measures and vetoed 96. Since taking the helm as the Governor of California for the third time in January 2011, Governor Brown has signed approximately 2,714 measures out of the 3,011 sent to his desk, or about 90 percent. As for vetoes, the Governor has only rejected some 297 bills, or almost 10 percent. Such liberal use of his signing pen is of note as it may signal what one should expect during the final half of the 2013–14 biennial session.

Throughout the entire legislative year, County staff and our state lobbyist, Cathy Christian of Nielsen Merksamer Parrinello Gross & Leoni, were actively engaged in representing the County’s legislative positions and participated extensively in the budget process to ensure an appropriate response to statewide issues affecting county government. In addition to reviewing measures lawmakers introduced for impacts on County business, we actively monitored more than 140 bills to ensure they were not amended to negatively impact the County. We also followed 10 bills pertaining to the Delta and water. Staff and our state advocate remain extremely active in

responding to bills affecting the Delta in conjunction with the Delta Counties Coalition.

As required, each year our state lobbyist submits a “Year-End Report” summarizing the major legislative activities and advocacy undertaken during the year on behalf of Contra Costa County. That report is included in *Attachment B*.

### **PROPOSED 2014 STATE LEGISLATIVE PLATFORM**

Each fall, the County Administrator’s Office initiates the development of the coming year’s State and Federal Legislative platforms by inviting members of the Board of Supervisors, Department Heads and key staff to provide recommended changes or additions to the current Platforms. On October 1, 2013, departments were invited to meet with our State lobbyist in person and/or provide suggested changes to the State Platform by submitting input. Staff also participated in the annual Urban Counties Caucus “Key Staff” meeting on the development of UCC Priorities and Policies for 2014, which informed the County’s Draft 2014 State Platform.

The Legislation Committee reviewed the Draft 2014 State Platform in December, with the Proposed 2014 State Platform recommended to the Board of Supervisors for adoption, as amended. (*See Attachment C.*)

### **COUNTY-SPONSORED LEGISLATION**

**Changes from the 2013 State Platform:** The 2013 State Platform did not include any County-sponsored legislation. For 2014, a sponsored bill is recommended:

- Seek legislation to make the Contra Costa County Employee Retirement Association (CCCERA) the statutory employer for all purposes of staff serving at CCCERA. The proposed legislation would implement a court-approved settlement agreement between the County and CCCERA concerning the entities' respective rights and responsibilities for staff working at CCCERA. (p. 2)

### **LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES**

**Changes from the 2013 State Platform:** *The recommended priorities for 2014 do not differ from those of 2013, however, they have been updated to reflect the current status of the issues.*

### **STATE PLATFORM POLICY POSITIONS**

**Changes from the 2013 State Platform:**

#### ***Agricultural Issues***

- Text changes to policy # 4 related to invasive aquatic species in the Delta: “....to rid the Delta of this and other invasive aquatic species through integrated pest management methods. .... to secure multi-year permits for eradication of multiple invasive aquatic plant species in the Sacramento-San Joaquin Delta, its tributaries, and its marshes.” (p. 6)

#### ***Climate Change Issues***

- Text changes to policy # 19 related to the allocation of funding from the California Greenhouse Gas Cap and Trade Program: “....to jurisdictions that.... have disadvantaged communities that are disproportionately affected by environmental pollution, and have demonstrated a local commitment to climate protection (e.g.

established emissions reduction targets, prepared Climate Action Plans, etc.). (p. 9)

### ***Emergency Preparedness, Emergency Response***

- Text changes to policy #23 related to training volunteers: “...provide funding for Community Emergency Response Training (CERT)....” (p. 10)
- Delete 2013 policy #28: SUPPORT legislation or other measures that will enable the Department of Water Resources to easily and quickly enter into contracts with local entities that need assistance in planning for emergency response. *(Issue has been resolved.)*

### ***Flood Control and Clean Water Issues***

- Text changes to policy #31 related to options to fund stormwater programs: “Stormwater services, encompassing both water quality and drainage/flood control, could be structured like a utility....” (p. 11)
- Add policy #34: SUPPORT legislation to enable Zone 7 Water Agency to become a new public agency, separate and apart from the Alameda County Flood Control and Water Conservation District, with territory in both Alameda and Contra Costa counties and the power to provide specific services, insofar as the legislation is guided by adopted Principles of Understanding. (p. 11)

### ***General Revenues/Finance Issues***

- Minor text change to policy #43 regarding reduction in the 2/3rd vote requirement to 55% voter approval for locally-approved special taxes to add “services” to the word “Stormwater.” (p. 12)

### ***Health Care Issues***

- Move policy #58 to “**Human Services Issues**” as it deals with Medi-Cal administration and eligibility.
- Add policy #81: SUPPORT legislation that extends the restrictions and prohibitions against the smoking of tobacco products to include restrictions or prohibitions against electronic cigarettes (e-cigarettes) in various places, including, but not limited to, places of employment, school campuses, public buildings, day care facilities, retail food facilities, multi-family housing, and health facilities. (p. 16)

### ***Human Services Issues***

- Amend policy #82 related to County flexibility in use of CalWORKs funds and in program requirements to separate out support for efforts to align CalWORKs property and asset limitations with those of CalFresh as 2014 policy #83. (p. 17)
- Minor text changes to policy #88 related to management of the IHSS program to strike redundant wording. (p. 17)
- Delete 2013 policy #88: SUPPORT efforts to eliminate the finger-imaging requirement for adult food stamp applicants, recognizing the fraud deterrent aspects of the Electronic Benefits Transfer System. *(This has been accomplished.)*
- Delete 2013 policy #94: SUPPORT efforts to restore funding in the amount of \$80 Million for the Child Welfare Services Program that was line-item vetoed by Governor Schwarzenegger in the State’s FY 2009-10 and FY 2010-11 budgets, as these reductions have a direct impact on local child protective services and the lives of children. *(This has been accomplished through Realignment.)*
- Add policy #95: SUPPORT continued and improved funding for substance abuse treatment and mental health services including those that provide alternatives to incarceration and Laura’s Law. (p. 18)
- Add policy #96: SUPPORT administrative streamlining of Medi-Cal, including elimination of the asset test and semi-annual reporting and changes to income verification. California should look to other states for ideas to reduce administrative costs, such as allowing all children born into Medi-Cal to remain on the program until age 21. (p. 18)
- Add policy #97: SUPPORT legislation to expand child early care and education and increase funding for preschool and early learning (p. 18)
- Add policy #98: SUPPORT legislation to allow individuals convicted of drug-related felonies to receive

federal CalFresh (food stamps) benefits. Banning convicted drug felons who have completed their sentences from critical public assistance, including food stamps, runs contrary to state and federal initiatives intended to reduce recidivism by easing prisoner reentry and fostering prisoner reintegration into society. The drug felon rule has been the subject of much criticism by drug treatment providers, advocates for the poor and law enforcement organizations because it permanently disqualifies needy persons from receiving assistance and interferes with their recovery(p. 18)

### **Land Use/Community Development Issues**

- Text changes to policy #107 regarding obtaining a CEQA exemption or utilizing CEQA streamlining provisions for infill development or Priority Development Areas to clarify the relevancy to unincorporated areas and describe recently passed related legislation. (p. 20)
- Text change to policy #112 related to tools for local agencies for economic development purposes to add the consideration: while balancing the impacts on revenues for health and safety programs and healthy communities. (p. 21)
- Add policy #115: SUPPORT legislation that would clarify the ability of successor agencies to former redevelopment agencies to enter into contracts with its sponsoring jurisdiction and third parties to fulfill enforceable obligations. The existing redevelopment dissolution statute limits the contracting powers of successor agencies which is causing delays their ability to expeditiously retire certain enforceable obligations of the former redevelopment agencies.(p. 21)

### **Law and Justice Systems Issues**

- Add policy #126: SUPPORT legislation that will combat the negative impact that human trafficking has on victims in our communities, including the impact that this activity has on a range of County services and supports, and support efforts to provide additional tools, resources and funding to help counties address this growing problem. (p. 22)
- Add policy #127: SUPPORT legislation amending Government Code Section 24011 to allow the Board of Supervisors of Contra Costa County to appoint the Public Administrator by ordinance of the Board, separate the Public Administrator from the District Attorney, and place the position with another County department. (p. 22)

### **Levee Issues, Sacramento-San Joaquin Delta Issues**

*Updates to this section will be made in 2014 when a more comprehensive update to the County's Water Platform is completed and presented to the Board of Supervisors.*

- Minor text changes to policy #129 related to Prop. 1E funding for levee repairs to support legislative hearings on the matter of expediting expenditures of bond proceeds: Legislative hearings may produce explanations from the state as to why these funds are not being distributed or identify methods to streamline administration of these funds. (p. 24)

### **Transportation Issues**

- Text change to policy #139 related to increased flexibility in the use of transportation funds to delete what has been accomplished: The County supports an amendment to the Subdivision Map Act to allow the use of off-site transportation impact fees to fund pedestrian, bicycle transit and traffic calming facilities necessitated by new development. The Act currently limits the use of these funds to improvements to bridges and "major thoroughfares." Senator DeSaulnier introduced such a bill in 2008. The County's proposal was adopted by CSAC for its legislative platform in the 2011 session. The proposal would provide more flexibility in how we can use an existing transportation funding source. (p. 26)
- Text changes to policy #141 related to improving safety throughout the transportation system, including on rail bridges. (p. 27)
- Text changes to policy #145 related to coordinated planning between school districts, the state, and local

jurisdictions. Policy supports reform that includes school zone references in the vehicle code and efforts to finance off-site transportation improvements for improved access to existing schools. (p. 27-28)

## ***Veterans Issues***

*This is a newly created section.*

- Add policy #148: SUPPORT legislation and budget actions that will continue the state's annual local assistance for County Veterans Service Offices at the \$5.6 million level. The eventual goal is to fully fund CVSOs by appropriating the full \$11 million in local assistance funding as reflected in Military and Veterans Code Section 972.1(d). County Veterans Service Offices (CVSOs) play a vital role in the local veteran community, not only within the Veterans Affairs claims process, but in other aspects as well. This includes providing information about all veterans' benefits (Federal, State and local), as well as providing claims assistance for all veteran-related benefits, referring veterans to ancillary community resources, providing hands-on development and case management services for claims and appeals and transporting local veterans to VA facilities. (p. 28)
- Add policy #149: SUPPORT legislation and budget actions that will provide veterans organizations with resources to make necessary repairs to their meeting halls and facilities. Across California, the meeting halls and posts of Veterans Service Organizations such as the American Legion and Veterans of Foreign Wars serve as unofficial community centers. Many of these facilities have deteriorated in recent years due to declining membership and reduced rental revenues as a result of the economic downturn. The County will support legislation that would create a funding program for veterans' organizations, classified by the IRS as 501c19 non-profit organizations and comprised primarily of past or present members of the United States Armed Forces and their family members, to use for repairs and improvements to their existing facilities. (p. 28)

## ***Waste Management Issues***

- Minor text change to policy #150 to add producer responsibility for "veterinary medicine." (p. 29)
- Minor text changes to policy #156 related to importation of waste to privately-operated landfills and the requirements of the host County "that receives a significant amount of waste from outside the county..." (p. 29)
- Minor text change to policy #157 related reducing the amount of harmful pharmaceuticals "(including veterinary medicine)" that ultimately enter "bodies of water..." (p. 30)
- Minor text change to policy #159 related to the County's regulatory authority to control the collection and disposal of solid waste generated within the unincorporated areas to add clarifying language: "In litigation where the County sought to protect its solid waste franchise authority for unincorporated areas the court awarded franchise authority to the Rodeo Sanitary District and Mountain View Sanitary District while the County remains exposed to state penalties for failing to meet state mandates for reducing disposal of solid waste generated in these areas." (p. 30)

## **CONSEQUENCE OF NEGATIVE ACTION:**

If the Board of Supervisors does not adopt a State and/or Federal Platform for 2014, the County will not have an approved platform from which to advocate for state and federal policies.

## **ATTACHMENTS**

Attachment B: 2013 State Year-End Report

Attachment A: Proposed 2014 Federal Platform

Attachment C: Proposed 2014 State Platform



**TO:** Lara Delaney, Senior Deputy County Administrator  
**FROM:** Cathy Christian  
**DATE:** November 15, 2013  
**RE:** 2013 Legislative Report

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### **Budget 2013-2014**

In contrast to years past, this year's budget proposal provided much needed relief from the previous years' budget cut woes. Although funding was not returned to all areas (for example, courts did not have a funding cut, but their funding was not restored either), the worst of the budget cuts of the last few years was at least stopped and was even restored in certain areas. When Governor Brown initially released his proposed 2013-2014 budget, the Legislative Analyst's Office had predicted a \$2 billion shortfall.

Governor Brown signed the 2013-2014 budget on June 27. Although he accepted most of the budget passed by the Legislature, he did make some last minute cuts of about \$41 million, \$30 million of that coming from special education, expressing concern that those programs could cost the state annually upwards of \$300 million. The budget included new funding for many programs. This includes a subsidy for University of California students whose parents make less than \$150,000 a year. Also included was a \$143 million fund for mental health crises and triage centers. The budget also took significant steps towards paying down the "Wall of Debt" by allocating \$2.6 billion toward that effort, with a year-end-goal of bring the debt down from \$34.7 billion to \$29.6 billion. Finally, the budget also established a \$1.1 billion budget reserve.

Much of this was possible because of the passage of Proposition 30 (sales tax and income tax hikes) which was passed by voters in November of last year and thereby avoided the drastic spending cuts which the Governor threatened would happen without Prop. 30's passage.

### **Other Issues**

#### **Medi-Cal Expansion and the Implementation of the ACA (Affordable Care Act)**

The Governor signed Speaker Perez's bill AB 1x-1 which expanded Medi-Cal eligibility by over 1 million low income Californians. The cost of expansion will

be covered fully by the federal government for the first 3 years, which phases down to 90% for subsequent years. Numerous other bills went through the Legislature related to health care reform, many of which helped streamline the implementation of the Affordable Care Act (ACA) and made medical services more accessible to the low income persons in California. Health care legislation was one of the dominant topics of the 2013 session. Funding mechanisms for implementing the ACA at the county level was a major focus for CSAC and all counties. Contra Costa County was included in the formula for public hospital counties, which likely only partially acknowledges the significant expenditure the County and its hospital will face caring for medically indigent residents not covered by the ACA.

### **Local Control Funding Formula for Schools**

Gov. Brown was a vocal critic of the existing funding formula, which often found wealthier school districts getting more money than poorer school districts. Gov. Brown's new funding formula gives a base level of funding per pupil to all school districts, and adds a supplemental grant based on the number of students who are English learners, students from low-income families and foster youth. Additionally, a grant will be provided to districts that have 55% of the targeted population. An adjustment to the Governor's initial proposal provided greater increased base level funding for all school districts.

### **Minimum Wage**

Governor Brown signed AB 10 (Alejo) which raises the minimum wage to \$10 by 2016. The bill works in 2 phases; the first hike occurs on January 1, 2014, raising the minimum wage to \$9/hour. The second phase is implemented on January 1, 2016, when the minimum wage is raised to \$10/hour.

### **Driving Licenses for Undocumented Immigrants**

Governor Brown also signed legislation permitting drivers' licenses to be issued to undocumented immigrants. AB 60 (Alejo) requires the DMV to issue an original driver's license to a person who is unable to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law if he or she meets all other qualifications for licensure and provides proof of his or her identity and state residency.

### **LEGISLATIVE ADVOCACY**

Throughout the entire legislative session, we proactively worked to advance the County's interests. We advocated for the measures the Contra Costa County

Board of Supervisors sponsored and took positions on, and participated in the entire budget process to ensure statewide issues affecting county government were reviewed and the County's position communicated.

In addition to reviewing all of the measures the lawmakers introduced and advising county staff if those bills that may have had an effect on the County, we actively monitored 33 bills and 1 resolution to ensure they were not amended to negatively impact the County.

### **BILLS HELD IN COMMITTEE**

#### **AB 5 (Ammiano – D) Homelessness (OPPOSE - BOARD POSITION)**

The bill would have enacted the Homeless Person's Bill of Rights and Fairness Act, and would have provided that no person's rights, privileges, or access to public services may be denied or abridged because he or she is homeless. The bill also would have provided the right to specified actions, confidentiality of certain records, legal assistance, and restitution while prohibiting retaliation against a public employer for assisting the homeless. The bill was held in the Assembly Appropriations Committee.

#### **AB 49 (Buchanan – D) License Plates: Breast Cancer Awareness (SUPPORT – BOARD POSITION)**

The bill would have required the State Department of Health Care Services to apply to sponsor a breast cancer awareness license plate program, and the revenues from the plates would have been deposited in the Breast Cancer Control Fund. The bill was held in the Senate Rules Committee.

#### **AB 531 (Frazier – D) Driver's Licenses: Veterans Designation (SUPPORT – BOARD POSITION)**

The bill would have required the application for a driver's license or identification card to also allow a person to present to the Department of Motor Vehicles a Certificate of Release or Discharge from Active Duty and to request the driver's license identification card be printed with the word VETERAN. The bill was held in the Assembly Appropriations Committee.

#### **AB 616 (Bocanegra – D) Local Public Employee Organizations: Dispute: Panels (OPPOSE – BOARD POSITION)**

The bill provided that if either party disputes that a genuine impasse, as defined, has been reached, the issue of whether an impasse exists may be submitted to the Public Employment Relations Board for resolution before the dispute is



submitted to a fact-finding panel. The bill would also authorize each party to select a person to serve as its member of the fact-finding panel. The bill was held in the Senate Appropriations Committee.

**AB 741 (Brown – D) Local Government Finance: Tax Equity Formula (OPPOSE – BOARD POSITION)**

The bill would have increased the allocation of property tax revenues under a new Tax Equity Allocation formula for qualifying cities. The bill was held in the Assembly Local Government Committee.

**AB 939 (Melendez – R) Pupil and School Personnel Health: Defibrillators (SUPPORT – BOARD POSITION)**

The bill would have authorized a public school to solicit and received non-state funds to acquire and maintain an automatic external defibrillator and provided that the district and its employees would not be liable for civil damages for uses or non-uses of the equipment. The bill was held in the Senate Appropriations Committee.

**SB 42 (Wolk – D) Safe Drinking Water, Water Quality, Flood Protection (SUPPORT)**

The bill would have enacted the Safe Drinking Water, Water Quality, and Flood Protection Act of 2014, which, if adopted by the voters, would have authorized the issuance of bonds in a specified amount pursuant to the State General Obligation Bond Law to finance a safe drinking water, water quality, and flood protection program. The bill was held in the Senate Natural Resources and Water Committee, but is now the Senate vehicle in the negotiations with the Assembly for a new water bond. Action on this bond proposal is likely in the coming year.

**SB 108 (Yee – D) Firearms (SUPPORT – BOARD POSITION)**

The bill would have required the Department of Justice to conduct a study to determine effective firearm safe storage measures to reduce unintentional injury and death caused by firearms. The bill was held in the Assembly Public Safety Committee.

**SB 283 (Hancock – D) CalFresh Eligibility (SUPPORT – BOARD POSITION)**

The bill would have authorized CalFresh benefits to be paid to an individual who is convicted in state or federal court of any offense classified as a felony that has as an element the possession, use, or distribution of a controlled substance. The

bill provided that if the person is on supervised release, he or she would be ineligible for benefits during any period of revocation of that supervised release where the revocation results in incarceration. The bill was held in the Assembly Appropriations Committee.

**SB 296 (Correa – D) County Veterans Service Officers (SUPPORT – BOARD POSITION)**

The bill would have appropriated a specified amount of funds from the General Fund to the Department of Veterans Affairs to be dispersed to counties to fund the activities of county veterans' service officers and veterans' service organizations. The bill was held in the Senate Appropriations Committee.

**SB 391 (DeSaulnier – D) State Homes and Jobs Act of 2013 (SUPPORT – BOARD POSITION)**

The bill would have enacted the California Homes and Jobs Act of 2013 by imposing a fee to be paid at the time of the recording of every real estate instrument, paper, or notice that is required or permitted by law to be recorded. The bill was held in the Assembly Appropriations Committee.

**SB 635 (Leno – D) Alcoholic Beverages: Hours of Sale (OPPOSE – BOARD POSITION)**

The bill would have allowed an on-sale licensee to apply to the Department of Alcoholic Beverage control to authorize the selling, giving, delivering or purchasing of alcoholic beverages at the licensed premises between the certain hours upon completion of specified requirements by the local jurisdiction, and that the applicant notify specified persons of the application for additional hours. The bill was held in the Senate Governmental Organization Committee.

**SB 727 (Jackson –D) Medical Waste: Pharmaceutical Product Stewardship (SUPPORT – BOARD POSITION)**

The bill would have required the submission of a plan for the safe collection and property disposal of specified waste devices by a pharmaceutical producer. The bill would have required each producer to also submit a related fee, and imposed administrative civil penalties for violations or a fine for non-submission of a plan by a specified date. The bill was held in the Senate Environmental Quality Committee.

**SB 735 (Wolk – D) Sacramento – San Joaquin Delta Reform Act (SUPPORT – BOARD POSITION)**

The bill would have amended existing law that establishes the Delta Stewardship Council to create a Delta management plan, and authorized prescribed local entities to enter into a memorandum of understanding or other written agreement with the Council and the Department of Fish and Wildlife regarding multispecies conservation plans are consistent with the Delta Plan. The bill was held in the Assembly Water, Parks, and Wildlife Committee.

**BILLS NOT APPROVED (YET) OR DEAD**

**ACA 9 (Gorell –R) Voter – Nominated Primary Elections (SUPPORT – BOARD POSITION)**

The bill proposed an amendment to the Constitution to provide that, in order for a write-in candidate in a primary election for a congressional or state elective office who is one of the top two vote-getters to appear as a candidate for that office in the ensuing general election, the write-in candidate must have received votes at the primary election equal in number to at least 1 percent of all votes cast for the office at the last preceding election. The bill was refused reconsideration on the Assembly floor.

**SB 1 (Steinberg –D) Sustainable Communities Investment Authority (SUPPORT)**

This bill allows a local government to establish a sustainable Communities Investment Authority (Authority) and direct tax increment revenues to that Authority in order to address blight by supporting development in transit priority project areas, small walkable communities, and clean energy manufacturing sites. The bill was put on the Senate inactive file.

**SB 33 (Wolk –D) Infrastructure Financing Districts: Voter Approval (SUPPORT – BOARD POSITION)**

The bill revised provisions governing infrastructure financing districts by eliminating the requirement of voter approval for creation of the district and for bond issuance, and by authorizing the legislative body to create the district subject to specified procedures. The bill was put on the Assembly inactive file.

**SB 53 (De Leon – D) Ammunition: Purchase Permits (SUPPORT – BOARD POSITION)**

The bill would have required the Attorney General to maintain copies of ammunition purchase permits, ammunition transactions, and ammunition

vendor licenses. It also would have required the ammunition purchasers be authorized by the Department of Justice, provided that only a licensed ammunition vendor may sell ammunition, required identity verification, and also exempted gun shows and certain events. The bill was referred to the Assembly Public Safety Committee, however a hearing never took place.

### **BILLS VETOED BY THE GOVERNOR**

#### **AB 1229 (Atkins –D) Land Use: Zoning Regulations**

The bill would have authorized the legislative body of any city or county to adopt ordinances to establish, as a condition of development, inclusionary housing requirements. The Governor wrote in his veto message that he was worried the new requirements would become an extra hoop for the already small group of developers to jump through. The Governor also indicated that it was prudent to wait for the Supreme Court to rule on the subject.

#### **SB 374 (Steinberg – D) Firearms: Assault Weapons (SUPPORT – BOARD POSITION)**

The bill would have clarified certain semiautomatic weapons as assault weapons. The bill would have also required a person who lawfully possessed an assault weapon that does not have a fixed magazine, including those weapons with an ammunition feeding device that can be removed readily from the firearm with the use of a tool, to register the firearm by a specified date. The veto message stated that the Governor was unconvinced that this bill's blanket ban on semi-automatic rifles would result in a reduction of criminal activity, or would improve public safety. The Governor noted that he did sign numerous other "gun control" bills that day.

### **LEGISLATION SIGNED BY THE GOVERNOR**

#### **AB 48 (Skinner – D) Firearms: Large Capacity Magazines (SUPPORT – BOARD POSITION)**

The bill makes it a misdemeanor crime to buy or receive a large capacity ammunition magazine or to manufacture, import, keep for sale, offer or expose for sale, or give, lend, buy or receive any related conversion kit. The bill makes it a misdemeanor or a felony to buy or receive a large-capacity magazine.

**AB 182 (Buchanan – D) Bonds: School Districts and Community College Districts (SUPPORT – BOARD POSITION)**

The bill establishes the ratio of total debt service to principal for each school and community college district bond. It also provides the redemption period for capital appreciation bonds, and authorizes a school district or community college with a note issued prior to a specified date to seek a one-time waiver from certain requirements from the State Board of Education or the Chancellor of the California Community Colleges.

**AB 244 (Bonilla –D) Vehicles: License Plates: Veterans (SUPPORT – BOARD POSITION)**

Requires the Department of Veterans Affairs to apply to the Department of Motor Vehicles to sponsor a veteran specialized license plate, along with requiring the DMV to issue said plates.

**AB 422 (Nazarian –D) School Lunch Programs: Health Care Notice (SUPPORT – BOARD POSITION)**

The bill requires notices of a Healthy Families Program application to include prescribed advisements about the availability of free or reduced-cost comprehensive health care coverage through Medi-Cal or the Health Benefit Exchange. The bill also authorizes utilizing a school lunch program application as an application for a health insurance affordability program.

**AB 537 (Bonta – D) Meyers – Miliias – Brown Act: Impasse Procedures (OPPOSE – BOARD POSITION)**

The bill amends existing law requiring the governing body of a local public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of a recognized employee organization. The bill requires that, if a tentative agreement is reached by parties, the governing body shall vote to accept or reject that agreement within a specified time period. Finally, the bill provides that a charge for failure to meet and confer in good faith shall not be barred in certain cases.

**AB 720 (Skinner – D) Inmates: Health Care Enrollment (SUPPORT – BOARD POSITION)**

The bill authorizes county boards of supervisors to designate an entity to assist county jail inmates to apply for a health insurance affordability program. The bill authorizes the entity to act on behalf of an inmate for the purpose of applying for, or determinations of, Medi-Cal eligibility for acute inpatient hospital services.

**AB 748 (Eggman – D) Judgments Against a Public Entity: Interest**

The bill amends existing law regarding payment of interest on damage awards against public entities to the amount of United States Treasury yields, not to exceed 7%.

**AB 763 (Buchanan – D) Aquatic Invasive plants: Control and Eradication (SUPPORT – BOARD POSITION)**

The bill designates the Division of Boating and Waterways as the lead agency of the state for the purpose of cooperating with other state, local, and federal agencies in identifying, detecting, controlling, and administering programs to manage invasive aquatic plants in the Sacramento-San Joaquin Delta, its tributaries, and the Suisun Marsh. It also requires risk assessment to specify if the aquatic plant is considered to be invasive.

**AB 803 (Gomez – D) Water Recycling Act of 2013 (SUPPORT – BOARD POSITION)**

The bill removes some barriers to greater use of recycled water by making spill reporting standards for recycled water uniform and permits testing of water purity as water leaves a treatment plant under certain conditions.

**SB 191 (Padilla – D) Emergency Medical Devices (SUPPORT – BOARD POSITION)**

The bill extends the operative date of existing law that establishes the Maddy Emergency Medical Services Fund, which authorizes each county to establish an emergency medical services fund for reimbursement of costs related to emergency medical services and funding for pediatric trauma centers. The bill also authorizes county boards of supervisors to elect to levy an additional penalty for this purpose upon fines, penalties and forfeitures collected for criminal offenses.

**SB 254 (Hancock – D) Solid Waste: Used Mattresses: Recycling and Recovery (SUPPORT – BOARD POSITION)**

The bill authorizes an industry association to establish a mattress recycling organization, and be certified by the Department of Resources Recycling and Recovery to develop a recycling program. It requires manufacturers, retailers and renovators to register the mattress the Department, and prohibits manufacturing or importation of non-compliant mattresses and requires a recycling charge.

**SB 279 (Hancock – D) San Francisco Bay Restoration Authority  
(SUPPORT – BOARD POSITION)**

The bill relates to the authority to levy a special tax for bay restoration activities. The bill requires the Authority to file with the board of supervisors of each affected county a resolution requesting consolidation with the next regularly scheduled election, and requires election officials to use the same letter designation for the measure. The bill also relates to translation of ballot materials into languages other than English.

**SB 483 (Jackson – D) Hazardous Materials: Business and Area Plans  
(SUPPORT – BOARD POSITION)**

The bill revises and recasts the hazardous waste and hazardous materials business plan requirements. The bill requires a unified program agency enforce these requirements, and requires the inspection program that is part of the program to include the onsite inspections of businesses.

**SJR 10 (Lieu – D) Workforce Investment Act: Reauthorization  
(SUPPORT)**

The resolution urges the Congress of the United States to reauthorize the federal Workforce Investment Act and to include specified policies and strategies in support of the Act.

**Conclusion**

The next year is the second year of the two-year legislative session. Some of the “two-year bills” (those held in committee) may be heard in January. If they are not heard then, they must be re-introduced. Of course any bills considered in the second year must be acted on by August 31, when the two-year session ends.

The Governor will submit his proposed 2014-15 budget in early January. In addition, several issues affecting counties that came up this year may be revisited in 2014. These include CEQA reform, a statewide water bond, the realignment funding formula, and proposals for further realignment of state programs to counties.



# Proposed 2014 FEDERAL LEGISLATIVE PLATFORM

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Contra Costa County

January 14, 2014





## 2014 FEDERAL LEGISLATIVE PLATFORM CONTRA COSTA COUNTY

Each year, the Board of Supervisors adopts a Federal Legislative Platform that establishes priorities and policy positions with regard to potential federal legislation and regulation. The 2014 Federal Legislative Platform identifies 10 funding needs for FFY 2015; 4 requests for the reauthorization of the federal transportation act; and 6 requests for the reauthorization of the Water Resources Development Act.

### **FEDERAL RELATED FUNDING NEEDS**

*The following list is a preliminary ranking in priority order. Adjustments to the priority order may be appropriate once the President releases his budget. The current priority ranking gives preference to those projects that we know will not be included in the President's budget, with lower priority to Army Corps of Engineers projects which may be in the budget. Also, Army Corps project requests will be adjusted to be consistent with Corps capability.*

**1. Delta LTMS-Pinole Shoal Management, CA** – **\$3,000,000** for the Army Corps of Engineers to continue a Long Term Management Strategy (LTMS) for levee rehabilitation, dredging and sediment reuse in the Delta, similar to the effort completed in the Bay area. Levee work, reuse of dredged sediments, dredging and other activities have been difficult to accomplish due to permitting problems and a divergence of priorities related to water quality. Significant levee rehabilitation is critical to the long term stability of these levees and to water quality and supply for the 23 million Californians who depend upon this water. Stakeholders from the Department of Water Resources, Ports, Army Corps, levee reclamation districts, local governments and other interested parties are participating in the LTMS. A Sediment or Dredged Material Management Office will be established, and in the longer term, preparation of a Sediment Management Plan will consider beneficial reuse of dredged materials as one potential source of sediment for levees. (Note: \$500,000 appropriated for FFY 2005; \$225,000 for FFY 2006; \$500,000 for FFY 2007; \$462,000 for FFY 2008; \$235,000 for FFY 2009; \$100,000 for FFY 2010; \$0 since.)

**2. Safe and Bright Futures for Children Exposed to Domestic Violence** – **\$400,000** to implement the federally funded plan to diminish the damaging effects of domestic violence on children and adolescents and to stop the cycle of intentional injury and abuse. A three year assessment and planning process resulted in a program plan that is working to align and create a system responsive to the needs of children exposed to domestic violence through identification, early intervention; raising awareness; training professionals; utilizing and disseminating data; establishing consultation teams to support providers in intervening and using best practices; and developing targeted services. Exposure to domestic violence reshapes the human brain and is the primary cause of trauma in children's lives. It influences personality, shapes personal skills and behaviors, impacts academic performance, and substantially contributes to the high cost of law enforcement, civil/criminal justice and social services. Exposure to domestic violence is associated with greater rates of substance abuse, mental illness, and adverse health outcomes in adulthood, and substantially contributes to the high cost of law enforcement, civil/criminal justice and social services. (Note: \$428,000 appropriated for FFY 2009; \$550,000 for FFY 2010.)

**3. Mt. Diablo Mercury Mine Clean-up – \$483,000** for the Army Corps of Engineers to complete the Technical Planning Process for the Mt. Diablo Mercury Mine Clean-up Project. The project will clean up the mine in a cost effective, environmentally-sound manner with minimal liability exposure for the County and involving all stakeholders through an open community-based process. The Corps initiated a Technical Planning Process in June 2008 to develop a preliminary remediation plan, identify applicable permit and environmental data requirements and complete a data collection and documentation program for the clean-up of the Mt. Diablo Mercury Mine. Several phases of the planning process have been completed, and this appropriation will allow the Corps to continue the planning process, which will include looking at watershed issues downstream of the mercury mine. The mine site is located on private property on the northeast slope of Mt. Diablo at the upper end of the Marsh Creek watershed. (Note: \$517,000 appropriated in FFY 2008.)

**4. Bay-Delta Area Studies, Surveys and Technical Analysis – \$2,500,000** for the Delta Counties Coalition to carry out technical analysis and planning associated with participation in the Bay-Delta Conservation Plan (BDCP) or implementation of any projects resulting from the Plan. The technical analysis and planning will focus on issues related to the planning of water delivery projects and conservation plans that are included in the BDCP.

**5. CALFED Bay Delta Reauthorization Act Levee Stability Improvement Program (LSIP) – \$8,000,000** for the Army Corps of Engineers for levee rehabilitation planning and project implementation. The CALFED Reauthorization Act, passed in January 2004, authorized \$90 million, which may be appropriated for levee rehabilitation work. The Corps has prepared a “180-Day Report” which identifies projects and determines how these funds would be spent. Since that time, the breakdown of CALFED, coupled with the Army Corps’ attempts to define an appropriate and streamlined process, has delayed funding and resultant levee work. (Note: \$500,000 appropriated for FFY 2006; \$400,000 for FFY 2007; \$4.92 million for FFY 2008; \$4.844 million for FFY 2010.)

**6. Suisun Bay Channel/New York Slough Maintenance Dredging – \$11,000,000** for the Army Corps of Engineers for maintenance dredging of this channel to the authorized depth of minus 35 feet. Continued maintenance is essential for safe transport of crude oil and other bulk materials through the San Francisco Bay, along the Carquinez Straits and into the Sacramento/San Joaquin Delta. Dredging for this channel section is particularly costly due to requirements on placement of dredged materials in upland environments. An oil tanker ran aground in early 2001 due to severe shoaling in a section of this channel, which creates a greater potential for oil spills (Note: \$4.559 million appropriated for FFY 2005; \$4.619 million for FFY 2006; \$2.82 million for FFY 2007; \$2.856 million for FFY 2008; \$2.768 million for FFY 2009; \$3.819 million for FFY 2010.)

**7. San Pablo/Mare Island Strait/Pinole Shoal Channel Maintenance Dredging – \$2,500,000** for the Army Corps of Engineers for maintenance dredging of the channel to the authorized depth of minus 35 feet. The Pinole Shoal channel is a major arterial for vessel transport through the San Francisco Bay region, serving oil refineries and bulk cargo which is transported as far east as Sacramento and Stockton. (Note: \$1 million appropriated for FFY 2005; \$2.988 million for FFY 2006; \$896,000 for FFY 2007; \$1.696 million for FFY 2008; \$1.058 million for FFY 2009; \$2.518 million for FFY 2010.)

**8. San Francisco to Stockton (J. F. Baldwin and Stockton Channels) Ship Channel Deepening** – \$2,900,000 for the Army Corps of Engineers to continue the Deepening Project. Deepening and minor realignment of this channel will allow for operational efficiencies for many different industries, an increase in waterborne goods movement, reduced congestion on roadways, and air quality benefits. Phase one work focused on establishing economic benefit to the nation and initial salinity modeling in the channel sections. The second and final phase includes detailed channel design, environmental documentation, cost analysis, additional modeling, and dredged material disposal options. (*Note: \$500,000 appropriated for FFY 2005; \$200,000 for FFY 2006; \$200,000 for FFY 2007; \$403,000 for FFY 2008; \$1.34 million for FFY 2009; \$0 for FFY 2010; \$0 for FFY 2011; \$800,000 for FFY 2012.*)

**9. State Route 4 / Old River Bridge Study** – \$1,000,000 to work with San Joaquin County and the State of California on a study of improving or replacing the Old River Bridge along State Route 4 on the Contra Costa / San Joaquin County line. The study would determine a preferred alternative for expanding or replacing the existing bridge, which is part of State Route 4. The existing bridge is narrow, barely allowing two vehicles to pass each other, and is aligned on a difficult angle relative to the highway on either side, requiring motorists to make sharp turns onto and off of the bridge. The project would improve safety and traffic flow over the bridge. (*Note: no appropriations for this project as yet.*)

**10. Knightsen/Byron Area Transportation Study** - \$300,000 to re-evaluate the Circulation Element of the County General Plan (GP) to improve its consistency with the Urban Limit Line (ULL) and related policies that ensure preservation of non-urban, agricultural, open space and other areas identified outside the ULL. Policies will be evaluated to provide a more efficient and affordable circulation system for the study area, serve all transportation user-groups, support the local agricultural economy and accommodate the commuter traffic destined for employment centers outside the study area. Zoning and development regulations would be updated to implement the study recommendations.

## **REAUTHORIZATION OF FEDERAL TRANSPORTATION ACT**

*The Safe, Accountable, Flexible and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU), expired in 2009. SAFETEA-LU was renewed on ten occasions until the new program, Moving Ahead for Progress in the 21st Century Action (MAP-21) - a two year bill – was signed into law on July 6, 2012. MAP-21 is a 27-month bill that will expire September 30, 2014. The following are priority projects for which funding will need to be secured in the next multi-year transportation bill.*

**1. Vasco Road Safety Improvement Project** -- \$18 million for improvements to a 2.5-mile accident-prone section of Vasco Road. Project components include widening the roadway to accommodate a concrete median barrier and shoulders on either side of the barrier, construction of the barrier, and extension of an existing passing lane. The project will eliminate cross-median accidents which have caused numerous fatalities in recent years, and will provide increased opportunities for vehicles to safely pass (unsafe passing is a major cause of accidents and fatalities on this segment of the increasingly busy two-lane undivided road). The project will include provisions for wildlife undercrossings to preserve migration patterns. The proposed improvements will complement a \$10 million completed project that was funded with American Recovery and Reinvestment Act funds.

