

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
July 8, 2014

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

Inspirational Thought- "You are never too old to set another goal or to dream a new dream." ~
C.S. Lewis

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.131 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 Discussion Items.**

PRESENTATIONS (5 Minutes Each)

PR.1 PRESENTATION recognizing July 13-19, 2014 as Pretrial, Probation and Parole Supervision Week in Contra Costa County. (Philip Kader, Chief Probation Officer)

DISCUSSION ITEMS

D. 1 CONSIDER Consent Items previously removed.

- D. 2** HEARING on the award of a construction contract in the amount of \$5,306,959 with Team-Solar Inc., a wholly owned subsidiary of SunEdison, Inc., for the installation of photovoltaic solar systems at six County facilities, Countywide. (Brian Balbas, Public Works Department)
- D. 3** HEARING to consider adoption of Resolution of Necessity No. 2014/235 for acquisition by eminent domain of real property required for the Orwood Road Bridge Replacement Project, as recommended by the Public Works Director, Brentwood area. (100% Federal Highway Bridge Replacement Funds) (Karen Laws, Public Works Department)
- D. 4** CONSIDER adopting a position on SB 1319 (Pavley), as amended 6/18/14, Oil Spills: Oil Spill Prevention and Response, a bill that makes various changes to existing law related to oil spill prevention, planning, emergency response, including transportation of oil by rail, as recommended by the Hazardous Materials Program Director. (Lara DeLaney, Deputy County Administrator and Randy Sawyer, Hazardous Materials Program Director)
- D. 5** CONSIDER adopting a position on AB 380 (Dickinson), as amended 6/16/14, Spill Response For Railroads, a bill that requires a rail carrier to report specified information regarding the transportation of hazardous materials to the Office of Emergency Services, to maintain a response management communications center, and to provide the office with a hazardous materials emergency response plan, as recommended by the Hazardous Materials Program Director. (Lara DeLaney, Deputy County Administrator and Randy Sawyer, Hazardous Materials Program Director)
- D. 6** HEARING on the itemized costs of abatement for property located at 3901 Hillcrest Rd., El Sobrante, CA (Heather Roche, Owner). (Greg Wixom, Department of Conservation and Development)
- D. 7** HEARING to consider appeal of the County Planning Commission decision to approve a proposed wireless telecommunications facility located near 801 Coventry Road in the Kensington area, and to consider related actions under the California Environmental Quality Act, County File #LP14-2014. (Chris Hall, Jennifer Kelly, Dr. Lee Wolfer, et al., Appellants) (AT&T, Applicant and Contra Costa County/Northern California Joint Pole Association, Owners) (William Nelson, Department of Conservation and Development)
- D. 8** CONTINUED 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) (William Nelson, Department of Conservation and Development)

- D. 9** CONSIDER approving and authorizing the Contra Costa Emergency Medical Services Agency to issue a Request for Proposals for the provision of emergency ambulance services for Emergency Operations Areas I, II and V, as recommended by the Health Services Director. (Patricia Frost, EMS Director)
- D.10** CONSIDER approving response to 2013/14 Civil Grand Jury Report No. 1405 entitled, "The Public Records Act in Contra Costa County" and DIRECT the Clerk of the Board to send the response to the Superior Court no later than July 15, 2014. (David Twa, County Administrator)
- D.11** CONSIDER adopting Resolution No. 2014/205, which supersedes Resolution No. 2013/299, regarding compensation and benefits for the County Administrator, County Elected and Appointed Department Heads, Management, Exempt, and Unrepresented employees to reflect changes, as recommended by the County Administrator. (David Twa, County Administrator)

D. 12 PUBLIC COMMENT (2 Minutes/Speaker)

D. 13 CONSIDER reports of Board members.

Closed Session

A. CONFERENCE WITH LABOR NEGOTIATORS

1. Agency Negotiators: David Twa and Bruce Heid.

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.

Unrepresented Employees: All unrepresented employees.

B. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Initiation of litigation pursuant to Gov. Code, § 54956.9(d)(4): One potential case

Adjourn

CONSENT ITEMS

Road and Transportation

- C. 1** ADOPT Resolution No. 2014/231 approving the annual county miles in the Total Maintained Mileage for County Roads Report, as recommended by the Public Works Director, Countywide. (No fiscal impact)
- C. 2** ADOPT Traffic Resolution No. 2014/4415 declaring a two-way stop controlled intersection at Hemme Avenue and La Sonoma Drive/La Sonoma Way, as recommended by the Public Works Director, Alamo area. (No fiscal impact)
- C. 3** APPROVE and AUTHORIZE the Public Works Director, or designee, to submit, on behalf of the County, a grant application to the Contra Costa Transportation Authority for the Contra Costa Priority Development Area Planning Grant Program to conduct a planning study on San Pablo Avenue, Rodeo and Crockett areas. (89% Federal Funds, 11% Local Road Funds)
- C. 4** ALLOCATE a total of \$20,000 from the Dougherty Valley Regional Enhancement Fund (Fund) to implement the San Ramon Valley Street Smarts Program (Program) for FY 2014/15; AUTHORIZE expenditure of \$10,000 from the Fund to add to contributions by the City of San Ramon, the Town of Danville, and the San Ramon Valley Unified School District to implement the Program, and; AUTHORIZE the Public Works Director, or designee, to execute a Memorandum of Understanding and contribute \$10,000 to the Town of Danville for program-related administrative services. (100% Dougherty Valley Regional Enhancement Fund)
- C. 5** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Parsons Brinckerhoff, Inc., in the amount of \$174,347 for construction management services for the Deer Valley Road Shoulder Widening Project, for the period of June 24, 2014 through acceptance of the completed project by the Board of Supervisors, Brentwood area. (88% Federal High Risk Rural Road Program Funds, 12% Local Road Funds)
- C. 6** AWARD and AUTHORIZE the Public Works Director, or designee, to execute a construction contract with Engineered Soil Repairs, Inc., in the amount of \$381,713 for the Marsh Creek Road Bridge (28C0142) Wingwall Repair Project, Clayton area. (100% Local Road Funds)

- C. 7** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Parsons Brinckerhoff, Inc., in the amount of \$122,319 for construction management services for the Marsh Creek Road Safety Improvements Project, for the period of June 24, 2014 through acceptance of the completed project by the Board of Supervisors, Brentwood area. (38% Federal High Risk Rural Road Program Funds, 34% Federal Highway Safety Improvement Program Funds, 27% East County Area of Benefit Funds, 1% Local Road Funds)
- C. 8** APPROVE and AUTHORIZE the Public Works Director, or designee, to accept donations in the amount of \$30,000 from John Muir Health and \$5,000 from Contra Costa Centre Association for a total of \$35,000, for the purchase and installation of traffic-calming features on Cherry Lane, Walnut Creek area. (100% Restricted Donations)
- C. 9** AWARD and AUTHORIZE the Public Works Director, or designee, to execute three construction contracts with USA Trucking, Inc., All City Trucking, Inc., and Roby Trucking, in the amount of \$300,000 each, for the 2014 On-Call Trucking Services Contract(s) for Various Road and Flood Control Maintenance Work, Countywide. (100% Local Road Funds)
- C. 10** AWARD and AUTHORIZE the Public Works Director, or designee, to execute a construction contract with Granite Rock, Inc., in the amount of \$2,878,914 for the San Pablo Avenue at Rodeo Creek Bridge Replacement Project, Rodeo area. (89% Federal Highway Bridge Program Funds, 11% Local Road Funds)
- C. 11** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Hanna Engineering, Inc. (dba The Hanna Group) in the amount of \$334,000 for construction management services for the San Pablo Avenue at Rodeo Creek Bridge Replacement Project, for the period of July 8, 2014 through acceptance of the completed project by the Board of Supervisors, Rodeo area. (89% Federal Highway Bridge Program Funds, 11% Local Road Funds)
- C. 12** AWARD and AUTHORIZE the Public Works Director, or designee, to execute a construction contract with Grade Tech, Inc., in the amount of \$541,469 for the Walnut Boulevard Pedestrian and Bicycle Project, Walnut Creek area. (93% Central County Area of Benefit Funds and 7% Transportation Development Act Funds)

Special Districts & County Airports

- C. 13** AUTHORIZE the Director of Airports, or designee, to submit an Airport Improvement Program (AIP) grant application to both the Federal Aviation Administration (FAA) and the California Department of Transportation-Division of Aeronautics (Caltrans) for approximately \$892,500 and \$22,400, respectively, to perform maintenance on the airfield, minor reconstruction of the ramp, and improvements to the signage and lighting at Byron Airport; APPROVE and AUTHORIZE the execution of related documents. (90% FAA, 2.25% Caltrans and 7.75% Airport Enterprise Fund)
- C. 14** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Felix Boston, for a shade hangar at Buchanan Field Airport effective July 2, 2014, in the monthly amount of \$172.41, Pacheco area. (100% Airport Enterprise Fund)
- C. 15** APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District, or designee, to execute, on behalf of the Contra Costa Clean Water Program, a contract with ADH Technical Services, Inc., for the period of July 1, 2014 to June 30, 2015 in an amount not to exceed \$660,000 for assistance in complying with mandated federal and state stormwater rules contained in National Pollutant Discharge Elimination System Permits issued by the San Francisco Bay and Central Valley Regional Water Quality Control Boards, Countywide. (100% Cities and County Stormwater Utility Fee Assessments)
- C. 16** APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District, or designee, to execute, on behalf of the Contra Costa Clean Water Program, a contract amendment with AMEC Environment & Infrastructure, Inc., to extend the term from June 30, 2014 through August 31, 2014 for continuing compliance assistance with mandated federal and state stormwater rules contained in National Pollutant Discharge Elimination System Permits issued by the San Francisco Bay and Central Valley Regional Water Quality Control Boards, Countywide. (No fiscal impact)
- C. 17** APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District, or designee, to execute, on behalf of the Contra Costa Clean Water Program, a contract with Larry Walker Associates for the period of July 1, 2014 to June 30, 2015 in an amount not to exceed \$140,000 for general technical support services necessary to comply with federal and state stormwater rules contained in National Pollutant Discharge Elimination System Permits issued by the San Francisco Bay and Central Valley Regional Water Quality Control Boards, Countywide. (100% Cities and County Stormwater Utility Fee Assessments)
- C. 18** ADOPT Resolution No. 2014/234 terminating and abandoning Offers of Dedication within the Concord Industrial Park, Unit 4, as recommended by the Public Works Director, Concord area. (100% Applicant Fees)

- C. 19 APPROVE the Notice of Intention to Sell 2,192 square feet of land located directly behind County Assessor's Parcel No. 191-040-026 and identified as 1554 Manning Lane, Alamo, to Sandra M. Scranton, TRE, as recommended by the Public Works Director. (100% Applicant Fees)
- C. 20 AUTHORIZE the Public Works Director, or designee, to advertise the Byron Airport pavement maintenance, signage and lighting at Byron Airport. (90% FAA, 2.25% Caltrans, 7.75% Airport Enterprise Fund)

Claims, Collections & Litigation

- C. 21 DENY claims filed by MarcAnthony Dario Aguilar (Minor Child) & Delia Pedroza, Robert P. Amatrone & Marla D. Sharlow (6 claims), Ashley & Mike Bizicki, Patricia Brown, Ron Bryant, David Cook Sr., Enterprise Rent-A-Car Co. of San Francisco, LLC, Kelli Ewing, Malysa Humphrey, Jillian Hutchison, Thomas Mathew, and Rebecca McFarlain.
- C. 22 RECEIVE report concerning the final settlement of Sandra Deering vs. Contra Costa County Department of Health Services; and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed \$150,000. (100% Workers' Compensation Internal Service Fund)
- C. 23 RECEIVE public report of litigation settlement agreements that became final during the period of June 1, 2014 through June 30, 2014.

Honors & Proclamations

- C. 24 ADOPT Resolution No. 2014/198 recognizing July 13-19, 2014 as Pretrial, Probation and Parole Supervision Week in Contra Costa County, as recommended by the County Probation Officer.
- C. 25 ADOPT Resolution No. 2014/238 honoring Paula Hernandez on the occasion of her retirement from Contra Costa County, as recommended by County Probation Officer.

Appointments & Resignations

- C. 26 ACCEPT the resignation of Heidi Petty, DECLARE a vacancy in Appointee 5 seat on the CSA R-10 Citizens Advisory Committee, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Glover.
- C. 27 ACCEPT the resignation of Texanita Bluitt, DECLARE a vacancy in the District 1 seat on the Emergency Medical Care Committee, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Gioia.

- C. 28** APPOINT Aron DeFerrari to the Alternate Seat on the Alamo Municipal Advisory Council, as recommended by Supervisor Andersen.
- C. 29** REAPPOINT Gina Swirsding to the District 1 Consumer seat on the Contra Costa County Mental Health Commission, as recommended by Supervisor Gioia.
- C. 30** APPROVE medical staff members appointments and reappointments, privileges, department changes, advancements and voluntary resignations as recommend by the Medical Staff Executive Committee at their June 16 meeting, and by the Health Services Director.
- C. 31** RESCIND Board action of June 3, 2014 by which Barbara Pendergrass was appointed to the At Large #1 seat on the Contra Costa County Planning Commission, and RE-APPOINT Marvin Terrell to the At Large #1 seat on the County Planning Commission, as recommended by the Internal Operations Committee.
- C. 32** APPOINT Brent Trublood to the District IV seat on the Economic Opportunity Council, as recommended by Supervisor Mitchoff.
- C. 33** REAPPOINT Dylan Reinhold to the District IV Alternate seat of the Contra Costa County Fire Protection District's Fire Advisory Commission, as recommended by Supervisor Mitchoff.
- C. 34** DECLARE vacant Seat No. 2 and Seat No. 6 on the Contra Costa Centre Municipal Advisory Council due to resignations and DIRECT the Clerk of the Board to post the vacancies, as recommended by Supervisor Mitchoff.
- C. 35** APPOINT Kevin Corrigan to the County Government #1 seat on the Contra Costa Inter-jurisdictional Council on Homelessness, as recommended by the County Administrator.
- C. 36** ACCEPT the resignation of William Truesdell as Community No. 2 seat on the Advisory Council on Equal Employment Opportunity; DECLARE a vacancy and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Affirmative Action Officer.
- C. 37** DECLARE vacant the the Labor Involved in Training Programs Member seat on the Advisory Council on Equal Employment Opportunity and DIRECT the Clerk of the Board to post the vacancy; and REAPPOINT Gayle Walls-Burns to the Labor Organization 1 seat, Larry Jones to the Labor Organization 2 seat, and Keith Cormier to the Management 1 seat, as recommended by the Affirmative Action Officer.

Appropriation Adjustments

- C. 38** Crockett-Carquinez Fire Protection District (7028): APPROVE Fiscal Year 2013-14 Appropriation and Revenue Adjustment No. 5096 and AUTHORIZE the transfer of revenue from the Crockett - Carquinez Fire Protection District available fund balance, Fund 202800 and appropriate it to Crockett - Carquinez Fire Protection District, Autos & Trucks, Fund 202800 in the amount of \$500,000 for the purchase of a replacement fire engine, as recommended by the Public Works Director, Crockett and Port Costa areas. (100% Crockett – Carquinez Fire Protection District) (Consider with C.68)
- C. 39** Public Works Flood Control Districts (Various): APPROVE Fiscal Year 2013-14 Appropriation and Revenue Adjustment No. 5097 and AUTHORIZE new revenue in Flood Control Drainage Area (Drainage Area) 52B, Fund 254900 in the amount of \$34,762, and Drainage Area 130, Fund 256200 in the amount of \$1,166,044 for Drainage Area fees collected, and in the amount of \$1,248,278 for Grant Revenues received and AUTHORIZE the transfer of revenue from Flood Control Zone 1, Fund 252100 to Drainage Area 130 in the amount of \$400,000 to reimburse for the expense of the Upper Sand Creek Basin Project, as recommended by the Public Works Director, Antioch area. (100% Various Flood Control Drainage Area Funds)

Intergovernmental Relations

- C. 40** ADOPT a position on AB 1621 (Lowenthal), as amended: Emergency Medical Services: Data and Information System, a bill that requires the Emergency Medical Services Authority to adopt a single statewide standard for the collection of information regarding pre-hospital care to determine and monitor the quality and effectiveness of the statewide emergency medical services system, and to develop regulations for electric patient care records by local agencies, as recommended by the Health Services Director.
- C. 41** AUTHORIZE the Chair of the Board of Supervisors to sign a letter to the California Natural Resources Agency presenting the County's comments on the Draft Bay Delta Conservation Plan and associated Draft Environmental Impact Report and Environmental Impact Statement, and DIRECT staff to submit the letter and detailed comments to the California Natural Resources Agency prior to the July 29, 2014 deadline, as recommended by the Conservation and Development Director. (100% Contra Costa County Water Agency)

Personnel Actions

- C. 42** ADOPT Position Adjustment Resolution No. 21466 to add four Teacher Project positions (represented) and three Associate Teacher-Project positions (represented) and cancel six Senior Clerk-Project positions (represented), in the Employment and Human Services Department. (Cost Savings)

- C. 43** ADOPT Position Adjustment Resolution No. 21468 to add two Carpenter (represented) positions, and cancel one Lead Carpenter (represented) position and one Lead Stationary Engineer (represented) position in the Public Works Department. (Cost Savings)
- C. 44** ADOPT Position Adjustment Resolution No. 21474 to reallocate the Retirement Chief Executive Officer-Exempt classification on the Salary Schedule, as recommended by the CCCERA Retirement Board. (100% CCCERA)
- C. 45** ADOPT Position Adjustment Resolution No. 21481 to add one Secretary-Advanced Level (represented) and cancel one Account Clerk Supervisor position (represented) in the Health Services Department. (Cost Savings)
- C. 46** ADOPT Position Adjustment Resolution No. 21480 to add one Director, Public Health Clinic Services position (represented); three permanent part-time (32/40) Registered Nurse - Experienced Level positions (represented); one permanent part-time Family Nurse Practitioner position (represented); and one permanent full-time Clerk-Senior Level position (represented) in the Health Services Department. (100% FQHC funds)
- C. 47** ADOPT Position Adjustment Resolution No. 21482 to add two Exempt Medical Staff Physician positions (represented); two Mental Health Clinical Specialist positions (represented); two 32/40 Mental Health Clinical Specialist positions (represented); two 32/40 Registered Nurse - Experienced Level positions ; one Certified Medical Assistant position (represented); one 32/40 Certified Medical Assistant position (represented); one Community Health Worker II position (represented); and one 32/40 Community Health Worker II position (represented) in the Health Services Department. (100% Enterprise Fund I)
- C. 48** ADOPT Resolution No. 2014/236 amending Resolution No. 2014/159, authorizing the transfer of a Clerk-Experienced Level position (represented) from the Human Resources Department to the County Administration/Labor Unit and adding one Clerk- Experienced Level position (represented) in the Human Resources Department. (100% General Fund)
- C. 49** ADOPT Resolution No. 2014/228 to provide for salary increases for the Deputy Sheriff-Per Diem (unrepresented), Nursing Shift Coordinator-Per Diem (unrepresented) and Law Enforcement Training Instructor-Per Diem (unrepresented) job classifications, as recommended by the County Administrator.

- C. 50** ADOPT Position Adjustment Resolution No. 21484 to reallocate the salary schedules of the unrepresented classifications of Student Worker, Library Aide-Exempt, and Library Student Assistant-Exempt and delete the defunct unrepresented classifications of Recreation Instructor – LVL 422, EHS Workforce Dev Youth Trainee – Project, and EHS Worker Trainee – Project. (Various County funds)

Leases

- C. 51** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute the Second Amendment to Lease with CC San Pablo, LP, for office space located at 2300 El Portal Drive, San Pablo, to give the County two additional 5-year extension options and establish the rent payable if the options are exercised. (80% Federal and State; 20% General Fund)
- C. 52** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a First Amendment to Lease with General Teamsters Local 315 to extend the term through June 30, 2017 for 65 parking spaces located at 2727 Alhambra Avenue, Martinez. (100% Hospital Enterprise Fund)
- C. 53** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute the First Amendment to Lease (Lease) with the Contra Costa Community College District to extend the Lease from April 1, 2014 to June 30, 2015, for continued use of approximately 7,280 square feet of office space located at 500 Court Street, Martinez, at a rent of \$9,455 per month, as requested by the Sheriff-Coroner, under the terms and conditions set forth in the Lease. (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. 54** APPROVE and AUTHORIZE the Public Defender, or designee, to execute a Field Agency Agreement and an accompanying Memorandum of Agreement with University of California Hastings College of Law and Lawyers for America in an amount not to exceed \$40,000 to provide a two-year work experience for a law student for the Lawyers for America program for the period of August 1, 2013 through May 15, 2015. (100% General Fund)
- C. 55** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Los Medanos Community Healthcare District, to pay the County an amount not to exceed \$10,000, for the County's Public Health, Family Maternal and Child Health Program, Pathways to Fatherhood Project, for the period January 1 through December 31, 2014. (No County match)

- C. 56** APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract with the California Agricultural Commissioners and Sealers Association to reimburse the County an amount not to exceed \$6,372 for non-mandated pesticide use reporting activities, for the period July 1, 2014 through June 30, 2015. (No County match)
- C. 57** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to apply for and accept a grant in an amount up to \$241,386 from Contra Costa County Keller Canyon Mitigation Trust fund to fund one Deputy Sheriff position for the Bay Point School Resource Officer Program for the period July 1, 2014 through June 30, 2015. (100% Keller Canyon Mitigation Fund)
- C. 58** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to apply for and accept a grant in an amount up to \$241,386 from the Contra Costa County Keller Mitigation Trust Fund to fund one Deputy Sheriff position for the Bay Point Resident Deputy program for the period July 1, 2014 through June 30, 2015. (100% Keller Canyon Mitigation Fund)
- C. 59** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to apply for and accept a grant in an amount up to \$8,000 from Contra Costa Keller Canyon Mitigation Trust Fund to host a free community Christmas party and toy giveaway for the residents of Bay Point. (100% Keller Canyon Mitigation Funds)
- C. 60** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to apply for and accept a grant in an amount up to \$3,500 from Contra Costa County Keller Mitigation Trust Fund for the provision of bicycle helmets, repair, safety classes and bicycle raffles as part of the Street Smarts program. (100% Keller Canyon Mitigation Funds)
- C. 61** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute an amendment to the California Emergency Management Agency (Cal EMA) 2013 Emergency Management Performance Grant, to increase the grant award amount by \$15,000 to a new grant award of \$375,548 to purchase additional equipment to prepare for, mitigate, respond to, and recover from emergencies and disasters, for the period July 1, 2013 through June 30, 2014. (100% Federal)
- C. 62** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with the California Department of Education in an amount not to exceed \$6,899,491, to provide State Preschool services, for the period July 1, 2014 through June 30, 2015. (No County match)
- C. 63** APPROVE and AUTHORIZE the Director of Child Support Services, or designee, to execute a contract amendment with Monterey County, to extend the term from June 30, 2014 through September 30, 2014 and increase the payment limit to the County by \$50,000 to a new payment limit of \$106,052, to provide Early Intervention Services. (No County match)

- C. 64** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with the State of California Commission on Peace Officer Standards and Training (POST), including full indemnification of the State of California, to pay the County an amount not to exceed \$90,000 for the instruction of accredited Driving Simulator and Force Option Simulator courses for the period July 1, 2014 through June 30, 2015. (100% State)
- C. 65** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with California Department of Education in an amount not to exceed \$3,723,981, to provide for childcare and development programs for the period July 1, 2014 through June 30, 2015. (No County match)
- C. 66** APPROVE and AUTHORIZE the Director of Child Support Services, or designee, to execute a contract amendment with Stanislaus County, Department of Child Support Services, to increase the amount payable to the County by \$40,000 to a new total of \$125,000 to provide Early Intervention Services with no change in the term of January 1 through September 30, 2014. (No County match)

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

- C. 67** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Thomas J. McDonald, M.D., in an amount not to exceed \$1,425,000 to provide ophthalmology services at Contra Costa Regional Medical Center and Health Centers for the period June 1, 2014 through May 31, 2017. (100% Enterprise Fund I)
- C. 68** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Public Works Director, a purchase order with Pierce Manufacturing, Inc., in an amount not to exceed \$500,000 for the purchase of a new fire engine, Crockett and Port Costa areas. (100% Crockett - Carquinez Fire Protection District) (Consider with C.38)
- C. 69** APPROVE and AUTHORIZE the Librarian, or designee, to execute a contract with 3M Library Systems in an amount not to exceed \$144,942 for service and maintenance of self-check and self-return equipment, Radio Frequency Identification (RFID) security gates, RFID digital library assistants, and staff workstations for the period July 1, 2014 through June 30, 2015. (100% Library Fund)
- C. 70** APPROVE and AUTHORIZE the County Clerk-Recorder, or designee, to execute a contract with Metropolitan Van and Storage, Inc., in an amount not to exceed \$880,000 for the delivery, pick up and storage of election supplies and equipment for the period May 1, 2014 through December 31, 2015. (100% General Fund)

- C. 71** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Public Works Director, a purchase order amendment with East Bay Tire to increase the payment limit by \$57,000 to a new payment limit of \$150,000 for tires and tire supplies, Countywide. (100% Fleet Services Internal Service Fund)
- C. 72** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with PricewaterhouseCoopers LLP, in an amount not to exceed \$200,000 to provide consultation and technical assistance, including modified indemnification language, to the Health Services Department, for the period August 1, 2014 through July 31, 2015. (100% Enterprise Fund I)
- C. 73** AMEND Board Order, approved on June 24, 2014 (C63), authorizing the Employment and Human Services Director to execute a contract with Bay Area Community Resources, Inc., by changing service provisions from “In School Youth Services” to “Out of School Youth Services” with no change in the term of July 1, 2014 through June 30, 2015. (100% Federal)
- C. 74** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a novation contract with Child Abuse Prevention Council of Contra Costa County in an amount not to exceed \$111,828, to provide Mental Health Service Act (MHSA) Prevention and Early Intervention Services, for the period July 1, 2014 through June 30, 2015, with a six-month automatic extension through December 31, 2015 in an amount not to exceed \$55,914. (100% MHSA)
- C. 75** APPROVE and AUTHORIZE the Risk Manager to execute a contract with Environmental and Occupational Risk Management, Inc. to provide professional on-site environmental, health, safety, and sustainability consulting support in an amount not to exceed \$736,300 for the period July 1, 2014 through June 30, 2015. (43% Workers' Compensation Internal Service Fund and 57% user Departments)
- C. 76** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Laura Swafford in an amount not to exceed \$230,000 to provide professional technical support, and training services for the Department’s Keane Patcom System, for the period July 1, 2014 through June 30, 2015. (100% Enterprise Fund I)
- C. 77** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Counseling Options & Parent Education, Inc. (C.O.P.E.) in an amount not to exceed \$225,000, to provide Triple-P parent education classes and practitioner trainings, for the period July 1, 2014 through June 30, 2015, with a six-month automatic extension through December 31, 2015 in an amount not to exceed \$112,500. (100% Mental Health Services Act)

- C. 78** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Pathways to Wellness Medication Clinic in an amount not to exceed \$1,198,486, to provide children's and adult mental health services in Central County for the period July 1, 2014 through June 30, 2015, with a six-month automatic extension through December 31, 2015 in an amount not to exceed \$599,243. (50% Federal Financial Participation; 50% County Realignment)
- C. 79** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Telecare Corporation in an amount not to exceed \$2,017,019, to provide and manage services for Hope House, a sixteen (16) bed short-term residential facility, for mentally ill adults, for the period July 1, 2014 through June 30, 2015. (39% Federal Financial Participation; 61% Mental Health Services Act)
- C. 80** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Health Management Systems, Inc., effective July 1, 2014, to increase the payment limit by \$180,000 to a new payment limit of \$225,000 to provide additional professional auditing services, with no change in the original term of February 1, 2013 through January 31, 2015. (100% CCHP Enterprise Fund III)
- C. 81** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Fred Finch Youth Center, effective June 1, 2014, to increase the payment limit by \$120,766 to a new payment limit of \$680,766 to provide additional school-based and dual diagnosis residential treatment services, with no change in the original term of July 1, 2013 through June 30, 2014, and to increase the automatic extension payment limit by \$60,383 to a new payment limit of \$340,383, with no change in the term of the automatic extension, through December 31, 2014. (49% Federal Financial Participation; 49% County Realignment; 2% Mt. Diablo Unified School District)
- C. 82** APPROVE and AUTHORIZE the Risk Manager to execute a contract with TCS Risk Management Services in an amount not to exceed \$371,000 to administer a county-wide ergonomic program and laboratory effective July 1, 2014 through June 30, 2016. (100% Workers' Compensation Internal Service Funds)
- C. 83** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Paladin Managed Care Services in an amount not to exceed \$400,000 to provide claims processing and negotiations services for the Contra Costa Health Plan, for the period June 1, 2014 through May 31, 2016. (100% contingency fee)

- C. 84** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with ISIS Healthcare Services, Inc. in an amount not to exceed \$200,000 to provide professional temporary physical and occupational therapists at Public Health California Children's Service Program, Medical Therapy Units sites, for the period July 1, 2014 through June 30, 2015. (50% State California Children's Services, 50% County funds)
- C. 85** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment agreement with Traditions Psychology Group, Inc. (dba Traditions Behavioral Health), effective June 1, 2014, to extend the term from June 30 through August 31, 2014 and increase the payment limit by \$840,000 to a new payment limit of \$15,540,000, to provide additional psychiatric staffing and leadership for the Inpatient Psychiatric, Crisis Stabilization Unit at Contra Costa Regional Medical Center and the County's Main Detention Facility. (100% Enterprise Fund I)
- C. 86** APPROVE and AUTHORIZE the Purchasing Agent or designee, to execute, on behalf of Chief Information Officer, a purchase order with AT&T Datacomm in an amount not to exceed \$1,010,000 for the acquisition of Cisco equipment, in support of a hosted communication system for the Contra Costa County Superior Court, Department of Conservation and Development, and Department of Information Technology. (100% Client Usage Fees)
- C. 87** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Landrus Pfeffinger, M.D., effective May 1, 2014, to increase the payment limit by \$15,000 to a new payment limit of \$140,000 to provide additional orthopedic services at Contra Costa Regional Medical and Health Centers, with no change in the original term of June 1, 2013 through May 31, 2015. (100% Enterprise Fund I)
- C. 88** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Kaiser Foundation Health Plan, Inc, effective June 30, 2014, to extend the term from June 30 through December 31, 2014 and increase the payment limit by \$55,000,000 to a new payment limit of \$80,000,000, to provide additional professional health care services for Medi-Cal recipients enrolled in the Kaiser Foundation Health Plan. (100% CCHP Enterprise Fund III)
- C. 89** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with the National Council on Crime and Delinquency, to extend the contract termination date to September 30, 2014 and increase the payment limit by \$27,000 to a new payment limit of \$112,000, to implement Domestic Violence homicide reduction and prevention models. (100% Federal)

- C. 90** APPROVE and AUTHORIZE the Chief Probation Officer, or designee, to execute a contract with Donte Blue in an amount not to exceed \$133,500 to perform coordination services for the County's reentry process for the period of July 1, 2014 through June 30, 2015. (100% AB 109 Realignment Funds)
- C. 91** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with The Center for Common Concerns, Inc. (dba HomeBase), effective April 14, 2014, to increase the payment limit by \$93,840 to a new payment limit of \$390,790 to provide additional consultation and technical assistance, with no change in the original term of October 1, 2013 through September 30, 2014. (5% Federal Medi-Cal Administrative Activities, 36% Behavioral Health Administration, 16% County General funds, 43% Medi-Cal Administrative Activities)
- C. 92** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment agreement with Wesley Robinson, Ph.D., effective April 1, 2014, to increase the payment limit by \$35,000 to a new payment limit of \$195,000 to provide additional Medi-Cal specialty mental health services, with no change in the original term of July 1, 2012 through June 30, 2014. (50% State General Funds and 50% Federal Medi-Cal)
- C. 93** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Kevin Blatter (dba Delta Bay Consulting) in an amount not to exceed \$290,000 for management consulting services for the period July 14, 2014 through July 13, 2015. (45% Federal, 45% State, 10% County)
- C. 94** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Public Works Director, a purchase order amendment with JC Paper Company to increase the payment limit by \$199,990 to a new payment limit of \$399,980 for recycled copy paper for the period July 1, 2013 through June 30, 2015, Countywide. (100% Department User Fees)
- C. 95** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with MedTox Laboratories, Inc., effective June 30, 2014, to extend the contract term from June 30 through August 30, 2014 to provide additional Child Welfare Mandated Drug Testing services. (30% County, 70% State)
- C. 96** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Department, a purchase order with Stryker Orthopaedics in the amount of \$1,550,000 to procure orthopedic products for Contra Costa Regional Medical and Health Centers for the period June 1, 2014 through May 31, 2016. (100% Enterprise Fund I)

- C. 97** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Rose Susan Cohen, M.D., in an amount not to exceed \$127,000 to provide healthcare consultation and technical assistance to the Health Plan Medical Management team for the period May 1, 2014 through April 30, 2015, including mutual indemnification to hold the other party harmless from any claims arising out of the performance of this contract. (100% CCHP Enterprise Fund III)
- C. 98** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Mt. Diablo-Solano Oncology Group Medical Associates, effective July 1, 2014, to increase the payment limit by \$1,300,000 to a new payment limit of \$2,300,000 to provide additional professional hematology/oncology services, with no change in the original term of August 1, 2012 through July 31, 2014. (100% CCHP Enterprise Fund III)
- C. 99** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with W.C. Maloney, Inc., effective May 5, 2014, to increase the payment limit by \$1,462 to a new payment limit of \$119,784 for abatement and demolition of 3160 and 3168 Rollingwood Drive, San Pablo. (100% Contra Costa Transportation Authority Funds)
- C.100** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Department, a purchase order amendment with Henry Schein, effective January 1, 2014, to increase the payment limit by \$20,000 to a new payment limit of \$320,000 for dental supplies, equipment, and repairs for Contra Costa Regional Medical Center and Contra Costa Health Centers for the period May 1, 2012 through April 30, 2014. (100% Enterprise Fund I)
- C.101** APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to execute purchase order with Tiernan-Leino Dental Laboratory in the amount of \$145,000 for dental prosthetics for dentures, partials and other dental laboratory supplies for Contra Costa Regional Medical and Health Centers, for the period July 1, 2014 through June 30, 2015. (100% Enterprise Fund I)
- C.102** APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to execute purchase order with Cooper Surgical Inc., in an amount not to exceed \$120,000, for specialty surgical and medical supplies for Contra Costa Regional Medical and Health Centers, for the period July 1, 2014 through June 30, 2015. (100% Enterprise Fund I)
- C.103** APPROVE and AUTHORIZE the County Treasurer to execute a five-year agreement with Wells Fargo Bank, N.A. (“Wells Fargo”) in an amount not to exceed \$1,400,000 to provide general banking and lockbox services. (100% County Investment Pool Earnings)

- C.104** APPROVE and AUTHORIZE amendment to Request for Proposal No. 1141 for Kinship Supportive Services, by changing the payment limit from \$150,000 to \$600,000, as recommended by the Employment and Human Services Director. (20% Federal, 80% State)
- C.105** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Locumtenens.com, Inc., effective April 28, 2014, to increase the payment limit by \$100,000 to a new payment limit of \$750,000 to provide additional services, with no change in the original term of March 1, 2014 through February 28, 2015. (100% Enterprise Fund I)
- C.106** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Noel T.D. Chiu, M.D., effective July 1, 2014, to increase the payment limit by \$240,000 to a new payment limit of \$480,000 to provide additional professional dermatology services to Contra Costa Health Plan members, with no change in the original term of February 1, 2013 through January 31, 2015. (100% CCHP Enterprise Fund III)
- C.107** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Contra Costa ARC (dba Commercial Support Services), a California non-profit corporation, in an amount not to exceed \$350,000 to provide packet fulfillment services for Print and Mail Services, for the period June 1, 2014 through May 31, 2016, Countywide. (100% Department User Fees)
- C.108** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Appian Imaging, LLC (dba Northbay MRI Center) in an amount not to exceed \$400,000 to provide professional diagnostic imaging services, for the period June 1, 2014 through May 31, 2016. (100% CCHP Enterprise Fund III)
- C.109** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Lifelong Medical Care in an amount not to exceed \$1,500,000 to provide Primary Care and Specialty Medical Services, for the period July 1, 2014 through June 30, 2015. (100% CCHP Enterprise Fund III)
- C.110** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Axis Community Health, Inc., in an amount not to exceed \$140,000 to provide Primary Care and Specialty Medical services for the period July 1, 2014 through June 30, 2016. (100% CCHP Enterprise Fund III)
- C.111** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Advanced Medical Personnel Services, Inc., in an amount not to exceed \$923,000 to provide temporary therapists for Contra Costa Regional Medical and Health Centers, for the period July 1, 2014 through June 30, 2015. (100% Enterprise Fund I)

- C.112** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Huron Consulting Services, LLC, in an amount not to exceed \$350,000 to provide professional consulting, technical support, training, and project management for Department's information systems at Contra Costa Health Services, for the period May 1, 2014 through June 30, 2015. (100% Enterprise Fund I)
- C.113** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Minh Hiep Nguyen, M.D., in an amount not to exceed \$150,000 to provide professional critical care physician services at Contra Costa Regional Medical and Health Centers, for the period June 1, 2014 through May 31, 2017. (100% Enterprise Fund I)
- C.114** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Xerox Consultant Company, Inc., in an amount not to exceed \$275,000 to provide professional consultation and technical support for the Department's Health Services Information System, for the period July 1, 2014 through June 30, 2015. (100% Enterprise Fund I)
- C.115** APPROVE and AUTHORIZE the Risk Manager to execute a contract with Essential Staffing, Inc., in an amount not to exceed \$500,000 to provide workers' compensation staffing services for the period July 1, 2014 through June 30, 2015. (100% Workers' Compensation Internal Service Fund)
- C.116** APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract with International Business Machines Corporation in an amount not to exceed \$318,400 to provide mainframe support for the period August 1, 2014 through July 31, 2015. (100% Client Usage Fees)

Other Actions

- C.117** APPROVE the design and bid documents, including plans and specifications, for Relocation of the Sheriff's Office Records Unit, 2530 Arnold Drive, Martinez Project; and AUTHORIZE the Public Works Director, or designee, to solicit bids to be received on or about August 14, 2014, and to issue bid addenda, as needed, for clarification of the contract bid documents, Countywide. (100% General Fund)
- C.118** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a non-financial agreement with the County of San Mateo, including modified indemnification language, to administer the Bay Area Cash Assistance Program for Individuals for the period July 1, 2014 through June 30, 2018. (No fiscal impact)
- C.119** AUTHORIZE relief of cash shortage in Spirit of Caring account for the Health Services Department in the amount of \$1,064.54, as recommended by the Auditor-Controller. (100% Realignment funds)

- C.120** ACCEPT the May 2014 update on the operations of the Employment and Human Services Department, Community Services Bureau, as recommended by the Employment and Human Services Director.
- C.121** ACCEPT a donation from the Contra Costa Centre Association in the sum of \$210,480, to be used for the purpose of providing targeted law enforcement services at the Contra Costa Centre Transit Village, as recommended by the Sheriff-Coroner.
- C.122** AUTHORIZE County participation in the 2014 Spare the Air Program, a program that encourages people to take steps to protect air quality on days when smog levels are expected to exceed the state and federal air quality standards, as recommended by the Conservation and Development Director. (No fiscal impact)
- C.123** CONTINUE the emergency action originally taken by the Board of Supervisors on November 16, 1999 regarding the issue of homelessness in Contra Costa County, as recommended by the Health Services Director. (No fiscal impact)
- C.124** APPROVE and ACCEPT the results of the Retirement Board Election, conducted on June 17, 2014 for specified candidates, as on file in the Contra Costa County Elections Division, as recommended by the Clerk-Recorder. (No fiscal impact)
- C.125** ADOPT the draft Mental Health Services Act (Proposition 63) Three Year Program and Expenditure Plan, Fiscal Years 2014/2015 through 2016/17; and AUTHORIZE the Chair of the Board of Supervisors to sign a letter to the Mental Health Services Oversight and Accountability Commission notifying them of approval, as recommended by the Health Services Director.
- C.126** APPROVE the list of providers recommended by the Contra Costa Health Plan's Peer Review and Credentialing Committee on June 10, 2014 and by the Health Services Director, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services.
- C.127** APPROVE and AUTHORIZE the discharge from accountability for certain Health Services accounts in an aggregate amount of \$12,200,917.78, which are not collectible due to one or more of the following reasons: the accounts are being discharged in bankruptcy; debtors are deceased, the statute of limitations for pursuing recovery of the debt has expired; the cost of recovery is excessive; and/or the debtor no longer resides in the state, as recommended by the Health Services Director.
- C.128** AUTHORIZE discharge from accountability for certain Public Works Department accounts totaling \$72,880 that have been determined to be uncollectible, as recommended by the Public Works Director, Countywide. (5% Local Road Funds and 95% Land Development Funds)

- C.129** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with West Contra Costa Unified School District, effective April 25, 2014, to include dental and mental health services at DeAnza High School, with no change in the original term of September 1, 2010 through August 31, 2015.
- C.130** ADOPT Resolution No. 2014/237 to clarify the imposition of the assessment upon every person who violates his or her written promise to appear in a Contra Costa County court, pursuant to Penal Code section 853.7(a) and Vehicle Code section 40508.5, and to authorize the Contra Costa County Superior Court to impose the increased assessment to modernize and maintain the County's automated warrant system, as recommended by the County Administrator.
- C.131** ADOPT Resolution No. 2014/240 as approved by the Retirement Board, which establishes the Rodeo-Hercules Fire Protection District retirement plan contribution rates effective July 1, 2014 through June 30, 2015.

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.

Subscribe to receive to the weekly Board Agenda by calling the Office of the Clerk of the Board, (925) 335-1900 or using the County's on line subscription feature at the County's Internet Web Page, where agendas and supporting information may also be viewed:

www.co.contra-costa.ca.us

STANDING COMMITTEES

The **Airport Committee** (Supervisor Mary N. Piepho and Karen Mitchoff) 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 Federal D. Glover and Candace Andersen) 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 Mary N. Piepho and Federal D. Glover) 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 Federal Glover and Karen Mitchoff) 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 Karen Mitchoff and Candace Andersen) 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 Mary N. Piepho and Karen Mitchoff) 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 Federal D. Glover and John Gioia) 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 Mary N. Piepho and Candace Andersen) 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	September 2014	TBD	See above
Family & Human Services Committee	July 14, 2014 cancelled August 11, 2014	1:00 p.m.	Room 101
Finance Committee	July 28, 2014	10:30 a.m.	Room 101
Hiring Outreach Oversight Committee	July 14, 2014 cancelled August 11, 2014	10:30 a.m.	Room 101
Internal Operations Committee	August 4, 2014	10:30 a.m.	Room 101
Legislation Committee	July 3, 2014 cancelled August 7, 2014	10:30 a.m.	Room 101
Public Protection Committee	July 28, 2014	1:00 p.m.	Room 101
Transportation, Water & Infrastructure Committee	July 3, 2014	1:00 p.m.	Room 101

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
CCCFPD (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
HOME Federal block grant to State and local governments designed exclusively to create affordable housing for low-income households
HOPWA Housing Opportunities for Persons with AIDS Program
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: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: AWARD Construction Contract for Photovoltaic Solar Systems at Six County Facilities

RECOMMENDATION(S):

HEARING on the award of a construction contract to Team-Solar Inc. to install photovoltaic solar systems at six County facilities.

1. OPEN the public hearing, RECEIVE public comments regarding the project specified in the Background section below, CLOSE the public hearing.
2. FIND that notice of this public hearing held pursuant to Government Code section 4217.12 was given at least two weeks in advance of this public hearing.
3. FURTHER FIND that the anticipated cost to the County for electrical energy provided by the solar photovoltaic systems to be installed pursuant to the construction contract will be less than the anticipated marginal cost to the County of electrical energy that would have been consumed by the County in the absence of the contract.
4. DETERMINE that the bid submitted by SunEdison, Inc. ("SunEdison") complies with the requirements of the County's Outreach Program for this project, as provided in the project specifications, WAIVE any irregularities in such compliance, and DETERMINE that SunEdison submitted the best value bid for this project and that the contract terms are in the best interest of the County.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Steve Jordan (925)
313-2000

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

By: , Deputy

RECOMMENDATION(S): (CONT'D)

5. AWARD the construction contract for the project to Team-Solar Inc., a wholly owned subsidiary of SunEdison, Inc. ("Team-Solar"), in the amount of \$5,306,959 and DIRECT that the Public Works Director, or designee, shall prepare the contract.
6. DETERMINE that Team Solar, as the best value bidder for the above project, has entered into a Project Labor Agreement with the Contra Costa Building and Construction Trades Council to comply with the requirements of the County's Project Labor Agreement policy.
7. DIRECT Team-Solar to submit two good and sufficient security bonds (performance and payment bonds) in the amount of \$5,306,959 each and that Team-Solar and its subcontractors shall sign a Project Labor Agreement for the project.
8. AUTHORIZE the Director of Public Works, or designee, to sign the construction contract with Team-Solar, after Team-Solar has signed the contract and returned it, together with the bonds, the signed Project Labor Agreement, evidence of insurance, and other required documents, and the Director of Public Works has reviewed and found them to be sufficient,.
9. ORDER that, in accordance with the project specifications and/or upon signature of the contract by the Public Works Director, or designee, any bid bonds posted by the bidders are to be exonerated and any checks or cash submitted for security shall be returned.
10. AUTHORIZE the Public Works Director, or designee, to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.
11. AUTHORIZE the Public Works Director, or designee, to order changes or additions to the work pursuant to Public Contract Code Section 20142.
12. DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.
13. DECLARE that, should the award of the contract to Team-Solar be invalidated for any reason, the Board would not in any event have awarded the contract to any other bidder, but instead would have exercised its discretion to reject all of the bids received. Nothing in this Board Order shall prevent the Board from re-awarding the contract to another bidder in cases where the successful bidder establishes a mistake, refuses to sign the contract, or fails to furnish required bonds or insurance (see Public Contract Code Sections 5100-5107).

FISCAL IMPACT:

The County will incur debt to pay for the costs of the construction contract. The repayment of principal is expected amortize over ten years and will be included in the occupancy costs for the buildings on which the solar photovoltaic systems are installed. It is anticipated that the energy cost savings from the solar project will offset a portion of the debt service cost over time.

In addition, the County will be receiving incentives from the California Solar Initiative over the next five years based on the energy produced by the solar project. With both the savings in energy cost and receipt of the incentives from the state, this project is expected to be revenue neutral through the repayment term and to provide significant utility cost savings after repayment of the debt service.

BACKGROUND:

The County intends to install solar photovoltaic systems on six County buildings. Government Code Section 4217.10, *et seq.* authorizes public agencies to enter into energy conservation contracts on terms that its governing body determines are in the best interest of the public agency if the determination is made at a regularly scheduled public hearing and certain findings are made.

Contra Costa County is one of the nineteen Bay Area Participating Agencies in the Regional Renewable Energy Procurement ("R-REP") project. Engaging in a collaborative procurement process for renewable energy leads to a reduction in renewable energy generation systems costs, transaction costs and administrative time, and enhanced leverage for public agencies in the negotiations of renewable energy systems. One of the main objectives of the R-REP solicitation was to achieve economies of scale through the collaborative procurement strategy. Contra Costa County will also benefit from the installation of renewable energy through sustained reductions in utility operating costs. In addition, the renewable energy projects will significantly contribute to achieving Contra Costa County's Municipal Climate Action Plan targets for reduced Greenhouse Gas Emissions from government operations.

Each agency participating in the R-REP signed a joint Memorandum of Understanding ("MOU"). The Board of Supervisors approved the execution of the MOU on December 11, 2012. The MOU defines the roles and responsibilities of the Participating Agencies and enabled the development of the R-REP Request for Proposal ("RFP") by Alameda County, as Lead Agency, and provided stability to the project during the solicitation process. Nineteen agencies signed the MOU.

As part of the preliminary work performed in preparation of the RFP, Participating Agencies conducted feasibility studies on sites to determine technical adequacy and financial benefit of installing solar power systems. Through this process, six sites were selected in Contra Costa County to be included in the RFP. They are:

- Juvenile Hall, 202 Glacier Drive, Martinez
- Sheriff Coroner – Forensic Science Center, 1960 Muir Road, Martinez
- Office of Emergency Services, 50 Glacier Drive, Martinez
- Sheriff Patrol and Investigation, 1980 Muir Road, Martinez
- Public Works, 255 Glacier Drive, Martinez
- West County Health Center, 13601 San Pablo Avenue, San Pablo

Alameda County's General Services Agency ("GSA") issued a hybrid, two-step solicitation for R-REP. This included a Request for Qualification ("RFQ") to identify and prequalify providers of renewable energy power systems for municipal facilities, followed by a RFP from the prequalified bidders. The solicitation was issued by Alameda County GSA in its capacity as Lead Agency and on behalf of the other Participating Agencies, in accordance with the terms of the MOU. The solicitation included 186 sites that were grouped into 11 bid bundles. Each bid bundle comprised sites from across two or more agencies participating in the R-REP. Twelve vendors submitted qualified proposals on January 14, 2014. The proposals were evaluated on the basis of experience of the contractor, the technical elements of the proposal, price, and other relevant considerations in accordance with Government Code Section 4217.16. The evaluation was conducted by the R-REP Selection Committee and it was determined that SunEdison submitted the best value bid for Contra Costa County's sites. On June 5, 2014, the Alameda County Board of Supervisors approved the pool of R-REP Qualified Bidders thus enabling the other Participating Agencies to negotiate contracts with the Qualified Bidders, as authorized in California Public Utilities Code Section 388.

On August 13, 2013, the Board found the project to be a California Environmental Quality Act (CEQA), Class 3(d) Categorical Exemption, pursuant to Section 15303 of the CEQA Guidelines. As part of the R-REP process, bidders were required to show prices for both a power purchase option and direct purchase option for each site. This information was provided to the Finance Committee on May 29, 2014, and the Committee approved a direct purchase approach on all six sites.

Contra Costa County staff has determined that SunEdison's bid is responsive. Team Solar is the wholly-owned construction subsidiary of SunEdison that was identified in SunEdison's response to the Alameda County RFP. Using a net present value analysis based on a system life of 25 years, this project will generate energy bill savings of \$10.9 million. Total costs including construction, and operations and maintenance is \$5.8 million and California Solar Initiative rebates amount to \$1 million. The County's net benefit over 25 years is \$6.1 million. The Public Works Director recommends that the Board award the construction contract for this project to SunEdison in the amount of

\$5,306,959 pursuant to Government Code Section 4217.16.

The general prevailing rates of wages, which shall be the minimum rates paid on this project, are on file with the Clerk of the Board, and copies are available to any party upon request.

CONSEQUENCE OF NEGATIVE ACTION:

If the construction contract is not awarded, the project will not move forward resulting in the loss of California Solar Initiative rebates and \$6.1 million in savings.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Resolution of Necessity Hearing for the Orwood Road Bridge Replacement Project, Brentwood 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 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. 2014/235) to acquire the required properties by eminent domain. Project No.: 0662-6R4076 Federal Project No.: BRLO 5928-045

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 property acquisition. Project costs are funded by 100% Federal Highway Bridge Replacement Funds. SCH # 2013062031

BACKGROUND:

A. Proposed Project: Contra Costa County proposes to replace the Orwood Road Bridge over Indian Slough (aka Werner Dredger Cut) located in Brentwood. The project will widen the bridge to meet current American Association of State Highway and Transportation Officials (AASHTO) standards.

The project will consist of replacing the aging wooden structure with a new concrete structure and reconstructing approximately 1,100 feet of roadway. The new structure will provide two 12-foot wide traffic lanes, two

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Angela Bell (925)
313-2337

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

3-foot wide shoulders, and one 8-foot wide separated bicycle/pedestrian path.

The proposed project will shift the alignment of the existing bridge slightly to the north and will raise the roadway profile grade to meet hydraulic design and freeboard requirements. To correct the existing substandard bridge profile and satisfy the minimum sight distance safety requirements, the roadway approaches will be reconstructed on either side of the new bridge. The westerly roadway approach will be reconstructed beginning approximately 400 feet to the west of the westerly end of the new bridge; and the easterly roadway approach will be reconstructed beginning approximately 650 feet to the east of the easterly end of the new bridge.

The replacement bridge will be constructed within the County's existing roadway easement. The County will need to acquire additional property rights and interests, both temporary and permanent, from adjacent parcels for construction and installation of work trestles, grading, scour/erosion protection, and installation of wingwalls, retaining walls, drainage improvements, for construction of staging areas, and to maintain driveway connections to those adjacent parcels.

On August 13, 2013, this Board APPROVED the proposed project and ADOPTED the Mitigated Negative Declaration and Finding of No Significant Impact pertaining to this project in compliance with the California Environmental Quality Act.

To accomplish the bridge improvements, the project requires the acquisition of several property interests within the project area in Brentwood, including two parcels from a single property owner, which are the subject of this hearing. The property interests that the County must acquire for the project include one permanent maintenance and access easement and one temporary construction easement on a rural lot improved with a flower shop and residential structure, located at 4601 Orwood Road. 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 an offer of just compensation to the owner of the property for the property interests required for this segment of the project. The offer was based on an appraisal of the fair market value of said property rights.

Construction of the new bridge and removal of the existing bridge is expected to begin in the spring of 2015 and is expected to be completed in the winter of 2016. 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 May 23, 2014, a Notice of Intention, which notified the owner that a hearing is scheduled for July 8, 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 existing Orwood Road Bridge was built in 1947. The bridge is a narrow two-lane structure with a clear roadway width of only 22 feet between the bridge railing. Both the bridge and the approach roadways are considered substandard, according to the American Association of State Highway and Transportation Officials (AASHTO) standard and the State of California, Department of California, Department of Transportation (CalTrans) standard. CalTrans has categorized the bridge as "structurally deficient" due to the deck condition, based upon the National Bridge Inventory Rating System. CalTrans determined the bridge has a sufficiency rating of 40.4 out of 100. A rating of less than 50 makes it eligible for federal bridge replacement funds. The County is pursuing this project in order to replace a bridge that is considered "structurally deficient" and to correct the existing substandard roadway profile and satisfy the minimum sight distance safety requirements, required by state and federal design standards.

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.

The bridge serves as the sole vehicular access to Orwood/Palm Tract, which is a reclaimed Delta island with several residences and agricultural operations. The new structure will be built in stages to accommodate traffic onto Orwood/Palm Tract throughout construction. The new bridge structure will be shifted slightly to the north to accommodate staging during the Project, and to improve the road alignment by reducing the shift to south. The slight shift in the road/bridge to the north takes advantage of available area between Orwood Road and the East Bay Municipal Utility District waterlines and lessens the impact on the residential/commercial properties to the south of Orwood Road.

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

The property interests sought for this project are necessary for the replacement of the Orwood Road Bridge, and reconstruction of approximately 1,100 feet of roadway. 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 the owner of record.

The County, through the Real Estate Division of the Public Works Department, has made an offer of just compensation to the owner of record for the rights required for this project. The 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 meetings with the owner of record. 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. 2014/235

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 07/08/2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2014/235

IN THE MATTER OF: Pursuant to Government Code Section 25350.5 and Streets & Highways Code 760, Contra Costa County (County), intends to replace the Orwood Road Bridge and reconstruct approximately 1,100 feet of roadway (Project), in the Brentwood area, and, in connection therewith, acquiring interests in certain real property.

The property to be acquired consists of two (2) parcels and is generally located in the Brentwood area. The property is more particularly described in Appendix "A", attached hereto and incorporated herein by this reference.

On May 23, 2014, notice of the County's intention to adopt a resolution of necessity for acquisition by eminent domain of the real property described in Appendix "A" was sent to persons whose names appear on the last equalized County Assessment Roll as owner of said property. The notice specified July 8, 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.

On August 13, 2013, this Board APPROVED the proposed project and ADOPTED the Mitigated Negative Declaration and Mitigation and Monitoring Reporting Plan pertaining to this project that was published on August 14, 2013, in compliance with the California Environmental Quality Act. SCH#2013062031.

NOW, THEREFORE, BE IT RESOLVED that 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 interests therein, in accordance with the provisions for eminent domain in the Code of Civil Procedure and the Constitution of the State of California:

Parcel C-1 is to be acquired as a permanent Maintenance and Access Easement.

Parcel C-2 is to be acquired as a Temporary Construction Easement for a 29-month period between October 1, 2014 and February 28, 2017.

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.

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: Angela Bell (925) 313-2337

ATTESTED: July 8, 2014

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

By: , Deputy

cc:

APPENDIX "A"

Land description(s) of two parcels of land in an unincorporated area of the County of Contra Costa, State of California, being a portion of the Northeast one-quarter of Section 14, Township 1 North, Range 3 East, Mount Diablo Meridian, also being a portion of the property described in the quitclaim deed to Geraldine Stanton, Trustee, recorded August 29, 2008, as Document 2008-0193689, Contra Costa County records, described as follows:

Parcel C-1 - Maintenance and Access Easement (Stanton - parcel nine)

Beginning at the northeast corner of said Stanton property (2008-0193689), also being a point on the southerly line of the 25 foot wide strip of land described in the grant deed to Contra Costa County recorded December 20, 1950 in Book 1689 at page 483, Contra Costa County records; thence along the northerly line of said Stanton property (2008-0193689) north 89°12'26" west, 271.92 feet; thence leaving said northerly line south 00°47'34" west, 5.16 feet; thence south 89°03'09" east, 36.17 feet; thence south 87°54'54" east, 237.57 feet to the east line of said Stanton property (2008-0193689); thence along said east line north 08°39'07" west, 10.76 feet to the Point of Beginning.

Containing an area of 2,064 square feet of land, more or less.

Parcel C-2 – Temporary Construction Easement (Stanton - parcel seven)

A temporary easement for a 29 month period between October 1, 2014 and February 28, 2017 for construction purposes and incidents thereto, upon, in, over and across a parcel of land described as follows:

Commencing at the northeast corner of said Stanton property (2008-0193689), also being a point on the southerly line of the 25 foot wide strip of land described in the grant deed to Contra Costa County recorded December 20, 1950 in Book 1689 at page 483, Contra Costa County records; thence along the easterly line of said Stanton property south 08°39'07" east, 10.76 feet to the Point of Beginning; thence from said Point of Beginning, leaving said easterly line north 87°54'54" west, 237.57 feet; thence north 89°03'09" west, 36.17 feet; thence north 00°47'34" east, 5.16 feet to the north line of said Stanton property, also being a point on the southerly line of said 25 foot wide strip of land (1689 OR 483); thence along said north line north 89°12'26" west, 84.12 feet to the northwest corner of said Stanton property; thence along the westerly line of said Stanton property, south 22°54'26" east, 28.15 feet; thence leaving said westerly line south 89°12'26" east, 79.34 feet; thence north 00°47'34" east, 5.91 feet; thence south 87°58'01" east, 269.72 feet to the easterly

line of said Stanton property (2008-0193689); thence along said easterly line north 08°39'07" west, 15.30 feet to the Point of Beginning.

Containing an area of 6,216 square feet of land, more or less.

Bearings are based on the California Coordinate System of 1983 (CCS83), Zone III.
Distances given are ground distances.

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: James A. Stein

Licensed Land Surveyor
Contra Costa County Public Works

Date: 6/2/14



Exhibit "A"

Geraldine Stanton
4601 Orwood Road
Brentwood, CA 94513



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: SB 1319 (Pavley), as amended 6/18/14, Oil Spills: Oil Spill Prevention and Response

RECOMMENDATION(S):

CONSIDER adopting a position on SB 1319 (Pavley), as amended 6/18/14, Oil Spills: Oil Spill Prevention and Response, a bill that makes various changes to existing law related to oil spill prevention, planning, emergency response, including transportation of oil by rail, as recommended by the Hazardous Materials Program Director.

FISCAL IMPACT:

No direct fiscal impact to Contra Costa County.

BACKGROUND:

The issue of transporting crude oil by rail through California has risen to the forefront of many citizens' and elected officials' concerns throughout the state. News stories abound regarding the potential dangers of transporting increasing amounts of crude oil – particularly crude oil from the Bakken formation in North Dakota – by rail into California. The Sacramento Bee, among others, has had a series of front page stories on this issue.

In January 2014, the Governor's Office convened a Rail Safety Working Group to examine safety concerns and recommend actions the State of California and others should take in response to the emerging risk posed by increased shipments of crude oil by rail into California. The Working Group's report was published on Tuesday, June 10, 2014 and offers the preliminary findings and recommendations of this Working Group. (The report is here

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: L. DeLaney,
925-335-1097

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

<http://www.caloes.ca.gov/HazardousMaterials/Pages/Oil-By-Rail.aspx> .)The Working Group includes representatives from the California Public Utilities Commission, California Office of Emergency Services, California Environmental Protection Agency, Department of Toxic Substances Control, California Energy Commission, California Natural Resources Agency, California Office of the State Fire Marshal, Department of Oil, Gas and Geothermal Resources, and Office of Spill Prevention and Response.

The recommendations of the report include: "In sum, while the federal actions taken to date are significant, they do not go far enough to address the risks of increased oil by rail transport. The state should press both the federal government and the railroad industry to take additional safety measures. Additionally, the state should strengthen its inspection and enforcement resources, remedy significant gaps in its emergency preparedness and response programs, and provide the public with an interactive map showing potential high risk areas from oil by rail traffic." (p. 6)

The release of this report was followed immediately by a report issued by the Natural Resources Defense Council (NRDC). The NRDC study includes maps of rail lines through seven California cities, showing areas likely to require evacuation in case of serious rail incident, however, it is unclear which lines might carry crude oil trains. Oil companies and railroads closely guard information about crude oil rail movements. NRDC said its analysis of a handful of oil company refinery and terminal projects indicates more than seven trains, each a mile long, could soon run through metropolitan areas daily.

In its report, the NRDC called for officials to:

- Remove antiquated oil tankers from service.
- Impose lower speed limits on crude oil trains.
- Reroute trains around sensitive areas.
- Require railroads to disclose the contents of trains.
- Make emergency procedures available to local residents.
- Assess fees on shippers to cover costs of improved emergency response to incidents.
- Elevate crude oil trains to the highest risk category for hazardous material shipments.
- Require oil companies to conduct "cumulative risk analysis" for oil rail infrastructure projects, so that the overall impact of all projects is adequately analyzed.

Oil companies increasingly are turning to rail shipments of crude oil, responding to the availability of less expensive deposits in North Dakota and Canada. At issue is whether the state and local officials have safety measures and adequate emergency response plans in place to handle the expected increase.

Acknowledging the growing concern, federal officials have issued warnings about the potential higher flammability of one crude oil type, Bakken oil, and have been exploring implementing tougher safety designs for crude oil tankers to replace the current fleet, which has been deemed inadequate to safely transport volatile crude oils. Since interstate railroads are largely overseen by the federal government, California has limited authority to devise new regulations governing crude shipments. Instead, the state's role consists of enforcing federal rules.

According to an article in the Sacramento Bee: "The California Public Utilities Commission (PUC) can enforce locally specific rules in some circumstances, such as hazards to water supplies or urban areas, but mostly has an oversight role. Some 5,300 miles of railroad track fall under the PUC's purview, according to rail safety official Paul King, who noted the budget lawmakers sent to Brown would add seven inspectors to deal with an expected spike in tank cars.

Beyond the new inspectors, King stressed the need for stronger tank cars, suggested retiring older tank cars from service and called for visible markings identifying which cars are carrying volatile oil.

A state agency receives information about train schedules and can then pass that information onto local emergency responders. Sacramento Metropolitan Fire Department Chief Kurt Henke advocated a secure site where first responders could quickly get data and more funding to train responders for disaster scenarios.

"We need an ability to get in and get the information," Henke said, adding that "there has to be a commitment of money" to bolster training, including to build a hazardous materials training facility.

Currently, the state's Office of Emergency Services often does not receive details about crude shipments until the

trains have already passed through towns.

"The notifications right now are coming so information is late," State Fire and Rescue Chief Kim Zagaris testified. "We'd really like to see something the first responders can log into and get the information that they need," he added."

Senator Pavley's SB 1319 builds upon the Administration's proposal and addresses concerns of local communities. SB 1319 was heard in the Assembly Utilities and Commerce Committee on June 23, and passed out to the Assembly Appropriations Committee. The Committee analysis of the bill is presented below.

2013 CA S 1319: Bill Analysis - 06/20/2014 - Assembly Utilities and Commerce Committee, Hearing Date 06/23/2014

Date of Hearing: June 23, 2014

ASSEMBLY COMMITTEE ON UTILITIES AND COMMERCE

Steven Bradford, Chair

SB 1319 (Pavley) - As Amended: June 18, 2014

SENATE VOTE: 23-12

SUBJECT: Oil spill prevention and response

SUMMARY: This bill makes various changes to existing law related to oil spill prevention, planning, emergency response, including transportation of oil by rail. Specifically, this bill:

1) The majority of the provisions are outside the jurisdiction of this committee. They provide authority to annually adjust the per-barrel fee on crude oil or petroleum products to support the Office of Oil Spill Prevention and Response (OSPR) programs, impose the fee additionally on pipeline operators, and imposes other requirements related to preparing for emergencies in the event of inland oil spills.

2) Relevant to Utilities and Commerce Committee Jurisdiction this bill:

(a) Requires the PUC to expand inspections on bridges and grade crossing used to transport oil and at oil unloading facilities and require the PUC to regulate essential local safety hazards for oil transport more stringently than federal law.

(b) Expands the PUC's annual reporting requirement to the Legislature to include information on the timing, nature, and status of remediation of defects or violations of federal and state law related to oil transport and unloading.

(c) Authorizes the OSPR to obtain confidential information from the OES, CEC, and other regulators to carry out duties and for OSPR to develop procedures for handling the information consistent with state and federal law.

EXISTING LAW

a) Requires PUC rail safety inspectors to be responsible for inspection, surveillance, and investigation of the rights of way, facilities, equipment, and operations of railroads and public mass transit guideways. (Public Utilities Code 309.7)

b) Requires PUC rail safety inspectors to investigate accidents including derailments; collisions between trains and other trains, motor vehicles, bicyclists, pedestrians, and obstructions; and hazardous materials releases from trains. (Public Utilities Code 315)

c) Supports railroad safety activities through fees collected from California railroads based on a percentage of annual gross revenues. (Public Utilities Code 421 and 422).

d) Requires the PUC to establish, by regulation, a minimum inspection standard to ensure that at the time of inspection, that railroad locomotives, equipment, and facilities located in the class I railroad yards will be inspected not less frequently than every 120 days, and inspection of all branch and main line track not less frequently than every 12 months (Public Utilities Code 765.5(d))

e) Requires PUC rail safety inspectors to conduct focused inspections of railroad yards and track; operating practices; signal and train control; hazardous materials and railroad equipment. (Public Utilities Code 765.5(e))

f) Requires the PUC to employ a sufficient number of federally-certified inspectors to ensure that railroad locomotives and equipment and facilities located in Class I railroad yards in California are inspected not less frequently than once every 120 days, and that all main and branch line tracks are inspected not less frequently than once every 12 months. (Public Utilities Code 309.7 and 765.5(d))

g) Provides PUC the responsibility to safeguard public health and safety by specifying the manner in which railroads construct, maintain, and operate their systems, equipment, apparatus, tracks, and premises. (Public Utilities Code 768)

h) Requires the PUC Safety and Enforcement Division to investigate any incident that results in a notification, and report its findings concerning the cause or causes to the commission. (Public Utilities Code 7661)

i) Requires railroads to provide immediate notification of accidents and incidents resulting in a release or threatened release of hazardous material to relevant agencies. (Public Utilities Code 7672.5)

j) Requires all rail operators to provide risk assessments to the PUC and Department of Homeland Security (Public Utilities Code 7665-7667)

k) Requires annual reporting by the PUC for sites on railroad lines in the state that the PUC finds to be hazardous. (Public Utilities Code 7711)

l) Requires the CPUC to collect and analyze near-miss data. (Public Utilities Code 7711.1)

m) Requires oil producers and fuel product refiners, transporters, storers, wholesalers and marketers to report information on receipts, shipments, inventories and incidents to the California Energy Commission (CEC). (Public Resources Code 25350)

n) Requires any information presented in confidence to the CEC to be aggregated to the extent necessary to assure confidentiality if the information would result in unfair competitive disadvantage. (Public Resources Code 25364)

o) Establishes the Office of OSPR in the Department of Fish and Wildlife (DFW).

* Requires the OSPR administrator to direct prevention, removal, abatement, response, containment, and cleanup efforts with regard to all aspects of any oil spill in marine waters of the state.

* Established the Oil Spill Prevention and Administrative Fund (OSPAF) and the Oil Spill Response Trust Fund (OSRTF) to pay for OSPR activities.

* Requires the Office of Emergency Services (OES) to be contacted in the event of an oil spill. (Government Code 8670.1 et seq., and others)

p) Establishes the Office of Emergency Services (OES). OES is responsible for:

* Coordinating response to major disasters in support of local Government.

* Assuring the state's readiness to respond to and recover from all hazards (natural, manmade, war-caused emergencies and disasters).

* Assisting local governments in their emergency preparedness, response, recovery, and hazard mitigation efforts.

(Government Code 8550 et seq.)

FISCAL EFFECT: Unknown

COMMENTS:

1) Author's Statement. "In California there have been 34 railroad oil spills since January 2013, more than four times the number of spills in the previous 10 years combined, according to federal data. Crude oil trains run through some of the state's most densely populated areas, and this trend will increase with the completion of at least six new oil-by-rail projects in California."

"California is seeing a huge shift in the way we import oil, and we need to address the new and unique hazards of crude-by-rail transportation. Updating the oil spill prevention and response program is an important step, and I look forward to working with the Brown Administration, my colleagues in the Legislature and our local and federal partners to identify what additional measures may be needed to protect Californians from this emerging public safety threat."

"Given the risks, California needs to take responsible steps to prevent, prepare for and respond to crude oil train accidents."

2) Transportation of oil. OSPR states that 65% of California's crude oil supply arrives by tankers originating from Alaska or overseas. The remaining 35% is supplied by pipeline within California. With the expansion of oil drilling in the Baaken region of North Dakota and the Tar Sands in Canada, and the subsequent transportation of crude oil by train, a shift is occurring in the source of California oil imports. OSPR states that in the future, around 25% of California's crude oil supply would arrive by rail. This would be accompanied by a dramatic reduction in the amount of oil arriving by tanker (43% predicted supply).

The rapid expansion of crude oil transportation by rail, coupled with a series of derailments and explosions over the past year, has raised concerns about the safety of rail transport of hazardous materials. According to data from the Pipeline and Hazardous Materials Safety Administration (PHMSA), the amount of crude oil spilled from rail cars in 2013 exceeded that spilled in the preceding four decades. In 2013, 1.15 million gallons of crude oil were spilled, compared with about 800,000 gallons spilled from rail cars between 1975 and 2012. One of the most serious of these recent accidents was the Lac-Megantic derailment that occurred in the town of Lac-Megantic in Canada on July 6, 2013. In this accident, a 74-car freight train carrying crude oil from the Bakken formation derailed in the downtown area, killing 47 people and destroying more than 30 buildings when multiple tank cars exploded and burned. In addition, the Chaudiere River was contaminated by 26,000 gallons of crude oil.

3) Railroads and the PUC. The California Railroad Commission was created in the 1880s to regulate railroads operating in California in response to public outcry over prices charged and monopoly practices of the railroad operators. The California Railroad Commission later became the California Public Utilities as regulatory authority over other utilities was added to the Railroad Commission's responsibilities.

4) PUC and rail safety. Currently the PUC has safety regulatory authority over 9,000 miles of railroad track, 500 miles of rail transit track or guideways, and 13,500 miles of rail crossing. They also have authority over the future high speed rail segments. In addition, they enforce safety regulations over railroads, including freight and short rail companies, passenger (Amtrak, high speed rail), commuter (Metrolink, Altamont, Caltrain, etc.), and guideway transit (BART, LA Metro, Sacramento RT, San Francisco Muni, San Diego Trolley, etc.).

Railroad bridges carry thousands of rail cars containing hazardous materials and thousands of passengers daily.

According to the PUC, the federal government has established regulations for bridges and relies on railroads to inspect their bridges and prepare Bridge Management Plans that are to be made available to the federal government upon request. California bridges are not inspected by any entity in the state government.

Like most transportation infrastructure, the more a bridge is used with greater frequency and with heavier loads, the more the bridge integrity is potentially compromised. Due to the frenetic building of railroads during the late 19th and early 20th centuries, actual railroad bridgeplans or records are either absent or unreliable. Often, these bridges now reside on properties owned by smaller short line railroads that may not be willing or able to acquire the amount of capital needed to repair or replace degrading bridges. It is unclear if the railroads are able to adequately identify, with a high degree of certainty, the year, model, construction materials, and maximum weight the bridge can carry, as well as maintenance programs and practices.

The anticipated increase in oil-by-rail shipments into and within California increases the potential for accidents or incidents unless safety inspections and remediation are put in place.

Under federal law, the federal government develops a national and regional response capability for spills from oil or other hazardous substances; promotes coordination among the hierarchy of emergency response organizations and response or contingency plans; requires hazardous shipments to be inspected when they are accepted for transportation or placed in a train in conjunction with other routine inspections; and allows states to develop and enforce their own hazardous regulatory scheme as long as the regulation is consistent with federal law.

The PUC rail safety program is located within the PUC Safety and Enforcement Division. According to the recent State Auditor report of the PUC Transportation Division,[1] 95 full time employees are assigned the PUC rail programs (the State Auditor report on the PUC's oversight of charter[Unicode 8209]party carriers and passenger stage corporations [passenger carriers] found that the PUC fails to adequately ensure consumers' transportation safety and does not appropriately collect and spend fees from passenger carriers).

5) Sufficient inspection resources. Current statute indicates the PUC is to employ a sufficient number of certified employees in conduct inspections. The PUC should consider whether it has sufficient resources to carry out the requisite inspections and apprise the Legislature if the PUC has sufficient flexibility in inspection resources to address public safety needs.

6) Author request for a technical amendment. The amendments made on June 18, 2014 inadvertently deleted a word. The author has requested an amendment to correct this error.

Page 26, line 19, insert "transport" as follows:

(c) For purposes of this section, "transport" includes transport line or planned transport by vessel, truck, railroad, or pipeline.

7) Energy Commission Petroleum Industry Information Reporting Act (PIIRA). Enacted in 1980, PIIRA requires qualifying petroleum industry companies to submit weekly, monthly, and annual data to the California Energy Commission. Data collection began in 1982. In 2006, the PIIRA regulations were amended to increase the frequency and level of detail in the information reported by the industry.

The author may wish to consider an amendment to require that any data shared by the CEC will be held at the same level of confidentiality that is specified in Section 25364 of the Public Resources Code. Specifically:

SEC. 8. Section 8670.6.5 is added to the Government Code, to read:

8670.6.5. The administrator may obtain confidential and other information protected from public disclosure from the Office of Emergency Services, the State Energy Resources Conservation and Development Commission, and other regulators, as necessary, in order for the administrator to carry out his or her duties. The administrator shall develop procedures for handling the obtained information consistent with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1, section 25364 of the Public Resources

Code, and federal law.

NEW SECTION amending section 25364 of the Public Resources Code. 25364. (a) Any person required to present information to the commission pursuant to Section 25354 may request that specific information be held in confidence. Information requested to be held in confidence shall be presumed to be confidential. (b) Information presented to the commission pursuant to Section 25354 shall be held in confidence by the commission or aggregated to the extent necessary to assure confidentiality if public disclosure of the specific information or data would result in unfair competitive disadvantage to the person supplying the information.

(c) (1) Whenever the commission receives a request to publicly disclose unaggregated information, or otherwise proposes to publicly disclose information submitted pursuant to Section 25354, notice of the request or proposal shall be provided to the person submitting the information. The notice shall indicate the form in which the information is to be released. Upon receipt of notice, the person submitting the information shall have 10 working days in which to respond to the notice to justify the claim of confidentiality on each specific item of information covered by the notice on the basis that public disclosure of the specific information would result in unfair competitive disadvantage to the person supplying the information.

(2) The commission shall consider the respondent's submittal in determining whether to publicly disclose the information submitted to it to which a claim of confidentiality is made. The commission shall issue a written decision which sets forth its reasons for making the determination whether each item of information for which a claim of confidentiality is made shall remain confidential or shall be publicly disclosed.

(d) The commission shall not make public disclosure of information submitted to it pursuant to Section 25354 within 10 working days after the commission has issued its written decision required in this section.

(e) No information submitted to the commission pursuant to Section 25354 shall be deemed confidential if the person submitting the information or data has made it public.

(f) With respect to petroleum products and blendstocks reported by type pursuant to paragraph (1) or (2) of subdivision (a) of Section 25354 and information provided pursuant to subdivision (h) or (i) of Section 25354, neither the commission nor any employee of the commission may do any of the following:

(1) Use the information furnished under paragraph (1) or (2) of subdivision (a) of Section 25354 or under subdivision (h) or (i) of Section 25354 for any purpose other than the statistical purposes for which it is supplied.

(2) Make any publication whereby the information furnished by any particular establishment or individual under paragraph (1) or (2) of subdivision (a) of Section 25354 or under subdivision (h) or (i) of Section 25354 can be identified.

(3) Permit anyone other than commission members and employees of the commission to examine the individual reports provided under paragraph (1) or (2) of subdivision (a) of Section 25354 or under subdivision (h) or (i) of Section 25354.

(g) Notwithstanding any other provision of law, the commission may disclose confidential information received pursuant to subdivision (a) of Section 25304 or Section 25354 to the State Air Resources Board if the state board agrees to keep the information confidential. With respect to the information it receives, the state board shall be subject to all pertinent provisions of this section.

(h) Notwithstanding any other provision of law, the commission may disclose confidential information received pursuant to subdivision (a) of Section 25304 or Section 25354 to the administrator for oil spill response appointed by the Governor pursuant to Section 8670.4 if the administrator agrees to keep the information confidential. With respect to the information it receives, the administrator shall be subject to all pertinent provisions of this section.

8) Related legislation.

- a) SB 861 (2014, Budget Resources Trailer Bill) includes provisions addressing OSPR responsibilities over inland oil spill response, local emergency responder training, and related provisions regarding criminal and civil penalties and new establishing new regulations. (Status: ordered to engrossing and enrolling)
- b) AB 380 (2014, Dickinson) would address sensitive rail information being provided to the Office of Emergency Services. (Status; in Senate Appropriations)
- c) SB 506 (2014, Hill) would create a Railroad Tank Car Hazardous Materials Safety Fund which would establish a set fee per loaded tank car to finance emergency response for rail accidents and releases of hazardous materials. (Status: in Assembly Rules)
- d) AB 881 (2013, Chesbro) would raise the OSPR per barrel fee to pay for the marine program. (Status: Senate inactive file)

9) Support and Opposition.

Supports argue that SB 1319 will assist with responding to oil spills, should they occur and reduce new risks from crude oil transport by rail.

Opponents argue that SB 1319 is overly broad and allows an unlimited fee for funding the programs administered by OSPR; raises issues regarding possible federal preemption; adds more requirements beyond what was enacted in the 2014 Budget Trailer Bill; and issues with programs with fiscal accountability and operational issues at OSPR that have been identified by past State audits.

One opponent raised concern about an exemption from taking actions to meet or exceed the state contract disabled veteran business enterprise goals. This provision is existing law. SB 1319 does not modify this provision which allows OSPR to contract for services in response to an actual oil spill where time is of the essence and specialized services are needed.

REGISTERED SUPPORT / OPPOSITION:

Support

Audubon California

California Association of Professional Scientists (CAPS)

California Fire Chiefs Association (CalChiefs)

California League of Conservation Voters

California Trout

Clean Water Action

Defenders of Wildlife

Environment California

Environmental Working Group

Heal the Bay

Natural Resources Defense Council (NRDC)

San Francisco Baykeeper

Surfrider Foundation

Opposition

BNSF Railway Company

California Chamber of Commerce

California Independent Petroleum Association

California Manufacturers & Technology Association (CMTA)

Union Pacific Railroad Company

Veterans Caucus of the California Democratic Party

Western States Petroleum Association

Analysis Prepared by: Susan Kateley / U. & C. / (916) 319-2083

[1] <http://www.auditor.ca.gov/pdfs/reports/2013-130.pdf>

ATTACHMENTS

SB 1319 Fact Sheet

SB 1319 Bill Text

FACT SHEET: SB 1319

AUTHOR: SENATOR FRAN PAVLEY

(CO-AUTHORS: SENATORS HILL, LARA, LENO & WOLK)

CRUDE OIL TRANSPORT BY RAIL: UPDATING SPILL PREPARATION AND RESPONSE

revised: June 9, 2014

THE PROBLEM

Significant shifts in the mode of transportation of crude oil into and within California are expected to occur in the near future. Previously, most crude oil imported into California arrived by marine vessel. According to the Brown Administration, the volume of oil transported by rail is anticipated to increase to up to 150 million barrels per year by 2016. This would be 25% of all the crude oil refined in California. This shift in transportation mode – with an accompanying shift in the source of the oil being refined in the state – means that the nature of the risks associated with oil spills as well as the likely locations of spills is also changing. It is time to update California’s oil spill preparation, prevention and response.

THE SOLUTION

SB 1319 incorporates and revises the Brown Administration’s proposal through the budget process to update the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act (Act) to specifically include all modes of crude oil transport. It also revises provisions of the Public Utilities Code related to rail safety. Specifically, SB 1319:

- allows the per barrel fee to be set annually to cover the costs of the program
- defines an oil spill as any amount of oil into, or that threatens, the waters of the state
- requires that rail-related facilities obtain Certificates of Financial Responsibility
- requires that the Office of Oil Spill Prevention and Response (OSPR) provide training and equipment grants to first responders
- adds new members with expertise in oil production and rail to the Technical Advisory Committee (TAC) which advises OSPR
- updates existing requirements to ensure that a revised oil spill contingency plan reflecting these newly-recognized risks be prepared by January 1,

2017 (and retains the existing provision that it be reviewed every 3 years)

- requires that the contingency plan take public health and safety into consideration
- provides up to \$2,500,000 annually for the Oiled Wildlife Care Network (OWCN) through the budget process
- requires that OSPR perform a study addressing inland areas of the state that includes response requirements for different crudes and the identification of the specific response needs of urban, rural and sensitive environments
- requires that OSPR keep track of the properties of transported oil and modes of oil transportation in order to identify any subsequent necessary changes in spill response
- requires public dissemination of oil transport data to local communities to the extent possible
- requires a comprehensive risk assessment be performed of non-marine forms of oil transport
- clarifies that OSPR can obtain confidential information
- requires the California Public Utilities Commission (CPUC) perform expanded risk-based inspections of rail bridges, grade crossings and loading/unloading facilities
- re-affirms the CPUC’s authority over essential local safety hazards
- requires the CPUC report more detailed information about defects and violations observed during its rail inspections

and other provisions including a savings clause and technical clean-up.

BACKGROUND

Recent development of large oil fields in North Dakota, Texas and other North American locations has led to a surge in rail transport of crude oil. So-called “unit trains” – consisting of up to 100 or more tank cars are employed to transport the crude oil to where it can be

refined. Pipelines, in many instances, are not available. Crude oil from at least some of these new fields has considerably different chemical and physical properties than “typical” crude oil – it may be more volatile, flammable and corrosive.

Additionally, imports of oil derived from the Canadian tar sands are also expected to increase and this crude has much different properties that present different difficulties for spill response. For example, see the on-going clean-up of the 2010 Kalamazoo River oil spill from a ruptured pipeline.

There have been several recent rail derailments involving trains, including unit trains, carrying crude oil. While some derailments resulted in minimal damage, others resulted in massive – and unexpected – explosions, extensive fires, billions of dollars in property damage and loss of life. More oil has been spilled in the last year from rail than in the previous 40 years combined.

The Federal Railway Administration and the Pipeline and Hazardous Materials Safety Administration have stepped up efforts to ensure that the risks to the public from rail transport of crude oil are minimized and that the crude oil is properly identified. Federal preemption of state efforts to regulate oil transport is strong as the litigation that followed the 1991 Cantarra loop (Dunsmuir) proved. It remains important at the state level in the event of a spill that responders know what to be prepared for.

In 1990, the Legislature passed the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act (Act)(Government Code §8670.1 *et seq.*). The Act provides a comprehensive framework for the state’s oil spill prevention and response activities, as specified. The Act’s current focus is primarily upon oil spill prevention and response in marine waters and on the transport of oil that passes through the state’s marine terminals. The Act established the OSPR within the Department of Fish and Wildlife and OSPR is led by the OSPR Administrator who has the authority to implement the Act.

The Act has numerous components related to oil spill prevention, preparedness and response including:

- oil spill contingency planning, regulation and review,
- spill response training,
- marine safety,

- the establishment of the Oiled Wildlife Care Network to assist wildlife in an oil spill,
- the establishment of penalties for oil spill damage,
- the establishment of funding mechanisms for oil spill prevention and response,
- the requirement that Certificates of Financial Responsibility be obtained by certain marine facilities and vessels to ensure that there are funds available to pay certain oil spill-related costs, and
- enforcement provisions, among others.

OSPR gained the responsibility for inland crude oil spills in 2008 (AB 2911, Wolk and co-authors, c. 565, Stats. 2008), although no dedicated funding mechanism for inland spills was established.

Governor Brown’s FY 2014-15 budget includes a Budget Change Proposal addressing the shift in crude oil transportation into and within the state to rail. It includes both additional personnel for OSPR and proposed trailer bill language modifying the Act.

The CPUC is the state agency that oversees rail safety in California. The CPUC employs federally certified inspectors to ensure that railroads comply with both federal and state railroad safety regulations.

LEGISLATIVE HISTORY

- voted off the Senate Floor (23 -11)
- passed Senate Appropriations Committee Suspense file (6 – 1)
- passed Senate Environmental Quality Committee (5 – 1)
- passed Senate Natural Resources & Water Committee (7 – 1)

SUPPORT

California League of Conservation Voters
Clean Water Action
Environment California
Environmental Working Group
Natural Resources Defense Council
SF Baykeeper
Surfrider Foundation

OPPOSITION

California Chamber of Commerce
California Independent Petroleum Association
California Manufacturers & Technology Association
Veterans Caucus of the California Democratic Party (unless amended)
Western States Petroleum Association

AMENDED IN ASSEMBLY JUNE 18, 2014

AMENDED IN ASSEMBLY JUNE 9, 2014

AMENDED IN SENATE MAY 27, 2014

AMENDED IN SENATE MAY 6, 2014

AMENDED IN SENATE APRIL 21, 2014

AMENDED IN SENATE APRIL 2, 2014

SENATE BILL

No. 1319

**Introduced by Senator Pavley
(Coauthors: Senators Hill, Lara, Leno, and Wolk)**

February 21, 2014

An act to amend Section 5654 of the Fish and Game Code, to amend Sections 8574.4, 8574.7, 8574.8, 8670.2, 8670.3, 8670.5, 8670.7, 8670.8, 8670.8.3, 8670.8.5, 8670.9, 8670.12, 8670.14, 8670.19, 8670.25, 8670.25.5, 8670.26, 8670.27, 8670.28, 8670.29, 8670.30.5, 8670.31, 8670.32, 8670.33, 8670.34, 8670.35, 8670.36, 8670.37, 8670.37.5, 8670.37.51, 8670.37.52, 8670.37.53, 8670.37.55, 8670.37.58, 8670.40, 8670.42, 8670.47.5, 8670.48, 8670.48.3, 8670.49, 8670.50, 8670.51, 8670.53, 8670.54, 8670.55, 8670.56.5, and 8670.56.6, 8670.61.5, 8670.62, 8670.64, 8670.66, 8670.67, 8670.67.5, 8670.69.4, and 8670.71 of, and to add Sections 8670.6.5, 8670.15, 8670.29.5, and 8670.32.5; 8670.40.5, and 8670.95 to, and to repeal Section 8670.69.7 of, the Government Code, to amend Section 449 of the Harbors and Navigation Code, and to amend Sections 765.5 and 7711 of the Public Utilities Code, to amend Sections 46002, 46006, 46007, 46010, 46013, 46017, 46023, 46028, and 46101 of, to repeal Sections 46008, 46014, 46015, 46016, 46019, 46024, and 46025 of, and to repeal and add Sections 46011, 46018, and 46027 of, the Revenue and Taxation Code, and to

~~amend Section 13272 of the Water Code, relating to oil spills, and making an appropriation therefor: *spills*.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1319, as amended, Pavley. Oil spills: oil spill prevention and response.

(1) The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act generally requires the administrator for oil spill response, acting at the direction of the Governor, to implement activities relating to oil spill response, including emergency drills and preparedness, and oil spill containment and cleanup, and to represent the state in any coordinated response efforts with the federal government. Existing law directs the Governor to require the administrator to amend, not in conflict with the National Contingency Plan, the California oil spill contingency plan to add a marine oil spill contingency planning section containing specified elements, including an environmentally and ecologically sensitive areas element. Existing law also requires the administrator to adopt and implement regulations governing the adequacy of oil spill contingency plans to be prepared and implemented and requires the regulations to provide for the best achievable protection of coastal and marine waters. Existing law imposes various administrative civil penalties on a person that violates specified provisions of the act based on whether it was an oil spill or an inland oil spill.

~~This bill~~

~~Senate Bill 861, if enacted, would generally expand the act and the administrator's responsibilities relating to oil spills to cover all waters of the state, as defined. By expanding the scope of crimes within the act, the bill would impose a state-mandated local program. The bill would direct the Governor to require the administrator to amend the California oil spill contingency plan to provide for the best achievable protection of all state waters, not solely coastal and marine waters, and to submit the plan to the Governor and the Legislature on or before January 1, 2017. The bill would require the regulations to provide for the best achievable protection of all waters and natural resources of the state.~~

~~The~~

~~This bill would expand the regional and local planning element of the California oil spill contingency plan to include the identification~~

and mitigation of public health and safety impacts from an oil spill in waters of the state. The bill would authorize the administrator to obtain confidential and other information from the Office of Emergency Services, the State Energy Resources Conservation and Development Commission, and other regulators, as necessary, in order for the administrator to carry out his or her duties, and would require the administrator to develop procedures in handling the obtained information. The bill would require the administrator, no later than January 1, 2016, to conduct a study and evaluation for inland areas of the state and would require the administrator to obtain annually, at a minimum, information on the modes of transportation of oil into and within the state and the properties of the oil and to provide this information to the Oil Spill Technical Advisory Committee. The bill would also require the administrator, in consultation with the appropriate local, state, and federal regulators, to conduct a comprehensive risk assessment of nonvessel modes of transportation oil and to identify those operations that pose the highest risk of a pollution incident in state waters, as specified, and would require the administrator to obtain and make publicly available, as specified, previously filed information related to the transport of oil through, near, or into communities, as specified. ~~The bill, for purposes of administrative civil penalties, would no longer distinguish between an oil spill and an inland oil spill, subjecting all persons to the oil spill provisions. The bill also would revise various definitions within that act, and would make other conforming and technical changes.~~

(2) Existing law requires the administrator, within 5 working days after receipt of a contingency plan, prepared as specified, to send a notice that the plan is available for review to the Oil Spill Technical Advisory Committee.

This bill instead would require the administrator, within 5 working days after receipt of a contingency plan, to post a notice that the plan is available for review. *The bill would require the California Environmental Protection Agency and the Office of Emergency Services to review the plans for facilities and local governments located outside of the coastal zone.*

~~(3) Existing law requires the administrator to establish a network of rescue and rehabilitation stations for sea birds, sea otters, and marine mammals affected by an oil spill in marine waters.~~

This bill instead would require the administrator to establish a network of rescue, as specified, for wildlife injured by oil spills in waters of the

~~state, including sea otters and other marine mammals. The bill also would authorize the administrator to establish additional stations or facilities in the interior of the state for the rescue and rehabilitation of wildlife affected by inland spills.~~

~~(4)~~

(3) Existing law imposes an oil spill prevention and administration fee in an amount determined by the administrator to be sufficient to implement oil spill prevention activities, but not to exceed \$0.065 per barrel of crude oil or petroleum products and, beginning January 1, 2015, to an amount not to exceed \$0.05, on persons owning crude oil or petroleum products at a marine terminal. The fee is deposited into the Oil Spill Prevention and Administration Fund in the State Treasury. Upon appropriation by the Legislature, moneys in the fund are available for specified purposes.

This bill instead would require the administrator to annually determine the fee in an amount sufficient to pay the reasonable regulatory costs of specified oil spill prevention activities. The bill would delete the provision that reduces the fee beginning on January 1, 2015. The bill would additionally impose this fee on a person owning crude oil at the time the crude oil is received at a refinery, as specified, by any mode of delivery that passed over, across, under, or through waters of the state, whether from within or outside the state. ~~The bill would authorize the Director of Finance to augment a specified appropriation in the Budget Act of 2014 for the reasonable costs incurred by the State Board of Equalization related to the collection of the oil spill prevention and administration fee, as specified, thereby making an appropriation.~~

This bill would require every person who operates an oil refinery, marine terminal, or a pipeline to register with the State Board of Equalization. *By expanding the scope of crimes in the act, this bill would impose a state-mandated local program.*

~~(5) Existing law imposes a uniform oil spill response fee on specified persons, except specified independent crude oil producers, owning petroleum products and on pipeline operators transporting petroleum products into the state by means of a pipeline operating across, under, or through the marine waters of the state, during any period that the Oil Spill Response Trust Fund contains less than a designated amount. The money in the fund is continuously appropriated for specified purposes, including, to pay for the costs of rescue, medical treatment, rehabilitation, and disposition of oiled wildlife, as specified. Existing law authorizes a person to apply to the fund for compensation for~~

damages and losses suffered as a result of an oil spill in the marine waters of the state under specified conditions.

The bill would delete the fee exception for independent crude oil producers, and would delete the provision authorizing the moneys in the fund to be used to pay for the costs of rescue, medical treatment, rehabilitation, and disposition of oiled wildlife. The bill would additionally impose the fee on pipeline operators transporting petroleum products into the state by means of a pipeline operating across, under, or through waters of the state, thereby making an appropriation by increasing the amount of moneys deposited into a continuously appropriated fund. The bill would authorize moneys in the fund to be used to respond to an imminent threat of a spill, and would authorize a person to apply to the fund for compensation for damages and losses suffered as a result of an oil spill in any waters of the state. By expanding the purposes of a continuously appropriated fund, the bill would make an appropriation.

(6) Existing law, until June 30, 2014, provides that if a loan or other transfer of money from the Oil Spill Response Trust Fund to the General Fund pursuant to the Budget Act reduces the balance of the fund to less than or equal to 95% of the designated amount, the administrator is not required to collect oil spill response fees if the annual Budget Act requires the transfer or loan to be repaid (1) to the fund with interest calculated at a rate earned by the Pooled Money Investment Account and (2) on or before June 30, 2014.

This bill would extend that date to June 30, 2017, and would provide that these provisions would be repealed on July 1, 2017.

(7)

(4) Existing law establishes the Oil Spill Technical Advisory Committee to provide public input and independent judgment of the actions of the administrator. The committee is composed of 10 members.

This bill would increase the number of members from 10 to 15 and would require the Speaker of the Assembly and the Senate Committee on Rules to each appoint one additional member who has knowledge of environmental protection and the study of ecosystems, and also would require the Governor to appoint two 3 additional members, with one having knowledge of the railroad industry and industry, another having knowledge of the oil production industry, and another having knowledge of the truck transportation industry.

(8)

(5) Existing law requires the Public Utilities Commission to establish, by regulation, the inspection of railroad locomotives, equipment, and facilities occur not less frequently than every 120 days, and, in addition to those minimum inspections, that the commission conduct focused inspections of railroad yards and track, either in coordination with the Federal Railroad Administration or as the commission determines to be necessary.

This bill would expand those inspections to include bridges and grade crossings over which oil is being transported and oil unloading facilities, as specified. The bill also would authorize the commission to regulate essential local safety hazards for the transport of oil more stringently than federal regulation, as specified.

Existing law requires the commission to report to the Legislature, on or before July 1 each year, on sites on railroad lines in the state it finds to be hazardous, as specified.

This bill would expand that annual report to the Legislature to include the timing, nature, and status of the remediation of defects or violations of federal and state law related to the transport and unloading of oil detected by the commission through its inspections.

~~(9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

(6) This bill would make its provisions contingent on the enactment of SB 861 of the 2013–14 Regular Session.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: ~~yes~~-no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. ~~Section 5654 of the Fish and Game Code is~~
 2 ~~amended to read:~~

1 ~~5654. (a) (1) Notwithstanding Section 7715 and except as~~
2 ~~provided in paragraph (2), the director, within 24 hours of~~
3 ~~notification of a spill or discharge, as those terms are defined in~~
4 ~~Section 8670.3 of the Government Code, where any fishing,~~
5 ~~including all commercial, recreational, and nonlicensed subsistence~~
6 ~~fishing, may take place, or where aquaculture operations are taking~~
7 ~~place, shall close to the take of all fish and shellfish all waters in~~
8 ~~the vicinity of the spill or discharge or where the spilled or~~
9 ~~discharged material has spread, or is likely to spread. In~~
10 ~~determining where a spill or discharge is likely to spread, the~~
11 ~~director shall consult with the Administrator of the Office of Spill~~
12 ~~Prevention and Response. At the time of closure, the department~~
13 ~~shall make all reasonable efforts to notify the public of the closure,~~
14 ~~including notification to commercial and recreational fishing~~
15 ~~organizations, and posting of warnings on public piers and other~~
16 ~~locations where subsistence fishing is known to occur. The~~
17 ~~department shall coordinate, when possible, with local and regional~~
18 ~~agencies and organizations to expedite public notification.~~

19 ~~(2) Closure pursuant to paragraph (1) is not required if, within~~
20 ~~24 hours of notification of a spill or discharge, the Office of~~
21 ~~Environmental Health Hazard Assessment finds that a public health~~
22 ~~threat does not or is unlikely to exist.~~

23 ~~(b) Within 48 hours of notification of a spill or discharge subject~~
24 ~~to subdivision (a), the director, in consultation with the Office of~~
25 ~~Environmental Health Hazard Assessment, shall make an~~
26 ~~assessment and determine all of the following:~~

27 ~~(1) The danger posed to the public from fishing in the area where~~
28 ~~the spill or discharge occurred or spread, and the danger of~~
29 ~~consuming fish taken in the area where the spill or discharge~~
30 ~~occurred or spread.~~

31 ~~(2) Whether the areas closed for the take of fish or shellfish~~
32 ~~should be expanded to prevent any potential take or consumption~~
33 ~~of any fish or shellfish that may have been contaminated by the~~
34 ~~spill or discharge.~~

35 ~~(3) The likely period for maintaining a closure on the take of~~
36 ~~fish and shellfish in order to prevent any possible contaminated~~
37 ~~fish or shellfish from being taken or consumed or other threats to~~
38 ~~human health.~~

39 ~~(e) Within 48 hours after receiving notification of a spill or~~
40 ~~discharge subject to subdivision (a), or as soon as is feasible, the~~

1 director, in consultation with the Office of Environmental Health
2 Hazard Assessment, shall assess and determine the potential danger
3 from consuming fish that have been contained in a recirculating
4 seawater tank onboard a vessel that may become contaminated by
5 the vessel's movement through an area where the spill or discharge
6 occurred or spread.

7 (d) ~~If the director finds in his or her assessment pursuant to~~
8 ~~subdivision (b) that there is no significant risk to the public or to~~
9 ~~the fisheries, the director may immediately reopen the closed area~~
10 ~~and waive the testing requirements of subdivisions (e) and (f).~~

11 (e) ~~Except under the conditions specified in subdivision (d),~~
12 ~~after complying with subdivisions (a) and (b), the director, in~~
13 ~~consultation with the Office of Environmental Health Hazard~~
14 ~~Assessment, but in no event more than seven days from the~~
15 ~~notification of the spill or discharge, shall order expedited tests of~~
16 ~~fish and shellfish that would have been open for take for~~
17 ~~commercial, recreational, or subsistence purposes in the closed~~
18 ~~area if not for the closure, to determine the levels of contamination,~~
19 ~~if any, and whether the fish or shellfish is safe for human~~
20 ~~consumption.~~

21 (f) (1) ~~Within 24 hours of receiving a notification from the~~
22 ~~Office of Environmental Health Hazard Assessment that no threat~~
23 ~~to human health exists from the spill or discharge or that no~~
24 ~~contaminant from the spill or discharge is present that could~~
25 ~~contaminate fish or shellfish, the director shall reopen the areas~~
26 ~~closed pursuant to this section. The director may maintain a closure~~
27 ~~in any remaining portion of the closed area where the Office of~~
28 ~~Environmental Health Hazard Assessment finds contamination~~
29 ~~from the spill or discharge persists that may adversely affect human~~
30 ~~health.~~

31 (2) ~~The director, in consultation with the commission, may also~~
32 ~~maintain a closure in any remaining portion of the closed area~~
33 ~~where commercial fishing or aquaculture occurs and where the~~
34 ~~department determines, pursuant to this paragraph, that~~
35 ~~contamination from the spill or discharge persists that may cause~~
36 ~~the waste of commercial fish or shellfish as regulated by Section~~
37 ~~7701.~~

38 (g) ~~To the extent feasible, the director shall consult with~~
39 ~~representatives of commercial and recreational fishing associations~~
40 ~~and subsistence fishing communities regarding the extent and~~

1 duration of a closure, testing protocols, and findings. If a spill or
2 discharge occurs within the lands governed by a Native American
3 tribe or affects waters flowing through tribal lands, or tribal
4 fisheries, the director shall consult with the affected tribal
5 governments.

6 (h) ~~The director shall seek full reimbursement from the~~
7 ~~responsible party or parties for the spill or discharge for all~~
8 ~~reasonable costs incurred by the department in carrying out this~~
9 ~~section, including, but not limited to, all testing.~~

10 ~~SEC. 2. Section 8574.4 of the Government Code is amended~~
11 ~~to read:~~

12 ~~8574.4. State agencies designated to implement the contingency~~
13 ~~plan shall account for all state expenditures made under the plan~~
14 ~~with respect to each oil spill. Expenditures accounted for under~~
15 ~~this section from an oil spill in waters of the state shall be paid~~
16 ~~from the Oil Spill Response Trust Fund created pursuant to Section~~
17 ~~8670.46. All other expenditures accounted for under this section~~
18 ~~shall be paid from the State Water Pollution Cleanup and~~
19 ~~Abatement Account in the State Water Quality Control Fund~~
20 ~~provided for in Article 3 (commencing with Section 13440) of~~
21 ~~Chapter 6 of Division 7 of the Water Code. If the party responsible~~
22 ~~for the spill is identified, that party shall be liable for the~~
23 ~~expenditures accounted for under this section, in addition to any~~
24 ~~other liability that may be provided for by law, in an action brought~~
25 ~~by the Attorney General. The proceeds from any action for a spill~~
26 ~~in marine waters shall be paid into the Oil Spill Response Trust~~
27 ~~Fund.~~

28 ~~SEC. 3.~~

29 ~~SECTION 1. Section 8574.7 of the Government Code is~~
30 ~~amended to read:~~

31 ~~8574.7. The Governor shall require the administrator, not in~~
32 ~~conflict with the National Contingency Plan, to amend the~~
33 ~~California oil spill contingency plan to provide for the best~~
34 ~~achievable protection of waters of the state. "Administrator" for~~
35 ~~purposes of this section means the administrator appointed by the~~
36 ~~Governor pursuant to Section 8670.4. The plan shall consist of all~~
37 ~~of the following elements:~~

38 (a) ~~A state response element that specifies the hierarchy for state~~
39 ~~and local agency response to an oil spill. The element shall define~~
40 ~~the necessary tasks for oversight and control of cleanup and~~

1 removal activities associated with an oil spill and shall specify
2 each agency's particular responsibility in carrying out these tasks.
3 The element shall also include an organizational chart of the state
4 oil spill response organization and a definition of the resources,
5 capabilities, and response assignments of each agency involved
6 in cleanup and removal actions in an oil spill.

7 (b) A regional and local planning element that shall provide the
8 framework for the involvement of regional and local agencies in
9 the state effort to respond to an oil spill, and shall ensure the
10 effective and efficient use of regional and local resources, as
11 appropriate, in all of the following:

12 (1) Traffic and crowd control.

13 (2) Firefighting.

14 (3) Boating traffic control.

15 (4) Radio and communications control and provision of access
16 to equipment.

17 (5) Identification and use of available local and regional
18 equipment or other resources suitable for use in cleanup and
19 removal actions.

20 (6) Identification of private and volunteer resources or personnel
21 with special or unique capabilities relating to oil spill cleanup and
22 removal actions.

23 (7) Provision of medical emergency services.

24 (8) Identification and mitigation of public health and safety
25 impacts.

26 (9) Consideration of the identification and use of private working
27 craft and mariners, including commercial fishing vessels and
28 licensed commercial fishing men and women, in containment,
29 cleanup, and removal actions.

30 (c) A coastal protection element that establishes the state
31 standards for coastline protection. The administrator, in
32 consultation with the Coast Guard and Navy and the shipping
33 industry, shall develop criteria for coastline protection. If
34 appropriate, the administrator shall consult with representatives
35 from the States of Alaska, Washington, and Oregon, the Province
36 of British Columbia in Canada, and the Republic of Mexico. The
37 criteria shall designate at least all of the following:

38 (1) Appropriate shipping lanes and navigational aids for tankers,
39 barges, and other commercial vessels to reduce the likelihood of
40 collisions between tankers, barges, and other commercial vessels.

1 Designated shipping lanes shall be located off the coastline at a
2 distance sufficient to significantly reduce the likelihood that
3 disabled vessels will run aground along the coast of the state.

4 (2) Ship position reporting and communications requirements.

5 (3) Required predeployment of protective equipment for
6 sensitive environmental areas along the coastline.

7 (4) Required emergency response vessels that are capable of
8 preventing disabled tankers from running aground.

9 (5) Required emergency response vessels that are capable of
10 commencing oil cleanup operations before spilled oil can reach
11 the shoreline.

12 (6) An expedited decisionmaking process for dispersant use in
13 coastal waters. Prior to adoption of the process, the administrator
14 shall ensure that a comprehensive testing program is carried out
15 for any dispersant proposed for use in California marine waters.
16 The testing program shall evaluate toxicity and effectiveness of
17 the dispersants.

18 (7) Required rehabilitation facilities for wildlife injured by
19 spilled oil.

20 (8) An assessment of how activities that usually require a permit
21 from a state or local agency may be expedited or issued by the
22 administrator in the event of an oil spill.

23 (d) An environmentally and ecologically sensitive areas element
24 that shall provide the framework for prioritizing and ensuring the
25 protection of environmentally and ecologically sensitive areas.
26 The environmentally and ecologically sensitive areas element shall
27 be developed by the administrator, in conjunction with appropriate
28 local agencies, and shall include all of the following:

29 (1) Identification and prioritization of environmentally and
30 ecologically sensitive areas in state waters and along the coast.
31 Identification and prioritization of environmentally and ecologically
32 sensitive areas shall not prevent or excuse the use of all reasonably
33 available containment and cleanup resources from being used to
34 protect every environmentally and ecologically sensitive area
35 possible. Environmentally and ecologically sensitive areas shall
36 be prioritized through the evaluation of criteria, including, but not
37 limited to, all of the following:

38 (A) Risk of contamination by oil after a spill.

39 (B) Environmental, ecological, recreational, and economic
40 importance.

1 (C) Risk of public exposure should the area be contaminated.

2 (2) Regional maps depicting environmentally and ecologically
3 sensitive areas in state waters or along the coast that shall be
4 distributed to facilities and local and state agencies. The maps shall
5 designate those areas that have particularly high priority for
6 protection against oil spills.

7 (3) A plan for protection actions required to be taken in the
8 event of an oil spill for each of the environmentally and
9 ecologically sensitive areas and protection priorities for the first
10 24 to 48 hours after an oil spill shall be specified.

11 (4) The location of available response equipment and the
12 availability of trained personnel to deploy the equipment to protect
13 the priority environmentally and ecologically sensitive areas.

14 (5) A program for systemically testing and revising, if necessary,
15 protection strategies for each of the priority environmentally and
16 ecologically sensitive areas.

17 (6) Any recommendations for action that cannot be financed or
18 implemented pursuant to existing authority of the administrator,
19 which shall also be reported to the Legislature along with
20 recommendations for financing those actions.

21 (e) A reporting element that requires the reporting of oil spills
22 of any amount of oil into state waters.

23 ~~SEC. 4. Section 8574.8 of the Government Code is amended~~
24 ~~to read:~~

25 ~~8574.8. (a) The administrator shall submit to the Governor~~
26 ~~and the Legislature an amended California oil spill contingency~~
27 ~~plan required, pursuant to Section 8574.7, by January 1, 1993. The~~
28 ~~administrator shall thereafter submit revised plans every three~~
29 ~~years, until the amended plan required pursuant to subdivision (b)~~
30 ~~is submitted.~~

31 ~~(b) The administrator shall submit to the Governor and the~~
32 ~~Legislature an amended California oil spill contingency plan~~
33 ~~required pursuant to Section 8574.7, on or before January 1, 2017,~~
34 ~~that addresses marine and inland oil spills. The administrator shall~~
35 ~~thereafter submit revised plans every three years.~~

36 ~~SEC. 5. Section 8670.2 of the Government Code is amended~~
37 ~~to read:~~

38 ~~8670.2. The Legislature finds and declares as follows:~~

- 1 ~~(a) Each year, billions of gallons of crude oil and petroleum~~
2 ~~products are transported by vessel, railroad, truck, or pipeline over,~~
3 ~~across, under, and through the waters of this state.~~
- 4 ~~(b) Recent accidents in southern California, Alaska, other parts~~
5 ~~of the nation, and Canada, have shown that transportation of oil~~
6 ~~can be a significant threat to the environment of sensitive areas~~
7 ~~and to public health and safety.~~
- 8 ~~(c) Existing prevention programs are not able to reduce~~
9 ~~sufficiently the risk of significant discharge of petroleum into state~~
10 ~~waters.~~
- 11 ~~(d) Response and cleanup capabilities and technology are unable~~
12 ~~to remove consistently the majority of spilled oil when major oil~~
13 ~~spills occur in state waters.~~
- 14 ~~(e) California's lakes, rivers, other inland waters, coastal waters,~~
15 ~~estuaries, bays, and beaches are treasured environmental and~~
16 ~~economic resources that the state cannot afford to place at undue~~
17 ~~risk from an oil spill.~~
- 18 ~~(f) Because of the inadequacy of existing cleanup and response~~
19 ~~measures and technology, the emphasis must be put on prevention,~~
20 ~~if the risk and consequences of oil spills are to be minimized.~~
- 21 ~~(g) Improvements in the design, construction, and operation of~~
22 ~~rail tank cars, tank trucks, tank ships, terminals, and pipelines;~~
23 ~~improvements in marine safety; maintenance of emergency~~
24 ~~response stations and personnel; and stronger inspection and~~
25 ~~enforcement efforts are necessary to reduce the risks of and from~~
26 ~~a major oil spill.~~
- 27 ~~(h) A major oil spill in state waters is extremely expensive~~
28 ~~because of the need to clean up discharged oil, protect sensitive~~
29 ~~environmental areas, and restore ecosystem damage.~~
- 30 ~~(i) Immediate action must be taken to improve control and~~
31 ~~cleanup technology in order to strengthen the capabilities and~~
32 ~~capacities of cleanup operations.~~
- 33 ~~(j) California government should improve its response and~~
34 ~~management of oil spills that occur in state waters.~~
- 35 ~~(k) Those who transport oil through or near the waters of the~~
36 ~~state must meet minimum safety standards and demonstrate~~
37 ~~financial responsibility.~~
- 38 ~~(l) The federal government plays an important role in preventing~~
39 ~~and responding to petroleum spills and it is in the interests of the~~
40 ~~state to coordinate with agencies of the federal government,~~

1 including the Coast Guard and the United States Environmental
2 Protection Agency, to the greatest degree possible.

3 (m) ~~California has approximately 1,100 miles of coast, including~~
4 ~~four marine sanctuaries that occupy 88,767 square miles. The~~
5 ~~weather, topography, and tidal currents in and around California's~~
6 ~~coastal ports and waterways make vessel navigation challenging.~~
7 ~~The state's major ports are among the busiest in the world.~~
8 ~~Approximately 700 million barrels of oil are consumed annually~~
9 ~~by California, with over 500 million barrels being transported by~~
10 ~~vessel. The peculiarities of California's maritime coast require~~
11 ~~special precautionary measures regarding oil pollution.~~

12 (n) ~~California has approximately 158,500 square miles of interior~~
13 ~~area where there are approximately 6,800 miles of pipeline used~~
14 ~~for oil distribution, 5,800 miles of Class I railroad track, and~~
15 ~~172,100 miles of maintained roads.~~

16 SEC. 6. ~~Section 8670.3 of the Government Code is amended~~
17 ~~to read:~~

18 ~~8670.3. Unless the context requires otherwise, the following~~
19 ~~definitions shall govern the construction of this chapter:~~

20 (a) ~~"Administrator" means the administrator for oil spill response~~
21 ~~appointed by the Governor pursuant to Section 8670.4.~~

22 (b) (1) ~~"Best achievable protection" means the highest level of~~
23 ~~protection that can be achieved through both the use of the best~~
24 ~~achievable technology and those manpower levels, training~~
25 ~~procedures, and operational methods that provide the greatest~~
26 ~~degree of protection achievable. The administrator's determination~~
27 ~~of which measures provide the best achievable protection shall be~~
28 ~~guided by the critical need to protect valuable natural resources~~
29 ~~and state waters, while also considering all of the following:~~

30 (A) ~~The protection provided by the measure.~~

31 (B) ~~The technological achievability of the measure.~~

32 (C) ~~The cost of the measure.~~

33 (2) ~~The administrator shall not use a cost-benefit or~~
34 ~~cost-effectiveness analysis or any particular method of analysis in~~
35 ~~determining which measures provide the best achievable protection.~~
36 ~~The administrator shall instead, when determining which measures~~
37 ~~provide best achievable protection, give reasonable consideration~~
38 ~~to the protection provided by the measures, the technological~~
39 ~~achievability of the measures, and the cost of the measures when~~

1 ~~establishing the requirements to provide the best achievable~~
2 ~~protection for the natural resources of the state.~~

3 ~~(e) (1) “Best achievable technology” means that technology~~
4 ~~that provides the greatest degree of protection, taking into~~
5 ~~consideration both of the following:~~

6 ~~(A) Processes that are being developed, or could feasibly be~~
7 ~~developed anywhere in the world, given overall reasonable~~
8 ~~expenditures on research and development.~~

9 ~~(B) Processes that are currently in use anywhere in the world.~~

10 ~~(2) In determining what is the best achievable technology~~
11 ~~pursuant to this chapter, the administrator shall consider the~~
12 ~~effectiveness and engineering feasibility of the technology.~~

13 ~~(d) “California oil spill contingency plan” means the California~~
14 ~~oil spill contingency plan prepared pursuant to Article 3.5~~
15 ~~(commencing with Section 8574.1) of Chapter 7.~~

16 ~~(e) “Dedicated response resources” means equipment and~~
17 ~~personnel committed solely to oil spill response, containment, and~~
18 ~~cleanup that are not used for any other activity that would adversely~~
19 ~~affect the ability of that equipment and personnel to provide oil~~
20 ~~spill response services in the timeframes for which the equipment~~
21 ~~and personnel are rated.~~

22 ~~(f) “Environmentally sensitive area” means an area defined~~
23 ~~pursuant to the applicable area contingency plans or geographic~~
24 ~~response plans, as created and revised by the Coast Guard, the~~
25 ~~United States Environmental Protection Agency, and the~~
26 ~~administrator.~~

27 ~~(g) (1) “Facility” means any of the following located in state~~
28 ~~waters or located where an oil spill may impact state waters:~~

29 ~~(A) A building, structure, installation, or equipment used in oil~~
30 ~~exploration, oil well drilling operations, oil production, oil refining,~~
31 ~~oil storage, oil gathering, oil processing, oil transfer, oil~~
32 ~~distribution, or oil transportation.~~

33 ~~(B) A marine terminal.~~

34 ~~(C) A pipeline that transports oil.~~

35 ~~(D) A railroad that transports oil as cargo.~~

36 ~~(E) A drill ship, semisubmersible drilling platform, jack-up type~~
37 ~~drilling rig, or any other floating or temporary drilling platform.~~

38 ~~(2) “Facility” does not include any of the following:~~

39 ~~(A) A vessel, except a vessel located and used for any purpose~~
40 ~~described in subparagraph (E) of paragraph (1).~~

- 1 ~~(B) An owner or operator subject to Chapter 6.67 (commencing~~
2 ~~with Section 25270) or Chapter 6.75 (commencing with Section~~
3 ~~25299.10) of Division 20 of the Health and Safety Code.~~
- 4 ~~(C) Operations on a farm, nursery, logging site, or construction~~
5 ~~site that are either of the following:~~
- 6 ~~(i) Do not exceed 20,000 gallons in a single storage tank.~~
7 ~~(ii) Have a useable tank storage capacity not exceeding 75,000~~
8 ~~gallons.~~
- 9 ~~(D) A small craft refueling dock.~~
- 10 ~~(h) “Local government” means a chartered or general law city,~~
11 ~~a chartered or general law county, or a city and county.~~
- 12 ~~(i) (1) “Marine terminal” means any facility used for~~
13 ~~transferring oil to or from a tank ship or tank barge.~~
- 14 ~~(2) “Marine terminal” includes, for purposes of this chapter, all~~
15 ~~piping not integrally connected to a tank facility, as defined in~~
16 ~~subdivision (n) of Section 25270.2 of the Health and Safety Code.~~
- 17 ~~(j) “Mobile transfer unit” means a vehicle, truck, or trailer,~~
18 ~~including all connecting hoses and piping, used for the transferring~~
19 ~~of oil at a location where a discharge could impact waters of the~~
20 ~~state.~~
- 21 ~~(k) “Nondedicated response resources” means those response~~
22 ~~resources identified by an Oil Spill Response Organization for oil~~
23 ~~spill response activities that are not dedicated response resources.~~
- 24 ~~(l) “Nonpersistent oil” means a petroleum-based oil, such as~~
25 ~~gasoline or jet fuel, that evaporates relatively quickly and is an oil~~
26 ~~with hydrocarbon fractions, at least 50 percent of which, by~~
27 ~~volume, distills at a temperature of 645 degrees Fahrenheit, and~~
28 ~~at least 95 percent of which, by volume, distills at a temperature~~
29 ~~of 700 degrees Fahrenheit.~~
- 30 ~~(m) “Nontank vessel” means a vessel of 300 gross tons or greater~~
31 ~~that carries oil, but does not carry that oil as cargo.~~
- 32 ~~(n) “Oil” means any kind of petroleum, liquid hydrocarbons,~~
33 ~~or petroleum products or any fraction or residues therefrom,~~
34 ~~including, but not limited to, crude oil, bunker fuel, gasoline, diesel~~
35 ~~fuel, aviation fuel, oil sludge, oil refuse, oil mixed with waste, and~~
36 ~~liquid distillates from unprocessed natural gas.~~
- 37 ~~(o) “Oil spill cleanup agent” means a chemical, or any other~~
38 ~~substance, used for removing, dispersing, or otherwise cleaning~~
39 ~~up oil or any residual products of petroleum in, or on, any of the~~
40 ~~waters of the state.~~

1 ~~(p) “Oil spill contingency plan” or “contingency plan” means~~
2 ~~the oil spill contingency plan required pursuant to Article 5~~
3 ~~(commencing with Section 8670.28).~~

4 ~~(q) (1) “Oil Spill Response Organization” or “OSRO” means~~
5 ~~an individual, organization, association, cooperative, or other entity~~
6 ~~that provides, or intends to provide, equipment, personnel, supplies,~~
7 ~~or other services directly related to oil spill containment, cleanup,~~
8 ~~or removal activities.~~

9 ~~(2) “OSRO” does not include an owner or operator with an oil~~
10 ~~spill contingency plan approved by the administrator or an entity~~
11 ~~that only provides spill management services, or who provides~~
12 ~~services or equipment that are only ancillary to containment,~~
13 ~~cleanup, or removal activities.~~

14 ~~(r) (1) “Owner” or “operator” means any of the following:~~

15 ~~(A) In the case of a vessel, a person who owns, has an ownership~~
16 ~~interest in, operates, charters by demise, or leases the vessel.~~

17 ~~(B) In the case of a facility, a person who owns, has an~~
18 ~~ownership interest in, or operates the facility.~~

19 ~~(C) Except as provided in subparagraph (D), in the case of a~~
20 ~~vessel or facility, where title or control was conveyed due to~~
21 ~~bankruptcy, foreclosure, tax delinquency, abandonment, or similar~~
22 ~~means to an entity of state or local government, a person who~~
23 ~~owned, held an ownership interest in, operated, or otherwise~~
24 ~~controlled activities concerning the vessel or facility immediately~~
25 ~~beforehand.~~

26 ~~(D) An entity of the state or local government that acquired~~
27 ~~ownership or control of a vessel or facility, when the entity of the~~
28 ~~state or local government has caused or contributed to a spill or~~
29 ~~discharge of oil into waters of the state.~~

30 ~~(2) “Owner” or “operator” does not include a person who,~~
31 ~~without participating in the management of a vessel or facility,~~
32 ~~holds indicia of ownership primarily to protect the person’s security~~
33 ~~interest in the vessel or facility.~~

34 ~~(3) “Operator” does not include a person who owns the land~~
35 ~~underlying a facility or the facility itself if the person is not~~
36 ~~involved in the operations of the facility.~~

37 ~~(s) “Person” means an individual, trust, firm, joint stock~~
38 ~~company, or corporation, including, but not limited to, a~~
39 ~~government corporation, partnership, and association. “Person”~~
40 ~~also includes a city, county, city and county, district, and the state~~

1 or any department or agency thereof, and the federal government,
2 or any department or agency thereof, to the extent permitted by
3 law.

4 (t) “Pipeline” means a pipeline used at any time to transport oil.

5 (u) “Railroad” means a railroad, railway, railcar, rolling stock,
6 or train.

7 (v) “Rated OSRO” means an OSRO that has received a
8 satisfactory rating from the administrator for a particular rating
9 level established pursuant to Section 8670.30.

10 (w) “Responsible party” or “party responsible” means any of
11 the following:

12 (1) The owner or transporter of oil or a person or entity accepting
13 responsibility for the oil.

14 (2) The owner, operator, or lessee of, or a person that charters
15 by demise, a vessel or facility, or a person or entity accepting
16 responsibility for the vessel or facility.

17 (x) “Small craft” means a vessel, other than a tank ship or tank
18 barge, that is less than 20 meters in length.

19 (y) “Small craft refueling dock” means a waterside operation
20 that dispenses only nonpersistent oil in bulk and small amounts of
21 persistent lubrication oil in containers primarily to small craft and
22 meets both of the following criteria:

23 (1) Has tank storage capacity not exceeding 20,000 gallons in
24 any single storage tank or tank compartment.

25 (2) Has total usable tank storage capacity not exceeding 75,000
26 gallons.

27 (z) “Small marine fueling facility” means either of the following:

28 (1) A mobile transfer unit.

29 (2) A fixed facility that is not a marine terminal, that dispenses
30 primarily nonpersistent oil, that may dispense small amounts of
31 persistent oil, primarily to small craft, and that meets all of the
32 following criteria:

33 (A) Has tank storage capacity greater than 20,000 gallons but
34 not more than 40,000 gallons in any single storage tank or storage
35 tank compartment.

36 (B) Has total usable tank storage capacity not exceeding 75,000
37 gallons.

38 (C) Had an annual throughput volume of over-the-water transfers
39 of oil that did not exceed 3,000,000 gallons during the most recent
40 preceding 12-month period.

1 (aa) ~~“Spill,” “discharge,” or “oil spill” means a release of any~~
2 ~~amount of oil into waters of the state that is not authorized by a~~
3 ~~federal, state, or local government entity.~~

4 (ab) ~~“Tank barge” means a vessel that carries oil in commercial~~
5 ~~quantities as cargo but is not equipped with a means of~~
6 ~~self-propulsion.~~

7 (ac) ~~“Tank ship” means a self-propelled vessel that is~~
8 ~~constructed or adapted for the carriage of oil in bulk or in~~
9 ~~commercial quantities as cargo.~~

10 (ad) ~~“Tank vessel” means a tank ship or tank barge.~~

11 (ae) ~~“Vessel” means a watercraft or ship of any kind, including~~
12 ~~every structure adapted to be navigated from place to place for the~~
13 ~~transportation of merchandise or persons.~~

14 (af) ~~“Vessel carrying oil as secondary cargo” means a vessel~~
15 ~~that does not carry oil as a primary cargo, but does carry oil as~~
16 ~~cargo. The administrator may establish minimum oil volume~~
17 ~~amounts or other criteria by regulations.~~

18 (ag) ~~“Waters of the state” or “state waters” means any surface~~
19 ~~water, including saline waters, marine waters, and freshwaters,~~
20 ~~within the boundaries of the state but does not include groundwater.~~

21 ~~SEC. 7. Section 8670.5 of the Government Code is amended~~
22 ~~to read:~~

23 ~~8670.5. The Governor shall ensure that the state fully and~~
24 ~~adequately responds to all oil spills in waters of the state. The~~
25 ~~administrator, acting at the direction of the Governor, shall~~
26 ~~implement activities relating to oil spill response, including drills~~
27 ~~and preparedness and oil spill containment and cleanup. The~~
28 ~~administrator shall also represent the state in any coordinated~~
29 ~~response efforts with the federal government.~~

30 ~~SEC. 8.~~

31 ~~SEC. 2. Section 8670.6.5 is added to the Government Code,~~
32 ~~to read:~~

33 ~~8670.6.5. The administrator may obtain confidential and other~~
34 ~~information protected from public disclosure from the Office of~~
35 ~~Emergency Services, the State Energy Resources Conservation~~
36 ~~and Development Commission, and other regulators, as necessary,~~
37 ~~in order for the administrator to carry out his or her duties. The~~
38 ~~administrator shall develop procedures for handling the obtained~~
39 ~~information consistent with the California Public Records Act~~

1 (Chapter 3.5 (commencing with Section 6250) of Division 7 of
2 Title 1) and federal law.

3 ~~SEC. 9. Section 8670.7 of the Government Code is amended~~
4 ~~to read:~~

5 ~~8670.7. (a) The administrator, subject to the Governor, has~~
6 ~~the primary authority to direct prevention, removal, abatement,~~
7 ~~response, containment, and cleanup efforts with regard to all~~
8 ~~aspects of any oil spill in waters of the state, in accordance with~~
9 ~~any applicable facility or vessel contingency plan and the California~~
10 ~~oil spill contingency plan. The administrator shall cooperate with~~
11 ~~any federal on-scene coordinator, as specified in the National~~
12 ~~Contingency Plan.~~

13 ~~(b) The administrator shall implement the California oil spill~~
14 ~~contingency plan, required pursuant to Section 8574.1, to the fullest~~
15 ~~extent possible.~~

16 ~~(c) The administrator shall do both of the following:~~

17 ~~(1) Be present at the location of any oil spill of more than~~
18 ~~100,000 gallons in waters of the state, as soon as possible after~~
19 ~~notice of the discharge.~~

20 ~~(2) Ensure that persons trained in oil spill response and cleanup,~~
21 ~~whether employed by the responsible party, the state, or another~~
22 ~~private or public person or entity, are onsite to respond to, contain,~~
23 ~~and clean up any oil spill in waters of the state, as soon as possible~~
24 ~~after notice of the discharge.~~

25 ~~(d) Throughout the response and cleanup process, the~~
26 ~~administrator shall apprise the air quality management district or~~
27 ~~air pollution control district having jurisdiction over the area in~~
28 ~~which the oil spill occurred and the local government agencies~~
29 ~~that are affected by the spill.~~

30 ~~(e) The administrator, with the assistance, as needed, of the~~
31 ~~Office of the State Fire Marshal, the State Lands Commission, or~~
32 ~~other state agency, and the federal on-scene coordinator, shall~~
33 ~~determine the cause and amount of the discharge.~~

34 ~~(f) The administrator shall have the state authority over the use~~
35 ~~of all response methods, including, but not limited to, in situ~~
36 ~~burning, dispersants, and any oil spill cleanup agents in connection~~
37 ~~with an oil discharge. The administrator shall consult with the~~
38 ~~federal on-scene coordinator prior to exercising authority under~~
39 ~~this subdivision.~~

1 ~~(g) (1) The administrator shall conduct workshops, consistent~~
2 ~~with the intent of this chapter, with the participation of appropriate~~
3 ~~local, state, and federal agencies, including the State Air Resources~~
4 ~~Board, air pollution control and air quality management districts,~~
5 ~~and affected private organizations, on the subject of oil spill~~
6 ~~response technologies, including in situ burning. The workshops~~
7 ~~shall review the latest research and findings regarding the efficacy~~
8 ~~and toxicity of oil spill cleanup agents and other technologies, their~~
9 ~~potential public health and safety and environmental impacts, and~~
10 ~~any other relevant factors concerning their use in oil spill response.~~
11 ~~In conducting these workshops, the administrator shall solicit the~~
12 ~~views of all participating parties concerning the use of these~~
13 ~~technologies, with particular attention to any special considerations~~
14 ~~that apply to coastal areas and waters of the state.~~

15 ~~(2) The administrator shall publish guidelines and conduct~~
16 ~~periodic reviews of the policies, procedures, and parameters for~~
17 ~~the use of in situ burning, which may be implemented in the event~~
18 ~~of an oil spill.~~

19 ~~(h) (1) The administrator shall ensure that, as part of the~~
20 ~~response to any significant spill, biologists or other personnel are~~
21 ~~present and provided any support and funding necessary and~~
22 ~~appropriate for the assessment of damages to natural resources~~
23 ~~and for the collection of data and other evidence that may help in~~
24 ~~determining and recovering damages.~~

25 ~~(2) (A) The administrator shall coordinate all actions required~~
26 ~~by state or local agencies to assess injury to, and provide full~~
27 ~~mitigation for injury to, or to restore, rehabilitate, or replace, natural~~
28 ~~resources, including wildlife, fisheries, wildlife or fisheries habitat,~~
29 ~~beaches, and coastal areas, that are damaged by an oil spill. For~~
30 ~~purposes of this subparagraph, “actions required by state or local~~
31 ~~agencies” include, but are not limited to, actions required by state~~
32 ~~trustees under Section 1006 of the Oil Pollution Act of 1990 (33~~
33 ~~U.S.C. Sec. 2706) and actions required pursuant to Section~~
34 ~~8670.61.5.~~

35 ~~(B) The responsible party shall be liable for all coordination~~
36 ~~costs incurred by the administrator.~~

37 ~~(3) This subdivision does not give the administrator any~~
38 ~~authority to administer state or local laws or to limit the authority~~
39 ~~of another state or local agency to implement and enforce state or~~
40 ~~local laws under its jurisdiction, nor does this subdivision limit~~

1 the authority or duties of the administrator under this chapter or
2 limit the authority of an agency to enforce existing permits or
3 permit conditions.

4 (i) ~~(1) The administrator shall enter into a memorandum of~~
5 ~~understanding with the Executive Director of the State Water~~
6 ~~Resources Control Board, acting for the State Water Resources~~
7 ~~Control Board and the California regional water quality control~~
8 ~~boards, and with the approval of the State Water Resources Control~~
9 ~~Board, to address discharges, other than dispersants, that are~~
10 ~~incidental to, or directly associated with, the response, containment,~~
11 ~~and cleanup of an existing or threatened oil spill conducted~~
12 ~~pursuant to this chapter.~~

13 ~~(2) The memorandum of understanding entered into pursuant~~
14 ~~to paragraph (1) shall address any permits, requirements, or~~
15 ~~authorizations that are required for the specified discharges. The~~
16 ~~memorandum of understanding shall be consistent with~~
17 ~~requirements that protect state water quality and beneficial uses~~
18 ~~and with any applicable provisions of the Porter-Cologne Water~~
19 ~~Quality Control Act (Division 7 (commencing with Section 13000)~~
20 ~~of the Water Code) or the federal Clean Water Act (33 U.S.C. Sec.~~
21 ~~1251 et seq.), and shall expedite efficient oil spill response.~~

22 ~~SEC. 10.~~

23 *SEC. 3.* Section 8670.8 of the Government Code is amended
24 to read:

25 8670.8. (a) The administrator shall carry out programs to
26 provide training for individuals in response, containment, and
27 cleanup operations and equipment, equipment deployment, and
28 the planning and management of these programs. These programs
29 may include training for members of the California Conservation
30 Corps, other response personnel employed by the state, personnel
31 employed by other public entities, personnel from marine facilities,
32 commercial fishermen and other mariners, and interested members
33 of the public. Training may be offered for volunteers.

34 (b) The administrator may offer training to anyone who is
35 required to take part in response and cleanup efforts under the
36 California oil spill contingency plan or under local government
37 contingency plans prepared and approved under this chapter.

38 (c) Upon request by a local government, the administrator shall
39 provide a program for training and certification of a local
40 emergency responder designated as a local spill response manager

1 by a local government with jurisdiction over or directly adjacent
2 to waters of the state.

3 (d) Trained and certified local spill response managers shall
4 participate in all drills upon request of the administrator.

5 (e) As part of the training and certification program, the
6 administrator shall authorize a local spill response manager to train
7 and certify volunteers.

8 (f) In the event of an oil spill, local spill response managers
9 trained and certified pursuant to subdivision (c) shall provide the
10 state on scene coordinator with timely information on activities
11 and resources deployed by local government in response to the oil
12 spill. The local spill response manager shall cooperate with the
13 administrator and respond in a manner consistent with the area
14 contingency plan to the extent possible.