**1.b Vasco Road Safety Improvement Project Continuation** -- **\$30 million** for improvements to the remaining 9 miles of accident-prone sections of Vasco Road. Alameda County has been working on constructing improvements in their jurisdiction and it would be desirable for the two counties to work together to complete the gap left in the concrete median barrier near the County line. In addition to completing this gap, Contra Costa desires to extend the concrete median barrier further north of the recently completed median barrier project to the Camino Diablo Road intersection.

**2. North Richmond Truck Route** -- **\$25 million** to construct a new road or other alternate access improvements that will provide truck access between businesses and the Richmond Parkway, moving the truck traffic away from a residential neighborhood and elementary school. This project will increase safety, improve public health around the school and residential area by reducing diesel particulate emissions from those areas, increase livability of the neighborhood, improve local access to the Wildcat Creek Regional Trail, stimulate economic development in the industrial area of the community and provide a better route for trucks traveling to and from the Richmond Parkway. **Several potential alignments have been identified**, one of which was developed through a community planning process funded through an Environmental Justice planning grant from Caltrans.

**3. Eastern Contra Costa Trail Network** -- **\$10 million** for a joint planning, environmental review, right-of-way acquisition and constructions of a coordinated network of trails for walking, bicycling and equestrian uses in eastern Contra Costa County including facilities and projects improving access to existing or planned transit stations. Eligible trails include, but are not limited to, (1) the Mokelumne Trail overcrossing of the State Route 4 Bypass (\$6 million); (2) Contra Costa segments of the Great California Delta Trail (\$3 million); and (3) a transit supportive network of East Contra Costa trails in unincorporated County areas and the cities of Antioch, Brentwood, Oakley and Pittsburg (\$1 million).

**4. eBART Extension Next Phase Study/Environmental and Engineering** -- **\$10 million** for environmental review and engineering work on the project identified in the Bay Area Rapid Transit District's (BART) eBART Next Segment Study in eastern Contra Costa County. With regard to additional stations and eBART rail corridor alignment tasks may include, but not necessarily be limited to, completion of environmental review, and partial completion of engineering. Additional work may include, but not necessarily be limited to, evaluation and refinement of alignment and stations, development of capital and operating costs, land use analysis, completion of environmental review including appropriate mitigations, development of preliminary engineering, and public outreach. (Potential Program: FTA – New Starts, FHWA/FTA Congestion Mitigation and Air Quality)

- **Rural Road Funding Program** – The County supports the creation of a new funding program that will provide funds for converting or upgrading rural roads into more modern and safer roads that can **better** handle increasing commuter traffic in growing areas, such as East County. These roads do not often compete well in current grant programs because they do not carry as many vehicles as roads in more congested urban or suburban areas. As a result, improvements such as widenings (**turn lanes, clear zone/recovery areas, etc.**), realignments, drainage improvements and

intersection modifications often go unfunded, leaving such roads with operational and safety problems as well as insufficient capacity.

- **Transportation Funding for Disabled, Low-income, and Elderly Persons** – Transit services for elderly, disabled, and low-income persons are provided by the County, by some cities, by all of the bus transit operators, and by many community organizations and non-profits that provide social services. Increased funding is needed to provide and maintain more service vehicles, operate them longer throughout the day, upgrade the vehicle fleet and dispatching systems, improve coordination between public providers and community groups that also provide such services to their clients, and expand outreach programs to inform potential riders of the available services, among other needs. The County supports continuation and increased funding levels for federal funding programs dedicated to transit services for these population groups. All of the demographic trends point to a growing need for such services in the future. For example, the 65-and-older population in the Bay Area is projected to more than double by the year 2030.
- **Surface Transportation Program/Highway Bridge Funding** – The County supports the continuation of funding levels consistent with the Highway Bridge funding program in previous transportation funding bills that will provide funds for rehabilitating and replacing our aging bridges. The County has several aging bridges with deficient sufficiency ratings. Without federal transportation funding, these expensive projects would be deferred because they often exceed the County's funding capacity. Many of the bridges are on critical commute corridors, goods movement corridors, inter-regional routes, and farm to market routes. Failure of these important transportation assets can cause major disruptions to the transportation network.

## **REAUTHORIZATION OF WATER RESOURCES DEVELOPMENT ACT (WRDA)**

*The Water Resources Development Act of 2007 became law in November, more than seven years after the last authorization bill. A new WRDA bill is anticipated in 2014. The following are prioritized projects the County would submit for inclusion as the bill moves forward.*

**1. Army Corps Vegetation Policy** – Proposed amendments to 1996 Water Resources Development Act, Section 202: Flood Control Policy, (g) Vegetation Management Guidelines include the following: Engineering Technical Letter 1110-2-571 is suspended until that time a new policy is adopted. The policy guidelines shall be revised in accordance with the following: (A) Levee vegetation management guidelines shall represent regional variations based on a process that includes consultation with federal and state resource agencies, and preparation with local and state flood control agencies and corps districts. (B) Guidelines must undergo independent peer review which evaluates the structural and natural resource functions of vegetation on levees and the risks and benefits to the levee structure. (C) Guidelines and exemptions to them shall provide for protection of riparian and aquatic resources, reduction of costs and other community impacts in balance with public safety. (D) Existing projects in which the Corps has integrated vegetation into levees and floodwalls to meet project objectives and regulatory requirements shall be exempt from the guidelines.

**2. Mt. Diablo Mercury Mine Clean-up** – Authorize the Army Corps of Engineers, through their Remediation of Abandoned Mine Site program (RAMS), to perform and complete the Technical Planning Process and site characterization of the Mt. Diablo Mercury Mine in Contra Costa County as a demonstration project with no local match, and authorize the Army Corps of Engineers to construct the clean-up project at the Mt. Diablo Mercury Mine. This authorization will allow the Corps to fund elements of the mine remediation project that any responsible parties cannot. This would also allow the Corps' RAMS program to resolve liability issues associated with a clean-up project on private property and address mercury pollution on a watershed basis. Since this is a demonstration project, the Corps would fund the full Technical Planning Process, Remedial Investigation, design and project construction.

A 1995 study of Marsh Creek indicated the Mt. Diablo Mercury Mine tailings are responsible for 88% of the mercury in Marsh Creek. In addition, mercury levels in fish in Marsh Creek Reservoir downstream of the mine exceed the health standard concentration of 0.5 ppm.

**3. Sacramento San Joaquin Delta Infrastructure Improvements** – Contra Costa County, together with the four other Delta counties of Sacramento, San Joaquin, Solano and Yolo, has requested authorization for the Army Corps of Engineers to repair infrastructure in the Delta. This includes levees rehabilitation projects in the Delta as part of an overall system, rather than on a county-by-county or island-by-island basis. As the Administration has recognized, this ecosystem is among the most important in the nation, providing a source of drinking water for more than 25 million people, supporting a \$28 billion agricultural industry, and fostering a thriving commercial and recreational fishing industry that contributes millions to the California and national economies. The project is an authorization of \$2.5 billion for the Army Corps of Engineers to upgrade the levee system, including stockpiling rock to rebuild collapsed levees for emergency response purposes at selected areas of the Delta. Because of the importance of the Delta to the nation's agriculture and economy, the request includes a modification of the Federal/local cost share to 90% federal and 10% local.

**4. Rodeo Creek, Section 1135 Project** – The Contra Costa Flood Control and Water Conservation District is seeking an 1135 project authorization for the Army Corps of Engineers to prepare a study of the feasibility of restoring and enhancing wildlife resources in Rodeo Creek between San Pablo Bay and Highway 80. The channel was designed and constructed to provide adequate flood protection for the community of Rodeo and to control erosion of the creek. The channel currently does this, but requires extensive, environmentally insensitive maintenance to keep the channel functioning properly. In addition, the current channel design includes barriers to migration of anadromous fish. The Contra Costa Flood Control and Water Conservation District would like to partner again with the Corps of Engineers under the Corps' 1135 program to transform this outdated design into a sustainable, environmentally sensitive facility that better serves the community and the environment.

**5. Rheem Creek, Section 1135 Project** – The Contra Costa Flood Control and Water Conservation District is seeking an 1135 project authorization for Rheem Creek between the mouth at San Pablo Bay and Giant Road. The Army Corps of Engineers' existing flood protection project on Rheem Creek protects a number of commercial, industrial, residential and open space areas in the Richmond / San Pablo area of Contra Costa County. Surrounding the



mouth of the creek is a large undeveloped parcel (Brunner Marsh) which has been acquired by the East Bay Regional Park District for a future public park. Development of the adjacent lands as a regional park provides a unique opportunity for an enhanced creek environment in an area that will be very visible to the public.

**6. Walnut Creek, Select Deauthorization** – The Contra Costa County Flood Control and Water Conservation District is seeking to deauthorize the downstream portion of the Corps’ Walnut Creek project. The Flood Control District has been working with the Corps since 2002 on a Feasibility Study to re-evaluate and modify the lower portion of the Walnut Creek channel. Deauthorization of a select portion of the Corps’ Walnut Creek project would allow the Flood Control District to move forward with a more cost effective modification project than through the Corps process to modify this same portion of the channel.

#### **APPROPRIATIONS AND GRANTS – SUPPORT POSITIONS**

*The following support positions are listed in alphabetic order and do not reflect priority order. Please note that new and revised positions are **highlighted**.*

***Buchanan Field Airport*** – The County approved a Master Plan for the Buchanan Field Airport in October 2008, which includes a Federal Aviation Regulation Part 150 Noise Study and a Business Plan for project implementation. The comprehensive planning effort has ideally positioned Buchanan Field Airport for future aviation (general aviation, corporate aviation and commercial airline service) and aviation-related opportunities. To facilitate the economic development potential, the Business Plan prioritizes necessary infrastructure improvements for Buchanan Field Airport (**including potential replacement of the 60 year old control tower**). Further, as the Airport is surrounded by urban residential uses, enhancing the noise program infrastructure is deemed essential for balancing the aviation needs with those of the surrounding communities. The Federal government, primarily through the Federal Aviation Administration (FAA), provides funding for planning, analysis, and infrastructure improvements. The County will support funding in all these areas for protection and enhancement of our aviation facility and network.

***Byron Airport*** – The Byron Airport is poised for future general and corporate aviation and aviation-related development, but that future growth **and full build out of the airport as shown in the Master Plan** is dependent upon **utility and** infrastructure improvements both on and around the Airport. The Byron Airport Business Plan prioritizes infrastructure and possible additional land acquisition to assist the Byron Airport in fulfilling its aviation and economic development potential. The Federal government, primarily through the Federal Aviation Administration (FAA), provides funding for planning, analysis, infrastructure improvements and aviation land acquisition. The County will support funding in all these areas for protection and enhancement of our aviation facility and network.

***East Bay Regional Communication System (EBRCS)*** – A project to build the East Bay Regional Communication System (EBRCS), a P25 Radio System infrastructure for Contra Costa and Alameda County. This system will provide interoperable voice communication in both the 800 MHz and 700 MHz frequencies to all public safety and public services agencies within Contra Costa County and Alameda County.

EBRCS will allow for interoperable voice communication within the region that can be integrated with other P25 radio systems outside the geographical area of the EBRCS, for example, with San Francisco. This project will provide Level 5 communications which is the highest level of interoperable communications. This project will allow for everyday interoperable communications, not just various levels of interoperability during big events or disasters in which radio caches are deployed or gateway devices used.

***Energy Efficiency & Conservation Block Grant (EECBG) Program*** – Advocate/support funding up to or above the authorized amount of \$2 billion for the EECBG Program established and authorized under the Energy Independence and Security Act (EISA) of 2007. The County's ability to continue offering programs/services improving energy efficiency and conservation while also creating jobs is contingent upon additional federal funding being appropriated to the EECBG Program in 2012 and beyond. Contra Costa and other local governments have identified and designed many successful programs and financial incentives targeting both the private and public sector which are now being implemented using EECBG funding authorized through the ARRA of 2009. Funding for the EECBG program is necessary to ensure the nation's local governments can continue their leadership in creating clean energy jobs, reducing energy consumption and curbing greenhouse gas emissions.

***Kirker Pass Road Truck Climbing Lanes*** – \$4.5 million for constructing northbound and \$20 million for constructing southbound truck climbing lanes on Kirker Pass Road, a heavily used arterial linking residential areas in eastern Contra Costa with job centers and the freeway system in central Contra Costa. The truck climbing lanes are needed to improve traffic flow and will also have safety benefits. The \$4.5 million will close a funding gap and augment secured funding: \$6 million in Measure J (local sales tax measure) funds and \$2.6 million in State Transportation Improvement Program funds. The \$20 million is the total cost of the southbound truck climbing lane segment.

***Regional Habitat Planning and Conservation*** – \$85 million to the U.S. Fish and Wildlife Service's "Cooperative Endangered Species Conservation Fund" to keep pace with land costs and the increasing number of Habitat Conservation Plans (HCPs) throughout the country. The County will support funding for the Fund to be restored to \$85 million, the 2010 funding level. This will provide much needed support to regional HCPs in California and nationally, including the East Contra Costa County HCP. Given the prolific growth in the number of regional HCPs, the Fund needs to be increased even more substantially in subsequent years. The East Contra Costa County HCP has received \$33.5 million from the Cooperative Endangered Species Conservation Fund in the past seven years and continuing this grant support is of vital importance to the successful implementation of that Plan. The County will pursue increasing appropriations to the Fund in partnership with numerous counties in northern and southern California and will support requests of the California Habitat Conservation Planning Coalition to increase the Fund up to \$85 million. The County will also request that the California State Association of Counties (CSAC) include this Fund increase as a priority on CSAC's federal platform.



***San Francisco Bay Improvement Act*** – \$1 billion restoration bill authored by Congresswoman Jackie Speier in 2010 but not passed. The bill, if passed, will help finance restoration of more than 100,000 acres of the Bay's tidal wetlands. Funds from the bill would implement a restoration plan that was adopted in 1993. In addition to benefits for fish and wildlife, wetlands restoration will create new jobs and provide regional economic infusions, as well as protect against the effects of sea level rise on the Bay's shores.

***Sacramento-San Joaquin Delta National Heritage Area*** – a bill authored by Senator Dianne Feinstein in 2010 but not passed. The bill, if passed, will authorize and fund a National Heritage Area (NHA) for the Sacramento-San Joaquin Delta. The NHA designation would be a first step in providing federal resources to agencies in the Delta for economic development and environmental protection. *Contra Costa County supports the legislation and participated in a feasibility study for the NHA through our seat on the Delta Protection Commission, which completed the study in 2012.*

***Vasco Road-Byron Highway Connector*** – \$30 million for design, engineering and construction of an east-west connector road between two major arterials that link Contra Costa County with Alameda and San Joaquin Counties. The Vasco Road-Byron Highway Connector will improve traffic circulation and linkages in the southeastern portion of the County and will provide a new route for truck traffic that will remove a significant portion of truck trips which currently pass through the rural community of Byron. Vasco Road is designated as State Route 84, and Byron Highway is under study as the potential alignment for future State Route 239.

## **2014 FEDERAL LEGISLATIVE PLATFORM POLICY POSITIONS**

*The following support positions are listed in alphabetic order and do not reflect priority order. Please note that new and revised policy positions are **highlighted**.*

***Affordable Housing and Homeless Programs*** –For Housing and Urban Development (HUD)'s Homeless Assistance Grants, the County will support funding that does not include set-asides or other requirements that limit local communities' ability to respond to the particular needs in their areas. For the Housing Assistance for People with AIDS (HOPWA) program, the County will support legislation to update the formula used to allocate HOPWA grants to reflect local housing costs as well as the number of AIDS cases.

The County supports full funding for HUD homeless assistance programs and funding for full implementation of the Homeless Emergency and Rapid Transition to Housing (HEARTH) Act of 2009.

The County supports funding the National Affordable Housing Trust Fund. Resources made available through the Trust Fund should be accessible to local housing and community development agencies, including public housing authorities. As the present home mortgage crisis demonstrates, homeownership is not for everyone. While we value and support the role that homeownership plays in meeting affordable housing needs, any new production program should prioritize efforts to address our nation's acute shortage of affordable rental housing.

**Agricultural Pest and Disease Control** – Agriculture and native environments in Contra Costa County continue to be threatened by a variety of invasive/exotic pests, diseases and non-native weeds. The Federal government provides funding for research, regulation, pest exclusion activities, survey and detection, pest management, weed control, public education and outreach. The County will support funding in all these areas for protection of our agricultural industry and open space. Consistent with the policy position, the County will also support legislation which would authorize and direct the USDA to provide state and local funding for High Risk Prevention programs (also called Pest Detection Funding).

**Beneficial Use of Dredged Materials** – As the beneficial reuse of dredged materials has a clear public benefit, particularly in the Delta, the County will continue to support beneficial reuse in general and also continue to advocate for funding for a federal study to determine the feasibility of beneficial reuse, considering the benefits and impacts to water quality and water supply in the Delta, navigation, flood control damage, ecosystem restoration, and recreation. The study would include the feasibility of using Sherman Island as a rehandling site for the dredged material, for levee maintenance and/or ecosystem restoration. Language to authorize the study was included in the Water Resources and Development Act (WRDA) which was passed into law on November 8, 2007.

**Child Care** – Research continues to show that quality, affordable childcare is a necessity to ensuring a family's stability and economic success. Currently in Contra Costa County, there are over 10,000 low-income children eligible for affordable childcare services, yet only 29% of that need is met. Research also shows that in addition to a child's long-term success with school and employment, investing in high-quality early care and education results in a higher than average return on investments in the areas of crime reduction and positive health, education and economic outcomes.

With regards to childcare, the County will support the President's "Preschool for All" Initiative meant to close America's school readiness gap and ensure all children have access to quality care by expanding high quality learning opportunities for children 0-5. This proposal includes:

- An increase of over 100,000 new childcare slots and \$12 billion over the next 10 years;
- A focus on children and their families who are at or below 200% of poverty;
- Financing through a new cost-sharing partnership with states, already a proven successful model with Head Start in Contra Costa County.

**Child Support** –The County will advocate for the following federal actions:

- Eliminate the \$25 fee for non-IV-A families.
- Restore the incentive match payments that were prohibited in the Deficit Reduction Act.
- Allow the automatic use of cash medical support to reimburse Medicaid expenditures.

- Allow IV-D agencies to access Health Insurance records for the purposes of Medical Support.

***Child Welfare and Well-being*** –The County will advocate for the following federal actions:

- Provide states with financial incentives, as opposed to monetary penalties, under the Child and Family Services Reviews and minimize the significant administrative burden associated with the review process.
- End Title IV-E disallowances from federal audits that take away funds from an already resource-strapped child welfare system. Allow states to reinvest these funds in preventing child abuse and neglect.
- Increase prevention dollars to help maintain children safely in their own homes. Federal funding currently gives disproportional support to out-of-home care rather than to preventing children from coming into care.
- Any increase in Federal Medical Assistance Percentage should include an associated increase in the Title IV-E matching rate to help support children in foster care.

***Community Development Block Grant and HOME Programs*** – The County’s ability to continue funding to a variety of nonprofit agencies that provide critical safety net services to lower income residents, including financing the development of affordable housing is threatened by further cuts as part of the Budget Control Act (Act) passed by Congress in July 2011. The Act established mandatory spending caps on most federal programs through 2021, and arranged additional across-the-board annual spending cuts to federal defense and non-defense discretionary (NDD) programs over this same period.

Included in non-defense discretionary programs are critical local government oriented programs including the CDBG and HOME programs. These programs are successful and productive, leveraging significant funding from non-federal sources to help spur economic development. The County agrees that reducing the federal deficit is an important component of achieving long-term national economic stability, but targeting solely NDD programs like the CDBG and HOME programs will not achieve significant reductions and will hinder the County’s ability to provide critical services to its most vulnerable populations. The County will continue to oppose any further reductions in the CDBG and HOME programs as part of the Budget Control Act or any other means.

***Cost Shifts to Local and State Government*** – Contra Costa County performs many of its services and programs pursuant to federal direction and funding. Other services and programs are performed at the behest of the state, which receives funding through the federal government. In the past, the Administration’s budget has contained significant cuts to entitlement programs and/or caps on entitlements. Such actions could shift cost of services from the federal government to the state and/or local governments (and to the extent that costs would shift to the state, it is highly likely that these would be passed on to the County). The County will oppose any actions that would result in cost shifts on federal entitlement programs or which would result

on greater dependency on county funded programs. In addition, the County will support federal and state financial assistance to aid county and local government efforts to meet unfunded federal mandates, such as those contained in the National Response Plan (NRP), the National Infrastructure Protection Plan (NIPP), and the National Incident Management System.

***Criminal Debt Collection*** – Nonpayment of court-ordered victim restitution, fines and fees is a problem of epidemic proportions for all jurisdictions. Literally billions of dollars go uncollected each year across the country, resulting not only in financial suffering of victims, but also the loss of public revenue. Many states already allow for the offset of State Tax Refunds, and these programs are successful in achieving revenue recovery. Federal Tax Refunds are already being successfully offset to pay for delinquent child support. The County will support amendments to the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for court-ordered debts that are past-due.

***Designation of Indian Tribal Lands and Indian Gaming*** – The Board of Supervisors has endorsed the California State Association of Counties' (CSAC) policy documents regarding development on tribal land and prerequisites to Indian gaming. These policy statements address local government concerns for such issues as the federal government's ability to take lands into trust and thus remove them from local land use jurisdiction, absent the consent of the state and the affected county; the need for tribes to be responsible for all off-reservation impacts of their actions; and assurance that local government will be able to continue to meet its governmental responsibilities for the health, safety, environment, infrastructure and general welfare of all members of its communities. The County will continue to advocate for federal legislation and regulation that supports the CSAC policy documents.

The County will also advocate for limitations on reservation shopping; tightening the definition of Class II gaming machines; assuring protection of the environment and public health and safety; and full mitigation of the off-reservation impacts of the trust land and its operations, including the increased cost of services and lost revenues to the County.

The County will also advocate for greater transparency, accountability and appeal opportunities for local government in the decision-making processes that permit the establishment of Indian gaming facilities. This includes sequencing the processes so that the Indian Lands Determination comes first, prior to initiation of a trust land request and associated environmental review.

The County will also consider support for federal action and/or legislation that allows Class III gaming at the existing gaming facility only if it can be shown that any change would result in a facility that would be unique in nature and the facility can demonstrate significant community benefits above and beyond the costs associated with mitigating community impacts.

***Economic Development Programs*** – Congress should fund all the complementary programs within HUD's community and economic development toolkit, ensuring that HUD does not lose sight of the development component of its mission. To that end, the County will support continued funding for the Section 108 loan guarantee program, the Brownfields Economic Development Initiative and the Rural Housing and Economic Development program. Each of

these programs plays a unique role in building stronger, more economically viable communities, while enabling communities to leverage external financing in a way the CDBG program alone cannot do.

***Federal “Statewideness” Requirements*** – For many federally funded programs, there is a “statewideness” requirement; i.e., all counties must operate the specific program under the same rules and regulations. This can hamper the County’s ability to meet local needs, to be cost effective and to leverage the funding of one program to reduce costs in another program. Contra Costa County cannot negotiate for federal waivers or do things differently because it is not a state, yet its population is greater than seven states. Recognizing this is a very long-term effort, the County will advocate for relaxation of the “statewideness” rule to allow individual counties or a consortium of counties to receive direct waivers from the federal government and/or adopt the rules and regulations currently in use in another state for specific programs.

***Habitat Conservation Planning*** – The County will advocate for elevating the profile of Habitat Conservation Plans (HCPs) such as the East Contra Costa County HCP within Congress and Administration so that these critical federal/state/local partnerships can receive necessary attention and support. HCPs are flagship programs for the federal government and supporting effective implementation of approved HCPs should be a top priority for the U.S. Department of the Interior and U.S. Fish and Wildlife Service and HCPs should be a key tool in any federal climate change or economic stimulus legislation.

***Health*** – The County will advocate for the following actions by the federal government: provide enhanced Medicaid FMAP (“FMAP” is the “Federal Medical Assistance Percentage”) for Medicaid. It is the federal matching rate for state Medicaid expenditures. Increasing the federal matching rate for states would free up state general fund money for other purposes and would help counties as well.); suspend the Medicare “clawback” rule; suspend the “60-day rule” that requires states to repay the federal government overpayments identified by the state prior to collection, and even in instances where the state can never collect; ease the ability to cover those eligible for Medicaid by making documentation requirements less stringent; and prevent the implementation of the following seven federal regulations:

- Outpatient hospital
- Case Management
- School Based Administration & Transportation
- Public Provider Cost Limit
- Graduate Medical Education
- Rehabilitation Services Option
- Provider Tax

***Levee Restoration and Repair*** – The County will support legislation such as H.R. 6484, the SAFE Levee Act (Garamendi) in 2012, which will authorize the U.S. Department of the Interior to invest in Delta levee repairs, for all levees that are publicly owned or publicly maintained. The bill also requires a cost-benefit analysis for the tunnel project being planned as part of the Bay-Delta Conservation Plan.

***Pension*** – The County will support legislation that would modify the Internal Revenue Code and corresponding regulations to permit public employees to make an irrevocable election between their current pension formula and a less rich pension formula.

In 2006, Contra Costa County and the Deputy Sheriff's Association jointly obtained state legislation that would allow members of the Association to make a one-time irrevocable election between their current pension formula and a less rich pension formula, called Tier C. Orange County and its labor organizations obtained similar legislation in 2009. However, neither County has been able to implement this state legislation because such elections currently have negative tax consequences for employees and for retirement plans under federal tax law as interpreted by the Internal Revenue Service.

Like many local government entities nationwide, the County's fiscal position would benefit greatly from reduced pension costs. Allowing local government entities to implement collective bargaining agreements and state legislation that permits employees to elect less rich pension formulas would be a significant step in reducing pension costs.

***Public Housing Programs*** – The County will support legislation that results in the transformation of existing programs to improve their effectiveness and efficiency, in tandem with the design of new and innovative responses, both to build upon recent progress and address outstanding issues.

The County will support legislation to protect the nation's investment in Public Housing.

- Enact affordable housing industry proposal to allow public housing agencies (PHAs) to voluntarily convert public housing units to Section 8 project-based rental assistance in order to preserve this vital component of the national infrastructure.
- Oppose the Administration's proposal to impose a \$1 billion offset against the operating reserves of responsible, entrepreneurial PHAs.
- Support the revitalization of severely distressed public housing units.
- Address safety and security concerns connected to drug-related crime.

The County will support legislation to preserve vital community and economic development programs

- Fully fund the Community Development Block Grant Program in order to create and save jobs, revitalize local economies, and support critical services for vulnerable populations.
- Maintain funding for HUD's cost-effective economic development tools.

The County will support legislation to strengthen and simplify the Section 8 Rental Assistance programs

- Provide adequate funding for Housing Assistance Payment contract renewals and ongoing administrative fees.
- Enact the Section Eight Voucher Reform Act (SEVRA).
- Implement overdue regulatory and administrative revisions that ensure the efficient use of program funds.

The County will support legislation to expand Affordable Housing Opportunities and combat homelessness

- Fully fund the Home Investment Partnerships Program and HUD's homeless assistance programs.
- Capitalize the Housing Trust Fund through a revenue-neutral approach.
- Preserve and strengthen the Low Income Housing Tax Credit Program.

The County will support legislation to foster innovation, increase efficiency, and streamline the regulatory environment

- Promote reasonable and flexible federal oversight.
- Incentivize green building and increased Energy Efficiency.
- Support HUD's ongoing transformation efforts.
- Ensure that HUD releases and distributes federal funding in a timely manner.
- Eliminate statutory and regulatory barriers that prevent PHAs and redevelopment authorities from accessing federal programs they are qualified to administer.

***Retiree and Retiree Health Care Costs*** – The County operates many programs on behalf of the federal government. While federal funding is available for on-going program operations, including employee salaries, the allocation is usually capped, regardless of actual costs. For retiree and retiree health care, the County's ability to contain costs is extremely limited. The County will advocate for full federal financial participation in funding the County's retiree and retiree health obligations.

***San Luis Drain*** – The U. S. Bureau of Reclamation is under a court injunction to evaluate and implement options for providing drainage services for the west side of the San Joaquin Valley. Drainage water from this area contains toxic concentrations of selenium and other hazardous substances. The San Luis Drain is one of the options studied. The Drain would pass through Contra Costa County to discharge in the Delta. The U.S. Bureau of Reclamation has determined to address the problem without building the Drain, but Congress would need to appropriate the funds before this alternative could be implemented. The injunction requiring provision of some type of drainage service still looms. The County will continue to oppose the San Luis Drain option and support, instead, drainage solutions in the valley, such as reducing the volume of problem water drainage; managing/reusing drainage waters within the affected irrigation districts; retiring lands with severe drainage impairment (purchased from willing

sellers); and reclaiming/removing solid salts through treatment, bird safe/bird free solar ponds and farm-based methods.

**State Criminal Alien Assistance Program (SCAAP)** – On May 23, 2012, the Department of Justice (DOJ) announced a change in the State Criminal Alien Assistance Program (SCAAP) that will prohibit SCAAP funds from being used to reimburse localities for foreign-born criminal aliens housed in jails that have been classified as “unknown inmates” by the Department of Homeland Security’s Immigration and Customs Enforcement (ICE) agency. This is a significant change to the SCAAP reimbursement formula and will heavily impact counties across the nation.

The County will support the rescinding of this decision and a reinstatement of the previous reimbursement practice, which would more equitably reimburse jurisdictions for the costs of housing undocumented individuals, including those inmates whose status may be unknown to the Department of Homeland Security.

**Second Chance Act** – The County will support funding for the Second Chance Act, which helps counties address the growing population of individuals returning from prisons and jails. Despite massive increases in corrections spending in states and jails nationwide, recidivism rates remain high: half of all individuals released from state prison are re-incarcerated within three years. Here in California, unfortunately, the recidivism rate is even higher. Yet there is reason for hope: research shows that when individuals returning from prison or jail have access to key treatments, education, and housing services, recidivism rates go down and the families and communities they return to are stronger and safer.

The Second Chance Act ensures that the tax dollars on corrections are better spent, and provides a much-needed response to the “revolving door” of people entering and leaving prison and jail.

**Supplemental Nutrition Assistance Program (SNAP)** – The County will advocate for the following federal actions:

- Increase SNAP benefits as a major and immediately available element of economic stimulus.
- Suspend the restrictions applying to ABAWDs. (“ABAWDs” stands for “Able-Bodied Adults without Dependents” and pertains to adults receiving food stamps who are considered employable.) They are subject to strict time limits on how long they can receive food stamps. It is difficult administratively to track this, and when unemployment is high, it can result in more adults going hungry.
- Remove the current federal barriers that prevent some nutrition programs from employing EBT technology.

**Streamlining Permitting for Critical Infrastructure, Economic Stimulus, and Alternative Energy Projects – “Green” Job Creation** – Request that Congress and the Administration recognize the value of Habitat Conservation Plans (HCPs) as a reliable way of streamlining critical infrastructure, economic stimulus, and alternative energy project permitting in a manner



that is consistent with federal environmental regulations. HCPs not only facilitate such projects through permit streamlining, but the planning, implementation, management, and monitoring needs associated with regional HCPs plans also create many quality “green” jobs.

***Telecommunications Act of 1996 Revisions*** – The Telecommunications Act of 1996 governs local government’s role in telecommunications, primarily broadband cable that uses the County’s right-of-way as well as consumer protections. As Congress works to update the Act, the County will continue to advocate for strengthening consumer protections and local government oversight of critical communications technologies; local access to affordable and reliable high speed broadband infrastructures to support the local economy; the right of local municipalities and communities to offer high-speed broadband access; coordination and integration of private communication resources for governmental emergency communication systems; preservation of local government’s franchise fees; preservation of the local community benefits, including but not limited to public, education and governmental (PEG) access channels; authority for provision of municipal telecommunication services; preservation of local police powers essential for health, safety and welfare of the citizenry; preservation of local government ownership and control of the local public rights-of-way; and support for ensuring that communication policy promotes affordable services for all Americans.

The Community Broadband Act of 2007, S.1853, encourages the deployment of high speed networks by preserving the authority of local governments to offer community broadband infrastructure and services. The County will oppose all bills that do not address the County’s concerns unless appropriately amended. In addition, the Federal Communications Commission (FCC) has proposed rule-making (FCC Second Report and Order Docket 05-311 “Franchising Rules for Incumbents”) that, in the opinion of local government, goes beyond the scope of their authority in this area. The County will oppose all such rule making efforts.

***Telecommunications Issues*** – Support the Community Access Preservation (CAP) Act introduced in 2009 by Wisconsin Congresswoman Tammy Baldwin. The CAP Act addresses the challenges faced by public, educational and government (PEG) TV channels and community access television stations. The CAP Act addresses four immediate issues facing PEG channels. The CAP Act would: Allow PEG fees to be used for any PEG-related purpose; require PEG channels to be carried in the same manner as local broadcast channels; require the FCC to study the effect state video franchise laws have had on PEG; require operators in states that adopted statewide franchising to provide support equal to the greater of the support required under the state law or the support historically provided for PEG; and make cable television-related laws and regulations applicable to all landline video providers.

In addition, the County should support the widespread deployment and adoption of broadband, especially as it serves to connect the educational community and libraries.

***Temporary Assistance for Needy Families*** – The County will advocate for the following federal actions:

- Relieve states of work participation rate and work verification plan penalties for fiscal years 2007, 2008, 2009 and 2010 in recognition of the serious downturn in the national

economy and the succession of more “process-based” regulations issued in the last few years.

- Permanently withdraw the August 8, 2008, proposal that would have repealed the regulation that enables states to claim caseload reduction credit for excess MOE expenditures.
- Rescind the May 22, 2008, HHS guidance that effectively eliminated the ability of states to offer pre-assistance programs to new TANF applicants for up to four months.
- Rescind the final Deficit Reduction Act regulation restricting allowable state maintenance-of-effort expenditures under TANF purposes 3 and 4.
- End federal efforts to impose a national TANF error rate.

***Veterans Halls*** – The County will support legislation to provide America’s veterans organizations with resources to make necessary repairs to their meeting halls and facilities.

Across America, the meeting halls and posts of Veterans Service Organizations such as the American Legion and Veterans of Foreign Wars serve as unofficial community centers. Unfortunately, many of these facilities have deteriorated in recent years due to declining membership and reduced rental revenues as a result of the economic downturn.

The County will support legislation that would create a competitive grant program for veterans’ organizations, classified by the IRS as 501c19 non-profit organizations and comprised primarily of past or present members of the United States Armed Forces and their family members, to use for repairs and improvements to their existing facilities.

***Volume Pricing*** – The National Association of Counties supports greater access for local governments to General Services Administration (GSA) contract schedules. These schedules provide volume pricing for state and local governments and make public sector procurement more cost effective. However, current law does not provide full access to state and local governments for GSA schedules. The County will support legislation that gives local governments access to these schedules and provides the option of purchasing law enforcement, security, and other related items at favorable GSA reduced pricing.

***Water Quality, Quantity and Delta Outflow*** – Congress may consider legislation that could adversely affect water quality, quantity and flows in the Sacramento-San Joaquin Delta to the detriment of the County residents, economy and resources. The Board of Supervisors will rely on its adopted Delta Water Platform to determine the appropriate response to federal legislative issues brought to the Board’s attention.

***Workforce Investment Act (WIA) Reauthorization*** – Congress may again consider reauthorization of the Workforce Investment Act in 2014. The County will support reauthorization of the Workforce Investment Act at current funding levels or higher; keeping the program at the federal level rather than block granting it; maximizing local control, so that we

can meet local needs; and establishing reasonable performance measures. In addition, any reauthorization or new workforce legislation should: retain private sector led state and local Workforce Investment Boards (local boards) as governing bodies; expand, enhance and simplify the WIA Youth Program; redesign the Dislocated Worker program to reflect the new economy; and redesign how the funding of One-Stop facilities is structured.

PROPOSED



# Proposed 2014 STATE LEGISLATIVE PLATFORM

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Contra Costa County

January 14, 2014



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## 2014 STATE LEGISLATIVE PLATFORM CONTRA COSTA COUNTY

*Each year, the Board of Supervisors adopts a State Legislative Platform that establishes priorities and policy positions with regard to potential State legislation and regulation. The State Legislative Platform includes County-sponsored bill proposals, legislative or regulatory advocacy priorities for the year, and policies that provide direction and guidance for identification of and advocacy on bills which would affect the services, programs or finances of Contra Costa County.*

### **COUNTY-SPONSORED LEGISLATION**

1. Seek legislation to make the Contra Costa County Employee Retirement Association (CCCERA) the statutory employer for all purposes of staff serving at CCCERA. The proposed legislation would implement a court-approved settlement agreement between the County and CCCERA concerning the entities' respective rights and responsibilities for staff working at CCCERA.

### **LEGISLATIVE/REGULATORY ADVOCACY PRIORITIES**

*Each year, issues emerge through the legislative process that are of importance to the County and require advocacy efforts. For 2014, it is anticipated that critical issues requiring legislative advocacy will include the following:*

**Priority 1: State Budget** – The state's continuing economic recovery, prior budget cuts, and the additional, temporary taxes provided by Proposition 30 have combined to bring the State Budget to a much improved financial condition. The Legislative Analyst's Office is now indicating that with continued growth in the economy and restraint in new program commitments, the state budget could see multibillion-dollar operating surpluses within a few years. The state's 2013-14 budget plan assumed a year-end reserve of \$1.1 billion. The LAO's revenue forecast now anticipates \$6.4 billion in higher revenues for 2012-13 and 2013-14 combined. These higher revenues are offset by \$5 billion in increased expenditures, almost entirely due to greater required spending for schools and community colleges. Combined with a projected \$3.2 billion operating surplus for the state in 2014-15, these factors lead the LAO to project that, absent any changes to current laws and policies, the state would end 2014-15 with a \$5.6 billion reserve.

However, the LAO also notes that continued caution is needed since the state's fiscal recovery is dependent on a number of assumptions that may not come to pass. The forecast assumes continuing economic growth and slow but steady growth in stock prices. Other liabilities, including some items on the Governor's wall of debt and the state's huge retirement liabilities (particularly those related to the California State Teachers' Retirement System), remain unpaid under the LAO forecast. It is also important to note that the LAO forecast assumes that the debt

ceiling deadlines and possible shutdown by the federal government will not affect the economy in 2014.

A long-standing practice of state government has been to look to counties as a means of balancing its budget. While opportunities to do so are more limited with the passage of Proposition 1A, the state has been creative in its efforts to include counties as part of its budget balancing solution and may do so at some point in the future through additional program realignment and/or revenue reductions.