15 (g) Funding for activities undertaken pursuant to subdivisions
16 (a) to (c), inclusive, shall be from the Oil Spill Prevention and
17 Administration Fund created pursuant to Section 8670.38.

18 (h) All training provided by the administrator shall follow the
19 requirements of applicable federal and state occupational safety
20 and health standards adopted by the Occupational Safety and
21 Health Administration of the Department of Labor and the
22 Occupational Safety and Health Standards Board.

23 ~~SEC. 11.~~

24 *SEC. 4.* Section 8670.8.3 of the Government Code is amended
25 to read:

26 8670.8.3. The administrator shall offer grants to a local
27 government with jurisdiction over or directly adjacent to waters
28 of the state to provide oil spill response equipment to be deployed
29 by a local spill response manager certified pursuant to Section
30 8670.8. The administrator shall request the Legislature to
31 appropriate funds from the Oil Spill Prevention and Administration
32 Fund created pursuant to Section 8670.38 for the purposes of this
33 section.

34 ~~SEC. 12.~~ Section 8670.8.5 of the Government Code is amended
35 to read:

36 ~~8670.8.5. The administrator may use volunteer workers in~~
37 ~~response, containment, restoration, wildlife rehabilitation, and~~
38 ~~cleanup efforts for oil spills in waters of the state. The volunteers~~
39 ~~shall be deemed employees of the state for the purpose of workers'~~
40 ~~compensation under Article 2 (commencing with Section 3350)~~

1 of Chapter 2 of Part 1 of Division 4 of the Labor Code. Any
2 payments for workers' compensation pursuant to this section shall
3 be made from the Oil Spill Response Trust Fund created pursuant
4 to Section 8670.46.

5 SEC. 13. Section 8670.9 of the Government Code is amended
6 to read:

7 8670.9. (a) The administrator shall enter into discussions on
8 behalf of the state with the States of Alaska, Hawaii, Oregon, and
9 Washington, for the purpose of developing interstate agreements
10 regarding oil spill prevention and response. The agreements shall
11 address, including, but not limited to, all of the following:

12 (1) Coordination of vessel safety and traffic.

13 (2) Spill prevention equipment and response required on vessels
14 and at facilities.

15 (3) The availability of oil spill response and cleanup equipment
16 and personnel.

17 (4) Other matters that may relate to the transport of oil and oil
18 spill prevention, response, and cleanup.

19 (b) The administrator shall coordinate the development of these
20 agreements with the Coast Guard, the Province of British Columbia
21 in Canada, and the Republic of Mexico.

22 SEC. 14.

23 SEC. 5. Section 8670.12 of the Government Code is amended
24 to read:

25 8670.12. (a) (1) The administrator shall conduct studies and
26 evaluations necessary for improving oil spill response, containment,
27 and cleanup and oil spill wildlife rehabilitation in waters of the
28 state and oil transportation systems. The administrator may expend
29 moneys from the Oil Spill Prevention and Administration Fund
30 created pursuant to Section 8670.38, enter into consultation
31 agreements, and acquire necessary equipment and services for the
32 purpose of carrying out these studies and evaluations.

33 (2) On or before January 1, 2016, the administrator shall conduct
34 a study and evaluation pursuant to paragraph (1) for inland areas
35 of the state. The study and evaluation shall include, but shall not
36 be limited to, an analysis of likely spill scenarios, response
37 requirements for oil of varying properties and urban, rural, and
38 sensitive environments, and spill response equipment and
39 resources.

1 (b) The administrator shall study the use and effects of
2 dispersants, incineration, bioremediation, and any other methods
3 used to respond to a spill. The study shall periodically be updated
4 to ensure the best achievable protection from the use of those
5 methods. Based upon substantial evidence in the record, the
6 administrator may determine in individual cases that best
7 achievable protection is provided by establishing requirements
8 that provide the greatest degree of protection achievable without
9 imposing costs that significantly outweigh the incremental
10 protection that would otherwise be provided. The studies shall do
11 all of the following:

12 (1) Evaluate the effectiveness of dispersants and other chemical
13 agents in oil spill response under varying environmental conditions.

14 (2) Evaluate potential adverse impacts on the environment and
15 public health including, but not limited to, adverse toxic impacts
16 on water quality, fisheries, and wildlife with consideration to
17 bioaccumulation and synergistic impacts, and the potential for
18 human exposure, including skin contact and consumption of
19 contaminated seafood.

20 (3) Recommend appropriate uses and limitations on the use of
21 dispersants and other chemical agents to ensure they are used only
22 in situations where the administrator determines they are effective
23 and safe.

24 (c) The administrator shall evaluate the feasibility of using
25 commercial fishermen and other mariners for oil spill containment
26 and cleanup. The study shall examine the following:

27 (1) Equipment and technology needs.

28 (2) Coordination with private response personnel.

29 (3) Liability and insurance.

30 (4) Compensation.

31 (d) The studies shall be performed in conjunction with any
32 studies performed by federal, state, and international entities. The
33 administrator may enter into contracts for the studies.

34 ~~SEC. 15. Section 8670.14 of the Government Code is amended~~
35 ~~to read:~~

36 ~~8670.14. The administrator shall coordinate the oil spill~~
37 ~~prevention and response programs and facility, tank vessel, and~~
38 ~~nontank vessel safety standards of the state with federal programs~~
39 ~~as appropriate and to the maximum extent possible.~~

1 ~~SEC. 16.~~

2 *SEC. 6.* Section 8670.15 is added to the Government Code, to
3 read:

4 8670.15. (a) To the extent allowed by federal and state law
5 and to provide public transparency, the Legislature declares it is
6 the policy of the state that communities that face significant risks
7 associated with the transport or planned transport of significant
8 quantities of oil through or near those communities be notified of
9 the quantities and properties of the oil in a timely manner.

10 (b) The administrator shall obtain and make publicly available,
11 as allowed pursuant to the California Public Records Act (Chapter
12 3.5 (commencing with Section 6250) of Division 7 of Title 1) and
13 federal law, previously filed information related to the transport
14 of oil through, near, or into communities. The previously filed
15 information shall include the type and quantity of oil and its mode
16 of transport. The previously filed information shall be obtained
17 annually, at a minimum, and shall cover the immediately preceding
18 12-month period.

19 (c) For purposes of this section, “transport” includes transport
20 *or planned transport* by vessel, truck, railroad, or pipeline.

21 ~~SEC. 17.~~ Section 8670.19 of the Government Code is amended
22 to read:

23 ~~8670.19.~~ (a) ~~The administrator shall periodically conduct a~~
24 ~~comprehensive review of all oil spill contingency plans. The~~
25 ~~administrator shall do both of the following:~~

26 (1) ~~Segment the coast into appropriate areas as necessary.~~

27 (2) ~~Evaluate the oil spill contingency plans for each area to~~
28 ~~determine if deficiencies exist in equipment, personnel, training,~~
29 ~~and any other area determined to be necessary, including those~~
30 ~~response resources properly authorized for cascading into the area,~~
31 ~~to ensure the best achievable protection of state waters from oil~~
32 ~~spills.~~

33 (b) ~~If the administrator finds that deficiencies exist, the~~
34 ~~administrator shall, by the process set forth in Section 8670.31,~~
35 ~~remand any oil spill contingency plans to the originating party~~
36 ~~with recommendations for amendments necessary to ensure that~~
37 ~~the waters of the state are protected.~~

38 ~~SEC. 18.~~ Section 8670.25 of the Government Code is amended
39 to read:

1 ~~8670.25.—(a) A person who, without regard to intent or~~
2 ~~negligence, causes or permits any oil to be discharged in or on the~~
3 ~~waters of the state shall immediately contain, clean up, and remove~~
4 ~~the oil in the most effective manner that minimizes environmental~~
5 ~~damage and in accordance with the applicable contingency plans,~~
6 ~~unless ordered otherwise by the Coast Guard or the administrator.~~

7 ~~(b) If there is a spill, an owner or operator shall comply with~~
8 ~~the applicable oil spill contingency plan approved by the~~
9 ~~administrator.~~

10 ~~SEC. 19. Section 8670.25.5 of the Government Code is~~
11 ~~amended to read:~~

12 ~~8670.25.5. (a) (1) Without regard to intent or negligence, any~~
13 ~~party responsible for the discharge or threatened discharge of oil~~
14 ~~in waters of the state shall report the discharge immediately to the~~
15 ~~Office of Emergency Services pursuant to Section 25510 of the~~
16 ~~Health and Safety Code.~~

17 ~~(2) If the information initially reported pursuant to paragraph~~
18 ~~(1) was inaccurate or incomplete, or if the quantity of oil discharged~~
19 ~~has changed, any party responsible for the discharge or threatened~~
20 ~~discharge of oil in waters of the state shall report the updated~~
21 ~~information immediately to the Office of Emergency Services~~
22 ~~pursuant to paragraph (1). The report shall contain the accurate or~~
23 ~~complete information, or the revised quantity of oil discharged.~~

24 ~~(b) Immediately upon receiving notification pursuant to~~
25 ~~subdivision (a), the Office of Emergency Services shall notify the~~
26 ~~administrator, the State Lands Commission, the California Coastal~~
27 ~~Commission, the California regional water quality control board~~
28 ~~having jurisdiction over the location of the discharged oil, and the~~
29 ~~appropriate local governmental agencies in the area surrounding~~
30 ~~the discharged oil, and take the actions required by subdivision~~
31 ~~(d) of Section 8589.7. If the spill has occurred within the~~
32 ~~jurisdiction of the San Francisco Bay Conservation and~~
33 ~~Development Commission, the Office of Emergency Services shall~~
34 ~~notify that commission. Each public agency specified in this~~
35 ~~subdivision shall adopt an internal protocol over communications~~
36 ~~regarding the discharge of oil and file the internal protocol with~~
37 ~~the Office of Emergency Services.~~

38 ~~(c) The 24-hour emergency telephone number of the Office of~~
39 ~~Emergency Services shall be posted at every railroad dispatch,~~
40 ~~pipeline operator control center, marine terminal, at the area of~~

1 control of every marine facility, and on the bridge of every tankship
2 in marine waters.

3 ~~(d) Except as otherwise provided in this section and Section~~
4 ~~8589.7, a notification made pursuant to this section shall satisfy~~
5 ~~any immediate notification requirement contained in any permit~~
6 ~~issued by a permitting agency.~~

7 SEC. 20. ~~Section 8670.26 of the Government Code is amended~~
8 ~~to read:~~

9 ~~8670.26. Any local or state agency responding to an oil spill~~
10 ~~shall notify the Office of Emergency Services, if notification is~~
11 ~~required under Section 8670.25.5, Section 13272 of the Water~~
12 ~~Code, or any other notification procedure adopted in the California~~
13 ~~oil spill contingency plan has not occurred.~~

14 SEC. 21. ~~Section 8670.27 of the Government Code is amended~~
15 ~~to read:~~

16 ~~8670.27. (a) (1) All potentially responsible parties for an oil~~
17 ~~spill and all of their agents and employees and all state and local~~
18 ~~agencies shall carry out response and cleanup operations in~~
19 ~~accordance with the applicable contingency plan, unless directed~~
20 ~~otherwise by the administrator or the Coast Guard.~~

21 ~~(2) Except as provided in subdivision (b), the responsible party,~~
22 ~~potentially responsible parties, their agents and employees, the~~
23 ~~operators of all vessels docked at a marine facility that is the source~~
24 ~~of a discharge, and all state and local agencies shall carry out spill~~
25 ~~response consistent with the California oil spill contingency plan~~
26 ~~or other applicable federal, state, or local spill response plans, and~~
27 ~~owners and operators shall carry out spill response consistent with~~
28 ~~their applicable response contingency plans, unless directed~~
29 ~~otherwise by the administrator or the Coast Guard.~~

30 ~~(b) If a responsible party or potentially responsible party~~
31 ~~reasonably, and in good faith, believes that the directions or orders~~
32 ~~given by the administrator pursuant to subdivision (a) will~~
33 ~~substantially endanger the public safety or the environment, the~~
34 ~~party may refuse to act in compliance with the orders or directions~~
35 ~~of the administrator. The responsible party or potentially~~
36 ~~responsible party shall state, at the time of the refusal, the reasons~~
37 ~~why the party refuses to follow the orders or directions of the~~
38 ~~administrator. The responsible party or potentially responsible~~
39 ~~party shall give the administrator written notice of the reasons for~~
40 ~~the refusal within 48 hours of refusing to follow the orders or~~

1 directions of the administrator. In any civil or criminal proceeding
2 commenced pursuant to this section, the burden of proof shall be
3 on the responsible party or potentially responsible party to
4 demonstrate, by clear and convincing evidence, why the refusal
5 to follow the orders or directions of the administrator was justified
6 under the circumstances.

7 SEC. 22.— Section 8670.28 of the Government Code is amended
8 to read:

9 8670.28.— (a) The administrator, taking into consideration the
10 facility or vessel contingency plan requirements of the State Lands
11 Commission, the Office of the State Fire Marshal, the California
12 Coastal Commission, and other state and federal agencies, shall
13 adopt and implement regulations governing the adequacy of oil
14 spill contingency plans to be prepared and implemented under this
15 article. All regulations shall be developed in consultation with the
16 Oil Spill Technical Advisory Committee, and shall be consistent
17 with the California oil spill contingency plan and not in conflict
18 with the National Contingency Plan. The regulations shall provide
19 for the best achievable protection of waters and natural resources
20 of the state. The regulations shall permit the development,
21 application, and use of an oil spill contingency plan for similar
22 vessels, pipelines, terminals, and facilities within a single company
23 or organization, and across companies and organizations. The
24 regulations shall, at a minimum, ensure all of the following:

25 (1) All areas of state waters are at all times protected by
26 prevention, response, containment, and cleanup equipment and
27 operations.

28 (2) Standards set for response, containment, and cleanup
29 equipment and operations are maintained and regularly improved
30 to protect the resources of the state.

31 (3) All appropriate personnel employed by operators required
32 to have a contingency plan receive training in oil spill response
33 and cleanup equipment usage and operations.

34 (4) Each oil spill contingency plan provides for appropriate
35 financial or contractual arrangements for all necessary equipment
36 and services for the response, containment, and cleanup of a
37 reasonable worst case oil spill scenario for each area the plan
38 addresses.

39 (5) Each oil spill contingency plan demonstrates that all
40 protection measures are being taken to reduce the possibility of

1 an oil spill occurring as a result of the operation of the facility or
2 vessel. The protection measures shall include, but not be limited
3 to, response to disabled vessels and an identification of those
4 measures taken to comply with requirements of Division 7.8
5 (commencing with Section 8750) of the Public Resources Code.

6 ~~(6) Each oil spill contingency plan identifies the types of~~
7 ~~equipment that can be used, the location of the equipment, and the~~
8 ~~time taken to deliver the equipment.~~

9 ~~(7) Each facility, as determined by the administrator, conducts~~
10 ~~a hazard and operability study to identify the hazards associated~~
11 ~~with the operation of the facility, including the use of the facility~~
12 ~~by vessels, due to operating error, equipment failure, and external~~
13 ~~events. For the hazards identified in the hazard and operability~~
14 ~~studies, the facility shall conduct an offsite consequence analysis~~
15 ~~that, for the most likely hazards, assumes pessimistic water and~~
16 ~~air dispersion and other adverse environmental conditions.~~

17 ~~(8) Each oil spill contingency plan contains a list of contacts to~~
18 ~~call in the event of a drill, threatened discharge of oil, or discharge~~
19 ~~of oil.~~

20 ~~(9) Each oil spill contingency plan identifies the measures to~~
21 ~~be taken to protect the recreational and environmentally sensitive~~
22 ~~areas that would be threatened by a reasonable worst case oil spill~~
23 ~~scenario.~~

24 ~~(10) Standards for determining a reasonable worst case oil spill.~~
25 ~~However, for a nontank vessel, the reasonable worst case is a spill~~
26 ~~of the total volume of the largest fuel tank on the nontank vessel.~~

27 ~~(11) Each oil spill contingency plan specifies an agent for service~~
28 ~~of process. The agent shall be located in this state.~~

29 ~~(b) The regulations and guidelines adopted pursuant to this~~
30 ~~section shall also include provisions to provide public review and~~
31 ~~comment on submitted oil spill contingency plans.~~

32 ~~(c) The regulations adopted pursuant to this section shall~~
33 ~~specifically address the types of equipment that will be necessary,~~
34 ~~the maximum time that will be allowed for deployment, the~~
35 ~~maximum distance to cooperating response entities, the amounts~~
36 ~~of dispersant, and the maximum time required for application,~~
37 ~~should the use of dispersants be approved. Upon a determination~~
38 ~~by the administrator that booming is appropriate at the site and~~
39 ~~necessary to provide best achievable protection, the regulations~~

1 shall require that vessels engaged in lightering operations be
2 boomed prior to the commencement of operations.

3 (d) The administrator shall adopt regulations and guidelines for
4 oil spill contingency plans with regard to mobile transfer units,
5 small marine fueling facilities, and vessels carrying oil as secondary
6 cargo that acknowledge the reduced risk of damage from oil spills
7 from those units, facilities, and vessels while maintaining the best
8 achievable protection for the public health and safety and the
9 environment.

10 (e) The regulations adopted pursuant to subdivision (d) shall be
11 exempt from review by the Office of Administrative Law.
12 Subsequent amendments and changes to the regulations shall not
13 be exempt from review by the Office of Administrative Law.

14 SEC. 23. Section 8670.29 of the Government Code is amended
15 to read:

16 8670.29. (a) In accordance with the rules, regulations, and
17 policies established by the administrator pursuant to Section
18 8670.28, an owner or operator of a facility, small marine fueling
19 facility, or mobile transfer unit, or an owner or operator of a tank
20 vessel, nontank vessel, or vessel carrying oil as secondary cargo,
21 while operating in the waters of the state or where a spill could
22 impact waters of the state, shall have an oil spill contingency plan
23 that has been submitted to, and approved by, the administrator
24 pursuant to Section 8670.31. An oil spill contingency plan shall
25 ensure the undertaking of prompt and adequate response and
26 removal action in case of a spill, shall be consistent with the
27 California oil spill contingency plan, and shall not conflict with
28 the National Oil and Hazardous Substances Pollution Contingency
29 Plan (NCP), Part 300 of Title 40 of the Code of Federal
30 Regulations.

31 (b) An oil spill contingency plan shall, at a minimum, meet all
32 of the following requirements:

33 (1) Be a written document, reviewed for feasibility and
34 executability, and signed by the owner or operator, or his or her
35 designee.

36 (2) Provide for the use of an incident command system to be
37 used during a spill.

38 (3) Provide procedures for reporting oil spills to local, state,
39 and federal agencies, and include a list of contacts to call in the
40 event of a drill, threatened spill, or spill.

- 1 ~~(4) Describe the communication plans to be used during a spill,~~
2 ~~if different from those used by a recognized incident command~~
3 ~~system.~~
- 4 ~~(5) Describe the strategies for the protection of environmentally~~
5 ~~sensitive areas.~~
- 6 ~~(6) Identify at least one rated OSRO for each rating level~~
7 ~~established pursuant to Section 8670.30. Each identified rated~~
8 ~~OSRO shall be directly responsible by contract, agreement, or~~
9 ~~other approved means to provide oil spill response activities~~
10 ~~pursuant to the oil spill contingency plan. A rated OSRO may~~
11 ~~provide oil spill response activities individually, or in combination~~
12 ~~with another rated OSRO, for a particular owner or operator.~~
- 13 ~~(7) Identify a qualified individual.~~
- 14 ~~(8) Provide the name, address, and telephone and facsimile~~
15 ~~numbers for an agent for service of process, located within the~~
16 ~~state and designated to receive legal documents on behalf of the~~
17 ~~owner or operator.~~
- 18 ~~(9) Provide for training and drills on elements of the plan at~~
19 ~~least annually, with all elements of the plan subject to a drill at~~
20 ~~least once every three years.~~
- 21 ~~(e) An oil spill contingency plan for a vessel shall also include,~~
22 ~~but is not limited to, all of the following requirements:~~
- 23 ~~(1) The plan shall be submitted to the administrator at least~~
24 ~~seven days prior to the vessel entering waters of the state.~~
- 25 ~~(2) The plan shall provide evidence of compliance with the~~
26 ~~International Safety Management Code, established by the~~
27 ~~International Maritime Organization, as applicable.~~
- 28 ~~(3) If the oil spill contingency plan is for a tank vessel, the plan~~
29 ~~shall include both of the following:~~
- 30 ~~(A) The plan shall specify oil and petroleum cargo capacity.~~
- 31 ~~(B) The plan shall specify the types of oil and petroleum cargo~~
32 ~~carried.~~
- 33 ~~(4) If the oil spill contingency plan is for a nontank vessel, the~~
34 ~~plan shall include both of the following:~~
- 35 ~~(A) The plan shall specify the type and total amount of fuel~~
36 ~~carried.~~
- 37 ~~(B) The plan shall specify the capacity of the largest fuel tank.~~
- 38 ~~(d) An oil spill contingency plan for a facility shall also include,~~
39 ~~but is not limited to, all of the following provisions, as appropriate:~~
- 40 ~~(1) Provisions for site security and control.~~

1 ~~(2) Provisions for emergency medical treatment and first aid.~~

2 ~~(3) Provisions for safety training, as required by state and federal~~
3 ~~safety laws for all personnel likely to be engaged in oil spill~~
4 ~~response.~~

5 ~~(4) Provisions detailing site layout and locations of~~
6 ~~environmentally sensitive areas requiring special protection.~~

7 ~~(5) Provisions for vessels that are in the operational control of~~
8 ~~the facility for loading and unloading.~~

9 ~~(e) Unless preempted by federal law or regulations, an oil spill~~
10 ~~contingency plan for a railroad also shall include, but is not limited~~
11 ~~to, all of the following:~~

12 ~~(1) A list of the types of train cars that may make up the consist.~~

13 ~~(2) A list of the types of oil and petroleum products that may~~
14 ~~be transported.~~

15 ~~(3) A map of track routes and facilities.~~

16 ~~(4) A list, description, and map of any prestaged spill response~~
17 ~~equipment and personnel for deployment of the equipment.~~

18 ~~(f) The oil spill contingency plan shall be available to response~~
19 ~~personnel and to relevant state and federal agencies for inspection~~
20 ~~and review.~~

21 ~~(g) The oil spill contingency plan shall be reviewed periodically~~
22 ~~and updated as necessary. All updates shall be submitted to the~~
23 ~~administrator pursuant to this article.~~

24 ~~(h) In addition to the regulations adopted pursuant to Section~~
25 ~~8670.28, the administrator shall adopt regulations and guidelines~~
26 ~~to implement this section. The regulations and guidelines shall~~
27 ~~provide for the best achievable protection of waters and natural~~
28 ~~resources of the state. The administrator may establish additional~~
29 ~~oil spill contingency plan requirements, including, but not limited~~
30 ~~to, requirements based on the different geographic regions of the~~
31 ~~state. All regulations and guidelines shall be developed in~~
32 ~~consultation with the Oil Spill Technical Advisory Committee.~~

33 ~~(i) Notwithstanding subdivision (a) and paragraph (6) of~~
34 ~~subdivision (b), a vessel or facility operating where a spill could~~
35 ~~impact state waters that are not tidally influenced does not have~~
36 ~~to identify a rated OSRO in the contingency plan until January 1,~~
37 ~~2016.~~

38 ~~SEC. 24.~~

39 ~~SEC. 7. Section 8670.29.5 is added to the Government Code,~~
40 ~~to read:~~

1 8670.29.5. (a) The administrator shall obtain annually, at a
2 minimum, information on the modes of transportation of oil into
3 and within the state and the properties of the oil in order to evaluate
4 and identify any necessary changes in oil spill response and
5 preparedness programs to meet the goals of this chapter.

6 (b) The administrator shall provide this information to the Oil
7 Spill Technical Advisory Committee, established pursuant to
8 Section 8670.54.

9 ~~SEC. 25. Section 8670.30.5 of the Government Code is~~
10 ~~amended to read:~~

11 ~~8670.30.5. (a) The administrator may review each oil spill~~
12 ~~contingency plan that has been approved pursuant to Section~~
13 ~~8670.29 to determine whether it complies with Sections 8670.28~~
14 ~~and 8670.29.~~

15 ~~(b) If the administrator finds the approved oil spill contingency~~
16 ~~plan is deficient, the plan shall be returned to the operator with~~
17 ~~written reasons why the approved plan was found inadequate and,~~
18 ~~if practicable, suggested modifications or alternatives. The operator~~
19 ~~shall submit a new or modified plan within 30 days that responds~~
20 ~~to the deficiencies identified by the administrator.~~

21 ~~SEC. 26. Section 8670.31 of the Government Code is amended~~
22 ~~to read:~~

23 ~~8670.31. (a) Each oil spill contingency plan required under~~
24 ~~this article shall be submitted to the administrator for review and~~
25 ~~approval.~~

26 ~~(b) The administrator shall review each submitted contingency~~
27 ~~plan to determine whether it complies with the administrator's~~
28 ~~rules, policies, and regulations adopted pursuant to Section 8670.28~~
29 ~~and 8670.29. The administrator may issue a preliminary approval~~
30 ~~pending final approval or disapproval.~~

31 ~~(c) Each contingency plan submitted shall be approved or~~
32 ~~disapproved within 30 days after receipt by the administrator. The~~
33 ~~administrator may approve or disapprove portions of a plan. A~~
34 ~~plan is not deemed approved until all portions are approved~~
35 ~~pursuant to this section. The disapproved portion shall be subject~~
36 ~~to the procedures contained in subdivision (d).~~

37 ~~(d) If the administrator finds the submitted contingency plan is~~
38 ~~inadequate under the rules, policies, and regulations of the~~
39 ~~administrator, the plan shall be returned to the submitter with~~
40 ~~written reasons why the plan was found inadequate and, if~~

1 practicable, suggested modifications or alternatives, if appropriate.
2 The submitter shall submit a new or modified plan within 30 days
3 after the earlier plan was returned, responding to the findings and
4 incorporating any suggested modifications. The resubmittal shall
5 be treated as a new submittal and processed according to the
6 provisions of this section, except that the resubmitted plan shall
7 be deemed approved unless the administrator acts pursuant to
8 subdivision (e):

9 (e) The administrator may make inspections and require drills
10 of any oil spill contingency plan that is submitted.

11 (f) After the plan has been approved, it shall be resubmitted
12 every five years thereafter. The administrator may require earlier
13 or more frequent resubmission, if warranted. Circumstances that
14 would require an earlier resubmission include, but are not limited
15 to, changes in regulations, new oil spill response technologies,
16 deficiencies identified in the evaluation conducted pursuant to
17 Section 8670.19, or a need for a different oil spill response because
18 of increased need to protect endangered species habitat. The
19 administrator may deny approval of the resubmitted plan if it is
20 no longer considered adequate according to the adopted rules,
21 regulations, and policies of the administrator at the time of
22 resubmission.

23 (g) Each owner or operator of a tank vessel, nontank vessel
24 carrying oil as a secondary cargo, or facility who is required to
25 file an oil spill response plan or update pursuant to provisions of
26 federal law regulating oil spill response plans shall submit, for
27 informational purposes only and upon request of the administrator,
28 a copy of that plan or update to the administrator at the time that
29 it is approved by the relevant federal agency.

30 SEC. 27. Section 8670.32 of the Government Code is amended
31 to read:

32 8670.32. (a) To reduce the risk of an oil spill as a result of
33 fuel, cargo, and lube oil transfers, the administrator shall develop
34 and implement a screening mechanism and a comprehensive
35 risk-based monitoring program for inspecting the bunkering and
36 lightering operations of vessels at anchor and alongside a dock.
37 This program shall identify those bunkering and lightering
38 operations that pose the highest risk of a pollution incident.

39 (b) The administrator shall ensure that all bunkering and
40 lightering operations that, pursuant to subdivision (a), pose the

1 highest risk of a pollution incident are routinely monitored and
2 inspected. The administrator shall coordinate the monitoring and
3 inspection program with the Coast Guard.

4 (e) The administrator shall establish regulations to provide for
5 the best achievable protection during bunkering and lightering
6 operations.

7 (d) This section shall remain in effect only until January 1, 2015,
8 and as of that date is repealed, unless a later enacted statute, that
9 is enacted before January 1, 2015, deletes or extends that date.

10 SEC. 28.

11 SEC. 8. Section 8670.32.5 is added to the Government Code,
12 to read:

13 8670.32.5. The administrator, in consultation with the
14 appropriate local, state, and federal regulators, shall conduct a
15 comprehensive risk assessment of nonvessel modes of
16 transportation of oil and shall identify those operations that pose
17 the highest risk of a pollution incident in state waters. The
18 assessment shall include a consideration of the likely range in
19 properties of the oil.

20 SEC. 29. Section 8670.33 of the Government Code is amended
21 to read:

22 8670.33. (a) If the operator of a tank ship or tank barge for
23 which a contingency plan has not been approved desires to have
24 the tank ship or tank barge enter waters of the state, the
25 administrator may give approval by telephone or facsimile machine
26 for the entry of the tank ship or tank barge into waters of the state
27 under an approved contingency plan applicable to a terminal or
28 tank ship, if all of the following are met:

29 (1) The terminal or tank ship is the destination of the tank ship
30 or tank barge.

31 (2) The operator of the terminal or the tank ship provides the
32 administrator advance written assurance that the operator assumes
33 all responsibility for the operations of the tank ship or tank barge
34 while it is in waters of the state traveling to or from the terminal.
35 The assurance may be delivered by hand or by mail or may be sent
36 by facsimile machine, followed by delivery of the original.

37 (3) The approved terminal or tank ship contingency plan
38 includes all conditions the administrator requires for the operations
39 of tank ship or tank barges traveling to and from the terminal.

1 ~~(4) The tank ship or tank barge and its operations meet all~~
2 ~~requirements of the contingency plan for the tank ship or terminal~~
3 ~~that is the destination of the tank ship or tank barge.~~

4 ~~(5) The tank ship or tank barge without an approved contingency~~
5 ~~plan has not entered waters of the state more than once in the~~
6 ~~12-month period preceding the request made under this section.~~

7 ~~(b) At all times that a tank ship or tank barge is in waters of the~~
8 ~~state pursuant to subdivision (a), its operators and all their agents~~
9 ~~and employees shall operate the vessel in accordance with the~~
10 ~~applicable operations manual or, if there is an oil spill, in~~
11 ~~accordance with the directions of the administrator and the~~
12 ~~applicable contingency plan.~~

13 ~~SEC. 30. Section 8670.34 of the Government Code is amended~~
14 ~~to read:~~

15 ~~8670.34. This article shall not apply to any tank vessel, nontank~~
16 ~~vessel, or vessel carrying oil as a secondary cargo that enters waters~~
17 ~~of the state because of imminent danger to the lives of~~
18 ~~crewmembers or if entering waters of the state will substantially~~
19 ~~aid in preventing an oil spill or other harm to public safety or the~~
20 ~~environment, if the operators of the tank vessel, nontank vessel,~~
21 ~~or vessel carrying oil as a secondary cargo comply with all of the~~
22 ~~following:~~

23 ~~(a) The operators or crew of the tank vessel, nontank vessel, or~~
24 ~~vessel carrying oil as a secondary cargo comply at all times with~~
25 ~~all orders and directions given by the administrator, or his or her~~
26 ~~designee, while the tank vessel, nontank vessel, or vessel carrying~~
27 ~~oil as a secondary cargo is in waters of the state, unless the orders~~
28 ~~or directions are contradicted by orders or directions of the Coast~~
29 ~~Guard.~~

30 ~~(b) Except for fuel, oil may be transferred to or from the tank~~
31 ~~vessel, nontank vessel, or vessel carrying oil as a secondary cargo~~
32 ~~while it is in waters of the state only if permission is obtained for~~
33 ~~the transfer of oil and one of the following conditions is met:~~

34 ~~(1) The transfer is necessary for the safety of the crew.~~

35 ~~(2) The transfer is necessary to prevent harm to public safety~~
36 ~~or the environment.~~

37 ~~(3) An oil spill contingency plan is approved or made applicable~~
38 ~~to the tank vessel, nontank vessel, or vessel carrying oil as a~~
39 ~~secondary cargo, under subdivision (c).~~

1 ~~(e) The tank vessel, nontank vessel, or vessel carrying oil as a~~
2 ~~secondary cargo shall leave the waters of the state as soon as it~~
3 ~~may do so without imminent risk of harm to the crew, public safety,~~
4 ~~or the environment, unless an oil spill contingency plan is approved~~
5 ~~or made applicable to it under this article.~~

6 ~~SEC. 31. Section 8670.35 of the Government Code is amended~~
7 ~~to read:~~

8 ~~8670.35.—(a) The administrator, taking into consideration the~~
9 ~~California oil spill contingency plan, shall promulgate regulations~~
10 ~~regarding the adequacy of oil spill elements of area plans required~~
11 ~~pursuant to Section 25503 of the Health and Safety Code. In~~
12 ~~developing the regulations, the administrator shall consult with~~
13 ~~the Oil Spill Technical Advisory Committee.~~

14 ~~(b) The administrator may offer, to a unified program agency~~
15 ~~with jurisdiction over or directly adjacent to waters of the state, a~~
16 ~~grant to complete, update, or revise an oil spill element of the area~~
17 ~~plan.~~

18 ~~(c) Each oil spill element established under this section shall~~
19 ~~include provisions for training fire and police personnel in oil spill~~
20 ~~response and cleanup equipment use and operations.~~

21 ~~(d) Each oil spill element prepared under this section shall be~~
22 ~~consistent with the local government's local coastal program as~~
23 ~~certified under Section 30500 of the Public Resources Code, the~~
24 ~~California oil spill contingency plan, and the National Contingency~~
25 ~~Plan.~~

26 ~~(e) If a grant is awarded, the administrator shall review and~~
27 ~~approve each oil spill element established pursuant to this section.~~
28 ~~If, upon review, the administrator determines that the oil spill~~
29 ~~element is inadequate, the administrator shall return it to the agency~~
30 ~~that prepared it, specifying the nature and extent of the~~
31 ~~inadequacies, and, if practicable, suggesting modifications. The~~
32 ~~unified program agency shall submit a new or modified element~~
33 ~~within 90 days after the element was returned, responding to the~~
34 ~~findings and incorporating any suggested modifications.~~

35 ~~(f) The administrator shall review the preparedness of unified~~
36 ~~program agencies to determine whether a program of grants for~~
37 ~~completing oil spill elements is desirable and should be continued.~~
38 ~~If the administrator determines that local government preparedness~~
39 ~~should be improved, the administrator shall request the Legislature~~

1 to appropriate funds from the Oil Spill Prevention and
2 Administration Fund for the purposes of this section.

3 ~~SEC. 32.~~

4 *SEC. 9.* Section 8670.36 of the Government Code is amended
5 to read:

6 8670.36. The administrator shall, within five working days
7 after receipt of a contingency plan prepared pursuant to Section
8 8670.28 or 8670.35, post a notice that the plan is available for
9 review. The administrator shall send a copy of the plan within two
10 working days after receiving a request from the Oil Spill Technical
11 Advisory Committee. The State Lands Commission and the
12 California Coastal Commission shall review the plans for facilities
13 or local governments within the coastal zone. The San Francisco
14 Bay Conservation and Development Commission shall review the
15 plans for facilities or local governments within the area described
16 in Sections 66610 and 29101 of the Public Resources Code. *The*
17 *California Environmental Protection Agency and the Office of*
18 *Emergency Services shall review the plans for facilities or local*
19 *governments located outside of the coastal zone.* Any state agency
20 or committee that comments shall submit its comments to the
21 administrator within 15 days of receipt of the plan. The
22 administrator shall consider all comments.

23 ~~SEC. 33.~~ Section 8670.37 of the Government Code is amended
24 to read:

25 ~~8670.37.~~ (a) The administrator, with the assistance of the State
26 Lands Commission, the California Coastal Commission, the
27 Executive Director of the San Francisco Bay Conservation and
28 Development Commission, or other appropriate agency, shall carry
29 out studies with regard to improvements to contingency planning
30 and oil spill response equipment and operations.

31 (b) ~~To the greatest extent possible, these studies shall be~~
32 ~~coordinated with studies being done by the federal government,~~
33 ~~and other appropriate state and international entities, and~~
34 ~~duplication with the efforts of other entities shall be minimized.~~

35 (c) ~~The administrator, the State Lands Commission, the~~
36 ~~California Coastal Commission, the Executive Director of the San~~
37 ~~Francisco Bay Conservation and Development Commission, or~~
38 ~~other appropriate agency may be reimbursed for all costs incurred~~
39 ~~in carrying out the studies under this section from the Oil Spill~~
40 ~~Prevention and Administration Fund.~~

1 ~~SEC. 34.~~ Section 8670.37.5 of the Government Code is amended
2 to read:

3 ~~8670.37.5. (a) The administrator shall establish a network of~~
4 ~~rescue and rehabilitation stations for wildlife injured by oil spills,~~
5 ~~including sea otters and other marine mammals. In addition to~~
6 ~~rehabilitative care, the primary focus of the Oiled Wildlife Care~~
7 ~~Network shall include proactive oiled wildlife search and collection~~
8 ~~rescue efforts. These facilities shall be established and maintained~~
9 ~~in a state of preparedness to provide the best achievable treatment~~
10 ~~for wildlife, mammals, and birds affected by an oil spill in waters~~
11 ~~of the state. The administrator shall consider all feasible~~
12 ~~management alternatives for operation of the network.~~

13 ~~(b) (1) The first rescue and rehabilitation station established~~
14 ~~pursuant to this section shall be located within the sea otter range~~
15 ~~on the central coast. The administrator initially shall establish~~
16 ~~regional oiled wildlife rescue and rehabilitation facilities in the~~
17 ~~Los Angeles Harbor area, the San Francisco Bay area, the San~~
18 ~~Diego area, the Monterey Bay area, the Humboldt County area,~~
19 ~~and the Santa Barbara area. The administrator also may establish~~
20 ~~facilities in other areas of the state as the administrator determines~~
21 ~~to be necessary.~~

22 ~~(2) One or more of the oiled wildlife rescue and rehabilitation~~
23 ~~stations shall be open to the public for educational purposes and~~
24 ~~shall be available for wildlife health research. Wherever possible~~
25 ~~in the establishment of these facilities, the administrator shall~~
26 ~~improve existing authorized rehabilitation facilities and may~~
27 ~~expand or take advantage of existing educational or scientific~~
28 ~~programs and institutions for oiled wildlife rehabilitation purposes.~~
29 ~~Expenditures shall be reviewed by the agencies and organizations~~
30 ~~specified in subdivision (c).~~

31 ~~(c) The administrator shall consult with the United States Fish~~
32 ~~and Wildlife Service, the National Marine Fisheries Service, the~~
33 ~~California Coastal Commission, the Executive Director of the San~~
34 ~~Francisco Bay Conservation and Development Commission, the~~
35 ~~Marine Mammal Center, and International Bird Rescue in the~~
36 ~~design, planning, construction, and operation of the rescue and~~
37 ~~rehabilitation stations. All proposals for the rescue and~~
38 ~~rehabilitation stations shall be presented before a public hearing~~
39 ~~prior to the construction and operation of any rehabilitation station,~~
40 ~~and, upon completion of the coastal protection element of the~~

1 California oil spill contingency plan, shall be consistent with the
2 coastal protection element.

3 ~~(d) The administrator may enter into agreements with nonprofit~~
4 ~~organizations to establish and equip wildlife rescue and~~
5 ~~rehabilitation stations and to ensure that they are operated in a~~
6 ~~professional manner in keeping with the pertinent guidance~~
7 ~~documents issued by the administrator. The implementation of the~~
8 ~~agreement shall not constitute a California public works project.~~
9 ~~The agreement shall be deemed a contract for wildlife rehabilitation~~
10 ~~as authorized by Section 8670.61.5.~~

11 ~~(e) In the event of a spill, the responsible party may request that~~
12 ~~the administrator perform the rescue and rehabilitation of oiled~~
13 ~~wildlife required of the responsible party pursuant to this chapter~~
14 ~~if the responsible party and the administrator enter into an~~
15 ~~agreement for the reimbursement of the administrator's costs~~
16 ~~incurred in taking the requested action. If the administrator~~
17 ~~performs the rescue and rehabilitation of oiled wildlife, the~~
18 ~~administrator shall primarily utilize the network of rescue and~~
19 ~~rehabilitation stations established pursuant to subdivision (a);~~
20 ~~unless more immediate care is required. Any of those activities~~
21 ~~conducted pursuant to this section or Section 8670.56.5 or~~
22 ~~8670.61.5 shall be performed under the direction of the~~
23 ~~administrator. This subdivision does not remove the responsible~~
24 ~~party from liability for the costs of, or the responsibility for, the~~
25 ~~rescue and rehabilitation of oiled wildlife, as established by this~~
26 ~~chapter. This subdivision does not prohibit an owner or operator~~
27 ~~from retaining, in a contingency plan prepared pursuant to this~~
28 ~~article, wildlife rescue and rehabilitation services different from~~
29 ~~the rescue and rehabilitation stations established pursuant to this~~
30 ~~section.~~

31 ~~(f) (1) The administrator shall appoint a rescue and~~
32 ~~rehabilitation advisory board to advise the administrator regarding~~
33 ~~operation of the network of rescue and rehabilitation stations~~
34 ~~established pursuant to subdivision (a), including the economic~~
35 ~~operation and maintenance of the network. For the purpose of~~
36 ~~assisting the administrator in determining what constitutes the best~~
37 ~~achievable treatment for oiled wildlife, the advisory board shall~~
38 ~~provide recommendations to the administrator on the care achieved~~
39 ~~by current standard treatment methods, new or alternative treatment~~
40 ~~methods, the costs of treatment methods, and any other information~~

1 that the advisory board believes that the administrator might find
2 useful in making that determination. The administrator shall consult
3 with the advisory board in preparing the administrator's submission
4 to the Legislature pursuant to subdivision (a) of Section 8670.40.5.
5 The administrator shall present the recommendations of the
6 advisory board to the Oil Spill Technical Advisory Committee
7 created pursuant to Article 8 (commencing with Section 8670.54);
8 upon the request of the committee.

9 (2) The advisory board shall consist of a balance between
10 representatives of the oil industry, wildlife rehabilitation
11 organizations, and academia. One academic representative shall
12 be from a veterinary school within this state. The United States
13 Fish and Wildlife Service and the National Marine Fisheries
14 Service shall be requested to participate as ex officio members.

15 (3) (A) The Legislature hereby finds and declares that since
16 the administrator may rely on the expertise provided by the
17 volunteer members of the advisory board and may be guided by
18 their recommendations in making decisions that relate to the
19 operation of the network of rescue and rehabilitation stations, those
20 members should be entitled to the same immunity from liability
21 that is provided other public employees.

22 (B) Members of the advisory board, while performing functions
23 within the scope of advisory board duties, shall be entitled to the
24 same rights and immunities granted public employees by Article
25 3 (commencing with Section 820) of Chapter 1 of Part 2 of
26 Division 3.6 of Title 1. Those rights and immunities are deemed
27 to have attached, and shall attach, as of the date of appointment
28 of the member to the advisory board.

29 (g) The administrator shall ensure the state's ability to prevent
30 the contamination of wildlife and to identify, collect, rescue, and
31 treat oiled wildlife through all of the following:

32 (1) Providing for the recruitment and training of an adequate
33 network of wildlife specialists and volunteers from Oiled Wildlife
34 Care Network participant organizations who can be called into
35 immediate action in the event of an oil spill to assist in the field
36 with collection of live oiled wildlife. The training shall include a
37 process for certification of trained volunteers and renewal of
38 certifications. The initial wildlife rescue training shall include field
39 experience in species identification and appropriate field collection
40 techniques for species at risk in different spills. In addition to

1 training in wildlife rescue, the administrator shall provide for
2 appropriate hazardous materials training for new volunteers and
3 contract personnel, with refresher courses offered as necessary to
4 allow for continual readiness of search and collection teams.
5 Moneys in the Oil Spill Prevention and Administration Fund shall
6 not be used to reimburse volunteers for time or travel associated
7 with required training.

8 (2) Developing and implementing a plan for the provision of
9 emergency equipment for wildlife rescue in strategic locations to
10 facilitate ready deployment in the case of an oil spill. The
11 administrator shall ensure that the equipment identified as
12 necessary in his or her wildlife response plan is available and
13 deployed in a timely manner to assist in providing the best
14 achievable protection and collection efforts.

15 (3) Developing the capacity of the Oiled Wildlife Care Network
16 to recruit and train an adequate field team for collection of live
17 oiled wildlife, as specified in paragraph (1), by providing staffing
18 for field operations, coordination, and volunteer outreach for the
19 Oiled Wildlife Care Network. The duties of the field operations
20 and volunteer outreach staff shall include recruitment and
21 coordination of additional participation in the Oiled Wildlife Care
22 Network by other existing organizations with experience and
23 expertise in wildlife rescue and handling, including scientific
24 organizations, educational institutions, public agencies, and
25 nonprofit organizations dedicated to wildlife conservation, and
26 recruitment, training, and supervision of volunteers from Oiled
27 Wildlife Care Network participating organizations.

28 (4) Ensuring that qualified persons with experience and expertise
29 in wildlife rescue are assigned to oversee and supervise wildlife
30 recovery search and collection efforts, as specified in the
31 administrator's wildlife response plan. The administrator shall
32 provide for and ensure that all persons involved in field collection
33 of oiled wildlife receive training in search and capture techniques
34 and hazardous materials certification, as appropriate.

35 SEC. 35. Section 8670.37.51 of the Government Code is
36 amended to read:

37 8670.37.51. (a) A tank vessel or vessel carrying oil as a
38 secondary cargo shall not be used to transport oil across waters of
39 the state unless the owner or operator has applied for and obtained
40 a certificate of financial responsibility issued by the administrator

1 for that vessel or for the owner of all of the oil contained in and
2 to be transferred to or from that vessel.

3 (b) ~~An operator of a marine terminal within the state shall not
4 transfer oil to or from a tank vessel or vessel carrying oil as a
5 secondary cargo unless the operator of the marine terminal has
6 received a copy of a certificate of financial responsibility issued
7 by the administrator for the operator of that vessel or for all of the
8 oil contained in and to be transferred to or from that vessel.~~

9 (c) ~~An operator of a marine terminal within the state shall not
10 transfer oil to or from any vessel that is or is intended to be used
11 for transporting oil as cargo to or from a second vessel unless the
12 operator of the marine terminal has first received a copy of a
13 certificate of financial responsibility issued by the administrator
14 for the person responsible for both the first and second vessels or
15 all of the oil contained in both vessels, as well as all the oil to be
16 transferred to or from both vessels.~~

17 (d) ~~An owner or operator of a facility where a spill could impact
18 waters of the state shall apply for and obtain a certificate of
19 financial responsibility issued by the administrator for the facility
20 or the oil to be handled, stored, or transported by the facility.~~

21 (e) ~~Pursuant to Section 8670.37.58, nontank vessels shall obtain
22 a certificate of financial responsibility.~~

23 ~~SEC. 36.—Section 8670.37.52 of the Government Code is
24 amended to read:~~

25 ~~8670.37.52.—The certificate of financial responsibility shall be
26 conclusive evidence that the person or entity holding the certificate
27 is the party responsible for the specified vessel, facility, or oil for
28 purposes of determining liability pursuant to this chapter.~~

29 ~~SEC. 37.—Section 8670.37.53 of the Government Code is
30 amended to read:~~

31 ~~8670.37.53.—(a) To receive a certificate of financial
32 responsibility for a tank vessel or for all of the oil contained within
33 that vessel, the applicant shall demonstrate to the satisfaction of
34 the administrator the financial ability to pay at least one billion
35 dollars (\$1,000,000,000) for any damages that may arise during
36 the term of the certificate.~~

37 ~~(b) The administrator may establish a lower standard of financial
38 responsibility for small tank barges, vessels carrying oil as a
39 secondary cargo, and small marine fueling facilities. The standard
40 shall be based on the quantity of oil that can be carried or stored~~

1 and the risk of spill into waters of the state. The administrator shall
2 not set a standard that is less than the expected costs from a
3 reasonable worst case oil spill into waters of the state.

4 (e) (1) To receive a certificate of financial responsibility for a
5 facility, the applicant shall demonstrate to the satisfaction of the
6 administrator the financial ability to pay for any damages that
7 might arise during a reasonable worst case oil spill into waters of
8 the state that results from the operations of the facility. The
9 administrator shall consider criteria including, but not necessarily
10 limited to, the amount of oil that could be spilled into waters of
11 the state from the facility, the cost of cleaning up spilled oil, the
12 frequency of operations at the facility, and the damages that could
13 result from a spill.

14 (2) The administrator shall adopt regulations to implement this
15 section.

16 SEC. 38. Section 8670.37.55 of the Government Code is
17 amended to read:

18 8670.37.55. (a) An owner or operator of more than one tank
19 vessel, vessel carrying oil as a secondary cargo, nontank vessel,
20 or facility shall only be required to obtain one certificate of
21 financial responsibility for all of those vessels and facilities owned
22 or operated.

23 (b) If a person holds a certificate for more than one tank vessel,
24 vessel carrying oil as a secondary cargo, nontank vessel, or facility
25 and a spill or spills occurs from one or more of those vessels or
26 facilities for which the owner or operator may be liable for damages
27 in an amount exceeding 5 percent of the financial resources
28 reflected by the certificate, as determined by the administrator, the
29 certificate shall immediately be considered inapplicable to any
30 vessel or facility not associated with the spill. In that event, the
31 owner or operator shall demonstrate to the satisfaction of the
32 administrator the amount of financial ability required pursuant to
33 this article, as well as the financial ability to pay all damages that
34 arise or have arisen from the spill or spills that have occurred.

35 SEC. 39. Section 8670.37.58 of the Government Code is
36 amended to read:

37 8670.37.58. (a) A nontank vessel shall not enter waters of the
38 state unless the nontank vessel owner or operator has provided to
39 the administrator evidence of financial responsibility that
40 demonstrates, to the administrator's satisfaction, the ability to pay

1 at least three hundred million dollars (\$300,000,000) to cover
2 damages caused by a spill, and the owner or operator of the nontank
3 vessel has obtained a certificate of financial responsibility from
4 the administrator for the nontank vessel.

5 (b) Notwithstanding subdivision (a), the administrator may
6 establish a lower standard of financial responsibility for a nontank
7 vessel that has a carrying capacity of 6,500 barrels of oil or less,
8 or for a nontank vessel that is owned and operated by California
9 or a federal agency and has a carrying capacity of 7,500 barrels of
10 oil or less. The standard shall be based upon the quantity of oil
11 that can be carried by the nontank vessel and the risk of an oil spill
12 into waters of the state. The administrator shall not set a standard
13 that is less than the expected cleanup costs and damages from an
14 oil spill into waters of the state.

15 (e) The administrator may adopt regulations to implement this
16 section.

17 ~~SEC. 40.~~

18 *SEC. 10.* Section 8670.40 of the Government Code is amended
19 to read:

20 8670.40. (a) The State Board of Equalization shall collect a
21 fee in an amount annually determined by the administrator to be
22 sufficient to pay the reasonable regulatory costs to carry out the
23 purposes set forth in subdivision (e), and a reasonable reserve for
24 contingencies. The oil spill prevention and administration fee shall
25 be based on each barrel of crude oil or petroleum products, as
26 described in subdivision (b).

27 (b) (1) The oil spill prevention and administration fee shall be
28 imposed upon a person owning crude oil at the time that the crude
29 oil is received at a marine terminal, by any mode of delivery that
30 passed over, across, under, or through waters of the state, from
31 within or outside the state, and upon a person who owns petroleum
32 products at the time that those petroleum products are received at
33 a marine terminal, by any mode of delivery that passed over, across,
34 under, or through waters of the state, from outside this state. The
35 fee shall be collected by the marine terminal operator from the
36 owner of the crude oil or petroleum products for each barrel of
37 crude oil or petroleum products received.

38 (2) The oil spill prevention and administration fee shall be
39 imposed upon a person owning crude oil at the time the crude oil
40 is received at a refinery within the state by any mode of delivery

1 that passed over, across, under, or through waters of the state,
2 whether from within or outside the state. The refinery shall collect
3 the fee from the owner of the crude oil for each barrel of crude oil
4 or petroleum products received.

5 (3) The fees shall be remitted to the State Board of Equalization
6 by the owner of the crude oil or petroleum products, the refinery
7 operator, or the marine terminal operator on the 25th day of the
8 month based upon the number of barrels of crude oil or petroleum
9 products received at a refinery or marine terminal during the
10 preceding month. A fee shall not be imposed pursuant to this
11 section with respect to crude oil or petroleum products if the person
12 who would be liable for that fee, or responsible for its collection,
13 establishes that the fee has already been collected by a refinery or
14 marine terminal operator registered under this chapter or paid to
15 the State Board of Equalization with respect to the crude oil or
16 petroleum product.

17 (4) The oil spill prevention and administration fee shall not be
18 collected by a marine terminal operator or refinery operator or
19 imposed on the owner of crude oil or petroleum products if the fee
20 has been previously collected or paid on the crude oil or petroleum
21 products at another marine terminal or refinery. It shall be the
22 obligation of the marine terminal operator, refinery operator, or
23 owner of crude oil or petroleum products to show that the fee has
24 already been paid on the same crude oil or petroleum products.

25 (5) An owner of crude oil or petroleum products is liable for
26 the fee until it has been paid to the State Board of Equalization,
27 except that payment to a refinery operator or marine terminal
28 operator registered under this chapter is sufficient to relieve the
29 owner from further liability for the fee.

30 (6) On or before January 20, the administrator shall annually
31 prepare a plan that projects revenues and expenses over three fiscal
32 years, including the current year. Based on the plan, the
33 administrator shall set the fee so that projected revenues, including
34 any interest, are equivalent to expenses as reflected in the current
35 Budget Act and in the proposed budget submitted by the Governor.
36 In setting the fee, the administrator may allow for a surplus if the
37 administrator finds that revenues will be exhausted during the
38 period covered by the plan or that the surplus is necessary to cover
39 possible contingencies. The administrator shall notify the State
40 Board of Equalization of the adjusted fee rate, which shall be

1 rounded to no more than four decimal places, to be effective the
2 first day of the month beginning not less than 30 days from the
3 date of the notification.

4 (c) The moneys collected pursuant to subdivision (a) shall be
5 deposited into the fund.

6 (d) The State Board of Equalization shall collect the fee and
7 adopt regulations for implementing the fee collection program.

8 (e) The fee described in this section shall be collected solely
9 for all of the following purposes:

10 (1) To implement oil spill prevention programs through rules,
11 regulations, leasing policies, guidelines, and inspections and to
12 implement research into prevention and control technology.

13 (2) To carry out studies that may lead to improved oil spill
14 prevention and response.

15 (3) To finance environmental and economic studies relating to
16 the effects of oil spills.

17 (4) To implement, install, and maintain emergency programs,
18 equipment, and facilities to respond to, contain, and clean up oil
19 spills and to ensure that those operations will be carried out as
20 intended.

21 (5) To reimburse the State Board of Equalization for its
22 reasonable costs incurred to implement this chapter and to carry
23 out Part 24 (commencing with Section 46001) of Division 2 of the
24 Revenue and Taxation Code.

25 (6) To fund the Oiled Wildlife Care Network pursuant to Section
26 8670.40.5.

27 (f) The moneys deposited in the fund shall not be used for
28 responding to a spill.

29 (g) The moneys deposited in the fund shall not be used to
30 provide a loan to any other fund.

31 (h) Every person who operates a refinery, a marine terminal in
32 waters of the state, or a pipeline shall register with the State Board
33 of Equalization, pursuant to Section 46101 of the Revenue and
34 Taxation Code.

35 ~~SEC. 41. Section 8670.40.5 is added to the Government Code,~~
36 ~~to read:~~

37 ~~8670.40.5. (a) For each fiscal year, consistent with this article,~~
38 ~~the administrator shall submit, as a proposed appropriation in the~~
39 ~~Governor's Budget, an amount up to two million five hundred~~
40 ~~thousand dollars (\$2,500,000) for the purpose of equipping,~~

1 operating, and maintaining the network of oiled wildlife rescue
2 and rehabilitation stations and proactive oiled wildlife search and
3 collection rescue efforts established pursuant to Section 8670.37.5
4 and for the support of technology development and research related
5 to oiled wildlife care.

6 (b) ~~The administrator shall report to the Legislature, upon~~
7 ~~request, on the progress and effectiveness of the network of oiled~~
8 ~~wildlife rescue and rehabilitation stations established pursuant to~~
9 ~~Section 8670.37.5 and the adequacy of the Oil Spill Prevention~~
10 ~~and Administration Fund to meet the purposes for which the~~
11 ~~network was established.~~

12 (c) ~~At the administrator's request, the funds made available~~
13 ~~pursuant to this section may be directly appropriated to a suitable~~
14 ~~program for wildlife health and rehabilitation within a school of~~
15 ~~veterinary medicine within this state, if an agreement exists,~~
16 ~~consistent with this chapter, between the administrator and an~~
17 ~~appropriate representative of the program for carrying out that~~
18 ~~purpose. The administrator shall attempt to have an agreement in~~
19 ~~place at all times. The agreement shall ensure that the training of,~~
20 ~~and the care provided by, the program staff are at levels that are~~
21 ~~consistent with those standards generally accepted within the~~
22 ~~veterinary profession.~~

23 (d) ~~The funds made available pursuant to this section shall not~~
24 ~~be considered an offset to any other state funds appropriated to~~
25 ~~the program, the program's associated school of veterinary~~
26 ~~medicine, or the program's associated college or university. The~~
27 ~~funds shall not be used for any other purpose. If an offset does~~
28 ~~occur or the funds are used for an unintended purpose, the~~
29 ~~administrator may terminate expenditure of any funds appropriated~~
30 ~~pursuant to this section and the administrator may request a~~
31 ~~reappropriation to accomplish the intended purpose. The~~
32 ~~administrator shall annually review and approve the proposed uses~~
33 ~~of any funds made available pursuant to this section.~~

34 SEC. 42. Section 8670.42 of the Government Code is amended
35 to read:

36 8670.42. (a) ~~The administrator and the State Lands~~
37 ~~Commission, independently, shall contract with the Department~~
38 ~~of Finance for the preparation of a detailed report that shall be~~
39 ~~submitted on or before January 1, 2013, and no less than once~~
40 ~~every four years thereafter, to the Governor and the Legislature~~

1 on the financial basis and programmatic effectiveness of the state's
2 oil spill prevention, response, and preparedness program. This
3 report shall include an analysis of all of the oil spill prevention,
4 response, and preparedness program's major expenditures, fees
5 and fines collected, staffing and equipment levels, spills responded
6 to, and other relevant issues. The report shall recommend measures
7 to improve the efficiency and effectiveness of the state's oil spill
8 prevention, response, and preparedness program, including, but
9 not limited to, measures to modify existing contingency plan
10 requirements, to improve protection of sensitive shoreline sites,
11 and to ensure adequate and equitable funding for the state's oil
12 spill prevention, response, and preparedness program.

13 (b) A report to be submitted pursuant to subdivision (a) shall
14 be submitted in compliance with Section 9795.

15 SEC. 43. Section 8670.47.5 of the Government Code is
16 amended to read:

17 8670.47.5. The following shall be deposited into the fund:

18 (a) The fee required pursuant to Section 8670.48.

19 (b) Any federal funds received to pay for response, containment,
20 abatement, and rehabilitation costs from an oil spill in waters of
21 the state.

22 (c) Any money borrowed by the Treasurer pursuant to Article
23 7.5 (commencing with Section 8670.53.1) or any draw on the
24 financial security obtained by the Treasurer pursuant to subdivision
25 (c) of Section 8670.48.

26 (d) Any interest earned on the moneys in the fund.

27 (e) Any costs recovered from responsible parties pursuant to
28 Section 8670.53 and subdivision (e) of Section 8670.53.1.

29 SEC. 44. Section 8670.48 of the Government Code is amended
30 to read:

31 8670.48. (a) (1) A uniform oil spill response fee in an amount
32 not exceeding twenty-five cents (\$.25) for each barrel of
33 petroleum products, as set by the administrator pursuant to
34 subdivision (f), shall be imposed upon a person who owns
35 petroleum products at the time the petroleum products are received
36 at a marine terminal within this state by means of a vessel from a
37 point of origin outside this state. The fee shall be collected by the
38 marine terminal and remitted to the State Board of Equalization
39 by the terminal operator on the 25th day of each month based upon

1 the number of barrels of petroleum products received during the
2 preceding month.

3 (2) An owner of petroleum products is liable for the fee until it
4 has been paid to the state, except that payment to a marine terminal
5 operator registered under this chapter is sufficient to relieve the
6 owner from further liability for the fee.

7 (b) An operator of a pipeline shall also pay a uniform oil spill
8 response fee in an amount not exceeding twenty-five cents (\$0.25)
9 for each barrel of petroleum products, as set by the administrator
10 pursuant to subdivision (f), transported into the state by means of
11 a pipeline operating across, under, or through the waters of the
12 state. The fee shall be paid on the 25th day of each month based
13 upon the number of barrels of petroleum products so transported
14 into the state during the preceding month.

15 (c) An operator of a refinery shall pay a uniform oil spill
16 response fee in an amount not exceeding twenty-five cents (\$0.25)
17 for each barrel of crude oil, as set by the administrator pursuant
18 to subdivision (f), received at a refinery within the state by any
19 method of transport. The fee shall be paid on the 25th day of each
20 month based upon the number of barrels of crude oil so received
21 during the preceding month.

22 (d) A marine terminal operator shall pay a uniform oil spill
23 response fee in an amount not exceeding twenty-five cents (\$0.25);
24 in accordance with subdivision (g), for each barrel of crude oil, as
25 set by the administrator pursuant to subdivision (f), that is
26 transported from within this state by means of a vessel to a
27 destination outside this state.

28 (e) An operator of a pipeline shall pay a uniform oil spill
29 response fee in an amount not exceeding twenty-five cents (\$0.25);
30 in accordance with subdivision (g), for each barrel of crude oil, as
31 set by the administrator pursuant to subdivision (f), transported
32 out of the state by pipeline.

33 (f) (1) The fees required pursuant to this section shall be
34 collected during any period for which the administrator determines
35 that collection is necessary for any of the following reasons:

36 (A) The amount in the fund is less than or equal to 95 percent
37 of the designated amount specified in subdivision (a) of Section
38 46012 of the Revenue and Taxation Code.

39 (B) Additional money is required to pay for the purposes
40 specified in subdivision (k).