Of particular concern to counties is the inadequate reimbursement for our ever-increasing cost of operating several human services programs: the “Human Services Funding Deficit,” formerly referred to as the “Cost of Doing Business.” The annual shortfall between actual county expenses and state reimbursement has grown to over \$1 billion since 2001, creating a de facto cost shift to counties. The funding gap forces counties to reduce services to vulnerable populations and/or divert scarce county resources from other critical local services. It also increases the risk of state and federal penalties.

***Priority 2: Health Care*** – Counties play a critical role in California’s health reform efforts. Counties serve as employers, payers, and providers of care to vulnerable populations. Consequently, counties stand ready to actively participate in discussions of how to best reform the health care system in California and implement the national health care reform legislation passed in 2010, The Patient Protection and Affordable Care Act (ACA).

The optional Medi-Cal Expansion, in effect on Jan. 1, 2014, was a significant part of the State Budget process in 2013, with a Special Session on Health Care Reform –called by the Governor to address Health Care Exchange issues and the required Medi-Cal expansion. (The mandatory expansion includes changes to eligibility and enrollment for populations *currently eligible* for Medicaid and is estimated to cost the state General Fund \$350 million.) The ACA had required states to expand Medicaid programs to allow childless adults at or below 138 percent of poverty to be eligible for Medicaid (known as Medi-Cal in California). The Supreme Court struck down that mandate but allowed it to be an option for states, which California has exercised.

The Governor’s proposed Budget provided two options for that optional expansion: a “state option” and a “county option.” Governor Brown announced in his proposed budget that he intended to either realign the county responsibility to provide medical care to indigent adults to include providing care to Medicaid eligible adults or recoup as much of the 1991 health realignment funding from counties as possible. CSAC successfully redirected the realignment effort and instead negotiated a fiscal transaction that reflects the shift of indigent adults to the state’s Medi-Cal program. In June, the Governor signed AB 85, followed by a technical cleanup measure, SB 98, in September, which together provide the framework for the fiscal transaction.

However, significant unknowns remain including questions about the actual impact of the ACA coverage expansions on counties and the number of uninsured individuals to whom counties will still need to provide services. Counties will retain the Section 17000 responsibility, and there will be significant variations in the impacts of both the ACA and AB 85 for the different types of

counties: county hospital (12 counties including Contra Costa County), payor/clinic and County Medical Services Program (CMSP) counties.

In the coming year, the County will continue to work on the implementation of required health care reform measures to maximize federal revenue. The County will support efforts to provide counties with the necessary tools to implement health care reform which may include performing eligibility and enrollment, preserving existing county resources from 1991 Realignment, providing for a smooth transition in 2014 for the various operational systems, and supporting legislation to ensure that low-income families are covered under the Affordable Care Act. In addition, the County will continue to work to reduce uncompensated health care costs.

***Priority 3: Water and Levees /The Sacramento-San Joaquin Delta*** – The enactment of the Delta Reform Act (2009), a bill that established the co-equal goals for reliable water supply and ecosystem restoration for the Delta, created the Delta Stewardship Council as the state entity overseeing the Delta through the proposed Delta Plan, and supported the proposed Bay Delta Conservation Plan (BDCP)--an effort to construct a pair of massive tunnels under the Delta--will bring significant, large-scale change to the Delta as we know it. The scope and content of these changes, as well as enduring political battles between northern and southern California over water, will continue to guide legislative and administrative agendas in the coming year. Enabling legislation was also passed in 2009 for a state water bond, which was delayed from the 2010 ballot and again from the 2012 ballot.

Significant future impacts upon the County in the areas of water quality and supply, levee stability, ecosystem health, local land use authority and flood control are anticipated. Consideration should be given to the potential for the County to sponsor Delta-related legislation through our legislative delegation. The County may also work with the Delta Counties Coalition (DCC) to sponsor Delta-related legislation.

Particular areas of concern for 2014 include, but are not limited to: (1) the ongoing development of the BDCP project and whether the state water bond appropriates funds specific to the BDCP; (2) the impacts of the Delta Plan on local land use authority, efforts to expedite state bond funding for levee improvement projects, and the development of flow standards that will impact water quality and ecosystem health in the Delta. The County's adopted Delta Water Platform, as well as the Strategic and Action Plans, are incorporated in this Platform by reference.

***Priority 4: Realignment Implementation*** – The battle for constitutional protections for 2011 Realignment concluded successfully on November 6, 2012 when Proposition 30 was passed by the voters. Proposition 30 provides constitutional guarantees to the funding that supports Realignment and safeguards against future program expansion without accompanying funding. With these provisions in place, Contra Costa County can continue to implement the array of programs transferred under 2011 Realignment, confident that funding is secure and programmatic responsibilities are defined. However, the County remains concerned that the funding is not sufficient and is also concerned about liability issues arising from the new responsibilities.



Any future proposals to realign programs to counties must have constitutionally guaranteed ongoing funding and protections. The County will oppose any proposals that will transfer additional program responsibility to counties without funding and protections. The County will also oppose efforts that limit county flexibility in implementing programs and services realigned in 2011 or infringe upon our ability to innovate locally.

The County resolves to remain accountable to our local constituents in delivering high-quality programs that efficiently and effectively respond to local needs. Further, we support counties' development of appropriate measures of local outcomes and dissemination of best practices.

With regard to Public Safety realignment, the County will support efforts that facilitate the smooth transition of prisoners and parolees at the county level. Counties have received parolees whose latest crime fits the specified "non-violent, non-serious, non-sex offender" (N3) definition but who have a criminal background that includes violent, serious and/or sexual crimes. Under the current legislation, the person's latest offense/crime determines if they meet the N3 criteria. However, counties have received people who have a very violent background. Specifically, a change would be requested to prevent those whose total criminal background does not meet the N3 criteria. These individuals should stay under the responsibility of the state.

The County will also support efforts to provide additional funding/grants to those counties that have a commitment to lowering the crime rate and reducing recidivism through the provision of innovative, comprehensive, evidence-based programs for offender populations and their families. The County will also continue to support efforts to ensure that the receipt of Local Community Corrections Funds matches the amounts anticipated from the state, without undue delay.

## **STATE PLATFORM POLICY POSITIONS**

A brief background statement accompanies policy positions that are not self-evident. Explanatory notes are included either as the preface to an issue area or following a specific policy position. Please note that new and revised policy positions are highlighted. The rationale for the policy position is italicized.

### **Agricultural Issues**

1. SUPPORT efforts to ensure sufficient State funding for pest and disease control and eradication efforts to protect both agriculture and the native environment, including glassy-winged sharpshooter, light brown apple moth, and Japanese dodder activities; high risk pest exclusion activities; pesticide regulatory and law enforcement activities; and noxious weed pest management. *Agriculture is an important industry in Contra Costa County. Protection of this industry from pests and diseases is important for its continued viability.*
2. SUPPORT continued appropriations for regulation and research on sudden oak death, a fungal disease affecting many species of trees and shrubs in native oak woodlands. *The County's natural environment is being threatened by this disease.*
3. SUPPORT funding for agricultural land conservation programs and agricultural enterprise programs to protect and enhance the viability of local agriculture. *The growth in East County and elsewhere has put significant pressure on agricultural lands, yet agriculture is important not only for its production of fresh fruits, vegetables and livestock, but also as a source of open space.*
4. SUPPORT legislation to establish legal authority where needed to facilitate the efforts by the California Department of Food and Agriculture and the Department of Boating and Waterways to survey and treat all infestations of the South American spongeplant and to rid the Delta of this and other invasive aquatic species through integrated pest management methods. *Invasive aquatic species are a threat to agriculture, the environment and recreation in the Delta. This position includes support for efforts by the Department of Boating and Waterways to secure multi-year permits for eradication of multiple invasive aquatic plant species in the Sacramento-San Joaquin Delta, its tributaries, and its marshes.*
5. SUPPORT the CSAC policy statement regarding revisions to the California Conservation Act of 1965 (the Williamson Act) to support legislative changes that preserve the integrity of the Williamson Act, eliminate abuses resulting in unjustified and premature conversions of contracted land for development, and to fully restore Williamson Act subventions. The state subventions to counties also must be revised to recognize all local tax losses.

## Animal Services Issues

6. SUPPORT efforts to protect local revenue sources designated for use by the Animal Services Department; i.e., animal licensing, fines and fees. *Fines, fees, and licensing are major sources of revenue for the Animal Services Department. The demand for animal services is increasing each year as does the demand on the General Fund. It is important to protect these revenue sources to continue to provide quality animal service and to meet local needs.*
7. SUPPORT efforts to protect or increase local control and flexibility over the scope and level of animal services. *Local control over the scope of animal services is necessary to efficiently address public safety and other community concerns. Local control affords jurisdictions the ability to tailor animal service programs to fit their communities. Animal related issues in dense urban areas vary from those in small, affluent communities.*
8. SUPPORT efforts to protect against unfunded mandates in animal services or mandates that are not accompanied by specific revenue sources which completely offset the costs of the new mandates, both when adopted and in future years. *Unfunded mandates drain our limited fiscal resources and, at the same time, chip away at local control over the scope and level of services.*
9. SUPPORT efforts to ensure full funding of State animal services mandates, including defense of the Department of Finance's lawsuit against the State Commission on Mandates regarding the State obligations for reimbursement of local costs for animal services incurred in compliance with SB 1785. *The County invested large sums of money to comply with SB 1785, with the assurance that our cost would be offset by reimbursements from the State. Failure by the State to honor the reimbursements negatively impacts the County General Fund and Animal Services' budget.*
10. SUPPORT efforts to protect and/or increase County flexibility to provide animal services consistent with local needs and priorities. *The demand for quality animal service programming continues to increase each year. The County is experiencing population growth and changing demographics. It is incumbent upon the Animal Services Department to be flexible enough to adjust to the changing needs and priorities.*
11. SUPPORT efforts to preserve the integrity of existing County policy relating to Animal Services (e.g., the Animal Control Ordinance and land use requirements). *Contra Costa is looked upon as one of the model Animal Services Departments in the state. Its policies, procedures, and ordinances are the yardstick against which other Animal Control organizations are measured. The local control exercised by the Board of Supervisors is key to that hallmark.*

## **Child Support Services Issues**

12. SUPPORT the establishment of a statewide electronic registry for the creation and release/satisfaction of liens placed on property of a non-custodial parent as necessary to collect delinquent child support payments. *California law currently provides that recording an abstract or notice of support judgment with a County Recorder creates a lien on real property. This requires recording the judgment in each of the 58 counties in order not to miss a property transaction. An electronic registry would simplify not only the creation of liens but also the release/satisfaction of liens because there would be a single statewide point of contact, and the entire process would be handled electronically through automated means.*
13. SUPPORT amendment of current law that states that documents completed and recorded by a local child support agency may be recorded without acknowledgement (notarization) to clarify that the exception is for documents completed or recorded by a local child support agency. *This amendment clarifies that documents that are prepared by the local child support agency and then sent for recording either by the local child support agency or by the obligor (non-custodial parent) or by a title insurance company are covered by the exemption, a technical point not acknowledged by all county recorder offices.*
14. SUPPORT efforts to simplify the court process for modifying child support orders by the court by requiring court appearances only when one of the parties objects to the modification. *Currently, establishment of parentage and support by the court is permitted without court appearance if both parties are in agreement. A similar process for modification would reduce court time, the workload of all involved agencies and parties, and streamline the process.*
15. SUPPORT efforts to ensure that the reduction to the California Department of Child Support Services is not passed down as a reduction to the local program.
16. SUPPORT efforts that would require the Department of Child Support Services to provide any notice form, information, or document that is required or authorized to be given, distributed, or provided to an individual, a customer, or a member of the public to be given, distributed, or provided in a digitized form, and by any means the Department determines is feasible, including, but not limited to, e-mail or by means of a website.

## **Climate Change Issues**

17. SUPPORT the *CSAC Climate Change Policy Statements and Principles* which address a broad range of issues affected by climate change, including water, air quality, agriculture, forestry, land use, solid waste, energy and health. *The document is largely based on existing CSAC policy and adapted to climate change. Additionally, the document contains a set of general principles which establish local government as a vital partner in the climate change issue and maintain that counties should be an active participant in the discussions in the development of greenhouse gas reduction strategies underway at the state and regional level.*
18. SUPPORT efforts to ensure that the implementation of AB 32 results in harmony between the greenhouse gas reduction target created by the Air Resources Board for each regional/local agency, the housing needs numbers provided by the state Department of Housing and Community Development pursuant to housing element law, and the Sustainable Communities Strategy developed through the Regional Transportation Plan processes.
19. SUPPORT legislative or administrative efforts that favor allocation of funding from the California Greenhouse Gas Cap and Trade Program to jurisdictions that are the largest emitters of greenhouse gas, **have disadvantaged communities that are disproportionately affected by environmental pollution, and have demonstrated a local commitment to climate protection (e.g. established emissions reduction targets, prepared Climate Action Plans, etc.).**

## **Elections Issues**

20. SUPPORT legislation to adjust precinct sizing from 1,000 voters per precinct to 1,250 voters per precinct. *With the option of being able to have up to 1,250 voters per precinct, the best polling locations in a neighborhood can be selected, and that same site is more likely to be used for several elections, thus avoiding the need to change poll sites for voters.*
21. SUPPORT full state reimbursement for state mandates imposed upon local registrars by the Secretary of State, including special state elections. *The state has committed to reimburse Counties for the cost of certain state mandates. That reimbursement process, SB 90, can be lengthy and contentious. The SB 90 process is also subject to uncertainties including partial payments, delayed payments, and now, suspended or no payments. In lieu of the SB 90 process for Elections, there is merit in the examination of having the state pay its pro-rata share of costs when state candidates/measures are on the ballot.*
22. SUPPORT legislation that would add provisions to the state Elections Code that would allow special elections to fill a vacancy in a congressional or legislative district to be conducted by all mailed ballots at the county's discretion.

### **Emergency Preparedness, Emergency Response**

23. SUPPORT legislation that would give local agencies more authority to train volunteers, **provide funding for Community Emergency Response Training (CERT)**, and help clean-up oil spills without taking on additional legal liability.
24. SUPPORT legislation that would require the state's Oil Spill Prevention and Response Agency to improve communication and clean-up technology, increase safety standards for ships and establish special protections for ecologically sensitive areas.
25. SUPPORT legislation that would require responses to future oil spills in a shorter timeframe, with a more regional approach.
26. SUPPORT measures that enable counties and other local agencies to better exercise their responsibilities to plan for and respond to emergencies and disasters without taking on additional legal liability and oppose those that do not recognize or support the county and local agency role in the State's Standardized Emergency Management System.
27. SUPPORT legislation or other measures requiring the creation or utilization of emergency rock stockpiles suitable for levee repair throughout the Delta, enabling increasingly efficient and less costly prevention of levee breaks and enhancement of initial response capabilities.

### **Eminent Domain Issues**

28. SUPPORT legislation that maintains the distinction in the California Constitution between Section 19, Article I, which establishes the law for eminent domain, and Section 7, Article XI, which establishes the law for legislative and administrative action to protect the public health, safety, and welfare.
29. SUPPORT legislation that would provide a comprehensive and exclusive basis in the California Constitution to compensate property owners when property is taken or damaged by state or local governments, without affecting legislative and administrative actions taken to protect the public health, safety, and welfare.

### **Flood Control and Clean Water Issues**

30. SUPPORT authorization for regional approaches to comply with aquatic pesticide permit issues under the purview of the State Water Resources Control Board. *Contra Costa County entered into an agreement with a neighboring county and several cities to share the costs of monitoring. While it makes sense for local government to pool resources to save money, State Board regulations make regional monitoring infeasible.*
31. SUPPORT efforts to provide local agencies with more flexibility and options to fund stormwater programs. *Stormwater permit requirements issued by the Regional Water Quality Control Boards are becoming more and more expensive, yet there is no funding.*

*Stormwater services, encompassing both water quality and drainage/flood control, could be structured like a utility with the ability to set rates similar to the other two key water services: drinking water and wastewater.*

32. SUPPORT efforts to provide immunity to local public agencies for any liability for their clean-up of contaminations on private lands. *This will be more critical as the Regional Water Quality Control Boards institute Total Maximum Daily Loads, which establish a maximum allowable amount of a pollutant (like mercury) in the stormwater from a watershed.*
33. SUPPORT efforts to require the Department of Water Resources (DWR) to provide 200 year flood plain mapping for all areas in the legal Delta. SB 5 requires the County and cities in the Delta to insure certain development projects must have 200 year level of protection and to make certain related findings. *DWR has revisited developing zoning flood plain mapping, and if they do, only working in areas protected by project levees which does not include any areas within Contra Costa County.*
34. SUPPORT legislation to enable Zone 7 Water Agency to become a new public agency, separate and apart from the Alameda County Flood Control and Water Conservation District, with territory in both Alameda and Contra Costa counties and the power to provide specific services, insofar as the legislation is guided by adopted Principles of Understanding.

### **General Revenues/Finance Issues**

*As a political subdivision of the State, many of Contra Costa County's services and programs are the result of state statute and regulation. The State also provides a substantial portion of the County's revenues. However, the State has often used its authority to shift costs to counties and to generally put counties in the difficult position of trying to meet local service needs with inadequate resources. While Proposition 1A provided some protections for counties, vigilance is necessary to protect the fiscal integrity of the County.*

35. SUPPORT the State's effort to balance its budget through actions that do not adversely affect County revenues, services or ability to carry out its governmental responsibilities.
36. OPPOSE any state-imposed redistribution, reduction or use restriction on general purpose revenue, sales taxes or property taxes unless financially beneficial to the County. *(Note that a redistribution of sales and property tax may be beneficial to Contra Costa County in the event that sales tax growth lags behind property tax growth.)*
37. OPPOSE efforts to limit local authority over transient occupancy taxes (TOT).
38. OPPOSE any efforts to increase the County's share-of-cost, maintenance-of-effort requirements or other financing responsibility for State mandated programs absent new revenues sufficient to meet current and future program needs.

39. SUPPORT efforts to ensure that Contra Costa County receives its fair share of State allocations, including mental health funding under Proposition 63 and pass-through of federal funds for anti-terrorism and homeland security measures. *The State utilizes a variety of methods to allocate funds among counties, at times detrimental to Contra Costa County.*
40. SUPPORT efforts to receive reimbursement for local tax revenues lost pursuant to sales and property tax exemptions approved by the Legislature and the State Board of Equalization.
41. SUPPORT continued efforts to reform the state/local relationship in a way that makes both fiscal and programmatic sense for local government and conforms to the adopted 2010 CSAC Realignment Principles, with an emphasis on maximum flexibility for counties to manage the existing and realigned discretionary programs.
42. SUPPORT efforts to relieve California of the federal Child Support penalties without shifting the cost of the penalties to the counties.
43. SUPPORT a reduction in the 2/3rd vote requirement to 55% voter approval for locally-approved special taxes that fund health, education, economic, stormwater **services**, library, transportation and/or public safety programs and services.
44. SUPPORT efforts to authorize counties to impose forfeitures for violations of ordinances, as currently authorized for cities. *This would provide the County with the opportunity to require deposits to assure compliance with specific ordinance requirements as well as retain the deposit if the ordinance requirements are not met. Currently, the County is limited to imposing fines which are limited to only \$100 - \$200 for the first violation, which has proven to be an ineffective deterrent in some cases.*
45. SUPPORT efforts to redefine the circumstances under which commercial and industrial property is reassessed to reduce the growing imbalance between the share of overall property tax paid by residential property owners versus commercial/industrial owners.
46. SUPPORT efforts to reduce County costs for Workers' Compensation, including the ability to control excessive medical utilization and litigation. *Workers' Compensation costs are significant, diverting funds that could be utilized for County services. Workers' Compensation should provide a safety net for injured employees, for a reasonable period of time, and not provide an incentive for employees to claim more time than medically necessary.*
47. SUPPORT state actions that maximize Federal and State revenues for county-run services and programs.
48. SUPPORT legislative compliance with both the intent and language of Proposition 1A.



49. SUPPORT the provisions of Proposition 22 that would protect County revenues, particularly as related to transportation revenues and excluding those provisions related to redevelopment funds.
50. SUPPORT full State funding of all statewide special elections, including recall elections.
51. OPPOSE efforts of the State to avoid state mandate claims through the practice of repealing the statutes, then re-enacting them. *In 2005, the State Legislature repealed sections of the Brown Act that were subject to mandate claims, then re-enacted the same language pursuant to a voter-approval initiative, and therefore, not subject to mandate claims.*
52. SUPPORT strong Public Utilities Commission (PUC) oversight of state-franchised providers of cable and telecommunications services, including rigorous review of financial reports and protection of consumer interests. *AB 2987 (Núñez), Chapter 700, statutes of 2006 transferred regulatory oversight authority from local government to the PUC.*
53. SUPPORT timely, full payments to counties by the State for programs operated on their behalf or by mandate. *The State currently owes counties over \$1 billion in State General Funds for social services program costs dating back to FY 2002-03.*
54. SUPPORT full State participation in funding the County's retiree and retiree health care unfunded liability. *Counties perform most of their services on behalf of the State and Federal governments. Funding of retiree costs should be the responsibility of the State, to the same extent that the State is responsible for operational costs.*
55. SUPPORT legislation that provides constitutional protections and guaranteed funding to counties under Realignment.

## **Health Care Issues**

*The County remains concerned about the implementation of any health care reform measures that could transfer responsibility to counties, without commensurate financing structures or in a manner not compatible with the County's system. The County supports a concept of universal health coverage for all Californians. Toward that end, the County urges the state to enact a system of health coverage and care delivery that builds upon the strengths of the current systems in our state, including county-operated systems serving vulnerable populations.*

*Currently, California has a complex array of existing coverage and delivery systems that serve many, but not all, Californians. Moving this array of systems into a universal coverage framework is a complex undertaking that requires sound analysis, thoughtful and deliberative planning, and a multi-year implementation process. As California moves forward with health care reform, the County urges the state to prevent reform efforts from exacerbating problems with existing service and funding. The state must also consider the differences across California counties and the impacts of reform efforts on the network of safety-net providers, including county providers. The end result of health reform must provide a strengthened health care delivery system for all Californians, including those served by the safety net.*

56. SUPPORT state action to increase health care access and affordability. *Access to care and affordability of care are critical components of any health reform plan. Expanding eligibility for existing programs will not provide access to care in significant areas of the state. Important improvements to our current programs, including Medi-Cal, must be made either prior to, or in concert with, a coverage expansion in order to ensure access. Coverage must be affordable for all Californians to access care.*
57. SUPPORT Medi-Cal reimbursement rate increases to incentivize providers to participate in the program.
58. SUPPORT actions that address provider shortages (including physicians, particularly specialists, and nurses). Innovative programs, such as loan forgiveness programs, should be expanded. In an effort to recruit physicians from other states, the licensing and reciprocity requirements should be re-examined. Steps should be taken to reduce the amount of time it takes to obtain a Medi-Cal provider number (currently six to nine months).
59. SUPPORT efforts that implement comprehensive systems of care, including case management, for frequent users of emergency care and those with chronic diseases and/or dual (or multiple) diagnoses. *Approaches could be modeled after current programs in place in safety net systems.*
60. SUPPORT efforts that provide sufficient time for detailed data gathering of current safety funding in the system and the impact of any redirection of funds on remaining county responsibilities. *The interconnectedness of county indigent health funding to public health, correctional health, mental health, alcohol and drug services and social services must be fully understood and accounted for in order to protect, and enhance as appropriate, funding for these related services.*
61. OPPOSE safety net funding transfers until an analysis of who would remain uninsured (e.g. medically indigent adults, including citizens, who cannot document citizenship

under current Medicaid eligibility rules) is completed in order to adequately fund services for these populations.

62. SUPPORT efforts to clearly define and adequately fund remaining county responsibilities.
63. SUPPORT state action to provide an analysis of current health care infrastructure (facilities and providers), including current safety net facilities across the state, to ensure that there are adequate providers and health care facilities (including recovery facilities), and that they can remain viable after health reform.
64. SUPPORT efforts to provide adequate financing for health care reforms to succeed.
65. SUPPORT measures that maximize federal reimbursement from Medicaid and S-CHIP.
66. SUPPORT state action to complete actuarial studies on the costs of transferring indigent populations, who currently receive mostly episodic care, to a coverage model to ensure that there is adequate funding in the model.
67. SUPPORT efforts that ensure that safety net health care facilities remain viable during the transition period and be supported afterwards based on analyses of the changing health market and of the remaining safety net population.
68. SUPPORT state action to implement the 2010 Medi-Cal waiver in a manner that maximizes the drawdown of federal funds for services and facilities, provides flexibility, and ensures that counties receive their fair share of funding.
69. SUPPORT efforts to increase revenues and to contain mandated costs in the County's hospital and clinics system.
70. SUPPORT efforts to obtain a fair-share of any state funds in a distribution of funding for the integration of IHSS and managed care.
71. SUPPORT efforts to increase the availability of health care (including alcohol and other drugs recovery) to the uninsured in California, whether employed or not.
72. SUPPORT legislation that improves the quality of health care, whether through the use of technology, innovative delivery models or combining and better accessing various streams of revenue, including but not limited to acute and long term care integration.
73. SUPPORT legislation to protect safety net providers, both public and private. Legislation should focus on stabilizing Medi-Cal rates and delivery modes and should advocate that these actions are essential to the success of any effort to improve access and make health care more affordable.

74. SUPPORT efforts that allow counties to draw down federal Medicaid funds for providing confidential alcohol and drug screening and brief intervention services to pregnant women and women of childbearing age who also qualify for Medi-Cal benefits.
75. SUPPORT state efforts to increase the scope of benefits and reimbursement rates contained in Minor Consent Medi-Cal to give youth suffering from substance abuse disorders access to a continuum of care, including residential and one-on-one outpatient treatment.
76. SUPPORT efforts to give incentives to providers to establish more youth-driven treatment facilities within the community.
77. SUPPORT efforts to extend Minor Consent Medi-Cal Coverage to incarcerated youths, many of whom are in custody due to drug related crimes. *This could greatly decrease recidivism in the juvenile justice system.*
78. SUPPORT county efforts in the promotion of partnerships that provide integrated responses to the needs of alcohol and other drugs populations, including criminal justice, perinatal and youth as well as those populations with co-occurring disorders.
79. SUPPORT and encourage the development of strategies that include alcohol and other drugs services in the provision of all culturally appropriate health care services.
80. SUPPORT efforts to require coverage of medically necessary alcohol and substance abuse related disorder treatment on the same levels as other medical conditions in health care service plans and disability insurance policies. *Alcohol and other drugs treatment services are the most under-funded of all health services. Neither the state nor the federal allocations to the County covers medical treatment for AOD services, and so are a cost borne by the County.*
81. SUPPORT legislation that extends the restrictions and prohibitions against the smoking of tobacco products to include restrictions or prohibitions against electronic cigarettes (e-cigarettes) in various places, including, but not limited to, places of employment, school campuses, public buildings, day care facilities, retail food facilities, multi-family housing, and health facilities.

### **Human Services Issues**

82. SUPPORT efforts to increase County flexibility in the use of CalWORKs funds and in program requirements in order to better support the transition of welfare dependent families from welfare-to-work to self-sufficiency, including, but not limited to: extending supportive services beyond the current limit; enhancing supportive services; increasing diversion and early intervention to obviate the need for aid; developing a state earned income tax credit; expanding job retention services; developing an eligibility definition to 250% of the poverty level; and exempting the hard-to-serve from welfare-to-work activities and the 20% exemption or providing flexibility in the time limit (dependent

upon terms and conditions of TANF reauthorization). *All of these measures would make it easier for CalWORKs families to enter employment services, become employed, and continue with the support they need in order to maintain their jobs.*

83. SUPPORT efforts to align CalWORKs property and asset limitations with those of CalFresh.
84. SUPPORT efforts to revise the definition of “homelessness” in the Welfare & Institutions Codes to include families who have received eviction notices due to a verified financial hardship, thus allowing early intervention assistance for CalWORKs families. *Current law prevents CalWORKs from providing homeless assistance until the CalWORKs family is actually “on the street.” This rule change would enable the County to work with CalWORKs families who are being threatened with homelessness to prevent the eviction and, presumably, better maintain the family members’ employment status.*
85. SUPPORT efforts to establish an “umbrella code” for the reporting of incidents of elder abuse to the Department of Justice, thus more accurately recording the incidence of abuse. Current reporting policies within California’s law enforcement community and social services departments are uncoordinated in regards to the reporting of adult abuse. Under an “umbrella code,” law enforcement agencies and social services departments would uniformly report incidents of elder abuse and California would have much better data for policy and budget development purposes.
86. SUPPORT efforts to ensure funding of child care for CalWORKs and former CalWORKs families at levels sufficient to meet demand. The State of California has not fully funded the cost of child care for the “working poor.” *Additional funding would allow more CalWORKs and post-CalWORKs families to become and/or stay employed.*
87. SUPPORT efforts that seek to identify and eliminate elder financial abuse and elder exposure to crime that may be committed through conservatorships, powers of attorney, notaries and others who have the right to control elder assets.
88. SUPPORT efforts to effectively manage the In Home Supportive Services (IHSS) to establish and maintain cost control mechanisms while delivering quality, targeted services and maintaining program integrity. Efforts may include, but are not limited to, establishing an IHSS Volunteer Coordination component. Retired volunteer social workers and registered nurses could act as local Care Coordinators, enabling IHSS Social Workers to increase their capacity to perform more timely reassessments.
89. SUPPORT efforts to allow phone-in Food Stamp Eligibility Redeterminations as a more cost effective benefit reassessment process. *As counties such as Contra Costa change their business models to utilize centralized service centers, some of the antiquated process rules and requirements also need to be changed, to allow cost efficient practices. Changing the rules to allow phone-ins for Eligibility Redeterminations is one example.*

90. SUPPORT efforts to expand the number of counties in the Federal IV-E waiver funding for pre-placement, prevention activities; development of caretaker recruitment and retention campaigns;; and, funding to implement Children's Child Welfare Workload Study Results, SB 2030. *Changes in these areas would enable counties to better meet their performance accountability goals, as required under federal and state statutes.*
91. SUPPORT efforts to allow Medi-Cal clients transportation access to medical care via the most efficient transportation mode possible instead of the very costly ambulance transportation that is currently prevalent. *California is currently limited to the types of non-emergency medical transportation for reimbursement by Medi-Cal. However, the federal Medicaid program allows other much less costly forms of transportation to be used. Other states use this more permissive definition of approved non-emergency medical transportation to encourage Medicaid clients to receive preventative care and reduce the incidence of last-resort ambulance transportation to hospital emergency rooms for primary care.*
92. OPPOSE any legislation that increases tobacco taxes but does not contain language to replace any funds consequently lost to The California Children and Families Act/Trust Fund for local services as currently funded by tobacco taxes, Proposition 10 in 1998 and Proposition 99 in 1988.
93. OPPOSE legislation, rules, regulations or policies that restrict or affect the amount of funds available to, or the local autonomy of, First 5 Commissions to allocate their funds in accordance with local needs.
94. SUPPORT efforts by the Contra Costa County's executive directors and program administrators of all Child Care and Development Programs to restore state budget allocations to the FY 2009-10 levels for the California State Preschool Program (CSPP), California Center-Based General Child Care Program (CCTR), CalWORKs Stage 2 (C2AP), CalWORKs Stage 3 (C3AP), Alternate Payment Program (CAPP), Child Care and Development Grant and the Child Care Retention Program (AB 212).
95. SUPPORT continued and improved funding for substance abuse treatment and mental health services including those that provide alternatives to incarceration and Laura's Law.
96. SUPPORT administrative streamlining of Medi-Cal, including elimination of the asset test and semi-annual reporting and changes to income verification. California should look to other states for ideas to reduce administrative costs, such as allowing all children born into Medi-Cal to remain on the program until age 21.
97. SUPPORT legislation to expand early child care and education and increase funding for preschool and early learning.
98. SUPPORT legislation to allow individuals convicted of drug-related felonies to receive federal CalFresh (food stamps) benefits. *Banning convicted drug felons who have completed their sentences from critical public assistance, including food stamps, runs*

*contrary to state and federal initiatives intended to reduce recidivism by easing prisoner reentry and fostering prisoner reintegration into society. The drug felon rule has been the subject of much criticism by drug treatment providers, advocates for the poor and law enforcement organizations because it permanently disqualifies needy persons from receiving assistance and interferes with their recovery.*

### **Indian Gaming Issues**

*Contra Costa County is currently home to the Lytton Band of the Pomo Indians' Casino in San Pablo, a Class II gaming facility. There is also a proposal for an additional casino in North Richmond. Local governments have limited authority in determining whether or not such facilities should be sited in their jurisdiction; the terms and conditions under which the facilities will operate; and what, if any, mitigation will be paid to offset the cost of increased services and lost revenues. Contra Costa County has been active in working with CSAC and others to address these issues, as well as the need for funding for participation in the federal and state review processes and for mitigation for the existing Class II casino.*

99. SUPPORT efforts to ensure that counties who have existing or proposed Class II Indian gaming facilities receive the Special Distribution Funds.
100. CONSIDER, on a case by case basis, whether or not to SUPPORT or OPPOSE Indian gaming facilities in Contra Costa County, and only SUPPORT facilities that are unique in nature and can demonstrate significant community benefits above and beyond the costs associated with mitigating community impacts.
101. OPPOSE the expansion or approval of Class III gaming machines at the existing gaming facility in Contra Costa County unless it can be demonstrated that there would be significant community benefits above and beyond the costs associated with mitigating community impacts.
102. SUPPORT State authority to tighten up the definition of a Class II machine.
103. SUPPORT State legislative and administration actions consistent with the CSAC policy documents on development on Indian Lands and Compact negotiations for Indian gaming.

### **Land Use/Community Development Issues**

104. SUPPORT efforts to promote economic incentives for "smart growth," in Priority Development Areas including in-fill and transit-oriented development. *Balancing the need for housing and economic growth with the urban limit line requirements of Measure J (2004) will rely on maximum utilization of "smart growth" and Sustainable Community Strategy principles.*
105. SUPPORT efforts to increase the supply of affordable housing, including, but not limited to, state issuance of private activity bonds, affordable and low income housing bond measures, low-income housing tax credits and state infrastructure financing. *This position supports Goals 2, 3 and 4 of the County General Plan Housing Element.*

106. SUPPORT establishment of a CEQA exemption for affordable housing financing. Current law provides a statutory exemption from CEQA to state agencies for financing of affordable housing (Section 21080.10(b) of the California Public Resources Code and Section 15267 of the CEQA Guidelines)—but not to local agencies. *The current exemption for state agencies is only operational if a CEQA review process has been completed by another agency (e.g., by the land use permitting agency). Since the act of financing does not change the environmental setting, the net effect of the exemption is streamlining the process for providing financial assistance for already approved projects. AB 2518 (Houston) in 2006 was a Contra Costa County-sponsored bill to accomplish this, but it was not successful in the Legislature.*
107. SUPPORT efforts to obtain a CEQA exemption or to utilize CEQA streamlining provisions for infill development or Priority Development Areas, including in unincorporated areas. Section 15332 of the CEQA Guidelines is a Categorical Exemption for infill development projects but only within cities or unincorporated areas of a certain size surrounded by cities. *Without the exemption, housing projects in the unincorporated areas that are not surrounded by cities (e.g. North Richmond, Montalvin Manor and Rodeo) are subject to a more time-consuming and costly process in order to comply with the CEQA guidelines than that which is required of cities, despite having similar housing obligations. The CEQA exemption bill signed by the Governor in 2013 (SB 741) only applies to mixed-use or non-residential projects in the unincorporated areas that are both within ½ mile of a BART station and within the boundaries of an adopted Specific Plan.*
108. SUPPORT efforts to reform State housing element law to promote the actual production and preservation of affordable housing and to focus less on process and paper compliance.
109. OPPOSE efforts to limit the County's ability to exercise local land use authority.
110. SUPPORT efforts to reduce the fiscalization of land use decision-making by local government, which favors retail uses over other job-creating uses and housing. *Reducing incentives for inappropriate land use decisions, particularly those that negatively affect neighboring jurisdictions, could result in more rational and harmonious land use.*
111. SUPPORT allocations, appropriations, and policies that support and leverage the benefits of approved Natural Community Conservation Plans (NCCPs), such as the East Contra Costa County NCCP. Support the granting of approximately \$20 million to the East Contra Costa County NCCP from the \$90 million allocation for NCCPs in Proposition 84. Support the position that NCCPs are an effective strategy for addressing the impacts of climate change and encourage appropriate recognition of the NCCP tool in implementation of climate change legislation such as SB 375 and AB 32. Promote effective implementation of NCCPs as a top priority for the Department of Fish and Wildlife. Support efforts to streamline implementation of NCCPs including exemptions



from unnecessary regulatory oversight such as the Delta Plan Covered Actions process administered by the Delta Stewardship Council.

112. SUPPORT legislation that would give local agencies specific tools for economic development purposes in order to enhance job opportunities, with emphasis on attracting and retaining businesses, blight removal and promoting smart growth and affordable housing development, while balancing the impacts on revenues for health and safety programs and healthy communities.
113. OPPOSE legislation that would create substantial uncertainty over the tax allocation bonds issued by redevelopment agencies and possible negative credit impact.
114. SUPPORT legislation that would resolve the administrative funding gap for agencies serving as the Successor Housing Agency. Such legislation should not have a negative impact on the localities' general fund. The Redevelopment Dissolution Act allows Successor Agencies a modest allowance of tax increment funds to support Successor Agency administrative costs. There is no such carve out for Housing Successors. However, unlike Successor Agencies, Housing Successors have an ongoing obligation to monitor existing affordable housing developments. These obligations will continue for up to 55 years.
115. SUPPORT legislation that would clarify the ability of successor agencies to former redevelopment agencies to enter into contracts with its sponsoring jurisdiction and third parties to fulfill enforceable obligations. *The existing redevelopment dissolution statute limits the contracting powers of successor agencies which is causing delays in their ability to expeditiously retire certain enforceable obligations of the former redevelopment agencies.*
116. SUPPORT legislative and regulatory efforts that streamline compliance with the California Environmental Quality Act (CEQA) by integrating it with other environmental protection laws and regulations, modifying the tiering of environmental reviews, expanding the application of prior environmental reviews, focusing areas of potential CEQA litigation, and enhancing public disclosure and accountability.
117. OPPOSE CEQA reform efforts that reduce environmental protections for projects that cross county or city boundaries.
118. SUPPORT efforts to improve or streamline CEQA for efficiency without losing sight of its ultimate goal to thoroughly identify environmental impacts and mitigations.
119. OPPOSE efforts to change CEQA solely to accommodate one particular infrastructure project or set of projects.
120. SUPPORT legislation that amends Section 20133 of the Public Contract Code to 1) delete the existing sunset date of July 1, 2014 for design-build authority granted to

counties, and 2) eliminate the current project cost threshold of \$2.5 million required for the use of the design-build method.