1 ~~(C) The revenue is necessary to repay a draw on a financial~~
2 ~~security obtained by the Treasurer pursuant to subdivision (o) or~~
3 ~~borrowing by the Treasurer pursuant to Article 7.5 (commencing~~
4 ~~with Section 8670.53.1), including any principal, interest, premium,~~
5 ~~fees, charges, or costs of any kind incurred in connection with~~
6 ~~those borrowings or financial security.~~

7 ~~(2) The administrator, in consultation with the State Board of~~
8 ~~Equalization, and with the approval of the Treasurer, may direct~~
9 ~~the State Board of Equalization to cease collecting the fee when~~
10 ~~the administrator determines that further collection of the fee is~~
11 ~~not necessary for the purposes specified in paragraph (1).~~

12 ~~(3) The administrator, in consultation with the State Board of~~
13 ~~Equalization, shall set the amount of the oil spill response fees.~~
14 ~~The oil spill response fees shall be imposed on all fee payers in the~~
15 ~~same amount. The administrator shall not set the amount of the~~
16 ~~fee at less than twenty-five cents (\$0.25) for each barrel of~~
17 ~~petroleum products or crude oil, unless the administrator finds that~~
18 ~~the assessment of a lesser fee will cause the fund to reach the~~
19 ~~designated amount specified in subdivision (a) of Section 46012~~
20 ~~of the Revenue and Taxation Code within four months. The fee~~
21 ~~shall not be less than twenty-five cents (\$0.25) for each barrel of~~
22 ~~petroleum products or crude oil if the administrator has drawn~~
23 ~~upon the financial security obtained by the Treasurer pursuant to~~
24 ~~subdivision (o) or if the Treasurer has borrowed money pursuant~~
25 ~~to Article 7.5 (commencing with Section 8670.53.1) and principal,~~
26 ~~interest, premium, fees, charges, or costs of any kind incurred in~~
27 ~~connection with those borrowings remain outstanding or unpaid,~~
28 ~~unless the Treasurer has certified to the administrator that the~~
29 ~~money in the fund is not necessary for the purposes specified in~~
30 ~~paragraph (1).~~

31 ~~(g) The fees imposed by subdivisions (d) and (e) shall be~~
32 ~~imposed in any calendar year beginning the month following the~~
33 ~~month when the total cumulative year-to-date barrels of crude oil~~
34 ~~transported outside the state by all fee payers by means of vessel~~
35 ~~or pipeline exceed 6 percent by volume of the total barrels of crude~~
36 ~~oil and petroleum products subject to oil spill response fees under~~
37 ~~subdivisions (a), (b), and (c) for the prior calendar year.~~

38 ~~(h) For purposes of this chapter, “designated amount” means~~
39 ~~the amounts specified in Section 46012 of the Revenue and~~
40 ~~Taxation Code.~~

1 ~~(i) The administrator, in consultation with the State Board of~~
2 ~~Equalization and with the approval of the Treasurer, shall authorize~~
3 ~~refunds of any money collected that is not necessary for the~~
4 ~~purposes specified in paragraph (1) of subdivision (f). The State~~
5 ~~Board of Equalization, as directed by the administrator, and in~~
6 ~~accordance with Section 46653 of the Revenue and Taxation Code,~~
7 ~~shall refund the excess amount of fees collected to each feepayer~~
8 ~~who paid the fee to the state, in proportion to the amount that each~~
9 ~~feepayer paid into the fund during the preceding 12 monthly~~
10 ~~reporting periods in which there was a fee due, including the month~~
11 ~~in which the fund exceeded the specified amount. If the total~~
12 ~~amount of money in the fund exceeds the amount specified in this~~
13 ~~subdivision by 10 percent or less, refunds need not be ordered by~~
14 ~~the administrator. This section does not require the refund of excess~~
15 ~~fees as provided in this subdivision more frequently than once~~
16 ~~each year.~~

17 ~~(j) The State Board of Equalization shall collect the fee and~~
18 ~~adopt regulations implementing the fee collection program. All~~
19 ~~fees collected pursuant to this section shall be deposited in the Oil~~
20 ~~Spill Response Trust Fund.~~

21 ~~(k) The fee described in this section shall be collected solely~~
22 ~~for any of the following purposes:~~

23 ~~(1) To provide funds to cover promptly the costs of response,~~
24 ~~containment, and cleanup of oil spills into waters of the state,~~
25 ~~including damage assessment costs and wildlife rehabilitation as~~
26 ~~provided in Section 8670.61.5.~~

27 ~~(2) To cover response and cleanup costs and other damages~~
28 ~~suffered by the state or other persons or entities from oil spills into~~
29 ~~waters of the state that cannot otherwise be compensated by~~
30 ~~responsible parties or the federal government.~~

31 ~~(3) To pay claims for damages pursuant to Section 8670.51.~~

32 ~~(4) To pay claims for damages, except for damages described~~
33 ~~in paragraph (7) of subdivision (h) of Section 8670.56.5, pursuant~~
34 ~~to Section 8670.51.1.~~

35 ~~(5) To pay for the cost of obtaining financial security in the~~
36 ~~amount specified in subdivision (b) of Section 46012 of the~~
37 ~~Revenue and Taxation Code, as authorized by subdivision (o).~~

38 ~~(6) To pay indemnity and related costs and expenses as~~
39 ~~authorized by Section 8670.56.6.~~

1 ~~(7) To pay principal, interest, premium, if any, and fees, charges,~~
2 ~~and costs of any kind incurred in connection with moneys drawn~~
3 ~~by the administrator on the financial security obtained by the~~
4 ~~Treasurer pursuant to subdivision (o) or borrowed by the Treasurer~~
5 ~~pursuant to Article 7.5 (commencing with Section 8670.53.1).~~

6 ~~(8) [Reserved]~~

7 ~~(9) To respond to an imminent threat of a spill in accordance~~
8 ~~with the provisions of Section 8670.62 pertaining to threatened~~
9 ~~discharges.~~

10 ~~(f) The interest that the state earns on the funds deposited into~~
11 ~~the Oil Spill Response Trust Fund shall be deposited in the fund~~
12 ~~and shall be used to maintain the fund at the designated amount~~
13 ~~specified in subdivision (a) of Section 46012 of the Revenue and~~
14 ~~Taxation Code. If the amount in the fund exceeds that designated~~
15 ~~amount, the interest shall be deposited into the Oil Spill Prevention~~
16 ~~and Administration Fund, and shall be available for the purposes~~
17 ~~authorized by Article 6 (commencing with Section 8670.38).~~

18 ~~(m) The Legislature finds and declares that effective response~~
19 ~~to oil spills requires that the state have available sufficient funds~~
20 ~~in a response fund. The Legislature further finds and declares that~~
21 ~~maintenance of that fund is of utmost importance to the state and~~
22 ~~that the money in the fund shall be used solely for the purposes~~
23 ~~specified in subdivision (k).~~

24 ~~(n) [Reserved]~~

25 ~~(o) The Treasurer shall obtain financial security, in the~~
26 ~~designated amount specified in subdivision (b) of Section 46012~~
27 ~~of the Revenue and Taxation Code, in a form that, in the event of~~
28 ~~an oil spill, may be drawn upon immediately by the administrator~~
29 ~~upon making the determinations required by paragraph (2) of~~
30 ~~subdivision (a) of Section 8670.49. The financial security may be~~
31 ~~obtained in any of the forms described in subdivision (b) of Section~~
32 ~~8670.53.3, as determined by the Treasurer.~~

33 ~~(p) This section does not limit the authority of the administrator~~
34 ~~to raise oil spill response fees pursuant to Section 8670.48.5.~~

35 ~~SEC. 45. Section 8670.48.3 of the Government Code is~~
36 ~~amended to read:~~

37 ~~8670.48.3. (a) Notwithstanding subparagraph (A) of paragraph~~
38 ~~(1) of subdivision (f) of Section 8670.48, a loan or other transfer~~
39 ~~of money from the fund to the General Fund pursuant to the Budget~~
40 ~~Act that reduces the balance of the Oil Spill Response Trust Fund~~

1 to less than or equal to 95 percent of the designated amount
2 specified in subdivision (a) of Section 46012 of the Revenue and
3 Taxation Code shall not obligate the administrator to resume
4 collection of the oil spill response fee otherwise required by this
5 article if both of the following conditions are met:

6 (1) ~~The annual Budget Act requires a transfer or loan from the~~
7 ~~fund to be repaid to the fund with interest calculated at a rate earned~~
8 ~~by the Pooled Money Investment Account as if the money had~~
9 ~~remained in the fund.~~

10 (2) ~~The annual Budget Act requires all transfers or loans to be~~
11 ~~repaid to the fund on or before June 30, 2017.~~

12 (b) ~~A transfer or loan described in subdivision (a) shall be repaid~~
13 ~~as soon as possible if a spill occurs and the administrator~~
14 ~~determines that response funds are needed immediately.~~

15 (c) ~~If there is a conflict between this section and any other law~~
16 ~~or enactment, this section shall control.~~

17 (d) ~~This section shall become inoperative on July 1, 2017, and,~~
18 ~~as of January 1, 2018, is repealed, unless a later enacted statute,~~
19 ~~that becomes operative on or before January 1, 2018, deletes or~~
20 ~~extends the dates on which it becomes inoperative and is repealed.~~

21 SEC. 46. ~~Section 8670.49 of the Government Code is amended~~
22 ~~to read:~~

23 ~~8670.49. (a) (1) The administrator may only expend money~~
24 ~~from the fund to pay for any of the following, subject to the lien~~
25 ~~established in Section 8670.53.2:~~

26 (A) ~~To pay the cost of obtaining financial security as authorized~~
27 ~~by paragraph (5) of subdivision (k) and subdivision (o) of Section~~
28 ~~8670.48.~~

29 (B) ~~To pay the principal, interest, premium, if any, and fees,~~
30 ~~charges, and costs of any kind incurred in connection with moneys~~
31 ~~drawn by the administrator on the financial security obtained by~~
32 ~~the Treasurer, or the moneys borrowed by the Treasurer, as~~
33 ~~authorized by paragraph (7) of subdivision (k) of Section 8670.48.~~

34 (C) ~~To pay for the expansion, in the VTS area, pursuant to~~
35 ~~Section 445 of the Harbors and Navigation Code, of the vessel~~
36 ~~traffic service system (VTS system) authorized pursuant to~~
37 ~~subdivision (f) of Section 8670.21.~~

38 (2) ~~If a spill has occurred, the administrator may expend the~~
39 ~~money in the fund for the purposes identified in paragraphs (1),~~

1 ~~(2), (3), (4), and (6) of subdivision (k) of Section 8670.48 only~~
2 ~~upon making the following determinations:~~

3 ~~(A) Except as authorized by Section 8670.51.1, a responsible~~
4 ~~party does not exist or the responsible party is unable or unwilling~~
5 ~~to provide adequate and timely cleanup and to pay for the damages~~
6 ~~resulting from the spill. The administrator shall make a reasonable~~
7 ~~effort to have the party responsible remove the oil or agree to pay~~
8 ~~for any actions resulting from the spill that may be required by~~
9 ~~law, provided that the efforts are not detrimental to fish, plant,~~
10 ~~animal, or bird life in the affected waters. The reasonable effort~~
11 ~~of the administrator shall include attempting to access the~~
12 ~~responsible parties' insurance or other proof of financial~~
13 ~~responsibility.~~

14 ~~(B) Sufficient federal oil spill funds are not available or will~~
15 ~~not be available in an adequate period of time.~~

16 ~~(3) Notwithstanding any other provision of this subdivision, the~~
17 ~~administrator may expend money from the fund for authorized~~
18 ~~expenditures when a reimbursement procedure is in place to receive~~
19 ~~reimbursements for those expenditures from federal oil spill funds.~~

20 ~~(b) Upon making the determinations specified in paragraph (2)~~
21 ~~of subdivision (a), the administrator shall immediately make~~
22 ~~whatever payments are necessary for responding to, containing,~~
23 ~~or cleaning up the spill, including any wildlife rehabilitation~~
24 ~~required by law and payment of claims pursuant to Sections~~
25 ~~8670.51 and 8670.51.1, subject to the lien established by Section~~
26 ~~8670.53.2.~~

27 ~~SEC. 47. Section 8670.50 of the Government Code is amended~~
28 ~~to read:~~

29 ~~8670.50. (a) Money from the fund may only be expended to~~
30 ~~cover the costs incurred by the state and local governments and~~
31 ~~agencies for any of the following:~~

32 ~~(1) Responding promptly to, containing, and cleaning up the~~
33 ~~discharge, if those efforts are any of the following:~~

34 ~~(A) Undertaken pursuant to the state and local oil spill~~
35 ~~contingency plans established under this chapter, and the California~~
36 ~~oil spill contingency plan established under Article 3.5~~
37 ~~(commencing with Section 8574.1) of Chapter 7.~~

38 ~~(B) Undertaken consistent with the standardized emergency~~
39 ~~management system established pursuant to Section 8607.~~

40 ~~(C) Undertaken at the direction of the administrator.~~

1 ~~(2) Meeting the requirements of Section 8670.61.5 relating to~~
2 ~~wildlife rehabilitation.~~

3 ~~(3) Making the payments authorized by subdivision (k) of~~
4 ~~Section 8670.48.~~

5 ~~(b) In the event of an oil spill, the administrator shall make~~
6 ~~whatever expenditures are necessary and appropriate from the fund~~
7 ~~to cover the costs described in subdivision (a), subject to the lien~~
8 ~~established pursuant to Section 8670.53.2.~~

9 ~~SEC. 48. Section 8670.51 of the Government Code is amended~~
10 ~~to read:~~

11 ~~8670.51. (a) When a person has obtained a final judgment for~~
12 ~~damages resulting from an oil spill in waters of the state, but is~~
13 ~~unable, within one year after the date of its entry, to enforce the~~
14 ~~judgment pursuant to Title 9 (commencing with Section 680.010)~~
15 ~~of the Code of Civil Procedure, or is unable to obtain satisfaction~~
16 ~~of the judgment from the federal government within 90 additional~~
17 ~~days, the administrator shall pay an amount not to exceed those~~
18 ~~amounts that cannot be recovered from a responsible party and the~~
19 ~~fund shall be subrogated to all rights, claims, and causes of action~~
20 ~~that the claimant has under this chapter, Article 3.5 (commencing~~
21 ~~with Section 8574.1) of Chapter 7, Section 8670.61.5, and Division~~
22 ~~7.8 (commencing with Section 8750) of the Public Resources~~
23 ~~Code.~~

24 ~~(b) Any person may apply to the fund for compensation for~~
25 ~~damages and losses suffered as a result of an oil spill in waters of~~
26 ~~the state under any of the following conditions:~~

27 ~~(1) The responsible party or parties cannot be ascertained.~~

28 ~~(2) A responsible party is not liable for noneconomic damages~~
29 ~~caused by another.~~

30 ~~(3) Subdivision (i) of Section 8670.56.6 is applicable to the~~
31 ~~claim.~~

32 ~~(c) The administrator shall not approve any claim in an amount~~
33 ~~that exceeds the amount to which the person would otherwise be~~
34 ~~entitled pursuant to Section 8670.56.5, and shall pay claims from~~
35 ~~the fund that are approved pursuant to this section.~~

36 ~~SEC. 49. Section 8670.53 of the Government Code is amended~~
37 ~~to read:~~

38 ~~8670.53. The Attorney General, in consultation with the~~
39 ~~administrator, shall undertake actions to recover all costs to the~~
40 ~~funds from any responsible party for an oil spill into waters of the~~

1 state for which expenditures are made from the fund. The recovery
2 of costs pursuant to this section shall not foreclose the Attorney
3 General from any other actions allowed by law.

4 ~~SEC. 50.~~

5 *SEC. 11.* Section 8670.54 of the Government Code is amended
6 to read:

7 8670.54. (a) The Oil Spill Technical Advisory Committee,
8 hereafter in this article, the committee, is hereby established to
9 provide public input and independent judgment of the actions of
10 the administrator. The committee shall consist of ~~14~~ 15 members,
11 of whom ~~eight~~ *nine* shall be appointed by the Governor, three by
12 the Speaker of the Assembly, and three by the Senate Rules
13 Committee. The appointments shall be made in the following
14 manner:

15 (1) The Speaker of the Assembly and Senate Committee on
16 Rules shall each appoint a member who shall be a representative
17 of the public.

18 (2) The Governor shall appoint a member who has a
19 demonstrable knowledge of marine transportation.

20 (3) The Speaker of the Assembly and the Senate Committee on
21 Rules shall each appoint two members who have demonstrable
22 knowledge of environmental protection and the study of
23 ecosystems.

24 (4) The Governor shall appoint a member who has served as a
25 local government elected official or who has worked for a local
26 government.

27 (5) The Governor shall appoint a member who has experience
28 in oil spill response and prevention programs.

29 (6) The Governor shall appoint a member who has been
30 employed in the petroleum industry.

31 (7) The Governor shall appoint a member who has worked in
32 state government.

33 (8) The Governor shall appoint a member who has demonstrable
34 knowledge of the dry cargo vessel industry.

35 (9) The Governor shall appoint a member who has demonstrable
36 knowledge of the railroad industry.

37 (10) The Governor shall appoint a member who has
38 demonstrable knowledge of the oil production industry.

39 (11) *The Governor shall appoint a member who has a*
40 *demonstrable knowledge of the truck transportation industry.*

1 (b) The committee shall meet as often as required, but at least
2 twice per year. Members shall be paid one hundred dollars (\$100)
3 per day for each meeting and all necessary travel expenses at state
4 per diem rates.

5 (c) The administrator and any personnel the administrator
6 determines to be appropriate shall serve as staff to the committee.

7 (d) A chair and vice chair shall be elected by a majority vote of
8 the committee.

9 SEC. 51. Section 8670.55 of the Government Code is amended
10 to read:

11 ~~8670.55. (a) The committee shall provide recommendations~~
12 ~~to the administrator, the State Lands Commission, the California~~
13 ~~Coastal Commission, the San Francisco Bay Conservation and~~
14 ~~Development Commission, the Division of Oil, Gas, and~~
15 ~~Geothermal Resources, the Office of the State Fire Marshal, and~~
16 ~~the Public Utilities Commission, on any provision of this chapter,~~
17 ~~including the promulgation of all rules, regulations, guidelines,~~
18 ~~and policies.~~

19 ~~(b) The committee may study, comment on, or evaluate, at its~~
20 ~~own discretion, any aspect of oil spill prevention and response in~~
21 ~~the state. To the greatest extent possible, these studies shall be~~
22 ~~coordinated with studies being done by the federal government,~~
23 ~~the administrator, the State Lands Commission, the State Water~~
24 ~~Resources Control Board, and other appropriate state and~~
25 ~~international entities. Duplication with the efforts of other entities~~
26 ~~shall be minimized.~~

27 ~~(c) The committee may attend any drills called pursuant to~~
28 ~~Section 8670.10 or any oil spills, if practicable.~~

29 ~~(d) The committee shall report biennially to the Governor and~~
30 ~~the Legislature on its evaluation of oil spill response and~~
31 ~~preparedness programs within the state and may prepare and send~~
32 ~~any additional reports it determines to be appropriate to the~~
33 ~~Governor and the Legislature.~~

34 SEC. 52. Section 8670.56.5 of the Government Code is
35 amended to read:

36 ~~8670.56.5. (a) A responsible party, as defined in Section~~
37 ~~8670.3, shall be absolutely liable without regard to fault for any~~
38 ~~damages incurred by any injured party that arise out of, or are~~
39 ~~caused by a spill.~~

1 ~~(b) A responsible person is not liable to an injured party under~~
2 ~~this section for any of the following:~~

3 ~~(1) Damages, other than costs of removal incurred by the state~~
4 ~~or a local government, caused solely by any act of war, hostilities,~~
5 ~~civil war, or insurrection or by an unanticipated grave natural~~
6 ~~disaster or other act of God of an exceptional, inevitable, and~~
7 ~~irresistible character, that could not have been prevented or avoided~~
8 ~~by the exercise of due care or foresight.~~

9 ~~(2) Damages caused solely by the negligence or intentional~~
10 ~~malfeasance of that injured party.~~

11 ~~(3) Damages caused solely by the criminal act of a third party~~
12 ~~other than the defendant or an agent or employee of the defendant.~~

13 ~~(4) Natural seepage not caused by a responsible party.~~

14 ~~(5) Discharge or leaking of oil or natural gas from a private~~
15 ~~pleasure boat or vessel.~~

16 ~~(6) Damages that arise out of, or are caused by, a discharge that~~
17 ~~is authorized by a state or federal permit.~~

18 ~~(e) The defenses provided in subdivision (b) shall not be~~
19 ~~available to a responsible person who fails to comply with Sections~~
20 ~~8670.25, 8670.25.5, 8670.27, and 8670.62.~~

21 ~~(d) Upon motion and sufficient showing by a party deemed to~~
22 ~~be responsible under this section, the court shall join to the action~~
23 ~~any other party who may be responsible under this section.~~

24 ~~(e) In determining whether a party is a responsible party under~~
25 ~~this section, the court shall consider the results of chemical or other~~
26 ~~scientific tests conducted to determine whether oil or other~~
27 ~~substances produced, discharged, or controlled by the defendant~~
28 ~~matches the oil or other substance that caused the damage to the~~
29 ~~injured party. The defendant shall have the burden of producing~~
30 ~~the results of tests of samples of the substance that caused the~~
31 ~~injury and of substances for which the defendant is responsible,~~
32 ~~unless it is not possible to conduct the tests because of~~
33 ~~unavailability of samples to test or because the substance is not~~
34 ~~one for which reliable tests have been developed. At the request~~
35 ~~of a party, any other party shall provide samples of oil or other~~
36 ~~substances within its possession or control for testing.~~

37 ~~(f) The court may award reasonable costs of the suit, attorney's~~
38 ~~fees, and the costs of necessary expert witnesses to a prevailing~~
39 ~~plaintiff. The court may award reasonable costs of the suit and~~
40 ~~attorney's fees to a prevailing defendant if the court finds that the~~

1 plaintiff commenced or prosecuted the suit pursuant to this section
2 in bad faith or solely for purposes of harassing the defendant.

3 ~~(g) This section does not prohibit a person from bringing an
4 action for damages caused by oil or by exploration, under any
5 other provision or principle of law, including, but not limited to,
6 common law. However, damages shall not be awarded pursuant
7 to this section to an injured party for loss or injury for which the
8 party is or has been awarded damages under any other provision
9 or principle of law. Subdivision (b) does not create a defense not
10 otherwise available regarding an action brought under any other
11 provision or principle of law, including, but not limited to, common
12 law.~~

13 ~~(h) Damages for which responsible parties are liable under this
14 section include the following:~~

15 ~~(1) All costs of response, containment, cleanup, removal, and
16 treatment, including, but not limited to, monitoring and
17 administration costs incurred pursuant to the California oil spill
18 contingency plan or actions taken pursuant to directions by the
19 administrator.~~

20 ~~(2) Injury to, or economic losses resulting from destruction of
21 or injury to, real or personal property, which shall be recoverable
22 by any claimant who has an ownership or leasehold interest in
23 property.~~

24 ~~(3) Injury to, destruction of or loss of, natural resources,
25 including, but not limited to, the reasonable costs of rehabilitating
26 wildlife, habitat, and other resources and the reasonable costs of
27 assessing that injury, destruction, or loss, in an action brought by
28 the state, a county, city, or district. Damages for the loss of natural
29 resources may be determined by any reasonable method, including,
30 but not limited to, determination according to the costs of restoring
31 the lost resource.~~

32 ~~(4) Loss of subsistence use of natural resources, which shall be
33 recoverable by a claimant who so uses natural resources that have
34 been injured, destroyed, or lost.~~

35 ~~(5) Loss of taxes, royalties, rents, or net profit shares caused by
36 the injury, destruction, loss, or impairment of use of real property,
37 personal property, or natural resources.~~

38 ~~(6) Loss of profits or impairment of earning capacity due to the
39 injury, destruction, or loss of real property, personal property, or
40 natural resources, which shall be recoverable by any claimant who~~

1 derives at least 25 percent of his or her earnings from the activities
2 that utilize the property or natural resources, or, if those activities
3 are seasonal in nature, 25 percent of his or her earnings during the
4 applicable season.

5 ~~(7) Loss of use and enjoyment of natural resources, public
6 beaches, and other public resources or facilities, in an action
7 brought by the state, a county, city, or district.~~

8 ~~(i) Except as provided in Section 1431.2 of the Civil Code,
9 liability under this section shall be joint and several. However, this
10 section does not bar a cause of action that a responsible party has
11 or would have, by reason of subrogation or otherwise, against a
12 person.~~

13 ~~(j) This section does not apply to claims for damages for
14 personal injury or wrongful death, and does not limit the right of
15 a person to bring an action for personal injury or wrongful death
16 pursuant to any provision or principle of law.~~

17 ~~(k) Payments made by a responsible party to cover liabilities
18 arising from a discharge of oil, whether under this division or any
19 other provision of federal, state, or local law, shall not be charged
20 against royalties, rents, or net profits owed to the United States,
21 the state, or any other public entity.~~

22 ~~(l) An action that a private or public individual or entity may
23 have against a responsible party under this section may be brought
24 directly by the individual or entity or by the state on behalf of the
25 individual or entity. However, the state shall not pursue an action
26 on behalf of a private individual or entity that requests the state
27 not to pursue that action.~~

28 ~~(m) For purposes of this section, “vessels” means vessels as
29 defined in Section 21 of the Harbors and Navigation Code.~~

30 ~~SEC. 53.~~

31 *SEC. 12.* Section 8670.56.6 of the Government Code is
32 amended to read:

33 8670.56.6. (a) (1) Except as provided in subdivisions (b) and
34 (d), and subject to subdivision (c), a person, including, but not
35 limited to, an oil spill cooperative, its agents, subcontractors, or
36 employees, shall not be liable under this chapter or the laws of the
37 state to any person for costs, damages, or other claims or expenses
38 as a result of actions taken or omitted in good faith in the course
39 of rendering care, assistance, or advice in accordance with the
40 National Contingency Plan, the California oil spill contingency

1 plan, or at the direction of the administrator, onsite coordinator,
2 or the Coast Guard in response to a spill or threatened spill.

3 (2) The qualified immunity under this section shall not apply
4 to any oil spill response action that is inconsistent with the
5 following:

6 (A) The directions of the unified command, consisting of at
7 least the Coast Guard and the administrator.

8 (B) In the absence of a unified command, the directions of the
9 administrator pursuant to Section 8670.27.

10 (C) In the absence of directions pursuant to subparagraph (A)
11 or (B), applicable oil spill contingency plans implemented under
12 this division.

13 (3) Nothing in this section shall, in any manner or respect, affect
14 or impair any cause of action against or any liability of any person
15 or persons responsible for the spill, for the discharged oil, or for
16 the vessel, terminal, pipeline, or facility from which the oil was
17 discharged. The responsible person or persons shall remain liable
18 for any and all damages arising from the discharge, including
19 damages arising from improperly carried out response efforts, as
20 otherwise provided by law.

21 (b) Nothing in this section shall, in any manner or respect, affect
22 or impair any cause of action against or any liability of any party
23 or parties responsible for the spill, or the responsible party's agents,
24 employees, or subcontractors, except persons immunized under
25 subdivision (a) for response efforts, for the discharged oil, or for
26 the vessel, *truck*, terminal, pipeline, or facility from which the oil
27 was discharged.

28 (c) The responsible party or parties shall be subject to both of
29 the following:

30 (1) Notwithstanding subdivision (b) or (i) of Section 8670.56.5,
31 or any other law, be strictly and jointly and severally liable for all
32 damages arising pursuant to subdivision (h) of Section 8670.56.5
33 from the response efforts of its agents, employees, subcontractors,
34 or an oil spill cooperative of which it is a member or with which
35 it has a contract or other arrangement for cleanup of its oil spills,
36 unless it would have a defense to the original spill.

37 (2) Remain strictly liable for any and all damages arising from
38 the response efforts of a person other than a person specified in
39 paragraph (1).

1 (d) Nothing in this section shall immunize a cooperative or any
2 other person from liability for acts of gross negligence or willful
3 misconduct in connection with the cleanup of a spill.

4 (e) This section does not apply to any action for personal injury
5 or wrongful death.

6 (f) As used in this section, a “cooperative” means an
7 organization of private persons that is established for the primary
8 purpose and activity of preventing or rendering care, assistance,
9 or advice in response to a spill or threatened spill.

10 (g) Except for the responsible party, membership in a
11 cooperative shall not be grounds, in and of itself, for liability
12 resulting from cleanup activities of the cooperative.

13 (h) For purposes of this section, there shall be a rebuttable
14 presumption that an act or omission described in subdivision (a)
15 was taken in good faith.

16 (i) In any situation in which immunity is granted pursuant to
17 subdivision (a) and a responsible party is not liable, is not liable
18 for noneconomic damages caused by another, or is partially or
19 totally insolvent, the fund provided for in Article 7 (commencing
20 with Section 8670.46) shall reimburse, in accordance with its terms,
21 claims of any injured party for which a person who is granted
22 immunity pursuant to this section would otherwise be liable.

23 (j) (1) The immunity granted by this section shall only apply
24 to response efforts that are undertaken after the administrator
25 certifies that contracts with qualified and responsible persons are
26 in place to ensure an adequate and expeditious response to any
27 foreseeable oil spill that may occur in waters of the state for which
28 the responsible party (A) cannot be identified or (B) is unable or
29 unwilling to respond, contain, and clean up the oil spill in an
30 adequate and timely manner. In negotiating these contracts, the
31 administrator shall procure, to the maximum extent practicable,
32 the services of persons who are willing to respond to oil spills with
33 no, or lesser, immunity than that conferred by this section, but, in
34 no event, a greater immunity. The administrator shall make the
35 certification required by this subdivision on an annual basis. Upon
36 certification, the immunity conferred by this section shall apply
37 to all response efforts undertaken during the calendar year to which
38 the certification applies. In the absence of the certification required
39 by this subdivision, the immunity conferred by this section shall

1 not attach to any response efforts undertaken by any person in
2 waters of the state.

3 (2) In addition to the authority to negotiate contracts described
4 in paragraph (1), the administrator may also negotiate and enter
5 into indemnification agreements with qualified and financially
6 responsible persons to respond to oil spills that may occur in waters
7 of the state for which the responsible party (A) cannot be identified
8 or (B) is unable or unwilling to respond, contain, and clean up the
9 oil spill in an adequate and timely manner.

10 (3) The administrator may indemnify response contractors for
11 (A) all damages payable by means of settlement or judgment that
12 arise from response efforts to which the immunity conferred by
13 this section would otherwise apply, and (B) reasonably related
14 legal costs and expenses incurred by the responder, provided that
15 indemnification shall only apply to response efforts undertaken
16 after the expiration of any immunity that may exist as the result
17 of the contract negotiations authorized in this subdivision. In
18 negotiating these contracts, the administrator shall procure, to the
19 maximum extent practicable, the services of persons who are
20 willing to respond to oil spills with no, or as little, right to
21 indemnification as possible. All indemnification shall be paid by
22 the administrator from the Oil Spill Response Trust Fund.

23 (4) (A) The contracts required by this section, and any other
24 contracts entered into by the administrator for response,
25 containment, or cleanup of an existing spill, or for response of an
26 imminent threat of a spill, the payment of which is to be made
27 from the Oil Spill Response Trust Fund created pursuant to Section
28 8670.46, shall be exempt from Part 2 (commencing with Section
29 10100) of Division 2 of the Public Contract Code and Article 6
30 (commencing with Section 999) of Chapter 6 of Division 4 of the
31 Military and Veterans Code.

32 (B) The exemption specified in subparagraph (A) applies only
33 to contracts for which the services are used for a period of less
34 than 90 days, cumulatively, per year.

35 (C) This paragraph shall not be construed as limiting the
36 administrator's authority to exercise the emergency powers granted
37 pursuant to subdivision (c) of Section 8670.62, including the
38 authority to enter into emergency contracts that are exempt from
39 approval by the Department of General Services.

1 (k) (1) With regard to a person who is regularly engaged in the
2 business of responding to oil spills, the immunity conferred by
3 this section shall not apply to any response efforts by that person
4 that occur later than 60 days after the first day the person's response
5 efforts commence.

6 (2) Notwithstanding the limitation contained in paragraph (1),
7 the administrator may extend, upon making all the following
8 findings, the period of time, not to exceed 30 days, during which
9 the immunity conferred by this section applies to response efforts:

10 (A) Due to inadequate or incomplete containment and
11 stabilization, there exists a substantial probability that the size of
12 the spill will significantly expand and (i) threaten previously
13 uncontaminated resources, (ii) threaten already contaminated
14 resources with substantial additional contamination, or (iii)
15 otherwise endanger the public health and safety or harm the
16 environment.

17 (B) The remaining work is of a difficult or perilous nature that
18 extension of the immunity is clearly in the public interest.

19 (C) No other qualified and financially responsible contractor is
20 prepared and willing to complete the response effort in the absence
21 of the immunity, or a lesser immunity, as negotiated by contract.

22 (3) The administrator shall provide five days' notice of his or
23 her proposed decision to either extend, or not extend, the immunity
24 conferred by this section. Interested parties shall be given an
25 opportunity to present oral and written evidence at an informal
26 hearing. In making his or her proposed decision, the administrator
27 shall specifically seek and consider the advice of the relevant Coast
28 Guard representative. The administrator's decision to not extend
29 the immunity shall be announced at least 10 working days before
30 the expiration of the immunity to provide persons an opportunity
31 to terminate their response efforts as contemplated by paragraph
32 (4).

33 (4) A person or their agents, subcontractors, or employees shall
34 not incur any liability under this chapter or any other provision of
35 law solely as a result of that person's decision to terminate their
36 response efforts because of the expiration of the immunity
37 conferred by this section. A person's decision to terminate response
38 efforts because of the expiration of the immunity conferred by this
39 section shall not in any manner impair, curtail, limit, or otherwise
40 affect the immunity conferred on the person with regard to the

1 person's response efforts undertaken during the period of time the
2 immunity applied to those response efforts.

3 (5) The immunity granted under this section shall attach, without
4 the limitation contained in this subdivision, to the response efforts
5 of any person who is not regularly engaged in the business of
6 responding to oil spills. A person who is not regularly engaged in
7 the business of responding to oil spills includes, but is not limited
8 to, (A) a person who is primarily dedicated to the preservation and
9 rehabilitation of wildlife and (B) a person who derives his or her
10 livelihood primarily from fishing.

11 (l) As used in this section, "response efforts" means rendering
12 care, assistance, or advice in accordance with the National
13 Contingency Plan, the California oil spill contingency plan, or at
14 the direction of the administrator, United States Environmental
15 Protection Agency, or the Coast Guard in response to a spill or
16 threatened spill into waters of the state.

17 ~~SEC. 54. Section 8670.61.5 of the Government Code is~~
18 ~~amended to read:~~

19 ~~8670.61.5. (a) For purposes of this chapter, "wildlife~~
20 ~~rehabilitation" means those actions that are necessary to fully~~
21 ~~mitigate for the damage from a spill caused to wildlife, fisheries,~~
22 ~~wildlife habitat, and fisheries habitat.~~

23 ~~(b) Responsible parties shall fully mitigate adverse impacts to~~
24 ~~wildlife, fisheries, wildlife habitat, and fisheries habitat. Full~~
25 ~~mitigation shall be provided by successfully carrying out~~
26 ~~environmental projects or funding restoration activities required~~
27 ~~by the administrator in carrying out projects complying with the~~
28 ~~requirements of this section. Responsible parties are also liable~~
29 ~~for the costs incurred by the administrator or other government~~
30 ~~agencies in carrying out this section.~~

31 ~~(c) If any significant wildlife rehabilitation is necessary, the~~
32 ~~administrator may require the responsible party to prepare and~~
33 ~~submit to the administrator, and to implement, a wildlife~~
34 ~~rehabilitation plan. The plan shall describe the actions that will be~~
35 ~~implemented to fully meet the requirements of subdivision (b),~~
36 ~~describe contingency measures that will be carried out in the event~~
37 ~~that any of the plan actions are not fully successful, provide a~~
38 ~~reasonable implementation schedule, describe the monitoring and~~
39 ~~compliance program, and provide a financing plan. The~~
40 ~~administrator shall review and determine whether to approve the~~

1 plan within 60 days of submittal. Before approving a plan, the
2 administrator shall first find that the implementation of the plan
3 will fully mitigate the adverse impacts to wildlife, fisheries, wildlife
4 habitat, and fisheries habitat. If the habitat contains beaches that
5 are or were used for recreational purposes, the Department of Parks
6 and Recreation shall review the plan and provide comments to the
7 administrator.

8 (d) The plan shall place first priority on avoiding and minimizing
9 any adverse impacts. For impacts that do occur, the plan shall
10 provide for full onsite restoration of the damaged resource to the
11 extent feasible. To the extent that full onsite restoration is not
12 feasible, the plan shall provide for offsite in-kind mitigation to the
13 extent feasible. To the extent that adverse impacts still have not
14 been fully mitigated, the plan shall provide for the enhancement
15 of other similar resources to the extent necessary to meet the
16 requirements of subdivision (b). In evaluating whether a wildlife
17 rehabilitation plan is adequate, the administrator may use the
18 habitat evaluation methods or procedures established by the United
19 States Fish and Wildlife Service or any other reasonable methods
20 as determined by the Department of Fish and Wildlife.

21 (e) The administrator shall prepare regulations to implement
22 this section. The regulations shall include deadlines for the
23 submittal of plans. In establishing the deadlines, the administrator
24 shall consider circumstances such as the size of the spill and the
25 time needed to assess damage and mitigation.

26 SEC. 55. Section 8670.62 of the Government Code is amended
27 to read:

28 8670.62. (a) Any person who discharges oil into waters of the
29 state, upon order of the administrator, shall do all of the following:

- 30 (1) Clean up the oil.
- 31 (2) Abate the effects of the discharge.
- 32 (3) In the case of a threatened discharge, take other necessary
33 remedial action.

34 (b) Upon failure of any person to comply with a cleanup or
35 abatement order, the Attorney General or a district attorney, at the
36 request of the administrator, shall petition the superior court for
37 that county for the issuance of an injunction requiring the person
38 to comply with the order. In any suit, the court shall have
39 jurisdiction to grant a prohibitory or mandatory injunction, either
40 preliminary or permanent, as the facts may warrant.

1 ~~(e) Consistent with the state contingency plan, the administrator~~
2 ~~may expend available money to perform any response;~~
3 ~~containment; cleanup; wildlife rehabilitation, which includes~~
4 ~~assessment of resource injuries and damages, or remedial work~~
5 ~~required pursuant to subdivision (a) that, in the administrator's~~
6 ~~judgment, is required by the circumstances or the urgency of~~
7 ~~prompt action required to prevent pollution, nuisance, or injury to~~
8 ~~the environment of the state. The action may be taken in default~~
9 ~~of, or in addition to, remedial work by the responsible party or~~
10 ~~other persons, and regardless of whether injunctive relief is sought.~~
11 ~~The administrator may perform the work in cooperation with any~~
12 ~~other governmental agency, and may use rented tools or equipment,~~
13 ~~either with or without operators furnished. Notwithstanding any~~
14 ~~other law, the administrator may enter into oral contracts for the~~
15 ~~work, and the contracts, whether written or oral, may include~~
16 ~~provisions for equipment rental and the furnishing of labor and~~
17 ~~materials necessary to accomplish the work. The contracts shall~~
18 ~~be exempt from Part 2 (commencing with Section 10100) of~~
19 ~~Division 2 of the Public Contract Code and Article 6 (commencing~~
20 ~~with Section 999) of Chapter 6 of Division 4 of the Military and~~
21 ~~Veterans Code.~~

22 ~~(d) If the discharge is cleaned up, or attempted to be cleaned~~
23 ~~up, the effects thereof abated, or, in the case of threatened pollution~~
24 ~~or nuisance, other necessary remedial action is taken by any~~
25 ~~governmental agency, the person or persons who discharged the~~
26 ~~waste, discharged the oil, or threatened to cause or permit the~~
27 ~~discharge of the oil within the meaning of subdivision (a) shall be~~
28 ~~liable to that governmental agency for the reasonable costs actually~~
29 ~~incurred in cleaning up that waste, abating the effects thereof, or~~
30 ~~taking other remedial action. The amount of the costs shall be~~
31 ~~recoverable in a civil action by, and paid to, the applicable~~
32 ~~governmental agency and the administrator, to the extent the~~
33 ~~administrator contributed to the cleanup costs from the Oil Spill~~
34 ~~Response Trust Fund or other available funds.~~

35 ~~(e) If, despite reasonable effort by the administrator to identify~~
36 ~~the party responsible for the discharge of oil or the condition of~~
37 ~~pollution or nuisance, the person is not identified at the time~~
38 ~~cleanup, abatement, or remedial work must be performed, the~~
39 ~~administrator shall not be required to issue an order under this~~

1 ~~section. The absence of a responsible party shall not in any way~~
2 ~~limit the powers of the administrator under this section.~~

3 ~~(f) For purposes of this section, “threaten” means a condition~~
4 ~~creating a substantial probability of harm, when the probability~~
5 ~~and potential extent of harm makes it reasonably necessary to take~~
6 ~~immediate action to prevent, reduce, or mitigate damages to~~
7 ~~persons, property, or natural resources.~~

8 ~~SEC. 56. Section 8670.64 of the Government Code is amended~~
9 ~~to read:~~

10 ~~8670.64. (a) A person who commits any of the following acts~~
11 ~~shall, upon conviction, be punished by imprisonment in a county~~
12 ~~jail for not more than one year or by imprisonment pursuant to~~
13 ~~subdivision (h) of Section 1170 of the Penal Code:~~

14 ~~(1) Except as provided in Section 8670.27, knowingly fails to~~
15 ~~follow the direction or orders of the administrator in connection~~
16 ~~with an oil spill.~~

17 ~~(2) Knowingly fails to notify the Coast Guard that a vessel is~~
18 ~~disabled within one hour of the disability and the vessel, while~~
19 ~~disabled, causes a discharge of oil that enters marine waters. For~~
20 ~~purposes of this paragraph, “vessel” means a vessel, as defined in~~
21 ~~Section 21 of the Harbors and Navigation Code, of 300 gross tons~~
22 ~~or more.~~

23 ~~(3) Knowingly engages in or causes the discharge or spill of oil~~
24 ~~into waters of the state, or a person who reasonably should have~~
25 ~~known that he or she was engaging in or causing the discharge or~~
26 ~~spill of oil into waters of the state, unless the discharge is~~
27 ~~authorized by the United States, the state, or another agency with~~
28 ~~appropriate jurisdiction.~~

29 ~~(4) Knowingly fails to begin cleanup, abatement, or removal of~~
30 ~~spilled oil as required in Section 8670.25.~~

31 ~~(b) The court shall also impose upon a person convicted of~~
32 ~~violating subdivision (a), a fine of not less than five thousand~~
33 ~~dollars (\$5,000) or more than five hundred thousand dollars~~
34 ~~(\$500,000) for each violation. For purposes of this subdivision,~~
35 ~~each day or partial day that a violation occurs is a separate~~
36 ~~violation.~~

37 ~~(c) (1) A person who knowingly does any of the acts specified~~
38 ~~in paragraph (2) shall, upon conviction, be punished by a fine of~~
39 ~~not less than two thousand five hundred dollars (\$2,500) or more~~
40 ~~than two hundred fifty thousand dollars (\$250,000), or by~~

1 imprisonment in a county jail for not more than one year, or by
2 both the fine and imprisonment. Each day or partial day that a
3 violation occurs is a separate violation. If the conviction is for a
4 second or subsequent violation of this subdivision, the person shall
5 be punished by imprisonment pursuant to subdivision (h) of Section
6 1170 of the Penal Code, or in a county jail for not more than one
7 year, or by a fine of not less than five thousand dollars (\$5,000)
8 or more than five hundred thousand dollars (\$500,000), or by both
9 that fine and imprisonment:

10 (2) The acts subject to this subdivision are all of the following:

11 (A) Failing to notify the Office of Emergency Services in
12 violation of Section 8670.25.5.

13 (B) Knowingly making a false or misleading oil spill report to
14 the Office of Emergency Services.

15 (C) Continuing operations for which an oil spill contingency
16 plan is required without an oil spill contingency plan approved
17 pursuant to Article 5 (commencing with Section 8670.28).

18 (D) Except as provided in Section 8670.27, knowingly failing
19 to follow the material provisions of an applicable oil spill
20 contingency plan.

21 SEC. 57. Section 8670.66 of the Government Code is amended
22 to read:

23 8670.66. (a) Any person who intentionally or negligently does
24 any of the following acts shall be subject to a civil penalty for a
25 spill of not less than fifty thousand dollars (\$50,000) or more than
26 one million dollars (\$1,000,000), for each violation, and each day
27 or partial day that a violation occurs is a separate violation:

28 (1) Except as provided in Section 8670.27, fails to follow the
29 direction or orders of the administrator in connection with a spill
30 or inland spill.

31 (2) Fails to notify the Coast Guard that a vessel is disabled
32 within one hour of the disability and the vessel, while disabled,
33 causes a spill that enters waters of the state. For purposes of this
34 paragraph, "vessel" means a vessel, as defined in Section 21 of
35 the Harbors and Navigation Code, of 300 gross tons or more.

36 (3) Is responsible for a spill, unless the discharge is authorized
37 by the United States, the state, or other agency with appropriate
38 jurisdiction.

39 (4) Fails to begin cleanup, abatement, or removal of oil as
40 required in Section 8670.25.

1 ~~(b) Except as provided in subdivision (a), any person who~~
2 ~~intentionally or negligently violates any provision of this chapter,~~
3 ~~or Division 7.8 (commencing with Section 8750) of the Public~~
4 ~~Resources Code, or any permit, rule, regulation, standard, or~~
5 ~~requirement issued or adopted pursuant to those provisions, shall~~
6 ~~be liable for a civil penalty not to exceed two hundred fifty~~
7 ~~thousand dollars (\$250,000) for each violation of a separate~~
8 ~~provision, or, for continuing violations, for each day that violation~~
9 ~~continues.~~

10 ~~(c) A person shall not be liable for a civil penalty imposed under~~
11 ~~this section and for a civil penalty imposed pursuant to Section~~
12 ~~8670.67 for the same act or failure to act.~~

13 ~~SEC. 58. Section 8670.67 of the Government Code is amended~~
14 ~~to read:~~

15 ~~8670.67. (a) Any person who intentionally or negligently does~~
16 ~~any of the following acts shall be subject to an administrative civil~~
17 ~~penalty for a spill not to exceed two hundred thousand dollars~~
18 ~~(\$200,000), for each violation as imposed by the administrator~~
19 ~~pursuant to Section 8670.68, and each day or partial day that a~~
20 ~~violation occurs is a separate violation:~~

21 ~~(1) Except as provided in Section 8670.27, fails to follow the~~
22 ~~applicable contingency plans or the direction or orders of the~~
23 ~~administrator in connection with a spill or inland spill.~~

24 ~~(2) Fails to notify the Coast Guard that a vessel is disabled~~
25 ~~within one hour of the disability and the vessel, while disabled,~~
26 ~~causes a discharge that enters waters of the state or inland waters.~~
27 ~~For purposes of this paragraph, "vessel" means a vessel, as defined~~
28 ~~in Section 21 of the Harbors and Navigation Code, of 300 gross~~
29 ~~tons or more.~~

30 ~~(3) Is responsible for a spill, unless the discharge is authorized~~
31 ~~by the United States, the state, or other agency with appropriate~~
32 ~~jurisdiction.~~

33 ~~(4) Fails to begin cleanup, abatement, or removal of spilled oil~~
34 ~~as required by Section 8670.25.~~

35 ~~(b) Except as provided in subdivision (a), any person who~~
36 ~~intentionally or negligently violates any provision of this chapter,~~
37 ~~or Division 7.8 (commencing with Section 8750) of the Public~~
38 ~~Resources Code, or any permit, rule, regulation, standard, cease~~
39 ~~and desist order, or requirement issued or adopted pursuant to~~
40 ~~those provisions, shall be liable for an administrative civil penalty~~

1 as imposed by the administrator pursuant to Section 8670.68, not
2 to exceed one hundred thousand dollars (\$100,000) for each
3 violation of a separate provision, or, for continuing violations, for
4 each day that violation continues.

5 (e) A person shall not be liable for a civil penalty imposed
6 under this section and for a civil penalty imposed pursuant to
7 Section 8670.66 for the same act or failure to act.

8 SEC. 59. Section 8670.67.5 of the Government Code is
9 amended to read:

10 8670.67.5. (a) Any person who without regard to intent or
11 negligence causes or permits a spill shall be strictly liable civilly
12 in accordance with subdivision (b) or (c).

13 (b) A penalty may be administratively imposed by the
14 administrator in accordance with Section 8670.68 in an amount
15 not to exceed twenty dollars (\$20) per gallon for a spill. The
16 amount of the penalty shall be reduced for every gallon of released
17 oil that is recovered and properly disposed of in accordance with
18 applicable law.

19 (c) Whenever the release of oil resulted from gross negligence
20 or reckless conduct, the administrator shall, in accordance with
21 Section 8670.68, impose a penalty in an amount not to exceed
22 sixty dollars (\$60) per gallon for a spill. The amount of the penalty
23 shall be reduced for every gallon of released oil that is recovered
24 and properly disposed of in accordance with applicable law.

25 (d) The administrator shall adopt regulations governing the
26 method for determining the amount of oil that is cleaned up.

27 SEC. 60. Section 8670.69.4 of the Government Code is
28 amended to read:

29 8670.69.4. (a) When the administrator determines that any
30 person has undertaken, or is threatening to undertake, any activity
31 or procedure that (1) requires a permit, certificate, approval, or
32 authorization under this chapter, without securing a permit,
33 certificate, approval, or authorization, or (2) is inconsistent with
34 any of the permits, certificates, rules, regulations, guidelines, or
35 authorizations previously issued or adopted by the administrator,
36 or (3) threatens to cause or substantially increases the risk of
37 unauthorized discharge of oil into the waters of the state, the
38 administrator may issue an order requiring that person to cease
39 and desist.

1 ~~(b) Any cease and desist order issued by the administrator may~~
2 ~~be subject to terms and conditions as the administrator may~~
3 ~~determine are necessary to ensure compliance with this division.~~

4 ~~(c) Any cease and desist order issued by the administrator shall~~
5 ~~become null and void 90 days after issuance.~~

6 ~~(d) A cease and desist order issued by the administrator shall~~
7 ~~be effective upon the issuance thereof, and copies shall be served~~
8 ~~immediately by certified mail upon the person or governmental~~
9 ~~agency being charged with the actual or threatened violation.~~

10 ~~(e) Any cease and desist order issued by the administrator shall~~
11 ~~be consistent with subdivision (a) of Section 8670.27.~~

12 ~~SEC. 61. Section 8670.69.7 of the Government Code is~~
13 ~~repealed.~~

14 ~~SEC. 62. Section 8670.71 of the Government Code is amended~~
15 ~~to read:~~

16 ~~8670.71. (a) The administrator shall fund only those projects~~
17 ~~approved by the Environmental Enhancement Committee.~~

18 ~~(b) For purposes of this article, an enhancement project is a~~
19 ~~project that acquires habitat for preservation, or improves habitat~~
20 ~~quality and ecosystem function above baseline conditions, and that~~
21 ~~meets all of the following requirements:~~

22 ~~(1) Is located within or immediately adjacent to waters of the~~
23 ~~state, as defined in Section 8670.3.~~

24 ~~(2) Has measurable outcomes within a predetermined timeframe.~~

25 ~~(3) Is designed to acquire, restore, or improve habitat or restore~~
26 ~~ecosystem function, or both, to benefit fish and wildlife.~~

27 ~~SEC. 63. Section 8670.95 is added to the Government Code,~~
28 ~~to read:~~

29 ~~8670.95. If any provision of this chapter or the application~~
30 ~~thereof to any person or circumstances is held invalid, that~~
31 ~~invalidity shall not affect other provisions or applications of the~~
32 ~~chapter that can be given effect without the invalid provision or~~
33 ~~application, and to this end the provisions of this chapter are~~
34 ~~severable.~~

35 ~~SEC. 64. Section 449 of the Harbors and Navigation Code is~~
36 ~~amended to read:~~

37 ~~449. (a) The marine exchange and its officers and directors~~
38 ~~are subject to Section 5047.5 of the Corporations Code to the extent~~
39 ~~that the marine exchange meets the criteria specified in that section.~~

1 ~~(b) Nothing in this section shall be deemed to include the marine~~
2 ~~exchange or its officers, directors, employees, or representatives~~
3 ~~within the meaning of “responsible party” as defined in Section~~
4 ~~8670.3 of the Government Code and subdivision (p) of Section~~
5 ~~8750 of the Public Resources Code for the purposes of the~~
6 ~~Lempert-Keene-Seastrand Oil Spill Prevention and Response Act~~
7 ~~(Article 3.5 (commencing with Section 8574.1) of Chapter 7 and~~
8 ~~Chapter 7.4 (commencing with Section 8670.1) of Division 1 of~~
9 ~~Title 2 of the Government Code and Division 7.8 (commencing~~
10 ~~with Section 8750) of the Public Resources Code).~~

11 ~~SEC. 65.~~

12 *SEC. 13.* Section 765.5 of the Public Utilities Code is amended
13 to read:

14 765.5. (a) The purpose of this section is to provide that the
15 commission takes all appropriate action necessary to ensure the
16 safe operation of railroads in this state.

17 (b) The commission shall dedicate sufficient resources necessary
18 to adequately carry out the State Participation Program for the
19 regulation of rail transportation of hazardous materials as
20 authorized by the Hazardous Material Transportation Uniform
21 Safety Act of 1990 (P.L. 101-615).

22 (c) On or before July 1, 1992, the commission shall hire a
23 minimum of six additional rail inspectors who are or shall become
24 federally certified, consisting of three additional motive power
25 and equipment inspectors, two signal inspectors, and one operating
26 practices inspector, for the purpose of enforcing compliance by
27 railroads operating in this state with state and federal safety
28 regulations.

29 (d) On or before July 1, 1992, the commission shall establish,
30 by regulation, a minimum inspection standard to ensure, at the
31 time of inspection, that railroad locomotives, equipment, and
32 facilities located in class I railroad yards in California will be
33 inspected not less frequently than every 120 days, and inspection
34 of all branch and main line track not less frequently than every 12
35 months.

36 (e) Commencing July 1, 2008, in addition to the minimum
37 inspections undertaken pursuant to subdivision (d), the commission
38 shall conduct focused inspections of railroad yards and track, either
39 in coordination with the Federal Railroad Administration or as the
40 commission determines to be necessary. The focused inspection

1 program shall target railroad yards and track that pose the greatest
2 safety risk, based on inspection data, accident history, and rail
3 traffic density.

4 (f) Commencing January 1, 2015, in addition to the inspections
5 undertaken pursuant to subdivisions (d) and (e), the commission
6 shall conduct expanded focused inspections, either in coordination
7 with the Federal Railroad Administration or as the commission
8 determines to be necessary, of bridges and grade crossings over
9 which oil is being transported and oil unloading facilities, including
10 movement within these facilities and onside storage. The expanded
11 focused inspection program shall target bridges, grade crossings,
12 and oil unloading facilities that pose the greatest safety risk, based
13 on inspection data, accident history, and rail traffic density.

14 (g) The commission may regulate essential local safety hazards
15 for the transport of oil more stringently than federal regulation,
16 pursuant to Section 20106 of Title 49 of the United States Code.

17 ~~SEC. 66.~~

18 *SEC. 14.* Section 7711 of the Public Utilities Code is amended
19 to read:

20 7711. The commission shall annually report to the Legislature,
21 on or before July 1, on sites on railroad lines in the state it finds
22 to be hazardous. The report shall include, but not be limited to,
23 information on all of the following:

24 (a) A list of all railroad derailment accident sites in the state on
25 which accidents have occurred within at least the previous five
26 years. The list shall describe the nature and probable causes of the
27 accidents, if known, and shall indicate whether the accidents
28 occurred at or near sites that the commission has determined,
29 pursuant to subdivision (b), pose a local safety hazard.

30 (b) A list of all railroad sites in the state that the commission
31 determines, pursuant to Section 20106 of Title 49 of the United
32 States Code, pose a local safety hazard. The commission may
33 submit in the annual report the list of railroad sites submitted in
34 the immediate prior year annual report, and may amend or revise
35 that list from the immediate prior year as necessary. Factors that
36 the commission shall consider in determining a local safety hazard
37 may include, but need not be limited to, all of the following:

38 (1) The severity of grade and curve of track.

39 (2) The value of special skills of train operators in negotiating
40 the particular segment of railroad line.

1 (3) The value of special railroad equipment in negotiating the
2 particular segment of railroad line.

3 (4) The types of commodities transported on or near the
4 particular segment of railroad line.

5 (5) The hazard posed by the release of the commodity into the
6 environment.

7 (6) The value of special railroad equipment in the process of
8 safely loading, transporting, storing, or unloading potentially
9 hazardous commodities.

10 (7) The proximity of railroad activity to human activity or
11 sensitive environmental areas.

12 (8) A list of the root causes and significant contributing factors
13 of all train accidents or derailments investigated.

14 (c) In determining which railroad sites pose a local safety hazard
15 pursuant to subdivision (b), the commission shall consider the
16 history of accidents at or near the sites. The commission shall not
17 limit its determination to sites at which accidents have already
18 occurred, but shall identify potentially hazardous sites based on
19 the criteria enumerated in subdivision (b) and all other criteria that
20 the commission determines influence railroad safety. The
21 commission shall also consider whether any local safety hazards
22 at railroad sites have been eliminated or sufficiently remediated
23 to warrant removal of the site from the list required under
24 subdivision (b).

25 (d) The timing, nature, and status of the remediation of defects
26 and violations of federal and state law related to the transport and
27 delivery of oil detected by the commission through its inspections.

28 ~~SEC. 67.— Section 46002 of the Revenue and Taxation Code is~~
29 ~~amended to read:~~

30 ~~46002.— The collection and administration of the fees referred~~
31 ~~to in Sections 46051 and 46052 shall be governed by the definitions~~
32 ~~contained in Chapter 7.4 (commencing with Section 8670.1) of~~
33 ~~Division 1 of Title 2 of the Government Code and this part.~~

34 ~~SEC. 68.— Section 46006 of the Revenue and Taxation Code is~~
35 ~~amended to read:~~

36 ~~46006.— “Administrator” means the person appointed by the~~
37 ~~Governor pursuant to Section 8670.4 of the Government Code to~~
38 ~~implement the Lempert-Keene-Seastrand Oil Spill Prevention and~~
39 ~~Response Act (Chapter 7.4 (commencing with Section 8670.1) of~~
40 ~~Division 1 of Title 2 of the Government Code).~~

1 ~~SEC. 69.~~ Section 46007 of the Revenue and Taxation Code is
2 amended to read:

3 46007. “Barges” means vessels that carry oil in commercial
4 quantities as cargo but are not equipped with a means of
5 self-propulsion.

6 ~~SEC. 70.~~ Section 46008 of the Revenue and Taxation Code is
7 repealed.

8 ~~SEC. 71.~~ Section 46010 of the Revenue and Taxation Code is
9 amended to read:

10 46010. “Crude oil” means petroleum in an unrefined or natural
11 state, including condensate and natural gasoline, and including
12 substances that enhance, cut, thin, or reduce viscosity.

13 ~~SEC. 72.~~ Section 46011 of the Revenue and Taxation Code is
14 repealed.

15 ~~SEC. 73.~~ Section 46011 is added to the Revenue and Taxation
16 Code, to read:

17 46011. (a) “Facility” means any of the following located in
18 state waters or located where an oil spill may impact state waters:

19 (1) A building, structure, installation, or equipment used in oil
20 exploration, oil well drilling operations, oil production, oil refining,
21 oil storage, oil gathering, oil processing, oil transfer, oil
22 distribution, or oil transportation.

23 (2) A marine terminal.

24 (3) A pipeline that transports oil.

25 (4) A railroad that transports oil as cargo.

26 (5) A drill ship, semisubmersible drilling platform, jack-up type
27 drilling rig, or any other floating or temporary drilling platform.

28 (b) “Facility” does not include any of the following:

29 (1) A vessel, except a vessel located and used for any purpose
30 described in paragraph (5) of subdivision (a).

31 (2) An owner or operator subject to Chapter 6.67 (commencing
32 with Section 25270) of or Chapter 6.75 (commencing with Section
33 25299.10) of Division 20 of the Health and Safety Code.

34 (3) Operations on a farm, nursery, logging site, or construction
35 site that are either of the following:

36 (A) Do not exceed 20,000 gallons in a single storage tank.

37 (B) Have a useable tank storage capacity not exceeding 75,000
38 gallons.

39 (4) A small craft refueling dock.

1 ~~SEC. 74.~~ Section 46013 of the Revenue and Taxation Code is
2 amended to read:

3 46013. “Feepayer” means any person liable for the payment
4 of a fee imposed by either Section 8670.40 or 8670.48 of the
5 Government Code.

6 ~~SEC. 75.~~ Section 46014 of the Revenue and Taxation Code is
7 repealed.

8 ~~SEC. 76.~~ Section 46015 of the Revenue and Taxation Code is
9 repealed.

10 ~~SEC. 77.~~ Section 46016 of the Revenue and Taxation Code is
11 repealed.

12 ~~SEC. 78.~~ Section 46017 of the Revenue and Taxation Code is
13 amended to read:

14 46017. “Marine terminal” means any facility used for
15 transferring crude oil or petroleum products to or from tankers or
16 barges. For purposes of this part, a marine terminal includes all
17 piping not integrally connected to a tank facility as defined in
18 subdivision (n) of Section 25270.2 of the Health and Safety Code.

19 ~~SEC. 79.~~ Section 46018 of the Revenue and Taxation Code is
20 repealed.

21 ~~SEC. 80.~~ Section 46018 is added to the Revenue and Taxation
22 Code, to read:

23 46018. “Oil” means any kind of petroleum, liquid
24 hydrocarbons, or petroleum products or any fraction or residues
25 therefrom, including, but not limited to, crude oil, bunker fuel,
26 gasoline, diesel fuel, aviation fuel, oil sludge, oil refuse, oil mixed
27 with waste, and liquid distillates from unprocessed natural gas.

28 ~~SEC. 81.~~ Section 46019 of the Revenue and Taxation Code is
29 repealed.

30 ~~SEC. 82.~~ Section 46023 of the Revenue and Taxation Code is
31 amended to read:

32 46023. “Refinery” means a facility that refines crude oil,
33 including condensate and natural gasoline, into petroleum products,
34 lubricating oils, coke, or asphalt.

35 ~~SEC. 83.~~ Section 46024 of the Revenue and Taxation Code is
36 repealed.

37 ~~SEC. 84.~~ Section 46025 of the Revenue and Taxation Code is
38 repealed.

39 ~~SEC. 85.~~ Section 46027 of the Revenue and Taxation Code is
40 repealed.

1 ~~SEC. 86. Section 46027 is added to the Revenue and Taxation~~
2 ~~Code, to read:~~

3 ~~46027. “State waters” or “waters of the state” means any~~
4 ~~surface water, including saline waters, marine waters, and~~
5 ~~freshwaters, within the boundaries of the state but does not include~~
6 ~~groundwater.~~

7 ~~SEC. 87. Section 46028 of the Revenue and Taxation Code is~~
8 ~~amended to read:~~

9 ~~46028. “Tanker” means a self-propelled vessel that is~~
10 ~~constructed or adapted for the carriage of oil in bulk or in~~
11 ~~commercial quantities as cargo.~~

12 ~~SEC. 88. Section 46101 of the Revenue and Taxation Code is~~
13 ~~amended to read:~~

14 ~~46101. Every person who operates a refinery in this state, a~~
15 ~~marine terminal in waters of the state, or operates a pipeline to~~
16 ~~transport crude oil or petroleum products out of the state shall~~
17 ~~register with the board.~~

18 ~~SEC. 89. Section 13272 of the Water Code is amended to read:~~

19 ~~13272. (a) Except as provided by subdivision (b), any person~~
20 ~~who, without regard to intent or negligence, causes or permits any~~
21 ~~oil or petroleum product to be discharged in or on any waters of~~
22 ~~the state, or discharged or deposited where it is, or probably will~~
23 ~~be, discharged in or on any waters of the state, shall, as soon as~~
24 ~~(1) that person has knowledge of the discharge, (2) notification is~~
25 ~~possible, and (3) notification can be provided without substantially~~
26 ~~impeding cleanup or other emergency measures, immediately~~
27 ~~notify the Office of Emergency Services of the discharge in~~
28 ~~accordance with the spill reporting provision of the California oil~~
29 ~~spill contingency plan adopted pursuant to Article 3.5 (commencing~~
30 ~~with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the~~
31 ~~Government Code.~~

32 ~~(b) The notification required by this section shall not apply to~~
33 ~~a discharge in compliance with waste discharge requirements or~~
34 ~~other provisions of this division.~~

35 ~~(c) Any person who fails to provide the notice required by this~~
36 ~~section is guilty of a misdemeanor and shall be punished by a fine~~
37 ~~of not less than five hundred dollars (\$500) or more than five~~
38 ~~thousand dollars (\$5,000) per day for each day of failure to notify,~~
39 ~~or imprisonment of not more than one year, or both. Except where~~
40 ~~a discharge to the waters of this state would have occurred but for~~

1 cleanup or emergency response by a public agency, this subdivision
2 shall not apply to any discharge to land that does not result in a
3 discharge to the waters of this state. This subdivision shall not
4 apply to any person who is fined by the federal government for a
5 failure to report a discharge of oil.

6 (d) Notification received pursuant to this section or information
7 obtained by use of that notification shall not be used against any
8 person providing the notification in any criminal case, except in
9 a prosecution for perjury or giving a false statement.

10 (e) Immediate notification to the appropriate regional board of
11 the discharge, in accordance with reporting requirements set under
12 Section 13267 or 13383, shall constitute compliance with the
13 requirements of subdivision (a).

14 (f) The reportable quantity for oil or petroleum products shall
15 be one barrel (42 gallons) or more, by direct discharge to the
16 receiving waters, unless a more restrictive reporting standard for
17 a particular body of water is adopted.

18 ~~SEC. 90.~~

19 *SEC. 15.* Nothing in this act is intended to limit the police
20 power or other authority of a local government or government
21 regulator to enforce any other state or federal environmental law
22 or regulation.

23 ~~SEC. 91. (a) The Director of Finance may make available for~~
24 ~~expenditure in the 2014–15 fiscal year from the Oil Spill Prevention~~
25 ~~and Administration Fund, established pursuant to Section 8670.38~~
26 ~~of the Government Code, an augmentation of Item 0860-001-0320~~
27 ~~of the Budget Act of 2014 in an amount equal to the reasonable~~
28 ~~costs incurred by the State Board of Equalization associated with~~
29 ~~amendments made to Section 8670.40 of the Government Code~~
30 ~~in the 2013–14 Regular Session.~~

31 ~~(b) Any augmentation shall be authorized no sooner than 30~~
32 ~~days following the transmittal of the approval to the Chairperson~~
33 ~~of the Joint Legislative Budget Committee.~~

34 ~~SEC. 92.~~

35 *SEC. 16.* No reimbursement is required by this act pursuant to
36 Section 6 of Article XIII B of the California Constitution because
37 the only costs that may be incurred by a local agency or school
38 district will be incurred because this act creates a new crime or
39 infraction, eliminates a crime or infraction, or changes the penalty
40 for a crime or infraction, within the meaning of Section 17556 of

1 the Government Code, or changes the definition of a crime within
2 the meaning of Section 6 of Article XIII B of the California
3 Constitution.

4 *SEC. 17. This act shall not become operative unless Senate*
5 *Bill 861 of the 2013–14 Regular Session is enacted and becomes*
6 *operative.*

O



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: AB 380 (Dickinson), as amended 6/16/14, Spill Response For Railroads

RECOMMENDATION(S):

CONSIDER adopting a position on AB 380 (Dickinson), as amended 6/16/14, Spill Response For Railroads, a bill that requires a rail carrier to report specified information regarding the transportation of hazardous materials to the Office of Emergency Services, to maintain a response management communications center, and to provide the office with a hazardous materials emergency response plan, as recommended by the Hazardous Materials Program Director.

FISCAL IMPACT:

Unknown.

BACKGROUND:

2013 CA A 380: Bill Analysis - 06/02/2014 - Senate Environmental Quality Committee, Hearing Date 06/04/2014

SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Jerry Hill, Chair
2013-2014 Regular Session

BILL NO: AB 380
AUTHOR: Dickinson
AMENDED: May 28, 2014
FISCAL:

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: L. DeLaney,
925-335-1097

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Yes

HEARING DATE: June 4, 2014

URGENCY: No

CONSULTANT: Karen Morrison

SUBJECT: HAZARDOUS MATERIALS: EMERGENCY RESPONSE

SUMMARY:

Existing federal law:

- 1) Requires that laws related to railroad safety shall be nationally uniform "to the extent practicable" and allows a state to adopt an additional or more stringent law under certain conditions when not preempted by the federal act (49 U.S.C. Section 20101 et seq.).
- 2) Requires each state to have a State Emergency Response Commission (SERC) to coordinate and supervise federal programs related to hazardous material emergencies and ensure public availability of appropriate chemical information (42 U.S.C. Section ;11001-11050).
- 3) Regulates hazardous materials transportation and requires inspection of shipments by rail under regulations developed by the federal Pipeline and Hazardous Materials Safety Administration (PHMSA, 49 U.S.C. Section 5101 et seq.).
- 4) Defines certain information related to transportation security in the form of rail shipments and security as Sensitive Security Information (SSI) and places limits on the dissemination of that information (49 C.F.R. Section 1520).

Existing California law:

- 1) Requires the Office of Emergency Services (OES) to assist local governments in their emergency preparedness, response, recovery, and hazard mitigation efforts.
- 2) Requires that all rail operators provide a risk assessment to the California Public Utilities Commission (CPUC), the Director of Homeland Security, and California Emergency Management Agency (CEMA) that describes the locations, types, and frequency of hazardous cargo movement through rail facilities, and training and emergency response procedures (PUC Section 7665 et seq.).

This bill:

- 1) Requires railroads to provide to OES, on a quarterly basis, data for the twenty-five largest hazardous material commodities and crude oil or oil cargo transported through California. This data includes the type and amount of material and the carload type as broken down by county and track route. OES is required to disseminate relevant information to certified unified program agencies (CUPAs) that may be impacted by a hazardous spill.
- 2) Requires railroads to maintain an emergency response communication center that can provide information on train composure in the event of a hazardous material spill.
- 3) Requires railroads to provide OES a summary of the carrier's Hazardous Materials Emergency Response Plan (HMERP). OES is required to provide a summary of the HMERP to impacted CUPAs.
- 4) Stipulates that all information provided to OES and disseminated to the CUPAs is SSI and is exempt from the Public Records Act, unless as determined necessary by OES.

COMMENTS:

1) Purpose of Bill. According to the author, "The shipment of crude oil by rail in tank cars into California is growing exponentially. [...] "A series of derailments around the country have raised the profile of increased crude by rail shipments among local, state, and federal officials. Large crude oil spills have led to devastating and deadly fires and explosions. According to data from the Pipeline and Hazardous Materials and Safety Administration, the amount of crude oil spilled from rail cars in 2013 exceeded the cumulative spill in the previous 40 years. [...] "State and local emergency response agencies face new challenges when dealing with this amount of hyper-flammable crude. The risk to life and property in the event of a crude by rail accident has become enormous. It is essential that emergency response agencies have critical information about crude cargoes that may be unavailable to them now, in order to be best able to respond to crude by rail accidents, should they occur." "AB 380 will ensure state and local emergency response agencies are best prepared to respond to a rail mishap when rail cargo consists of hazardous materials including crude oil."

2) Rail transportation in California. California's freight rail system has become increasingly important for international, interstate, and intrastate trade. According to the Association of American Railroads (AAR) in 2011, freight trains operated on 6,863 miles of rail in California. Class I railroads - the designation for the major rail freight carriers - are represented in California by the Burlington Northern Santa Fe Railway (BNSF) and the Union Pacific Railroad (UP) and account for 5,432 miles of rail in the state. Rail lines frequently pass through residential areas and regions of high population density. This is particularly true in southern California, where high population density overlaps with heavy rail traffic. In addition, most towns in California have a freight railroad that runs through or near it.

3) Historic rail accidents in California and legislative response. Two rail accidents in Dunsmuir and Seacliff, California in July 1991 changed the landscape of hazardous response following a train derailment in California. Six bills were introduced that year in the California Legislature to improve rail safety and emergency response, and four were signed into law. However, one program established by this law has since sunsetted, and several other provisions were struck following legal challenges. The CPUC was required to annually report to the Legislature on the type, quantities, and locations of hazardous materials transported by railroads; however, this requirement was later removed from the law following a challenge from the railroads. The CPUC continues to monitor hazardous materials that enter California by rail, and CPUC rail safety inspectors investigate accidents involving the actual or threatened release of hazardous materials as reported by CEMA. The CPUC also established General Order 161 in 1991, which requires railroads to notify the appropriate emergency response agency following any release or threatened release of a hazardous material within 60 days. Railroads that transport hazardous materials are also required to have an emergency preparedness plan covering notification procedures, mitigation of a release, and training procedures for railroad personnel. The Railroad Accident Prevention and Immediate Deployment (RAPID) Force was established (SB 48, Chapter 766, Statutes of 1991) in order to provide immediate onsite response capability in the event of a hazardous spill by rail. Funds were also established in order to pay for hazardous spill response, training, and education. This program ended following a sunset of the law on December 31, 1995.

4) Federal preemption. Most aspects of rail transportation and commerce are regulated by the federal government. State governments are limited in their power to regulate rail traffic, and can enact additional or more stringent laws that are necessary to eliminate an essentially local hazard, are not incompatible with a federal law, and do not unreasonably burden interstate commerce. Bills relating to the Public Utilities Commission, which oversees rail transportation in California, are under the jurisdiction of the Senate Energy, Utilities, and Communications Committee. Should this bill be referred to that committee, they may wish to comment further on any federal preemption issues.

5) Hazardous waste manifests and labeling. While the United States Department of Transportation (DOT) requires that shippers and carriers of hazardous materials identify transported goods as such, there is no requirement to make the information accessible to the public. Hazardous materials shipped by vessel and rail are manifested, but the information is not collected in any comprehensive way. Though railroads keep records of hazardous materials they have shipped, this information is considered proprietary. As a result, it is difficult to track precisely how much hazardous material, including crude oil, is being transported at a given time or for a

specific year.

6) Crude oil transportation by rail. Crude oil by rail is growing quickly as pipelines become saturated and do not connect new oil boom regions (such as the Bakken in North Dakota and the Tar Sands in Canada) to major refining locations (such as California). According to the California Energy Commission, in 2009, 45,491 barrels of crude oil were imported into California by rail. By 2013, the amount of crude oil imported by rail increased to 6,169,264 barrels of crude oil. At the March 19, 2014 oversight hearing on Emergency Preparedness for Rail Accidents held by the Senate Committees on Environmental Quality and Natural Resources and Water, OES estimated that in the future, 25% of California's oil could enter the state by rail. In contrast, less than 1% of all oil imports in 2012 entered California by rail.

7) Crude oil rail accidents. Train accidents involving large crude oil spills resulting in large fires and explosions have made headlines in the past year. According to data from PHMSA, the amount of crude oil spilled from rail cars in 2013 exceeded that spilled in the preceding four decades: in 2013, 1.15 million gallons of crude oil were spilled, compared with about 800,000 gallons spilled from rail cars between 1975 and 2012. One of the most serious of these recent accidents was the Lac-Megantic derailment that occurred in the town of Lac-Megantic in Canada on July 6, 2013. In this accident, a 74-car freight train carrying crude oil from the Bakken formation derailed in the downtown area, killing 47 people and destroying more than 30 buildings when multiple tank cars exploded and burned. In addition, the Chaudiere River was contaminated by 26,000 gallons of crude oil. Since the Lac-Megantic derailment, six other train derailments in Alabama, North Dakota, New Brunswick, Pennsylvania, Virginia, and Colorado have resulted in the release of crude oil. In particular, the derailment in downtown Lynchburg, Virginia on April 30, 2014 caused a large fire and spilled up to 30,000 gallons of Bakken crude oil into the James River.

8) Hazardous rail accidents. In addition to the highly publicized derailments involving crude oil, numerous other derailments have led to the release of other hazardous materials into the environment. Since 2009, there have been six rail spills involving ethanol, a highly flammable material. In particular, derailment on February 21, 2010 in the Tehachapi Pass of California caused the rupture of an ethanol-containing car, resulting in a fire. On May 28, 2013, a train carrying hazardous materials in Baltimore County derailed and caused an explosion. The materials included terephthalic acid and flourocyclic acid. On August 4, 2013, a train carrying a variety of hazardous materials derailed near Latwell, Louisiana. Following the derailment, two railcars were found to be leaking sodium hydroxide, a caustic chemical that can cause injury through touch or inhalation. This spill resulted in the evacuation of around 100 homes.

9) Railroad response and emergency training. In response to the various rail accidents in the last year, the AAR has met with DOT to improve track inspection, safety, and training. In particular, railroads "will commit [...] to develop and provide a hazardous material transportation curriculum applicable to petroleum crude oil transport for emergency responders and to fund a portion of the cost of this training through the end of 2014." In California, BNSF has invited first responders to attend a three-day training at the Security and Emergency Response Training Center in Colorado at no cost to the trainees.

10) California response to crude by rail. Since the Lac-Megantic derailment last year, California has had two committee hearings on crude by rail: Safe Rail Transport of Crude Oil, held by the Senate Energy, Utilities, and Communications Committee on February 24, 2014, and Emergency Response to Rail Accidents by the Senate Environmental Quality and Natural Resources and Water Committees on March 19, 2014. In addition, the Brown administration has proposed a budget trailer bill to extend OSPR responsibility from marine oil spills to any inland oil spills that threaten state waters. The bill would pay for the response through a fee imposed on all refineries in California, including those that receive crude oil by rail.

11) Federal response to crude oil rail accidents. In addition to Federal regulations and orders concerning labeling, flammability, and transport, DOT has also started to address emergency response and notification. On May 7, 2014, DOT released an Emergency Order requiring all railroads that have trains carrying 1,000,000 gallons (roughly 33 cars) or more of Bakken crude oil to notify the SERC of each affected state of the expected train routes, the number of trains, and the type of oil. The railroads are also required to provide all applicable emergency response information.

12) Other hazardous spills. The DOT Emergency Order only identifies emergency preparedness and response to oil spills. However, California's rail accidents have largely been associated with non-oil spills. The Dunsmuir metam sodium spill in 1991 killed over one million fish and sickened hundreds of residents and cleanup workers; the Seacliff spill of aqueous hydrazine resulted in the evacuation of nearby residents for five days. Although an emergency response plan to accidents from oil is important, it is equally critical to consider the emergency response to a non-oil hazardous materials spill.

13) Recommended amendments.

a) Dissemination of information. The bill requires OES to disseminate "relevant" information to the CUPAs regarding the movement of hazardous materials. It is unclear what would be considered "relevant" information. An amendment is needed to specify what is meant by "relevant."

b) Additional information to OES. The bill requires rail carriers to provide additional information to OES, as necessary, to assist a CUPA with its emergency response. It is unclear what this provision would entail. An amendment is needed to require railroads to provide additional information to OES, related to the specified commodity flow data, to assist a CUPA with its emergency response planning.

14) Policy questions: Information to OES. The bill requires each rail carrier to provide OES with a summary of their HMERP. Is there a reason that the entirety of the plan should not be provided? Would there be a benefit for providing the entire plan? Or is the summary sufficient for the emergency response planning process?

15) Related bills. AB 151 (Chapter 763, Statutes of 1991) enacted a comprehensive system for identifying railroad sites that were local safety hazards through the Safe Rail Transportation Act of 1991. SB 48 (Chapter 766, Statutes of 1991) established a procedure for railroad safety and emergency planning and response, and increased fines for oil and chemical spills. SB 1319 (Pavley) of 2014 would use a fee to pay for OSPR response to inland oil spills. It would also recommend for information on the shipping of crude oil by rail, truck, boat, or pipeline to be provided to affected communities. This bill is currently in the Assembly awaiting referral. AB 2677 (Rodriguez) of 2014 would have reinstated RAPID by requiring a comprehensive and coordinated oil spill contingency plan for crude oil by rail. This bill failed in Assembly Natural Resources Committee.

16) Double Referral to Rules. If this measure is approved by the Senate Environmental Quality Committee, the do pass motion must include the action to re-refer the bill to the Senate Rules Committee.

SOURCE: Author

SUPPORT: None

OPPOSITION: None

ATTACHMENTS

AB 380 Bill Text

AMENDED IN SENATE JUNE 16, 2014

AMENDED IN SENATE JUNE 9, 2014

AMENDED IN SENATE MAY 28, 2014

AMENDED IN SENATE MAY 6, 2014

AMENDED IN ASSEMBLY MAY 24, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 380

Introduced by Assembly Member Dickinson

February 14, 2013

An act to add Article 5 (commencing with Section 25547) to Chapter 6.95 of Division 20 of the Health and Safety Code, relating to hazardous materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 380, as amended, Dickinson. Spill response for railroads.

Existing law requires the Office of Emergency Services to implement regulations establishing minimum standards for business plans and area plans relating to the handling and release or threatened release of hazardous materials. Existing law requires the establishment of a statewide environmental reporting system for these plans.

This bill would require a rail carrier, as defined, to report specified information regarding the transportation of hazardous materials, beginning no later than January 31, 2015, to the office on a quarterly basis. The bill would require each rail carrier to maintain a response management communications center, as specified. The bill would require the office to disseminate information necessary for developing

emergency response plans from the quarterly reports it receives pursuant to this act to each unified program agency, as defined, when the office determines a unified program agency area of responsibility may be impacted by a hazardous material or oil cargo spill. The bill would require each rail carrier to provide the office with a summary of the rail carrier's hazardous materials emergency response plan, as specified. The bill would require the office to provide a copy of each summary report of a rail carrier's hazardous materials emergency response plan to each unified program agency when the office determines a unified program agency area of responsibility may be impacted by a rail carrier spill of hazardous material or oil cargo and that unified program agency has been identified by the rail carrier, in consultation with the office, as able to receive security sensitive information, as specified, on a need-to-know basis. The bill would prohibit a recipient of the reports and hazardous materials emergency response plan from divulging or making known that information to unauthorized recipients, as specified. The bill would ~~exempt~~ *deem* the reports and hazardous materials emergency response plan ~~from the California Public Records Act to be proprietary information and would limit the dissemination of that information to those government personnel with emergency response, planning, or security-related responsibilities on a need-to-know basis, as provided for pursuant to federal law, except as specified.~~

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Article 5 (commencing with Section 25547) is
- 2 added to Chapter 6.95 of Division 20 of the Health and Safety
- 3 Code, to read:

1 Article 5. Spill Prevention and Response for Railroads

2
3 25547. For purposes of this article, the following terms have
4 the following meanings:

5 (a) “Hazardous material” means a substance or material that the
6 United States Secretary of Transportation has determined to be
7 capable of posing an unreasonable risk to the health, safety, and
8 property of residents when transported in commerce and has been
9 designated as hazardous pursuant to Section 5103 of Title 49 of
10 the United States Code. Hazardous material includes hazardous
11 substances, as defined in Section 25501, hazardous wastes, marine
12 pollutants, elevated temperature materials, materials designated
13 as hazardous in Section 172.101 of Title 40 of the Code of Federal
14 Regulations, and materials that meet the defining criteria for hazard
15 classes and divisions in Part 173 of Title 49 of the Code of Federal
16 Regulations.

17 (b) “Office” means the Office of Emergency Services.

18 (c) “Oil” has the same meaning as in Section 8670.3 of the
19 Government Code.

20 (d) “Rail carrier” means a person providing common carrier
21 railroad transportation for compensation, but does not include
22 street, suburban, or interurban electric railways not operated as
23 part of the general system of rail transportation.

24 25547.2. (a) No later than January 31, 2015, and every three
25 months thereafter, a rail carrier shall submit to the office
26 commodity flow data for the prior three months broken down by
27 county and track route relevant to the 25 largest hazardous material
28 commodities transported through the state, including tank cars
29 loaded with oil cargo. The commodity flow data shall conform to
30 all of the following:

31 (1) Be in accordance with Subpart G of Part 172 of Title 49 of
32 the Code of Federal Regulations and in Standard Transportation
33 Commodity Code numeric sequence.

34 (2) Include a description of the hazardous material or oil cargo
35 and commodity name organized by number of carload type,
36 including tank cars and gondola cars, intermodal loads, including
37 trailers, containers and tank containers, and total loads transported
38 within a county over the prior three months.

1 (3) Be encrypted and stamped as security sensitive information
2 material, as identified pursuant to Section 15.5 of Part 15 of Title
3 49 of the Code of Federal Regulations.

4 (b) The office shall disseminate information necessary for
5 developing emergency response plans from the quarterly reports
6 prepared pursuant to this section in whole or in summary form to
7 a unified program agency, as defined in Section 25501, when the
8 office determines a unified program agency area of responsibility
9 may be impacted by a hazardous material or oil cargo spill. Rail
10 carriers shall provide additional information to the office related
11 to the specific commodity flow ~~data~~, *data* to assist a unified
12 program agency with its emergency response planning.

13 25547.4. Each rail carrier shall maintain a response
14 management communications center, which shall provide real-time
15 information to an authorized public safety answering point or 911
16 emergency response center about the train consist involved in a
17 hazardous material or oil cargo spill or other critical incident,
18 including, but not limited to, both of the following:

19 (a) Hazardous material movement shipping papers, including
20 a way bill or total trace, detailing the hazardous material or oil
21 cargo.

22 (b) Information that can assist the primary local public safety
23 agency in containing and safely removing a hazardous material
24 spill.

25 25547.6. (a) Each rail carrier shall provide the office with a
26 summary of the rail carrier's hazardous materials emergency
27 response plan. The hazardous materials emergency response plan
28 shall not be posted on a public Internet Web site or be subject to
29 public agency or public review and approval processes.

30 (b) The office shall provide a copy of each summary report of
31 a rail carrier's hazardous materials emergency response plan to
32 each unified program agency, as defined in Section 25501, when
33 the office determines a unified program agency area of
34 responsibility may be impacted by a rail carrier spill of hazardous
35 material or oil cargo and that unified program agency has been
36 identified by the rail carrier, in consultation with the office, as able
37 to receive security sensitive information, as identified pursuant to
38 Section 15.5 of Part 15 of Title 49 of the Code of Federal
39 Regulations, on a need-to-know basis.

1 25547.8. (a) A recipient of the reports and plans provided
2 pursuant to Sections 25547.2 and 25547.6 shall not divulge or
3 make known that information to unauthorized recipients, including,
4 but not limited to, individuals or organizations not legally
5 authorized to engage in emergency planning and response
6 activities.

7 (b) The reports and plans provided pursuant to Sections 25547.2
8 and 25547.6 shall be ~~exempt from the California Public Records~~
9 ~~Act (Chapter 3.5 (commencing with Section 6250) of Division 7~~
10 ~~of Title 1 of the Government Code), except that the~~ *deemed to be*
11 *proprietary information and shall be disseminated only to those*
12 *government personnel with emergency response, planning, or*
13 *security-related responsibilities on a need-to-know basis, as*
14 *provided for pursuant to federal law, including, but not limited to,*
15 *Part 15 (commencing with Section 15.1), Part 1520 (commencing*
16 *with Section 1520.1), and Part 172 (commencing with Section*
17 *172.1) of Title 49 of the Code of Federal Regulations and Section*
18 *11904 of Title 49 of the United States Code. However, the office*
19 *may authorize disclosure if, in the discretion of the office,*
20 *disclosure relevant to a particular shipment is necessary to provide*
21 *for its safe transport through the state and is necessary to assist*
22 *with emergency response planning.*

23 SEC. 2. The Legislature finds and declares that Section 1 of
24 this act, which adds Section 25547.8 to the Health and Safety Code,
25 imposes a limitation on the public's right of access to the meetings
26 of public bodies or the writings of public officials and agencies
27 within the meaning of Section 3 of Article I of the California
28 Constitution. Pursuant to that constitutional provision, the
29 Legislature makes the following findings to demonstrate the interest
30 protected by this limitation and the need for protecting that interest:

31 In order to provide for the safe transport of hazardous materials
32 through the state and to avoid creating a transportation security
33 risk, it is in the state's interest to limit public access to this
34 information.

O



Contra
Costa
County

To: Board of Supervisors
From: Jason Crapo, County Building Official
Date: July 8, 2014

Subject: Cost confirmation hearing for real property located at 3901 Hillcrest Rd., El Sobrante, CA

RECOMMENDATION(S):

OPEN the hearing on the costs of abating a public nuisance on the real property located at 3901 Hillcrest Rd., El Sobrante, CA, Contra Costa County (APN 420-140-031); RECEIVE and CONSIDER the attached itemized report on the abatement costs and any objections thereto from the property owner or other persons with a legal interest in the property; and CLOSE the hearing.

DETERMINE the cost of all abatement work and all administrative costs to be \$1,318.44.

ORDER the itemized report confirmed and DIRECT that it be filed with the Clerk of the Board of Supervisors.

ORDER the costs to be specially assessed against the above-referenced property and AUTHORIZE the recordation of a Notice Of Abatement Lien.

FISCAL IMPACT:

No net fiscal impact. The costs as determined above will be added to the tax roll as a special assessment on this property and will be collected at the same time and in the same manner as ordinary county taxes are collected.

BACKGROUND:

Contra Costa County Ordinance Code Article 14-6.4 and California Government Code Section 25845 authorize the recovery of abatement costs in public nuisance cases, the recordation of a Notice of Abatement Lien, and inclusion of abatement costs on the tax roll as a special assessment, upon approval of the Board of Supervisors.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Greg Wixom
925-674-7737

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The Notice and Order to abate was posted on the above-referenced property for an unsecured vacant structure whose premises contain waste, rubbish, debris and excessive vegetation, and was served on the property owner and all persons known to be in possession of the property by certified mail on December 23, 2013.

The property owner did not file an appeal of the Notice and Order to Abate. The County Abatement Officer abated the nuisance on January 15, 2014.

The property owner was billed for the actual cost of the abatement and all administrative costs. The bill was sent by first-class mail to the property owner on February 13, 2014. The property owner did not pay the bill within 45 days of the date of mailing.

Notice of this Cost Hearing was sent to the property owner by certified mail by the Clerk of the Board. For proof of service, see Clerk of the Board at 651 Pine Street, Room 106, Martinez, CA.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved the County will not be able to recover costs for abatement on code violations for this property.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Itemized costs

Before photos

After photos

CONTRA COSTA COUNTY

DATE: July 8, 2014
TO: Clerk of the Board
FROM: Department of Conservation & Development
By: Greg Wixom, Principal Building Inspector
RE: Itemized Report of Abatement Costs

The following is an itemized report of the costs of abatement for the below described property pursuant to C.C.C. Ord. Code ' 14-6.428.

OWNER: Heather Roche
POSSESSOR: N/A
MORTGAGE HOLDER: N/A

ABATEMENT ORDERED DATE: December 23, 2013

ABATEMENT COMPLETED DATE: January 15, 2014

SITE ADDRESS: 3901 Hillcrest Rd., El Sobrante, CA
APN #:420-140-031

PROPERTY DESCRIPTION: Residential Lot

AMOUNT OF ABATEMENT COSTS (CCC ORDINANCE CODE 14-6.428)

ITEM	EXPLANATION	COST
Notice to Comply		\$ 250.00
PIRT (Title Search)(1 @ \$150)		\$ 150.00
Certified Letter & Regular Mailings		\$ 24.44
Photos		\$ 14.00
Contractor hired for Abatement		\$ 480.00
Final Site Inspection to Confirm Compliance		\$ 200.00
Compliance Report and Board Hearing		\$ <u>200.00</u>
	TOTAL	\$ 1,318.44

Abatement costs can be paid at or mailed to Department of Conservation & Development, Building Inspection Division, 30 Muir Rd., Martinez, CA 94553













Contra
Costa
County

To: Board of Supervisors
From: Catherine Kutsuris, Conservation and Development Director
Date: July 8, 2014

Subject: Appeal of the County Planning Commission's Approval of LP14-2014, for a Wireless Cell Site in the Kensington Area (801 Coventry Road).

RECOMMENDATION(S):

Option A

1. OPEN the hearing on the appeal of the County Planning Commission's approval of County File #LP14-2014, ACCEPT public testimony, and CLOSE the hearing.
2. FIND that the proposed project is categorically exempt from the California Environmental Quality Act - Class 3 (CEQA Guidelines § 15303 (d)).
3. DENY the appeal of Chris Hall et. al.
4. SUSTAIN the decision of the County Planning Commission.
5. ADOPT the findings contained in County Planning Commission Resolution Number 8-2014.
6. DIRECT staff to file a California Environmental Quality Act Notice of Exemption with the County Clerk and pay the statutory filing fee.

Option B

Accept a letter from the project applicant withdrawing County File #LP14-2014.

-
- | | |
|--|--|
| <input checked="" type="checkbox"/> APPROVE | <input type="checkbox"/> OTHER |
| <input checked="" type="checkbox"/> RECOMMENDATION OF CNTY ADMINISTRATOR | <input type="checkbox"/> RECOMMENDATION OF BOARD COMMITTEE |
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Francisco Avila, (925) 674-7801

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

>

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 an appeal by a coalition of more than two dozen residents and property owners of the County Planning Commission's (CPC) decision in CPC Resolution No. 8-2014 to approve a proposal by New Cingular Wireless (AT&T) to attach a wireless telecommunications facility to a utility pole in the Coventry Road public right-of-way.

In January of 2013, AT&T submitted nine cell site applications within the Kensington boundaries. Due to community comments/concerns, AT&T reduced the number of proposed cell sites to six. At the December 17, 2013, Board of Supervisor's (the Board) hearing, the Board approved five of the applications and continued the sixth application (County File #LP13-2020, 110 Ardmore Road) so that AT&T could prepare an alternative site analysis for that project. The Board indicated that visual intrusiveness was a concern for the Ardmore Road project and based on the completed alternative site analysis, gave the applicant specific direction to pursue County approval of a potential site near 801 Coventry Road. In response, AT&T submitted County File #LP14-2014 on March 17, 2014, which proposes to replace the existing 39-foot-tall utility pole with a new pole and attach two antennas atop the pole for a maximum height of 50 feet 5 inches.

Prior to the CPC hearing on May 13, 2014, staff routed LP14-2014 to various agencies for comments, including the Kensington Municipal Advisory Council (KMAC). At the April 29, 2014, KMAC meeting, KMAC members unanimously recommended denial of LP14-2014 based on potential view and sunlight impacts of the project. As part of the public review process, additional comments/concerns for and against the project were received from Kensington residents. All agency and community comments were made available to the CPC and are also attached to this report for the Board's review and consideration. LP14-2014 was unanimously approved by the CPC on May 13, and the appeal of the decision, the full text of which is attached, was timely filed on May 23, 2014.

GENERAL DISCUSSION

1. Project Description: The proposal is a request to attach an AT&T distributed antenna system (DAS) node to a utility pole. The project consists of replacing the existing 39-foot-tall pole with a 47-foot 5-inch tall pole and attaching 2 panel antennas atop the new pole for a total height of 50 feet 5 inches above-ground-level. The project also includes attaching the associated electrical equipment to the pole between 7 feet and 19 feet above-ground-level. The proposed panel antennas are 2 feet 2 3/4 inches tall, 6 1/4 inches deep and 10 5/8 inches wide. The largest associated electrical equipment is smaller than the proposed antenna. Construction of this project is anticipated to take 5-7 days. The DAS node would be connected to the cellular network via fiberoptic cable running through a 1 1/4- inch diameter conduit strung between utility poles. Because PG&E and AT&T have the right to install conduit in the public right-of-way without County review or approval, the conduit installation is not included in this application.

2. Site and Area: The project site is located within the Kensington Park subdivision of Kensington. The maps for this subdivision were recorded in the very early 1900s. Generally, lots in the area are 50- to 60-foot wide rectangles, yielding a high-density single-family residential neighborhood. The neighborhood consists primarily of custom built homes. Numerous mature trees and landscaping are located in the area. Most homes are two stories tall to maximize views. The topography of the public right-of-way at this location is generally flat, with the adjacent residential properties sloping upward toward the east and downward toward the west.

The subject pole is located on the east side of Coventry Road along the frontage of 801 Coventry Road. The pole is within a 50-foot wide public right-of-way with a paved width of 25 feet. The pole is 39 feet tall and currently supports multiple utility lines between 24 and 39 feet above-ground-level. There are no other wireless telecommunication providers located at the site.

3. General Plan and Zoning: The property is designated Single-Family High-Density (SH) in the Contra Costa County 2005-2020 General Plan. This designation allows for single-family residential units and the uses that are normally necessary to support single-family residential neighborhoods. Utilities, including the infrastructure necessary to support telephonic communication, are allowed uses.

The County's 2005-2020 General Plan includes specific policies for the Kensington area, enumerated as policies 3-206 through 3-210, which state:

3-206 - Allow for the review of new residential development that provides reasonable protection for existing residences in the Kensington Community with regards to: views, design compatibility (including building bulk, size, and height), adequate parking, privacy, and access to sunlight.

3-207 - Preservation of views of scenic natural features (e.g. bay, mountains) and the developed environment (e.g. bridges, city skyline) should be incorporated into the review of development applications.

3-208 - Review proposed residential development for design compatibility with nearby development (e.g. building mass, height, mechanical devices) and provisions for adequate parking.

3-209 - New residential development will be reviewed against realistic impacts of privacy and sunlight on surrounding neighbors.

3-210 - Consideration will be given to review of non-residential development in the Kensington Community with policies 3-206 through 3-209 herein.

Do These General Plan Policies Apply to the Consideration of this Land Use Permit Application?

Policies 3-206 through 3-209 apply to residential development within Kensington. The Board of Supervisors adopted these policies in 2004 to support adoption of the Kensington Combining District Ordinance. The overarching purpose of this ordinance, which regulates residential development, is to minimize impacts on neighboring properties through preservation of views, light and solar access, privacy, parking, and residential noise levels.

Under General Plan Policy 3-210, the Planning Agency should consider General Plan Policies 3-206 through 3-209 in the review of nonresidential development. These policies should be considered in light of the whole of the County General Plan. As conditioned, the project will not conflict with the policies for the Kensington area as identified in the Land Use Element of the General Plan. Approval of the project will be consistent with policies related to preserving views of the natural and built environment. The sunlight and privacy considerations in Policy 3-209 are not affected by the proposed development due to the small size of the equipment and the fact that the project is not a residence. Given the size of the equipment, there is no evidence of incompatibility with nearby residential development.

Does the Kensington Combining District Ordinance Apply to this Land Use Permit Application?

The Kensington Combining District Ordinance (K-Ordinance; attached), Chapter 84-74 of the County Ordinance Code, does not apply to this Land Use Permit application. The K-Ordinance was adopted for the purpose of regulating residential development within Kensington. Wireless telecommunication facilities are not regulated under the K-Ordinance. Under section 84-74.404(f) of the ordinance, "development" is defined as "*any building or structure that requires a building permit...*" Section 82-4.270 of the County Code defines a "structure" as "*anything constructed or erected on and permanently attached to land, except for: ...poles, wires, pipes and other devices, and their appurtenant parts, for the transmission or transportation of electricity and gas for light, heat or power, or of telephone and telegraphic messages...*" Section 82-4.210 defines a "building" as "*any structure with a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals, or chattels.*" The proposed wireless facilities are exempt from the provisions of the K-Ordinance because they do not qualify as either "structures" or "buildings" according to the definitions in the ordinance.

4. Contra Costa County's 1998 Telecommunication Policy: According to Section IV.A.1. (General Development Guidelines) of the County's 1998 Telecommunications Policy (attached), "*All proposed commercial wireless telecommunication facilities shall be located so as to minimize their visibility.*" Additionally, Section IV. A. 24, states, "*In appropriate cases, the proposed wireless communication facilities can be located on County-owned or controlled property or County rights-of-way.*" AT&T has met the intent of these guidelines by proposing a slim design and by identifying an existing utility pole upon which to attach their equipment. According to the applicant, this approach was selected over larger "macro sites" due to the topography and line-of-sight issues in this part of the County. Given that the equipment is slim and positioned in-line with the existing pole, the site will only be marginally visible to residents in the immediate vicinity.

The photo simulations submitted with this application show the proposed antennas being painted a brown color. The CPC approved Condition of Approval (COA) #16, which requires the proposed antennas to be painted a brown color to match the pole. The CPC also approved COA #17 which requires the applicant, CDD staff, and the Public Works Department to engage adjacent neighbors to identify options for the least intrusive aesthetic options (e.g., color, but not antenna height) for this project. COAs #16 and 17 provide additional assurance that the project will be consistent with the 1998 Telecommunications Policy.

5. Radio Frequency (RF) Emissions and "Preferred" Technology: Federal law limits the County's ability to regulate wireless telecommunication facilities. Under federal law, only the Federal Communications Commission (FCC) may approve the technology used on any wireless telecommunications facility. Under Section 332 (C)(7)(B)(iv) of the Telecommunications Act of 1996, "no state or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." The County may not regulate the type of technology that a wireless carrier uses, and it may not require carriers to use a "preferred" technology. (See *New York SMSA, L.P. v. Town of Clarkstown* (S.D.N.Y 2009) 603 F.Supp.2d 715, 725.) In addition, under federal law only the FCC may determine the radio frequency emission thresholds that apply to wireless telecommunication facilities. The County may not regulate or deny wireless telecommunication facilities based on radio frequency emissions. (See 47 U.S.C., § 332; *AT&T Wireless Services of California, LLC v. City of Carlsbad* (S.D. Cal. 2003) 308 F.Supp.2d 1148, 1159.)

6. Statutory Authority for AT&T to Access the Public Right-of-Way: State law limits the County's ability to regulate the placement of wireless telecommunication facilities within public street and highway rights-of-way. Telecommunications companies, like AT&T, are granted a statewide franchise to construct and maintain telecommunications facilities within public road and highway rights-of-way. (Pub. Util. Code, § 7901.) Under Section 7901, "Telegraph or telephone corporations may construct lines of telegraph or telephone lines along and upon any public road or highway, along or across any of the waters or lands within this State, and may erect poles, posts, piers, or abutments for supporting the insulators, wires, and other necessary fixtures of their lines, in such manner and at such points as not to incommode the public use of the road or highway or interrupt the navigation of the waters." This means that local governments like the County may not deny telecommunications companies access to local street and highway rights-of-way. However, the County may impose reasonable time, place, and manner restrictions on the placement of those facilities in County street or highway rights-of-way, including limited requirements to address aesthetic impacts of a wireless telecommunication facility. (See Pub. Util. Code, § 7901.1; *Sprint PCS Assets, LLC v. City of Palos Verdes Estates* (9th Cir. 2009) 583 F.3d 716, 723.) Under Section 7901.1, "It is the intent of the Legislature, consistent with Section 7901, that municipalities shall have the right to exercise reasonable control as to the time, place, and manner in which roads, highways, and waterways are accessed." In short, the County has the authority to regulate the aesthetics and placement of wireless facilities based on adopted policies and ordinances.

7. Multiple Wireless Service Providers and "Significant Gap" in Coverage: AT&T is just one of many wireless service providers. The fact that other providers are currently serving the Kensington area does not have bearing on the County's review of this application. Under Section 332(c)(7)(B)(i)(I) of the Telecommunications Act of 1996, "The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof shall not unreasonably discriminate among providers of

functionality equivalent services....” County staff interprets this regulation to mean that all competing wireless service providers must be given an equal opportunity to extend service into any area of the County. AT&T has submitted detailed, street-level, site specific coverage maps (attached) for this project. The maps reflect a “significant gap” in coverage for the subject area. Additionally, due to the undulating and challenging topography around the site, AT&T has prepared a report (attached) which demonstrates that the proposed equipment is the “least intrusive” means of providing service to the non-covered area. In approving the project, the CPC determined that AT&T’s proposed equipment is an appropriate means of closing the coverage gap and providing service to the subject area.

8. “Shot Clock” and “Tolling Agreements”: Under Section 332(c)(7)(B)(v) of the Telecommunications Act of 1996, local municipalities must act “within a reasonable period of time.” The FCC has determined that 90 days for collocations and 150 days for other applications would be “generally reasonable.” The FCC authorizes local governments and wireless carriers to extend these time frames by entering into "tolling agreements." On June 25, 2013, the Board of Supervisors authorized the Department of Conservation and Development Director or designee to enter into “tolling agreements” with AT&T and to execute additional extensions as needed. Currently, the County and AT&T are operating under their seventh tolling agreement extension for County File #LP13-2020, which is set to expire on July 8, 2014. Staff recommends that the Board of Supervisors render a decision on that project prior to the expiration date. The 150-day deadline to act on this application, County File #LP14-2014, is set to expire on August 13, 2014.

PROCESSING OF LAND USE PERMIT APPLICATION

1. Kensington Municipal Advisory Council (KMAC) Meeting and Recommendation: This project was heard by KMAC at their April 29, 2014, meeting (draft minutes attached). According to the draft minutes, KMAC inquired as to why this site was chosen compared to other sites, why the height is necessary, and whether the area has coverage today? In response, the applicant stated that the site was preferred over numerous other alternative sites due to obvious view obstructions and lack of space on other poles to attach their equipment (see attached alternative site analysis). AT&T representatives also indicated that the proposed height is necessary to propagate a signal above the numerous mature trees in the vicinity. Lastly, AT&T staff indicated that the site is necessary to improve the limited coverage existing in the area (see existing and proposed coverage maps contained within the attached AT&T Engineer's Statement).

Several members of the public also provided comments at the April 29, 2014, KMAC meeting. Notably, the property owner of 815 Coventry Road expressed concerns regarding his view of the proposed antennas, indicating that nearby foliage may not completely camouflage the proposed antennas as seen from his residence. A representative for the 801 Coventry Road property owner indicated that the proposed antennas may block sunlight onto that property, as well as negatively block their view of the San Francisco Bay. Based on those comments, KMAC members asked if AT&T representatives would be amenable to a one-month continuance of the meeting to allow additional time for KMAC members to review the claims. AT&T representatives informed the KMAC members that a continuance would make it difficult for staff to meet the June 3, 2014, tolling agreement deadline for the 110 Ardmore site. At that point, KMAC voted unanimously to recommend denial of the project based on the preservation of views at 801 and 815 Coventry Road.

2. County Planning Commission Hearing and Decision: Due to the controversial nature of this project, the County Zoning Administrator, per County Code section 26-2.1206, referred the matter directly to the CPC for consideration and decision. On May 13, 2014, the County Planning Commission heard presentations from staff, the applicant, and members of the public regarding this project (staff report, findings, approved conditions of approval and agency comments are attached). After considering the information before it, including all testimony, the Commission voted unanimously to approve project with conditions.

APPEAL OF COUNTY PLANNING COMMISSION'S DECISION

The County has received one appeal on behalf of a coalition of more than two dozen residents and property owners of the CPC’s decision approving the subject AT&T project. In a letter dated May 22, 2014, the appellants cited five points of opposition. Staff has summarized the appeal points contained in the appeal letter and has

provided a discussion of each point below. Additionally, the applicant has provided responses to the appeal points and those responses are attached.

Review of Points Raised in Appellant's Appeal Letter

1. Summary of Appeal Point: *The KMAC voted unanimously to recommend denial of the project. The appellants contend that the CPC's approval of the project ignored that recommendation, resulting in land use impacts inconsistent with the Kensington Combining District, General Plan, and Telecommunication Policy.*

Staff Response: An extensive account of the April 29, 2014, KMAC meeting was provided to the CPC as part of the May 13, 2014, public hearing staff report. Staff also verbally presented KMAC's position to the CPC during the hearing. To reiterate, KMAC's recommendation of denial was in response to potential view and sunlight impacts to residences located at 801 and 815 Coventry Road. It should be noted that a story pole for this project was installed on March 7, 2014, more than a full month prior to the April 29, 2014, KMAC meeting. Staff was able to visit the site on numerous occasions to evaluate the project's potential view and sunlight impacts. Attached are photos taken of the story pole on March 19, 2014 (photo 2), and April 30, 2014 (photo 3). The photo taken in March shows that the antenna story pole will be marginally visible from both properties of concern due to the numerous tree branches in the vicinity. The photo taken in April clearly shows that the spring foliage completely blocks any view of the story pole, as well as any view of San Francisco Bay through that corridor from either property. Thus, it appears that potential view impacts would be negligible.

As indicated above, the project is consistent with the County Telecommunications Policy is not subject to the requirements of the Kensington Combining District Ordinance because it qualifies as neither a building nor structure as defined by the County Ordinance Code.

The appellants state that the project is inconsistent with the General Plan, including but not limited to policies 9-18, 9-19, 9-21, and 9-22. As indicated above, the project is consistent with the Single-Family Residential High-Density land use designation and the policies specific to the Kensington area. The specific policies listed by the appellants are contained in the Open Space Element and relate to development in the vicinity of scenic ridges and on hillsides. As the project site is located far down-slope from the nearest designated scenic ridge, policies 9-18, 9-19, and 9-21 are inapplicable. The wording of Policy 9-22 suggests that it relates to hillsides that are still in their natural state, not hillsides developed with dense single-family neighborhoods.

Being fully informed of KMAC's recommendation and the physical conditions at the site, the CPC found the project to be consistent with the General Plan and the 1998 Telecommunications Policy and voted unanimously to approve the project as proposed. The appellants have not provided information demonstrating that the CPC's decision was made in error.

2. Summary of Appeal Point: *The appellants contend that AT&T's alternative site analysis and significant gap report should be reviewed by an independent consultant.*

Staff Response: AT&T has identified an area consisting of 45 acres (approximately 500 homes) which lacks adequate AT&T wireless coverage. To demonstrate this "coverage gap", AT&T has provided an "AT&T Mobility Radio Frequency Statement of Significant Coverage Gap" (attached). The report includes actual field test data performed on January 9, 2014, which confirms the presence of the coverage gap. The data also confirms that the proposed height of the project (50 feet tall) is required to cover the intended area due to numerous trees in the immediate vicinity. AT&T's alternative site analysis (attached) evaluated 11 other alternative sites which were dismissed due to insufficient space or obvious view obstruction issues. Both reports include an equivalent or greater amount of substantiating evidence in comparison to other recent cell site approvals by the Board. The appellant has submitted only anecdotal evidence from the February 26, 2013, KMAC meeting to suggest that the information contained in the official record is inaccurate or false. In staff's opinion, the Board should not be compelled to require a 3rd party review of any portion of this application based on generalized, unsubstantiated comments provided by the appellant.

3. Summary of Appeal Point: *The appellants contend that: a) the project does not qualify for the categorical exemption under CEQA Guidelines Section 15303(d) because privately-owned cell towers are not public utilities; b) an Environmental Impact Report should be prepared which analyzes the cumulative health and safety (RF emissions), geologic, seismic, fire hazard, as well as aesthetic impacts of the project; and c) the potential for other wireless providers to co-locate at this facility must also be included as part of any project specific or*

cumulative impact analysis.

Staff Response: The project includes replacing a utility pole in a public right-of-way in an urbanized area with a taller pole and attaching two panel antennas and associated electrical equipment. The CPC agreed with staff's determination that this project qualifies for a Categorical Exemption under CEQA Guidelines Section 15303(d), which exempts "water main, sewage, electrical, gas and other utility extensions, including street improvements of reasonable length to serve such construction." This section does not specify that a utility must be publicly owned in order to qualify for the exemption. AT&T is a private company providing a service regulated by the California Public Utilities Commission under Utility Identification Number U-3060-C. Thus, the County views AT&T as a utility provider whose infrastructure qualifies for exemption pursuant under this section. This CEQA exemption was applied to the five previously-approved AT&T DAS nodes in Kensington, and has been applied to similar proposals in other areas of the County.

Recent case law supports the CEQA exemption determination for this project. On August 7, 2009, T-Mobile applied to the San Francisco Department of Public Works to install several dozen nodes, similar in size to the one proposed, on utility poles throughout the city. The city found these to be exempt from CEQA under Section 15303(d). Residents near one of the nodes then filed suit. In the case of *Robinson v. City and County of San Francisco*, the First District Court of Appeal found in 2012 that the categorical exemption was appropriate.

As part of its review, the court addressed the issue of cumulative impacts. The CEQA Guidelines state that there are exceptions to the categorical exemptions. Under Section 15300.2(b), categorical exemptions "are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant." The court found that "*the same place*" would be limited to a geographic area where a T-Mobile antenna was within the visual and auditory range of other similar installations that currently exist or are likely to be created. The court upheld the city's finding that "all of the existing and proposed" similar installations by other telecommunications companies were or would be placed "separately at different locations" so that there were "no foreseeable cumulative impacts." The court went on to say that speculation that potential future projects similar to the one under consideration could cause a cumulative adverse impact is not sufficient to negate a categorical exemption.

As the T-Mobile and AT&T projects are extremely similar, the rationale of the *Robinson* case can be applied to the AT&T project. The five AT&T nodes approved by the County in December 2013 are the only ones that have been approved in Kensington. The subject pole in the Coventry Road right-of-way is located a sufficient distance from the other nodes so that a member of the public could not reasonably see or hear two or more of them at the same time. Thus, the proposed AT&T node cannot combine with nodes at other locations to create a cumulative impact.

Regarding speculation that cumulative impacts could result from installation of equipment by other wireless carriers on the subject pole, the County must review AT&T's proposal based on the specifics of the proposed project, not a potential set of circumstances that may or may not materialize, such as the filing of Land Use Permit applications by other carriers. Should the Board of Supervisors approve this Land Use Permit, an amendment to this permit or a new permit would be required, pursuant to the County Ordinance Code, if either AT&T or another carrier wished to add equipment, including antennas. To make this abundantly clear, the CPC approved COA #4, which requires a new Land Use Permit approval prior to installation of any new visually impactful equipment or collocation by another carrier. New Land Use Permits and amendments to existing permits both require CEQA review and a public hearing, giving the public an opportunity to comment on any potential impacts associated with expanding AT&T's equipment or collocating another carrier's equipment. If the applicant proposes in the future to substitute equipment or replace outdated equipment that is substantially the same as what is included in this Land Use Permit application, this may be approved administratively. Moreover, state law addresses collocation approvals. Government Code Section 65850.6 requires the County to ministerially approve the collocation of a new wireless facility on an existing wireless facility (original facility) under limited circumstances. But to be ministerially approved under that statute, the original facility must have been subject to the County's discretionary review and a negative declaration, mitigated negative declaration, or environmental impact

report must have been prepared for that original facility. Here, the utility pole on which AT&T intends to locate its equipment does not meet those criteria. Therefore, any future collocation will not qualify for ministerial approval under Government Code Section 65850.6 and will need to comply with all applicable County requirements in order to be approved.

The appellants asserted that the subject location is vulnerable to environmental hazards such as earthquakes, slides, and potential fire hazards. The subject site is not located within the Alquist-Priolo Fault Zone as mapped by the Contra Costa County Geographic Information System (GIS). The individual PDF files for the Richmond Quadrangle, available on the California Department of Conservation webpage cited by the appellants, indicate that the project site is close to, but not within, the mapped fault zone, liquefaction, and landslide areas. Nevertheless, as part of the Land Use Permit process, the application has been routed to the Building Inspection Division of the Department of Conservation and Development and the El Cerrito/Kensington Fire Department for comments (comments attached). The Building Inspection Division had no comments on this application; however, as part of the building permit "plan check" process, the applicant is required to provide an engineer's verification for the structural adequacy of the new pole on which AT&T is proposing to attach their equipment. A building permit will not be issued unless the pole complies with the California Building Code and accepted engineering standards. The Fire Department returned comments indicating that the project is within an area described as a "Very High Fire Hazard Severity Zone." The Fire Department comments go on to indicate that the project must adhere to the Kensington Vegetation Management Standards and all applicable Wildland Urban Interface Codes. The proposed project does not incorporate back-up generators, fuel cells or landscaping, so no new liquid fuel or ignition source will be introduced to the site. Compliance with the applicable building and fire codes ensures that the project will not increase potential seismic or fire risks at the subject site or in the general area.

Regarding potential Radio Frequency (RF) emissions risks, the proposed wireless facility will emit small amounts of RF energy. While the County itself has no regulatory authority related to RF emissions, staff has required the applicant to demonstrate how the project will comply with the applicable federal RF regulations. In response, the applicant contracted with Hammett & Edison, Inc., to prepare a report, dated March 13, 2014, (attached) detailing the project's conformance with FCC approved standards for RF emissions. The report concludes that the proposed project will operate far below permissible public exposure limits established by the FCC. However, in an abundance of caution, the CPC approved two COAs related to RF emissions. COA #10 states, "Facilities shall be operated in such a manner so as to not contribute to ambient RF/EMF emissions in excess of then-current FCC adopted RF/EMF emission standards." AT&T is also required by COA #2 to submit administrative 3-year reviews detailing the on-going compliance of the project with the applicable COAs (including RF emissions). With these conditions, the County has exercised the maximum regulation available to local municipalities with regards to RF emissions.

4. Summary of Appeal Point: *The appellants contend that the County cannot make the required findings to issue a use permit for the project, specifically "That the project will not be detrimental to the health, safety and general welfare of the County" and "That the project shall not adversely affect the preservation of property values and the protection of the tax base within the County.*

Staff Response: Findings are based on factual information within the official record, not speculation or generalizations based on unsubstantiated opinion. As mentioned in staff's response to Appeal Point #3, compliance with the applicable building and fire codes ensures that the project will not be detrimental to the health, safety, and general welfare of the County with regards to any seismic, geologic or fire related hazard. To strengthen protections on health and safety, the CPC approved COA #9 which states, "*All commercial wireless telecommunications facilities shall comply at all times with all Federal Communications Commission (FCC) rules, regulations and standards, and any other applicable federal, state, or County law or regulation.*" Furthermore, as required by COA #2, AT&T must demonstrate on-going compliance with those regulations every three years for the life of the permit. With these conditions in place, the CPC determined that the project would not be detrimental to the health, safety and general welfare of the County.

Regarding the potential negative impacts on property values, there are articles, blogs, and opinion pieces suggesting that cell sites lower property values and others suggesting that they have no impact. The May

14, 2014, edition of the “On the Block” blog on SFGate.com addressed the issue and included the following, suggesting that poor cell coverage can have a negative impact:

One factor that may be beginning to have an effect on home assessments is cell phone signals. Berkeley Hills Realty broker Tracy Sichterman says she has started to see “poor cellphone reception” appear as a property defect in real-estate disclosure statements. “Some buyers, particularly those who work remotely, consider this to be a material concern when purchasing a home,” she told me.

With such conflicting information on the matter, one cannot state definitively that the presence of a cell site will lower property values in a given locale. The appellants have not demonstrated that the CPC’s finding regarding property values was incorrect.

5. Summary of Appeal Point: *The appellants contend that: a) AT&T's assertion that the Kensington Police Protection & Community Services District uses the AT&T wireless network is false; b and c) the continuance of County File #LP13-2020 (110 Ardmore Road) was not to pursue approval of the 801 Coventry Road site, but to investigate alternative sites as directed by the Board of Supervisors; and d) the petition supported by 29 signatories in opposition to this application was not provided to the CPC as part of the May 13, 2014, hearing.*

Staff Response: The appellant is correct in stating that the Kensington Police Protection & Community Services District in particular does not use AT&T as their wireless provider. More to the point is that the project is intended to increase the call quality of AT&T users in the subject area. With an increasing amount of home owners abandoning LAN lines in favor of strictly wireless service, residents of the area and their visitors expect and require a dependable wireless service, especially in emergency situations.

To clarify, County File #LP13-2020 (110 Ardmore Road) was initially heard by the Board on December 17, 2013. That hearing was continued several times as the Board indicated that visual intrusiveness was a concern at this site and gave the applicant specific direction to explore alternative locations within the commercial area along Arlington Avenue. AT&T completed and submitted an alternative site analysis dated January 23, 2014 (attached), which was presented to the Board at the February 4th hearing. The report eliminated the light standards within the Arlington Avenue right-of-way due to insufficient structural capability to support the intended AT&T equipment. The report did investigate the potential siting of AT&T equipment at 11 other poles in the immediate vicinity; however, all but one (801 Coventry) were dismissed due to obvious view blockage, insufficient signal propagation, and/or insufficient pole space issues. Based on the apparent viability of the 801 Coventry Road alternative, the Board continued the February 4, 2014, hearing to February 25, 2014, to allow for the District 1 Supervisor to conduct additional public outreach. At the February 25 meeting the Board directed the applicant to pursue County approval of the 801 Coventry Road alternative. This application is in response to that Board directive.

The appellants also contend that a petition supported by 29 signatories which was presented to KMAC members at their April 29, 2014, meeting was not included as part of the May 13, 2014, CPC staff report for this project. The petition in question, which was date stamped May 9, 2014 (attached), was received along with two other correspondences (attached) from Kensington residents after the CPC staff reports were completed and distributed. However, staff was able to provide all three public comments to the CPC members prior to the hearing on this matter. Therefore, the CPC was fully aware of all public comments regarding this application prior to rendering a decision.

CONCLUSION

The appeal points are similar to the points presented to the County Planning Commission and do not provide support for overturning the CPC's approval of the AT&T application. The project is consistent with other wireless telecommunication projects that have been granted on utility poles in Kensington and throughout the County. The project setting is within an area where views are protected; however, staff's photos indicate that the proposed project would not block any views. As evidenced by the photosimulations provided with the application submittal, the project would represent only a minor visual change to the existing character of the neighborhood. Numerous conditions of approval have been adopted which address concerns raised by the public. The project as proposed and conditioned complies with the development standards as outlined in the 1998 Telecommunications Policy and the General Plan policies for the Kensington area. Considering these facts, staff recommends that the Board of Supervisors deny the appeal of Chris Hall et. al., and sustain the County Planning Commission's approval of

County File #LP14-2014.

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 at 801 Coventry Road.

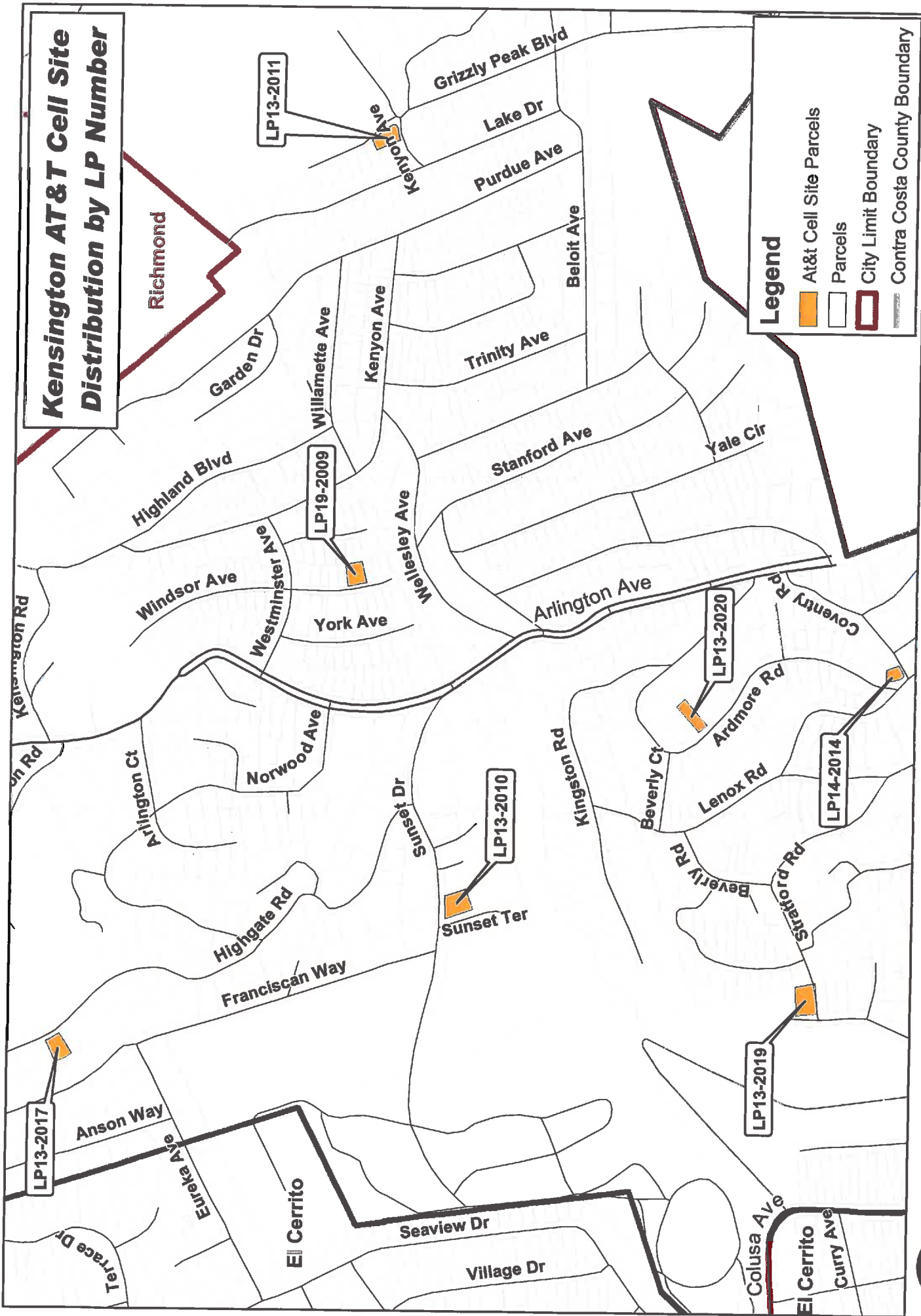
CHILDREN'S IMPACT STATEMENT:

N/A





ATTACHMENTS

Location Maps
Planning Commission Resolution
Hall et al Appeal
Findings and Conditions of Approval
Approved Plans
Photosimulations
Kensington General Plan Policies
Kensington Combining District
1998 Telecommunications Policy
RF Report
AT&T Engineer's Statement
KMAC 4/2014 Meeting Minutes
Agency Comments
Approved Plans
5/13/2014 CPC Staff Report
AT&T Best Technology Statement
Alternative Site Analysis
Public Comments
AT&T Appeal Response
Site Photos 1 - 4

Kensington AT&T Cell Site Distribution by LP Number



Legend

-  At&T Cell Site Parcels
-  Parcels
-  City Limit Boundary
-  Contra Costa County Boundary



This map was created by the Contra Costa County Department of Conservation and Planning. Development with data from the Contra Costa County GIS Project. The base data, primarily City Limits, is derived from the CA State Board of Equalization's tax data areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

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 by Contra Costa County Department of
 Conservation and Planning, GIS Group
 300 Main Street, Suite 100, San Ramon, CA 94583
 925.375.6941 / 701N 122.37.33.730V



PORTION BLOCK 4 KENSINGTON PARK

M.B. 5-103

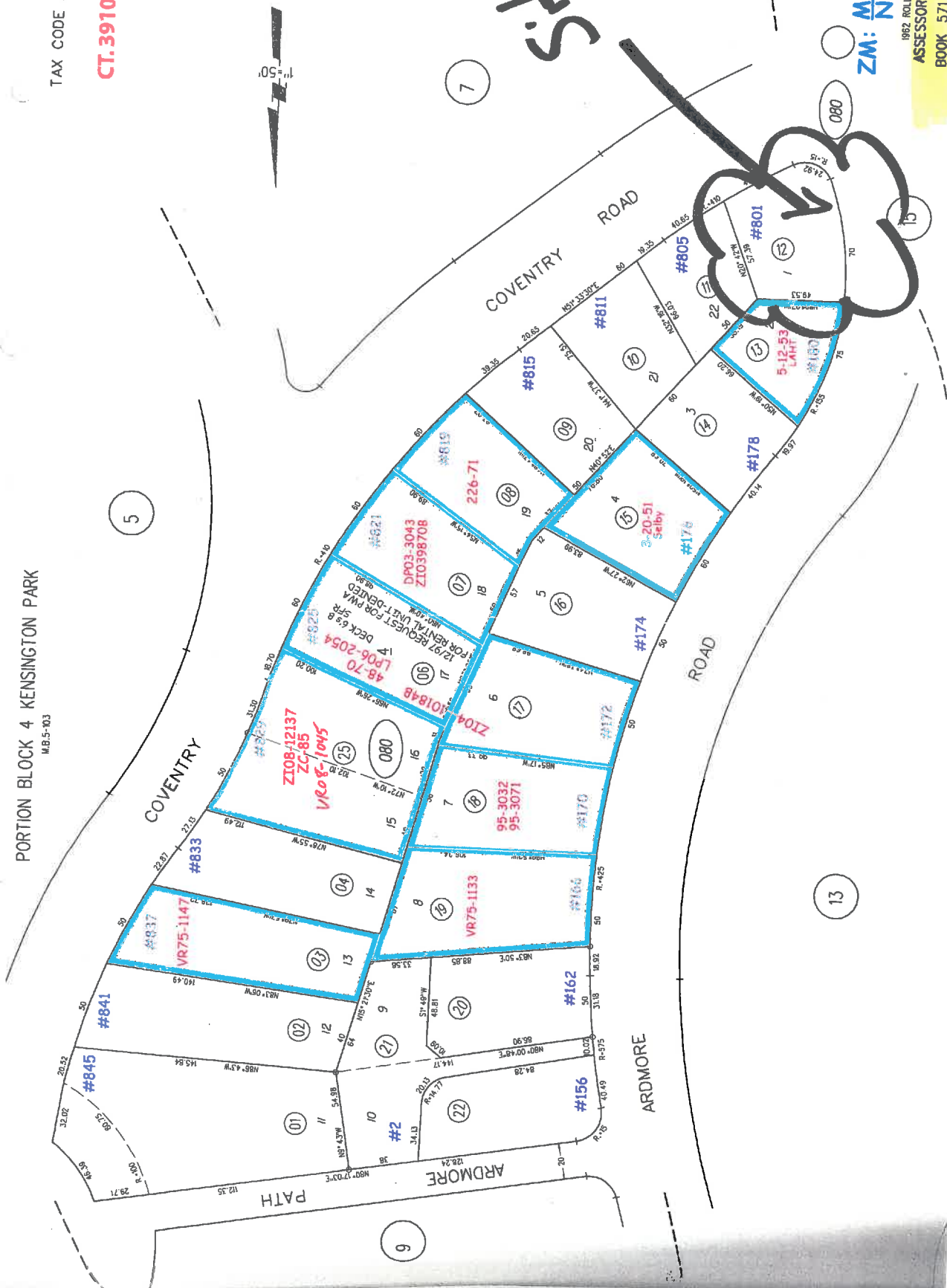
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CT. 3910.00

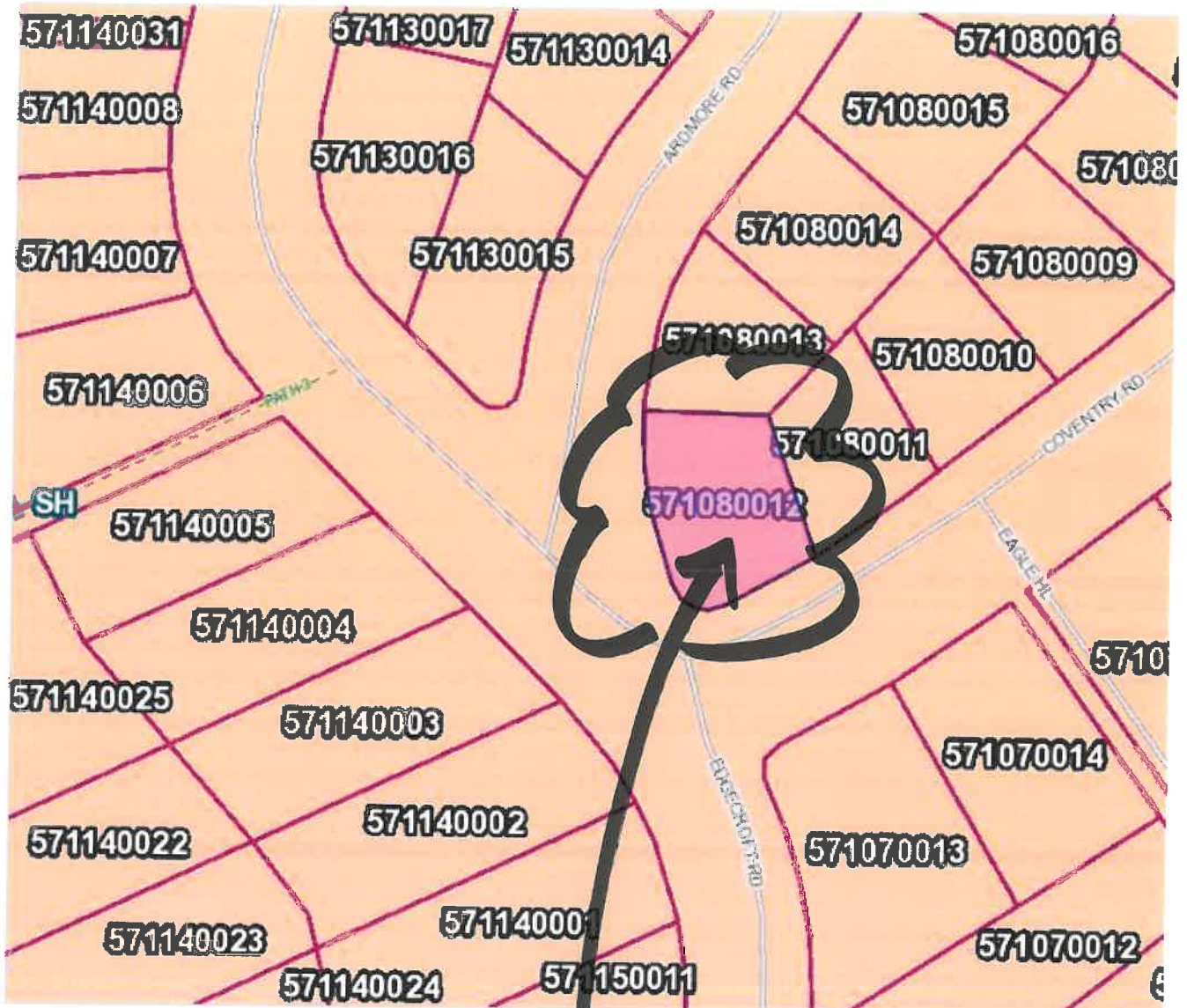
Site

ZM: M-7
N-7

1982 ROLL
ASSESSOR'S MAP
BOOK 571 PAGE 08
CONTRA COSTA COUNTY, CALIF.

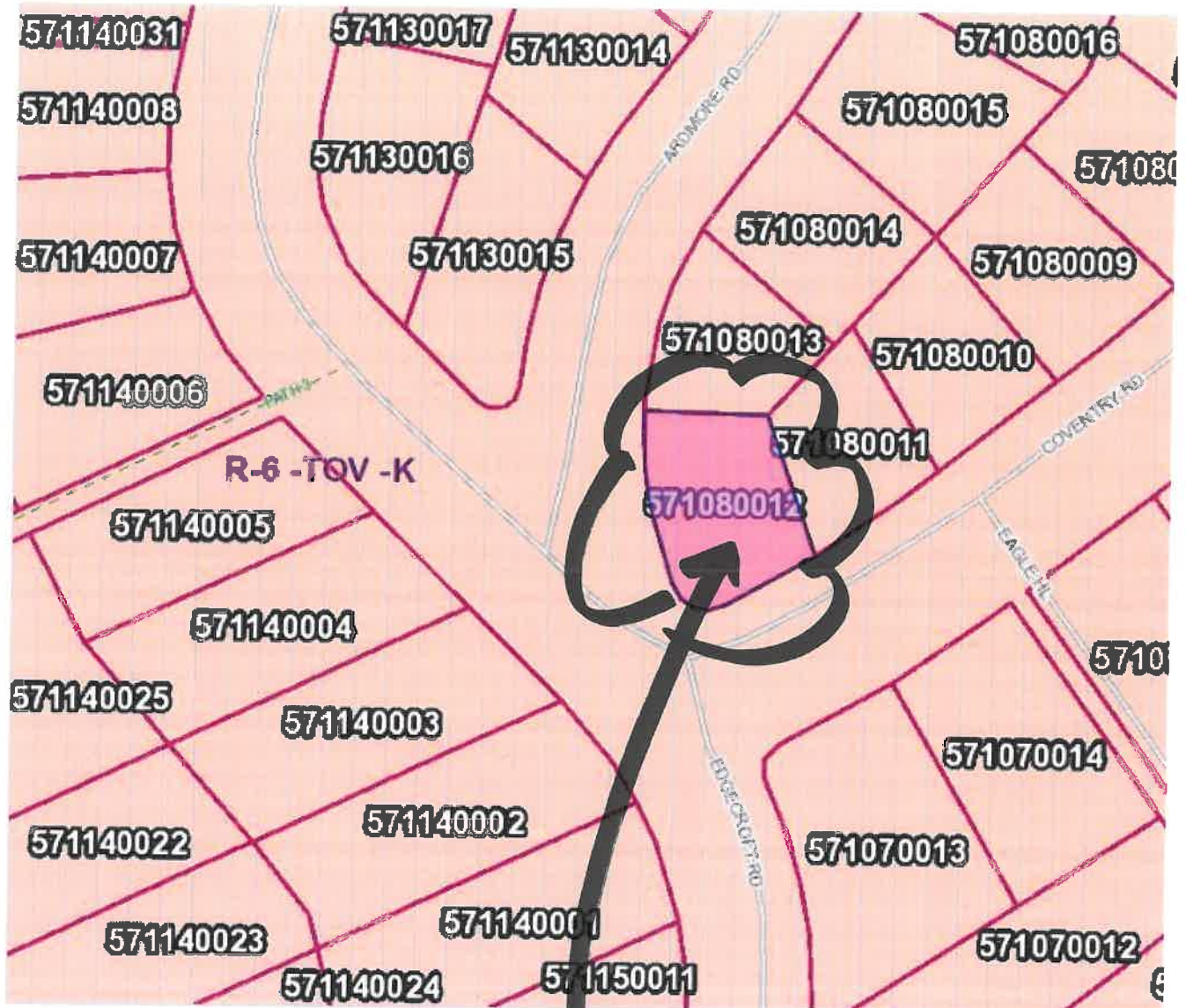


General Plan: Single-Fam. Res.-High Dens



Site

Zoning: R-6, -TOV -K



50 ft

© 2004-2012, Accela

Site

Aerial View



50 ft

© 2004-2012, Accela

Site

RESOLUTION NO. 8-2014

RESOLUTION OF THE COUNTY PLANNING COMMISSION OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, INCORPORATING FINDINGS AND CONDITIONS OF APPROVAL FOR THE NEW CINGULAR WIRELESS (AT&T) PROJECT, LOCATED IN THE KENSINGTON AREA OF SAID COUNTY. COUNTY FILE NUMBER LP14-2014 (801 Coventry Road).