### **Law and Justice System Issues**

121. SUPPORT legislation that seeks to curb metal theft by making it easier for law enforcement agencies to track stolen metals sold to scrap dealers through such means as requiring identification from customers selling commonly stolen metals, banning cash transactions over a certain amount, and requiring scrap dealers to hold materials they buy for a certain period of time before melting them down or reselling them.
122. SUPPORT legislation that provides a practical and efficient solution to addressing the problem of abandoned and trespassing vessels and ground tackle in an administrative process that allows the California State Lands Commission to both remove and dispose of such vessels and unpermitted ground tackle. *Boat owners in increasing numbers are abandoning both recreational and commercial vessels in areas within the Commission's jurisdiction. Our state waterways are becoming clogged with hulks that break up, leak, sink and add pollutants to our waterways and marine habitat.*
123. OPPOSE legislative proposals to realign additional program responsibility to counties without adequate funding and protections.
124. OPPOSE legislation that would shift the responsibility of parolees from the state to the counties without adequate notification, documentation and funding.
125. SUPPORT legislation that will help counties implement the 2011 Public Safety Realignment as long as the proposal would: provide for county flexibility, eliminate redundant or unnecessary reporting, and would not transfer more responsibility without funding.
126. SUPPORT legislation that will combat the negative impact that human trafficking has on victims in our communities, including the impact that this activity has on a range of County services and supports, and support efforts to provide additional tools, resources and funding to help counties address this growing problem.
127. SUPPORT legislation amending Government Code Section 24011 to allow the Board of Supervisors of Contra Costa County to appoint the Public Administrator by ordinance of the Board, separate the Public Administrator from the District Attorney, and place the position with another County department.

**Levee Issues, Sacramento-San Joaquin Delta Issues** *(updates to this section will be presented to the Board of Supervisors for approval in 2014)*

*The County's Delta Water Platform was developed in mid-2008 to consolidate and organize the many County policies and positions into one document that could be utilized to guide actions and advocacy to promote a healthy Sacramento-San Joaquin Delta.*

*The Delta Water Platform is comprised of fourteen subject areas. Each of these subject categories contains relevant policies and background explanatory language. Each subject category is summarized below; the first five are considered priorities. The policies and background information can be found in the Delta Water Platform, which is included in this document by reference*

*Short Term Actions to be implemented immediately: Includes a broad range of specific, relatively non-controversial actions to quickly improve the state of the Delta, such as improvements to levees, the fishery, habitat and emergency response.*

*Conveyance: Through-Delta and Isolated Conveyance: Consideration of isolated conveyance must protect and improve the Delta and the entire Bay-Delta ecosystem, include the broadest range of non-biased scientific analysis of impacts, include levee repair and all costs of a facility must be paid by beneficiaries.*

*The Delta Ecosystem: Protection and restoration of an ailing Delta ecosystem has long been a priority of the Board of Supervisors, including need for additional scientific research to address fundamental questions, fishery and habitat restoration projects.*

*Governance: A new or improved system of oversight related to ecosystem and water management is necessary. The existing Delta Protection Commission land use governance structure has been successful, requiring no further action. Local Government representation in any governance structure is paramount.*

*Levee Restoration: Advocacy for immediate and significant (multi-year) funding and levee repair is a priority, including upgrades to minimum (PL 84 99) standards for all levees, and a higher, 200-year level of protection for communities protected by levees. Stockpiling rock in the Delta specifically for levee repair and continuance of the Long Term Management Strategy (LTMS) are highly recommended.*

*Water Quality, Water Quality and Delta Outflow: Protection and improvement of water quality, quantity and outflow, determination and assurance of adequate water for the delta ecosystem and examination of the State and Federal project operations (including potential for reduced exports) are recommended here.*

*Flood Protection/Floodplain Management: Comprehensive flood management planning throughout the Delta and its watersheds, as well as funding to bring flood facilities to 200-year levels and revenue generation for flood control districts continue to be of import.*

*Water Rights and Legislative Protections: Existing area-of-origin and other water rights protections established for the Delta should be preserved.*

Regional Self-Sufficiency: All export regions should be implementing all water supply options available to them to reduce stress on the Delta as a limited resource.

Emergency Response: Collaborative efforts among the Delta counties to improve emergency response in the region have been productive and are continuing.

Water Conservation: Landscape and household conservation, maximizing use of reclaimed wastewater, use of meters, and agricultural water conservation are recommended.

Water Storage: Multi-purpose storage facilities are recommended and groundwater storage preferred to surface storage options. Detailed groundwater studies are recommended.

San Luis Drain/Grasslands Bypass: Long-standing opposition to selenium discharges from this project entering the Delta and support of in-valley treatment solutions are ongoing. Continued reduction in drainage from the Grasslands Bypass project is also monitored.

Climate Change: Impacts of climate change must be considered in planning, engineering and construction activities.

128. ADVOCATE for administrative and legislative action to provide significant funding for rehabilitation of levees in the western and central Delta. *Proposition 1E, passed in November 2006, provides for over \$3 billion for levees, primarily those in the Central Valley Flood Control Program. Language is included in the bond for other Delta levees but funding is not specifically directed. The County will work on a coalition basis to actively advocate for \$1 billion in funding through this bond.*
129. SUPPORT legislation that requires the levee repair funds generated by Proposition 1E be spent within one year or legislative hearings conducted on expediting the expenditure of bond proceeds through the Department of Water Resources Delta Levees Section. Many public agencies, including reclamation districts charged with maintaining levees, have complained about the state's inaction in allocating and distributing the levee funds that were raised by the bond sales authorized by Proposition 1E in 2008. Legislation could require the immediate distribution of these funds to local levee projects. The Delta Reform Act of 2009 authorized over \$202 million for levee repairs. Legislative hearings may produce explanations from the state as to why these funds are not being distributed or identify methods to streamline administration of these funds.
130. SUPPORT legislation to amend California Water Code Section 12986, to maintain the state/local funding ratio of 75/25 for the state's Delta Levees Subventions Program, which provides funds for local levee repair and maintenance projects. The code provisions that have the state paying 75% of project costs will expire on July 1, 2013. At that time the matching ratio will change to 50/50. This means local reclamation districts will have to pay a larger portion of project costs (50%, compared to their current 25% requirement). Many districts do not have the funding to do so. The Delta Levees Subventions Program should continue to use funds from bonds or other dedicated sources, rather than the state's General Fund. For the past several years the program has

been funded from bonds. When these bond funds run out, the program will have to be funded from the General Fund, unless some other new dedicated funding source is established. This is something that should be included in the next Water Bond, if and when there is one.

131. ADVOCATE for legislation dealing with the Delta, including levees and levee programs, level and type of flood protection, beneficiary-pays programs, flood insurance, liability and other levee/land use issues.
132. SUPPORT legislation/regulation requiring Reclamation Districts to develop, publish, and maintain hazard emergency plans for their districts. *Emergency response plans are critical to emergency management, particularly in an area or situation like the Delta where a levee break could trigger other emergencies. This legislation/regulation should also include the requirement for plan review and annual distribution of the plan to the residents of the district, County Office of Emergency Services and other government agencies that have emergency response interests within the district.*
133. SUPPORT legislation to amend California Water Code Section 85057.5 to bring the Delta Stewardship Council's "covered actions" land-use review process into consistency with CEQA. This section of state code defines a "covered action," which refers to local permit decisions that are subject to potential revocation by the Council, as adopted in the Council's Delta Plan. The proposed process works as follows: (1) if a local permit application meets the definition of a "covered action," the jurisdiction must evaluate it for consistency with all of the policies in the Council's Delta Plan. (2) If the jurisdiction finds the project is consistent with the Delta Plan, they notify the Council of this finding. (3) Anyone who objects to the project may appeal the consistency finding, and it will be up to the Council to make the final decision. Should the Council decide against the local jurisdiction, there is no appeal process available to the jurisdiction or project applicant other than legal action.

*"Covered actions" are defined in Section 85057.5 of the California Water Code. It defines them as plans, projects or programs as defined by CEQA, and then goes on to grant several exemptions to certain types of projects. It does not, however, provide exemptions for all the project types that CEQA itself exempts. CEQA provides a lengthy list of categorical exemptions for plans, projects and programs that generally do not have significant environmental impacts, and projects that have compelling reasons to move forward quickly (such as public safety projects). The entire list of categorical exemptions from CEQA also should be exempt from the Delta Stewardship Council's "covered actions" process.*

### **Library Issues**

- 134. SUPPORT State financial assistance in the operation of public libraries, including full funding of the Public Library Fund (PLF) and the Direct/Interlibrary Loan (Transaction Based Reimbursement) program.
- 135. SUPPORT State bonds for public library construction. The 2000 library construction bond provided funding for two libraries in Contra Costa County. There is currently a need of approximately \$289,000,000 for public library construction, expansion and renovation in Contra Costa County.
- 136. SUPPORT continued funding for the California Library Literacy and English Acquisition Services Program, which provides matching funds for public library adult literacy programs that offer free, confidential, one-on-one basic literacy instruction to English-speaking adults who want to improve their reading, writing, and spelling skills.

### **Telecommunications Issues**

- 137. SUPPORT clean-up legislation on AB 2987 that provides for local emergency notifications similar to provisions in cable franchises for the last 20 years. *Currently our franchises require the cable systems to carry emergency messages in the event of local emergencies. With the occurrence of several local refinery incidents, this service is critical for Contra Costa. Under federal law, Emergency Alert System requirements leave broad discretion to broadcasters to decide when and what information to broadcast, emergency management offices to communicate with the public in times of emergencies.*
- 138. SUPPORT preservation of local government ownership and control of the local public rights-of-way. *Currently, local government has authority over the time, place, and manner in which infrastructure is placed in their rights-of-way. The California Public Utilities Commission is considering rulemaking that would give them jurisdiction to decide issues between local government and telecommunication providers.*

### **Transportation Issues**

- 139. SUPPORT increased flexibility in the use of transportation funds.
- 140. SUPPORT regional coordination that provides for local input in addressing transportation needs. *Coordinated planning and delivery of public transit, paratransit, and rail services will help ensure the best possible service delivery to the public. Regional coordination also will be needed to effectively deal with the traffic impacts of Indian gaming casinos such as those in West County. Regional coordination also will be essential to complete planning and development of important regional transportation projects that benefit the state and local road system such as State Route 239, improvements to Vasco Road, completion of remaining segments of the Bay Trail, improvements to the Delta DeAnza Regional Trail, and the proposed California Delta Trail. There may be interest in seeking enhanced local input requirements for developing the Sustainable Communities*



*Strategy for the Bay Area mandated by SB 375 for greenhouse gas reduction. It is important that the regional coordination efforts are based on input gathered from the local level, to ensure the regional approach does not negatively impact local communities. “Top-down” regional planning efforts would be inconsistent with this goal.*

141. SUPPORT efforts to improve safety throughout the transportation system. *The County supports new and expanded projects and programs to improve safety for bicyclists, pedestrians and wheelchair users, as well as projects to improve safety on high-accident transportation facilities such as Vasco Road. Data on transportation safety would be improved by including global positioning system (GPS) location data for every reported accident to assist in safety analysis and planning. The County also supports the expansion of school safety improvement programs such as crossing guards, revised school zone references in the vehicle code, Safe Routes to Schools (SR2S) grants, efforts to improve the safety, expansion and security of freight transportation system including public and private maritime ports, airports, rail yards, railroad lines, rail bridges and sidings. The County also supports limits or elimination of public liability for installing traffic-calming devices on residential neighborhood streets.*
142. SUPPORT funding or incentives for the use of renewable resources in transportation construction projects. *The County seeks and supports grant programs, tax credits for manufacturers, state purchasing programs, and other incentives for local jurisdictions to use environmentally friendly materials such as the rubberized asphalt (made from recycled tires) that the County has used as paving material on San Pablo Dam Road and Pacheco Boulevard.*
143. SUPPORT streamlining the delivery of transportation safety projects. *The length of time and amount of paperwork should be reduced to bring a transportation safety project more quickly through the planning, engineering and design, environmental review, funding application, and construction phases, such as for Vasco Road. This could include streamlining the environmental review process and also streamlining all state permitting requirements that pertain to transportation projects. Realistic deadlines for use of federal transportation funds would help local jurisdictions deliver complex projects without running afoul of federal time limits which are unrealistically tight for complex projects.*
144. SUPPORT efforts to coordinate development of state-funded or regulated facilities such as courts, schools, jails, roads and state offices with local planning. *The County supports preserving the authority of Public Works over County roads by way of ensuring the Board of Supervisors’ control over County roads as established in the Streets & Highways Code (Ch2 §940) is not undermined. This includes strongly opposing any action by a non-local entity that would ultimately dilute current Board of Supervisors discretion relative to road design and land use.*
145. SUPPORT efforts to coordinate planning between school districts, the state, and local jurisdictions for the purposes of: (1) locating and planning new schools, (2) funding programs that foster collaboration and joint use of facilities, and (3) financing off-site

transportation improvements for **improved** access to **existing** schools. The County supports the California Department of Education's current effort to better leverage school facilities in developing sustainable communities. Related to this effort, the County supports reform of school siting practices by way of legislative changes related to any new statewide school construction bond authorization. The County takes the position that reform components should include bringing school siting practices **and school zone references in the vehicle code** into alignment with local growth management policies, safe routes to school best practices, State SB 375 principles, and the State Strategic Growth Council's "Health in All Policies Initiative."

146. SUPPORT regional aviation transportation planning efforts for coordinated aviation network planning to improve service delivery. Regional aviation coordination could also improve the surrounding surface transportation system by providing expanded local options for people and goods movement.
147. SUPPORT efforts to increase waterborne transport of goods and obtaining funds to support this effort. *The San Francisco to Stockton Ship Channel is a major transportation route for the region, providing water access to a large number of industries and the Ports of Sacramento and Stockton. A project is underway to deepen the channel, providing additional capacity to accommodate increasing commerce needs of the Ports and providing better operational flexibility for the other industries. Increased goods movement via waterways has clear benefits to congestion management on highways and railroads (with resultant air quality benefits).*

### **Veterans Issues**

148. **SUPPORT legislation and budget actions that will continue the state's annual local assistance for County Veterans Service Offices at the \$5.6 million level. The eventual goal is to fully fund CVSOs by appropriating the full \$11 million in local assistance funding as reflected in Military and Veterans Code Section 972.1(d). County Veterans Service Offices (CVSOs) play a vital role in the local veteran community, not only within the Veterans Affairs claims process, but in other aspects as well. This includes providing information about all veterans' benefits (Federal, State and local), as well as providing claims assistance for all veteran-related benefits, referring veterans to ancillary community resources, providing hands-on development and case management services for claims and appeals and transporting local veterans to VA facilities.**
149. **SUPPORT legislation and budget actions that will provide veterans organizations with resources to make necessary repairs to their meeting halls and facilities. Across California, the meeting halls and posts of Veterans Service Organizations such as the American Legion and Veterans of Foreign Wars serve as unofficial community centers. Many of these facilities have deteriorated in recent years due to declining membership and reduced rental revenues as a result of the economic downturn. The County will support legislation that would create a funding program for veterans' organizations, classified by the IRS as 501c19 non-profit organizations and comprised primarily of past**



*or present members of the United States Armed Forces and their family members, to use for repairs and improvements to their existing facilities.*

### **Waste Management Issues**

150. SUPPORT legislation that establishes producer responsibility for management of their products, including pharmaceuticals and veterinary medicine, at the end of their useful life.
151. SUPPORT efforts to increase the development of markets for recycled materials.
152. SUPPORT legislative and regulatory efforts to allow third parties, under specific circumstances and conditions, to collect and transport household hazardous waste to collection facilities.
153. SUPPORT legislation that seeks to remedy the environmental degradation and solid waste management problems on a State-wide basis of polystyrene containers and single-use plastic bags typically given away for free at grocery, retail and other establishments.
154. SUPPORT legislation that does not require increased diversion from landfills without out an adequate funding mechanism.
155. SUPPORT legislation that would make changes to the used tire redemption program. *Instead of collecting a disposal fee from the consumer when new tires are purchased, a disposal fee would be collected at the wholesale level and redeemed by the disposal site when the used tires are brought to the site. The party bringing the tires to the disposal site would also receive a portion of the fee.*
156. SUPPORT legislation that relieves counties with privately-operated landfills from the state requirement for maintaining a 15-year supply of disposal capacity for waste generated within each county. *In 1989, Contra Costa County amended its general plan to accommodate construction of Keller Canyon Landfill. Due to the difficulty in siting landfills and the requirements of Public Resources Code 47100 – Countywide Siting Element, the County maintained authority to control the amount of waste disposed at this facility from outside the county. Despite Contra Costa County’s opposition, AB 845 became law on January 1, 2013 and prohibits any jurisdiction from regulating the amount of waste disposed at a privately-operated landfill based on its place of origin.*

*Because local jurisdictions can no longer control importation of waste to privately-operated landfills, a host County that receives a significant amount of waste from outside the county will have a greater need to undertake the difficult task of identifying new disposal capacity pursuant to the Countywide Siting Element requirement. Since the state believes there is no need for local jurisdictions to regulate disposal of solid waste by place of origin, the state should remove existing statutes that require each County with privately-operated landfills to identify sufficient disposal capacity for the waste generated by the jurisdictions within that County.*

157. SUPPORT legislation that can reduce the amount of harmful pharmaceuticals (including veterinary medicine) that ultimately enter waste water treatment facilities, bodies of water, and landfills.
158. SUPPORT legislative and regulatory efforts to restrict payments from the Beverage Container Recycling Program Fund for redemption of beverage containers sold out of state. *Fraudulent redemption of these beverage containers is costing the Fund from \$40 million to \$200 million annually. This fraud combined with loans to the General Fund to reduce the State budget deficit has significantly reduced the availability of funds for increasing recycling as intended under the law.*
159. SUPPORT legislative and regulatory efforts that correct the imbalance between the County's regulatory authority to control the collection and disposal of solid waste generated within the unincorporated areas and our exposure to state penalties for failing to meet state mandates for diverting solid waste generated within these areas as a result of Appellate Court decisions. *In litigation where the County sought to protect its solid waste franchise authority for unincorporated areas the court awarded franchise authority to the Rodeo Sanitary District and Mountain View Sanitary District while the County remains exposed to state penalties for failing to meet state mandates for reducing disposal of solid waste generated in these areas.*



Contra  
Costa  
County

To: Board of Supervisors  
From: Catherine Kutsuris, Conservation and Development Director  
Date: January 14, 2014

Subject: Continued Public Hearing Item - Appeal of the County Planning Commission's Approval of LP13-2020 (110 Ardmore Road, Kensington).

**RECOMMENDATION(S):**

Staff is recommending the following options:

**Option 1.**

1. OPEN the hearing on the appeal of the County Planning Commission's approval of County File #LP13-2020, ACCEPT public testimony, and CLOSE the hearing.
2. FIND that the proposed project is categorically exempt from the review requirements of the California Environmental Quality Act – Class 3 (CEQA Guidelines §15303(d)).
3. DENY the appeals of Kevin and Michelle Ferguson, and Laura Owen, Kellin Cooper, Krista Bessinger, Jon Sarlin, and David Kwett.
4. SUSTAIN the decision of the County Planning Commission.
5. ADOPT the findings contained in County Planning Commission Resolution Number 15-2013.
6. DIRECT staff to file a California Environmental Quality Act Notice of Exemption with the County Clerk and pay the statutory filing fee.

**Option 2.**

1. ACCEPT any new information made available per the Better Government Ordinance.
2. DIRECT staff to evaluate the options that have been provided by AT&T and make recommendations to the Board of Supervisors.

☐ APPROVE

☒ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Francisco Avila, (925)  
674-7801

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

3. CONTINUE the public hearing to a specific date and time.

FISCAL IMPACT:

The applicant has paid the initial application deposit, and is obligated to pay supplemental fees to cover any and all additional staff time and materials costs associated with the application processing.

BACKGROUND:

This is a continued public hearing item on the appeal of Kevin and Michelle Ferguson, and Laura Owen, Kellin Cooper, Krista Bessinger, Jon Sarlin and David Kwett of the County Planning Commission's decision to approve a proposal by New Cingular Wireless (AT&T) to attach a wireless telecommunications facility to an existing utility pole in the Ardmore Road public right-of-way. At the December 17, 2013, Board of Supervisor's hearing, one appellant (Ferguson) provided a brief statement. The applicant and general public were also given an opportunity to testify. Upon conclusion of the public testimony and a brief discussion, the hearing was continued as an open public hearing in order for the applicant to prepare an alternative site analysis for the project. According to the applicant, an alternative site analysis has been initiated since the December hearing, however, due to the limited time, the applicant was unable to provide a comprehensive report prior to the posting deadlines for this staff report.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board of Supervisors grants the appeal, the County Planning Commission's approval will be overturned and AT&T will not have the authority to construct their proposed project.

CHILDREN'S IMPACT STATEMENT:

N/A



Contra  
Costa  
County

To: Board of Supervisors

From: Julia R. Bueren, Public Works Director/Chief Engineer

Date: January 14, 2014

Subject: Establish speed limits on Reliez Valley Road (Road No. 3551 and 3554), Martinez and Lafayette areas. (District II and V)

**RECOMMENDATION(S):**

ADOPT Traffic Resolution No. 2014/4400 to establish speed limits on Reliez Valley Road (Road No. 3551 and 3554), and RESCIND Traffic Resolution No. 1989/3319, as recommended by the Public Works Director, Martinez and Lafayette areas.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The establishment of speed limits on Reliez Valley Road is necessary to allow local authorities the ability to enforce the speed limit.

**CONSEQUENCE OF NEGATIVE ACTION:**

Unable to use local authorities' power to enforce the California Vehicle Code.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Monish Sen, 925-313-2187

By: , Deputy

cc:

## ATTACHMENTS

Traffic Resolution  
2014-4400

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**

Adopted this Traffic Resolution on January 14, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**RESOLUTION NO. 2014/4400**  
**Supervisory District II & V**

**SUBJECT:** Establish speed limits on Reliez Valley Road (Road No. 3551 & 3554), Martinez and Lafayette areas.

The Contra Costa County Board of Supervisors **RESOLVES** that:

On the basis of an engineering and traffic survey and recommendations thereon by the County Public Works Department's Transportation Division, and pursuant to County Ordinance Code Sections 46-2.002 - 46-2.012, the following traffic regulation is established (and other action taken as indicated):

Pursuant to Section 22358 and Section 627 of the California Vehicle Code, no vehicle shall travel in excess of 35 miles per hour on Reliez Valley Road (Road No. 3551), beginning at Alhambra Valley Road (Road No. 1481) and extending easterly to the Martinez City Limit;

THENCE, no vehicle shall travel in excess of 35 miles per hour on that portion of Reliez Valley Road (Road No. 3551), beginning at the Martinez City Limit and extending southerly to the intersection of Grayson Road, Pleasant Hill;

THENCE, no vehicle shall travel in excess of 30 miles per hour on that portion of Reliez Valley Road (Road No. 3554), beginning at the intersection of Grayson Road, Pleasant Hill and extending southerly to the Lafayette City Limit.

Traffic Resolution No. 1989/3319 pertaining to the speed limit on Reliez Valley Road, is hereby rescinded.

MS:kh

Orig. Dept.: Public Works (Traffic)  
Contact: Monish Sen (925-313-2187)

c: California Highway Patrol  
Sheriff's Department

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: \_\_\_\_\_  
DAVID TWA, Clerk of the Board of Supervisors and  
County Administrator

By \_\_\_\_\_,  
Deputy

**TRAFFIC RESOLUTION NO. 2014/4400**



Contra  
Costa  
County

To: Board of Supervisors  
From: Sharon L. Anderson, County Counsel  
Date: January 14, 2014

Subject: Public report of litigation settlement agreements that became final during the period of December 1, 2013 through December 31, 2013.

**RECOMMENDATION(S):**

RECEIVE public report of litigation settlement agreements that became final during the period of December 1, 2013 through December 31, 2013, as recommended by County Counsel.

**FISCAL IMPACT:**

Settlement amounts are listed below.

**BACKGROUND:**

Two agreements to settle pending litigation, as defined in Government Code section 54956.9, became final during the period of December 1, 2013 through December 31, 2013.

*Contra Costa Water District v. County of Contra Costa, et al.*, CCC Sup. Ct. Case No. N11-1141. This action concerned the County's review of environmental impacts of proposed commercial and residential subdivisions in an unincorporated area near Oakley. As part of a settlement and release agreement, the developer agreed to pay past due processing fees to the County. The Board authorized settlement on March 19, 2013, in closed session, by a 3-0 vote, Supervisors Andersen and Piepho absent. The settlement became final on December 17, 2013.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Thomas Geiger,  
925-335-1800

By: , Deputy



**BACKGROUND: (CONT'D)**

*County of Contra Costa v. Bank of America, N.A., et al.* (In re Municipal Derivatives Litigation - U.S.D.C. Case No. MDL 1950 (S.D.N.Y.)). This settlement is the fourth in a series of settlements with various financial institutions in a class-action lawsuit involving municipal derivatives. As part of a settlement with the class of plaintiffs, Wells Fargo Bank, N.A. agreed to pay the County \$4,751. The Board authorized settlement on August 13, 2013, in closed session, by a 5-0 vote. The settlement became final on December 6, 2013.

This report includes final settlements of litigation matters handled by the Office of the County Counsel. This report does not include litigation settlements that were reported by the Risk Management Division of the County Administrator's Office as a consent item on the Board's open session agenda.

**CONSEQUENCE OF NEGATIVE ACTION:**

The report would not be accepted.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: January 14, 2014

Subject: CLAIMS

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**RECOMMENDATION(S):**

DENY claims filed by Enterprise Rent-A-Car #75295, Blackhawk Homeowners' Association, Rafael Hernandez, Sheree Howe, Byron Shields (2 claims), and Lefaye Walton, and DENY amended claim of Daniel Tkach.

**FISCAL IMPACT:**

No Fiscal Impact.

**BACKGROUND:**

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Joellen Balbas  
925.335.1906

By: , Deputy

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: January 14, 2014

Subject: ACCEPT Board Members Meeting Reports for December 2013

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**RECOMMENDATION(S):**

ACCEPT Board Members meeting reports for the month of December 2013.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

Government Code Section 53232.3(d) requires that members of legislative bodies report on meetings attended for which there has been expense reimbursement (mileage, meals, lodging, et cetera). The attached reports were submitted by Board of Supervisors members in satisfaction of this requirement.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Contra Costa County Board of Supervisors will fail to meet the requirements of Government Code Section 53232.3(d).

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Joellen Balbas  
925.335.1906

By: , Deputy

cc:

## ATTACHMENTS

District IV Dec/2013 report

District II Dec/2013 Report

District V Dec/2013  
Report

District I Dec/2013 Report

**Supervisor Karen Mitchoff  
December 2013**

<b>DATE</b>	<b>MEETING NAME</b>	<b>LOCATION</b>	<b>PURPOSE</b>
12/2/2013	PERS Recap Meeting	Pleasant Hill	Decisions on agenda items
12/3/2013	Central County Family Justice Center Event	Concord	Community Outreach
12/3/2013	Board of Supervisors Meeting	Martinez	Decisions on agenda items
12/4/2013	ABAG Regional Planning Committee	Oakland	Regional Governance
12/4/2013	CCTA Planning Committee	Walnut Creek	Regional Transportation
12/5/2013	ABAG Finance and Personnel	Oakland	Regional Governance
12/5/2013	ABAG Executive Board Meeting	Oakland	Regional Governance
12/6/2013	Reception honoring Joe Garaventa	Concord	Community Outreach
12/7/2014	Community College District 65th Anniversary	Martinez	Community Outreach
12/7/2013	Mt. Diablo Beacon Lighting	Concord	Community Outreach
12/7/2013	Clayton Caroling and Tree Lighting	Clayton	Community Outreach
12/10/2013	Board of Supervisors Meeting	Martinez	Decisions on agenda items
12/11/2013	CCCERA Board Meeting	Concord	Decisions on agenda items
12/12/2014	TRANSPAC	Pleasant Hill	Decisions on agenda items
12/12/2013	CCCSWA Special Board Meeting	Alamo	Decisions on agenda items
12/13/2013	Carpenters Regional Council Moose Feed Luncheon	San Francisco	Community Outreach
12/16/2013	Stockton Record Editorial Board	Stockton	Water Advocacy
12/17/2013	Board of Supervisors Meeting	Martinez	Decisions on agenda items
12/18/2013	San Francisco Chronicle Editorial Board	San Francisco	Water Advocacy
12/19/2013	"Delta Fix" Discussion Group	Sacramento	Water Advocacy
12/20/2013	CCHP Jt. Conference Committee	Martinez	Decisions on agenda items

## Supervisor Candace Andersen – Monthly Meeting Report *December 2013*

<u>Date</u>	<u>Meeting</u>	<u>Location</u>
1	Alamo Tree Lighting Event	Alamo
2	CCCSWA	Walnut Creek
3	Board of Supervisors	Martinez
3	New Mayor Installations	Orinda, Walnut Creek, Danville
4	Lamorinda Open House	Lafayette
5	Lafayette Veterans Hall	Lafayette
5	EDA Executive Committee	Oakland
5	TWIC	Martinez
5	Phillips 66	Martinez
5	Community Violence Solutions	Walnut Creek
5	Business Community Awards	San Ramon
6	O & S County Connection	Pleasant Hill
6	PG&E Ribbon Cutting	San Ramon
6	Rossmoor Grand Opening	Walnut Creek
7	CC Community College Anniv	Martinez
9	Internal Operations	Martinez
9	DVOC	San Ramon
9	Sandia Tour	Livermore
9	Mayor installation	Lafayette
10	Board of Supervisors	Martinez
10	City Council swearing in	San Ramon
11	LAFCO	Martinez
11	Moraga Town Council swearing	Moraga
12	CCCSWA	Alamo
13	Cert PAC	San Ramon
16	Alamo Liaison	Danville
17	Board of Supervisors	Martinez
19	County Connection	Concord
19	Hansamo Award Ceremony	San Ramon

## Meeting Attendance Report

Government Code Section 53232.3(d) requires that members of legislative bodies report on meetings attended for which there has been expense reimbursement (mileage, meals, lodging, etc).

The following report on meetings attended by Supervisor Federal D. Glover during the month of December, 2013 is submitted in compliance with the requirement.

<u>Date</u>	<u>Meeting Name</u>	<u>Location</u>	<u>Purpose</u>
<u>12/05/13</u>	Mayors Conference	Pittsburg	Monthly
<u>12/07/13</u>	CC College Event	Martinez	As Needed
<u>12/10/13</u>	Antioch Council Mtg	Antioch	As Needed
<u>12/12/13</u>	NGR Meeting	Brtwd	As Needed
<u>12/14/13</u>	Pitts Xmas Parade	Pittsburg	Annually

[illegible]





Contra  
Costa  
County

To: Board of Supervisors  
From: Ted Cwiek, Human Resources Director  
Date: January 14, 2014

Subject: ADOPT Ordinance No. 2014-01 Amending the County Ordinance

---

**RECOMMENDATION(S):**

ADOPT Ordinance No. 2014-01 amending the County Ordinance Code to move the classifications of Real Estate Manager-Exempt, Capital Projects Manager-Exempt, and Procurement Services Manager-Exempt from Section 33-5.375 to Section 33-5.347, change the appointing authority of those same classifications, and repeal Section 33-5.375.

**FISCAL IMPACT:**

There is no cost associated with this action.

**BACKGROUND:**

The General Services and Public Works department merged in 2012, necessitating the need to amend the related ordinance for certain Exempt classifications to reflect the change in the appointing authority from the General Services department to the Public Works department. This amendment does three things: 1) moves the classifications of Real Estate Manager - Exempt, Capital Projects Manager - exempt, and Procurement Services Manager - exempt from section 33-5.375 - General Services to section 33-5.347 - Public Works; 2) it changes the appointing authority of those same classifications; and 3) it repeals section 33-5.375- General Services.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this action is not approved, the impacted classifications and positions will not be codified in the appropriate Public Works Department Ordinance Section.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Ted Cwiek (925) 335-1766 By: , Deputy

cc: Roxana Mendoza, Eva Barrios, Jeannie Rounsaville

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

Ordinance No. 2014-01

**ORDINANCE NO. 2014-01**

**(Move Real Estate Manager-exempt, Capital Projects Manager-exempt, and Procurement Services Manager-exempt from Section 33-5.375 to Section 33-5.347; Change Appointing Authority for Same Classifications; and Repeal Section 33-5.375.)**

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

**SECTION I:** Section 33-5.347 of the County Ordinance Code is amended to move the classifications of real estate manager-exempt, capital projects division manager-exempt, and procurement services manager-exempt from Section 33-5.375- General Services to Section 33-5.347- Public Works, and change the appointing authority for those same classifications to read:

**33-5.347 Public works.**

- (a) The public works director is excluded and is appointed by the board.
- (b) The chief deputy public works director is excluded and is appointed by the public works director.
- (c) The deputy public works directors are excluded and are appointed by the public works director.
- (d) The transportation program manager-exempt is excluded and is appointed by the public works director.
- (e) The real estate manager-exempt is excluded and is appointed by the public works director.
- (d) The capital projects division manager-exempt is excluded and is appointed by the public works director.
- (e) The procurement services manager-exempt is excluded and is appointed by the public works director.

{Ord. Nos. 2014-01 § I, 12-10-13; 2003-13 § 1; 81-70 § 2, 81-32 § I[20]; see Chap. 24-22, Str. & Hwys. C. § 2006, Govt. C. §§ 27550 & 24300, etc.).

**SECTION II:** Section 33-5.375 of the County Ordinance Code is repealed in its entirety.

**SECTION III: EFFECTIVE DATE.** This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once with the names of the

supervisors voting for and against it in the

\_\_\_\_\_, a newspaper published in this County.

PASSED ON \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: DAVID J. TWA, Clerk of the  
Board of Supervisors and County Administrator

\_\_\_\_\_

Board Chair

By: \_\_\_\_\_

Deputy

[SEAL]

**ORDINANCE NO. 2014-01**

CAS:

H:\Human Resources\Ordinance Code Changes\Ord Change- Amend Public Works & Delete General Services.docx



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Appointment to the Emergency Medical Care Committee

---

**RECOMMENDATION(S):**

APPOINT Steven West to seat B4 - California Highway Patrol, previously held by Stephen Perea, with a term expiration date of September 30, 2014, as recommended by Dr. William Walker:

California Highway Patrol: Steven West, 5001 Blum Road, Martinez, CA 94553

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The EMCC is a multidisciplinary committee appointed by the County Board of Supervisors, to provide advice and recommendations on EMS-related matters to the Board, Health Services Director and its EMS Agency. Membership consists of consumer representatives, and representatives of EMS-related organizations and groups.

Jonni Fenner, CHP, resigned in September 2013 from seat C4 alternate - California Highway Patrol. Stephen Perea held seat B4 primary at

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Patricia Frost, 646-4690

By: , Deputy

cc: T Scott, C Rucker

BACKGROUND: (CONT'D)

the time, but requested to move down to B4 alternate (Board Order dated Dec. 3, 2013). Steven West would fill seat B4 primary in Stephen Perea's place.

CONSEQUENCE OF NEGATIVE ACTION:

If this Board Order is not approved, this position on the EMCC will not be filled.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: January 14, 2014

Subject: RESIGNATION FROM THE CONTRA COSTA COUNTY AVIATION ADVISORY COMMITTEE

---

**RECOMMENDATION(S):**

ACCEPT the resignation of Russell Roe, DECLARE a vacancy in the District II Seat of the Contra Costa County Aviation Advisory Committee effective immediately, and DIRECT the Clerk of the Board to post the vacancy as recommended by Supervisor Andersen.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The function of the Contra Costa County Aviation Advisory Committee is to provide advice and recommendations to the Board of Supervisors on the aviation issues related to the economic viability and security of airports in Contra Costa County. The Committee may initiate discussions, observations, or investigations, in order to make its recommendations to the Board. The Committee may hear comments on airport and aviation matters from the public or other agencies for consideration and possible recommendations to the Board of Supervisors or their designees. The Aviation Advisory Committee shall cooperate with local, state, and national aviation interests for the safe and orderly operation of airports. The Aviation Advisory Committee shall advance and promote the interests

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☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Jill Ray, 925-957-8860

By: , Deputy

cc: District 2 Supervisor, Maddy Book, Aviation Advisory Committee, Appointee

BACKGROUND: (CONT'D)

of aviation and protect the general welfare of the people living and working near the airport and the County in general. In conjunction with all of the above, the Aviation Advisory Committee shall provide a forum for the Director of Airports regarding policy matters at and around the airports.

Due to redistricting, Mr. Roe is now a resident of District 5, therefore he was moved to the District V Seat effective December 3rd.

CONSEQUENCE OF NEGATIVE ACTION:

Mr. Roe will be serving in both the District II and the District V Seats and Supervisor Andersen will be unable to appoint a District 2 resident to the District II Seat.

CHILDREN'S IMPACT STATEMENT:

Not applicable.





Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: January 14, 2014

Subject: Appointment of Ben Hornstein to the Advisory Council on Aging

---

**RECOMMENDATION(S):**

APPOINT Ben Hornstein to as the Concord Local Committee representative on the Advisory Council on Aging, as recommended by the Employment and Human Services Director.

**FISCAL IMPACT:**

None

**BACKGROUND:**

Mr. Hornstein's term will end September 30, 2016. Mr. Hornstein was recommended to this position by the Concord City Council at their October 8, 2013 meeting. His address is 1250 Brookview Drive, Concord, CA.

The Advisory Council on Aging provides a means for county-wide planning, cooperation and coordination for individuals and groups interested in improving and developing services and opportunities for the older residents of this county. The Council provides leadership and advocacy on behalf of older persons and serves as a channel of communication and information on aging.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Earl Maciel 3-1648

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The Advisory Council on Aging may not be unable to conduct routine business.

CHILDREN'S IMPACT STATEMENT:

None



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: January 14, 2014

Subject: Transfer of Audit & Litigation Reserves for Payment to Worldwide Education Services, Inc.

---

**RECOMMENDATION(S):**

ADOPT Appropriations and Revenue Adjustment No. 5036 approving the transfer of funds in the amount of \$584,867 from the General Fund Reserve for Audit/Litigation to the Employment and Human Services Department to pay Worldwide Educational Services, Inc. for amounts that are owed for fiscal ending June 30, 1999, June 30, 2000 and June 30, 2001 under Settlement Agreement and Mutual Release (Number 21-190-0).

**FISCAL IMPACT:**

The recommended action will result in a General Fund cost of \$584,867. No State or federal revenue source is available for these costs.

**BACKGROUND:**

The County and Worldwide Educational Services, Inc., entered into contracts for fiscal years 1998/1999, 1999/2000 and 2000/2001 (collectively, "the contracts"). Under those contracts, Worldwide Educational Services ("Worldwide") provided employment-related services for County clients enrolled in the following federally funded programs: the Job Training Program Act; the Workforce Investment Act; and Welfare to Work. A contractual dispute arose between the parties regarding unpaid demands and

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Dorothy Sansoe (925)  
335-1009

By: , Deputy

cc:

BACKGROUND: (CONT'D)

close-out costs from each of the fiscal years.

On October 18, 2005, the Board of Supervisors approved a Settlement Agreement and Mutual Release that required the parties to submit this contractual dispute to a binding audit. The objective of the audit was to verify and validate the nature and extent of all costs and charges under the contracts. The results of the audit would be binding on both parties. Further, under the Settlement Agreement and Mutual Release neither party had the ability to challenge the results of the audit.

On October 31, 2013, the department received the final report from R.J. Riccardi, Inc., Certified Public Accountants. The report determined that the County owed Worldwide \$584,867 for all three fiscal years.

The Employment and Human Services Department does not have sufficient funding to cover the costs of the amount owed under the Settlement Agreement and Mutual Release. Further, no state or federal revenue is available to cover any of these costs. Therefore, it is recommended that the Board of Supervisors approve the requested appropriation adjustment, transferring funding of \$584,867 from the General Fund Reserve for Audit/Litigation to the Employment and Human Services Department.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to pay amounts owed may result in further litigation and costs.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.

ATTACHMENTS

Appropriation Adj 5036

CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT/  
ALLOCATION ADJUSTMENT  
**T/C 24**

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

- ☒ BOARD OF SUPERVISORS  
☐ COUNTY ADMINISTRATOR  
☐ AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT : 0005 - General County Reserve			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
0005	8981	FUND BALANCE AVAILABLE	584,867	00	
TOTALS			584,867	00	0 00

**APPROVED**

AUDITOR-CONTROLLER:

BY:  DATE 12/17/13

COUNTY ADMINISTRATOR:

BY: \_\_\_\_\_ DATE \_\_\_\_\_

BOARD OF SUPERVISORS:

YES:

NO:

BY: \_\_\_\_\_ DATE \_\_\_\_\_

EXPLANATION OF REQUEST:

Transfer appropriations from Fund Balance Available for Audit/Litigation to the Employment and Human Services to pay Worldwide Education Services, Inc. under settlement agreement.

Dorothy Sansoe Sr. Deputy County Administrator 4/1/2011  
SIGNATURE TITLE DATE

REVENUE ADJ. RAOO 5036  
JOURNAL NO.

## AUDITOR-CONTROLLER USE ONLY

☒

7

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BY: \_\_\_\_\_ DATE \_\_\_\_\_



**Contra  
Costa  
County**

To: Board of Supervisors

From: Catherine Kutsuris, Conservation and Development Director

Date: January 14, 2014

Subject: Add one (1) full time Manager, Application Permit Center (SPDB) and add one (1) full time Principal Structural Engineer (NCHA)

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21401 to add one (1) full time Manager, Application and Permit Center (SPDB) (represented) at salary level ZA2 1622 (\$5,334 - \$7,537) and one (1) full time Principal Structural Engineer (NCHA) (represented) at salary level ZA5 1962 (\$7,249- \$8,812) in the Department of Conservation and Development.

**FISCAL IMPACT:**

No impact to County General Fund. The annual cost for these additional positions is approximately \$306,000 of which approximately \$74,000 represent retirement costs. Savings of approximately \$195,000 accrued by freezing a vacant Engineering Manager position will assist in offsetting the costs of these positions. The positions are 100% funded by Land Development revenues.

**BACKGROUND:**

Following the departure of the Supervising Engineer, the department is reallocating the duties in order to improve efficiency for the public and to respond to an increase in land development activities. The Principal Engineer will oversee engineering services for the department (with the exception of the Lamorinda area). The Permit Center Manager will be responsible for the Building Plan Checking Team, the Planning Counter Services Team and a new initiative that will focus on accelerating the review and approval of small land development permits.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Victoria Mejia (925)  
674-7726

By: , Deputy

cc: Roxana Mendoza, Victoria Mejia

CONSEQUENCE OF NEGATIVE ACTION:

Failure to receive Board Approval will impede the department's ability to efficiently perform engineering and plan check services as well as to implement new efficiencies.

CHILDREN'S IMPACT STATEMENT:

None.

ATTACHMENTS

P300 21401 APC Mgr and Princ Struct Eng at DCD



# POSITION ADJUSTMENT REQUEST

NO. 21401  
DATE 10/11/2013

Department Conservation & Development

Department No./

Budget Unit No. 0280 Org No. 2601 Agency No. 38

Action Requested: Add one (1) full time Manager, Application and Permit Center (5PDB) (represented) at salary level ZA2 1622 (\$5,334 - \$7,537) and add one (1) full time Principal Structural Engineer (NCHA) (represented) at salary level ZA5 1962 (\$7,249- \$8,812); Freeze Sup. Structural Engineer position #957

Proposed Effective Date: 1/1/2014

Classification Questionnaire attached: Yes ☐ No ☒ / Cost is within Department's budget: Yes ☒ No ☐

Total One-Time Costs (non-salary) associated with request: \$0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$306,000.00

Net County Cost \$0.00

Total this FY \$153,000.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT costs offset by fees & not filling

Engr Mgr position

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

vm FOR ck

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

/s/ Julie Enea

12/10/2013

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/3/2014

Add one (1) full time Manager, Application and Permit Center (5PDB) (represented) at salary level ZA2 1622 (\$5,334 - \$7,537) and add one (1) full time Principal Structural Engineer (NCHA) (represented) at salary level ZA5 1962 (\$7,249- \$8,812).

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_ (Date)

Ted Cwiek

1/3/2014

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

1/6/2014

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

/s/Julie Enea

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

David J. Twa, Clerk of the Board of Supervisors  
and County Administrator

DATE \_\_\_\_\_

BY \_\_\_\_\_

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

## REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date 1/6/2014

No. xxxxxx

1. Project Positions Requested:
2. Explain Specific Duties of Position(s)
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
4. Duration of the Project: Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
5. Project Annual Cost
  - a. Salary & Benefits Costs: \_\_\_\_\_
  - b. Support Costs: \_\_\_\_\_  
(services, supplies, equipment, etc.)
  - c. Less revenue or expenditure: \_\_\_\_\_
  - d. Net cost to General or other fund: \_\_\_\_\_
6. Briefly explain the consequences of not filling the project position(s) in terms of:
  - a. potential future costs
  - b. legal implications
  - c. financial implications
  - d. political implications
  - e. organizational implications
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
9. How will the project position(s) be filled?
  - ☐ a. Competitive examination(s)
  - ☐ b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - ☐ c. Direct appointment of:
    - ☐ 1. Merit System employee who will be placed on leave from current job
    - ☐ 2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services  
Date: January 14, 2014

Subject: Add one Health Services Planner Evaluator B position in the Health Services Department.

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**RECOMMENDATION(S):**

Adopt Position Adjustment Resolution No. 21407 to add one Health Services Planner Evaluator - B position (VCXD) at salary level ZB2 1323 (\$3967.34- 6187.69) in the Health Services Department.

**FISCAL IMPACT:**

Upon approval, this action will result in an annual cost of approximately \$122,284, including pension costs of \$26,350, and will be funded by money from Housing and Urban Development.

**BACKGROUND:**

This position is being requested for the Behavioral Health Division and will be responsible for analyzing aggregate data within the Homeless Management information System (HMIS) as required by the Department of Housing and Urban Development. The HMIS purpose is to facilitate a more effective collection and sharing of information between agencies, produce an unduplicated count of homeless persons, understand patterns of service use, and measure the effectiveness of homeless programs in Contra Costa County. By effectively evaluating the data, the County can gain a better understanding of our homeless population and be better able to target resources and coordinate services .

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Terrina C. Manor,  
957-5248

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this item is not approved, the Behavioral Health Division will not have adequate staff to perform functions mandated by the state.

CHILDREN'S IMPACT STATEMENT:

not applicable.

ATTACHMENTS

P-30 #21407

# POSITION ADJUSTMENT REQUEST

NO. 21407  
DATE 12/23/2013

Department No./

Department HEALTH SERVICES -BEHAVIORAL HLTH Budget Unit No. 0463 Org No. 5731 Agency No. A18

Action Requested: Add one Health Services Planner Evaluator - B position (VCXD) at salary level ZB2 1323 (\$3967.34-6187.69) in the Health Services Department.

Proposed Effective Date: 1/15/2014

Classification Questionnaire attached: Yes ☐ No ☒ / Cost is within Department's budget: Yes ☐ No ☒

Total One-Time Costs (non-salary) associated with request: \$0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$122,284.00

Net County Cost \$0.00

Total this FY \$61,142.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% HUD Funds

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Terrina C. Manor

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Dorothy Sansoe

1/6/2014

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE \_\_\_\_\_

Exempt from Human Resources Review under Delegated Authority

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_\_(Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

1/6/2014

☐ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☒ Other: Approve as Requested by Department

Dorothy Sansoe

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

David J. Twa, Clerk of the Board of Supervisors  
and County Administrator

DATE \_\_\_\_\_

BY \_\_\_\_\_

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services  
Date: January 14, 2014

Subject: Increase hours of vacant Public Health Nurse position #8442 in the Health Services Department

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**RECOMMENDATION(S):**

ADOPT Position Resolution No. 21408 increasing the hours of vacant Public Health Nurse (VVXA) position #8442 at salary level QT 1832 (\$6,852 - \$9,215) from 32/40 to 40/40 in the Health Services Department. (Represented)

**FISCAL IMPACT:**

Upon approval, this action has an annual cost of approximately \$32,510, with \$7,852 in pension costs, which is included in the California Children's Services Fiscal Year 2013-2014 State budget.

**BACKGROUND:**

The Health Services Department is requesting to increase the hours of vacant Public Health Nurse position #8442 from 32/40 to 40/40 in the Health Services Department. This action is necessary to better meet the needs of the growing California Children Services (CCS) caseload. This position is assigned to work onsite at Children's Hospital Oakland to support families and providers in understanding and accessing CCS program services.

There is an annual cost of approximately \$32,510, which is allocated in the CCS fiscal year 2013-2014 State budget.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Jo-Anne Linares, (925)  
957-5246

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, there is not adequate staff hours to meet the needs of the California Children's Services program.

CHILDREN'S IMPACT STATEMENT:

If this action is not approved, there is not adequate staff hours to meet the needs of the California Children's Services program.

ATTACHMENTS

P-300 #21408

# POSITION ADJUSTMENT REQUEST

NO. 21408  
DATE 12/31/2013

Department Health Services Department

Department No./

Budget Unit No. 0460 Org No. 5890 Agency No. A18

Action Requested: Increase hours of Public Health Nurse position from 32/40 to 40/40 in the Health Services Department.

Proposed Effective Date: 1/15/2014

Classification Questionnaire attached: Yes ☐ No ☒ / Cost is within Department's budget: Yes ☒ No ☐

Total One-Time Costs (non-salary) associated with request: \$0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$32,511.00

Net County Cost \$0.00

Total this FY \$13,550.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% offset by CA Childrens Services funds

Department must initiate necessary adjustment and submit to CAO.

Use additional sheet for further explanations or comments.

Jo-Anne Linares

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Dorothy Sansoe

1/6/2014

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/6/2014

Exempt from Human Resources Review Under Delegated Authority

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_ (Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 1/6/2014

☐ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☒ Other: Approve as requested by Department

Dorothy Sansoe

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

David J. Twa, Clerk of the Board of Supervisors  
and County Administrator

DATE \_\_\_\_

BY \_\_\_\_

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:





Contra  
Costa  
County

To: Board of Supervisors  
From: Ted Cwiek, Human Resources Director  
Date: January 14, 2014

Subject: Suspension of Competition and Direct Appointment in the Human Resources Department

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**RECOMMENDATION(S):**

ACKNOWLEDGE receipt of report of suspension of competition and direct appointment to the classification of Human Resources Project Manager (unrepresented) in the Human Resources Department, as provided for in the Personnel Management Regulations, Section 502.

**FISCAL IMPACT:**

There are no additional costs associated with this direct appointment as the costs are already included in the Department's budget.

**BACKGROUND:**

Personnel Management Regulations, Section 502, Suspension of Competition, provides that the Director of Human Resources may suspend competition and authorize a direct appointment to Merit System positions where use of competitive examination procedures are impractical. It also requires that a report of the suspension of competition be reported to the Board of Supervisors.

The individual currently performing work in the the classification of Human Resources Project Manager (AGDF) meets the minimum qualifications for this position. In addition, due to the nature of the work, which is sensitive and

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Ted Cwiek, 925-335-1766

By: , Deputy

cc: Lisa Driscoll, Laura Strobel, Nancy Zandonella, Cheri Branson, Elizabeth Verigin

**BACKGROUND: (CONT'D)**

specific to the classification, it is clear the individual currently performing the duties would have a significant advantage over competing applicants. As a result, the Director of Human Resources has concluded that a Merit System recruitment for this position would be impractical, an unwise expenditure of County resources, and manifestly unfair to competing candidates.

In accordance with the above regulations, the Director of Human Resources is authorizing a direct appointment into the classification of Human Resources Project Manager in the Human Resources Department.

**CONSEQUENCE OF NEGATIVE ACTION:**

Job duties will not be permanently aligned with the employee classification.

**CHILDREN'S IMPACT STATEMENT:**

None.



**Contra  
Costa  
County**

To: Board of Supervisors

From: Julia R. Bueren, Public Works Director/Chief Engineer

Date: January 14, 2014

Subject: APPROVE License Agreement between Contra Costa County and Dan and Mary Helix, John V. Hook, TRE and Steven Pucell, TRE, et al., Pleasant Hill area.

**RECOMMENDATION(S):**

APPROVE the License Agreement between Contra Costa County (County) and Dan and Mary Helix, John V. Hook, TRE and Steven Pucell, TRE, et al. (Licensee), for use of a portion of County owned property identified as Assessor's Parcel No. 148-360-027 located in the Iron Horse Corridor (IHC) between Mayhew Way and Hookston Road in Pleasant Hill, for a five-year term beginning on December 1, 2013 and ending December 1, 2019, at a monthly rate of \$1,000.00 to be paid on a quarterly basis for a total of \$12,000 annually according to the following schedule:

»

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Angela Bell (925)  
313-2337

By: , Deputy

**RECOMMENDATION(S): (CONT'D)**

<b>Due Date</b>	<b>Amount Due</b>	<b>Quarter</b>
January 1	\$3,000	January-March
April 1	\$3,000	April-June
July 1	\$3,000	July-September
October 1	\$3,000	October-December

AUTHORIZE the Public Works Director, or designee, to execute the License Agreement, and any extensions on behalf of the County.

FIND the project is a California Environmental Quality Act (CEQA), Class 5 Categorical Exemption, pursuant to Article 19, Section 15305 of the CEQA Guidelines; and

DIRECT the Director of Conservation and Development to file the notice of exemption with the County Clerk; and

AUTHORIZE the Conservation and Development to arrange for payment of the \$50 fee to the County Clerk for filing the notice of exemption.

**FISCAL IMPACT:** The License Agreement will generate \$12,000 per year for expenses related to the IHC.

**BACKGROUND:** The County is the owner of the IHC, a segment of which is Assessor's Parcel No. 148-360-027 located between Mayhew Way and Hookston Road in Pleasant Hill.

In January 2013, the County demolished the former Tri-City site and as a result the County needs to fence the entire property so that it can be incorporated into the trail area in the future. Historically, the businesses to the west have used a portion of the non-trail section of the IHC property for parking, additional access, vehicle maneuvering, storage and placement of a dumpster. Installing a fence would limit their ability to use this portion of the IHC.

The property owner and their tenants are interested in entering into a License Agreement with the County to use a portion of the IHC property (approximately 20 feet by 410 feet) for the purposes of daily parking for the occupants located at 199 Mayhew Way, and for maintenance of County temporary fencing.

**CONSEQUENCE OF NEGATIVE ACTION:** Without approval of the License Agreement, the County will not generate revenue while holding the property for a future public project, and the neighboring businesses will lack parking.

**CHILDREN'S IMPACT STATEMENT:** Not applicable.

**ATTACHMENTS** License Agreement Notice of Exemption

**License Agreement  
Between  
Contra Costa County  
And  
Dan and Mary Helix  
John V. Hook, TRE and Steven Pucell, TRE, et al**

**SITE:** Portion of 230 Hookston Drive, Pleasant Hill

**APN: 148-360-027**

This License Agreement ("Agreement") is made and entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between Contra Costa County, a political subdivision of the State of California, ("County"), and Dan and Mary Helix, John V. Hook, TRE and Steven Pucell, TRE, et al ("Licensee"). County is the owner of real property known and designated as the Iron Horse Corridor ("IHC") that runs from Mayette Avenue in the City of Concord to the County Line in the City of San Ramon. The Licensee desires to obtain approval from the County to use a portion of the IHC, identified as a portion of Assessor's Parcel Number 148-360-027, located in the City of Pleasant Hill for the purposes of daily parking, for the occupants located at 199 Mayhew Way, which is adjacent to the IHC, and for maintaining County temporary fencing on the hereinafter called "the Licensed Premises".

1. **Grant of License:** Subject to the terms and conditions of this Agreement, County, for good and valuable consideration, hereby grants to the Licensee, and Licensee hereby accepts from County, a nonexclusive, revocable license to enter onto and use a portion of the IHC as specifically shown on Exhibit "A" attached hereto and incorporated herein ("the Licensed Premises") for the uses described in section 3 of this Agreement.
2. **Effective Date:** This Agreement shall be effective on December 1, 2013. (the "Effective Date").
3. **Use:** The Licensed Premises shall be used by the Licensee only for daily parking for the occupants of 199 Mayhew Way and for maintaining County temporary fencing (the "Improvements") in the Licensed Premises. The Licensed Premises shall be used for no other purposes, including but not limited to overnight or long term parking, without the prior written approval of the County. Licensee does not have the right to construct any improvements including but not limited to new fencing, replacement fencing, landscaping, or fixtures on the Licensed Premises without prior written approval from County. Use of the Licensed Premises for purposes other than as provided in this Agreement shall be cause for the termination of this Agreement.
4. **Primary Use of the Licensed Premises:** The Licensed Premises consists of a corridor which the County is in the process of developing for transportation, utility, and other purposes. Underground utility facilities are already in place and it is anticipated that, in the future, a mass transportation system and additional utility facilities will be constructed or installed on the IHC or the Licensed Premises (primary use). Any and all rights granted or implied by this Agreement shall be subordinated to the uses just mentioned, as well as to other uses of the Licensed Premises made or permitted by the County.

The Licensee acknowledges that the uses just described constitute the primary use of the IHC and the Licensed Premises and that the Licensee's use of the Licensed Premises pursuant to this Agreement is secondary and subordinate to said primary uses. The Licensee shall not, at any time, use or permit the public to use the Licensed Premises in any manner that will interfere with or impair said primary uses of the Licensed Premises or the use of the Licensed Premises by Co-

users as defined below. All rights granted to the Licensee hereunder are subject and subordinate to all existing and future rights, rights of way, reservations, franchises, easements and licenses in the Licensed Premises, regardless of who holds the same (collectively referred to herein as "Co-users"), including the County's right to use the Licensed Premises for emergency or any other purpose.

5. **County's Title:** Licensee hereby acknowledges County's fee title in and to the Licensed Premises and agrees never to assail or to resist said title. Licensee agrees that it has not acquired nor will it hereafter acquire any rights or interest in the Licensed Premises, nor does Licensee have nor will it obtain any right or claim to the use of the Licensed Premises beyond those specifically granted in this Agreement. Construction of any Improvements by Licensee on or about the Licensed Premises shall not give rise to a license coupled with an interest. To the contrary, the license granted hereunder shall remain revocable by County throughout the entire term of this Agreement.
6. **Term:** The term of this Agreement will commence on the Effective Date, and expire on December 31, 2019, unless the Agreement granted hereunder is suspended or revoked as hereinafter set forth.
7. **Fee:** As consideration for this Agreement, Licensee shall pay County a nonrefundable monthly fee of ONE THOUSAND DOLLARS (\$1,000.00) to be paid quarterly basis for a total of TWELVE THOUSAND DOLLARS (\$12,000) annually according to the following schedule:

Due Date	Amount Due	Quarter
January 1	\$3,000	January-March
April 1	\$3,000	April-June
July 1	\$3,000	July-September.
October 1	\$3,000	October-December.

8. **Revocation of License and Termination of Agreement:** County may revoke the Agreement granted hereunder and terminate this Agreement at any time, for any reason or no reason, with or without cause, upon thirty (30) days written notice to Licensee. In the event of revocation, Licensee shall have no right, and shall not seek any reimbursement for expenses of Licensee, or for any other purpose.

Upon the expiration or within (30) days following termination of this Agreement, Licensee shall surrender the Licensed Premises and all Improvements (except as otherwise provided herein) in good condition, ordinary wear and tear accepted. Notwithstanding the foregoing, if County does not desire some or all of the Improvements to remain on the Licensed Premises, County will provide written notice to Licensee identifying the Improvements that Licensee must remove. Licensee shall, within thirty (30) days following receipt of County's notice, and at Licensee's sole cost and expense, remove all of the Improvements identified in County's notice, and surrender the Licensed Premises to County in good condition and clear of any and all Improvements, above or below ground level, identified in the notice from County.

If Licensee fails to remove the Improvements identified in County's notice within thirty (30) days following receipt of County's notice, County may remove the Improvements and restore the Licensed Premises at Licensee's expense, which expense Licensee agrees to pay to County promptly upon demand.

9. **Consideration**: As consideration for this Agreement, Licensee hereby agrees to maintain the Improvements and the Licensed Premises in a safe and attractive condition at its sole cost and expense and as determined by the County in its sole discretion.
10. **Security**: Licensee shall be solely responsible for the safety and security of the Licensed Premises and County shall have no responsibility for the safety and security of the Licensed Premises. Licensee shall prevent unauthorized use of the Licensed Premises.
11. **Suspension or Limitation of Use**: County and its Co-users shall have the right, in the County's sole discretion, to suspend or to limit the use of the Licensed Premises by the Licensee and the general public, without compensation to Licensee, for a reasonable amount of time, as solely determined by County, for protection of public safety, or for the construction, installation, operation, maintenance or repair of other facilities on or near the Licensed Premises, or in the event of Licensee's breach of any term or condition of this Agreement, including without limitation failure to carry proper insurance or properly maintain the Licensed Premises. Should such suspension or limitation be necessary, the County shall provide Licensee fifteen (15) days prior notice in writing, except prior written notice will not be required in cases of emergency maintenance or repairs.

The County shall not be held responsible or liable for damage or removal of any Improvements on the Licensed Premises when the County finds it necessary to accomplish work for the maintenance, construction, repair, reconstruction, or alteration of the County's property. However, the County will exercise reasonable care to minimize adverse impacts of such work upon the Licensed Premises.

12. **Permits and Approvals**: Licensee shall be responsible for obtaining any permits or approvals from any agency having jurisdiction over the Licensed Premises before Licensee begins any work. Licensee shall provide written confirmation from the City of Pleasant Hill that the proposed use of the license area is consistent with the Zoning Ordinance.

This Agreement does not constitute governmental approval by Contra Costa County of any existing or future Improvements or use of the Licensed Premises, or release Licensee from any applicable governmental application, review or requirement. Licensee shall obtain prior written approval from County for replacement or repair of improvements.

13. **Existing Facilities**: Licensee understands and agrees that the County has leases, licenses, easements and/or rights with other Co-users, and may give similar or other rights to other entities in the future, for all or a portion of the Licensed Premises. Such arrangements include an underground petroleum products pipeline right-of-way, a telecommunication conduit system, and may also include other uses such as underground natural gas, sewer, water, and electrical lines, overhead electric and communication lines, or similar uses. Licensee is responsible for locating all facilities and improvements in the Licensed Premises and agrees to take all precautions required to avoid damage to the facilities and improvements of the Co-users, or the Licensed Premises. Licensee agrees that it will be solely responsible for any damage to said facilities and improvements resulting from or in connection with its operations under this Agreement. Licensee further agrees that no new alteration(s) of ground elevation or the placement of new block walls, retaining walls, fencing, trees, paving or any other improvements or structures shall be made within the Licensed Premises without prior written approval from the County and Co-users.



The Licensee understands and acknowledges that the absence of markers, monuments, or maps indicating the presence of subterranean facilities, whether belonging to the County or the Co-users, does not constitute a warranty or representation that none exists. The Licensee accepts the license granted hereunder with full cognizance of the potential presence of such facilities, and agrees that 48-hours prior to any subsurface work, the Licensee will contact **Underground Service Alert at (800) 624-2444** to determine whether there are any subterranean facilities within the proposed excavation area.

The Co-users described above have the right to enter onto the Licensed Premises to maintain their facilities, and the Licensee shall not be compensated for damage resulting from such maintenance.

14. **Maintenance**: During the term of this Agreement, the Licensee shall maintain the Licensed Premises and the Improvements in a clean, safe and presentable condition, free from waste, litter and other items incidental to the use of the Licensed Premises. As used in this section, the term "litter" shall include, but not be limited to, paper, garbage, refuse, trimmings, and other items, including graffiti, that detract from the neat and tidy appearance of the Licensed Premises. The Licensee agrees to keep the Licensed Premises free from weeds and to abate weeds to local fire district standards. If the Licensee fails to maintain the Licensed Premises and the Improvements then, after thirty (30) days prior written notice specifying the needed work, the County may perform or arrange for the work to be performed at the expense of the Licensee, which expense the Licensee agrees to pay to the County upon demand.
15. **Compliance With The Law**: The Licensee, at its sole cost and expense, shall comply with all applicable laws, regulations, rules, and other requirements, with respect to the use of the Licensed Premises, regardless of when they become or became effective, and shall not use, or permit the use of, the Licensed Premises for any illegal purpose, or in a manner that is against public policy or County policy.
16. **Indemnification**: To the maximum extent permitted by law, Licensee shall indemnify, defend, save, protect and hold harmless County, its governing body, officers, employees, representatives, agents, successors and assigns ("Indemnitees") from any and all demands, losses, claims, costs, suits, liabilities and expenses for any damage, injury or death (collectively "Liability") arising directly or indirectly from or connected with this Agreement, Licensee's use or occupancy of the Licensed Premises (including but not limited to the maintenance, construction, repair, reconstruction, alteration, replacement, removal or use of any or all of the Improvements), or any other activity taken pursuant to this Agreement, and shall reimburse County for any expenditures, including costs and attorneys' fees, County may make by reason of such matters and, if requested by County, will defend any such suits at the sole cost and expense of Licensee. Licensee's obligations under this section shall exist regardless of concurrent negligence or willful misconduct on the part of the County or any other person; provided, however, that Licensee shall not be required to indemnify Indemnitees for the proportion of Liability a court determines is attributable to the sole negligence or sole willful misconduct of the Indemnitees. This indemnification clause shall survive the termination or expiration of this Agreement.
17. **Insurance**: The Licensee shall, at no cost to the County, obtain and maintain during the entire duration of this Agreement, the following insurance coverages:
  - A. **General Liability**: Comprehensive General Liability insurance including coverage for owned and non-owned automobiles, with minimum combined single-limit coverage of One Million



and No/One Hundredths Dollars (\$1,000,000.00) for all claims and losses due to bodily injury or death to any person, or damage to property, including loss of use thereof arising out of each accident or occurrence.

- B. **Certificates:** The Licensee shall name the County and its officers, agents, and employees as additional insureds under all policies held for the Licensed Premises. All coverage shall provide for thirty (30) days written notice to the County of cancellation or lapse in coverage. A Certificate of Insurance for each of the policies hereunder required, indicating the name and telephone number of the insurance agent most responsible for the insurance policy and evidencing such coverage, shall be furnished to the County prior to the effective date of this Agreement.
18. **County's Use of Herbicides:** The Licensee hereby acknowledges and understands that the County may, at any time, use chemical herbicides within the IHC. The Licensee agrees to allow such use, without disruption or challenge, on and around the Licensed Premises or Licensee's Improvements thereon. The Licensee hereby waives any claim for liability against the County for any damage resulting from such use.
19. **Assignment and Transfer:** No rights of Licensee hereunder shall be transferred or assigned without the prior written consent of County, which may be withheld in County's sole discretion. Subject to this restriction, this Agreement and each and all of the covenants herein contained shall inure to the benefit of and be binding upon the successors and assigns of the respective parties hereto. Licensee shall not, and hereby agrees not to, enter any agreements with third parties, including, but not limited to, utility companies, for use of the Licensed Premises beyond the term of this Agreement as stated in Section 5 Term, herein.
20. **No Third-Party Beneficiaries:** Nothing in this Agreement, express or implied, is intended to confer on any person, other than County Licensee and tenants of 199 Mayhew Way and their respective successors-in-interest, any rights or remedies under or by reason of this Agreement.
21. **Notices:** All notices (including requests, demands, approvals or other communication) under this Agreement shall be in writing.
- A. Notice shall be sufficiently given for all purposes as follows:
- (1) When delivered by first class mail, postage paid, notice shall be deemed delivered three (3) business days after deposit in the United States Mail.
  - (2) When mailed by certified mail with return receipt requested, notice is effective on receipt if delivery is confirmed by a return receipt.
  - (3) When delivered by overnight delivery by a nationally recognized overnight courier, notice shall be deemed delivered one (1) business day after deposit with that courier.
  - (4) When personally delivered to the recipient, notice shall be deemed delivered on the date personally served.

B. The place for delivery of all notices given under this Agreement shall be as follows:

County: Contra Costa County Public Works  
Real Estate Division  
255 Glacier Drive  
Martinez, CA 94553  
Attn: Iron Horse Corridor Property Manager  
(925) 313-2220

Licensee: Dan and Mary Helix  
John Hook, Trustee and Steven Pucell, Trustee  
1102 Northridge Court  
Concord, CA 94518  
Attn: Dan Helix  
Phone: (925) 825-8782

Either party may, at any time, designate different addresses to which such notices shall be given in the manner set forth above.

22. **Waste, Hazardous Materials**: Licensee, at its sole cost and expense, shall comply with all applicable laws, regulations, rules, and other requirements, with respect to the use of the Licensed Premises, regardless of when they become or became effective, including, without limitation, those relating to health, safety, noise, environmental protection, waste disposal, and water and air quality, and furnish satisfactory evidence of such compliance upon request of County.

Licensee shall not commit, or suffer or permit the commission of any waste upon the Licensed Premises, or any nuisance or other act or thing that may disturb the quiet enjoyment of the use of the IHC or surrounding property. Licensee shall not, and shall ensure that no others shall store or dispose of any Hazardous Materials on the Licensed Premises. The term "Hazardous Materials" shall mean any hazardous or toxic substance, hazardous or radioactive material, hazardous waste, pollutant or contaminant at any concentration that is, or during the term of this Agreement becomes, regulated by any local or regional government authority having jurisdiction over the Licensed Premises, by the State of California, or by the United States.

Licensee shall not permit any activity on the Licensed Premises that directly or indirectly produces unlawful amounts or levels of air pollution (gases, particulate matter, odors, fumes, smoke, or dust), water pollution, noise, glare, heat emissions, radioactivity, or trash or refuse accumulations, or vibration that is hazardous or dangerous by reason of risk of explosion, fire, or harmful emissions.

To the maximum extent permitted by law, Licensee shall indemnify, defend, save, protect and hold the Indemnitees harmless from and against all Liability, as well as all fines, penalties, consequential damages and losses, and further costs (including but not limited to consulting and engineering fees, the costs of any required or necessary testing, remediation, repair, removal, cleanup or detoxification of the Licensed Premises and surrounding properties, and all costs for preparation of any cleanup, remediation, closure or other required plans whether such action is required or necessary prior to or following the expiration or termination of this Agreement), of any kind or nature, to the extent caused or contributed to by Licensee's use of the Licensed Premises, or Licensee's use, release or disposal of any Hazardous Material, including all costs,

claims and damages (including property and personal injury) caused by the uncovering, release or excavation of Hazardous Materials (including petroleum) as a result of Licensee's construction, reconstruction, maintenance, use, replacement or removal of any of the Improvements. The obligations contained in this section shall survive the expiration or other termination of this Agreement.

Licensee shall pay all amounts due County under this section within ten (10) days after any such amounts become due.

23. **Non-Waiver of Breaches:** County's failure to insist, in any one or more instances, upon strict performance of any of the terms or conditions of this Agreement shall not be considered as a waiver of any subsequent breach as to the same or any other term or condition, but the same shall continue and remain in full force and effect. No waiver of any of the provisions of this Agreement shall be effective unless in writing and executed by County.
24. **Non-Discrimination:** Licensee for itself, its personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that no person on the grounds including, but not limited to, race, color, sex, or national origin shall be excluded from using, denied the benefits of, or be otherwise subjected to discrimination in the use of the Licensed Premises or the construction or use of the Improvements thereon. Licensee shall furnish use of the Improvements on a fair, equal, and not unjustly discriminatory basis to all users thereof.
- In the event of breach of any of the above non-discrimination covenants, County shall have the right to terminate this Agreement without compensation to Licensee.
25. **Modification:** This Agreement shall not be modified or amended without the mutual written consent of both parties.
26. **No Warranties:** County does not warrant or represent that the Licensed Premises are safe, healthful, or suitable for the purposes for which they are permitted to be used under the terms of this Agreement. Some areas within the Iron Horse Corridor are known to contain soils with arsenic levels that exceed environmental screening levels established by the California Regional Water Quality Control Board, San Francisco Bay Region (the "ESLs"). These areas contain a chemical (arsenic) known to the State of California to cause cancer. (Cal. Code Regs., tit. 27, sec. 25604.2.) County does not know whether the Licensed Premises contain soils with arsenic levels that exceed the ESLs. If, at any time during the term of this Agreement or any extension thereof, County becomes aware that the Licensed Premises contain soils with arsenic levels that exceed the ESLs, County shall promptly notify Licensee.
27. **Severability:** If any term, covenant, or provision of this Agreement, which does not materially affect the consideration for this Agreement, is held to be invalid, illegal, or unenforceable in any respect, the validity of the remainder of this Agreement shall not be affected thereby.
28. **Controlling Law:** This Agreement shall be construed in accordance with the laws of the State of California. In the event of any dispute arising under this Agreement, venue shall be set in Contra Costa County.
29. **Entire Agreement:** It is understood that this document contains the entire agreement between the parties hereto and all prior understandings or agreements, oral or written, of whatsoever nature regarding the rights hereby granted are superseded by this Agreement and are hereby

abrogated and nullified.

30. **Entry and Inspection:** Licensee agrees that County, its agents and employees, may enter upon the Licensed Premises at any time to inspect, test or survey, make any changes or alterations or repairs which County considers necessary for the protection, improvement or preservation thereof, or to post any notice provided for by law, or otherwise to protect any and all rights of County. Nothing herein contained shall be construed to obligate County to make any changes, alterations or repairs to the Licensed Premises.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, in duplicate, the day and year first above written.

**CONTRA COSTA COUNTY**

By: \_\_\_\_\_  
Julia R. Bueren  
Public Works Director

**LICENSEE:** Daniel C. Helix and Mary Lou Helix, husband and wife, as joint tenants

By: *Daniel C. Helix*  
Dan Helix

By: *Mary Lou Helix*  
Mary Lou Helix

**RECOMMENDED FOR APPROVAL**

By: *Carri Ricci*  
Carri Ricci  
Customer Services Coordinator

As the Present Duly Appointed and Acting Trustees  
of All Trusts created and established U/W and by the  
Decree of Final Distribution of the Estate of  
Mildred A. Hook, Deceased

By: *Karen A. Laws*  
Karen A. Laws  
Principal Real Property Agent

By: *John V. Hook*  
John V. Hook, TRE

By: *Steven Pucell*  
Steven Pucell, TRE

AB:jc

G:\realprop\Bell\License Agreements\Dan Helix\Hookston License Agreement draft 11-4-13.docx

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Notice of Exemption

Department of Conservation and Development  
30 Muir Road, Martinez, CA 94553

Telephone: (925) 674-7878

Contact Person: Maureen Toms

**Project Name and Location:** License agreement between Contra Costa County and Dan and Mary Helix, John V. Hook TRE and Steve Purcell, TRE, et al., Pleasant Hill

**Project Description:** The proposed project involves entering into a license agreement between Contra Costa County and Dan and Mary Helix, John V. Hook TRE and Steve Purcell, TRE, et al. for the use of a portion (approximately 7,500 sq. ft.) of the County-owned property identified as Assessor's Parcel Number 148-360-027, located in the Iron Horse Corridor between Mayhew Way and Hookston Road in Pleasant Hill. The use of the property will continue to be used as overflow parking for the adjacent businesses at 199 Mayhew Way, Pleasant Hill.

This project is exempt from CEQA as a:

- |   |   |
|---|---|
| <input type="checkbox"/> Ministerial Project (Sec. 15268)         | <input checked="" type="checkbox"/> <b>Categorical Exemption, Class 15305</b> |
| <input type="checkbox"/> Declared Emergency (Sec. 15269(a))       | <input type="checkbox"/> Other Statutory Exemption, Section                   |
| <input type="checkbox"/> Emergency Project (Sec. 15269(b) or (c)) | <input type="checkbox"/> General Rule of Applicability [Section 15061(b)(3)]  |

**for the following reason(s):** The project consists of a license agreement, a minor alteration of land use limitations in a flat area, which do not result in any changes in land use or density; pursuant to section 15305 of the CEQA guidelines.

Date: 12-14 By: Maureen Toms  
Department of Conservation and Development Representative

AFFIDAVIT OF FILING AND POSTING

I declare that on \_\_\_\_\_ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

**Applicant:**

Department of Conservation and Development  
30 Muir Road  
Martinez, CA 94553

**Department of Fish and Game Fees Due**

- |  |
|--|
| <input type="checkbox"/> EIR - \$2,500                             |
| <input type="checkbox"/> Neg. Dec. - \$1,800                       |
| <input type="checkbox"/> DeMinimis Findings - \$0                  |
| <input checked="" type="checkbox"/> <b>County Clerk - \$50</b>     |
| <input type="checkbox"/> <b>Community Development Dept. - \$25</b> |

Total Due: \$ \_\_\_\_\_

Total Paid \$ \_\_\_\_\_

Receipt #:



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: January 14, 2014

Subject: Town of Danville Contract Amendment

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract amendment with the Town of Danville to increase by twelve the number of personnel assigned to the Town and revise payment rates for law enforcement services provided to the Town.

**FISCAL IMPACT:**

No County costs. This amendment will not have a financial impact on the County.

**BACKGROUND:**

The Town of Danville and the Sheriff's Office request an amendment to the contract for law enforcement services to revise a paragraph related to options of sworn personnel staffing. Currently the Town of Danville has two (2) full time Office of the Sheriff Lieutenants. One serving as Police Chief and the other as Lieutenant for Administration. The Town of Danville and the Office of the Sheriff would like the option, upon mutual agreement, to have either two (2) Lieutenant positions or one (1) Captain position and one (1) Lieutenant position.