WHEREAS, AT&T (Applicant), Contra Costa County/Northern California Joint Pole Association (Owners) proposes a wireless telecommunications facility which consists of replacing the existing 39 foot tall pole and attaching 2 panel antennas atop the new pole for a total height of 50 feet 5 inches above-ground-level. The project also includes attaching the associated electrical equipment to the pole between 7 feet and 19 feet above-ground-level, for which an application was received on March 17, 2014; and

WHEREAS, for purposes of compliance with the provisions of the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, the project is Categorically Exempt, per CEQA Section 15303 (d), which exempts “water main, sewage, electrical, gas and other utility extensions, including street improvements, of reasonable length to serve such construction.”; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled before the County Planning Commission on Tuesday, May 13, 2014, where all persons interested therein might appear and be heard; and

WHEREAS, after having fully reviewed, considered and evaluated all the, public correspondence, testimony and evidence submitted in this matter;

NOW, THEREFORE, BE IT RESOLVED, that the County Planning Commission:

1. FINDS that the proposed development of a wireless telecommunications facility which consists of replacing the existing 39 foot tall pole, attaching 2 panel antennas atop the new pole for a total height of 50 feet 5 inches above-ground-level, and attaching the associated electrical equipment to the pole between 7 feet and 19 feet above-ground-level, is consistent with the Contra Costa County General Plan Policies for the Kensington area and Contra Costa County 1998 Telecommunications Policy; and
2. APPROVES the requested Land Use Permit application, County File #LP14-2014, submitted by New Cingular Wireless (AT&T), received by the Community Development Division on March 17, 2014.

BE IT FURTHER RESOLVED that the County Planning Commission FINDS as follows:

A. Growth Management Performance Standards

1. Traffic: The project will not significantly increase existing traffic levels in the area. However, there will be a temporary increase in traffic as a result of the construction phase of the project which is anticipated to take 5-7 days. The applicant will be required to obtain an encroachment permit from the Public Works Department, as this project is located within the public right-of-way. One additional truck and employee may be temporarily located at the work site to assist in traffic management. The facility will require routine maintenance which will be 1 to 2 visits a month. Street parking is available in the immediate area to accommodate maintenance vehicles. According to County records, no other wireless providers are currently proposed at this site.
2. Water: The proposed equipment will be located on an existing utility pole; therefore, staff is not recommending vegetative screening for this project. Consequently, the project will not increase the demand for water supplies in the area or for the subject site. Additionally, the East Bay Municipal Utilities District has reviewed the project and has indicated that they did not have any concerns with the proposal as submitted.
3. Sanitary Sewer: The project will not increase the demand for sanitary sewer service in the area as the project is to be un-manned. Therefore, the project does not involve any toilets or sanitary sewer facilities. The Stege Sanitary District has reviewed the project submittal and has returned an Agency Comment Request indicating that they did not have any comments on this application.
4. Fire Protection: The project will not significantly increase the demand for fire protection at the site. There are no fuel cells or back-up generators proposed for this site.
5. Public Protection: The project will not increase the demand for police service facilities; on the contrary, the project will improve wireless telecommunication services in the area which is considered to be a benefit during emergency situations.
6. Parks & Recreation: The project will not increase the demand for parks or recreation facilities, as the project will not increase the housing stock in the County.
7. Flood Control & Drainage: The subject site is not located within a Federal Emergency Management Agency-designated special flood hazard zone. Therefore, the project will not create a hazard associated with any existing physical conditions at the site.

B. Land Use Permit Findings

1. *That the proposed project shall not be detrimental to the health, safety and general welfare of the County.*

Finding: The Federal Communications Commission (FCC) has adopted standards for public exposure, as well as, occupational exposure to electro-magnetic fields (EMF). Compliance with these standards is considered to be evidence that the project does not present health and safety risks. Therefore, the applicant has submitted an EMF report, dated March 13, 2014, indicating that the EMF strength for this project falls within the FCC limit for public exposure.

2. *That the proposed project shall not adversely affect the orderly development within the County or the community.*

Finding: The proposed equipment is so compact and innocuous that granting AT&T a 10-year conditional use permit for the installation and operation of the proposed project cannot reasonably be expected to influence the orderly development of property within the County. The project is consistent with applicable policies of the County's 2005-2020 General Plan for the Kensington area, as well as, the 1998 Telecommunications Policy.

3. *That the proposed project shall not adversely affect the preservation of property values and the protection of the tax base within the County.*

Finding: The project site is located within the public right-of-way, at the northeastern corner of the Ardmore/Coventry Road intersection. The subject 39-foot tall utility pole currently exists at the site. No tree removal is required to attach the proposed electrical equipment to the pole or to establish the required electrical power for the facility. Given the relatively small scope of the project, it is not anticipated that the operation of one cell site at the subject location will limit the potential range of uses at the site or on adjacent properties. The pole will not substantially block any views as seen by adjacent residents or significantly alter the visual characteristics of this site, nor has any evidence been provided that confirms cell sites lower property value. Therefore, the project will not adversely affect the preservation of property values and the protection of the tax base within the County.

4. *That the proposed project as conditioned shall not adversely affect the policy and goals as set by the General Plan.*

Finding: The General Plan designation for the site is Single-Family Residential-High Density (SH). Accordingly, the site in general is primarily developed with single-family homes, streets, sidewalks and the public utilities which serve the area. As new services are made available to residential customers (e.g., satellite cable and

**COUNTY PLANNING COMMISSION
RESOLUTION NO. 8-2014
PAGE 4 of 5**

associated antennas), the supporting infrastructure must be upgraded to address the new services. The wireless technology proposed with this application will allow AT&T to attach two relatively small antennas and associated electrical equipment to an existing utility pole in the public right-of-way. The subject pole currently supports electrical power, cable and telephone landline services. Therefore, AT&T's proposal is consistent with the existing uses at the site, immediate area and intent of the SH General Plan designation in which it is situated.

The 2005-2020 Contra Costa County General Plan also prescribes that many localized scenic vistas, major ridgelines and views of the San Francisco Bay/Delta area, are components of the County's environmental setting which are perceived by many as desirable. The General Plan policies for the Kensington area provide that items such as parking, views and design compatibility should be considered as part of the application process. The siting of this particular pole is such that the proposed equipment will not substantially block any views currently had by adjacent residents. The photosimulations submitted for this project show that the slim design of the equipment also "softens" the visual intrusiveness of the proposed equipment. Therefore, the proposed wireless telecommunications facility complies with the policies and goals set by the General Plan for the Kensington area.

5. *That the proposed project shall not create a nuisance and/or enforcement problem within the neighborhood or community.*

Finding: The project, as conditioned, will not create a nuisance and/or enforcement problem within the neighborhood or community. There has been no record of code enforcement issues with these types of facilities. Conditions of approval require the applicant to paint the facility a color which matches the existing pole and maintain a uniform color on the equipment as maintenance is performed over time. Furthermore, if approved, the applicant will be required to submit 3-year condition of approval compliance reviews in order for the County to evaluate the on-going compliance efforts by AT&T.

6. *That the proposed project as conditioned shall not encourage marginal development within the neighborhood.*

Finding: The proposed cell site is consistent with the allowable uses in R-6/-TOV/-K Zoning District. The R-6/-TOV/-K Zoning District also clearly defines the other types of uses determined to be appropriate for the subject site and area. The project will increase the wireless services to an area of the County currently experiencing poor coverage/capacity. Therefore, the County does not anticipate that the project will encourage marginal development within the neighborhood.

**COUNTY PLANNING COMMISSION
RESOLUTION NO. 8-2014
PAGE 5 of 5**

7. *That special conditions or unique characteristics of the subject property and its location or surroundings are established.*

Finding: Kensington is unique with its steep slopes and undulating topography. Cell sites require a reasonably clear line-of-sight to function properly. As a result, AT&T has proposed to install the subject project to accommodate for the line-of-sight challenges in the area. The subject site is located within the public right-of-way at the Ardmore/Coventry Road intersection and does not require the removal of any trees or grading. There are no other concurrent applications that propose to develop this site. Therefore, establishment of the subject wireless facility will not significantly alter the physical characteristics that currently exist at the site or within the immediate vicinity.

NOW BE IT RESOLVED that the secretary of this Commission will sign and attest the certified copy of this resolution and deliver the same to the Board of Supervisors, all in accordance with the Government Code of the State of California.

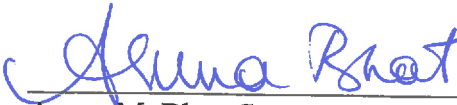
This Resolution was approved upon the motion of the County Planning Commission on Tuesday, May 13, 2014, by the following vote:

AYES:	Commissioner(s) -	Stewart, Snyder, Steele, Wright, Swenson, Clark
NOES:	Commissioner(s) -	None
ABSENT:	Commissioner(s) -	Terrell
ABSTAIN:	Commissioner(s) -	None

MARVIN TERRELL
Chair of the County Planning Commission
County of Contra Costa, State of California

Within the 10 day appeal period allowed by law the Department of Conservation and Development, Community Development Division, received an appeal of the County Planning Commission decision from Chris Hall et al.

ATTEST:



Aruna M. Bhat, Secretary
County Planning Commission
County of Contra Costa
State of California

Mr. Francisco Avila, Project Planner
Contra Costa County
Dept. of Conservation and Development 30 Muir Road
Martinez, CA 94553
Re: AT&T Mobility's Application for Cell Site at 801 Coventry Road, County File
#LP14-2014

CONTRA COSTA COUNTY
2014 MAY 23 AM 8:54
APPLICANTS & PUBLIC COMMENTS

May 22, 2014

Dear Mr. Avila,

A coalition of more than two dozen residents and owners, supported by an additional 29 petitioners, has joined together to appeal the Contra Costa Planning Commission's approval of the cell phone tower at 801 Coventry Road or any further residential land use permits for cell towers in Kensington. This letter constitutes a formal appeal to the County Board of Supervisors to reverse the approval of a cell tower at 801 Coventry Road.

While Kensington is unincorporated county, it is a densely populated area, at least as densely populated as the surrounding towns and cities. These areas of similar population density have local ordinances that define specific requirements for cell phone towers.

This leaves Kensington underrepresented legally and less protected from incursion than the surrounding communities of similar residential density. We must look to the county to protect the quality of our unique residential neighborhoods. Thus it is critical that the County follow the requirements of CEQA for the ERA and require any company requesting a commercial permit in a residential zone to prove the necessity of such an incursion. In this case, there has been no independent review of the necessity of this tower, which should be a first step in allowing a commercial installation within residential zoning.

We request that the County require AT&T to demonstrate a significant gap in service to an independent consultant (selected by the County and approved by this group) before this or any other cell tower in Kensington is approved. If AT&T can demonstrate a significant gap in service, AT&T should also demonstrate to this consultant why it cannot address that gap by selecting an alternative location, such as the commercial strip along the Arlington that is not densely residential.

We further urge the County to prepare an environmental impact report ("EIR") under the California Environmental Quality Act ("CEQA") to analyze the project's significant health, safety, geologic/seismic, fire hazard and aesthetic impacts.

We are aware that AT&T has conducted its own survey of service and analysis of alternatives, but believe that this survey cannot possibly be

unbiased, and that it is contradicted by testimony at the February 26, 2013 Kensington Municipal Advisory Council meeting on the applicant's proposal and comments submitted to the Planning Commission.

We bring the following to the attention of the Planning Commission:

1) The Kensington Municipal Advisory Council, our local advisory board voted unanimously against approval this tower, asking AT&T for a continuance to allow further study before moving forward. The Planning Commission ignored this request. Approval of this cell tower would allow land use impacts inconsistent with the Kensington Combining District, County Ordinance Code, including but not limited to sections 84 74.204 and 87 74.1206; the General Plan, including but not limited to policies 9 18, 9 19, 9 21, and 9 22; and the Contra Costa County Telecommunication Policy.

2) The County Must Require an Alternatives Analysis by an Independent Consultant, Financed by AT&T, which Demonstrates a Significant Gap in Service.

This requirement is two parts: first, an independent consultant must validate AT&T's assertion of a service gap. As the federal courts have explained, "the relevant service gap must be truly significant *MetroPCS v. City and County of San Francisco*, 400 F.3rd 715,733, n. 10 (9th Cir. 2005). The federal Telecommunications Act "obviously cannot require that wireless services provide 100 percent coverage." *360· Communication Company of Charlottesville v. Board of Supervisors of Albemarle County*, 211 F.3rd 79, 87 (4th Cir.2000).

We are not aware of any AT&T cell phone users that experience a large number of dropped calls in Kensington service area-let alone a significant gap in service. Indeed, at the February 26, 2013 KMAC meeting on the applicant's proposals, AT&T users commented that they had great reception in this service area. This exact issue is being addressed in neighboring El Cerrito, which has hired an independent consultant to perform such a review.

Second, the County's 1998 Telecommunications Policy authorizes the County to require an alternative analysis and demonstrate the applicant's need for the project. In light of the project's impacts to the environment, public health and safety, and community property values, the County should unquestionably require this analysis, and should ensure that it be independently peer reviewed. AT&T has asserted that it is impossible to use any existing location on the commercial area of the Arlington. We challenge that assertion, which requires review as part of an independent analysis ordered by the County. As part of the "Comments" section of the staff packet, metal poles, like those on the Arlington, were clearly shown to support cell towers, in direct contradiction to AT&T's assertions to the contrary.

3) **The County Must Prepare an EIR that Analyzes the Project's Significant Impacts.**

CEQA establishes a "low threshold" for initial preparation of an EIR, especially in the face of conflicting assertions concerning the possible effects of a proposed project. *The Pocket Protectors v. City of Sacramento*, 124 Cal.App.4th 903, 928 (2005) (requiring an EIR for aesthetic impacts); *Ocean View Estates Homeowners Assn., Inc. v. Montecito Water District*, 116 Cal.App.4th 396,399 (2004) (same). **An EIR is required** whenever substantial evidence in the administrative record supports a "fair argument" that significant impacts may occur, even if other substantial evidence supports the opposite conclusion. Guidelines §§1506a(a)(1),(f)(l).

We take issue with the staff's assertion that a cell tower deserves a Categorical Exemption as allowed by CEQA Section 15303 (d) cited in paragraph 5D of their presentation to the Planning Commission. Cell towers are clearly NOT public utilities, but privately owned, for-profit commercial installations, and as such are subject to more rigorous standards than sewage, electrical or gas utilities in the public right of way. In fact there is no mention of cell phone facilities in section 7 of the County General Plan, and the design of the tower is such that it stands out as a definite eyesore on the residential street (photo attached as Appendix A) in direct contradiction to the Contra Costa County Telecommunication Policy and staff findings in paragraph VIII D of the Planning Commission Staff Report.

There can be no doubt that CEQA's low threshold requiring an EIR is met here. The cell tower proposal will cause both project-specific and cumulative impacts to health, safety, geology/seismic, fire hazard, and aesthetics.

Health and Safety Impacts

At this time, there is no individual who has lived in proximity to a cell tower for more than 20 years. Therefore, it is impossible to discount the potential of yet unproven negative interaction between cell towers and public health. (A precedent we all remember is the correlation of smoking to cancer and heart disease, officially denied for decades.)

The International Association of Fire Fighters has declared a moratorium on new cell tower construction at fire department facilities until credible science is developed:

<http://www.iaff.org/hs/Facts/CellTowerFinal.asp>. As covered at <http://eliehouse.wordpress.com/2010/11/12/how-safe-are-the-workers-who-work-in-close-proximity-to-cell-phone-antennae/> and in the New York Times

<http://www.nytimes.com/2010/11/14/business/14digi.html>, there are a number of conclusive scientific studies stating that electromagnetic radiation effects can include sleep disruption, impairment of memory and concentration, fatigue, headache, skin disorders, nausea, loss of appetite, tinnitus, cardiac problems, and possibly several forms of cancer, most

notably leukemia, breast cancer, and brain tumors. In fact, numerous ongoing studies document these concerns¹.

The neighborhood in question has over 40 children. The American Academy of Pediatrics, in a letter to Congressman Dennis Kucinich dated December 12, 2012 states: "Children are disproportionately affected by environmental exposures, including cell phone radiation... It is essential that any new standards for cell phones or wireless devices be based on protecting the youngest and most vulnerable populations to ensure that they are safeguarded through their lifetimes."

The specific site at 801 Coventry Road is at the convergence of three streets, including a blind corner where there have been a number of traffic accidents.

In addition, Mrs. Hayes, a 101-year old, house-bound woman, lives at 801 Coventry, and her bedroom is exactly opposite the proposed cell tower. Noise and other types of disruption stemming from the installation and maintenance of a tower would have a negative impact on her health.

We understand that the federal Telecommunications Act ("TCA") may prevent the County from mitigating RF impacts or basing its permitting decision on impacts from RF emissions. However, simply because the County cannot mitigate these potentially significant health impacts does not mean it should not require an analysis by an independent consultant analyze and full disclosure of impacts from RF emissions. See *Communities for a Better Environment v. South Coast Air Mgmt. Dist.*, 48 Cal.4th 310, 325 (2010) (infeasibility of mitigation did not justify the agency's failure to analyze impacts to human health).

Indeed, meaningful analysis of impacts promotes one of CEQA's fundamental purposes: to **"inform the public and responsible officials of the environmental consequences of their decisions before they are made."** *Laurel Heights Improvement Ass'n v. Regents of the University of California*, 6 Cal.4th 1112, 1123 (1993).

Geologic, Seismic and Fire Hazard Impacts

In its description of the site, staff failed to mention that the project is inherently unsafe because it is located in an active fault zone. As shown on the State of California's Alquist Priolo Earthquake Fault Zoning Map for the Richmond Quadrangle

¹ Examples follow:

K. Mann and J. Röschke, "Effects of Pulsed High-Frequency Electromagnetic Fields on Human Sleep," *Neuropsychobiology* 33, no. 1 (1996): 41-47; Krause et al.; Alexander Borbely et al., "Pulsed High-Frequency Electromagnetic Field Affects Human Sleep and Sleep Electroencephalogram," *Neurosci Lett*, 275, no. 3 (1999): 207-210; L. Kelenyi et al., "Effects of Mobile GSM Radiotelephone Exposure on the Auditory Brainstem Response (ABR)," *Neurobiology* 7, no. 1 (1999): 79-81; B. Hocking, "Preliminary Report: Symptoms Associated with Mobile Phone Use," *Occup Med* 48, no. 6 (Sept. 1998): 357-360; and others as reported in Neil Cherry, *Health Effects Associated with Mobil Base Stations in Communities: The Need for Health Studies*, Environmental Management and Design Division, Lincoln University (June 8, 2000); <http://pages.britishlibrary.net/orange/cherryonbasestations.htm>

(<http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm>), the project is located squarely in the Hayward Fault, Landslide and Liquefaction Zones.

In March of this year, the El Cerrito Fire Department submitted a memorandum designating "Very High Fire Hazard Severity Zones," VHFHS, per Government Code section 51178. (See http://www.fire.ca.gov/fire_prevention/fhsz_maps_contracosta.php, Local Responsibility Area (LRA) Map.) This site is squarely in such a VHFHS. Any additional installations in this zone increase the risk to public safety. Staff also neglected to note that project is directly adjacent to Cerritos Canyon, a steep unimproved canyon that increases fire risk due to dry grasses, dense brush and trees.

Aesthetic and Cumulative Impact

While the proposed tower is currently partially screened by trees, the main screen is a deciduous Maple tree, which does not screen the pole at all in winter. In addition, while the subject telephone pole is currently partially veiled by this Maple, utility companies typically require that tree branches be pruned back 12 to 20 feet from their poles². The applicant proposes to increase the height of this pole from 39 to 51 feet. The applicant's visual simulation fails to show the pole's ugly, stark appearance, which will only be emphasized once neighboring trees are pruned according to standard practice. The visual simulation also fails to show the pole's appearance as it would look in winter, when the trees are not in full leaf. Even with the tree in full leaf, this tower is an unmistakable eyesore. (See photo, attached as Appendix A.)

Because federal law encourages co-location, once this tower is installed, the County has little or no discretion to disallow new fixtures on this tower. This clearly represents potential **cumulative** impacts as defined in the act. The County must analyze these significant project-specific and cumulative aesthetic impacts for the neighborhood surrounding 801 Coventry before granting this permit.

4) The County Cannot Make the Required Findings to Issue a Use Permit for the Project.

The project is wholly inconsistent with the County's land use standards for projects such as this one requiring a conditional use permit. The County must find, among other things, that the project is not "detrimental to the health, safety and general welfare of the county." Contra Costa County Code 26-2.2008(l). For all of the reasons set forth above, the County cannot make this finding.

² See, for example, PG&E's requirements:

<http://www.pge.com/mybusiness/customerservice/otherrequests/treetrimming/tree/treemaintenance/index.shtml>

The project would also "adversely affect the preservation of property values and the protection of the tax base within the county" in violation of Code section 26- 2.2008(3). A number of organizations and studies have documented the detrimental effects of cell towers on property values. Numerous peer-reviewed studies find that property values decline between 5-20% near cell towers, even when studies are funded by cell companies themselves. (e.g. <http://emfsafetynetwork.org/wp-content/uploads/2011/09/Property-devaluation-cell-towers.-pdf.pdf> and <https://www.irwaonline.org/eweb/upload/0399b.pdf>).

5) Errors in Presentation of Facts

We also wish to bring to your attention errors in the presentation to the Planning Commission on May 13:

- a) AT&T attested that their network would improve data response for the police and thus benefit Kensington. According to the Kensington Police Protection & Community Services District, the Kensington police department and dispatch use the Verizon network, and therefore would not benefit from the additional towers.
- b) In the background provided to the Planning Commission, Paragraph 3 states: "The sixth application (County File #LP132020, 110 Ardmore Road) was continued to June 3, 2014, in order to provide the applicant with sufficient time to explore an alternative site at 801 Coventry Road. However, we understand the continuance was to explore alternative sites, not specifically to explore this site, which was later selected.
- c) At the meeting on May 13, AT&T represented to the Planning Commission that Supervisor John Gioia had selected and approved the 801 Coventry site. This is not the case. Supervisor Gioia directed AT&T to look for alternative sites, specifically with hopes that a commercial site on the Arlington might be selected.
- d) This appeal is further supported by the 29 signatories to a petition submitted to KMAC in May by Phil Zimmerman, and included in Appendix B. The list of signatories was omitted from the Planning Commission as part of the packet for review on May 13.

6) Conclusion

Thank you for your attention to this appeal. We have had a very limited time to organize specific facts for this appeal, and note that other supporting documents and relevant facts may emerge after submission of this letter, which we may bring before the Board of Supervisors.

We believe that the processes suggested in this appeal would encourage AT&T to find less intrusive means of improving service to our neighborhood, one that is in keeping with the values of a residential community.

If you have any questions regarding these comments, please contact Chris Hall, at 510-528-0500, or chris@kensingtonfarmersmarket.org.

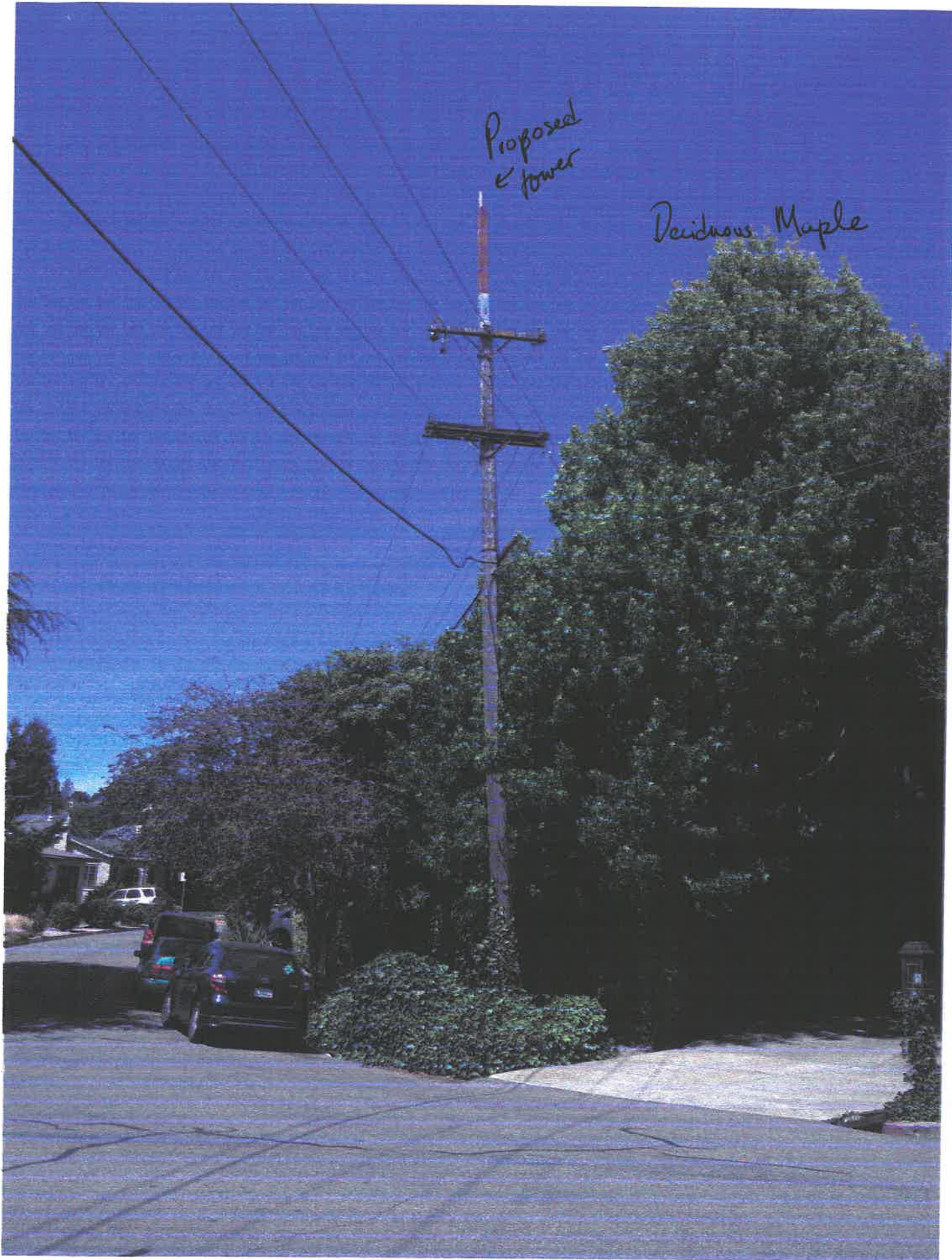
Mr. Francisco Avila
May 22, 2014
Page 7

Very truly yours,

Residents and owners on Ardmore, Coventry, and Edgcroft Roads:

Mr. Chris Hall
Ms. Jennifer Kelly
Dr. Lee Wolfer
Ms. Sally Wolfer
Mrs. Evelyn Hayes, Annette Hayes, Ann Hayes, Caroline Hayes, Scott Hayes,
Evie Hayes, Jon Hayes, Mark Hayes, Cherie Hayes, Stuart Hayes, Emelie
Hayes, Charlie Hayes
Andy Coy, Nick Coy, Jack Coy
Steve and Gerry Ruskewicz
Ms. Amy Carlstad
Ms. Frances Aubrey
Dr. David Cummins
Mr. John McKnight
Mr. John Wolbe
Ms. Lori Wolbi
Kay and Andrew Reed
Larry and Meryl Rafferty
Mr. Phil Zimmerman
Ms. Anne Harlow
John and Carla Herbst
Professor Lisa Goldberg
Gretchen and Walter Gillifan
Jack and Gina Moreland
Mr. Anton Kokorin
Mr. Fred Wehking
Ms. Paula Kaufman
Ns. Shiva Niazi
Mr. Jamrd Ortiz
Serene and Paul Quin
Bill Dietrich and Gayle Siebern

APPENDIX A



View from across the street

Deciduous
Trees



Appendix B

Dear KMAC:

Please submit to Supervisor Gioia and to the County Department of Conservation and Development this petition from your neighbors and constituents. The undersigned request that they:

1. Require of the applicant AT&T regarding its filing LP 14-2014 for a wireless facility atop a utility pole at 801 Coventry, Kensington, that it reposition the location of the antenna to below the existing top of the pole. Reason for this petition: As designed, it would be ugly and prominent. Below the top of the pole, a modest size antenna will not be as aesthetically offensive or noticeable.
2. Add the following language to the Contra County Draft Wireless Facilities Ordinance (Z 13- 0001) in such a way that it applies to the entire county, or at the very least to the Kensington Combining Zoning District , and pass this proposed ordinance into law soon, applying its provisions to all wireless facilities in the county not yet actually built. (Excerpted from City Of Orinda Wireless Ordinance)

17.34.4 - Standards.

F. Coaxial cables, conduit lines and other electrical boxes for ground-mounted antennas shall be placed underground or within the approved structures. Coaxial cables and conduit lines for roof and facade-mounted antennas shall be placed or camouflaged to minimize their visual impact.

J. If the facility is proposed for a single-family residential zone or in a ridgeline area, a minimum three hundred (300) foot setback shall be provided between a wireless communications facility (except for the associated PG&E meter) and the nearest residential structure on an adjacent parcel, unless the facility is incorporated within or attached in a stealth manner to the main structure on the parcel or is attached to a public utility structure in a visually unobtrusive manner.

L. No wireless communications facility may exceed the maximum height permitted for the main structure in any zone, except that roof-mounted and facade-mounted facilities in nonresidential zones or on public, semi-public or nonprofit buildings may project up to fifteen (15) feet above the roofline of the existing structure regardless of total height. Wireless communications facilities attached to a public utility structure may not exceed the existing height of the public utility structure regardless of total height.

E. Existing and proposed landscaping around the proposed facility, as identified in the project plans, shall be maintained in good condition (including installation of an irrigation system, if necessary) for as long as the facility is in place; landscaping on the applicant's site which helps to screen the wireless communications facility from off-site views, as identified on the project plans, shall not be removed, trimmed or altered in any way, unless such removal or trimming is deemed necessary by a certified arborist to protect the health of the landscaping; if removal or trimming is deemed necessary, additional landscaping may be required;

17.34.5 - Conditions of approval.

F. Within one month after construction of the wireless communications facility, and on an annual basis thereafter, testing of total RF emissions shall be conducted to verify compliance with FCC regulations. Such testing shall be conducted during normal business hours on a nonholiday weekday with the wireless communications facility operating at maximum power and shall measure the total emissions from the subject cell site.

(Ord. 99-5 § 2 (Exh. A (part)))

17.34.6 - Review and approval.

3. Co-location of wireless communications facilities on approved, encouraged sites only where such co-location reduces traffic, visual and other cell site impacts; and

4. Co-location on existing public utility structures such as electrical transmission towers and water tanks in nonvisually sensitive areas.

17.34.9 - Review, termination and revocation.

2. RF Emissions Violation. In the event that total RF emissions for a cell site exceed FCC standards, the applicant shall immediately cease operation of the wireless communications facility and permit revocation procedures shall be commenced.




17.34.10 - Submittal requirements.

I. List the Radio Frequency range in Megahertz and list the wattage output of the equipment;

C. Mock-up structures and/or story poles which replicate the proposed wireless communications facility shall be provided in the field;

D. Documentation demonstrating that use of the site will not result in levels of radio frequency (RF) emissions which will exceed Federal Communication Commission standards. This documentation shall be independently verified by a third party reviewer prior to issuance of a wireless communications facility permit;

E. A description of any proposed noise-generating equipment, including the times and decibel levels of the noise which would be produced;

Name (printed)	Signature	Street Address, Kensington, CA
Anne Frankfurt		145 Ardmore Rd
John Wind		155 Ardmore
Candice Brackenburg		165 Ardmore Rd

<u>NAME</u>	<u>SIG NATURE</u>	<u>KENSINGTON ADDRESS</u>
Nancy Liebowitz		173 Ardmore Rd Kensington CA
Elizabeth Clark		175 Ardmore Kensington CA
Jung Myung		72 Ardmore Rd Kent CA
JOHN GRIFFITH		151 Ardmore RD. Kensington CA
Diana Patpatia		130 Ardmore Rd Ken 86
Sasha Patpatia		130 Ardmore rd. Kensington CA 91104
Sunny Patpatia		130 ARDMORE, KENSINGTON 91104
Steven Jansen		115 Ardmore Rd Kensington
GWEN VOLLAW-JOHNSON		115 Ardmore Rd
Peter Rauch		105 Ardmore Rd
Scott Cook		176 Ardmore Rd
Ed Ardon		180 Ardmore
Serene Quinn		7310 Coventry Rd
Susan CAMPBELL		732 Coventry Rd Susan Campbell
Andrew REE		928 Coventry Rd Andrew Reel 523-7213
Jim McGuire		140 Ardmore Rd
Sharon L Messinger		" " Sharon Messinger
Ken Libet		114 Ardmore Rd
Bill Dietrich		100 Ardmore Rd
Tessa Krogh		96 Ardmore Rd
Julie Holabird		90 Ardmore Rd Kensington CA
Kim J. Roots		81 Ardmore Rd, Kensington CA
Sharon Roberts		131 Ardmore Rd. Kensington CA
Randall Cook		132 Ardmore Road Kensington CA
Michael Boteman		1 ARDMORE PATH KENSINGTON CA MICHAEL BOTEMAN
Ann Harlow		149 Ardmore, Kensington

Department of
Conservation and
Development

30 Muir Road
Martinez, CA 94553-4601

Phone: 855-323-2626

Contra
Costa
County



Catherine O. Kutsuris
Director

Aruna Bhat
Deputy Director

Jason Crapo
Deputy Director, Chief Building Official

John Kopchik
Deputy Director

PAYER:

APPLICATION #: CDLP14-02014

TYPE: Land Use Permit

Payment Type: Cash

ACCOUNT ITEM LIST:

Item #	Description	Total Fees	Current Paid	Total Paid
0047	Appeal (\$125)	\$125.00	\$125.00	\$125.00
052B	Notification Fee (\$30)	\$30.00	\$0.00	\$30.00
HSDR	Environmental Health Fee (\$57)	\$57.00	\$0.00	\$57.00
LPS0029	LUP-Other	\$2,700.00	\$0.00	\$2,700.00
Total Fees:		\$2,912.00	Paid:	\$2,912.00
			Balance:	\$0.00

ISSUED BY: KDENISON

DATE: 05-23-2014

APPLICATION DESC: The applicant is requesting approval of a land use permit to attach a New Cingular Wireless distributed antenna system (DAS) node to an existing utility pole in the public right-of-way. The project consists of replacing the existing 39-foot tall pole with a new pole and attaching two panel antennas atop the pole for a total height of 50-feet 5-inches above-ground-level. The project also includes attaching the associated electrical equipment to the pole between 7-feet and 19-feet above-ground-level.

SITE ADDRESS: 801 COVENTRY ROAD, KENSINGTON, CA 94707

PARCEL: ROW-571-080

NOTES:

Receipt Number: CD14-006476

**FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #LP14-2014;
NEW CINGULAR WIRELESS – AT&T MOBILITY (Applicant), CONTRA COSTA
COUNTY/NORTHERN CALIFORNIA JOINT POLE ASSOCIATION (Owners)**

FINDINGS

A. Growth Management Performance Standards

1. Traffic: The project will not significantly increase existing traffic levels in the area. However, there will be a temporary increase in traffic as a result of the construction phase of the project which is anticipated to take 5-7 days. The applicant will be required to obtain an encroachment permit from the Public Works Department, as this project is located within the public right-of-way. One additional truck and employee may be temporarily located at the work site to assist in traffic management. The facility will require routine maintenance which will be 1 to 2 visits a month. Street parking is available in the immediate area to accommodate maintenance vehicles. According to County records, no other wireless providers are currently proposed at this site.
2. Water: The proposed equipment will be located on an existing utility pole; therefore, staff is not recommending vegetative screening for this project. Consequently, the project will not increase the demand for water supplies in the area or for the subject site. Additionally, the East Bay Municipal Utilities District has reviewed the project and has indicated that they did not have any concerns with the proposal as submitted.
3. Sanitary Sewer: The project will not increase the demand for sanitary sewer service in the area as the project is to be un-manned. Therefore, the project does not involve any toilets or sanitary sewer facilities. The Stege Sanitary District has reviewed the project submittal and has returned an Agency Comment Request indicating that they did not have any comments on this application.
4. Fire Protection: The project will not significantly increase the demand for fire protection at the site. There are no fuel cells or back-up generators proposed for this site.
5. Public Protection: The project will not increase the demand for police service facilities; on the contrary, the project will improve wireless telecommunication services in the area which is considered to be a benefit during emergency situations.
6. Parks & Recreation: The project will not increase the demand for parks or recreation facilities, as the project will not increase the housing stock in the County.
7. Flood Control & Drainage: The subject site is not located within a Federal Emergency Management Agency-designated special flood hazard zone. Therefore, the project will not create a hazard associated with any existing physical conditions at the site.

B. Land Use Permit Findings

1. *That the proposed project shall not be detrimental to the health, safety and general welfare of the County.*

Finding: The Federal Communications Commission (FCC) has adopted standards for public exposure, as well as, occupational exposure to electro-magnetic fields (EMF). Compliance with these standards is considered to be evidence that the project does not present health and safety risks. Therefore, the applicant has submitted an EMF report, dated March 13, 2014, indicating that the EMF strength for this project falls within the FCC limit for public exposure.

2. *That the proposed project shall not adversely affect the orderly development within the County or the community.*

Finding: The proposed equipment is so compact and innocuous that granting AT&T a 10-year conditional use permit for the installation and operation of the proposed project cannot reasonably be expected to influence the orderly development of property within the County. The project is consistent with applicable policies of the County's 2005-2020 General Plan for the Kensington area, as well as, the 1998 Telecommunications Policy.

3. *That the proposed project shall not adversely affect the preservation of property values and the protection of the tax base within the County.*

Finding: The project site is located within the public right-of-way, at the northeastern corner of the Ardmore/Coventry Road intersection. The subject 39-foot tall utility pole currently exists at the site. No tree removal is required to attach the proposed electrical equipment to the pole or to establish the required electrical power for the facility. Given the relatively small scope of the project, it is not anticipated that the operation of one cell site at the subject location will limit the potential range of uses at the site or on adjacent properties. The pole will not substantially block any views as seen by adjacent residents or significantly alter the visual characteristics of this site, nor has any evidence been provided that confirms cell sites lower property value. Therefore, the project will not adversely affect the preservation of property values and the protection of the tax base within the County.

4. *That the proposed project as conditioned shall not adversely affect the policy and goals as set by the General Plan.*

Finding: The General Plan designation for the site is Single-Family Residential-High Density (SH). Accordingly, the site in general is primarily developed with single-family homes, streets, sidewalks and the public utilities which serve the area. As new services are made available to residential customers (e.g., satellite cable and associated antennas), the supporting infrastructure must be upgraded to address the new services. The wireless technology proposed with this application will allow AT&T to attach two relatively small antennas and associated electrical equipment to an existing utility pole

in the public right-of-way. The subject pole currently supports electrical power, cable and telephone landline services. Therefore, AT&T's proposal is consistent with the existing uses at the site, immediate area and intent of the SH General Plan designation in which it is situated.

The 2005-2020 Contra Costa County General Plan also prescribes that many localized scenic vistas, major ridgelines and views of the San Francisco Bay/Delta area, are components of the County's environmental setting which are perceived by many as desirable. The General Plan policies for the Kensington area provide that items such as parking, views and design compatibility should be considered as part of the application process. The siting of this particular pole is such that the proposed equipment will not substantially block any views currently had by adjacent residents. The photosimulations submitted for this project show that the slim design of the equipment also "softens" the visual intrusiveness of the proposed equipment. Therefore, the proposed wireless telecommunications facility complies with the policies and goals set by the General Plan for the Kensington area.

5. *That the proposed project shall not create a nuisance and/or enforcement problem within the neighborhood or community.*

Finding: The project, as conditioned, will not create a nuisance and/or enforcement problem within the neighborhood or community. There has been no record of code enforcement issues with these types of facilities. Conditions of approval require the applicant to paint the facility a color which matches the existing pole and maintain a uniform color on the equipment as maintenance is performed over time. Furthermore, if approved, the applicant will be required to submit 3-year condition of approval compliance reviews in order for the County to evaluate the on-going compliance efforts by AT&T.

6. *That the proposed project as conditioned shall not encourage marginal development within the neighborhood.*

Finding: The proposed cell site is consistent with the allowable uses in R-6/-TOV/-K Zoning District. The R-6/-TOV/-K Zoning District also clearly defines the other types of uses determined to be appropriate for the subject site and area. The project will increase the wireless services to an area of the County currently experiencing poor coverage/capacity. Therefore, the County does not anticipate that the project will encourage marginal development within the neighborhood.

7. *That special conditions or unique characteristics of the subject property and its location or surroundings are established.*

Finding: Kensington is unique with its steep slopes and undulating topography. Cell sites require a reasonably clear line-of-sight to function properly. As a result, AT&T has proposed to install the subject project to accommodate for the line-of-sight challenges in the area. The subject site is located within the public right-of-way at the

Ardmore/Coventry Road intersection and does not require the removal of any trees or grading. There are no other concurrent applications that propose to develop this site. Therefore, establishment of the subject wireless facility will not significantly alter the physical characteristics that currently exist at the site or within the immediate vicinity.

CONDITIONS OF APPROVAL

Project Approval

1. _____ Development is approved as generally described in the application materials received by the Department of Conservation and Development/Community Development Division (CDD) on, March 17, 2014, subject to the following:
 - Total height of the two approved antennas shall not exceed 50 feet 5 inches above-ground-level.
 - Associated electrical equipment boxes shall be attached to the subject pole between 7 and 19 feet above-ground-level.

Administrative Review

2. _____ This Land Use Permit is granted for a period of ten (10) years and shall be administratively reviewed at three-year intervals. The applicant shall initiate the first review by submitting a statement as to the current status of the project to CDD no later than three (3) years following the effective date of the project approval. This review by CDD will be for the purpose of ensuring continued compliance with the conditions of permit approval.

Non-compliance with the approved conditions and/or the ordinance code provisions after written notice thereof shall be cause for revocation proceedings.

For the review of existing commercial wireless telecommunication facilities, submittal shall include photo documentation of existing conditions and equipment for comparison with the applicable approved conditions.

The applicant is encouraged, at the time of each administrative review, to review the design of the telecommunications facility and make voluntary upgrades to the facility for the purpose of improving safety and lessening visual obtrusiveness.

A review fee in the amount of \$500.00 (subject to time and materials) will be filed through a Compliance Review Application to allow for review of the approved conditions.

Initial Compliance Report Required Prior to the Issuance of a Building Permit

3. _____ At least 30 days prior to the issuance of a building permit, the applicant shall submit a report addressing compliance with the conditions of approval for review and approval by CDD staff. The report shall list each condition followed by a description of what the applicant has provided as evidence of compliance with that condition. CDD staff may reject the report if it is not comprehensive with respect to applicable requirements for the requested permit. The deposit for review of the Compliance Report is \$500.00; the actual fee shall be time and materials.

Replacement of Equipment

4. _____ The replacement of existing equipment may be done administratively (without the submittal of a Land Use Permit) after review and approval by CDD staff. The replacement of equipment will need to conform to the following:
- A. The proposed replacement equipment will not create a greater visual impact on the surrounding area and will not increase the risk to public health or safety; and
 - B. Will not otherwise conflict with the permit conditions.

An additional review fee in the amount of \$500.00 (subject to time and materials) will be filed through a Compliance Verification Application to allow for review of the equipment to be replaced. This condition shall not require prior approval to replace malfunctioning equipment where necessary to restore or maintain service. Nothing in this condition shall excuse the applicant from obtaining a building or electrical permit where otherwise required under the applicable code.

A new Land Use Permit approval will be necessary prior to installation of any equipment that does not satisfy criteria A and B above or prior to collocation by another carrier.

Financial Assurance

5. _____ At least 30 days prior to the issuance of a building permit, the applicant or permittee shall provide financial guarantee, which shall be indexed annually for inflation, satisfactory to CDD staff, for the removal of the facility in the event that the use is abandoned or the use permit expires, or is revoked, or otherwise terminated.

If the owner or lessee does not remove any obsolete or unused equipment, as described above, the financial guarantee shall be used by the County to remove any obsolete or unused facilities and to return the site to its pre-development condition. Any unused financial guarantee shall be returned to the applicant upon termination of the use and removal of the facility or transfer of the lease accompanied by a

financial guarantee by the new lessee or owner.

Removal of Facility/Site Restoration

6. _____ All structures and equipment associated with the applicant's commercial wireless telecommunications facility shall be removed within 30 days of the discontinuance of the use and the site shall be restored by the permittee to its original pre-development condition.

In the event that County staff receives confirmation that the overhead utilities attached to this pole are to be undergrounded, the applicant shall remove the subject wireless facility within 30 days of written notice by this Department. Additionally, in the event a macro site is developed, or another alternative is discovered that allows for the removal of the subject site while still providing the permittee an opportunity to provide the intended coverage, the permittee shall remove the approved equipment in favor of the visually less intrusive alternative.

General Provisions

7. _____ Any deviation from or expansion beyond the limits of this permit approved under this application may require the filing and approval of a request for modification of the Land Use Permit.
8. _____ The conditions contained herein shall be accepted by the applicant, his agents, lessees, survivors or successors for continuing obligation.
9. _____ All commercial wireless telecommunication facilities shall comply at all times with all Federal Communications Commission (FCC) rules, regulations and standards, and any other applicable federal, state or County law or regulation.
10. _____ Facilities shall be operated in such a manner so as not to contribute to ambient RF/EMF emissions in excess of then current FCC adopted RF/EMF emission standards.
11. _____ The equipment and accessory structures shall be maintained in good condition over the term of the permit. This shall include keeping the lease area clean and free of trash accumulation and the structures graffiti-free. In the event a piece of equipment needs to be repainted, the applicant shall paint the entire unit to ensure a uniform appearance.
12. _____ Antennas, cabinets and mountings shall not be used for advertising.
13. _____ No lights and no signage beyond what is required by this permit and the Federal Communications Commission shall be allowed.

Frequency Interference

14. ____ ____ At least 30 days prior to the issuance of a building permit, the applicant shall submit a letter, on AT&T letterhead, agreeing to participate in a County-wide program to resolve frequency interference problems.

Exterior Noise

15. ____ ____ Within 30 days of issuance of the final building permit, the applicant shall submit evidence for review and approval by the CDD staff that the wireless telecommunications facility meets acceptable exterior noise level standards as established in the Noise and Land Use Compatibility Guidelines contained in the Noise Element of the County General Plan. The noise levels considered for this site shall be the aggregate of the approved equipment, as well as, any existing equipment on the subject pole. The evidence shall include actual noise monitoring data recorded at the site. The report shall be prepared by a consultant chosen by CDD staff and paid for by the applicant.

The facility shall be kept in good working order at all times so that noise levels do not increase above the 60 dBA exterior noise level standard as established in the Noise and Land Use Compatibility Guidelines contained in the Noise Element of the County's 2005-2020 General Plan over the life of the project. If the noise emanating from the facility increases for any reason, then the applicant shall take immediate corrective action.

Camouflaging

16. ____ ____ A. All proposed antennas, antenna supports, and conduits shall have a non-reflective finish. Paints with a reflectivity less than 55 percent are required. All equipment shall be painted to match its surroundings (e.g., brown).
- B. Color photographs showing the as-built condition shall be submitted for review of the CDD staff to verify compliance with this Condition of Approval within 30 days of completing construction.
17. ____ ____ Prior to construction, the applicant, CDD and Public Works Department must engage adjacent neighbors to identify and provide the least impactful aesthetic options for the proposed pole mounted boxes (e.g., colors, but not antenna height) to ensure the relative scale and siting is consistent with this particular residential street.

Work Restrictions

18. ____ ____ The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to nearby uses. This shall be communicated to all project-related contractors and maintenance personnel.

19. _____ The project sponsor shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.
20. _____ The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
21. _____ Non-emergency maintenance, construction, and other activities on the site related to this use are restricted to the hours of 8:30 A.M. to 5:00 P.M., Monday through Friday, and shall be prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal)
Birthday of Martin Luther King, Jr. (State and Federal)
Washington's Birthday (Federal)
Lincoln's Birthday (State)
President's Day (State and Federal)
Cesar Chavez Day (State)
Memorial Day (State and Federal)
Independence Day (State and Federal)
Labor Day (State and Federal)
Columbus Day (State and Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

For specific details on the actual day the state and federal holidays occur, please visit the following websites:

Federal Holidays:

http://www.opm.gov/Operating_Status_Schedules/fedhol/2014.asp

California Holidays:

<http://www.ftb.ca.gov/aboutFTB/holidays.shtml>

Party Responsible for Permit Compliance

22. _____ The permittee (wireless facility operator) is responsible for keeping CDD informed of who is responsible for maintenance of compliance with this permit and how they may be contacted (e.g. mailing and email addresses, telephone number) at all times.
- A. **At least 30 days prior to the issuance of a building permit**, the permittee shall provide the name of the party (carrier) responsible for permit compliance and their contact information.

- B. Should the responsible party subsequently change (e.g., facility is acquired by a new carrier), within 30 days of the date of the change, the permittee shall issue a letter to CDD on the name of the new party who has been assigned permit compliance responsibility and their contact information. Failure to satisfy this condition may result in the commencement of procedures to revoke the permit.

Application Costs

23. _____ This application is subject to an initial application deposit of \$2,700.00 which was paid with the application submittal, plus time and material costs if the application review expenses exceed 100% of the initial deposit. **Any additional costs due must be paid within 60 days of the permit effective date or prior to use of the permit, whichever occurs first.** The applicant may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance.

PUBLIC WORKS CONDITIONS OF APPROVAL

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plans submitted to the Department of Conservation and Development, Community Development Division, on March 17, 2014.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT AND PRIOR TO INITIATION OF THE USE PROPOSED UNDER THIS PERMIT.

Access to Adjoining Property - Proof of Access

24. _____ Applicant shall provide written evidence to the Public Works Department from the owner of the streetlight/utility pole (PG&E) and that they authorize the cell site improvements on the existing streetlight/utility pole.

Encroachment Permit

25. _____ Applicant shall obtain an encroachment permit from the Application and Permit Center for construction of improvements within the right-of-way of Ardmore Road and Coventry Road.

Proof of Franchise Agreement/Owner of Light Pole Authorization

26. _____ For cell sites within the public right-of-way, the applicant shall provide evidence to the Public Works Department, Real Property Division that they are included in the statewide franchise agreement issued by the CPUC (California Public Utilities Commission); or, if unable to do so, the applicant shall enter into a license agreement with the County.

Road Alignment/Intersection Design/Sight Distance

27. _____ Applicant shall ensure that telecommunication improvements on the existing utility pole does not interfere with sight distance at the intersection of the private driveway with Ardmore Road, as well as Coventry Road in accordance with Chapter 82-18 "Sight Obstructions at Intersections" of the County Ordinance Code. The applicant shall locate improvements along the utility pole to provide sight distance at this driveway intersection.

ADVISORY NOTES

ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED TO ALERT THE APPLICANT TO ADDITIONAL ORDINANCES, STATUTES, AND LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.

- A. Additional requirements may be imposed by the Fire District, Water District, Sanitary District or the Building Inspection Division. It is advisable to check with these agencies prior to requesting a building permit or proceeding with the project.
- B. The Building Inspection Division will require three full sized sets of building plans which must be stamped by the Community Development Division and by the Sanitary District prior to issuance of building permits.
- C. The project sponsor is required by the FCC to work with neighbors to correct any interference to telephones, televisions or other electronic equipment caused by wireless telecommunication facilities.
- D. NOTICE OF OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, DEDICATIONS, RESERVATIONS OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

Pursuant to California Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.



at&t

CONTRA COSTA

APR 17 PM 12:56

PLANNING DEPARTMENT

LPI4-2014

PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.

OAKHILLS AT&T NORTH NETWORK OAKN-014D

(PROW) ARDMORE RD NEXT TO 801 COVINGTON RD, KENSINGTON, CA 94707



NEW CINGULAR WIRELESS PCS, LLC 4430 ROSEWOOD DR, BLDG 3 PLEASANTON, CA 94588-3050

PROJECT INFORMATION: OAKHILLS AT&T NORTH NETWORK NODE 014D ARDMORE RD NEXT TO 801 COVINGTON RD, KENSINGTON, CA 94707

CURRENT ISSUE DATE: 03/04/14

ISSUED FOR: PERMITTING

Table with columns: BY, DATE, DESCRIPTION, REV. Row 1: ACI, 03/04/14, CDs, 0

ACI logo and contact info: Aero Communications Inc. 1-800-825-4ACI 5711 Research Drive Canton, MI 48188

extenet logo and contact info: 3030 Warrenville Rd, Suite 340 Lisle, IL 60532 www.extenet.com

SEAL OF APPROVAL: [Blank area for seal]

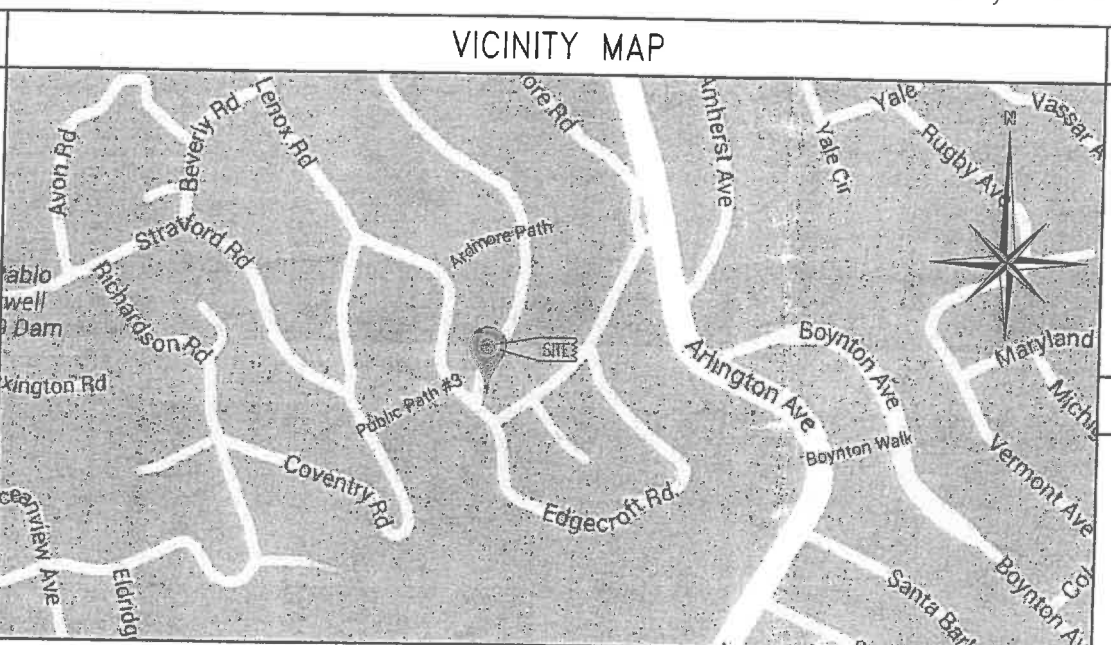
TITLE SHEET AND PROJECT INFORMATION

SHEET NUMBER: T1 REVISION: 0 DATE: 03/04/14

LEGEND & SYMBOLS table with symbols for centerline, property/lease line, proposed conduit, power conduit, telephone conduit, aerial electrical line, coaxial cable/conduit, overhead conductors, chain link fencing, spot elevation, flag note, item balloon, detail reference, section reference.

ABBREVIATIONS table with columns for material types (AL, ALY, ANT, etc.), dimensions (FLR, FT, FS, etc.), and other abbreviations (PRELIM, PWR, QTY, etc.)

CODE COMPLIANCE text: ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES...



DRIVING DIRECTIONS FROM: 2678 BISHOP RANCH DR, SAN RAMON, CA DISTANCE: 28.0 MILES (43 MIN) TO: ARDMORE RD NEXT TO 801 COVINGTON RD, KENSINGTON, CA 94707

SIGNATURE BLOCK table with columns: APPROVED BY, INITIALS, DATE, MUNICIPAL AFFAIRS, RF MANAGER, CONSTRUCTION MANAGER, PROJECT MANAGER, APPLICANT AGENT, APPLICANT.

PROJECT DESCRIPTION THESE DRAWINGS DEPICT A PORTION OF A DISTRIBUTED ANTENNA SYSTEM (DAS) TELECOMMUNICATIONS NETWORK... THE MAIN COMPONENTS OF THIS INSTALLATION ARE: THE ADDITION OF TWO (2) 27.75"x10.625"x6.25" PANEL ANTENNAS...

DRAWING INDEX table with columns: Code, Description. Rows: T1 TITLE SHEET & PROJECT INFORMATION, T2 GENERAL NOTES AND SCHEDULES, A1 SITE PLAN, A2 UTILITY POLE ELEVATIONS / RISER DETAILS, D1 EQUIPMENT DETAILS, S1 POWER & RF SAFETY PROTOCOLS

BUILDING / SITE DATA table with columns: FIELD, VALUE. Fields: LATITUDE, LONGITUDE, ELEVATION, JURISDICTION, A.P.N., ZONING, OCCUPANCY, TYPE OF CONSTRUCTION, AREA OF CONST., HANDICAP REQUIREMENTS, TITLE 24 REQUIREMENTS.

PROJECT TEAM table with columns: PROPERTY OWNER, APPLICANT, CONSTRUCTION MANAGER, APPLICANT AGENT, MUNICIPAL AFFAIRS, ARCHITECT.

GENERAL NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SURVEY MONUMENTS AND/OR VERTICAL CONTROL BENCHMARKS WHICH ARE DISTURBED OR DESTROYED BY CONSTRUCTION. A LAND SURVEYOR MUST FIELD LOCATE, REFERENCE, AND/OR PRESERVE ALL HISTORICAL OR CONTROLLING MONUMENTS PRIOR TO ANY EARTHWORK. IF DESTROYED, SUCH MONUMENTS SHALL BE REPLACED WITH APPROPRIATE MONUMENTS BY A LAND SURVEYOR. A CORNER RECORD OR RECORD OF SURVEY, AS APPROPRIATE, SHALL BE FILED AS REQUIRED BY THE PROFESSIONAL LAND SURVEYORS ACT.
2. IMPORTANT NOTICE: SECTION 4215 OF THE GOVERNMENT CODE REQUIRES A DIG ALERT IDENTIFICATION NUMBER BE ISSUED BEFORE A "PERMIT TO EXCAVATE" WILL BE VALID. FOR YOUR DIG ALERT I.D. NUMBER, CALL UNDERGROUND SERVICE ALERT, TOLL FREE 1-800-227-2600, TWO DAYS BEFORE YOU DIG.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR THE POT HOLE AND LOCATING OF ALL EXISTING UTILITIES THAT CROSS THE PROPOSED TRENCH LINE AND MUST MAINTAIN A 1' MINIMUM VERTICAL CLEARANCE.
4. IF ANY EXISTING HARDSCAPE OR LANDSCAPE INDICATED ON THE APPROVE PLANS IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND PER THE APPROVED PLANS.
5. CONTRACTOR SHALL REPLACE OR REPAIR ALL TRAFFIC SIGNAL LOOPS, CONDUIT, AND LANE STRIPING DAMAGED DURING CONSTRUCTION.
6. THIS PROJECT WILL BE INSPECTED BY ENGINEERING AND FIELD ENGINEERING DIVISION.
7. MANHOLES OR COVERS SHALL BE LABELED EXTENET.
8. CONTRACTOR SHALL IMPLEMENT AN EROSION CONTROL PROGRAM DURING THE PROJECT CONSTRUCTION ACTIVITIES. THE PROGRAM SHALL MEET THE APPLICABLE REQUIREMENTS OF THE STATE WATER RESOURCE CONTROL BOARD.
9. THE CONTRACTOR SHALL HAVE EMERGENCY MATERIALS AND EQUIPMENT ON HAND FOR UNFORESSEEN SITUATIONS, SUCH AS DAMAGE TO UNDERGROUND WATER, SEWER, AND STORM DRAIN FACILITIES WHEREBY FLOWS MAY GENERATE EROSION AND SEDIMENT POLLUTION.

CALTRANS NOTES

1. ANY REMOVED OR DAMAGED STRIPING AND MARKINGS SHALL BE REPLACED IN KIND AS PER CALTRANS STANDARDS AND AT PERMITTEE'S EXPENSE.



Call before you dig
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www.usanorth.org

SPECIAL NOTES

1. INDEMNIFICATION CLAUSE. THE CONTRACTOR AGREES AND SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY OF THE JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTIES. THAT THESE REQUIREMENTS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND CONDITIONS. THE CONTRACTOR FURTHER AGREES TO DEFEND INDEMNITY AND HOLD EXTENET, REPRESENTATIVES, AND ENGINEERS HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF THE WORK ON THIS PROJECT.
2. PRIOR TO THE BEGINNING OF ANY CONSTRUCTION AND THROUGHOUT THE COURSE OF CONSTRUCTION WORK, THE CONTRACTOR SHALL FULLY COMPLY WITH "CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH" ACT OF 1973 INCLUDING ALL REVISIONS AND AMENDMENTS THERETO.
3. ALL WORK SHALL CONFORM TO THE LATEST EDITIONS OF GO95,128 AND THE STANDARD "SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION" AS ADOPTED BY THE CITY, COUNTY OR STATE AS MODIFIED BY STANDARD PLANS AND ADDENDUMS.
4. THE EXISTENCE AND LOCATION OF UTILITIES AND OTHER AGENCY'S FACILITIES AS SHOWN HEREON ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. OTHER FACILITIES MAY EXIST. THE CONTRACTOR SHALL VERIFY PRIOR TO THE START OF CONSTRUCTION AND SHALL USE EXTREME CARE AND PROTECTIVE MEASURES TO PREVENT DAMAGE TO THESE FACILITIES. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITY OR AGENCY FACILITIES WITHIN THE LIMITS OF WORK, WHETHER THEY ARE SHOWN ON THIS PLAN OR NOT.
5. THE CONTRACTOR SHALL NOTIFY THE CITY, COUNTY OR STATE ENGINEER INSPECTION DEPARTMENT, AT LEAST TWO DAYS BEFORE START OF ANY WORK REQUIRING THEIR INVOLVEMENT.
6. THE CITY, COUNTY OR STATE SHALL SPECIFY THE EXPIRATION PERIOD OF THE PERMIT FOR THIS CONSTRUCTION PROJECT.
7. THE MINIMUM COVER FOR ALL CONDUITS PLACED UNDERGROUND SHALL BE 30 INCHES TO THE FINISHED GRADE AT ALL TIMES.
8. THE CONTRACTOR SHALL TUNNEL ALL CURB AND GUTTERS AND BORE ALL CONCRETE DRIVEWAYS AND WALKWAYS AT THE DIRECTION OF THE CITY, COUNTY OR STATE ENGINEER.
9. ALL AC AND/OR CONCRETE PAVEMENT SHALL BE REPLACED AT THE DIRECTION OF THE CITY, COUNTY OR STATE ENGINEERS.
10. ALL SHRUBS, PLANTS OR TREES THAT HAVE BEEN DAMAGED OR DISTURBED DURING THE COURSE OF THE WORK, SHALL BE REPLANTED AND/OR REPLACED SO AS TO RESTORE THE WORK SITE TO ITS ORIGINAL CONDITION.
11. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE PROCESSING OF ALL APPLICANT PERMIT FORMS ALONG WITH THE REQUIRED LIABILITY INSURANCE FORMS. CLEARLY DEMONSTRATING THAT EXTENET, THE CITY, COUNTY OR STATE IS ALSO INSURED WITH THE REQUIRED LIABILITY INSURANCE IN THE AMOUNT OF \$1,000,000.00 FOR THIS CONSTRUCTION PROJECT.
12. VAULTS, PEDESTALS, CONDUITS AND OTHER TYPES OF SUBSTRUCTURE ARE EITHER SPECIFIED ON THIS PLAN OR WILL BE SPECIFIED BY THE CONSTRUCTION ENGINEER. ANY AND ALL DEVIATIONS FROM THE SPECIFIED TYPES OF MATERIAL MUST BE APPROVED BY THE SYSTEM ENGINEER, IN WRITING BEFORE INSTALLATION THEREOF.
13. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES IN INCLUDING SEWER LATERALS & WATER SERVICES TO INDIVIDUAL LOTS BOTH VERTICAL AND HORIZONTAL PRIOR TO COMMENCING IMPROVEMENT OPERATIONS.
14. CONTRACTOR SHALL MAKE EXPLORATION EXCAVATIONS AND LOCATE EXISTING FACILITIES SUFFICIENTLY AHEAD OF CONSTRUCTION TO PERMIT REVISIONS TO PLANS IF REVISION IS NECESSARY BECAUSE OF LOCATION OF EXISTING UTILITIES.
15. THE LOCATIONS OF ALL EXISTING UTILITIES SHOWN ON THESE PLANS ARE FROM EXISTING RECORDS AND CORROBORATED, WHERE POSSIBLE, WITH FIELD TIES. THE CONTRACTOR IS RESPONSIBLE FOR CONFIRMING THE LOCATIONS SHOWN, BOTH HORIZONTAL AND VERTICALLY PRIOR TO CONSTRUCTION, IF EXISTING LOCATIONS VARY SUBSTANTIALLY FROM THE PLANS. THE ENGINEER SHOULD BE NOTIFIED TO MAKE ANY CONSTRUCTION CHANGES REQUIRED.

EROSION AND SEDIMENT CONTROL NOTES

- TEMPORARY EROSION/SEDIMENT CONTROL PRIOR TO COMPLETION OF FINAL IMPROVEMENTS, SHALL BE PERFORMED BY THE CONTRACTOR OR QUALIFIED PERSON AS INDICATED BELOW:
1. ALL REQUIREMENTS OF THE CITY, COUNTY AND STATE "STORM WATER STANDARDS" MUST BE INCORPORATED INTO THE DESIGN AND CONSTRUCTION OF THE PROPOSED GRADING/IMPROVEMENTS CONSISTENT WITH THE APPROVED STORM WATER POLLUTION PREVENTION PLAN (SWPPP), WATER QUALITY TECHNICAL REPORT (WQTR), AND/OR WATER POLLUTION CONTROL PLAN (WPCP).
 2. FOR STORM DRAIN INLETS, PROVIDE A GRAVEL BAG SILT BASIN IMMEDIATELY UPSTREAM OF INLET AS INDICATED ON DETAILS.
 3. FOR INLETS LOCATED AT SUMPS ADJACENT TO TOP OF SLOPES, THE CONTRACTOR SHALL ENSURE THAT WATER DRAINING TO THE SUMP IS DIRECTED INTO THE INLET AND THAT A MINIMUM OF 1.00' FREEBOARD EXISTS AND IS MAINTAINED ABOVE THE TOP OF THE INLET. IF FREEBOARD IS NOT PROVIDED BY GRADING SHOWN ON THESE PLANS THE CONTRACTOR SHALL PROVIDE IT VIA TEMPORARY MEASURES, I.E. GRAVEL BAGS OR DIKES.
 4. THE CONTRACTOR OR QUALIFIED PERSON SHALL BE RESPONSIBLE FOR CLEANUP OF SILT AND MUD ON ADJACENT STREET(S) AND STORM DRAIN SYSTEM DUE TO CONSTRUCTION ACTIVITY.
 5. THE CONTRACTOR OR QUALIFIED PERSON SHALL CHECK AND MAINTAIN ALL LINED AND UNLINED DITCHES AFTER EACH RAINFALL.
 6. THE CONTRACTOR SHALL REMOVE SILT AND DEBRIS AFTER EACH MAJOR RAINFALL.
 7. EQUIPMENT AND WORKERS FOR EMERGENCY WORK SHALL BE MADE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON. ALL NECESSARY MATERIALS SHALL BE STOCKPILED ON SITE AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF TEMPORARY DEVICES WHEN RAIN IS IMMINENT.
 8. THE CONTRACTOR SHALL RESTORE ALL EROSION/SEDIMENT CONTROL DEVICES TO WORKING ORDER TO THE SATISFACTION OF THE CITY ENGINEER OF RESIDENT ENGINEER AFTER EACH RUN-OFF PRODUCING RAINFALL.
 9. THE CONTRACTOR SHALL INSTALL ADDITIONAL EROSION/SEDIMENT CONTROL MEASURES AS MAY BE REQUIRED BY THE RESIDENT ENGINEER DUE TO UNCOMPLETED GRADING OPERATIONS OR UNFORESSEEN CIRCUMSTANCES, WHICH MAY ARISE.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE AND SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT PUBLIC TRESPASS ONTO AREAS WHERE IMPOUNDED WATERS CREATE A HAZARDOUS CONDITION.
 11. ALL EROSION/SEDIMENT CONTROL MEASURES PROVIDED PER THE APPROVED GRADING PLAN SHALL BE INCORPORATED HEREON. ALL EROSION/SEDIMENT CONTROL FOR INTERIM CONDITIONS SHALL BE DONE TO THE SATISFACTION OF THE RESIDENT ENGINEER.
 12. GRADED AREAS AROUND THE PROJECT PERIMETER MUST DRAIN AWAY FROM THE FACE OF THE SLOPE AT THE CONCLUSION OF EACH WORKING DAY.
 13. ALL REMOVABLE PROTECTIVE DEVICES SHOWN SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN RAIN IS IMMINENT.
 14. THE CONTRACTOR SHALL ONLY GRADE, INCLUDING CLEARING AND GRUBBING FOR THE AREAS FOR WHICH THE CONTRACTOR OR QUALIFIED PERSON CAN PROVIDE EROSION/SEDIMENT CONTROL MEASURES.
 15. THE CONTRACTOR SHALL ARRANGE FOR WEEKLY MEETINGS DURING OCTOBER 1ST TO APRIL 30TH FOR PROJECT TEAM (GENERAL CONTRACTOR, QUALIFIED PERSON, EROSION CONTROL SUBCONTRACTOR IF AN, ENGINEER OF WORK, OWNER/DEVELOPER AND THE RESIDENT ENGINEER) TO EVALUATE THE ADEQUACY OF THE EROSION/SEDIMENT CONTROL MEASURE AND OTHER RELATED CONSTRUCTION ACTIVITIES.

GENERAL NOTES

ROW GROUND CONSTRUCTION NOTES:

1. 120/240 POWER REQUIRED FOR 3-WIRE SERVICE.
2. GC TO REMOVE/CLEAN ALL DEBRIS, NAILS, STAPLES, OR NON-USED VERTICALS OFF THE POLE.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH MUNICIPAL, COUNTY, STATE, FEDERAL, GO95 AND GO128 STANDARDS AND REGULATIONS.
4. CALL USA 48 HOURS PRIOR TO EXCAVATING AT (800) 227-2600.
5. ALL LANDSCAPING TO BE RESTORED TO ORIGINAL CONDITION OR BETTER.
6. ALL EQUIPMENT TO BE BONDED.
7. METERING CABINET REQUIRES 3' CLEARANCE AT DOOR OPENING.
8. CAULK CABINET BASE AT PAD.

STANDARD GROUNDING NOTES:

1. GROUND TESTED AT 5 OHMS OR LESS.
2. 5/8"x8' ROD, CAD WELD BELOW GRADE
3. #6 GROUND AND BOND WIRE.
4. WOOD MOLDING, STAPLED EVERY 3' AND AT EACH END
5. GROUNDS 3' FROM POLE.
6. PLACE 3 #10GA WIRES FROM BREAKER TO METER BOX.

STANDARD CONDUIT NOTES:

1. FOR UNDERGROUND USE SCHEDULE 40.
2. FOR RISERS USE SCHEDULE 80.
3. PLACE 2" GALVANIZED STEEL CONDUIT FOR ANY CONDUIT UNDER 3", STUB UP 10" THEN CONVERT TO SCHEDULE 80.
4. CONVERT 4" CARRIER CONDUIT TO 3" AT BASE OF POLE.
5. GC TO STUB UP POLE 10' w/3" POWER CONDUIT, POWER CO. TO CONVERT FROM 3" SCH. 80 TO 2" SCH. 80 FROM TOP OF STUB UP.
6. ALL CONDUIT WILL BE MAN DRILLED AND EQUIPPED WITH 3/8" PULL ROPE.

STANDARD TRENCHING NOTES:

1. MAINTAIN 40" MINIMUM COVER FOR ELECTRICAL CONDUIT.
2. MAINTAIN 30" MINIMUM COVER FOR COMMUNICATIONS CONDUIT.
3. SAND SHADING MINIMUM 1" UNDER CONDUITS, AND 6" COVERING ON TOP REQUIRED.
4. ALL ELECTRICAL SERVICE CONDUITS FROM POWER COMPANY, WHETHER FROM POLES, TRANSFORMERS, OR OTHER LOCATIONS; WILL BE SLURRY BACKFILLED.
5. IN STREET SLURRY TO GRADE AND MILL DOWN 1-1/2" FOR AC CAP.
6. IN DIRT SLURRY 18" FROM GRADE, AND FILL WITH 95% COMPACTION NATIVE SOIL FOR BALANCE.
7. PLACE WARNING TAPE IN TRENCH 12" ABOVE ALL CONDUITS AND #18 WARNING TAPE ABOVE GROUND RING.

ROW UTILITY POLE CONSTRUCTION NOTES:

1. NO BOLT THREADS TO PROTRUDE MORE THAN 1-1/2".
2. FILL ALL HOLES LEFT IN POLE FROM REARRANGEMENT OF CLIMBERS.
3. ALL CLIMB STEPS NEXT TO CONDUIT SHALL HAVE EXTENDED STEPS.
4. CABLE NOT TO IMPEDE 15" CLEAR SPACE OFF POLE FACE (12:00).
5. 90° SHORT SWEEPS UNDER ANTENNA ARM. ALL CABLES MUST ONLY TRANSITION ON THE INSIDE OR BOTTOM OF ARMS (NO CABLE ON TOP OF ARMS).
6. USE CABLE CLAMPS TO SECURE CABLE TO ARMS; PLACE 2" CARRIER CABLE ID TAGS ON BOTH SIDES OF ARMS.
7. USE 90° CONNECTOR AT CABLE CONNECTION TO ANTENNAS.
8. PLACE GPS ON ARM WITH SOUTHERN SKY EXPOSURE AT MINIMUM 6' FROM TRANSMIT ANTENNA, WHICH IS 24" AWAY FROM CENTER OF POLE.
9. USE 1/2" CABLE ON ANTENNAS UNLESS OTHERWISE SPECIFIED.
10. FILL VOID AROUND CABLES AT CONDUIT OPENING WITH FOAM SEALANT TO PREVENT WATER INTRUSION.

WIND LOADING INFORMATION

ANTENNA/WOOD ARM AREA TOTAL	39.02 SQ. FT.
TOP GRADE	50'-5"
BOTTOM GRADE	47'-6"
BREAKER AREA TOTAL	14.62 SQ. FT.
TOP GRADE	8'-11"
BOTTOM GRADE	8'-0"
BATTERY BACK-UP AREA TOTAL	40.5 SQ. FT.
TOP GRADE	18'-9"
BOTTOM GRADE	16'-6"
PRISM DECK AREA TOTAL	50.77 SQ. FT.
TOP GRADE	15'-9"
BOTTOM GRADE	11'-7"
PRISM DECK (FUT.) AREA TOTAL	-
TOP GRADE	-
BOTTOM GRADE	-
COAX RISER SIZE	3"U
COAX RISER TOP GRADE	47'-0"
COAX RISER BTM GRADE	11'-7"
PWR RISER SIZE	1"ø
PWR RISER TOP GRADE	32'-9"
PWR RISER BTM GRADE	8'-0"

ANTENNA & CABLE SCHEDULE

ANTENNA SECTOR	AZIMUTH	ANTENNA MAKE / MODEL	COAXIAL CABLE LENGTH	CABLES PER SECTOR	CABLE SIZE
SECTOR ALPHA	TBD*	KATHREIN 840-10525	35'/3'	4/6	1/2"
SECTOR BETA	TBD*	KATHREIN 840-10525	-	-	-
SECTOR GAMMA					

NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATION, OR INSTALLATION OF CABLES.

SCALE
NTS 2

ROW CONSTRUCTION GENERAL NOTES

SCALE
NTS 3

LOADING AND ANTENNA CABLE SCHEDULES

SCALE
NTS 1



NEW CINGULAR WIRELESS PCS, LLC
4430 ROSEWOOD DR., BLDG 3
PLEASANTON, CA 94588-3050

PROJECT INFORMATION:

**OAKHILLS AT&T
NORTH NETWORK
NODE 014D**
ARDMORE RD NEXT TO 801 COVINGTON RD,
KENSINGTON, CA 94707

CURRENT ISSUE DATE:

03/04/14

ISSUED FOR:

PERMITTING

BY: DATE: DESCRIPTION: REV:

BY	DATE	DESCRIPTION	REV
ACI	03/04/14	CDs	0

PLANS PREPARED BY:



Aero Communications Inc.
1-800-825-4ACI
5711 Research Drive
Canton, MI 48188

ACI NUMBER: OAKN-014D

CONSTRUCTED BY:



3030 Warrenville Rd, Suite 340
Lisle, IL 60532
www.exenet.com

SEAL OF APPROVAL:

SHEET TITLE:

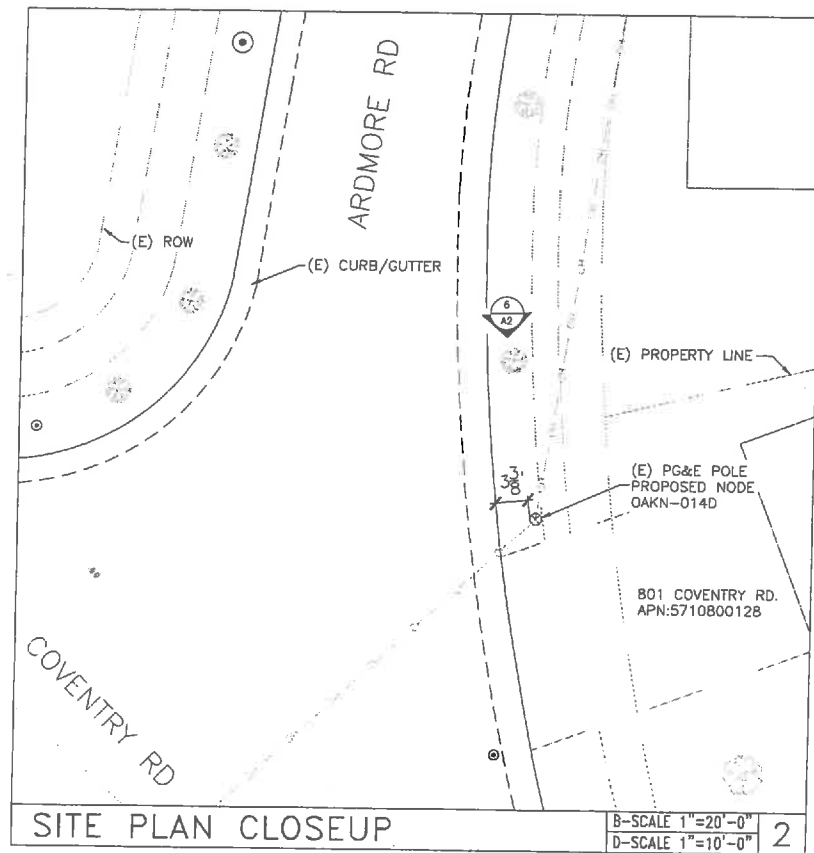
**GENERAL NOTES
AND
SCHEDULES**

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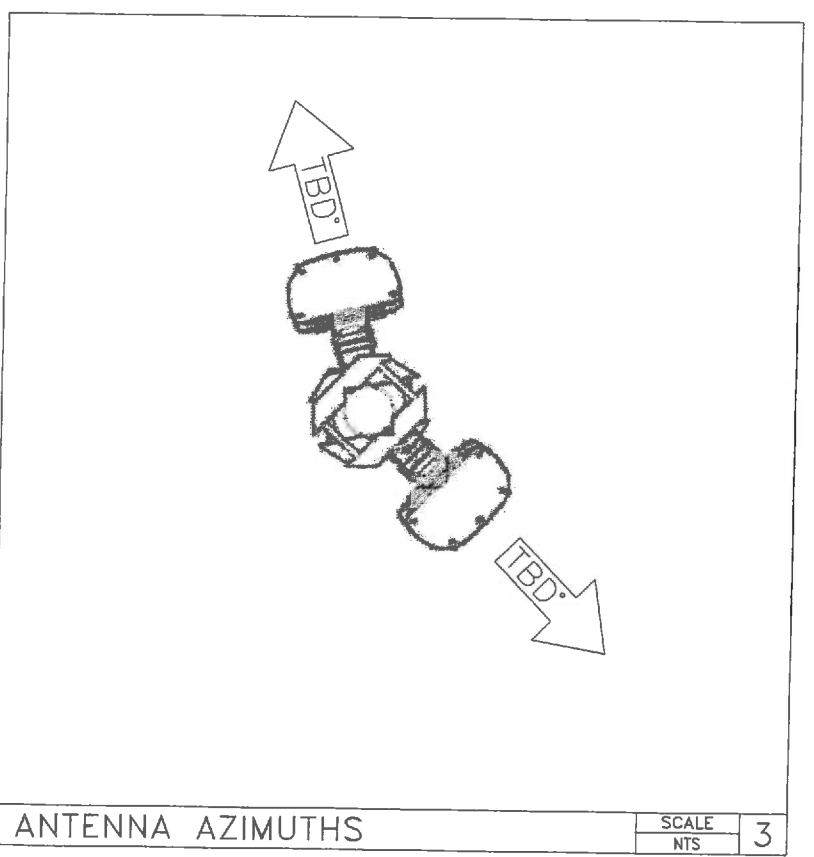
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03/04/14

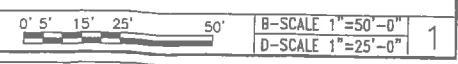
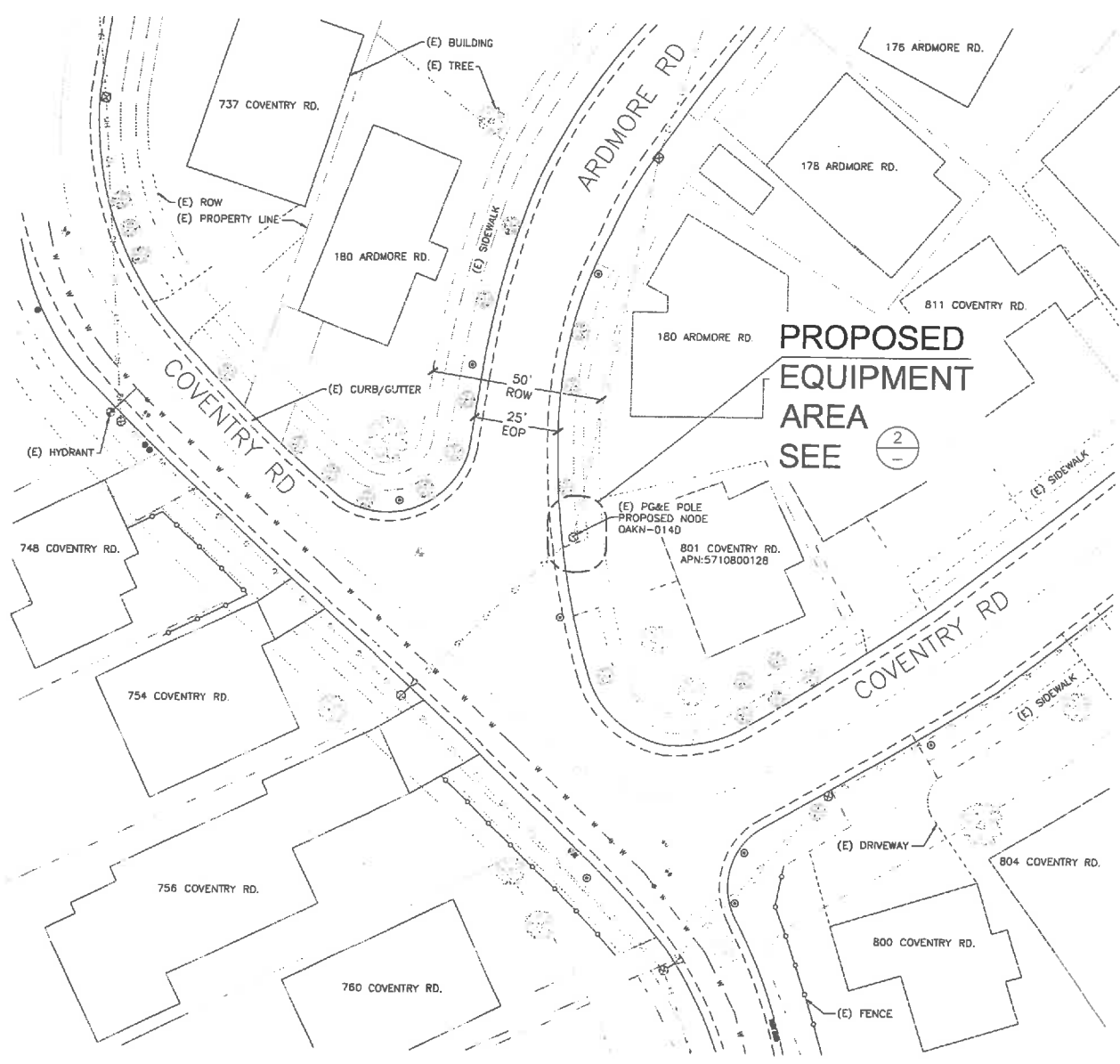


SITE PLAN CLOSEUP



ANTENNA AZIMUTHS

SITE PLAN



B-SCALE 1"=50'-0"
D-SCALE 1"=25'-0"



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ACI
Aero Communications Inc.
1-800-825-4ACI
5711 Research Drive
Canton, MI 48188
ACI NUMBER: OAKN-014D

CONSTRUCTED BY:
extenet YOUR NETWORK. EVERYWHERE.
SYSTEMS
3030 Warrenville Rd, Suite 340
Lisle, IL 60532
www.extenet.com

SEAL OF APPROVAL:

SHEET TITLE:
SITE PLAN

SHEET NUMBER: **A1** REVISION: **0**
03/04/14



NEW CINGULAR WIRELESS PCS, LLC
4430 ROSEWOOD DR, BLDG 3
PLEASANTON, CA 94588-3050

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www.extenet.com

SEAL OF APPROVAL:

SHEET TITLE:

**ELEVATIONS
&
RISER DETAILS**

SHEET NUMBER: REVISION:

A2

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03/04/14

COMMUNICATIONS MAKE-READY

1. INSTALL PG&E 1" SCH 80 CONDUIT AT 1:30 POSITION FOR POWER SERVICE.
2. INSTALL 3" SCH 80 U-GUARD AT 11:00 POSITION OVER COAX.
3. INSTALL RADIO, BBU, OPTINIB, METER SOCKET, & SAFETY SWITCH 4" OFF OF POLE (USING UNISTRUTS) AT 12:00 POSITION.

POWER MAKE-READY

1. REPLACE EXISTING CL3 45' POLE WITH CL3 55' POLE.
2. INSTALL (2) PANEL ANTENNAS W/ MOUNTING BRACKET ON POLE TOP AT 47'-6" AGL.
3. INSTALL COMBINERS AND (4/8) 1/2" COAX.
4. INSTALL PG&E 1" SCH 80 CONDUIT TO SECONDARY CROSS ARM, AT 1:30 POSITION FOR POWER SERVICE.
5. INSTALL 3" SCH 80 U-GUARD AT 11:00 POSITION OVER COAX.
6. PROVIDE 120/240 3-WIRE SINGLE PHASE, 100 AMP SERVICE TO 1" PG&E CONDUIT AT 1:30 POSITION TO METER SOCKET FROM SECONDARY 32'-9" AGL.

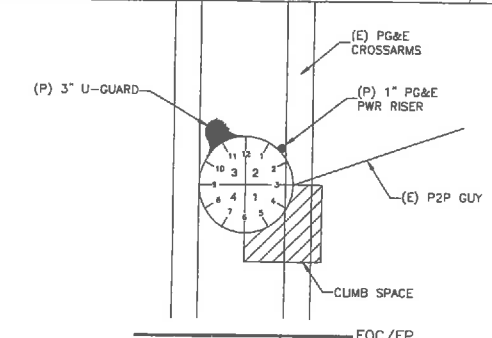
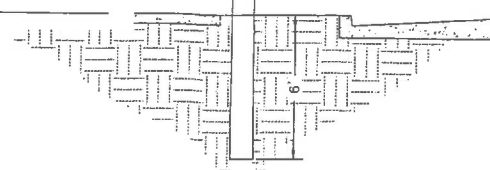
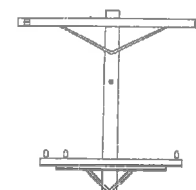
MAKE-READY NOTES

- EXISTING POLE TOP 39'-0" A.G.L.
- EXISTING PRIMARY 38'-6" A.G.L.
- EXISTING P2P GUY 36'-1" A.G.L.

- EXISTING SECONDARY 32'-9" A.G.L.

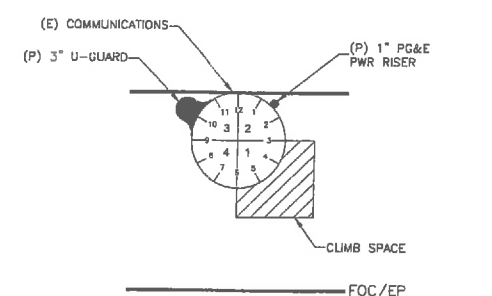
- EXISTING COMMUNICATION 25'-7" A.G.L.
- EXISTING COMMUNICATION 24'-7" A.G.L.

- GROUND LEVEL 0'-0" A.G.L.
- (E) 45' CLASS 3 PG&E# 110286196



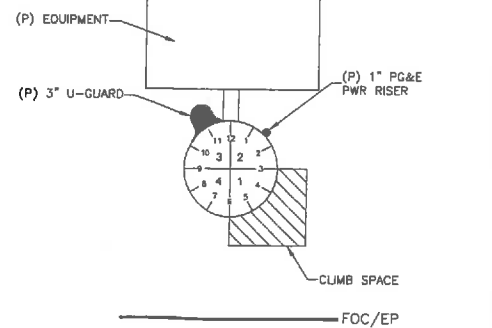
ARDMORE RD

POWER SPACE PLAN VIEW



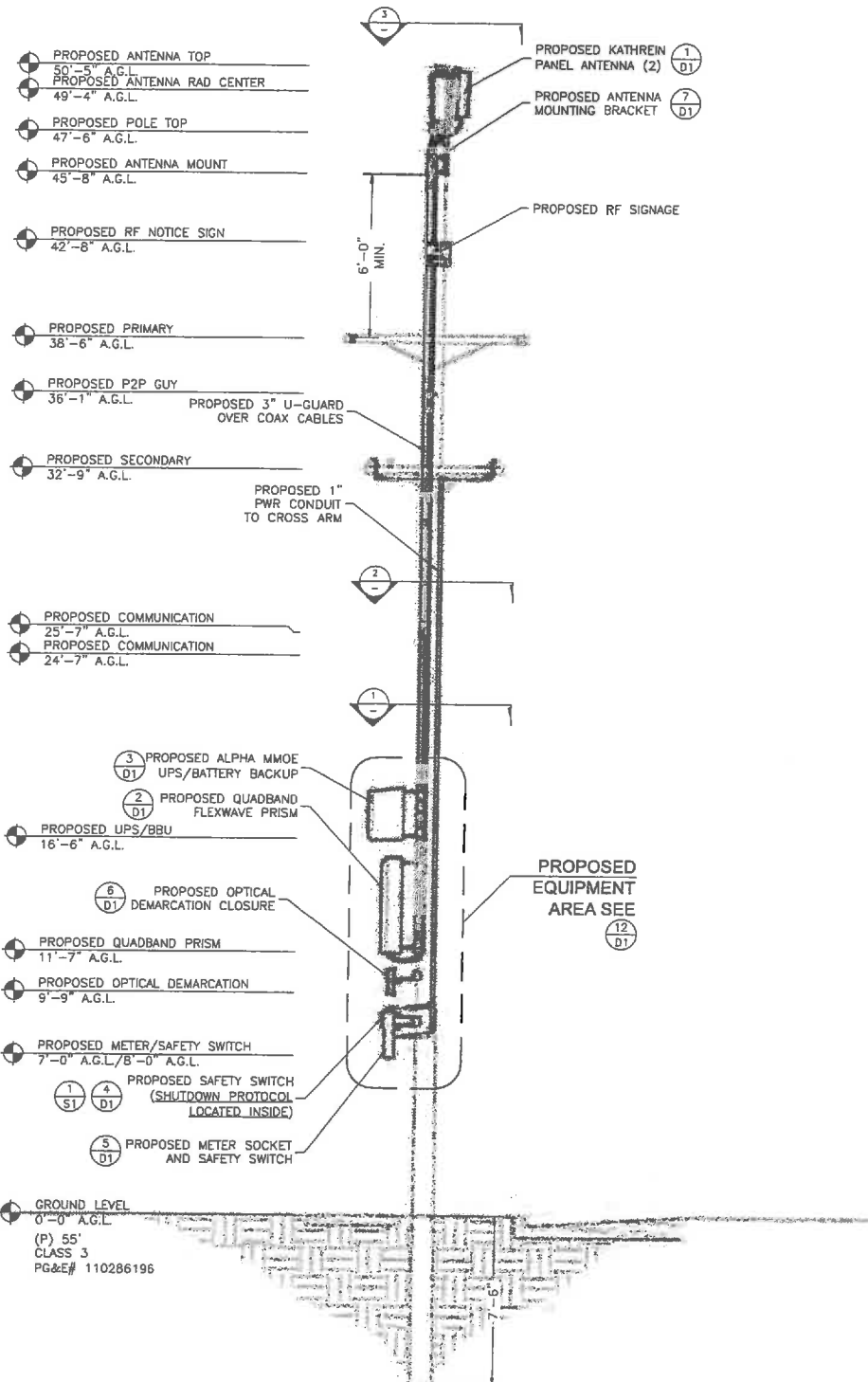
ARDMORE RD

COMM. SPACE PLAN VIEW



ARDMORE RD

EQUIP. SPACE PLAN VIEW



PROPOSED ELEVATION NORTH

B-SCALE 1/8"=1'-0"
D-SCALE 1/4"=1'-0"

EXISTING ELEVATION NORTH

B-SCALE 1/8"=1'-0"
D-SCALE 1/4"=1'-0"

EQUIP. SPACE PLAN VIEW

1

4

3

2

6

5



NEW CINGULAR WIRELESS PCS, LLC
4430 ROSEWOOD DR, BLDG 3
PLEASANTON, CA 94588-3050

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PLANS PREPARED BY:



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1-800-825-4ACI
5711 Research Drive
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ACI NUMBER: OAKN-014D

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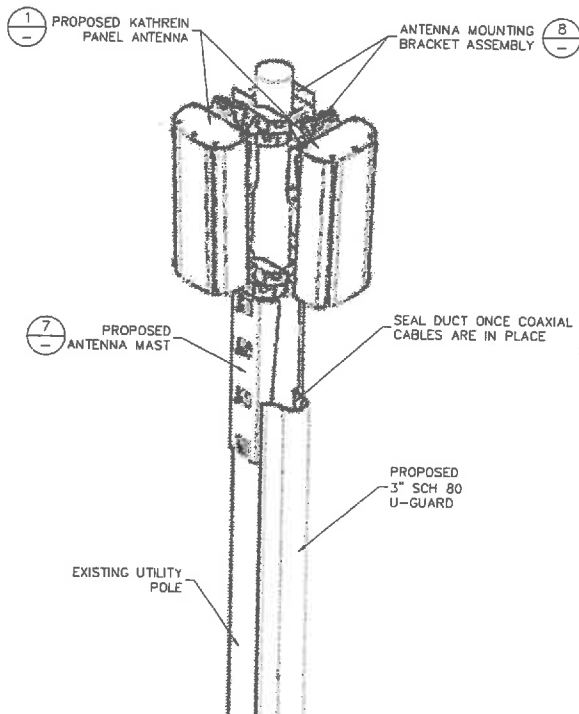
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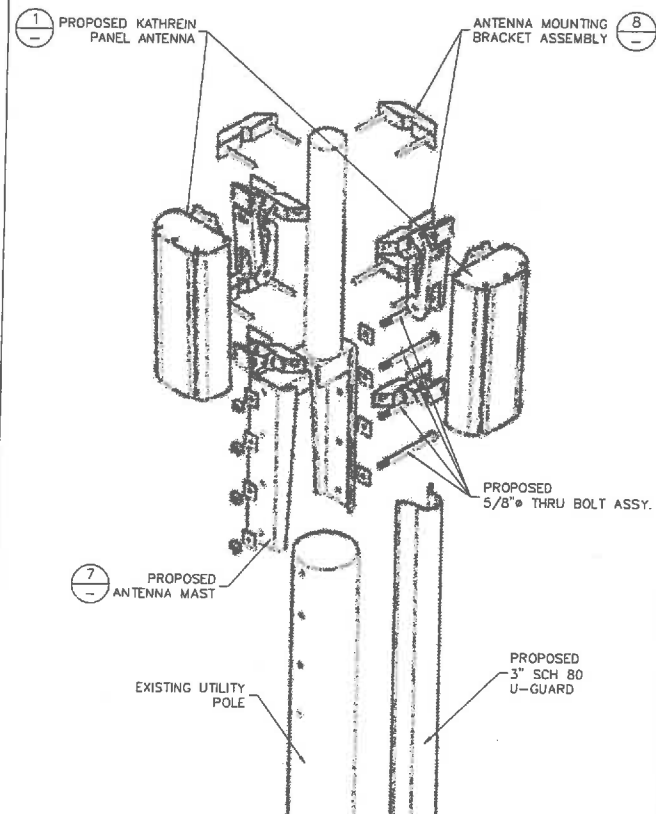
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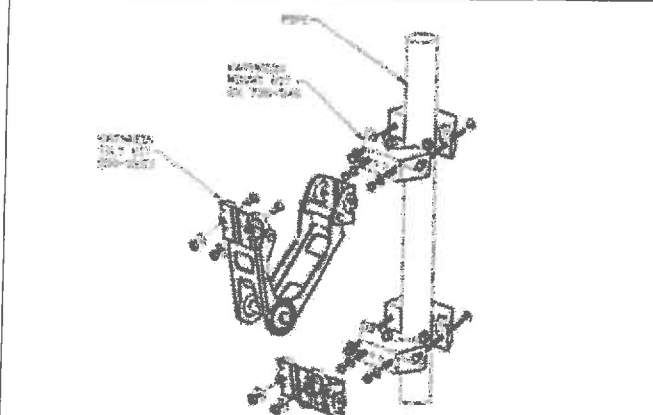
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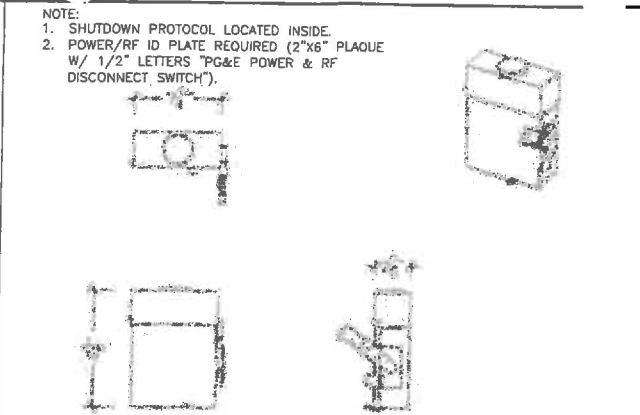
ANTENNA CONFIGURATION B-SCALE 1/2"=1'-0" D-SCALE 1"=1'-0" 13



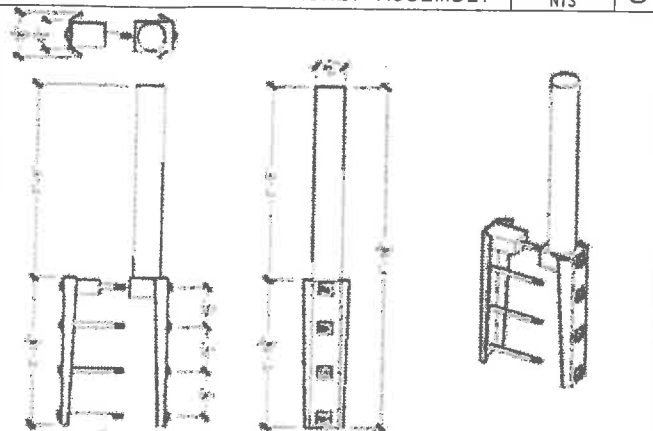
POLE TOP ANTENNA ASSEMBLY B-SCALE 1/2"=1'-0" D-SCALE 1"=1'-0" 11



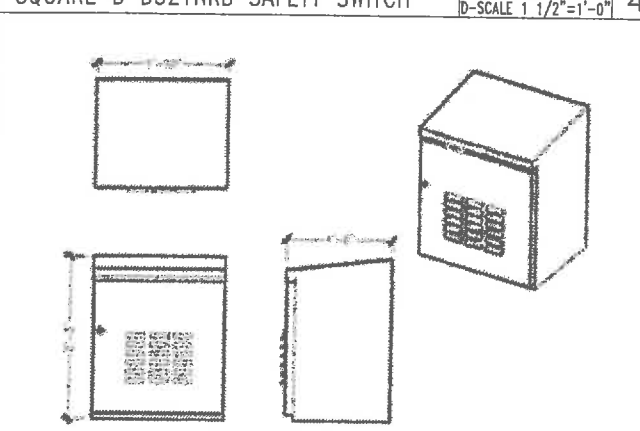
ANTENNA MOUNTING BRACKET ASSEMBLY SCALE NTS 8



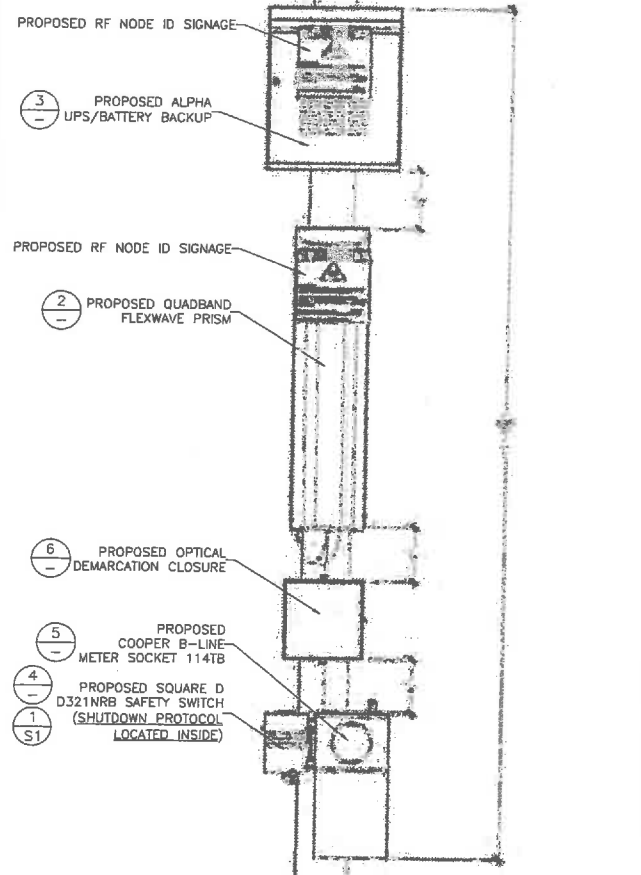
SQUARE D D321NRB SAFETY SWITCH B-SCALE 3/4"=1'-0" D-SCALE 1 1/2"=1'-0" 4



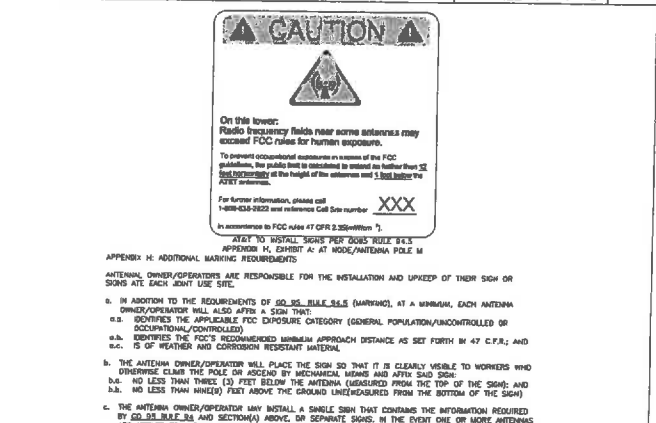
POLE TOP ANTENNA MAST B-SCALE 3/8"=1'-0" D-SCALE 3/4"=1'-0" 7



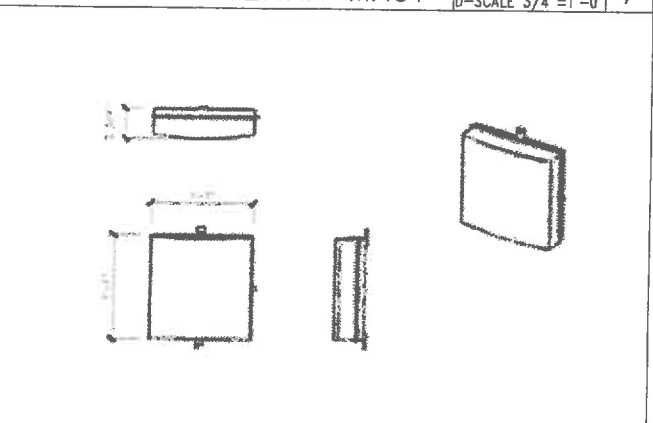
ALPHA MMOE UPS/BATTERY BACKUP B-SCALE 3/8"=1'-0" D-SCALE 3/4"=1'-0" 3



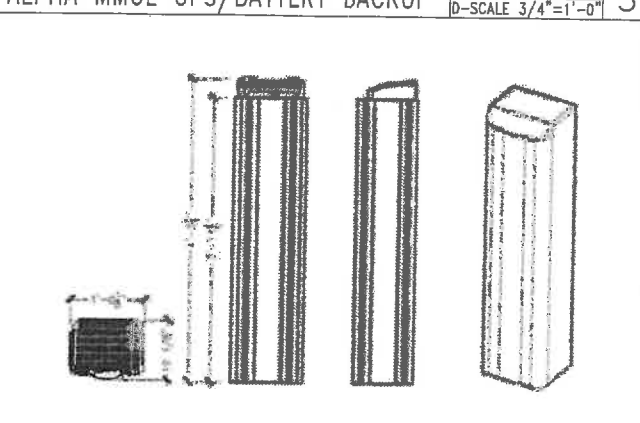
EQUIPMENT CONFIG. B-SCALE 3/8"=1'-0" D-SCALE 3/4"=1'-0" 12



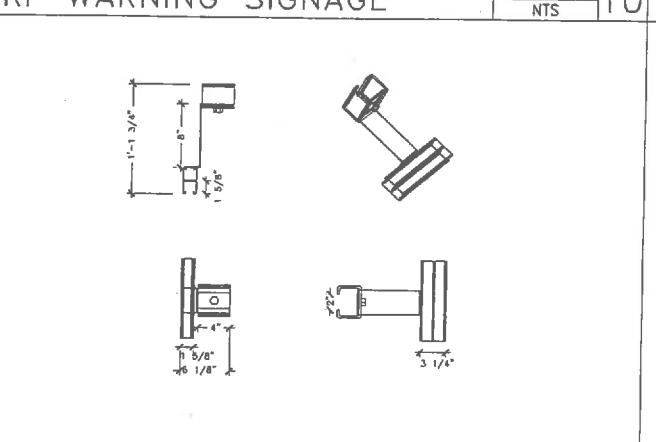
RF WARNING SIGNAGE SCALE NTS 10



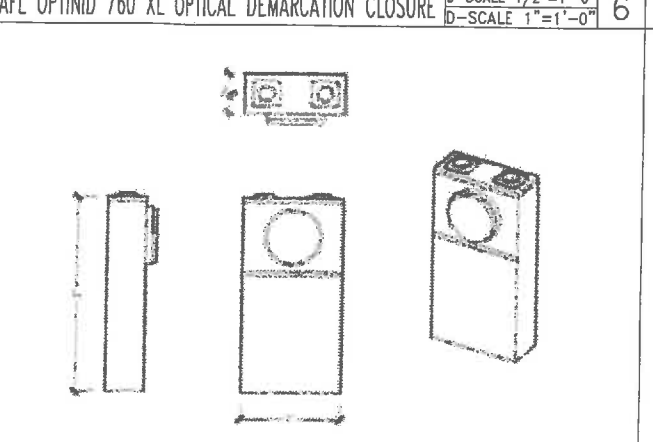
AFL OPTINID 760 XL OPTICAL DEMARCATION CLOSURE B-SCALE 1/2"=1'-0" D-SCALE 1"=1'-0" 6



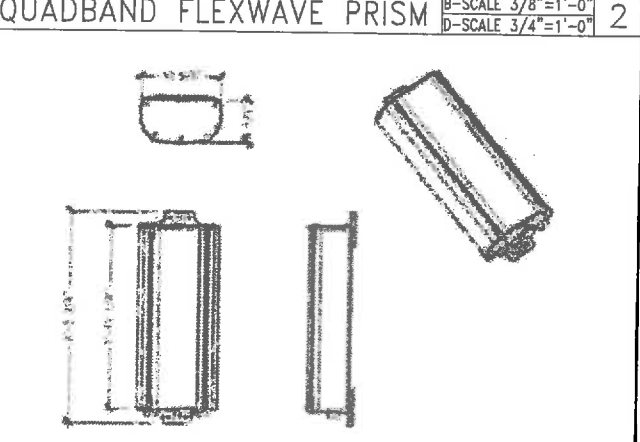
QUADBAND FLEXWAVE PRISM B-SCALE 3/8"=1'-0" D-SCALE 3/4"=1'-0" 2



LADDER BRACKET B-SCALE 1/2"=1'-0" D-SCALE 1"=1'-0" 9



COOPER B-LINE METER SOCKET 114TB B-SCALE 1/2"=1'-0" D-SCALE 1"=1'-0" 5



KATHREIN PANEL ANTENNA B-SCALE 1/2"=1'-0" D-SCALE 1"=1'-0" 1

NOTE:
1. SHUTDOWN PROTOCOL LOCATED INSIDE.
2. POWER/RF ID PLATE REQUIRED (2"x6" PLAQUE W/ 1/2" LETTERS "PG&E POWER & RF DISCONNECT SWITCH").

SHUTDOWN PROTOCOL 7"X9" LAMINATED CARD CARDSTOCK



AT&T oDAS Shutdown Procedure

PROCEDURE TO DE-ENERGIZE RADIO FREQUENCY (RF) SIGNAL EMERGENCY and NON-EMERGENCY WORK REQUIRING RF SIGNAL SHUTDOWN

(A) PG&E personnel SHALL contact AT&T Mobility Switch Center to notify them of an emergency shutdown 800-638-2822. Dial option 9 for cell site "Related" emergency's then option 1. Provide the following information when calling or leave a voicemail:

- (1) Identify yourself and give callback phone number.
- (2) Site number and if applicable site name (located on the shutdown box)
- (3) Site address and location
- (4) Nature of emergency and site condition

(B) Pull Disconnect Handle down to the Open or "OFF" Position. The RF signal will shut down within a few seconds. A visual inspection of the interior blade will confirm that both incoming AC Lead and Battery Backup are disconnected.

(C) Notify AT&T (New Cingular) Switch Center when the emergency work is completed.

See reverse side to view photo of the "on" and "off" position.

FRONT



Switch in the Closed Position ("ON")



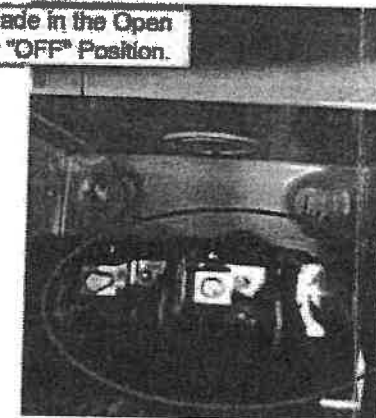
Blade in the Closed or "ON" Position.



Switch in the Open Position ("OFF")



Blade in the Open or "OFF" Position.



BACK



NEW CINGULAR WIRELESS PCS, LLC
4430 ROSEWOOD DR, BLDG 3
PLEASANTON, CA 94588-3050

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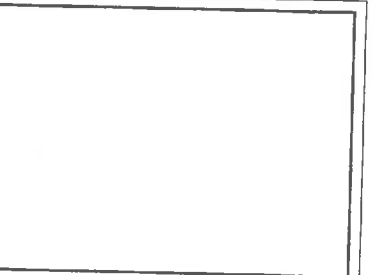
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CONSTRUCTED BY:



3030 Warrenville Rd, Suite 340
Lisle, IL 60532
www.extenet.com

SEAL OF APPROVAL:



SHEET TITLE:

**POWER & RF
SAFETY
PROTOCOLS**

SHEET NUMBER: REVISION:

S1

0

03/04/14

Existing



Proposed

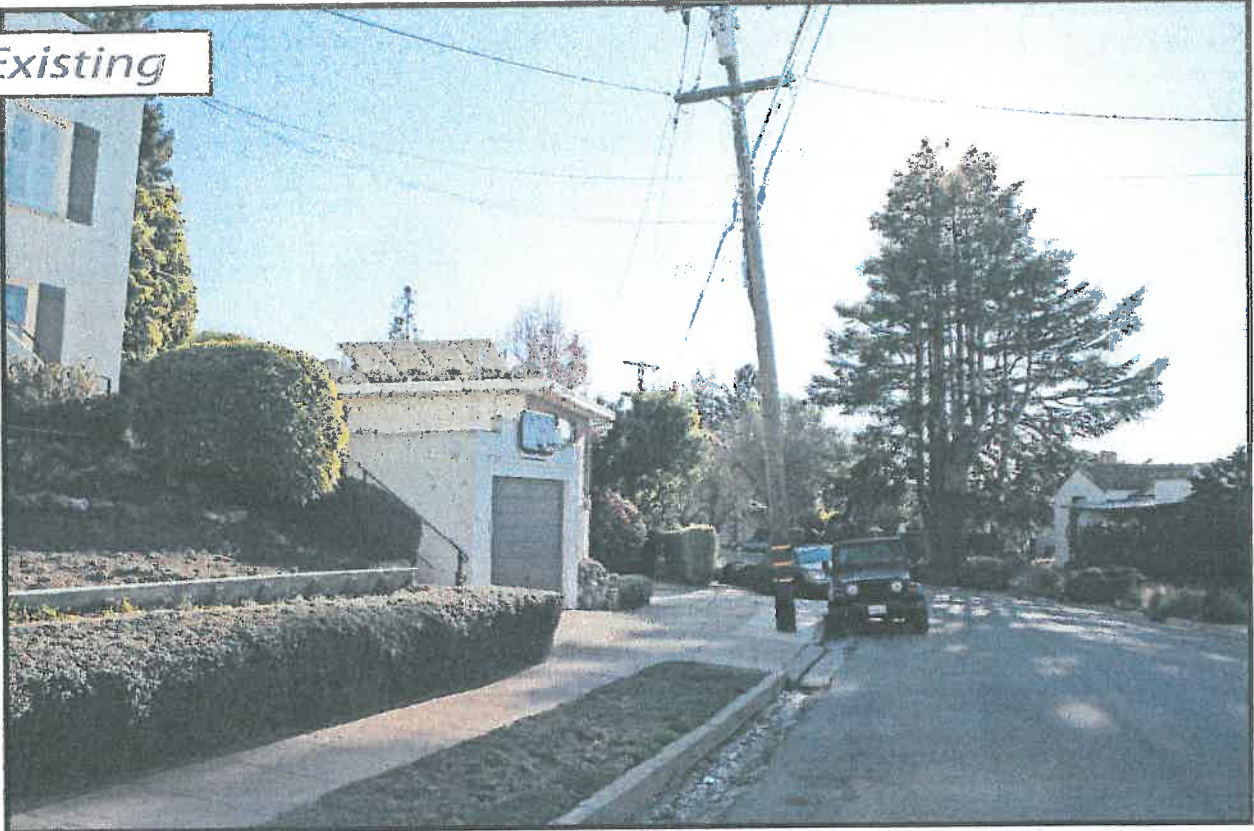


view from Coventry Road looking southwest at site

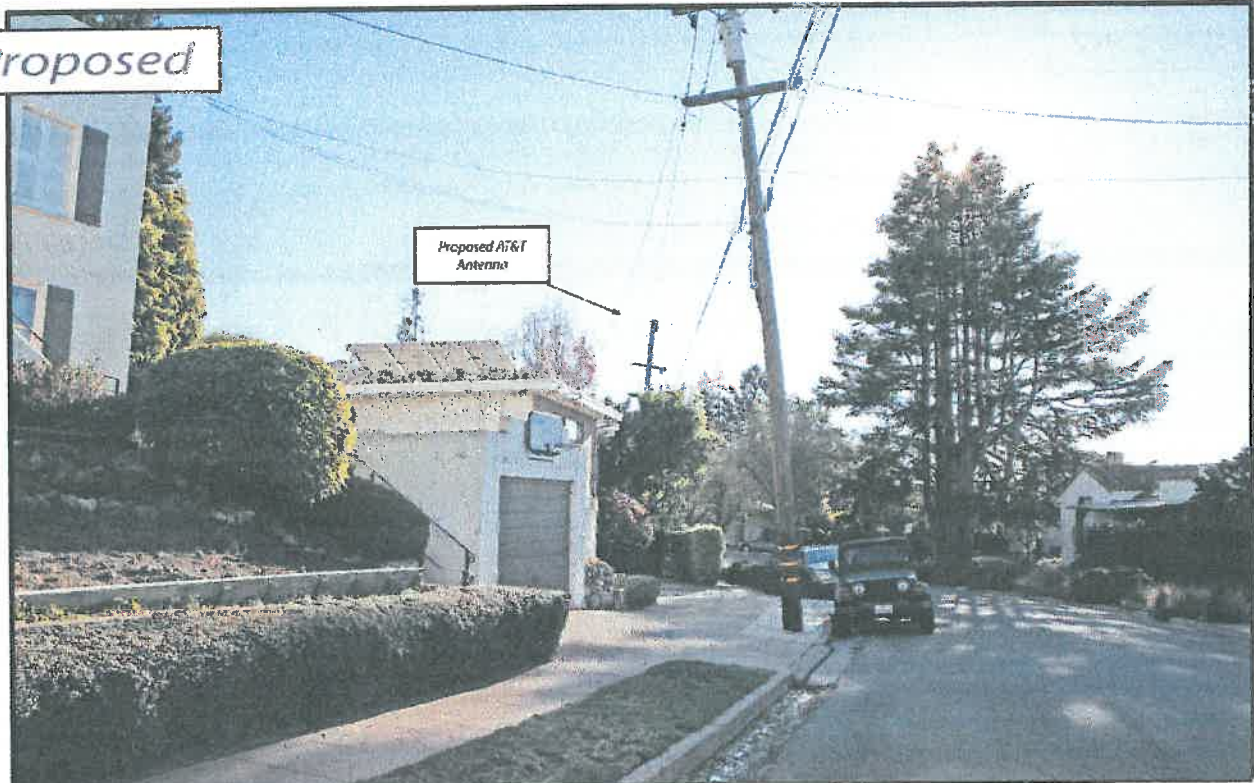


801 Coventry Road, Kensington, CA
Oakhills AT&T North Network Node 014D

Existing



Proposed



view from Ardmore Road looking south at site



801 Coventry Road, Kensington, CA
Oakhills AT&T North Network Node 014D

Existing



Proposed



view from Ardmore Road looking southeast at site

AdvanceSim
www.advance-sim.com

AT&T Wireless

801 Coventry Road, Kensington, CA
Oak Hills AT&T North Network Node 014D

Existing



Proposed



view from Coventry Road looking north at site



801 Coventry Road, Kensington, CA
Oakhills AT&T North Network Node 014D

3. Land Use Element

The development of a community center, which would provide space for public meetings, cultural events, and other public functions should be considered for the San Pablo commercial area.

- 3-202. Development projects within the San Pablo Dam Road commercial area should to the extent feasible incorporate open and public spaces that are inviting to the public includes well designed landscape treatments and visually please signage.
- 3-203. Local, owner operated business should be encourage. Drive through retail operations should not be encouraged.
- 3-204. The community's desire to develop a creekside boardwalk or linear park along the north side of San Pablo Dam Road is encouraged subject to further community process, review, and study.

POLICIES FOR SAN PABLO RIDGE

- 3-205. The San Pablo Ridge Special Concern Area consists of approximately 1,000 acres on the southerly borders of the Planning Area. It includes a large portion of San Pablo Ridge, with its heavily vegetated slopes, and an area below of lesser slopes near San Pablo Dam Road. The ridge provides an important visual reference to the El Sobrante Community and is a logical greenbelt border to the Planning Area.

The following policies should be applied to development in this Special Concern Area:


- (a) The granting of development rights to the public or the dedication of land to public agencies should be required of developers for all projects proposed on lands at and above the 400 foot elevation level, as conditions of approval.
- (b) No buildings should be constructed along scenic ridgelines, including areas where the ridgeline is located below the 400-foot elevation level.
- (c) Existing trail head parking and trail access to Wildcat Canyon Park should be kept open for the community. Additional trail access and parking for cars and horse trailers should be added as new developments occur.
- (d) The City of Richmond and the County should coordinate their planning efforts to preserve views of San Pablo Ridge from the community.
- (e) Existing means of access to Wildcat Canyon Park should be maintained and expanded as development occurs.
- (f) All "significant natural features" including, but not limited to, trees and native plants, natural water ways, rock out-croppings and areas of historical and archaeological significance, within the immediate vicinity of the ridgeline shall be preserved.
- (g) A landscaped buffer zone, including attractive fences wherever necessary to provide privacy and security, should be provided between new developments and existing residences.
- (h) Local civic groups should study the creation of a special assessment district to purchase San Pablo Ridge or develop the appropriate mechanisms in order to retain the ridge as permanent open space.

POLICIES FOR THE KENSINGTON AREA

- 3-206. Allow for the review of new residential development that provides reasonable protection for existing residences in the Kensington Community with regards to: views, design compatibility (including building bulk, size, and height), adequate parking, privacy, and access to sunlight.



3. Land Use Element

- 
- 3-207. Preservation of views of scenic natural features (e.g. bay, mountains) and the developed environment (e.g. bridges, city skyline) should be incorporated into the review of development applications.
 - 3-208. Review proposed residential development for design compatibility with nearby development (e.g. building mass, height, mechanical devices) and provisions for adequate parking.
 - 3-209. New residential development will be reviewed against realistic impacts of privacy and sunlight on surrounding neighbors.
 - 3-210. Consideration will be given to review of non-residential development in the Kensington community with policies 3-190 through 3-194 herein.

ORDINANCE NO. 2004-46

KENSINGTON COMBINING DISTRICT

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. SUMMARY. This ordinance amends the County Ordinance Code to add the Kensington Combining District, which adds land use regulations within any area added to the District. (Ord. 2004-46 § 1.)

SECTION II. Chapter 84-74 is added to the County Ordinance Code to read:

**Chapter 84-74
KENSINGTON COMBINING DISTRICT**

**Article 84-74.2
General**

84-74.202 Kensington (-K) combining district. All land within a land use district combined with the Kensington combining (-K) district shall be subject to the following additional regulations set forth in this chapter. (Ord. 2004-46, § 2.)

84-74.204 Purpose and intent.

- (a) The purpose of this chapter is to provide specific regulation to fairly and efficiently implement the Contra Costa County General Plan Policies for the Kensington Area so that future development recognizes the rights of property owners to improve the value and enjoyment of their property while minimizing impacts upon surrounding neighbors and not substantially impairing the value and enjoyment of their neighbors' property; maintains the community's property values; and promotes the general welfare, public health and safety.
- (b) It is a further purpose of this chapter to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels, and compatibility with the neighborhood with regard to bulk and scale.
- (c) Features of a development that could influence these values include but are not limited to siting, size, bulk, building envelope, height, setbacks, relative scale, off-street parking spaces, window placement, artificial lighting, and location of mechanical devices such as motors, fans and vents. (Ord. 2004-46, § 2.)

84-74.206 Priority. Where there is any conflict between the regulations of this chapter and those of the underlying zoning district, the requirements of this chapter shall govern. Otherwise, the regulations found in Division 82 and Chapter 84-4 shall apply to the Kensington Combining District. (Ord. 2004-46, § 2.)

Article 84-74.4 Definitions

84-74.402 General. Unless specified in this article, the terms used in this chapter are defined as in other chapters of this title. (Ord. 2004-46, § 2.)

84-74.404 Definitions. For purposes of this chapter, the following words and phrases have the following meanings:

- (a) "Attic" means the space between the ceiling of the top story or top half-story, and the roof, of a building.
- (b) "Basement" means any area in a building or structure where the finished floor directly above the area is less than four feet above preconstruction grade or finished grade, whichever is lower.
- (c) "Bulk" means the volume of the building or structure, including interior courtyard, if any, with height of said courtyard measured to the top plate of the adjoining top story.
- (d) "Crawl space" means an area at, just above, or just below grade and enclosed within the building or structure, which is unconditioned, unfinished and not habitable as a result of insufficient ceiling height to meet applicable building code standards.
- (e) "Design" means the physical characteristics of the building or structure, such as bulk, fenestration, hipped roof, and eaves.
- (f) "Development," for the purposes of this chapter, means any building or structure that requires a building permit, unless exempted under section 84-74.604.
- (g) "Envelope" means a building's or structure's three dimensional solid figure as defined by the exterior faces of the enclosing walls and roofs and including vertical extensions to the ceiling of the top story of eaves, balconies, decks, fenestration, and interior courtyards.
- (h) "Gross floor area" means the total horizontal area in square feet of each floor inclusive of the exterior walls of all buildings on a parcel, as measured at the exterior face of the enclosing wall. Gross floor area includes attached and detached primary and accessory buildings, interior courtyards, garages, and carports with roof covering. Gross floor area

does not include the area in attics, crawl spaces, basements, and uncovered balconies, decks, and patios.

- (i) "Interior courtyard" means an unroofed area contained within a building that is bounded on at least three sides by roofed interior space, provided the two opposing walls are each at least 10 feet in depth.
- (j) "Light" means a living area's access to open sky unobstructed by buildings or structures.
- (k) "Living areas" mean rooms in the residential buildings on a parcel that have at least one exterior window or door. Living areas do not include attics, crawl spaces, basements, accessory buildings, garages, and carports.
- (l) "Neighborhood" and "neighboring" mean real properties within 300 feet of the subject property. "Surrounding neighbors" and "neighbors" mean owners of real properties within 300 feet of the subject property.
- (m) "Obstruction" means any substantial blockage or diminution by the proposed development on surrounding neighbors' light, solar access, view, or pre-existing solar energy systems. An obstruction may be caused by a building, a structure, or by attached appendages, such as fire escapes, open stairways, chimneys, sills, belt-courses, cornices, eaves, trellises, or other nonvegetative ornamental features.
- (n) "Parcel area" means the total horizontal area included within the property lines of a parcel.
- (o) "Scale" means the relative size of a building as compared to other buildings in the neighborhood.
- (p) "Siting" means the location of the envelope of a building or structure on a parcel.
- (q) "Solar access" means a living area's direct sunlight unobstructed by buildings or structures.
- (r) "View" means a scene from a window in habitable space of a neighboring residence. The term "view" includes both up-slope and down-slope scenes, but is distant or panoramic range in nature, as opposed to short range. Views include but are not limited to scenes of skylines, bridges, distant cities, distinctive geologic features, hillside terrain, wooded canyons, ridges, and bodies of water. (Ord. 2004-46, § 2.)

Article 84-74.6
Exemptions

ORDINANCE NO. 2004-46

84-74.602 General. All land within a land use district combined with the -K District is exempt from the provisions of Section 82-10.002 (c), Small Lot Occupancy. (Ord. 2004-46, § 2.)

84-74.604 Exemptions. The following developments are exempt from the requirements of this chapter:

- (a) Commercial buildings, churches, public buildings, schools, or residential second units that meet all applicable code requirements.
- (b) One story accessory buildings with an area of less than 120 square feet sited within the applicable setbacks.
- (c) Repair or replacement of legally constructed residences destroyed or damaged by fire, explosion, act of God or the public enemy, or other accident or catastrophe, if both of the following conditions are satisfied:
 - (1) The siting and envelope are the same; and
 - (2) The application for repair or replacement is submitted within two years of the destruction.
- (d) Developments within the -K District for which application was accepted as complete before the effective date of this chapter.
- (e) Development within an existing building or structure that does not expand its envelope. (Ord. 2004-46, § 2.)

Article 84-74.8 Hearing Requirement

84-74.802 Threshold standard triggering hearing requirement.

- (a) If the proposed development results in a gross floor area that exceeds the threshold standard set forth in this section, a hearing is required in accordance with section 84-74.1006.
- (b) The threshold standard is the product of the values of PA and X, increased to the next highest 100 unless the product of PA and X is evenly divisible by 100.
- (c) In calculating the threshold standard, the value of PA is the parcel area in square feet. The value of X is determined by one of the following formulas:

- (1) For parcels with an area of fewer than 5,000 square feet, X equals 0.500.
- (2) For parcels with an area of 5,000 square feet or more but fewer than 7,000 square feet, X is calculated by subtracting the product of 0.00005 and PA from 0.750 [X= 0.750 - 0.00005(PA)].
- (3) For parcels with an area of 7,000 square feet or more but fewer than 10,000 square feet, X is calculated by subtracting the product of 0.00002 and PA from 0.540 [X= 0.540 - .00002(PA)].
- (4) For parcels with an area of 10,000 square feet or more but fewer than 20,000 square feet, X is calculated by subtracting the product of 0.000013 and PA from 0.470 [X=0.470 - 0.000013(PA)].
- (5) For parcels with an area of 20,000 square feet or more, X equals 0.220. (Ord. 2004-46, § 2.)

Article 84-74.10
Review Procedure

84-74.1002 Administrative decision or hearing. Any application for a permit submitted to the community development department for a building permit for development or expansion of the envelope of a building or structure on a parcel within the –K District that is not exempt under article 84-74.6 is subject to the review procedure under this article. This article does not exempt an application from any applicable variance requirements of article 26-2.20. (Ord. 2004-46, § 2.)

84-74.1004 Notice. Notwithstanding the provisions of section 26-2.2104, before the zoning administrator decides any application pursuant to this article, the community development department shall mail or deliver notice of intent to decide the application, pursuant to Government Code Section 65091 and the notice provisions of section 26-2.2004 of the code. The notice shall state the last day to request a public hearing on the application (which shall be no fewer than 34 days after date of mailing), the general nature of the application (including any subdivision exception requested), the review process, and the street address, if any, of the property involved or its legal or boundary description if it has no street address. (Ord. 2004-46, § 2.)

84-74.1006 Determination of whether hearing is required.

- (a) A public hearing on an application is not required unless:
 - (1) The threshold standards in section 84-74.802 are exceeded; or

- (2) A written request for public hearing is filed with the community development department within 34 calendar days after the notice is mailed.
- (b) If a public hearing is required, the community development department will schedule a public hearing on the application in accordance with applicable provisions of chapter 26-2. (Ord. 2004-46, § 2.)

Article 84-74.12
Standards of Consideration

84-74.1202 Where no hearing is held. If a hearing is not required under the provisions of section 84-74.1006, the application shall be approved. (Ord. 2004-46, § 2.)

84-74.1204 Where a hearing is held. If a hearing is held pursuant to the provisions of section 84-74.1006, the zoning administrator shall consider the application in accordance with the provisions of this article. (Ord. 2004-46, § 2.)

84-74.1206 Standards of consideration at hearing.

- (a) To ensure the development will promote the values articulated in section 84-74.204 and promote the general welfare, public health and safety of the community, the zoning administrator shall evaluate siting, size, bulk, building envelope, height, setbacks, relative scale, off-street parking spaces, window placement, artificial lighting, and location of mechanical devices, such as motors, fans and vents. These features of the development shall be evaluated on the basis of their impacts on the neighboring properties, with regard to view protection, obstructions, privacy in living areas, parking, light and solar access, maintaining residential noise levels, and compatibility with the neighborhood with regard to bulk and scale.
- (b) In reaching a decision, the zoning administrator shall apply a standard that balances the following factors: (1) recognizing the rights of property owners to improve the value and enjoyment of their property; (2) recognizing the rights of property owners of vacant lots to establish a residence that is compatible with the neighborhood in terms of bulk, scale and design; (3) minimizing impacts upon surrounding neighbors; (4) protecting the value and enjoyment of the neighbors' property; (5) maintaining the community's property values; (6) maximizing the use of existing interior space; and (7) promoting the general welfare, public health, and safety. Balancing of these factors will not result in the prohibition of development that is compatible with the neighborhood with regard to bulk and scale on parcels that have not been developed.
- (c) To assess solar access impacts, when appropriate, the community development director may require the applicant to provide sun shadow analyses showing the impact of the

proposed development on neighboring properties. The review process shall evaluate the impacts in accordance with the purpose and intent of this ordinance as set forth in section 84-74.204(a). The zoning administrator may condition approval of the development by requiring mitigation through design and siting. (Ord. 2004-46, § 2.)