**CONSEQUENCE OF NEGATIVE ACTION:**

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Mary Jane Robb, 335-1557

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:





Contra  
Costa  
County

To: Board of Supervisors  
From: Ed Woo, Chief Information Officer  
Date: January 14, 2014

Subject: NerdCrossing Professional Service eTime contract

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract with Nerd Crossing LLC, in an amount not to exceed \$200,000 for support services related to the implementation of the ADP eTime employee timekeeping software application, as needed by the Department of Information Technology, for the period January 20, 2014 through January 19, 2015.

**FISCAL IMPACT:**

Approximately \$200,000, as budgeted under Org# 1334.

**BACKGROUND:**

The County is in the process of implementing its new ADP eTime employee timekeeping software application (the "Application"). During the term of this contract, the Contractor will work with County employees, under the direction of the Chief Information Officer of the Department of Information Technology (the "CIO"), to provide telephonic, remote desktop support, and onsite support regarding the implementation and troubleshooting of the Application.

In accordance with Administrative Bulletin No 611.0, County Departments are required to get Board approval for single item purchases over \$100,000. The County Administrator's Office has reviewed this request and recommends approval.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: (925) 383-2688

By: , Deputy

cc:



CONSEQUENCE OF NEGATIVE ACTION:

The implementation of the new ADP eTime employee timekeeping software application could be negatively affected.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: January 14, 2014

Subject: APPROVE a purchase order with Royal Petroleum

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order with Royal Petroleum in an amount not to exceed \$500,000, for diesel and unleaded fuel, for the period from February 1, 2014 through January 31, 2015, Countywide.

**FISCAL IMPACT:**

This cost is to be funded through Fleet Internal Service Fund (Fund 150100).

**BACKGROUND:**

Public Works Fleet Management is responsible for the County fueling station located on Waterbird Way in Martinez. The Materials Division purchases fuel for the station by accepting daily bids from fuel distributors. They currently have five (5) vendors submitting bids and are set up to purchase from all of them. All five of the vendors are in need of new purchase orders. Southern Counties Fuel is the County's primary vendor, followed by Ramos Oil Company, Inc., Royal Petroleum, Redwood Coast Petroleum and Hunt & Sons, Inc.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this purchase order is not approved, fuel for the Waterbird fueling facility will not be purchased.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Stan Burton, 925-313-7077

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: January 14, 2014

Subject: AUTHORIZE a purchase order with Ramos Oil Company, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order with Ramos Oil Company, Inc. in an amount not to exceed \$350,000, for diesel and unleaded fuel, for the period from February 1, 2014 through January 31, 2015, Countywide.

**FISCAL IMPACT:**

This cost is to be funded through Fleet Internal Service Fund (Fund 150100).

**BACKGROUND:**

Public Works Fleet Management is responsible for the County fueling station located on Waterbird Way in Martinez. The Materials Division purchases fuel for the station by accepting daily bids from fuel distributors. They currently have five (5) vendors submitting bids and are set up to purchase from all of them. All five of the vendors are in need of new purchase orders. Southern Counties Fuel is the County's primary vendor, followed by Ramos Oil Company, Inc., Royal Petroleum, Redwood Coast Petroleum and Hunt & Sons, Inc.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this purchase order is not approved, fuel for the Waterbird fueling facility will not be purchased.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Stan Burton, 925-313-7077

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: January 14, 2014

Subject: AUTHORIZE a purchase order with Southern Counties Fuel

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order with Southern Counties Fuel in an amount not to exceed \$1,300,000, for diesel and unleaded fuel, for the period from February 1, 2014 through January 31, 2015, Countywide.

**FISCAL IMPACT:**

This cost is to be funded through Fleet Internal Service Fund (Fund 150100).

**BACKGROUND:**

Public Works Fleet Management is responsible for the County fueling station located on Waterbird Way in Martinez. The Materials Division purchases fuel for the station by accepting daily bids from fuel distributors. They currently have five (5) vendors submitting bids and are set up to purchase from all of them. All five of the vendors are in need of new purchase orders. Southern Counties Fuel is the County's primary vendor, followed by Ramos Oil Company, Inc., Royal Petroleum, Redwood Coast Petroleum and Hunt & Sons, Inc.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this purchase order is not approved, fuel for the Waterbird fueling facility will not be purchased.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Stan Burton, 925-313-7077

By: , Deputy

cc:



CHILDREN'S IMPACT STATEMENT:

Not applicable.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: January 14, 2014

Subject: AUTHORIZE a purchase order with Redwood Coast Petroleum

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order with Redwood Coast Petroleum in an amount not to exceed \$175,000, for diesel and unleaded fuel, for the period from February 1, 2014 through January 31, 2015, Countywide.

**FISCAL IMPACT:**

This cost is to be funded through Fleet Internal Service Fund (Fund 150100).

**BACKGROUND:**

Public Works Fleet Management is responsible for the County fueling station located on Waterbird Way in Martinez. The Materials Division purchases fuel for the station by accepting daily bids from fuel distributors. They currently have five (5) vendors submitting bids and are set up to purchase from all of them. All five of the vendors are in need of new purchase orders. Southern Counties Fuel is the County's primary vendor, followed by Ramos Oil Company, Inc., Royal Petroleum, Redwood Coast Petroleum and Hunt & Sons, Inc.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this purchase order is not approved, fuel for the Waterbird fueling facility will not be purchased.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Stan Burton, 925-313-7077

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: January 14, 2014

Subject: AUTHORIZE a purchase order with Hunt & Sons, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order with Hunt & Sons, Inc. in an amount not to exceed \$225,000, for diesel and unleaded fuel, for the period from February 1, 2014 through January 31, 2015, Countywide.

**FISCAL IMPACT:**

This cost is to be funded through Fleet Internal Service Fund (Fund 150100).

**BACKGROUND:**

Public Works Fleet Management is responsible for the County fueling station located on Waterbird Way in Martinez. The Materials Division purchases fuel for the station by accepting daily bids from fuel distributors. They currently have five (5) vendors submitting bids and are set up to purchase from all of them. All five of the vendors are in need of new purchase orders. Southern Counties Fuel is the County's primary vendor, followed by Ramos Oil Company, Inc., Royal Petroleum, Redwood Coast Petroleum and Hunt & Sons, Inc.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this purchase order is not approved, fuel for the Waterbird fueling facility will not be purchased.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Stan Burton, 925-313-7077

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #24-718 with Recovery Innovations, Inc.

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #24-718 with Recovery Innovations, Inc., a corporation, in an amount not to exceed \$516,029 to provide a range of community-based mental health support services to County's adult mental health clients, to include operating Wellness Recovery Centers in each region of the County, and providing support and stipends for clients who attend Mental Health Service Provider Individualized Recovery Intensive Training, for the period from January 1, 2014 through June 30, 2014.

**FISCAL IMPACT:**

This Contract is funded 68% by State MHSA (Prop 63) and 32% Mental Health Realignment Services.

**BACKGROUND:**

This Contract meets the social needs of County's population by providing services to mentally ill adults at three Wellness and Recovery Centers, to include peer and family support, workshops, education classes and community-based activities. The Contractor will also provide support services and stipends to clients who attend Mental Health Service Provider Individualized Recovery Intensive Training, a course that prepares individuals to work as peer providers.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon, 957-5201

By: , Deputy

**BACKGROUND: (CONT'D)**

Under Contract #24-718, the Contractor will provide community-based mental health support services to County's adult mental health clients, including operating the Wellness Recovery Centers in each region of the County, and provide support and stipends for clients who attend Mental Health Service Provider Individualized Recovery Intensive Training, through June 30, 2014.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, the County's adult mental health clients will have reduced levels of care and no access to Wellness and Recovery Centers, which provide daily support and services to help maintain wellness.

**CHILDREN'S IMPACT STATEMENT:**

**Not Applicable**



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Correct October 1, 2013 Item #C34 with Precyse Solutions, LLC

---

**RECOMMENDATION(S):**

AMEND the Board Order that was approved by the Board of Supervisors on October 1, 2013 (C.34) with Precyse Solutions, LLC, to reflect the correct beginning payment limit of \$550,000 instead of \$555,000, with an increase in the payment limit of \$135,223 instead of \$130,223 with no change in the approved payment limit of \$685,223, for temporary medical coding and tumor registrar services for Contra Costa Regional Medical Center and Contra Costa Health Centers, with no change in the original term from June 1, 2012 through July 31, 2013.

**FISCAL IMPACT:**

This Contract Amendment is funded 100% by Enterprise Fund I. (No rate increase)

**BACKGROUND:**

On October 1, 2013, the Board of Supervisors approved Contract Amendment Agreement #26-671-6 with Precyse Solutions, LLC, a Corporation, to provide additional temporary medical coding and tumor registrar services, to increase the total Payment limit by \$130,223 from \$555,000 to a new total of \$685,223, with no change in the original term of the Contract from June 1, 2012 through July 31, 2013. Unfortunately these dollar numbers were incorrect.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: ANNA ROTH 370-5101

By: , Deputy

cc: A Floyd, C Rucker



BACKGROUND: (CONT'D)

The purpose of this Board Order is to correct a clerical error in which the increase should have read \$135,223 instead of \$130,223 and the beginning amount should have been \$550,000 instead of \$555,000. The increased payment limit of \$685,223 was correct. This Board Order amends the Board Order for item C34 approved by the Board on October 1, 2013 and corrects these amounts..

CONSEQUENCE OF NEGATIVE ACTION:

If this correction is not approved, the amended amount will not reflect the intent of the parties for Contractor to be paid for additional medical record coding and tumor registrar services through July 31, 2013.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #23-553 with Aspira Technologies, Inc.

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #23-553 with Aspira Technologies, Inc., a corporation, in an amount not to exceed \$229,200, to provide consultation and technical assistance to the Department's Information Systems Unit with regard to information technology analytics, for the period from December 1, 2013 through November 30, 2014.

**FISCAL IMPACT:**

This Contract is funded 100% by Enterprise Fund I.

**BACKGROUND:**

Under Contract #23-553, Contractor will provide consultation and technical assistance to the Department's Information Systems Unit, including overseeing day-to-day leadership of the Information Technology Unit's Analytics function and reporting responsibilities, through November 30, 2014.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, the County will not have management oversight of the Information Technology Analytics Unit.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: David Runt, 313-6228

By: , Deputy

cc: C Rucker, T Scott

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Novation Contract #74-375-4 with Rainbow Community Center of Contra Costa County

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #74-375-4 with Rainbow Community Center of Contra Costa County, a non-profit corporation, in an amount not to exceed \$220,507, to provide Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) services for the period from July 1, 2013 through June 30, 2014. This Contract includes a six-month automatic extension through December 31, 2014, in an amount not to exceed \$110,253.

**FISCAL IMPACT:**

This Contract is funded 100% by Proposition 63/MHSA. No County funds are required. (No rate increase)

**BACKGROUND:**

This Contract meets the social needs of County's population by providing a community-based social support program designed to decrease isolation, depression and suicidal ideation among members of the Lesbian, Gay, Bisexual, Transgender and Questioning (LGBTQ) community residing in Contra Costa County.

On January 8, 2013, the Board of Supervisors

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: CYNTHIA BELON,  
957-5201

By: , Deputy

**BACKGROUND: (CONT'D)**

approved Contract #74-375-3 with Rainbow Community Center of Contra Costa County, for the period from July 1, 2012 through June 30, 2013, which included a six-month automatic extension through December 31, 2013, for the provision of MHSA PEI services.

Approval of Novation Contract #74-375-4 replaces the automatic extension under the prior Contract, and allows Contractor to continue providing services through June 30, 2014.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, Contractor will not provide outreach and community engagement events, support groups, in-services, and counseling to the LGBTQ community and their families.

**CHILDREN'S IMPACT STATEMENT:**

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



**Contra  
Costa  
County**

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Novation Contract #74-331-5 with Helios Healthcare, LLC

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #74-331-5 with Helios Healthcare, LLC a limited liability company, in an amount not to exceed \$473,840, to provide sub-acute skilled nursing care services for the period from July 1, 2013 through June 30, 2014. This Contract includes a six-month automatic extension through December 31, 2014, in an amount not to exceed \$236,920.

**FISCAL IMPACT:**

This Contract is funded 100% by Mental Health Realignment. (No Rate Increase)

**BACKGROUND:**

This Contract meets the social needs of County's population in that it provides sub-acute skilled nursing care services for County's seriously and persistently mentally ill (SMPI) and neurobehavioral clients.

On February 26, 2013, the Board of Supervisors approved Novation Contract #74-331-4

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon, 957-5201

By: , Deputy

cc: D Morgan, C Rucker

**BACKGROUND: (CONT'D)**

with Helios Healthcare, LLC., for the period from July 1, 2012 through June 30, 2013, which included a six-month automatic extension through December 31, 2013, for the provision of sub-acute skilled nursing care services.

Approval of Novation Contract #74-331-5 replaces the automatic extension under the prior Contract and allows the Contractor to continue providing services through June 30, 2014, including mutual indemnification to hold harmless both parties for any claims arising out of the performance of this Contract.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, there will be fewer sub-acute skilled nursing care services available for County's seriously mentally ill and neurobehavioral clients.

**CHILDREN'S IMPACT STATEMENT:**

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #26-294-32 with Staff Care, Inc.

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or designee, to execute, on behalf of the County, Contract #26-294-32 with Staff Care, Inc., a corporation, in an amount not to exceed \$1,300,000, to provide temporary physician services for Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC), for the period from January 1, 2014 through December 31, 2014.

**FISCAL IMPACT:**

This Contract is funded 100% by Enterprise Fund I included in the Health Services Departments Budget. As appropriate, patients and/or third-party payors will be billed for services. (No rate increase)

**BACKGROUND:**

For many years, the County has contracted with registries to provide temporary qualified personnel to assist the Department during peak workloads, temporary absences and emergency situations.

On March 19, 2013, the Board of Supervisors approved Contract #26-294-30 (as amended by Amendment Agreement #26-294-31)

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☒ APPROVE

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☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: David Goldstein, M.D.,  
925-370-5525

By: , Deputy



**BACKGROUND: (CONT'D)**

with Staff Care, Inc., for the period from January 1, 2013 through December 31, 2013, to provide locum tenens physicians to cover during vacation, sick leave, and extended leave relief for County-employed physicians at CCRMC.

Approval of Contract #26-294-32 will allow the Contractor to continue providing temporary physician services, through December 31, 2014, including a modification to County's General Conditional Paragraph 18. (Indemnification) related to locum tenens physicians not being indemnified by Contractor.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, patients requiring appropriate physician coverage during temporary staff absences will not have access to Contractor's services which may result in a reduction in the overall level of services to the community.

**CHILDREN'S IMPACT STATEMENT:**

Not Applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #74-419-3 with William E. Berlingieri, M.D.

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-419-3 with William E. Berlingieri, M.D., a self-employed individual, in an amount not to exceed \$313,600, to provide professional outpatient psychiatric services in West County, for the period from January 1, 2014 through December 31, 2014.

**FISCAL IMPACT:**

This Contract is funded 100% by Mental Health Realignment offset by third-party billing. (No rate increase)

**BACKGROUND:**

For a number of years the County has contracted with Medical, Dental and Mental Health Specialists to provide specialized professional services that are not otherwise available.

On January 8, 2013, the Board of Supervisors approved Contract #74-419-2 with William E. Berlingieri, M.D, for the period from January 1, 2013 through December 31, 2013, for the provision of professional outpatient psychiatric

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☒ APPROVE

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☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon,  
925-957-5201

By: , Deputy

BACKGROUND: (CONT'D)

services to mentally ill adults in West County.

Approval of Contract #74-419-3 will allow Contractor to continue providing professional outpatient psychiatric services through December 31, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring professional outpatient psychiatric services in West County will not have access to Contractor's professional services, which may result in a reduction in the overall level of services to the community.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #24-403-12 with Jon Whalen, M.D.

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #24-403-12 with Jon Whalen, M.D, a self-employed individual, in an amount not to exceed \$300,800, to provide professional outpatient psychiatric services at the East County Medical Clinic for the period from February 1, 2014 through January 31, 2015.

**FISCAL IMPACT:**

This Contract is funded 100% by Mental Health Realignment, offset by third-party billing. (No rate increase)

**BACKGROUND:**

For a number of years the County has contracted with Medical, Dental and Mental Health Specialists to provide specialized professional services, which are not otherwise available.

On February 5, 2013, the Board of Supervisors approved Contract #24-403-11 with Jon Whalen, M.D. for the provision of professional outpatient psychiatric services at the East County Medical Clinic, for the period from February

☒ APPROVE

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☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon,  
925-957-5201

By: , Deputy

BACKGROUND: (CONT'D)

1, 2013 through January 31, 2014.

Approval of Contract #24-403-12 will allow the Contractor to continue providing professional outpatient psychiatric services at the East County Medical Clinic through January 31, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's clients will not have access to Contractor's professional outpatient psychiatric services, which may result in a reduction in overall services to the community.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Amendment #26-391-23 with Maxim Healthcare Services, Inc.

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #26-391-23 with Maxim Healthcare Services, Inc., a corporation, effective October 9, 2013, to amend Contract #26-391-22 to modify the rate sheet, with no change in the payment limit of \$1,200,000 or original term of Contract from April 1, 2013 through March 31, 2014.

**FISCAL IMPACT:**

This amendment is funded 100% by Enterprise Fund I. (No rate increase)

**BACKGROUND:**

On May 14, 2013, the Board of Supervisors approved Contract #26-391-22 with Maxim Healthcare Services, Inc., for the provision of temporary registry services at Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC), for the period from April 1, 2013 through March 31, 2014.

Approval of Contract Amendment Agreement #26-391-23 will allow the Contractor to modify the rate sheet to

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COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: David Goldstein, M.D.,  
925-370-5525

By: , Deputy

**BACKGROUND: (CONT'D)**

add two new classifications, a Remote ICD-9 and Remote ICD-10/Dual coding personnel, for continuation of temporary registry services through March 31, 2014.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this amendment is not approved, County patients will not have access to Contractor's professional services, which may result in a reduction in the overall levels of services to the community.

**CHILDREN'S IMPACT STATEMENT:**

Not Applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #74-458-1 with John Moranville, M.D.

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-458-1 with John Moranville, M.D., a self-employed individual, in an amount not to exceed \$274,400, to provide professional outpatient psychiatric services for mentally ill adults in Central County for the period from January 1, 2014 through December 31, 2014.

**FISCAL IMPACT:**

This Contract is funded 100% by Mental Health Realignment, offset by third-party billing. (No rate increase)

**BACKGROUND:**

For a number of years the County has contracted with Medical, Dental and Mental Health Specialists to provide specialized professional services, which are not otherwise available.

On January 22, 2013, the Board of Supervisors approved Contract #74-458 with John Moranville, M.D. for the provision of professional outpatient psychiatric services for mentally

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☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon,  
925-957-5201

By: , Deputy



**BACKGROUND: (CONT'D)**

ill adults in Central County, for the period from January 1, 2013 through December 31, 2013.

Approval of Contract #74-458-1 will allow the Contractor to continue providing professional outpatient psychiatric services through December 31, 2014.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, County's clients will not have access to Contractor's professional outpatient psychiatric services, which may result in a reduction in the overall level of services in the community.

**CHILDREN'S IMPACT STATEMENT:**

Not Applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #26-692-4 with Applied Remedial Services Inc.

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-692-4 with Applied Remedial Services, Inc., a corporation, in an amount not to exceed \$290,000, for removal and disposal of hazardous waste materials at the Contra Costa Regional Medical Center and Health Centers, for the period from January 1, 2014 through December 31, 2014.

**FISCAL IMPACT:**

This contract is 100% funded in the Enterprise I Fund. (No rate increase).

**BACKGROUND:**

On March 12, 2013, the Board of Supervisors approved Contract #26-692-3 with Applied Remedial Services, Inc., for the period from January 1, 2013 through December 31, 2013, for the provision of removal and disposal of hazardous waste and chemicals for the Contra Costa Regional Medical Center and Contra Costa Health Centers.

Approval of Contract Amendment Agreement #26-692-4 will allow the Contractor

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Anna Roth, 370-5101

By: , Deputy

cc: T Scott , C Rucker

**BACKGROUND: (CONT'D)**

to continue to provide removal and disposal of hazardous waste and chemicals in order to meet state and federal compliance, through December 31, 2014.

**CONSEQUENCE OF NEGATIVE ACTION:**

This service is mandatory to comply with State and Federal Regulations. If this contract is not approved, Contra Costa Regional Medical Center and Contra Costa Health Centers will not receive adequate services and the services rendered under this Contract will be provided by multiple companies.

**CHILDREN'S IMPACT STATEMENT:**

**Not applicable.**



**Contra  
Costa  
County**

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Novation Contract #74-190-14 with Mental Health Management I, Inc. (dba Canyon Manor)

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #74-190-14 with Mental Health Management I, Inc. (dba Canyon Manor), a non-profit corporation, in an amount not to exceed \$209,751, to provide mental health subacute care and treatment services, for the period from July 1, 2013 through June 30, 2014. This Contract includes a six-month automatic extension through December 31, 2014, in an amount not to exceed \$104,875.

**FISCAL IMPACT:**

This Contract is funded 100% by Mental Health Realignment. (Rate increase)

**BACKGROUND:**

This Contract meets the social needs of County's population in that it provides long-term care for adults with serious mental illness who require skilled nursing inpatient psychiatric care.

In January 22, 2013, the Board of Supervisors approved Novation Contract #74-190-13 with Mental Health Management I, Inc. (dba Canyon

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☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon 957-5201

By: , Deputy

cc: D Morgan, C Rucker

**BACKGROUND: (CONT'D)**

Manor), for the period from July 1, 2012 through June 30, 2013, which included a six-month automatic extension through December 31, 2013, for the provision of mental health subacute care and treatment services.

Approval of Novation Contract #74-190-14 replaces the automatic extension under the prior Contract and allows the Contractor to continue providing services through June 30, 2014.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, County will not receive any mental health subacute care and treatment services provided by this Contractor.

**CHILDREN'S IMPACT STATEMENT:**

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #26-244-11 with Sodexo Laundry Service, Inc.

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-244-11 with Sodexo Laundry Services, Inc., a corporation, in an amount not to exceed \$2,280,000, for the provision of linen rental and laundering services for the Contra Costa Regional Medical Center and Health Centers, for the period from October 1, 2013 through September 30, 2016.

**FISCAL IMPACT:**

100% Funding is included in the Enterprise Fund I Budget. (Rate increase)

**BACKGROUND:**

Linen rental and laundering services for Contra Costa Regional Medical Center and Contra Costa Health Centers have been provided under contract since 1984. On October 12, 2010, the Board of Supervisors approved Contract #26-244-8 (as amended by Contract Amendment Agreement #26-244-9 and #26-244-10) with Sodexo Laundry Services, Inc., for the period from October 1, 2010 through September 30, 2013, for the provision of linen rental and laundering services, including

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☒ APPROVE

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☒ RECOMMENDATION OF CNTY ADMINISTRATOR

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COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Anna Roth, 370-5101

By: , Deputy

**BACKGROUND: (CONT'D)**

pick-up of soiled linen delivery of clean garments and other linen items for the Contra Costa Regional Medical Center and Contra Costa Health Centers.

Approval of Contract #26-244-11 will allow the Contractor to continue providing services for Contra Costa Regional Medical Center and Contra Costa Health Centers, including modification to the County's Standard Indemnification language, through September 30, 2016.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, Contractor will not be able to continue providing laundry services to Contra Costa Regional Medical Center and Contra Costa Health Centers.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #27-764-5 with Oliver Wyman Actuarial Consulting, Inc.

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-764-5 with Oliver Wyman Actuarial Consulting, Inc., a corporation, in an amount not to exceed \$195,000, to provide actuarial consulting services for the Contra Costa Health Plan for the period from December 1, 2013 through November 30, 2014.

**FISCAL IMPACT:**

This Contract is funded 100% by CCHP Enterprise Fund III. (No rate increase)

**BACKGROUND:**

The Health Services Department and the Contra Costa Health Plan are required by state and federal regulations to provide various certified actuarial documents in order to maintain its authorization to provide health care services to its members and recipients. This Contractor has an established record of providing this expertise.

On April 23, 2013, the Board of Supervisors approved Contract #27-764-4

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☒ APPROVE

☐ OTHER

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☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Patricia Tanquary,  
313-6008

By: , Deputy



BACKGROUND: (CONT'D)

with Oliver Wyman Actuarial Consulting, Inc., for the period from December 1, 2012 through November 30, 2013 for provision of actuarial consulting services.

Approval of Contract #27-764-5 will allow Contractor to continue providing services through November 30, 2014, including changes to County's Standard General Conditions and indemnification language.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, Health Plan will need to solicit and engage a new contractor leading to delays and potential failure to comply with state and federal regulations to provide various certified actuarial documents, and would not be able to set rates or offer services for Health Plan's Medicare Selectcare; Healthy Families; County Employee Plans A, B, and A2; Individual; and Small/Large Group members.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #26-971-20 with Ramon Berguer, M.D.

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-971-20 with Ramon Berguer, M.D., a self-employed individual, in an amount not to exceed \$400,000, for the provision of professional general surgery services for patients at Contra Costa Regional Medical Center and Contra Costa Health Centers, for the period from January 1, 2014 through December 31, 2014.

**FISCAL IMPACT:**

This Contract is funded by Enterprise Fund I. Cost to the County depends upon utilization. As appropriate, patients and/or third party payors will be billed for services. (No rate increase)

**BACKGROUND:**

For a number of years the County has contracted with Medical, Dental, and Mental Health Specialists to provide specialized professional services, which are not otherwise available.

On February 5, 2013, the

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: David Goldstein, M.D.,  
925-370-5525

By: , Deputy

**BACKGROUND: (CONT'D)**

Board of Supervisors approved Contract #26-971-19 with Ramon Berguer, M.D., to provide general surgery services including consultation, training, on-call, medical and/or surgical procedures, for patients at Contra Costa Regional Medical and Contra Costa Health Centers (CCRMC), for the period from January 1, 2013 through December 31, 2013.

Approval of Contract #26-971-20 will allow the Contractor to continue to provide professional general surgery services, through December 31, 2014.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, patients requiring professional general surgery services at CCRMC will not have access to Contractor's services, which may result in a reduction in the overall level of services to the community.

**CHILDREN'S IMPACT STATEMENT:**

Not Applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Novation Contract #24-315-45 with Young Men's Christian Association of the East Bay

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #24-315-45 with Young Men's Christian Association of the East Bay, a non-profit corporation, in an amount not to exceed \$805,168, to provide on-site school counseling services for the period from July 1, 2013 through June 30, 2014. This Contract includes a six-month automatic extension through December 31, 2014, in an amount not to exceed \$402,584.

**FISCAL IMPACT:**

This Contract is funded 48% by Federal Financial Participation, 52% Mental Health Realignment. (No rate increase)

**BACKGROUND:**

This Contract meets the social needs of County's population by providing counseling and therapy services for emotionally and behavioral disturbed students in selected junior high schools in the West Contra Costa Unified School District to impact attendance records and decrease the use of acute mental health system-of-care services.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon, 957-5201

By: , Deputy

cc: D Morgan, C Rucker

**BACKGROUND: (CONT'D)**

On January 8, 2013, the Board of Supervisors approved Novation Contract #24-315-44 with Young Men's Christian Association of the East Bay, for the period from July 1, 2012 through June 30, 2013, which included a six-month automatic extension through December 31, 2013, for the provision of on-school-site counseling services for emotional and behavioral disturbed students in West County Junior High Schools.

Approval of Novation Contract #24-315-45, replaces the automatic extension under the prior Contract, allows Contractor to continue providing services through June 30, 2014.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, there will be fewer school and community-based services in West County for seriously emotionally disturbed youth, which may result in the need for acute Mental Health system-of-care services.

**CHILDREN'S IMPACT STATEMENT:**

This program supports the following Board of Supervisors' community outcomes: "Children ready for and succeeding in school"; "Families that are safe, stable, and nurturing"; and "Communities that are safe and provide a high quality of life for children and families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



**Contra  
Costa  
County**

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Novation Contract #24-429-56 with Ujima Family Recovery Services

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #24-429-56 with Ujima Family Recovery Services, a non-profit corporation, in an amount not to exceed \$1,697,684, to provide perinatal substance abuse treatment services, for the period from July 1, 2013 through June 30, 2014. This Contract includes a six-month automatic extension through December 31, 2014, in an amount not to exceed \$848,842.

**FISCAL IMPACT:**

This Contract is funded 84% by Federal Perinatal Set-Aside and 16% by Drug Medi-Cal. (Rate Increases)

**BACKGROUND:**

This Contract meets the social needs of County's population by providing family-centered alcohol and drug treatment services to pregnant and parenting women, in order to prevent perinatal substance abuse and improve birth outcomes.

On January 22, 2013, the Board of Supervisors approved Contract #24-429-54 (as amended by Contract Amendment Agreement #24-429-55) with Ujima Family Recovery Services for the period from July 1, 2012 through June 30, 2013, which included a six-month automatic extension through December 31, 2013, for the provision of perinatal intensive day treatment, residential recovery program, and transitional housing for women.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon, 957-5201

By: , Deputy

**BACKGROUND: (CONT'D)**

Approval of Contract #24-429-55 will replace the automatic extension under the prior contract and allow the Contractor to continue providing services through June 30, 2014.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this Contract is not approved, pregnant and parenting women will not receive the alcohol and drug treatment services they need which may result in perinatal substance abuse and additional risk to their babies.

**CHILDREN'S IMPACT STATEMENT:**

This Alcohol and Drug Abuse program supports the Board of Supervisors' "Families that are Safe, Stable, and Nurturing" community outcome by providing parenting education, stability, and safety for mothers (and their children) and pregnant women who are alcohol and drug dependent, while they are in substance abuse treatment. Expected outcomes include delivery of drug-free babies, decreased use of alcohol, tobacco and other drugs, reduction in the number of relapses, and creation of a sober social network.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #23-322-16 with Cheryl Adams-Woodford

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #23-322-16 with Cheryl Adams-Woodford, a self-employed individual, in an amount not to exceed \$130,700, to provide project management, consultation, and technical assistance to the Department with regard to the PeopleSoft General Ledger System for the period from January 1, 2014 through December 31, 2014.

**FISCAL IMPACT:**

This Contract is 100% Enterprise Fund I. No rate increase.

**BACKGROUND:**

On January 15, 2013, the Board of Supervisors approved Contract #23-322-15 with Cheryl Adams-Woodford, for the period from January 1, 2013 through December 31, 2013, for the provision of project management, consultation and technical assistance to the Department with regard to the PeopleSoft General Ledger System, including assistance with upgrades and enhancements, applying patches and fixes, system analysis, and disaster recovery.

Approval of Contract #23-322-16 will allow Contractor to continue providing services through December 31, 2014.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: David Runt, 313-6228

By: , Deputy

cc: D Morgan, C Rucker



CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the Health Services Finance Division will not have software and database support services for the PeopleSoft General Ledger System.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



**Contra  
Costa  
County**

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Novation Contract #24-933-30 with Crestwood Behavioral Health, Inc

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #24-933-30 with Crestwood Behavioral Health, Inc., a corporation, in an amount not to exceed \$7,383,000, to provide subacute skilled nursing care services for the period from July 1, 2013 through June 30, 2014. This Contract includes a six-month automatic extension through December 31, 2014, in an amount not to exceed \$3,691,500.

**FISCAL IMPACT:**

This Contract is funded 12% by Mental Health Services Act and 88% by Mental Health Realignment. (No rate increase)

**BACKGROUND:**

This Contract meets the social needs of County's population in that it provides subacute skilled nursing care services for County's Seriously and Persistently Mentally Ill (SMPI) and neurobehavioral clients.

On February 26, 2013, the Board of Supervisors approved Contract #24-933-29 with Crestwood

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon, 957-5201

By: , Deputy

cc: A Down , C Rucker

**BACKGROUND: (CONT'D)**

Behavioral Health, Inc. for the period from July 1, 2012 through June 30, 2013 which included a six-month automatic extensions through December 31, 2013, for the provision of subacute skilled nursing care for County's Seriously and Persistently Mentally Ill (SPMI) and Neurobehavioral clients.

Approval of Novation Contract #24-933-30 replaces the automatic extension under the prior Contract and allows the Contractor to continue providing services through June 30, 2014, including mutual indemnification to hold harmless both parties for any claims arising out of the performance of this Contract.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Behavioral Health Services Division/Mental Health places clients at Contractor's facilities licensed for various levels of care. If the contract is not approved, a significant number of mentally ill young adults and adults may be displaced to the community without the mental health services they require.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Amendment #24-925-24 with Lincoln Child Center, Inc.

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Lincoln Child Center, Inc., effective January 1, 2014, to increase the payment limit by \$369,948 to a new payment limit of \$3,714,585 to provide additional services, with no change in the term; and to increase the automatic extension payment limit by \$369,948 to a new payment limit of \$2,227,241, with no change in the term of the automatic extension. (48% Federal Financial Participation; 36% Mental Health Realignment; 12% Mental Health Services Act; 4% Pittsburg Unified School District)

**FISCAL IMPACT:**

This amendment is funded 48% by Federal Financial Participation, 36% by Mental Health Realignment, 12% by Mental Health Services Act, and 4% by Pittsburg Unified School District. (No rate increase)

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon, 957-5201

By: , Deputy

#### BACKGROUND:

This Contract meets the social needs of County's population by providing therapy, medication support, case management, outreach, and crisis intervention services to elementary and junior high aged students in East County in order to reduce the need for out-of-home placements.

On September 17, 2013, the Board of Supervisors approved Novation Contract #24-925-22 ( as amended by Contract Amendment Agreement #24-925-23) with Lincoln Child Center, Inc. for the provision of school-based mental health services, including multi-dimensional family treatment for severely emotionally disturbed students and their families, for the period from July 1, 2013 through June 30, 2014, which included a six-month automatic extension through December 31, 2014.

Approval of Contract Amendment Agreement #24-925-24 will allow the Contractor to provide additional school-based services through June 30, 2014.

#### CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, mental health services will not be provided at Petite Academy possibly necessitating higher levels of care for those students.

#### CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



**Contra  
Costa  
County**

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Novation Contract #74-174-18 with Bi-Bett

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #74-174-18 with Bi-Bett, a non-profit corporation, in an amount not to exceed \$2,602,160, to provide substance abuse prevention, treatment, and testing services, for the period from July 1, 2013 through June 30, 2014. This Contract includes a six-month automatic extension, in an amount not to exceed \$1,301,080, through December 31, 2014.

**FISCAL IMPACT:**

This Contract is funded 69% by a Substance Abuse Treatment and Prevention Block Grant; 11% by California Work Opportunities and Responsibility to Kids, 11% by Assembly Bill 109 and 9% Behavioral Health Court Second Chance Act. (Rate Increases)

**BACKGROUND:**

This Contract meets the social needs of County's population by providing specialized substance abuse treatment services so that men and women, including women with children, are provided an opportunity to achieve and maintain sobriety and to experience the associated benefits of self-sufficiency, family reunification, cessation of criminal activity and productive engagement in the community.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon 957-5201

By: , Deputy

cc: A Down , C Rucker

#### BACKGROUND: (CONT'D)

On January 22, 2013, the Board of Supervisors approved Contract #74-174-16 (as amended by Amendment Agreement #74-174-17) with Bi-Bett for the period from July 1, 2012 through June 30, 2013, which included a six-month automatic extension through December 31, 2013, for the provision of substance abuse treatment services for County residents.

Approval of Contract #74-74-18 replaces the automatic extension under the prior contract and allows the Contractor to continue providing services through June 30, 2014.

#### CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, persons referred through the Drug Court, pregnant women, and other County clients will not receive drug abuse prevention, treatment, and testing services from this contractor.

#### CHILDREN'S IMPACT STATEMENT:

This Alcohol and Drug Abuse prevention program supports the Board of Supervisors' "Families that are Safe, Stable, and Nurturing" and "Communities that are Safe and Provide a High Quality of Life for Children and Families" community outcomes by providing individual, group, and family counseling; substance abuse education; rehabilitation support services; and substance abuse prevention services. Expected outcomes include increased knowledge about the impact of addiction; decreased use of alcohol, tobacco and other drugs; increased use of community-based resources; and increased school and community support for youth and parents in recovery.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #27-905-1 A. Scott Cohen, DDS and Mark Stevenson, DDS, APC, A Professional Corporation

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-905-1 with A. Scott Cohen, DDS and Mark Stevenson, DDS, A Professional Corporation, in an amount not to exceed \$225,000, to provide professional Endodontic services to Contra Costa Health Plan (CCHP) members, for the period from December 1, 2013 through November 30, 2015.

**FISCAL IMPACT:**

This Contract is funded 100% by Member Premiums.

**BACKGROUND:**

For a number of years the County has contracted with Medical, Dental and Mental Health Specialists to provide specialized professional services, which are not otherwise available.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Patricia Tanquary,  
925-313-6008

By: , Deputy

cc: A Floyd, C Rucker



**BACKGROUND: (CONT'D)**

Under Contract #27-905-1, Contractor will provide professional Endodontic services to CCHP members through November 30, 2015.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, certain specialized professional health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

**CHILDREN'S IMPACT STATEMENT:**

Not Applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #27-689-4 with East Bay Medical Oncology/Hematology Medical Associates, Inc.

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-689-4 with East Bay Medical Oncology/Hematology Medical Associates, Inc., a corporation, in an amount not to exceed \$3,000,000, to provide Hematology/Oncology services for the period from December 1, 2013 through November 30, 2015.

**FISCAL IMPACT:**

This Contract is funded 100% by Contra Costa Health Plan member premiums. (No rate increase)

**BACKGROUND:**

On December 6, 2011, the Board of Supervisors approved Contract #27-689-3 with East Bay Medical Oncology/Hematology Medical Associates, Inc. for the provision of professional Hematology/Oncology services, for the period from December 1, 2011 through November 30, 2013.

Approval of Contract #27-689-4 will allow Contractor to continue providing professional Hematology/Oncology services through November 30, 2015.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Patricia Tanquary,  
925-313-6008

By: , Deputy

cc: A Floyd, C Rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized professional health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #27-854-2 with Advent Advisory Group, LLC

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-854-2 with Advent Advisory Group, LLC, a limited liability company, in an amount not to exceed \$68,000, to provide compliance auditing services for the period from October 1, 2013 through September 30, 2015.

**FISCAL IMPACT:**

This Contract is funded 100% by Contra Costa Health Plan Member Premiums (No rate increase)

**BACKGROUND:**

The Health Plan has an obligation to provide certain specialized professional health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County.

On December 6, 2011, the Board of Supervisors approved Contract #27-854 (as amended by Contract Amendment Agreement #27-854-1) with Advent Advisory Group, LLC, for the provision of required audits

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Patricia Tanquary,  
925-313-6008

By: , Deputy

cc: A Floyd, C Rucker

**BACKGROUND: (CONT'D)**

for Contra Costa Health Plan (CCHP) to maintain compliance with Federal Center for Medicare and Medicaid Services (CMS) regulations and the State requirements for operating a Health Plan, for the period from October 1, 2011 through September 30, 2013, including mutual indemnification to hold harmless both parties for any claims arising out of the performance of this Contract and modifications to County's Standard General Conditions.

Approval of Contract #27-854-2 will allow Contractor to continue providing compliance auditing services through September 30, 2015.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, CCHP will not have access to additional audit services provided by this Contractor.

**CHILDREN'S IMPACT STATEMENT:**

Not Applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #27-795-2 with Cypress Women's Cancer Treatment Center, A Medical Corporation

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-795-2 with Cypress Women's Cancer Treatment Center, A Medical Corporation, a corporation, in an amount not to exceed \$150,000, to provide professional Gynecology Oncology services, for the period from January 1, 2014 through December 31, 2015.

**FISCAL IMPACT:**

This Contract is funded 100% by Contra Costa Health Plan member premiums. (No rate increase)

**BACKGROUND:**

In January 2012, the County Administrator approved and Purchasing Services Manager executed Contract #27-795-1, with Cypress Women's Cancer Treatment Center, A Medical Corporation, for the period from January 1, 2012 through December 31, 2013, for the provision of Gynecology Oncology services.

Approval of Contract #27-795-2 will allow Contractor to continue providing professional Gynecology Oncology services through December 31, 2015.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Patricia Tanquary  
313-6008

By: , Deputy

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized professional health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



**Contra  
Costa  
County**

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #24-681-84(11) with United Family Care, LLC (dba Family Courtyard)

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #24-681-84(11) with United Family Care, LLC (dba Family Courtyard), a limited liability company, in an amount not to exceed \$357,120, to provide Augmented Board and Care Services, for the period from December 1, 2013 through November 30, 2014.

**FISCAL IMPACT:**

This Contract is funded 100% by Mental Health Realignment funds. (Rate increase)

**BACKGROUND:**

This Contract meets the social needs of the County's population in that it provides augmentation of room and board, and twenty-four hour emergency residential care and supervision to eligible mentally disordered clients, who are specifically referred by the Mental Health Program Staff and who are served by County Mental Health Services.

On January 8, 2013, the Board of Supervisors approved Contract #24-681-84(9) [as amended by Contract Amendment #24-681-84(10)] with United Family Care, LLC (dba Family Courtyard), for the period December 1, 2012 through November 30, 2013, for the provision of augmented board and care services for County-referred mentally disordered clients.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon, 957-5201

By: , Deputy

cc: D Morgan, C Rucker



BACKGROUND: (CONT'D)

Approval of Contract #24-681-84(11) will allow the contractor to continue to provide augmented board and care services, through November 30, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County residents will not receive services provided by this contractor.

CHILDREN'S IMPACT STATEMENT:

**Not Applicable**



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #74-085-13 with BAS Resources, Inc. (DBA - BAS Healthcare)

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-085-13 with BAS Resources, Inc. (DBA - BAS Healthcare), a corporation, in an amount not to exceed \$140,000, to provide psychiatric recruitment services for the Behavioral Health Services Division/Mental Health Psychiatric Program, including, but not limited to: recruiting, screening and interviewing qualified psychiatrists who the County may hire for permanent placement for the period from January 1, 2014 through December 31, 2014.

**FISCAL IMPACT:**

This Contract is funded 100% by Mental Health Realignment. (Rate increase)

**BACKGROUND:**

On January 8, 2013, the Board of Supervisors approved Contract #74-085-12 with BAS Resources, Inc. (DBA BAS Healthcare),

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon, 957-5201

By: , Deputy

cc: D Morgan, C Rucker

**BACKGROUND: (CONT'D)**

for the period from January 1, 2013 through December 31, 2013 for the provision of psychiatric recruitment services for the Behavioral Health Services Division/Mental Health Psychiatric Program, including, but not limited to: recruiting, screening and interviewing qualified psychiatrists who the County may hire for permanent placement.

Approval of Contract #74-085-13 will allow Contractor to continue providing services through December 31, 2014, including changes to County's Standard General Conditions, paragraph 19 (Insurance) language.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, County will not have access to Contractor's psychiatrist recruitment services.

**CHILDREN'S IMPACT STATEMENT:**

**Not Applicable**



Contra  
Costa  
County

To: Board of Supervisors  
From: Russell Watts, Treasurer-Tax Collector  
Date: January 14, 2014

Subject: Financial services agreement with Morgan Stanley Smith Barney LLC

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Treasurer to enter into a contract for financial services with Morgan Stanley Smith Barney LLC ("Morgan Stanley"), including indemnification of Morgan Stanley, for the purpose of managing the investment of bond proceeds for the Contra Costa County Community College District.

**FISCAL IMPACT:**

Service fees and costs will be paid for out of the bond proceeds of the Contra Costa County Community College District.

**BACKGROUND:**

The County Treasurer manages and invests the funds of County agencies, including 21 special districts, 19 school districts and one community college district. The Contra Costa County Community College District has requested that County Treasurer permit its bond proceeds to be invested outside of the County investment

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Brice Bins, 925 957-2848

By: , Deputy

cc:

**BACKGROUND: (CONT'D)**

pool. Specifically, it has requested that the Treasurer authorize the investment of its bond proceeds with Morgan Stanley and associated asset managers.

Pursuant to the financial services agreement between Morgan Stanley and the County, Morgan Stanley will select asset managers and provide consulting, custody, brokerage and administrative services for the bond proceeds in exchange for a fee.

**CONSEQUENCE OF NEGATIVE ACTION:**

If the agreement is not authorized, bond proceeds for the Contra Costa County Community College District will remain in the County investment pool.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: Russell Watts, Treasurer-Tax Collector  
Date: January 14, 2014

Subject: Financial services agreement with BlackRock Investment Management, LLC

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Treasurer to enter into a contract for financial services with BlackRock Investment Management, LLC ("BlackRock"), including indemnification of BlackRock, for the purpose of managing the investment of bond proceeds for the Contra Costa County Community College District.

**FISCAL IMPACT:**

Service fees and costs will be paid for out of the bond proceeds of the Contra Costa County Community College District.

**BACKGROUND:**

The County Treasurer manages and invests the funds of County agencies, including 21 special districts, 19 school districts and one community college district. The Contra Costa County Community College District has requested that County Treasurer permit its bond proceeds to be invested outside of the County investment

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Brice Bins, 925 957-2848

By: , Deputy

cc:

**BACKGROUND: (CONT'D)**

pool. Specifically, it has requested that the Treasurer authorize the investment of its bond proceeds with Morgan Stanley Smith Barney LLC ("Morgan Stanley") and its associated asset managers.

BlackRock is an asset manager associated with Morgan Stanley, which Morgan Stanley has selected to invest the bond proceeds for the Contra Costa County Community College District. Pursuant to the financial services agreement between BlackRock and the County, BlackRock will invest the bond proceeds in exchange for a fee.

**CONSEQUENCE OF NEGATIVE ACTION:**

If the agreement is not authorized, BlackRock will not be authorized to invest the bond proceeds of Contra Costa County Community College District.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: Russell Watts, Treasurer-Tax Collector  
Date: January 14, 2014

Subject: Financial services agreement with Legg Mason Private Portfolio Group, LLC

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Treasurer to enter into a contract for financial services with Legg Mason Private Portfolio Group, LLC ("Legg Mason"), including indemnification of Legg Mason, for the purpose of managing the investment of bond proceeds for the Contra Costa County Community College District.

**FISCAL IMPACT:**

Service fees and costs will be paid for out of the bond proceeds of the Contra Costa County Community College District.

**BACKGROUND:**

The County Treasurer manages and invests the funds of County agencies, including 21 special districts, 19 school districts and one community college district. The Contra Costa County Community College District has requested that County Treasurer permit its bond proceeds to be invested outside of the County investment pool. Specifically, it has requested that the Treasurer

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Brice Bins, 925 957-2848

By: , Deputy

cc:



**BACKGROUND: (CONT'D)**

authorize the investment of its bond proceeds with Morgan Stanley Smith Barney LLC (“Morgan Stanley”) and its associated asset managers.

Legg Mason is an asset manager associated with Morgan Stanley, which Morgan Stanley has selected to invest the bond proceeds for the Contra Costa County Community College District. Pursuant to the financial services agreement between Legg Mason and the County, Legg Mason will invest the bond proceeds in exchange for a fee.

**CONSEQUENCE OF NEGATIVE ACTION:**

If the agreement is not authorized, Legg Mason will not be authorized to invest the bond proceeds of Contra Costa County Community College District.

**CHILDREN'S IMPACT STATEMENT:**

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Purchase Order with Epic Systems Corporation

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**RECOMMENDATION(S):**

Approve and authorize the Purchasing Agent, on behalf of the Health Services Director, to amend Purchase Order 35976 with Epic Systems Corporation to add \$2,070,000 to a new total amount of \$17,470,000 for the Electronic Health Record (EHR) system software, interfaces, training and implementation for Contra Costa Health Services and to amend the termination date from February 16, 2015 to June 30, 2014.

**FISCAL IMPACT:**

100% Funding is included in the Enterprise Fund I Budget.

**BACKGROUND:**

Contra Costa Health Services went live on the Epic EHR System in July 2012. This Amendment will allow additional funds to for maintenance, software updates, and training to keep the system current, and amends the term to expire on June 30, 2014 to coincide with the fiscal year end instead of February 16, 2015.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this Board Order is not approved, the Health Services Department will lose vendor support for the EHR and the Department will not receive critical software updates and maintenance.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Patrick Godley, 957-5405

By: , Deputy

cc: T Scott, C Rucker, David Runt

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #24-942-17 with Victor Kogler

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #24-942-17 with Victor Kogler, a self-employed individual, in an amount not to exceed \$125,938, to provide consultation, technical assistance and operational support to the Behavioral Health Services Division/Alcohol and Other Drugs Services (AODS) with regard to the Division's System of Care, for the period from January 1, 2014 through December 31, 2014.

**FISCAL IMPACT:**

This Contract is funded 100% by Federal Prevention Set-Aside. (No rate increase).

**BACKGROUND:**

On February 5, 2013, the Board of Supervisors approved Contract #24-942-16 with Victor Kogler for the provision of consultation and technical assistance to the Department with regard to the System of Care including, but not limited to, reviewing and making recommendations with regard to client services and levels of care, collecting and analyzing data for the client satisfaction surveys and providing written recommendations to the Behavioral Health Services/AODS Director,

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon, 957-5201

By: , Deputy

BACKGROUND: (CONT'D)

for the period from January 1, 2013 through December 31, 2013.

Approval of Contract #24-942-17 will allow the Contractor to continue providing services through December 31, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, Behavioral Health Services Division/AODS will not receive consultation, technical assistance and operational support to the Division's System of Care from this Contractor.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #24-710 with Youth Homes, Inc.

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #24-710 with Youth Homes, Inc., a non-profit corporation, in an amount not to exceed \$423,842, to provide Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) Services for the period from December 5, 2013 through June 30, 2014.

**FISCAL IMPACT:**

This Contract is funded 68% by the Mental Health Services Act and 32% by Federal Financial Participation.

**BACKGROUND:**

This Contract meets the social needs of County's population by providing a comprehensive range of services and supports, including intensive individualized mental health services to transitional aged youth who are experiencing serious mental illness, likely to exhibit co-occurring disorders, and from underserved populations.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon, 957-5201

By: , Deputy

**BACKGROUND: (CONT'D)**

Under Contract #24-710, Contractor will provide MHSA PEI services including a Transition Age Youth Full Service Partnership Program through June 30, 2014.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, transitional-aged youth in Contra Costa County will not have access to Contractor's mental health services, leading to reduced levels of service to the community and potential placement in higher levels of care.

**CHILDREN'S IMPACT STATEMENT:**

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Contract #24-712 with Telecare Corporation

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #24-712 with Telecare Corporation, a corporation, in an amount not to exceed \$1,011,482, to provide and manage services for Hope House, a sixteen (16) bed short-term residential facility, for mentally ill adults for the period from December 5, 2013 through June 30, 2014.

**FISCAL IMPACT:**

This Contract is funded 51% by Federal Financial Participation and 49% by Mental Health Services Act.

**BACKGROUND:**

This Contract meets the social needs of County's population by providing a short-term crisis residential facility for adults, age eighteen (18) and older, who require support to avoid hospitalization or are being discharged from the hospital or long-term locked facilities and require step-down care to transition to community living.

Under Contract #24-712, Contractor will provide and manage services

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cynthia Belon, 957-5201

By: , Deputy



BACKGROUND: (CONT'D)

at Hope House, a short-term crisis residential facility, through June 30, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County clients in need of crisis residential or step-down care will not have access to Contractor's services possibly resulting in higher levels of placement, including hospitalization.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: Ed Woo, Department of Information Technology  
Date: January 14, 2014

Subject: IBM Software Maintenance and Support renewal

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Information Officer, or designee, to pay an amount not to exceed \$240,000 for maintenance and support of County mainframe computer software for the period January 1, 2014 through December 31, 2014, under the IBM Agreement for Software Maintenance.

**FISCAL IMPACT:**

The cost of \$240,000 is budgeted under Org# 1060, Fiscal Year 2013/14, and charged out to user departments via DoIT's monthly billing process.

**BACKGROUND:**

The County, on behalf of the Department of Information Technology, licenses mainframe computer software from IBM, and receives support and maintenance for the software under the IBM International Agreement for Acquisition of Software Maintenance, which provides for annual renewal of support. IBM invoices DoIT on a monthly basis depending on the level of support used by DoIT. The Chief Information Officer needs authority to make payment for mainframe software support under the IBM International Agreement for Acquisition of Software Maintenance in order to pay for support provided by IBM.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Ed Woo (925) 383-2688

By: , Deputy

cc: fern carroll, Joanne Buenger

CONSEQUENCE OF NEGATIVE ACTION:

The County mainframe would not receive necessary maintenance to remain operational.

CHILDREN'S IMPACT STATEMENT:

No impact.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Sharon L. Anderson, County Counsel  
Date: January 14, 2014

Subject: APPROVAL OF CONTRACT FOR PROFESSIONAL SERVICES

---

**RECOMMENDATION(S):**

APPROVE AND AUTHORIZE the County Counsel, or designee, to execute, on behalf of the County, a contract with Baker & O'Brien, Inc., in an amount not to exceed \$1,100,000 to provide refining industry analyses in connection with refinery property tax appeals, for the period from January 1, 2014 through December 31, 2014.

**FISCAL IMPACT:**

The cost of this contract is paid through property tax administration fees, approximately half of which come from the general fund.

**BACKGROUND:**

Baker and O'Brien, Inc. is a consultant for refinery industry analyses, and provides the County with specialized consulting services with respect to the refining industry and refineries in defending actual and anticipated assessment appeals, which challenge the valuations of the taxable property of refineries in Contra Costa County. These appeals typically place several billion dollars of valuation in issue. Assistance is required because valuations of refineries are highly technical, requiring specialized knowledge that only industry experts have. The Assessor concurs with and supports this recommendation.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Rebecca J. Hooley, Deputy County Counsel, 925 335-1854

By: , Deputy

CONSEQUENCE OF NEGATIVE ACTION:

If the contract is not approved, there is a greatly increased possibility of very significant but presently unquantifiable impacts due to adverse decisions by the Assessment Appeals Board on large refinery valuation disputes.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra  
Costa  
County

To: Board of Supervisors  
From: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE  
Date: January 14, 2014

Subject: Annual Report from the Transportation, Water and Infrastructure Committee

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**RECOMMENDATION(S):**

ACCEPT the attached 2013 annual report from the Transportation, Water and Infrastructure Committee, as recommended by the Committee.

**FISCAL IMPACT:**

NONE.

**BACKGROUND:**

The Transportation, Water and Infrastructure Committee on December 5 reviewed and approved its annual report for transmittal to the full Board of Supervisors. The annual report documents the work performed by the Committee during 2013. The Committee recommends the Board of Supervisors accept the report, which is attached.

**CONSEQUENCE OF NEGATIVE ACTION:**

NONE.

**CHILDREN'S IMPACT STATEMENT:**

NONE.

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☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: John Cunningham, (925)  
674-7833

By: , Deputy

cc:

## ATTACHMENTS

2013 TWIC  
Report

## Status Report: Referrals to the Transportation, Water, and Infrastructure Committee - 2013

Page 1 of 4

REFERRAL	STATUS
<p>1. Review legislative matters on transportation, water, and infrastructure.</p>	<ul style="list-style-type: none"> <li>Recommended the Board ADOPT positions of various state <i>transportation</i> bills as follows (<b>Various dates</b>):                             <ul style="list-style-type: none"> <li>SUPPORT for AB 935 (Water Emergency Transportation Authority Board Membership), and SB 328 (Public Works Contracting)</li> </ul> </li> <li>Recommended the Board ADOPT positions of various state <i>water</i> bills as follows (<b>Various dates</b>):                             <ul style="list-style-type: none"> <li>SUPPORT for AB 378 (Resources: Delta research), AB 763(quatic invasive plants: control and eradicate), AB 803(Water Recycling Act of 2013)</li> <li>WATCH for AB 1200(Recycled water), SB 735 (Sacramento-San Joaquin Delta Reform Act)</li> </ul> </li> <li>Authorized letters to Department of Education, state legislative delegation, regarding site selection for new schools. <b>4/5/12, 9/5/13</b></li> <li>Receive informational report on Association of Bay Area Governments and the Metropolitan Transportation Commission's DRAFT - Plan Bay Area: Strategy for a Sustainable Region (<i>SB 375 Implementation</i>) <b>4/4/13, 5/5/13</b></li> <li>Received progress reports from the County's legislative advocate regarding Iron Horse Corridor title &amp; related obligations. <b>Various Dates</b></li> </ul>
<p>2. Review applications for transportation, water and infrastructure-related grants to be prepared by the Public Works and Conservation &amp; Development Departments.</p>	<ul style="list-style-type: none"> <li>ACCEPTED reports and provided direction and recommendations on transportation and planning projects to be funded by various funding sources. <b>Various dates.</b></li> <li>Received report and authorized submission of applications to CCTA for the One Bay Area Grant (OBAG) Program.<b>4/4/13</b></li> </ul>
<p>3. Monitor the Contra Costa Transportation Authority (CCTA) including efforts to implement Measure J.</p>	<ul style="list-style-type: none"> <li>Received reports on the CCTA update to the Countywide Transportation Plan &amp; forwarded comments to the BOS for transmittal to CCTA. <b>4/4/14, 9/5/13</b></li> <li>See Referral #2</li> </ul>
<p>4. Monitor EBMUD and CCWD projects and activities.</p>	<ul style="list-style-type: none"> <li>No <i>direct</i> items were brought to the Committee in 2013. Coordination was discussed in Referrals #1, 5.</li> </ul>
<p>5. Review issues associated with the health of the San Francisco Bay and Delta, including but not limited to Delta levees, flood control, dredging, drought planning, habitat conservation, development of an</p>	<ul style="list-style-type: none"> <li>Received a report from staff on single use plastic bag and polystyrene ordinances and proposed revisions to the 40% trash reduction plan, directed staff to consult with jurisdictions with experience passing an ordinance and increase outreach to the business community. <b>4/4/13</b></li> <li>Received reports on regarding the Delta Platform, Bay Delta Conservation Plan and related issues providing direction to staff. <b>Various Dates</b></li> </ul>



## Status Report: Referrals to the Transportation, Water, and Infrastructure Committee - 2013

Page 2 of 4

REFERRAL	STATUS
ordinance regarding single-use plastic bags and polystyrene, and water quality, supply and reliability.	<ul style="list-style-type: none"> <li>Reviewed and received report on <i>Principles of Understanding</i> regarding legislation that will reorganize Zone 7 in Alameda County into a new water agency, referred issue to BOS and affirmed support with Alameda County Supervisor and the County Administrator. <b>10/3/13</b></li> </ul>
6. Review issues associated with County flood control facilities.	<ul style="list-style-type: none"> <li>Received report on the removal of the lowest 2.5 miles of the Walnut Creek Channel and Pacheco Creek from the Corps of Engineers "Walnut Creek Project", provided authorization to the Contra Costa County Flood Control &amp; Water Conservation District to work with the US Army Corps of Engineers and Congress on appropriate legislation, directed FC District staff to bring the issue to the full BOS as they proceed. <b>6/12/13</b></li> <li>Received a report on the status of Flood Control District infrastructure, and heard/provided comment on a comprehensive presentation on the history &amp; future of Flood Control District infrastructure and activities, directed staff to bring the report to the BOS and coordinate with CCTV to record and broadcast the presentation. <b>10/3/13</b></li> </ul>
7. Monitor creek and watershed issues and seek funding for improvement projects related to these issues.	<ul style="list-style-type: none"> <li>No items were brought to the Committee in 2013.</li> </ul>
8. Monitor implementation of the Integrated Pest Management (IPM) Policy.	<ul style="list-style-type: none"> <li>Received report on Department of Agriculture Ground Squirrel Live Trapping Trials and Treatment Alternatives &amp; referred it to the BOS w/the IPM Annual Report. <b>2/13/13</b></li> <li>Received reports on IPM program and requested additional detail in the annual report, directed staff to respond to constituent concerns, and to continue outreach to other cities on IPM policies. <b>5/5/13, 6/12/13, 9/5/13</b></li> <li></li> </ul>
9. Monitor the status of county park maintenance issues including, but not limited to, transfer of some County park maintenance responsibilities to other agencies and implementation of Measure WW grants.	<ul style="list-style-type: none"> <li>Received reports and recommendations regarding East Bay Regional Park District's Measure WW Park Funding Preliminary Expenditure Plan and directed the recommendations to go to the BOS. <b>4/4/13, 6/12/13</b></li> </ul>
10. Monitor the East Contra Costa County Habitat Conservation Plan.	<ul style="list-style-type: none"> <li>No items were brought to the Committee in 2013. Staff anticipates a report in early 2014.</li> </ul>
11. Review the ability to revise the County design standards for residential streets to address traffic calming and neighborhood livability issues when these roads are built.	<ul style="list-style-type: none"> <li>The Committee reviewed and approved a letter to the Office of the State Fire Marshal opposing code changes that would interfere with local control of roadway design and compromise traffic calming efforts. <b>2/13/13</b></li> </ul>
12. Monitor and report on the Underground Utilities Program.	<ul style="list-style-type: none"> <li>Received reports and recommend setting a public hearing before the BOS on adoption of the proposed pipeline franchise ordinance and fee resolution. <b>4/4/13, 6/12/13</b></li> </ul>

## Status Report: Referrals to the Transportation, Water, and Infrastructure Committee - 2013

Page 3 of 4

REFERRAL	STATUS
13. Monitor implementation of Letter of Understanding with PG&E for maintenance of PG&E streetlights in Contra Costa County.	<ul style="list-style-type: none"> <li>Received report on status of coordination between Cities, County and PG &amp; E for streetlight maintenance. <b>12/5/13</b></li> </ul>
14. Freight transportation issues, including but not limited to potential increases in rail traffic such as that proposed by the Port of Oakland and other possible service increases, safety of freight trains and trucks that transport hazardous materials, the planned truck route for North Richmond; and the deepening of the San Francisco-to-Stockton Ship Channel.	<ul style="list-style-type: none"> <li>Received report re: the 2013 Northern Waterfront Economic Development Initiative &amp; referred to the BOS <b>4/4/13</b></li> </ul>
15. Monitor the Iron Horse Corridor Management Program.	<ul style="list-style-type: none"> <li>Received report on the Iron Horse Corridor Advisory Committee Bylaws recommend changes, directed staff to bring recommendations to the BOS. <b>5/5/13</b></li> </ul>
16. Monitor and report on the eBART Project.	<ul style="list-style-type: none"> <li>No items were brought to the Committee in 2013. Report directly to BOS on <b>5/7/13</b>.</li> </ul>
17. Review transportation plans and services for specific populations, including but not limited to County Low Income Transportation Action Plan, Coordinated Human Services Transportation Plan for the Bay Area, Priorities for Senior Mobility, Bay Point Community Based Transportation Plan and the work of Contra Costans for Every Generation.	<ul style="list-style-type: none"> <li>No plans or services were reported to the Committee in 2013.</li> </ul>
18. Monitor issues of interest in the provision of general transportation services, including but not limited to	<ul style="list-style-type: none"> <li>Received report on State taxicab legislation, directed DCD staff to initiate coordination between the Offices of the County Administrator, Sheriff, and County Counsel. <b>9/5/13</b></li> </ul>

## Status Report: Referrals to the Transportation, Water, and Infrastructure Committee - 2013

Page 4 of 4

REFERRAL	STATUS
public transportation and taxicab services	
19. Monitor the statewide infrastructure bond programs.	<ul style="list-style-type: none"><li>• No items were brought to the Committee in 2013.</li></ul>
20. Monitor the progress of the Pacheco Transit Hub.	<ul style="list-style-type: none"><li>• No items were brought to the Committee in 2013.</li></ul>



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Cathy Sanford, Interim County Librarian  
Date: January 14, 2014

Subject: Library Commission 2013 Annual Report and 2014 Work Plan

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**RECOMMENDATION(S):**

ACCEPT the Contra Costa County Library Commission 2013 Annual Report and 2014 Work Plan.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

On June 18, 2002, the Board of Supervisors adopted Resolution No. 2002/377, which requires that each regular and ongoing board, commission, or committee report annually to the Board of Supervisors.

The Library Commission meets on the 4th Thursday of alternating months, Library Administration, 75 Santa Barbara Road, Pleasant Hill, CA 94523 under the following leadership:

\*Dr. Shirley Peck, Chair

\*Kathy Fuller, Vice-Chair

\*Staff: Barbara L. Flynn, former County Librarian and Cathy E. Sanford, Interim County Librarian

The attached report was developed by the Library Commission and highlights the Commission's activities, accomplishments, training and certification and attendance for 2013. In addition, the Commission's 2014 work plans, goals and objectives are also included.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Cathy Sanford, 927-3201

By: , Deputy

cc:

BACKGROUND: (CONT'D)

CONSEQUENCE OF NEGATIVE ACTION:

If the report is not accepted, then the Commission will not be in compliance with Resolution No. 2002/377.

CHILDREN'S IMPACT STATEMENT:

None.

ATTACHMENTS

LibrarCommission2013AnnualReport

## **Library Commission 2013 Annual Report and 2014 Work Plan**

Library Commission meets 4<sup>th</sup> Thursday of alternating months

Library Commission meets at Library Administration, 75 Santa Barbara Road, Pleasant Hill

Dr. Shirley Peck, Chair

Kathy Fuller, Vice-chair

Staff: Barbara L. Flynn, former County Librarian and Cathy E. Sanford, Interim County Librarian

### **1. Activities**

- Commissioners:
  - o Provided information and reports to Library friends, foundations, and community library commissions and community library managers about library activities
  - o Provided information and reports as liaisons to the appointing agencies
  - o Participated in a Strategic Planning Town Hall Meeting
  - o Received a presentation on enki Library – the Library’s open source ebook platform
  - o Received a presentation on Remember & Go – the Library’s local history digitization project
  - o Frequently serve as board members and officers of Library friends, foundations, endowments, and community library commissions; are involved in friends’ membership recruitments, fundraising activities for community libraries, book sales, volunteering, and assisting with library programming, such as: city read programs, Countywide Summer Reading Festival, and youth activities
  - o Voted not to have an outreach subcommittee of the Commission
  - o Received an update on the report by LAFCO (Local Agency Formation Commission)
  - o Received a presentation on the Library’s budget for fiscal year 2013-2014
  - o Received a presentation on the Russian Collection at the Walnut Creek Library; presented by Commissioner Meisch (Walnut Creek)
  - o Attended meetings of the Board of Supervisors, city councils, Mayors’ Conferences, and MACs throughout the County; also attended State Legislators’ meetings
  - o Attended Library’s 100<sup>th</sup> Birthday regional events
  - o Participated in the 100<sup>th</sup> Birthday Celebration on July 21, 2013
  - o Commissioner Smith (District IV) served as a board member for California Public Library Advocates (CPLA)
  - o Commissioner Smith (District IV) attended the BayNet conference and provided a report about the conference to the Commission

### **2. Accomplishments**

- Commissioners:
  - o Elected 2014 Library Commission Officers
  - o Sent letters to legislators supporting SCA7 (Senate Constitutional Amendment No. 7—A relating to public libraries)
  - o Commissioner Smith (District IV) spoke about SCA7 during the Senate Governance and Finance Committee hearing
  - o Commissioner Smith (District IV) gave a presentation at the November 2013 California Library Association Conference (CLA), “Developing Relationships with Your Elected Leaders.” Smith prepared a written report about the CLA Conference for the Commission
  - o Commissioner Smith (District IV) conducted Board Effectiveness Training for the Oakland Library Advisory Commission
  - o Commissioner Smith (District IV) coordinated, and produced, a 2013 CPLA (California Public Library Advocates) workshop with the theme of “Guerrilla Advocacy – It’s a Jungle Out There” The workshop was held in San Mateo and resulted in record registrations of over 70 participants
  - o Commissioner Smith (District IV) wrote an article about the CPLA Guerrilla Advocacy workshop. CLA (California Library Association) published the article
  - o Commissioner Smith (District IV) encouraged Senator Lois Wolk to write an article about SCA7 for CALTATICS (California Public Library Advocates’ quarterly publication), which was reprinted by CLA (California Library Association)
  - o Commissioner Smith (District IV) encouraged Concord Mayor, Dan Helix and Board of Supervisors’ Chair, Federal Glover to write letters supporting SCA7 and send letters to Governor

Brown in support of public library funding. In addition, the Concord Chamber of Commerce sent a letter to the Governor in support of public library funding

### 3. Facilities

- Commissioner Poulos (El Cerrito) worked with El Cerrito Rotary on landscaping issues for the El Cerrito Library
- Commission Chair Peck (Brentwood) worked on the Brentwood Library expansion project with the City of Brentwood, the City's Land Use and Development Committee, and the City Council.

### 4. Attendance/Representation

The 29-member Library Commission is diverse and meets the Board of Supervisors' goal to maintain an ethnic, economic, and geographic balance. A wide range of ages is represented on the Library Commission.

All six meetings in 2013 achieved a quorum and many alternate Commissioners attended meetings in addition to the appointed Commissioner. (*attachment - attendance report*)

### 5. Training/Certification

Commissioners

- Twenty- nine members viewed and reviewed recordings on the Brown Act and Conflict of Interest as required by the Board of Supervisors.
- Renewed CPLA (California Public Library Advocates) memberships
- Attended the April 30, 2013 County's Annual Training for advisory bodies
- Commissioner Smith (District IV) attended the BayNet annual meeting and a CPLA (California Public Library Advocates) workshop

### Proposed Work Plan / Objectives for 2014:

Commissioners:

- **Goal: Continue to advocate for and support increased funding**
  - Objective: Support Library Friends fundraising activities
  - Objective: Continue to advocate with elected officials for financial support of libraries
  - Objective: Commissioner Smith (District IV) will obtain letters to support public library funding from Concord's Mayor, the Chair of the Board of Supervisors, and the Concord Chamber of Commerce.
- **Goal: Continue to promote, expand, educate, and support library services and programs for all of the communities**
  - Objective: Receive an update on the Library's Strategic Plan
  - Objective: Support City Reads programs
  - Objective: Work with Library staff on local projects - supporting library services
  - Objective: Commission Chair, Peck (Brentwood) will participate in planning for the expansion of the Brentwood Library
  - Objective: Commissioner Faye (Brentwood) will encourage outreach for culturally rich collections, similar to the model of the Russian collection in Walnut Creek.
- **Goal: Continue supporting/assisting Friends of the Library groups.**
  - Objective: Support Library Friends fundraising activities, such as increasing book donations and sales
  - Objective: Participate as members of Friends groups for community libraries
  - Objective: Commissioner Smith (District IV) will coordinate and produce CPLA workshop in Castro Valley with the theme of "Supporting California's Public Libraries, Trustees – Friends – Foundations – Advocating Together"

▪ **Goal: Continue to develop skills as a Library Commissioner and be actively involved**

Objective: Participate in Library Commission meetings

Objective: Provide reports about the Library Commission to city councils, Friends of the Library groups, and Library Managers

Objective: Join/Renew Commissioner's CPLA (California Public Library Advocates) memberships

Objective: Attend library workshops, seminars, trainings, and report on these to the Commission

Objective: Commission Chair Peck (Brentwood) will serve as Library Commission Chair

Objective: Commission Chair Peck (Brentwood) will write letters to support public library funding for the Board of Supervisors to consider adopting

Objective: Commissioner Smith (District IV) will continue to serve as a CPLA board member

Objective: Commissioner Smith (District IV) will attend the annual BayNet conference and provide a report about the conference to the Commission

Objective: Commissioner Smith (District IV) will attend the annual CLA (California Library Association) Conference and provide a report about the conference to the Commission

Objective: Commissioner Smith (District IV) will conduct Board Effectiveness Trainings

Objective: Commissioner Smith (District IV) will meet with legislators during CLA's Legislative Day in the District



# Library Commission 2013 Annual Report and 2014 Work Plan

~ PAGE 4 ~

## Attendance Report

### \* Library Commission Attendance: January 2013 – December 2013

Library Commission Attendance January 2013 – December 2013		Total	Total	Total	Total	signed BROWN ACT & Ethics Orientation video viewing certification
COMMISSIONERS	REPRESENTING	Meetings	Absent	Present	Excused	Received
Ruehlig, Walter	City of Antioch	6		3	3	X
Peck, Shirley Dr. (Chair)	City of Brentwood	6		6		X
Faye, Vivian	City of Brentwood (Alternate)	6		6		
Atkinson, Joyce	City of Clayton	6		5	1	X
Boyd, Jeanne	City of Clayton (Alternate)	6		1	5	X
Gomez, Barbara	City of Concord	6		2	4	X
Waterson, Judi	City of Concord (Alternate)	6		4	2	X
Diamond, Katie	Town of Danville	6		5	1	
Poulos, Steve	City of El Cerrito	3		3		X
(term ended 6/13/13)						
Woo, Janice	City of El Cerrito	3		3		
(term began 7/19/13)						
Panas, Tom	City of El Cerrito (Alternate)	6		6		X
Marcotte, Jo Ellen	City of Hercules	6		6		
Ayalin, Cip	City of Hercules (Alternate)	4		4		
(term began 5/13/13)						
Plummer, Stacie	City of Hercules (Alternate)	3		1	2	X
(term ended 5/13/13)						
Hoisington, Mary Ann	City of Lafayette	6		5	1	X
Bailey, Ruth	City of Lafayette (Alternate)	6		6		X
Fuller, Kathy (Vice-chair)	City of Martinez	6		6		X
Kindall, Gayle	City of Martinez (Alternate)	6			6	
Lum, Rodger	Town of Moraga	6		5	1	X
Tumin, Cindy A.	City of Oakley	3		2	1	X
(term ended 6/30/13)						
Joseph, Mary	City of Oakley	3	1	2		
(term began 7/1/13)						
Giullian, Karen	City of Oakley (Alternate)	3			3	
(term began 7/1/13)						
Burkhalter, Barbara	City of Orinda	6		4	2	X
Bonham, Ben	City of Orinda (Alternate)	6		4	1	X
Magann, Kathy	City of Pinole (Alternate)	6		5	1	X
O'Rourke, Charlene	City of Pinole	6		6		X
Vacant	City of Pittsburg	-				
Bracken, Katherine	City of Pleasant Hill	6		6		X
Vacant	City of Richmond	-				
McNeil, Leonard	City of San Pablo	3		2	1	
(term began 7/1/13)						
Ybarra, Frank	City of San Pablo	3	3			
(term ended 6/30/13)						
Bustamante, Sonia	City of San Pablo (Alternate)	3			3	
(term began 7/1/13)						
Prater, Penny	City of San Ramon	6		5	1	X
Meisch, Lynn A.	City of Walnut Creek	6		5	1	X
Woodrow, Don	District 1	6		5	1	
Riise, Diane	District 2	6	1	5		X
O'Brien, Margaret	District 2 (Alternate)	6		2	4	
Vaid, Pramod	District 3	6		4	2	
Denis Dan	District 3 (Alternate)	4		4		
(term began 4/10/13)						
Smith, Alan B.	District 4	6		6		X
Enholm, Greg	District 5	3			3	X
(term ended 6/30/13)						
Marshburn, Peggy	Office of Education (Alternate)	6		3	3	X
Ovick, Dr. Joe	Office of Education	6	1		5	X
Vacant	Contra Costa Central Labor Council	-				
Vacant	Contra Costa Council	-				
Hadden, Cynthia	Friends Council	6		4	2	X
Birsan Edi	Friends Council (Alternate)	6		1	5	
Mehdizadeh, Mojdeh	Contra Costa Community College District	6	2	2	2	X
Kivel, Andy	Contra Costa Community College District (Alternate)	6		1	5	X



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: January 14, 2014

Subject: 2014 APPOINTMENT OF STANDBY OFFICERS TO MEMBERS OF THE BOARD OF SUPERVISORS

**RECOMMENDATION(S):**

1. UPDATE the official list of persons to serve, in priority order, as standby officers for the respective members of the Board of Supervisors, pursuant to County Ordinance Code section 42-4.004:

	<u>District I</u>	<u>District II</u>	<u>District III</u>	<u>District IV</u>	<u>District V</u>
1.	Terrance Cheung	Phil Andersen	David Piepho	Ron Mullin	Janis Glover
2.	Al Miller	Gayle Israel	Steve Barr	Guy Bjerke	Mary Erbez
3.	Vernon Whitmore	Dominique Yancy	Mike Davies	Sherry Sterrett	David Fraser

2. DIRECT that the above appointments supersede all previous appointments.

3. REQUEST that the Emergency Services Division of the Sheriff's Office meet with any Standby Officer that requests it, and provide an overview of the County Emergency System, to include written procedures and contact information, and address any questions raised by the Standby Officers

**FISCAL IMPACT:**

None to the County from this action.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

, County Administrator and Clerk of the Board of Supervisors

Contact: Julie DiMaggio Enea  
925.335.1077

By: , Deputy

### BACKGROUND:

Pursuant to the California Emergency Services Act, Article 15, Preservation of Local Government, the governing body of a political subdivision of the State is required to appoint three Standby Officers for each member of the governing body. Accordingly, Section 42-4.004 of the County Ordinance Code requires the Board to make such appointments.

A Standby Officer appointed by the Board is to serve in place of a regular Board member when the regular Board member is unavailable during a state of war emergency, a state of emergency, or a local emergency. (Unavailable means that the regular Board member has been killed, is missing, or is seriously injured as to be unable to attend meetings and otherwise perform his/her duties.) Appointment of the specified Standby Officers will assure a line of succession so that in the event of the unavailability of one or more regular Board members during a state of war emergency, a state of emergency, or a local emergency, the business of the Board of Supervisors may continue to be conducted with a full complement of Board members. A Standby Officer shall serve until the regular officer becomes available or until the election or appointment of a new regular officer. As required by County Ordinance Code, the status of these Standby Officer appointments will be reviewed annually to determine if any changes in appointees is necessary.

Government Code section 8641 sets out the duties of Standby Officers for the Board of Supervisors:

- 1) To be informed of the Supervisor's duties.
- 2) To be informed of the business and affairs of the County.
- 3) To immediately report for duty in the event of a state of war emergency, state of emergency, or state of local emergency.
- 4) To fill the Supervisor's post when the Supervisor is unavailable (dead, missing, or seriously injured) due to a state of war emergency, state of emergency, or state of local emergency.

The County must provide the Standby Officers with copies of California Emergency Services Act, Article 15: Preservation of Local Government (Gov. Code, §§ 8635-8644.) (See attachment.) The County can also host meetings to keep the Standby Officers informed about County business and can require their attendance at these meetings. (Gov. Code, § 8641 (b).) Standby Officers must take the same oath of office as the Supervisor and serve at the pleasure of the BOS. (Gov. Code, § 8640.)

### CONSEQUENCE OF NEGATIVE ACTION:

Without the appointment of the specified standby officers, there will be no line of succession in the event of the unavailability of one or more regular Board members during a state of war emergency, a state of emergency, or a local emergency. Therefore, the business of the Board of Supervisors may not continue to be conducted with a full complement of Board members.

### CHILDREN'S IMPACT STATEMENT:

Not applicable.

### ATTACHMENTS

CA Emergency Services Act\_Art 15\_Preservation of Local Govt

[Up^](#)[Add To My Favorites](#)**GOVERNMENT CODE - GOV****TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]** ( Title 2 enacted by Stats. 1943, Ch. 134. )**DIVISION 1. GENERAL [8000 - 8899.24]** ( Division 1 enacted by Stats. 1943, Ch. 134. )**CHAPTER 7. California Emergency Services Act [8550 - 8668]** ( Chapter 7 added by Stats. 1970, Ch. 1454. )**ARTICLE 15. Preservation of Local Government [8635 - 8644]** ( Article 15 added by Stats. 1970, Ch. 1454. )

**8635.** The Legislature recognizes that if this state or nation were attacked by an enemy of the United States, many areas in California might be subjected to the effects of an enemy attack and some or all of these areas could be severely damaged. During such attacks and in the reconstruction period following such attacks, law and order must be preserved and so far as possible government services must be continued or restored. This can best be done by civil government. To help to preserve law and order and to continue or restore local services, it is essential that the local units of government continue to function.

In enacting this article the Legislature finds and declares that the preservation of local government in the event of enemy attack or in the event of a state of emergency or a local emergency is a matter of statewide concern. The interdependence of political subdivisions requires that, for their mutual preservation and for the protection of all the citizens of the State of California, all political subdivisions have the power to take the minimum precautions set forth in this article. The purpose of this article is to furnish a means by which the continued functioning of political subdivisions will be assured. Should any part of this article be in conflict with or inconsistent with any other part of this chapter, the provisions of this article shall control.

Nothing in this article shall prevent a city or county existing under a charter from amending said charter to provide for the preservation and continuation of its government in the event of a state of war emergency.

(Amended by Stats. 1974, Ch. 595.)

**8636.** As used in this article, "unavailable" means that an officer is either killed, missing, or so seriously injured as to be unable to attend meetings and otherwise perform his duties. Any question as to whether a particular officer is unavailable shall be settled by the governing body of the political subdivision or any remaining available members of said body (including standby officers who are serving on such governing body).

(Added by Stats. 1970, Ch. 1454.)

**8637.** Each political subdivision may provide for the succession of officers who head departments having duties in the maintenance of law and order or in the furnishing of public services relating to health and safety.

(Added by Stats. 1970, Ch. 1454.)

**8638.** To provide for the continuance of the legislative and executive departments of the political subdivision during a state of war emergency or a state of emergency or a local emergency the governing body thereof shall have the power to appoint the following standby officers:

(a) Three for each member of the governing body.

(b) Three for the chief executive, if he is not a member of the governing body.

In case a standby office becomes vacant because of removal, death, resignation, or other cause, the governing body shall have the power to appoint another person to fill said office.

Standby officers shall be designated Nos. 1, 2, and 3 as the case may be.

(Amended by Stats. 1974, Ch. 595.)

**8639.** The qualifications of each standby officer should be carefully investigated, and the governing body may request the Director of Emergency Services to aid in the investigation of any prospective appointee. No

examination or investigation shall be made without the consent of the prospective appointee.

Consideration shall be given to places of residence and work, so that for each office for which standby officers are appointed there shall be the greatest probability of survivorship. Standby officers may be residents or officers of a political subdivision other than that to which they are appointed as standby officers.

*(Amended by Stats. 2013, Ch. 352, Sec. 176. Effective September 26, 2013. Operative July 1, 2013, by Sec. 543 of Ch. 352.)*

**8640.** Each standby officer shall take the oath of office required for the officer occupying the office for which he stands by. Persons appointed as standby officers shall serve in their posts as standby officers at the pleasure of the governing body appointing them and may be removed and replaced at any time with or without cause.

*(Added by Stats. 1970, Ch. 1454.)*

**8641.** Each standby officer shall have the following duties:

(a) To inform himself or herself of the duties of the office for which the officer stands by. Officers and employees of the political subdivision shall assist the standby officer and each political subdivision shall provide each standby officer with a copy of this article.

(b) To keep informed of the business and affairs of the political subdivision to the extent necessary to enable the standby officer to fill his or her post competently. For this purpose the political subdivision may arrange information meetings and require attendance.

(c) To immediately report himself or herself ready for duty in the event of a state of war emergency or in the event of a state of emergency or a local emergency at the place and in the method previously designated by the political subdivision.

(d) To fill the post for which he or she has been appointed when the regular officer is unavailable during a state of war emergency, a state of emergency or a local emergency. Standby officers Nos. 2 and 3 shall substitute in succession for standby officer No. 1 in the same way that standby officer No. 1 is substituted in place of the regular officer. The standby officer shall serve until the regular officer becomes available or until the election or appointment of a new regular officer.

*(Amended by Stats. 1992, Ch. 1020, Sec. 1.7. Effective January 1, 1993.)*

**8642.** Whenever a state of war emergency a state of emergency or a local emergency exists the governing body of the political subdivision shall meet as soon as possible. The place of meeting need not be within the political subdivision. The meeting may be called by the chief executive of the political subdivision or by a majority of the members of the governing body. Should there be only one member of the governing body, he may call and hold said meeting and perform acts necessary to reconstitute the governing body.

*(Amended by Stats. 1974, Ch. 595.)*

**8643.** During a state of war emergency a state of emergency or a local emergency the governing body shall:

(a) Ascertain the damage to the political subdivision and its personnel and property. For this purpose it shall have the power to issue subpoenas to compel the attendance of witnesses and the production of records.

(b) Proceed to reconstitute itself by filling vacancies until there are sufficient officers to form the largest quorum required by the law applicable to that political subdivision. Should only one member of the governing body or only one standby officer be available, that one shall have power to reconstitute the governing body.

(c) Proceed to reconstitute the political subdivision by appointment of qualified persons to fill vacancies.

(d) Proceed to perform its functions in the preservation of law and order and in the furnishing of local services.

*(Amended by Stats. 1974, Ch. 595.)*

**8644.** Should all members of the governing body, including all standby members, be unavailable, temporary officers shall be appointed to serve until a regular member or a standby member becomes available or until the election or appointment of a new regular or standby member. Temporary officers shall be appointed as follows:

(a) By the chairman of the board of supervisors of the county in which the political subdivision is located, and if he is unavailable,

(b) By the chairman of the board of supervisors of any other county within 150 miles of the political subdivision, beginning with the nearest and most populated county and going to the farthest and least populated, and if he is unavailable,

(c) By the mayor of any city within 150 miles of the political subdivision, beginning with the nearest and most populated city and going to the farthest and least populated.

*(Added by Stats. 1970, Ch. 1454.)*



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: January 14, 2014

Subject: Municipal Advisory Council Funding Recommendation

---

**RECOMMENDATION(S):**

ACCEPT the recommendation from the County Administrator to include \$3,000 to the District Office's budgets for each Municipal Advisory Council (MAC) within the district's boundaries, in the Fiscal Year 2014-15 Recommended Budget.

**FISCAL IMPACT:**

This plan includes \$3,000 per MAC, which will result in an annual cost of \$36,000. (100% General Fund)

**BACKGROUND:**

California Government Code Section 25213 authorizes a county service area to provide governmental services and facilities within the county area, including funding for the services of a municipal advisory council. On December 18, 2008 alterations were made to the County's MAC policies and boundaries to improve the consistency in composition, power and operations. Included in these policies was the recommendation for the County to provide financial support for MAC operations when the County budget situation allows for General Fund support. It was recommended that each District Office be provided \$3,000 annually per MAC.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Lisa Driscoll, County Finance Director  
(925) 335-1023

By: , Deputy

cc:

BACKGROUND: (CONT'D)

To support the efforts of Contra Costa County's MACs, the County Administrator plans to include \$3,000 for each MAC in the Fiscal Year 2014-15 Recommended Budget.

District Offices will administer MAC budgets within their district boundaries. The attached table lists each District Office with details of each MAC and the funding that will be included in the Fiscal Year 2014-15 Recommended Budget to support MAC operations.

MAC funding will be restricted to the following uses: meeting rental space, clerical support, telephone expenses, post office box expenses, postage, print and mail services, and community meeting expenses. Funding may not be expended on other items not directly related to the functions and activities specified in the Board-approved annual work plan.

Even though funding will be provided, MACs are encouraged to seek and apply for funding from other non-County sources to supplement their budget.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the MACs will not receive County funds to support their operations.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

MAC Details by District



Municipal Advisory Councils 2014-15 Recommended Budget					
District Offices	Municipal Advisory Councils <sup>1</sup>	2014-15 Budget	Fund	Org	Purpose
I	El Sobrante Municipal Advisory Council	\$3,000	100300	1126	Advise the Board of Supervisors on services which are or may be provided to the unincorporated El Sobrante community by the County or other local government agencies. Services include, but are not limited to, public health, safety, welfare, public works, planning, and the feasibility of organizing the existing special districts serving unincorporated El Sobrante in order to more efficiently provide public services.
	Kensington Municipal Advisory Council	\$3,000	100300	1116	Advise the Board of Supervisors on land use planning matters, affecting the Kensington community such as land use designations, master plan amendments, environmental impact reports, negative declarations, and zoning variance applications. Represent the community before the County Planning Commission, the Zoning Administrator, and the County Board of Supervisors on items such as land use, planning, and zoning matters.
	North Richmond Municipal Advisory Council	\$3,000	100300	1119	Advise the Board of Supervisors on services which are or may be provided to the North Richmond community by the County or other local governmental agencies including, but not limited to, public health, safety, welfare, public works, and planning, and the feasibility of organizing the existing special districts serving the North Richmond community in order to more efficiently provide public services.
II	Alamo Municipal Advisory Council	\$3,000	N/A	N/A	Advise the District II Supervisor and the Board of Supervisors on issues and concerns related to services provided by the County or other local agencies located within its boundary. This shall include, but not be limited to, parks and recreation, lighting and landscaping, land use and code enforcement, public safety, transportation, and other infrastructure.
III	Bethel Island Municipal Advisory Council	\$3,000	100300	1134	Advise the Board of Supervisors on land use, planning matters, and zoning affecting the community of Bethel Island. Represent the Bethel Island community before the Board of Supervisors, the East County Regional Planning Commission, and the Zoning Administrator on such issues as land use, planning, and zoning.
	Byron Municipal Advisory Council	\$3,000	100300	1128	Advise the Board of Supervisors on land issues and planning matters affecting the community of Byron. Represent the Bryon community before the Board of Supervisors, the East County Regional Planning Commission, and the Zoning Administrator on such issues as land use, planning, and zoning.
	Diablo Municipal Advisory Council	\$3,000	100300	1129	Advise the Board of Supervisors on discretionary land use matters affecting the Diablo community area, such as land use designations, general plan amendments, environmental impact reports, negative declarations, zoning variance applications, and building permit applications for additions or remodeling projects which would affect the exterior dimensions of the residence and for which noticed public hearings are required or could be required by the County's Planning Agency.
	Knightsen Town Advisory Council	\$3,000	100300	1131	Advise the Board of Supervisors on land use and planning matters affecting the community of Knightsen. Represent the Knightsen community before the Board of Supervisors, the East County Regional Planning Commission, and the Zoning Administrator on such issues as land use, planning, and zoning.
IV	Contra Costa Centre Municipal Advisory Council	\$3,000	100300	1132	Advise the Board of Supervisors on local government services for the community, as requested by the Board; and provide input and reports to the Board, County staff or any County hearing body on issues of concern to the community. Advise the Board of Supervisors on land use planning matters affecting the Contra Costa Centre community, such as land use designations, General Plan amendments, environmental impact reports, negative declarations, rezonings, land use permits, preliminary and final development plans, and variances.
V	Bay Point Municipal Advisory Council	\$3,000	100300	1118	Advise the Board of Supervisors on services which are or may be provided to the Bay Point community by the County or other local government agencies. Services include, but are not limited to public health, safety, welfare, public works, planning, and the feasibility of organizing the existing special districts serving the Bay Point community in order to more efficiently provide public services.
	Pacheco Municipal Advisory Council	\$3,000	100300	1133	Advise the Board of Supervisors on services which are or may be provided to the community by the County or other government agencies, and feasibility of organizing the existing special districts serving the community in order to provide public services such as, but not limited to, water, sewer, fire, and park and recreations.
	Rodeo Municipal Advisory Council	\$3,000	100300	1127	Advise the Board of Supervisors on land use and planning matters affecting the Rodeo community, and may represent the Rodeo community before the County Planning Commission, the Zoning Administrator, and the County Board of Supervisors on services such as, land use, planning, and zoning matters.
TOTAL MACs BUDGETS:		\$36,000			
<sup>1</sup> Source: <a href="http://contra.napanet.net/maddybook">http://contra.napanet.net/maddybook</a>					



**Contra  
Costa  
County**

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Extension #26-750-1 with University of San Francisco, School of Nursing and Health Professions

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Extension Agreement #26-750-1 with University of San Francisco, School of Nursing and Health Professions, an educational institution, to extend the term from December 31, 2013 through December 31, 2016.

**FISCAL IMPACT:**

None

**BACKGROUND:**

On September 24, 2013, the Board of Supervisors approved Contract #26-750, with University of San Francisco, School of Nursing and Health Professions, for the provision of field instruction in the Health Services Department for the Contractor's registered nurse students, for the period from July 1, 2013 through December 31, 2013.

Approval of Contract Extension Agreement #26-750-1 will allow the Contractor's registered nurse students to receive field instruction in the Health Services Department through December 31, 2016.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: DAVID GOLDSTEIN  
370-5525

By: , Deputy

**CONSEQUENCE OF NEGATIVE ACTION:**

If this extension is not approved, the students will not receive supervised fieldwork instruction experience at Contra Costa Regional Medical Center and Contra Costa Health Centers.

**CHILDREN'S IMPACT STATEMENT:**

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Amendment/Extension #22-939-19 the Food Bank of Contra Costa and Solano

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment/Extension Agreement #22-939-19 with the Food Bank of Contra Costa and Solano, a non-profit corporation, effective August 1, 2013, to amend Contract #22-939-17 (as amended by Contract Amendment Agreement, #22-939-18), to increase the payment limit by \$55,081, from \$81,667, to a new payment limit of \$136,748, and extend the term from February 28, 2014 through April 30, 2014.

**FISCAL IMPACT:**

This Contract is funded 100% Ryan White HIV/AIDS Treatment Extension Act (Rate increase)

**BACKGROUND:**

In March 2013, the County Administrator approved and Purchasing Services Manager executed Contract #22-932-17 (as amended by Contract #22-932-18), with the Food Bank of Contra Costa and Solano for the provision of coordination of food services for County Residents diagnosed with HIV disease, for the period from March 1, 2013 through February 28, 2014.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Wendel Brunner, MD,  
313-6712

By: , Deputy

cc: D Morgan, C Rucker

BACKGROUND: (CONT'D)

Approval of Contract Amendment/Extension Agreement #22-939-19 will allow the Contractor to provide additional services through April 30, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, Contractor will not be compensated for providing additional food services.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Unpaid Student Training Agreement #22-553-2 with Mount St. Mary's College

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**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Unpaid Student Training Agreement #22-553-2 with Mount St. Mary's College, an educational institution, to provide supervised field instruction in the Health Services Department for Contractor's physical therapist students for the period from September 1, 2013 through August 31, 2016.

**FISCAL IMPACT:**

None

**BACKGROUND:**

The purpose of this agreement is to provide Contractor's students with the opportunity to integrate academic knowledge with applied skills at progressively higher levels of performance and responsibility. Supervised fieldwork experience for students is considered to be an integral part of both educational and professional preparation. The Health Services Department can provide the requisite field education, while at the same time, benefitting from the students' services to patients.

Approval of Unpaid Student Training Agreement #22-553-2

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Wendel Brunner 313-6712

By: , Deputy

cc: D Morgan, C Rucker

**BACKGROUND: (CONT'D)**

will allow Mount St. Mary's College students to receive supervised fieldwork instruction experience at Contra Costa Health Services, through August 31, 2016, including mutual indemnification to hold harmless both parties for any claims arising out of performance of this contract.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, the students will not receive supervised fieldwork instruction experience at Contra Costa Health Services Department.

**CHILDREN'S IMPACT STATEMENT:**

**Not Applicable**



**Contra  
Costa  
County**

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Unpaid Student Training Agreement #26-675-1 with The Wright Institute

---

**RECOMMENDATION(S):**

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Unpaid Student Training Agreement #26-675-1 with The Wright Institute, an educational institution, to provide field instruction in the Health Services Department to Contractor's Clinical Psychology Doctorate students for the period from August 1, 2013 through July 31, 2016.

**FISCAL IMPACT:**

None

**BACKGROUND:**

The purpose of this agreement is to provide Contractor's students with the opportunity to integrate academic knowledge with applied skills at progressively higher levels of performance and responsibility. Supervised fieldwork experience for students is considered to be an integral part of both the educational and professional preparation. The Health Services Department can provide the requisite field education, while at the same time, taking advantage of the students' services to patients.

On September 14, 2010, the Board of Supervisors approved Contract #26-675 with The Wright Institute

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Anna Roth 370-5101

By: , Deputy

cc: D Morgan, C Rucker



BACKGROUND: (CONT'D)

for the provision of supervised fieldwork instruction experience with Health Services, for the period from August 1, 2010 through July 31, 2013.

Approval of Unpaid Student Training Agreement #26-675-1 will allow The Wright Institute students to receive supervised fieldwork instruction experience at Contra Costa Regional Medical Center and Contra Costa Health Centers, through July 31, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the students will not receive supervised fieldwork instruction experience at Contra Costa Regional Medical Center and Contra Costa Health Centers.

CHILDREN'S IMPACT STATEMENT:

**Not Applicable**



Contra  
Costa  
County

To: Board of Supervisors  
From: William Walker, M.D., Health Services Director  
Date: January 14, 2014

Subject: Redirection of 1991 Health Indigent Realignment Funds pursuant to Implementation of the Affordable Care Act

**RECOMMENDATION(S):**

Adopt Resolution 2014/14 authorizing the Health Services Director or his designee to inform the State of California that Contra Costa County selects the County Savings Determination methodology to calculate the amount of Indigent Care Realignment funds to be redirected to the State effective in Fiscal Year 2013-14 and forward.

**FISCAL IMPACT:**

This action will result in a redirection of Health Realignment funding to the State of California as a result of increased Local funding generated by the Affordable Care Act. The actual amount to be redirected will be determined based on a retrospective cost accounting process. The approximate maximum amount to be redirected is \$20 million.

**BACKGROUND:**

The 2010 Patient Protection and Affordable Care Act (ACA) redefined requirements and payment for healthcare services in the United States. For California, this Act is being implemented through the expansion of Medi-Cal for residents with incomes below 138% of the Federal Poverty Level and the purchase of subsidized health insurance through the State's Covered California insurance exchange. This Medi-Cal expansion will shift fiscal responsibility for a portion of the local medically indigent population to the State in January 2014. Due to the shift in patients to new health coverage the State estimates counties will realize significant cost savings. Accordingly, the State intends to redirect Health Indigent Care Realignment revenues currently used to fund the pending newly eligible ACA patients. The California legislature adopted Assembly Bill (AB) 85, which Governor Brown signed into law on June 27, 2013 authorizing the redirection of the Realignment funding from the Counties to the State.

Provisions of AB 85 allow counties the choice of two redirection options. Specifically, counties were given a choice

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: William Walker, 957-5410

By: , Deputy

cc: T Scott, C Rucker, B Decesare

to: 1) accept a formula based reduction or 2) show that a lesser reduction would be appropriate by using a methodology that allows counties to use their cost experience associated with uninsured programs in their county.

## BACKGROUND: (CONT'D)

### Option 1 – 60/40 Formula

Under this option, counties may elect to have 60 percent of the amount of their Health Realignment funds, including an equivalent to their statutory Maintenance of Effort (i.e. the County General Fund contribution to Health Realignment) redirected to the State. This option would result in approximately \$21 million returned to the State annually for a ten year time period regardless of the amount of benefit derived from the ACA.

### Option 2 – County Savings Determination Process

Under this option, counties may choose an alternate methodology that redirects revenues based on documented costs, actual revenues, and medical care savings. This cost based driven determination process is done on an annual basis and adjusts for the net benefit of the ACA. Under this option the approximate maximum exposure for redirection is \$20 million annually. The key difference between this option and the 60/40 Formula is this option is experienced based. It takes into account the actual revenue generated by the ACA in addition to other funding sources. If changes occur to the health care financing landscape over the next decade this option provides the flexibility to adjust or eliminate the amount of redirected realignment funds.

The Health Services Department has determined that the County Savings Determination Process option reduces the risk and dollar amount of the Realignment funding to be returned to the State. Therefore, it is recommended that the County of Contra Costa inform the State of California that it selects the County Savings Determination Process option set forth in Welfare and Institutions Code Section 17600.50(c)(1) as the methodology by which the amount of funds to be redirected to the Family Support Subaccount will be determined.

Adoption of this resolution by the Board of Supervisors of the County of Contra Costa will allow the Health Services Director, or his/her designee, to advise the State Department of Health Care Services of this decision prior to the January 22, 2014 notification deadline.

## CONSEQUENCE OF NEGATIVE ACTION:

If this resolution is not approved the State has the option under AB 85 to impose an automatic take back based on 62.5% of the Realignment Funds and 62.5% of the statutory Maintenance of Effort.

## CHILDREN'S IMPACT STATEMENT:

Not applicable.

## ATTACHMENTS

Resolution No. 2014/14

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
**and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 01/14/2014 by the following vote:

**AYES:** ☐  
**NOES:** ☐  
**ABSENT:** ☐  
**ABSTAIN:** ☐  
**RECUSE:** ☐



**Resolution No. 2014/14**

In The Matter Of: SELECTING THE COUNTY SAVINGS DETERMINATION PROCESS FOR REDIRECTING INDIGENT CARE HEALTH REALIGNMENT FUNDING.

WHEREAS, Welfare and Institutions Code Section 17600.50(c) requires counties to adopt a resolution informing the State of California of its selection of a methodology by which the amount of realignment funds redirected from the Health Subaccount to the Family Support Subaccount will be determined, effective in Fiscal Year 2013-14 and forward;

WHEREAS, the Board of Supervisors of the County of Contra Costa wishes to select the County Savings Determination Process formula pursuant to Welfare and Institutions Code, Section 17612.1; and

WHEREAS, the County acknowledges that upon choosing this option, this determination method is final and not subject to change;

NOW, THEREFORE BE IT RESOLVED that the County of Contra Costa informs the State of California that it selects the County Savings Determination Process formula pursuant to Welfare and Institutions Code, Section 17612.1.

The Health Services Director, or his designee, is ordered to advise the State Department of Health Care Services prior to January 22, 2014, of the adoption of this resolution by the Board of Supervisors of the County of Contra Costa.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**Contact: William Walker, 957-5410**

**ATTESTED: January 14, 2014**

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

**cc:** T Scott, C Rucker, B Decesare



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: January 14, 2014

Subject: ACCEPT Alamo-Lafayette Cemetery District 2013 Annual Report

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**RECOMMENDATION(S):**

Accept the Alamo-Lafayette Cemetery District's 2013 Annual Report, as recommended by Supervisor Andersen.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

Annual reports shall follow the following format and shall not exceed two typewritten pages:

Advisory Body Name: Alamo-Lafayette Cemetery District

Advisory Body Meeting Time/Location: Second Monday of every month at 4pm./3285 Mt. Diablo Boulevard, Lafayette

Chair (during the reporting period): Primo Facchini

Staff person (during the reporting period): Patricia Howard

Reporting Period: January 1, 2013 to December 31, 2013

On June 18, 2002, the Board of Supervisors adopted Resolution No. 2002/377, which requires that each regular and ongoing board, commission, or committee shall annually report to the Board of Supervisors on its activities, accomplishments, membership attendance, required training/certification (if any), and proposed

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☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Jill Ray, 925-957-8860

By: , Deputy

cc: District 2 Supervisor, Alamo-Lafayette Cemetery District

BACKGROUND: (CONT'D)

work plan or objectives for the following year.

CONSEQUENCE OF NEGATIVE ACTION:

The report will not be accepted.

CHILDREN'S IMPACT STATEMENT:

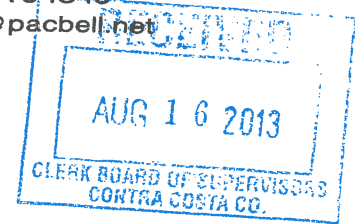
Not applicable.

ATTACHMENTS

Alamo Lafayette Cemetery Dist. Report

# ALAMO-LAFAYETTE CEMETERY DISTRICT

3285 MT. DIABLO BLVD. / P.O. Box 1955 • LAFAYETTE, CA 94549  
(925) 284-1353 • FAX: (925) 284-4144 • E-MAIL: [alcdist@pacbell.net](mailto:alcdist@pacbell.net)



August 12, 2013

Dear Board of Supervisors and Clerk of the Board:

The Alamo-Lafayette Cemetery District is submitting the 2012-2013 fiscal year actuals, the 2013-2014 fiscal year budget and the 2012-2013 fiscal year annual report.

We believe that sales in the cemetery industry have been hit extremely hard by the deep recession. Most of our constituents who purchase full casket sites have now decided to be cremated and are either selling their sites back or are using them as cremation sites. This has hurt our district financially, in addition to rising operation costs.

The Cemetery District continues to run efficiently, and I am delighted to be a part of this District; we have three of the most reliable, conscientious Trustees, Primo E. Facchini, Nancy Flood, and Carolyn Thiessen.

Thank you for taking the time to review the enclosed documents.

Respectfully,

Patricia Howard  
Superintendent



# Alamo-Lafayette Cemetery District

An Independent California Special District

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3285 Mt. Diablo Blvd./P. O. Box 1955 • Lafayette, California 94549 • (925) 284-1353 • Fax: (925) 284-4144

## BOARD OF TRUSTEES' ANNUAL REPORT

July 1, 2012 - June 30, 2013

During this past fiscal year there were 23 full casket in-ground interments, 12 cremation interments and 1 urn placed into the niches at the Lafayette Cemetery plus the pre-need sale of 19 full casket in-ground sites, 1 cremation site and 9 niches. In the Alamo Cemetery there were 6 full casket in-ground interments, 11 cremations and 8 urns placed into the niches plus the pre-need sale of 25 niches were sold in Alamo. The Lafayette Cemetery has only 400 interment sites and 168 niches for sale. The Alamo Cemetery still has 342 above ground niches for sale. No full casket in-ground interment sites are available in Alamo. Income generated by the above is not sufficient to maintaining the operating costs.

Our grounds keepers have been maintaining both cemeteries, as well as the opening / closing for all interments. They have replaced 6 retaining walls. There were many trips to Contra Costa Transfer Station at a cost of \$5356. Here are some of the expenses associated with running our District; Truck repairs \$8847. Tractor repairs \$4602. Workers Compensation & Property Insurance \$9385. Liners \$8150. New Trees \$4583. Gardelle Construction has been maintaining the lawns by mowing, blowing, grading and weed eating, plus the cost of fertilization and pre-emergence for an annual cost of \$12,000. This are just some of our expenses.

Again, costs are up for items used to keep the District running smoothly, including benefits, medical / dental, garbage, liners, utilities, supplies, etc. Operating a public cemetery is very much different than operating a private cemetery. This past year the District spent \$2033 to repurchase 3 full casket sites. The costs associated with funerals / burials are extremely expensive; more and more we are seeing persons choosing cremation and then taking home their loved one's urn.

As of June 2013, the District has \$434,503 in its Endowment Fund and \$12,810 in LAIF (Local Agency Investment Fund). Actual annual operating budget was \$372,115. Total tax revenue from 2012-13 F/Y was \$206,708.

Respectfully submitted on this 12th day of August 2013, by Superintendent Howard

  
Primo E. Facchini, Trustee Chairman

  
Nancy Flood, Trustee

  
Carolyn Thiessen, Trustee

**ALAMO LAFAYETTE CEMETERY DISTRICT**  
**Profit & Loss Budget vs. Actual**  
**July 2012 through June 2013**

Ordinary Income/Expense	Jul '12 - Jun '13		Budget
	Actual	Budget	
Income			
Dist Rev. (lots, O/C, Oth)	154,575.20	108,600.00	
Endow Fees (nonspendable)	22,550.00	26,400.00	
Tax Rev	206,708.00	216,000.00	
<b>Total Income</b>	<b>383,833.20</b>	<b>351,000.00</b>	
Gross Profit	383,833.20	351,000.00	
Expense			
Medical Insurance	12,389.00	18,000.00	
Plot re-purchase	1,325.00		
Operating & Supplies	29,548.26	36,000.00	
Office & Audit	77,801.29	36,000.00	
Automobile Expense	439.93		
Insurance	9,385.49	12,000.00	
Payroll Expenses	199,862.39	192,000.00	
Payroll Taxes	22,443.38	36,000.00	
Postage and Delivery	0.00	1,200.00	
Professional Fees	2,025.00		
Telephone	2,959.83	5,400.00	
Utilities	13,935.35	14,400.00	
<b>Total Expense</b>	<b>372,114.92</b>	<b>351,000.00</b>	
Net Ordinary Income	11,718.28	0.00	
Net Income	<b>11,718.28</b>	<b>0.00</b>	

**13'-14' F/Y budget**  
July 2013 through June 2014

[illegible]



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David O. Livingston, Office of the Sheriff  
Date: January 14, 2014

Subject: Accept the Fiscal Year 2012-2013 Inmate Welfare Fund Expenditure Report

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**RECOMMENDATION(S):**

ACCEPT the report prepared by the Office of the Sheriff in accordance with Penal Code Section 4025(e) representing an accounting of all Inmate Welfare Fund receipts and disbursements for Fiscal Year 2012/13.

**FISCAL IMPACT:**

None. This is an informational report.

**BACKGROUND:**

Penal Code Section 4025(e) states that money and property deposited in the Inmate Welfare Fund shall be expended by the Office of the Sheriff-Coroner primarily for the benefit, education, and welfare of the inmates confined within the jail. Any funds that are not needed for the welfare of inmates may be expended for the maintenance of county jail facilities. Maintenance of county jail facilities may include, but is not limited to, the salary and benefits of personnel used in the programs to benefit the inmates, including but not limited to education, drug and alcohol treatment, welfare, library, accounting, and other programs deemed appropriate by the Sheriff. An itemized report of these expenditures shall be submitted annually to the Board of Supervisors.

This fund received the majority of

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Liz Arbuckle, 335-1529

By: , Deputy

cc: Liz Arbuckle, Heike Siewell, Tim Ewell

#### BACKGROUND: (CONT'D)

its revenues from inmate telephone commissions and commissary sales. The Director of Inmate Services, working with the public members of the Inmate Welfare Committee, manages the delivery of professional services, establishes an annual budget and oversees expenditures for the Sheriff.

The Inmate Welfare Fund continues to provide valuable professional, educational, and recreational services to persons in custody at the Martinez Detention Facility, West County Detention Facility, and the Marsh Creek Detention Facility.

#### CHILDREN'S IMPACT STATEMENT:

No impact.

#### ATTACHMENTS

IWF report

Inmate Welfare Fund  
Statement of Receipts, Disbursements, and Fund Balance  
Fiscal Year Ended June 30, 2013

Receipts:

GTL Telephone Commissions	\$693,778
Canteen Commissions	713,651
WCDF Inmate Industries	69,222
MCDF Frame Shop	8,146
Investment Interest	977
Miscellaneous	<u>6,761</u>

Total Receipts

\$1,492,535

Disbursements:

Entertainment

Purchase of TV's/VCR's/DVD's/Accessories	\$
Public Performance License & Movie Rental	2,666
Inmate Work Crew Refreshments/Treats	<u>16,302</u>
Sub-Total	

\$ 18,968

Recreation

Table/Board Games/Sports Equipment	
Satellite TV Service	<u>\$29,741</u>
Sub-Total	

\$ 29,741

Education and Welfare

Bay Area Chaplains Contractual Services	\$115,058
Office of Education Contractual Services	495,271
Library Program	214,984
Inmate Legal Services	43,779
MCDF Landscape Program	36,182
WCDF Inmate Industries	201,038
BART and Bus Tickets	53,250
MCDF Frame Shop Program	<u>19,496</u>
Sub-Total	

\$1,179,058

Personal Care/Hygiene		
Hair Clippers, Curling Irons, Hair Dryers, Electric Razors, etc.	<u>\$12,341</u>	
Sub-Total		\$ 12,341
Equipment Maintenance		
Furniture, Electronic, etc.	<u>\$10,266</u>	
Sub-Total		\$ 10,266
Other		
Staff Salaries/Benefits	\$142,060	
Staff Travel Expenses	1,524	
Communication	1,481	
Office Supplies	142	
Office Equipment	1,279	
Specialized Services & Supplies	22,198	
Sub-Total		\$ 168,684
Total Disbursements		\$1,419,058
Receipts less Disbursements		\$ 73,477
Cash Reserved for Operating Expenses		\$1,365,571
Total		\$1,439,048



Contra  
Costa  
County

To: Board of Supervisors  
From: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE  
Date: January 14, 2014

Subject: Referrals to the Transportation, Water and Infrastructure Committee for 2014

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**RECOMMENDATION(S):**

REFER the attached list of issues to the Transportation, Water and Infrastructure Committee for action in 2014, as recommended by the Committee.

**FISCAL IMPACT:**

None. The cost to staff this Committee is included in the budget of the Department of Conservation and Development. Cost for Committee reports are borne by the department or agency responsible for addressing the referral item.

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☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD  
COMMITTEE

---

Action of Board On: **01/14/2014** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

RECUSE \_\_\_\_\_

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: John Cunningham, (925)  
674-7833

By: , Deputy

cc:



### BACKGROUND:

Each year the Board of Supervisors is asked to approve a list of issues to be referred to its standing committees. The attached list of issue referrals was reviewed and approved by the Transportation, Water and Infrastructure Committee at its December 5 meeting for recommendation to the full Board.

The changes from the 2013 list are as follows:

- Added "*expenditure plan*" to Measure WW implementation activities under county park issues to reflect anticipated next steps.
- Added "*Contra Costa County Mobility Management Plan*" to reflect a study sponsored by the Central Contra Costa County Transit Authority (County Connection) that may be moving into an implementation phase.
- "Monitor Pacheco Transit Hub" has been deleted as the project is now under construction.

The Board is asked to approve this list of referrals to the Committee for 2014. If any new issues arise that are not included on the attached referral list, the new issue will be brought to the Board of Supervisors for a referral before the Committee discusses it.

### CONSEQUENCE OF NEGATIVE ACTION:

The Transportation, Water and Infrastructure Committee will not have a Board-approved list of issues to address.

### CHILDREN'S IMPACT STATEMENT:

None.

### ATTACHMENTS

TWI Committee Referrals - 2014

## **2014 Referrals to the Transportation, Water and Infrastructure Committee**

*Approved by TWI Committee on 12/5/13 - Scheduled for Board of Supervisors Consideration on January 14, 2014*

1. Review legislative matters on transportation, water, and infrastructure.
2. Review applications for transportation, water and infrastructure grants to be prepared by the Public Works and Conservation and Development Departments.
3. Monitor the Contra Costa Transportation Authority including efforts to implement Measure J.
4. Monitor EBMUD and Contra Costa Water District projects and activities.
5. Review issues associated with the health of the San Francisco Bay and Delta, including but not limited to Delta levees, flood control, dredging, drought planning, habitat conservation, development of an ordinance regarding single-use plastic bags and polystyrene, and water quality, supply and reliability.
6. Review issues associated with County flood control facilities.
7. Monitor creek and watershed issues and seek funding for improvement projects related to these issues.
8. Monitor the implementation of the Integrated Pest Management policy.
9. Monitor the status of county park maintenance issues, including, but not limited to, transfer of some County park maintenance responsibilities to other agencies and implementation of Measure WW grants and expenditure plan.
10. Monitor and report on the East Contra Costa County Habitat Conservation Plan.
11. Review the ability to revise the County design standards for residential streets to address traffic calming and neighborhood livability issues when these roads are built.
12. Monitor and report on the Underground Utilities Program.
13. Monitor implementation of the Letter of Understanding with PG&E for the maintenance of PG&E streetlights in Contra Costa.
14. Freight transportation issues, including but not limited to potential increases in rail traffic such as that proposed by the Port of Oakland and other possible service increases, safety of freight trains and trucks that transport hazardous materials, the planned truck route for North Richmond; and the deepening of the San Francisco-to-Stockton Ship Channel.
15. Monitor the Iron Horse Corridor Management Program.
16. Monitor and report on the eBART Project.
17. Review transportation plans and services for specific populations, including but not limited to *County Low Income Transportation Action Plan, Coordinated Human Services Transportation Plan for the Bay Area, Priorities for Senior Mobility, Bay Point Community Based Transportation Plan, Contra Costa County Mobility Management Plan*, and the work of Contra Costans for Every Generation.
18. Monitor issues of interest in the provision of general transportation services, including but not limited to public transportation and taxicab services
19. Monitor the statewide infrastructure bond programs.

Monitor the progress of the Pacheco Transit Hub. (Facility is under construction)