84-74.1208 Approval. If the zoning administrator finds that the criteria stated in section 84-74.1206 and other applicable requirements are satisfied, the zoning administrator may approve the development plan. (Ord. 2004-46, § 2.)

84-74.1210 Appeal. Any interested party may appeal a decision made by the zoning administrator under this chapter in accordance with the provisions of article 26-2.24. (Ord. 2004-46, § 2.)

SECTION III. Section 82-4.290 is added to the County Ordinance Code, to read:

82-4.290 Basement. "Basement" means any area in a building or structure where the finished floor directly above the area is less than six feet above preconstruction grade or finished grade, whichever is lower. (Ord. 2004-46, § 3.)

SECTION IV. 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 Contra Costa Times, a newspaper published in this County.

PASSED ON _____ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST: John Sweeten,
Clerk of the Board of Supervisors
and County Administrator

Board Chair

By _____
Deputy

[SEAL]

TLG:
H:\2004\Community Development\Kensington\Kensington overlay - final.wpd

CONTRA COSTA COUNTY
1998 TELECOMMUNICATIONS POLICY

Prepared by:
Community Development Department
July 1, 1998

CONTRA COSTA COUNTY
1998 TELECOMMUNICATION POLICY

I. PURPOSE

The purpose and intent of this policy is to establish development guidelines to regulate the placement and design of commercial wireless communication facilities in order to preserve the unique visual character of the County and are consistent with federal and state law related to the development of commercial wireless communication transmission facilities. This policy acknowledges the community benefit associated with the provision of commercial wireless communication services within the County and encourages the lease of publicly owned properties for the development of commercial wireless telecommunication facilities.

This policy also provides administrative direction to staff by indicating the factors, in addition to those required by §26-2.2006 of the County Code, the Board of Supervisors may consider in reviewing a land use permit and/or development plan application for a commercial wireless communications facility.

II. OBJECTIVES

Meet the present and future communications needs within Contra Costa County while minimizing the visual and environmental impacts on the landscape.

Employ disguising techniques of design so that a tower is aesthetically and architecturally compatible with the environment. *General Plan Policy 9-18, 9-19, 9-22.*

Ensure a broad range of telecommunications services and high quality telecommunications infrastructure to serve the community.

Encourage "stealth" design of wireless communications facilities if located at visually prominent sites. *General Plan Policy 9-18, 9-19, 9-21, 9-22*

Pursue additional public benefit by encouraging the leasing of publicly owned properties, where appropriate, for the development of wireless communications facilities.

III. DEFINITIONS

A. "Antenna" means any system of towers, poles, panels, rods, wires, drums, reflecting discs or similar devices used for the transmission or reception of electromagnetic waves. The distinction is made between the support structure and the antenna(s) mounted thereon.

- B. "Antenna Support Structure" means any system of towers poles or other structures used to support an antenna.
- C. "Applicant" means owner(s) of property or leaseholder or representative (and, where applicable, easements) upon which wireless communications facilities are to be located.
- D. "Building Mounted Antenna" means an antenna whose support structure is mounted to a building or rooftop equipment screen, that transmits or receives electromagnetic signals.
- E. "Broadcast Station Tower": A structure or supporting antennas or other equipment that transmits or receives electromagnetic signals which is part of an AM, FM International or Television Broadcast Station or which supports antennas necessary for a Cable System "head end" facility.
- F. "Co-location" means the location of two or more wireless communications facilities on a single support structure, or otherwise sharing a common location. Co-location shall also include the location of wireless communications facilities with other utility facilities and structures such as, but not limited to, water tanks, transmission towers and light standards.
- G. "Commercial Wireless Communications Facility" means a facility that transmits and/or receives electromagnetic signals, including, but not limited to towers, antennas, monopoles support or accessory structures and related equipment. Amateur radio operators are not included in this definition.
- H. "Equipment Enclosure" means a cabinet or other structure used to house equipment associated with a wireless communications facility.
- I. "Free-Standing Telecommunication Tower": an antenna support structure that is over 18-feet in height from finished grade and is designated to support the antennas of a facility regulated by this Policy. Monopoles and self-supported or guyed structures of lattice construction are examples of this type of structure. Roof-mounted or building mounted antennas are excluded from this definition.
- J. "Ground-Mounted Antenna" means an antenna with its support structure placed directly on the ground, the total height of which does not exceed 15-feet including the height of the antenna.
- K. "Hearing Body" shall mean that as determined by the Community Development Director and one of the divisions of the planning agency defined in Section 26-2.202 of the County Code.

- L. "Monopole" means a single free-standing pole, post, or similar structure over 18-feet in height from finished grade used to support equipment associated with a commercial wireless communications facility.
- M. "Mount Diablo Area" is defined to be the Mt. Diablo State Park Boundary as determined at the time of application, and those areas depicted on Figure 1 attached to this Policy.
- N. "Non-Urban Area" means those areas designated in the County General Plan as "Agriculture", "Public and Semi-Public", "Watershed", or "Parks and Recreation".
- O. "Related Equipment" means all equipment ancillary to the transmission and reception of voice and data via radio frequencies. Such equipment may include, but is not limited to, cable, conduit and connectors.
- P. "Roof-Mounted Antenna" means an antenna directly attached or affixed to the roof of an existing structure which transmits or receive electromagnetic signals.
- Q. "Open Space" means those General Plan designations that include publicly owned, open space lands which are not designated as "Public and Semi-Public", "Watershed", or "Parks and Recreation". Lands designated "Open Space" included, without limitation, wetlands and tidelands and other areas of significant ecological resources or geologic hazards.
- R. "Scenic Ridges" means those areas identified as such in the Open Space Element and as depicted on Figure 9-1 of the County General Plan.
- S. "Service Provider" means any authorized provider of commercial wireless communications services.
- T. "Stealth Facility" means any commercial wireless communications facility which is designated to blend into the surrounding environment by means of screening, concealment, or camouflage. The antenna and supporting antenna equipment are either not readily visible beyond the property on which it is located, or, if visible, appear to be part of the existing landscape or environment rather than the wireless communications facility.

IV. DEVELOPMENT GUIDELINES

In consideration of an application for a land use permit and/or development plan, all new commercial wireless communication facilities shall be reviewed by the hearing body for compliance with the following General Development Guidelines:

A. General Development Guidelines: The following development guidelines shall be met by all new commercial wireless communication facilities:

1. All-proposed commercial wireless telecommunication facilities shall be located so as to minimize their visibility.
2. In order to use any telecommunications facility type and placement (such as ground-mounted, facade-mounted, roof-mounted or towers), the applicant will be required to demonstrate why a telecommunication type with a lesser adverse visual impact cannot be used.
3. In addition to the photo simulations showing before and after scenarios, applicants may be required to submit further visual analysis (such as line of sight analysis).
4. If the hearing body deems it necessary, applicants may be required to construct a full scale "mock-up" of a proposed facility, using materials and colors that resemble the actual facility for proposed ground-mounted facilities and roof mounted facilities. The mock-up shall be installed 10 days prior to the scheduled public hearing date, and left in place for a period of 10 days from the date of any final administrative action taken on the project application. The notice of public hearing shall contain information about the location and placement of the "mock" structure. Additionally, all "mock" structures shall be removed by the applicant within one month from the date of final administrative action on the project application, and the site shall be restored to its original condition, if the application is denied.
5. All commercial wireless communications facilities shall comply at all times with all Federal Communications Commission (FCC) rules, regulations, and standards, and any other applicable federal, state or County law or regulation.
6. Sufficient anti-climbing measures shall be incorporated into the facility, as needed, to reduce the potential for trespass and injury.
7. Building mounted antennas are preferred over free-standing antenna structures, provided that each facility adheres to applicable County zoning ordinance height restrictions.
8. To minimize overall visual impact, new commercial wireless communication facilities shall be co-located with existing facilities and with other planned new facilities, whenever feasible. In addition, whenever feasible, service providers are encouraged to co-locate antennas with other facilities such as water tanks, light standards, and other utility structures where the co-location is found to minimize the overall visual impact. To facilitate co-location in appropriate

cases, conditions of approval for land use permits shall require all applicants to cooperate in the siting of equipment and antennas to accommodate the maximum number of operators at a given site. Whenever possible, the applicant shall agree to allow future co-location of additional antennas and not to enter into a lease for the exclusive use of the site.

9. All related equipment, equipment enclosures, antennas, poles or towers shall have a non-reflective finish and shall be painted or otherwise treated to minimize visual impacts. Antennas which will be viewed primarily against the skyline (such as "whip" or "stick" antennas) shall be painted light gray, camouflage patterns or other approved color, with a reflectivity less than 55% otherwise, except where the antenna structure owner or registrant is required to mark (paint) the antenna structure otherwise by the terms of the FCC Antenna Structure Registration applicable to the facility.
10. The applicant shall demonstrate through manufacturer and industry information that the latest technology available to minimize visual impacts relating to the design of the commercial wireless telecommunications facility is being used.
11. Commercial wireless communication facilities shall avoid any unreasonable interference with views from neighboring properties, whenever feasible.
12. Development of commercial wireless communication facilities on vacant sites shall be temporary. Whenever feasible, when the site is developed, such facilities will be removed and replaced with building mounted antennas.
13. All commercial wireless communication facilities which are not mounted on existing structures shall be (1) screened from the view of surrounding properties as much as possible and the public view or co-located with existing facilities or structures so as not to create substantial visual, noise or thermal impacts; or (2) sited within areas with substantial screening by existing vegetation; or (3) designed to appear as natural features found in the immediate area, such as trees or rocks, so as to be effectively unnoticeable; or (4) screened with additional trees and other native or adapted vegetation which shall be planted and maintained around the facility, in the vicinity of the project site, and along access roads in appropriate situations, where such vegetation is deemed necessary to screen telecommunications facilities. Such landscaping, including irrigation, shall be installed and maintained by the applicant, as long as the permit is in effect. This may require installing an automated, mechanical irrigation system. If the proposed commercial wireless communication facility is to be located on public land, the managing agency shall be consulted and provided 30-days to review and comment on any proposed landscape plans

14. Landscaping may be required in informal natural looking clusters in the vicinity of any proposed commercial wireless telecommunication facility, in addition to screening of the facility.
15. Applicants proposing to irrigate landscaping used for screening commercial wireless telecommunication facilities shall provide written proof of the availability of the necessary water supply to sustain any landscaping required for visual screening prior to permit issuance. This may be in the form of a letter from the owner of the land allowing the applicant the use of required water facilities for landscaping installed improvements in the area.
16. Proposed equipment cabinets/structures and accessory structures shall be maintained in good condition over the term of the permit. This shall include keeping equipment cabinets and structures graffiti-free and maintaining security fences in good condition.
17. Antennas, towers, dishes or mountings shall not be used for advertising.
18. Exterior lighting shall not be allowed on commercial wireless communication facilities except for that required for use of authorized persons on site during hours of darkness or where antenna structure owner or registrant is required to light the antenna structure by the terms of the FAA Antenna Structure Registration applicable to the facility.
19. The applicant shall be required to provide evidence in the form of a license or construction permit from the FCC and/or FAA that the FCC and/or FAA has accepted the applicant's certification that the facility meets the FCC and/or FAA standard or provide evidence that the FCC and/or FAA has categorically exempted the applicant from demonstrating compliance with the FCC and/or FAA standard. If a license or construction permit has not yet been obtained by the applicant, the furnishing of such FCC and/or FAA license or construction permit shall become a condition of approval for the land use permit and/or development plan.
20. Where three (3) or more commercial wireless communications facilities operate in the same location, the carriers operating those facilities shall provide documentation of testing done by an electromagnetic field (EMF) expert to verify that the cumulative EMF levels conform to standards adopted by the FCC.
21. Free standing telecommunications towers shall not be located within the required front yard setback of any property.

22. All freestanding telecommunications towers shall be designed at the minimum functional height required for the coverage area unless related to a County approved plan to reduce the impact(s) of future installations.
 23. A technical review by the County Communications Officer of the General Services Department to determine if the proposed installation will have electromagnetic interference with other facilities or uses in the area may be required. If a review of compatibility of the facility is necessary, the County Communications Officer, acting jointly with the Community Development Department (CDD), may consult with a California registered professional engineer with known expertise in this specialty. The CDD may retain the services of a private-sector consultant for this purpose to provide professional recommendations to the CDD. The applicant may be asked to describe the electromagnetic frequency needs of the wireless provider and to identify alternative sites which meet the applicant's telecommunications needs and can be readily or reasonably leased. The wireless provider will present its data and offer straightforward information to Community Development Department staff regarding its electromagnetic frequency needs. The wireless provider will also make staff aware of those alternative sites where leases can be secured that are suitable for its system. When deemed necessary by Community Development Department staff, the wireless provider will also host information sessions for County staff and Board of Supervisors and County Planning Commission. The cost of such reviews shall be paid by the applicant and deposited with the County as part of the application fee.
 24. In appropriate cases, the proposed wireless communication facilities can be located on County-owned or controlled property or County rights-of-way.
 25. Application review and all other subsequent reviews of proposed or existing commercial wireless communication facilities shall include photo documentation of existing conditions and equipment for comparison with past conditions and in order to facilitate policy goals related to minimizing site disturbance and visibility.
 26. At the time of permit review, these photo documentation shall be updated. Additional equipment will only be allowed where the cumulative visual impacts are decreased through replacement with smaller equipment or additional mitigation to decrease visibility.
- B. Development Guidelines for Building Mounted Antennas: In addition to all other applicable development guidelines, Section IV.A., commercial wireless communication facilities proposed to be mounted or attached onto existing buildings shall be reviewed by the hearing body for compliance with the following:

1. Building mounted antennas and any ancillary equipment should be in scale and architecturally integrated with the building design in such a manner as to be visually unobtrusive. Screening designs may include locating the facility within attics, steeples, towers, behind and below parapets, or concealed with an architecturally compatible addition to a building.
2. When viewed directly against a building wall, colors and materials of the antennas should match the existing building.
3. Building mounted antennas and any ancillary equipment should avoid any unreasonable interference with views from neighboring properties.
4. The equipment cabinets and structures shall be located to minimize visibility from public places, and to have minimal visual impacts. Any visible portion of the equipment cabinet shall be painted or treated in order to be architecturally compatible with the surrounding buildings and/or it shall be screened, using appropriate techniques, to camouflage, disguise and/or blend into the surrounding environment, as determined by the Hearing body.
5. The applicant shall make every attempt to flush-mount and locate antennas below the roof line of the building. Antennas and the associated mounting generally shall not project beyond a maximum of 18-inches from the face of the building.

C. Development Guidelines for Roof Mounted Antennas: In addition to all other applicable development guidelines in Section IV.A., commercial wireless communication facilities proposed to be mounted or attached to the roof of existing buildings shall be reviewed for compliance with the following:

1. Roof mounted equipment and antennas, other than facade antennas, shall be aesthetically compatible with and located as far away from the edge of the building as technically feasible as determined by the hearing body. Antennas attached to the building shall be painted or otherwise treated to match the exterior of the building or the antennas' background color.
2. Roof-mounted antennas shall not be allowed when they are to be placed in direct line of sight of scenic corridors or where they will significantly affect scenic vistas, unless the facilities incorporate appropriate techniques to camouflage, disguise and/or blend them into the surrounding environment, as approved by the hearing body.
3. The height of roof-mounted antennas, including the support structure, generally shall not exceed 15-feet above the roof plate of the existing building on which they are placed

4. The equipment cabinet or structure, if located on the rooftop of buildings, shall be located so as to be minimally visible from public places. If any portion of the equipment cabinet is visible, it shall be camouflaged or screened from view, to the fullest extent possible.

D. Development Guidelines for Ground-Mounted Telecommunication Facilities:

In addition to all other applicable development guidelines in Section IV.A., ground-mounted telecommunication facilities proposed in any allowed zoning district shall comply with the following:

1. Commercial wireless communication facilities visible on or above the ridgeline shall be prohibited unless, prior to approving the application, the hearing body determines that the applicant has shown that there is no feasible alternative.
2. Ground mounted facilities by different systems operators generally shall not be allowed within 1,000 feet of one another, unless the hearing body determines that the cumulative visual or other physical environmental impacts can be reduced by allowing such facilities within 1,000 feet of one another.

The hearing body shall determine the number of antennas allowed per site on a case by case basis, with the goal of minimizing the visual impacts of the antennas from public viewpoints.

3. Ground mounted antennas should be the minimum feasible height, but no taller than 15 feet in total height. In addition, for any ground mounted antennas over 10 feet in height, the applicant shall demonstrate that the additional height, up to a maximum of 15-feet total, is structurally required to meet the applicant's objectives and that visual impacts, if any, have been mitigated by specified means, satisfactory to the hearing body.
4. All proposed facilities should be located within easy reach of existing access roads, whenever possible. Unless visual impacts can be adequately mitigated, no new access roads on the ridgeline shall be allowed with any proposed telecommunication facility.
5. All facilities shall incorporate appropriate techniques to camouflage, disguise and/or blend them into the surrounding environment (stealth techniques) to minimize visual impacts. A sample list of such techniques is set forth in Subsection E. below (Development Guidelines for Free-standing Telecommunication Towers).

6. All associated equipment cabinets or structures for ground mounted facilities shall be designed and located so as to minimize visual impacts and/or be screened from public view. Screening techniques may include landscaping and/or architectural treatment to make them compatible with existing buildings and/or partial burial of the cabinets or structures.

E. Development Guidelines for Free-standing Telecommunications Towers: In addition to all other development guidelines in Section IV. A., free-standing telecommunications towers proposed in any allowed zoning district shall comply with the following:

1. Free-standing telecommunications towers shall be located and designed to minimize visual impacts. When appropriate, monopoles in areas where adverse visual impacts cannot be avoided (as in some commercial areas), shall be camouflaged, disguised and/or blended into the surrounding environment, or disguised as pieces of art/sculpture, flag poles, telephone poles, light standards, or other visual forms to avoid an adverse visual impact.
2. Freestanding telecommunications towers shall generally not be allowed within 1,000 feet of each other, unless the hearing body determines that the cumulative visual impacts will be reduced by allowing facilities within 1,000 feet of one another.
3. All applicants for telecommunications towers shall provide to the hearing body a written commitment to allow other wireless carriers, using compatible technology, to co-locate antennas on the proposed towers.
4. The smallest available and least visible antennas that provide the coverage objective shall be mounted on towers.
5. Lightning arrestor rods and beacon lights shall not be included as part of the tower design, unless the applicant can demonstrate that such are necessary for safety reasons.

Minor modifications to the communications equipment design, location, elevations, and other elements of the approved tower may be allowed by the hearing body, if such modifications are in keeping with the architectural statement and layout design of the original approval.

F. Development Guidelines for Broadcast Station Towers: In addition to all other applicable development guidelines, in Section IV.A. above, commercial wireless communication facilities proposed in any allowable zoning district shall comply with the following:

1. Broadcast station towers shall be the minimal functional size. Any proposed towers of 250 feet in height or more may be approved by the hearing body only if the applicant can demonstrate that there is no feasible alternative.
2. Broadcast station towers shall be set back 110 percent of their height from adjacent residential buildings or building envelopes.
3. Broadcast station towers shall not be placed on or above the ridgeline unless approved by the hearing body and upon the applicant's showing that there is no feasible alternative.
4. The applicant shall be required to satisfy complaints of blanketing interference as set forth in Part 73 of the FCC Rules.

G. Development Guidelines for Major Ridge/Open Space Areas/Non- Urban Areas:

In addition to all other applicable development guidelines in Section IV.A. above, commercial wireless communication facilities proposed to be located within an area identified in the County General Plan as Scenic Ridge, Open Space or Non-Open Space areas, shall be subject to the following:

1. Compliance with Section IV.E., "Development Guidelines for Free-standing Telecommunications Towers" and Section IV.F., "Development Guidelines for Radio and Television Towers."
2. No commercial wireless communication facility shall be located within 50 vertical feet of a County General Plan identified Major Ridge, as measured from the base of the facility, unless an exception is granted by the hearing body. An exception may be granted by the hearing body only if any of the following findings can be made:
 - a. Due to the specific location and design of the proposed facility, the facility will not be visible from surrounding properties or public view; or
 - b. Due to existing development or existing vegetation at the site, the proposed facility will be substantially screened from the view of surrounding properties and public view and will not result in an adverse visual impact; or
 - c. The applicant can demonstrate to the satisfaction of the hearing body that there is no feasible alternative.

3. Special design considerations, including designs which simulate natural features found in the immediate area, i.e. trees or rocks, may be taken into account by the hearing body when facilities within the County General Plan identified major ridge line areas are proposed.
4. Development of a commercial wireless communication facility shall conform generally with the natural contours to avoid excessive grading.

H. Development Guidelines for Mt. Diablo Area: In addition to all other applicable development guidelines, in Section IV.A. above, commercial wireless communication facilities proposed to be located in the Mt. Diablo Area (as defined in this policy) shall be subject to the following:

1. Compliance with Section IV.E., "Development Guidelines for Radio and Television Towers", and Section IV.F., "Design Guidelines for Free-Standing Telecommunications Towers".
2. No commercial wireless communication facility shall be located within 50 vertical feet of any peak within the Mt. Diablo Area, which as measured from the base of the facility, unless an exception is granted. An exception may be granted by the hearing body only if any of the following findings can be made:
 - a. Due to the specific location and design of the proposed facility, the facility will not be visible from surrounding properties or public view; or
 - b. Due to existing development or existing vegetation at the site, the proposed facility will be substantially screened from the view of surrounding properties and public view and will not result in an adverse visual impact; or
 - c. The applicant can demonstrate to the satisfaction of the hearing body that there is no feasible alternative.
 - d. Consideration will be given to existing facilities where they have successfully adhered to these guidelines.
 - e. The applicant can demonstrate significant public safety benefits.
3. Special design considerations, including designs which simulate natural features found in the immediate area, i.e. trees or rocks, shall be taken into account by the hearing body when approving facilities

V. LENGTH OF PERMIT/DISCONTINUANCE OF USE/FINANCIAL GUARANTEE

All permit approvals for commercial wireless communication facilities may be valid for up to a maximum of ten (10) years, with administrative or public hearing reviews every three years to demonstrate continuing compliance with the Conditions of Approval. When reviewing existing facilities for renewal, the hearing body shall determine whether substantial progress has been made in decreasing the visibility of these facilities.

At the time of each three year review, modifications may be required to the approved land use permit and/or final development plan, if technology has advanced to the point where commercial wireless telecommunication facilities can be made safer or less visually obtrusive, to conform to similar Commercial Wireless Community facilities that are currently being installed in California at the time of permit review.

Application review and subsequent reviews of proposed or existing commercial wireless communication facilities shall include photo documentation of existing conditions and equipment for comparison with past conditions and in order to facilitate policy goals related to minimizing site disturbance and visibility.

All land use permit and/or development plan applications shall include conditions of approval that require modifications to the approved site plan if technology has advanced to the point where commercial wireless telecommunication facilities can be made safer or less visually obtrusive, to conform to equipment that is currently being installed at the time of permit review.

All structures and equipment associated with a commercial wireless communications facility shall be removed within thirty (30) days of the discontinuation of the use and the site shall be restored by the permittee to its original pre-development condition. In addition, the permittee shall provide the Community Development Department with a notice of intent to vacate the site a minimum of thirty (30) days prior to vacation. For facilities located on County owned or leased property, this removal requirement shall be included within the terms of the lease.

Prior to constructing a telecommunications tower, or prior to renewing a use permit for an existing tower, the applicant or permittee shall provide a financial guarantee, which shall be indexed annually for inflation, satisfactory to the hearing body, for the removal of the facility in the event that the use is abandoned or the use permit expires, or is revoked, or otherwise terminated. The amount of the guarantee per free-standing tower may be reduced or eliminated (a) if the applicant has more than one free-standing tower in the County. If the owner or lessee does not remove any obsolete or unused facilities, as described above, the financial guarantee shall be used by the County to remove any obsolete or unused facilities and to return the site to its pre-development conditions. Any unused financial guarantee shall be returned to the applicant upon termination of the use and removal of facility or transfer of the lease accompanied by a financial guarantee by the new lessee or owner -

VI. TESTING OF COMMERCIAL WIRELESS TELECOMMUNICATION SITE

All requests for testing of commercial wireless telecommunication facilities may be submitted to the Community Development Department for consideration, in any zoning district which permits commercial wireless telecommunication facilities, following the issuance of a land use permit and/or development plan. The height of the proposed facility shall not exceed the maximum height allowed for structures in the zoning district in which it is proposed, and the facility shall be removed within six (6) months. A bond sufficient to cover the cost of removal shall also be provided to the Community Development Department and shall be provided by the applicant.

VII. SUBMITTAL REQUIREMENTS

- A. General: In addition to the general requirements for a Land Use Permit application, an application for a commercial wireless communication facility shall include the following information:
1. Site and landscape plans drawn to scale;
 2. Statement of ownership of the proposed site or authorization to use it;
 3. Reference to any necessary easements;
 4. A USGS Topographic map or survey with existing topographic contours showing the proposed antennas, accessory structures, new roads and the surrounding area extending at least one hundred fifty (150) feet beyond any proposed towers and at least fifty (50) feet beyond other proposed telecommunications facilities;
 5. The number, type and dimensions of antennas and equipment cabinets and structures proposed for use by the applicant and a map identifying all existing telecommunication facilities within a 3,000 foot radius of the proposed facility;
 6. If determined necessary by the Community Development Department, a description indicating whether the proposed telecommunications facility is intended to increase capacity within an existing covered area or extend service to an unserved area, describing the extent or degree of each proposed increased or extended service;

7. For applications to extend service to an unserved area, if determined necessary by the Community Development Department, a map based on either radio frequency propagation maps (or similar engineering data) or drive tests at the proposed site and its vicinity showing the estimated coverage area of the proposed telecommunications facility;
8. A map showing how the proposed antennas fit within the network of the applicant's existing and proposed antenna sites within 3,000 feet of the project vicinity;
9. A statement of intent to design the facility to allow for co-location;
10. A description of the site selection process, including information about at least two other sites in the same search ring that were considered and the reasons for their rejection;
11. A statement to the hearing body, including:
 - a. The power rating for all antennas and back-up equipment proposed with the first application; and
 - b. A description of the system, including the number of antennas, and associated equipment cabinets and structures which conforms to the radio-frequency exposure standards adopted by the FCC, and will operate within the frequency assigned by the FCC; and
 - c. Assurance that operation of the facility, in addition to ambient radio-frequency exposure levels, will not exceed adopted FCC standards with regard to human exposure in "uncontrolled areas" (i.e., areas subject to general public exposure, as defined by the National Council on Radiation Exposure Prevention or the then applicable FCC standard.
12. The applicant's proposal to establish and maintain maximum visual screening of unsightly public views of the facilities, including landscape and irrigation plans, sample exterior materials and colors of towers, antennas, and accessory structures, including equipment structures and cabinets and security fences; and
13. Visual impact demonstrations, including before and after photo-simulation, showing height and location of the proposed facility as viewed from public places.

14. A list of the names, addresses, and types of business users who will occupy the site.
15. All applications and reviews shall include a list and photo documentation of transmission, reception and other equipment initially proposed, justifying the need for the range of equipment. At each three year permit reviews, these lists and photo documentation shall be updated. Additional equipment will only be allowed where the cumulative visual impacts are decreased through replacement with smaller equipment or additional mitigation to decrease visibility.

B. Broadcast Station & Telecommunication: Applications for telecommunication towers, in addition to the above submittal requirements in Section VII.A., shall include the following:

1. A description of the tower, with technical reasons for its design and size;
2. A report from a civil engineer regarding the number and type of antennas the structure is designed to support;
3. A statement to the hearing body indicating how the facilities have been designed to allow co-location of other carriers, wherever technically feasible;
4. A statement of the reasons for not co-locating on any of the existing monopoles and lattice towers identified in the area survey. This may include a statement from the telecommunications carrier for the existing facility giving reasons for not permitting co-location, or a statement of structural reasons, with a copy of the structural calculations to be reviewed by the County Building Inspection Department;
5. A statement indicating whether each site identified is essential for completion of the coverage objective and reasons; and
6. To the extent required by the hearing body, a visual study depicting representative locations within a maximum three mile radius from which any portion of the proposed tower would have a substantial, demonstrable negative aesthetic effect, including public and private viewpoints, streets, parks or scenic areas. The visual study shall not be required for co-locations on existing towers that do not result in an increase in height of the tower.

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**New Cingular Wireless, LLC • Proposed Distributed Antenna System Node
Node No. OAKN-014D • 801 Coventry Road • Kensington, California**

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of New Cingular Wireless, LLC, a wireless telecommunications service provider, to evaluate a distributed antenna system (DAS) node (No. OAKN-014D) proposed to be located at 801 Coventry Road in Kensington, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") electromagnetic fields.

Executive Summary

New Cingular Wireless proposes to install two directional panel antennas on a utility pole located in the public right-of-way in front to the residence at 801 Coventry Road in Kensington. The proposed operation will comply with the FCC guidelines limiting public exposure to RF energy.

Prevailing Exposure Standards

The U.S. Congress requires that the Federal Communications Commission ("FCC") evaluate its actions for possible significant impact on the environment. A summary of the FCC's exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. The most restrictive FCC limit for exposures of unlimited duration to radio frequency energy for several personal wireless services are as follows:

<u>Wireless Service</u>	<u>Frequency Band</u>	<u>Occupational Limit</u>	<u>Public Limit</u>
Microwave (Point-to-Point)	5,000–80,000 MHz	5.00 mW/cm ²	1.00 mW/cm ²
BRS (Broadband Radio)	2,600	5.00	1.00
WCS (Wireless Communication)	2,300	5.00	1.00
AWS (Advanced Wireless)	2,100	5.00	1.00
PCS (Personal Communication)	1,950	5.00	1.00
Cellular	870	2.90	0.58
SMR (Specialized Mobile Radio)	855	2.85	0.57
700 MHz	700	2.35	0.47
[most restrictive frequency range]	30–300	1.00	0.20

Power line frequencies (60 Hz) are well below the applicable range of these standards, and there is considered to be no compounding effect from simultaneous exposure to power line and radio frequency fields.

**New Cingular Wireless, LLC • Proposed Distributed Antenna System Node
Node No. OAKN-014D • 801 Coventry Road • Kensington, California**

General Facility Requirements

Base stations typically consist of two distinct parts: the electronic transceivers (also called “radios” or “channels”) that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level and are connected to the antennas by coaxial cables. A small antenna for reception of GPS signals is also required, mounted with a clear view of the sky. Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. This means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

Computer Modeling Method

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No. 65, “Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation,” dated August 1997. Figure 2 attached describes the calculation methodologies, reflecting the facts that a directional antenna’s radiation pattern is not fully formed at locations very close by (the “near-field” effect) and that at greater distances the power level from an energy source decreases with the square of the distance from it (the “inverse square law”). The conservative nature of this method for evaluating exposure conditions has been verified by numerous field tests.

Site and Facility Description

Based upon information provided by New Cingular Wireless, including zoning drawings by Aero Communications, Inc., dated March 4, 2014, that carrier proposes to install two Kathrein Model 840-10525 directional panel antennas a new pole to replace the existing utility pole sited in the public right-of-way next to driveway of the residence located at 801 Coventry Road in Kensington. The antennas would be mounted with no downtilt at an effective height of about 49 feet above ground and would be oriented toward 0°T and 75°T. The maximum effective radiated power in any direction would be 219 watts, representing simultaneous operation by New Cingular Wireless at 104 watts for PCS, 61 watts for cellular, and 54 watts for 700 MHz service. There are reported no other wireless telecommunications base stations at the site or nearby.

**New Cingular Wireless, LLC • Proposed Distributed Antenna System Node
Node No. OAKN-014D • 801 Coventry Road • Kensington, California**

Study Results

For a person anywhere at ground, the maximum RF exposure level due to the proposed operation is calculated to be 0.0012 mW/cm², which is 0.23% of the applicable public exposure limit. The maximum calculated level at the top-floor elevation of any nearby building* is 0.80% of the public limit. It should be noted that these results include several “worst-case” assumptions and therefore are expected to overstate actual power density levels from the proposed operation.

Recommended Mitigation Measures

Due to their mounting locations, the New Cingular Wireless antennas would not be accessible to the general public, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines. To prevent occupational exposures in excess of the FCC guidelines, it is recommended that access near the antennas be limited to authorized personnel who have been adequately trained in RF safety and awareness. No access within 3 feet directly in front of the antennas themselves, such as might occur during maintenance work on the pole, should be allowed while the node is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. Posting explanatory signs† at the antennas and/or on the pole below the antennas, such that the signs would be readily visible from any angle of approach to persons who might need to work within that distance, would be sufficient to meet FCC-adopted guidelines.

Conclusion

Based on the information and analysis above, it is the undersigned’s professional opinion that the operation of the New Cingular Wireless distributed antenna system node proposed to be located at 801 Coventry Road in Kensington, California, will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations. Posting explanatory signs on the utility pole is recommended to establish compliance with occupational exposure limitations.

* Including the three-story residence at 801 Coventry, located at least 25 feet from the pole, based on the drawings.

† Signs should comply with OET-65 color, symbol, and content recommendations. Signage may also need to comply with the requirements of California Public Utilities Commission General Order No. 95.

**New Cingular Wireless, LLC • Proposed Distributed Antenna System Node
Node No. OAKN-014D • 801 Coventry Road • Kensington, California**

Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration No. E-20309, which expires on March 31, 2015. This work has been carried out under her direction, and all statements are true and correct of her own knowledge except, where noted, when data has been supplied by others, which data she believes to be correct.



Andrea L. Bright
Andrea L. Bright, P.E.
707/996-5200

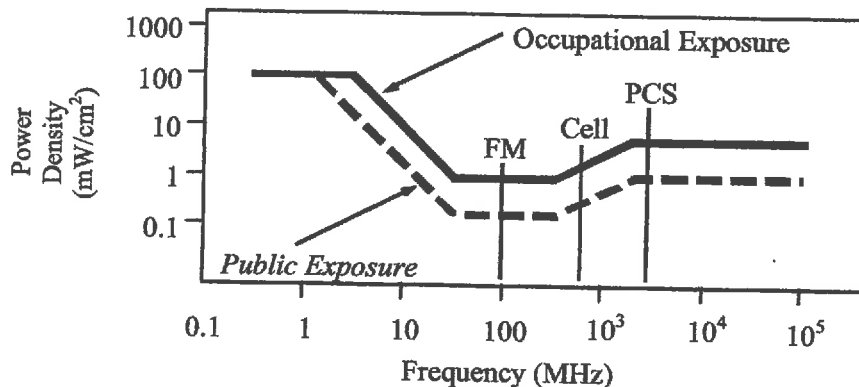
March 13, 2014

FCC Radio Frequency Protection Guide

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements ("NCRP"). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent standard, developed by the Institute of Electrical and Electronics Engineers and approved as American National Standard ANSI/IEEE C95.1-2006, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes similar limits. These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive:

Frequency Applicable Range (MHz)	Electromagnetic Fields (<i>f</i> is frequency of emission in MHz)					
	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm ²)	
0.3 – 1.34	614	<i>614</i>	1.63	<i>1.63</i>	100	<i>100</i>
1.34 – 3.0	614	<i>823.8/f</i>	1.63	<i>2.19/f</i>	100	<i>180/f²</i>
3.0 – 30	1842/f	<i>823.8/f</i>	4.89/f	<i>2.19/f</i>	900/f ²	<i>180/f²</i>
30 – 300	61.4	<i>27.5</i>	0.163	<i>0.0729</i>	1.0	<i>0.2</i>
300 – 1,500	3.54√ <i>f</i>	<i>1.59√f</i>	√ <i>f</i> /106	<i>√f/238</i>	f/300	<i>f/1500</i>
1,500 – 100,000	137	<i>61.4</i>	0.364	<i>0.163</i>	5.0	<i>1.0</i>



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits. However, neither of these allowances is incorporated in the conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) for projecting field levels. Hammett & Edison has built those formulas into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radio sources. The program allows for the description of buildings and uneven terrain, if required to obtain more accurate projections.



RFR.CALC™ Calculation Methodology

Assessment by Calculation of Compliance with FCC Exposure Guidelines

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The maximum permissible exposure limits adopted by the FCC (see Figure 1) apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits.

Near Field.

Prediction methods have been developed for the near field zone of panel (directional) and whip (omnidirectional) antennas, typical at wireless telecommunications base stations, as well as dish (aperture) antennas, typically used for microwave links. The antenna patterns are not fully formed in the near field at these antennas, and the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives suitable formulas for calculating power density within such zones.

For a panel or whip antenna, power density $S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$, in mW/cm²,

and for an aperture antenna, maximum power density $S_{max} = \frac{0.1 \times 16 \times \eta \times P_{net}}{\pi \times h^2}$, in mW/cm²,

- where θ_{BW} = half-power beamwidth of the antenna, in degrees, and
 P_{net} = net power input to the antenna, in watts,
 D = distance from antenna, in meters,
 h = aperture height of the antenna, in meters, and
 η = aperture efficiency (unitless, typically 0.5-0.8).

The factor of 0.1 in the numerators converts to the desired units of power density.

Far Field.

OET-65 gives this formula for calculating power density in the far field of an individual RF source:

$$\text{power density } S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}, \text{ in mW/cm}^2,$$

- where ERP = total ERP (all polarizations), in kilowatts,
RFF = relative field factor at the direction to the actual point of calculation, and
D = distance from the center of radiation to the point of calculation, in meters.

The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1.6 (1.6 x 1.6 = 2.56). The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radiation sources. The program also allows for the description of uneven terrain in the vicinity, to obtain more accurate projections.

AT&T Mobility Radio Frequency Statement
of Significant Coverage Gap

Area of Ardmore Road
Kensington, Contra Costa County

I am the AT&T radio frequency engineer assigned to resolving coverage and capacity gaps in the AT&T wireless network in Contra Costa County. In order to provide in-building 3G and 4G wireless services to the Kensington area of Contra Costa County, AT&T proposed installation of six distributed antenna system (“DAS”) nodes along public rights-of-way. On December 17, 2013, the Contra Costa County Board of Supervisors approved five AT&T DAS nodes to serve the Kensington area. The sixth DAS node, proposed to be located on an existing utility pole in the public right-of-way of 110 Ardmore Road, has been continued by the Board of Supervisors to June 3, 2014 in order to explore an alternative site location on an existing utility pole in the Ardmore Road right-of-way behind 801 Coventry Road. This statement is submitted to evidence the extent and significance of the gap in in-building 3G and 4G wireless service coverage that exists in the Ardmore Road area and which will remain following installation of the five Kensington DAS nodes approved by the Board of Supervisors. Based on my personal knowledge of AT&T’s wireless network in Contra Costa County, as well as my review of recent drive test data, I have concluded that while the proposed DAS facility to be located in the public right-of-way of 110 Ardmore Road would best close a coverage gap in AT&T’s 3G and 4G in-building wireless service in the vicinity of Ardmore Road in Kensington, a DAS node in the Ardmore Road right-of-way behind 801 Coventry Road (the “Coventry Facility”) would adequately serve this coverage gap.

The AT&T DAS facilities approved by the Board of Supervisors on December 17, 2013, will provide in-building 3G and 4G service to a large portion of Kensington. Three of the DAS nodes approved by the Board of Supervisors will provide in-building 3G and 4G service to the west, north and east of the Coventry Facility and will be located less than one-third mile away from the Coventry Facility in each direction. Service to the south will be provided by a DAS facility in the City of Berkeley. The Coventry Facility will fill a gap in

in-building 3G and 4G coverage to the residences along roadways including the commercial area of Arlington Avenue, Ardmore Road, Amherst Avenue, Yale Avenue and Princeton Avenue as well as the western halves of Oberlin Avenue and Wellesley Avenue (the "Coverage Gap"). The Coverage Gap includes approximately 45 acres and over 500 residents.

The Coventry Facility will also provide needed in-vehicle 3G and 4G service throughout the residential roadways in the Ardmore Road area for residents, including emergency E911 call locator services used by Contra Costa County first responders. Several County agencies also use AT&T wireless services including Contra Costa Fire District, Contra Costa County Sheriff, the Contra Costa County Emergency Operations Center and Contra Costa County Health Services. In times of crisis such as inland wildfires and earthquakes, the ability of these first responders and critical County agencies to receive resident E911 calls and otherwise use AT&T wireless services when necessary, absent dropped calls and coverage gaps, is critical to the Ardmore Road area.

The Coverage Gap results from the absence of infrastructure in the area. AT&T's existing and approved facilities would provide insufficient coverage in the Ardmore area to provide service to customers in the Ardmore area, let alone address rapidly increasing data usage. Moreover, 4G LTE service coverage has not yet been deployed in this area. To remedy this service Coverage Gap, AT&T needs to install new wireless infrastructure.

AT&T uses industry standard propagation tools to identify the areas in its network where signal strength is too weak to provide reliable in-building service quality. This information is developed from many sources including terrain and clutter databases, which simulate the environment, propagation models that simulate signal propagation in the presence of terrain and clutter variation, drive tests measuring existing radio signals, and signal propagation from test antennas. AT&T designs and builds its network to ensure customers receive reliable in-building service quality.

Exhibit 1 to this Statement is a map of predicted service coverage from the adjacent planned and approved AT&T DAS nodes to be installed to serve the Kensington area. The map has been prepared using the AT&T proprietary prediction tools described above and includes refinements based upon actual drive test data. The green shaded areas depict areas within a signal strength range that provide acceptable in-building service coverage. In-building coverage means customers are able to place or receive a call on the ground floor of a building. The quality of service experienced by any individual can differ greatly depending on whether that customer is indoors, outdoors, stationary, or in transit.

Exhibit 2 provides a graphic representation of actual radio signal propagation from a test antenna placed at the Coventry Facility location on January 9, 2014. The test data collected on January 9, 2014 confirms that the Coventry Facility will provide adequate in-building and in-vehicle service to the identified Coverage Gap in the Ardmore area.

In addition to these 3G wireless service gap issues, AT&T is in the process of deploying its 4G LTE service in Contra Costa County with the goal of providing the most advanced personal wireless experience available to residents. The AT&T Kensington DAS already approved by the Board of Supervisors are an integral part of this process. 4G LTE is capable of delivering speeds up to 10 times faster than industry-average 3G speeds. What's more, LTE uses spectrum more efficiently than other technologies, creating more space to carry data traffic and services and to deliver a better overall network experience. This is particularly important in Kensington because of the likely high penetration of the new 4G LTE tablets, smart phones, and other LTE devices. As clearly depicted in Exhibit 2, the Coventry Facility will provide new LTE service to 45 acres and over 500 residents of the Ardmore Road area including nearly two miles of roadway and footpath.

This is also important in part because as existing customers migrate to 4G LTE, the LTE technology will provide the added benefit of reducing 3G data traffic, which can cause capacity issues on the UMTS (3G) network during peak usage periods, especially in light of forecasted increase in usage. AT&T customers are using these services in a manner that

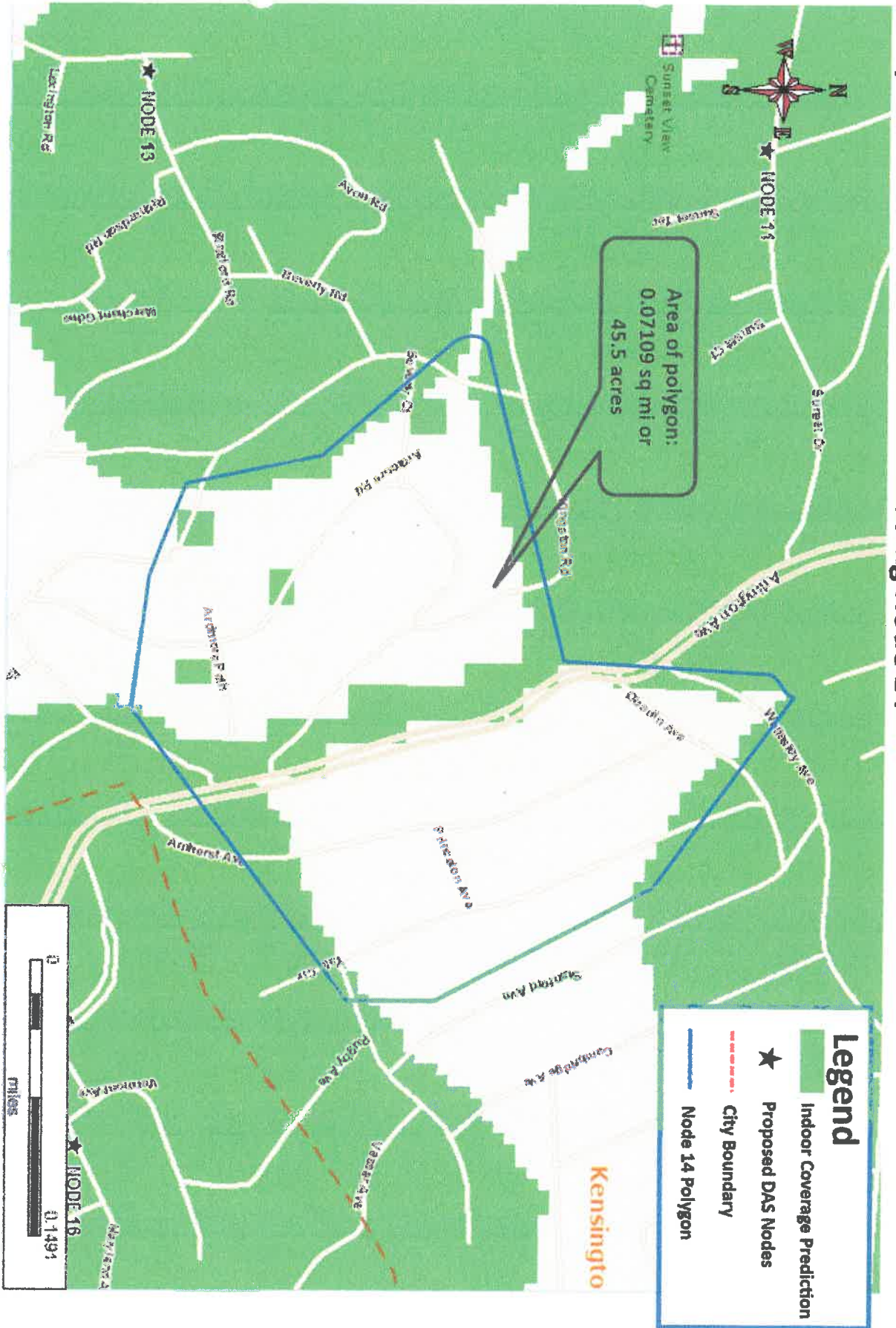
caused a 20,000% increase in mobile data usage on AT&T's network between 2007 and 2011. AT&T expects total mobile data volume to grow 8-10 times over the next five years.

Either a facility at 110 Ardmore Road or the Coventry Facility will be essential to close the predicted 45-acre Coverage Gap around Ardmore Road with in-building 3G and 4G service and to provide seamless wireless service throughout the AT&T Kensington DAS network.

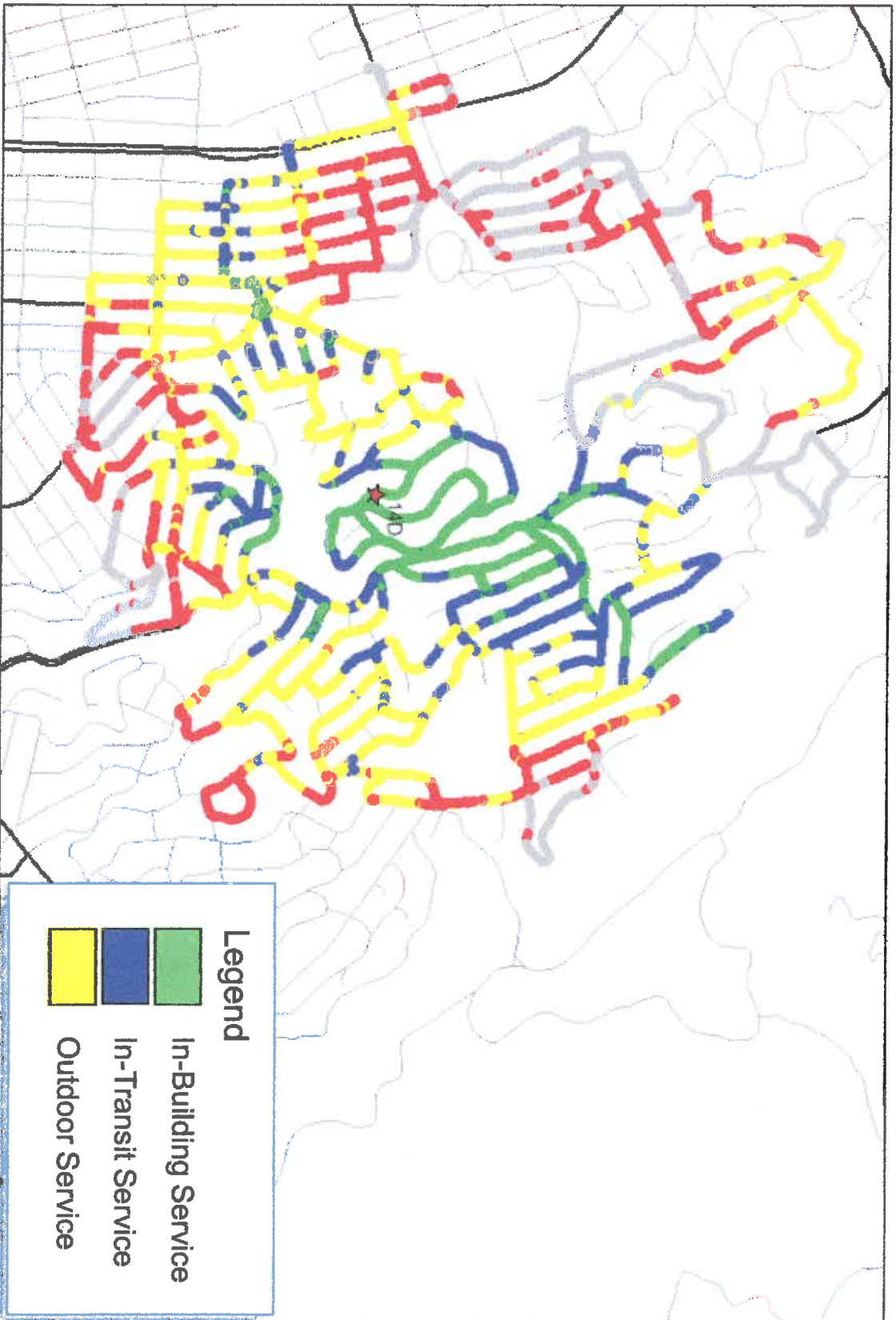

Dimitri Gogas

March 10, 2014

Proposed RSCP of DAS Nodes excluding Node 14



NODE 14D -- SIMULATED 850 RXLEV



Francisco Avila

From: patricktahara@comcast.net
Sent: Tuesday, April 29, 2014 9:45 PM
To: Cruz, Jennifer
Cc: rauch personal, kate; Kate Rauch; Brydon, Chris; Brydon, Chris; Cordova, Vanessa; Catherine Engberg; walter; Francisco Avila; Aruna Bhat; John Gioia; Ryan A. Hernandez
Subject: Fwd: KMAC 04-29-14

Jennifer:

Draft Notes from KMAC meeting on April 29, 2014. Please pass onto the planners.

See Below on recommendations.

From: "Brydon, Chris" <Chris.Brydon@sprint.com>
To: "patricktahara" <patricktahara@comcast.net>
Cc: "Brydon, Chris" <Chris.Brydon@sprint.com>
Sent: Tuesday, April 29, 2014 9:12:52 PM
Subject: KMAC 04-29-14

KMAC 04-29-14

1. Walt, Catherine, Vanessa, Patrick & Chris in attendance.
2. No minutes to review
3. Citizen's comments - Parking getting limited at Kensington Village - Could they make some sights 24 minutes - Kate R Lost parking due to ADA requirements. County aware and reviewing.
4. County Ordinance (Chickens and Bees) - David Eichorn 393 Coventry proposed - Other surrounding communities allow bees and chickens (not roosters) - Ask KMAC support a proposal for the County to change the rules to allow this in Kensington. Allowed in no less than 4K sq ft lots for non-commercial use.

Kate R - County Sup's office - K is unincorporated so most County ordinances apply to it - Other than the specific K-Overlay ordinances. K- Ord and View Ord. County says under 10K sq ft not allowed. If changed County wide it would need agreement by majority of all supervisors. Recommendation is to get momentum to carry to interest across the County to help drive a County wide change. Or determine if there is enough interest in Kensington to support a Kensington only overlay ordinance. There would be cost and the funding would need to come from the community. Department of Community Development was invited to the meeting but was unable to attend.

KMAC - Could support/ Ask for more research/ Not support -

Community Response - How would we manage any nuisance associated with bees and chickens - Would be managed by civil code. Penalties and guidelines even annual review can be included in ordinance. This is also managed by code enforcement.

- Meryl Natchez 77 Edgecroft Road- Sustainable living should be part of our community.

- Philip Zimmerman Chickens cause flies - Bees are ok.

- KMAC supports the further review and consideration of keeping bees and chickens in the Kensington area. Passed (5 / 0) Walt, Catherine, Vanessa, Patrick & Chris voted to recommend.

5. 416 Berkeley Park Blvd. DP14-3016 -

Applicant - Patrick recused as he knows applicant - Looking to increase bedrooms to support growing family. Addition is mostly contained within existing footprint, Sunlight impact is minimal as the yard has a large oak. Windows on side placed in consideration of neighbors privacy.

Make a motion to recommend approval of DP14-3016 date stamped March 24, 2014 in that it meets the three requirements of a variance.

4/0 Walt, Catherine, Vanessa & Chris

6. Near 801 Coventry Road (LP14-2014) ATT - Counsel Paul Albritton revised down from 9 to 6 and 5 were approved by the Board of Supervisors - The Board has asked KMAC to review an alternate location. No impact on views minimal foot print and no realistic to sunlight and privacy.

Replacement pole to 47.5 ft. with a total height of 50 ft 5 inches including the antenna. The new location meets all the county requirements. Story poles at 50' 5". Pole to be made of wood and antenna painted flat to match with neighborhood input.

Chris Brydon - Recused - Four members to participate Walt, Catherine, Vanessa and Patrick. Department of Community Development was invited to the meeting but was unable to attend.

KMAC will not make a caparison to 110 Ardmore only to speak to 801 Coventry.

Why was this location chosen over other alternatives? ATT looked at over 100 poles to determine least amount of impact and room on pole for ATT equipment. Intent to find the least intrusive location.

Why is the pole this high? Height is needed to stay above 45' trees near by. Height is needed to support signal propagation.

Does this location have no coverage today?

This location will include increased coverage in an area where reduced or limited coverage exists.

Public - Philip Zimmerman 149 Ardmore - Objects to the aesthetics of the poles - Would like them to be lower. Believes Orinda has a wireless ordinance that limits height. Would like to see Orinda ordinance adopted by Kensington and our County.

Believes that more towers will be added in the future - Offered letter and petition from neighbors

Dan Kevin 815 Coventry - has issues with views as if the tower is higher than trees how can trees shield it from view.

Gregory Loscher 805 Coventry - Speaking for neighbor at 801 - Concerned her sun room will have light impacts on her area. Also concerned the pole will be visible from her bedroom and impact her view of bay -

Linda Lipscomb 103 Highland - Asking that we build protections into our ordinance as the County has indicated that our existing ordinance does not apply to cell towers or utility poles.

Kate R - County - Feel free to send comments to County Planner.

ATT response - ATT has spent years to develop this proposal. ATT needs to fill the gap at this location and looking for KMAC guidance or recommendations to move forward with.

KMAC - Will sight be considered for co location in the future?- Board has required that any co location will require full permitting and Board approval.

Can we preserve foliage? Yes there is a provision for this and it could be considered.

Did ATT visit homes? They did not only reviewed public views from paths and roadways. General Plan provides protection of views and bulk and size. Concerns from residents that views will be obstructed.

Concerned about view impacts at 801 & 815.

Closed to public -

KMAC asked if ATT would be willing to afford a continuance to review the impacts on views? ATT does not want to extend per concerns of missing June 3 date with County.

KMAC - Makes a motion to recommend denial based on preservation of views at 801 & 815 Coventry - 4/0 Walt, Catherine, Vanessa & Patrick

Regards
Chris Brydon
Area Director, Northern California
Sprint Business
415-684-7305
Sent from my iPad

3/18/14
 (9)



AGENCY COMMENT REQUEST

Date 3/18/14

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<p style="text-align: center;"><u>DISTRIBUTION</u></p> <p><u>Internal</u></p> <p><input checked="" type="checkbox"/> Building Inspection <input type="checkbox"/> Grading Inspection</p> <p><input type="checkbox"/> Advance Planning <input type="checkbox"/> Housing Programs</p> <p><input type="checkbox"/> Trans. Planning <input checked="" type="checkbox"/> Telecom Planner</p> <p><input type="checkbox"/> ALUC Staff <input type="checkbox"/> HCP/NCCP Staff</p> <p><input type="checkbox"/> APC Floodplain Tech <input type="checkbox"/> County Geologist</p> <p><u>Health Services Department</u></p> <p><input checked="" type="checkbox"/> Environmental Health <input type="checkbox"/> Hazardous Materials</p> <p><u>Public Works Department</u></p> <p><input checked="" type="checkbox"/> Engineering Services (Full-size) <input type="checkbox"/> Traffic</p> <p><input type="checkbox"/> Flood Control (Full-size) <input type="checkbox"/> Special Districts</p> <p><u>Local</u></p> <p><input checked="" type="checkbox"/> Fire District <u>Kensington Fire</u></p> <p><input checked="" type="checkbox"/> Sanitary District <u>Steger Sanitary</u></p> <p><input checked="" type="checkbox"/> Water District <u>EBMUD</u></p> <p><input checked="" type="checkbox"/> City of <u>El Cerrito</u></p> <p><input type="checkbox"/> School District(s) _____</p> <p><input type="checkbox"/> LAFCO</p> <p><input type="checkbox"/> Reclamation District # _____</p> <p><input type="checkbox"/> East Bay Regional Park District</p> <p><input type="checkbox"/> Diablo/Discovery Bay/Crockett CSD</p> <p><input checked="" type="checkbox"/> MAC/TAC <u>Kensington</u></p> <p><input type="checkbox"/> Improvement/Community Association</p> <p><u>Others/Non-local</u></p> <p><input type="checkbox"/> CHRIS - Sonoma State</p> <p><input type="checkbox"/> CA Fish and Wildlife, Region 3 - Bay Delta</p> <p><u>Additional Recipients</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p><i>Please submit your comments to:</i></p> <p>Project Planner <u>Francisco Avila</u></p> <p>Phone # <u>925-674-7801</u></p> <p>E-mail <u>Francisco.Avila@dcd.cccounty.us</u></p> <p>County File # <u>LP14-2014</u></p> <p>Prior to <u>ASAP</u></p> <p style="text-align: center;">*****</p> <p>We have found the following special programs apply to this application:</p> <p><u>NO</u> Active Fault Zone (Alquist-Priolo)</p> <p><input checked="" type="checkbox"/> Flood Hazard Area, Panel # _____</p> <p><u>Yes</u> 60-dBA Noise Control</p> <p><u>NO</u> CA EPA Hazardous Waste Site</p> <p style="text-align: center;">*****</p> <p>AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.</p> <p>Comments: <input checked="" type="checkbox"/> None <input type="checkbox"/> Below <input type="checkbox"/> Attached</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Print Name <u>Bret Wickham</u></p> <p><u>Bret Wickham</u> <u>3.19.14</u></p> <p>Signature DATE</p> <p>Agency phone # <u>674.7742</u></p>
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CCEH *Sum 3/18/14*
 MAR 20 2014 *(9)*



AGENCY COMMENT REQUEST

Date 3/18/14

We request your comments regarding the attached application currently under review.

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- Engineering Services (Full-size)
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School District(s) _____

LAFCO _____

Reclamation District # _____

East Bay Regional Park District _____

Diablo/Discovery Bay/Crockett CSD _____

MAC/TAC Kensington

Improvement/Community Association _____

Others/Non-local

CHRIS - Sonoma State

CA Fish and Wildlife, Region 3 - Bay Delta

Additional Recipients

Please submit your comments to:

Project Planner Francisco Avila

Phone # 925-674-7801

E-mail Francisco.Avila @dcd.cccounty.us

County File # LP14-2014

Prior to ASAP

We have found the following special programs apply to this application:

NO Active Fault Zone (Alquist-Priolo)

Flood Hazard Area, Panel # _____

Yes 60-dBA Noise Control

NO CA EPA Hazardous Waste Site

AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.

Comments: None Below Attached

Print Name Joe Daso

Signature *[Signature]* DATE 3-20-14

Agency phone # 692-2500



Contra Costa County
Public Works
D e p a r t m e n t

Julia R. Bueren, Director

Deputy Directors
Brian M. Balbas
Stephen Kowalewski
Stephen Silveira
Joe Yee

Memo

APR 22 2014
April 22, 2014

TO: Francisco Avila, Planner, Department of Conservation and Development
FROM: Jocelyn LaRocque, Associate Civil Engineer, Engineering Services
SUBJECT: **Land Use Permit LP14-02014**
Staff Report and Conditions of Approval
(ExteNet (AT&T) / Coventry Road / Kensington / right-of-way)
FILE: LP14-02014

The attached conditions of approval, based on the site plan, include road and drainage requirements. The applicant shall comply with the Ordinance Code requirements as they pertain to this development. The following issues should be carefully considered with this project:

ISSUES:

The applicant proposes to establish attach a new AT&T telecommunication facility consisting of a distributed antenna system node to an existing utility pole and includes replacing the existing 30-foot pole with a new pole and attaching two panel antennas atop the port for a total height of 50 feet-5 inches above ground level, and attaching associated electrical equipment to the pole between 7-19 feet above ground level. As stated, proposed equipment and improvements will all be mounted on the existing utility pole. The facility is located near the driveway of 801 Coventry Road near the intersection of Ardmore Road in the Kensington area.

The existing utility pole is located near the private driveway of Ardmore Road. Proposed improvements associated with these telecommunication improvements shall not interfere with the sight distance of the private driveway with Ardmore Road and Coventry Road.

The applicant shall be required to obtain an encroachment permit prior to construction of improvements within the public right-of-way. The applicant shall be required to provide evidence that they are included in the statewide franchise agreement issued by the California Public Utilities Commission (CPUC); or, if unable to do so, the applicant shall enter into a license agreement with the County. Also, the utility pole is not County (Special Districts Section) maintained, but maintained by another utility agency (Pacific Gas and Electric Company (PG&E)). The applicant shall, therefore, provide written evidence from the owner of the pole (PG&E) that they authorize cell site improvement on the existing utility pole.

JL:tr

\\PW-DATA\grpdata\engsvc\Land Dev\LP\LP 14-2014 ATT\Staff Report & COAs.doc

c: W. Lai, Engineering Services
Matt Yergovich, ExteNet Real Estate , 1826 Webster Street, San Francisco, CA 94115

**PUBLIC WORKS RECOMMENDED
CONDITIONS OF APPROVAL FOR PERMIT LP14-2014**

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plans submitted to the Department of Conservation and Development, Community Development Division, on March 17, 2014.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT AND PRIOR TO INITIATION OF THE USE PROPOSED UNDER THIS PERMIT.

Access to Adjoining Property:

Encroachment Permit

- Applicant shall obtain an encroachment permit from the Application and Permit Center for construction of improvements within the rights-of-way of Ardmore Road and Coventry Road.

Proof of Franchise Agreement/Owner of Pole Authorization:

- Applicant shall provide evidence to the Public Works Department, Real Property Division that they are included in the statewide franchise agreement issued by the CPUC (California Public Utilities Commission); or, if unable to do so, the applicant shall enter into a license agreement with the County.
- Applicant shall provide written evidence to Public Works Department from the owner of the streetlight/utility pole (PG&E) and that they authorize the cell site improvements on the existing streetlight/utility pole.

Road Alignment/Intersection Design/Sight Distance:

Sight Distance

- Applicant shall ensure that telecommunication improvements on the existing utility pole does not interfere with sight distance at the intersection of the private driveway with Ardmore Road, as well as Coventry Road in accordance with Chapter 82-18 "Sight Obstructions at Intersections" of the County Ordinance Code. The applicant shall locate improvements along the utility pole to provide sight distance at this driveway intersection.

5-9688

See
 3/18/14
 (9)



AGENCY COMMENT REQUEST

Date 3/18/14

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 3/18/14
 (9)



AGENCY COMMENT REQUEST

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 E-mail Francisco.Avila @dcd.cccounty.us
 County File # LP14-2014
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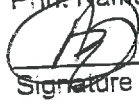
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AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.

Comments: None Below Attached

Print Name Arvin Gonzalez


 Signature

2/24/14
 DATE

Agency phone # 570-524-4668

RECEIVED

MAR 20 2014

See
 3/18/14
 (9)



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Comments: None ___ Below ___ Attached

Print Name MICHAEL BOND
Michael Bond 3-21-14
 Signature DATE
 Agency phone # 510-215-4450



EL CERRITO FIRE DEPARTMENT

10900 San Pablo Avenue

El Cerrito, CA 94530

(510) 215-4450

FAX (510) 232-4917

To: CCC Community Development
Francisco Avila

From: Michael J. Bond
Fire Marshal

Subject: Planning Memo CCC LP 14-2014

Date: March 21, 2014

Plan approval is submitted with the following comments:

1. Building Construction
 - A. Building construction shall meet current State Codes and the Contra Costa County Fire Code.
2. The project is located within an area described as a **Very High Fire Hazard Severity Zone** (VHFHSZ). Being in a VHFHSZ requires the following:
 - A. Kensington Vegetation Management Standards shall be adhered to.
 - B. All applicable Wildland Urban Interface Codes shall apply.
3. All terms and conditions placed on the project by the Fire Department shall remain in effect.

Fire Department Fee: \$00
Includes one field inspection

Michael J. Bond, Fire Marshal
El Cerrito/Kensington Fire Department
Phone: 510.215.4450
Cellular: 510.812.4262
Email: mbonda@ci.el-cerrito.ca.us



at&t

CONTRA COSTA

APR 17 PM 12:56

PLANNING DEPARTMENT

LPI4-2014

PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.

OAKHILLS AT&T NORTH NETWORK OAKN-014D

(PROW) ARDMORE RD NEXT TO 801 COVINGTON RD, KENSINGTON, CA 94707



NEW CINGULAR WIRELESS PCS, LLC 4430 ROSEWOOD DR, BLDG 3 PLEASANTON, CA 94588-3050

PROJECT INFORMATION:

OAKHILLS AT&T NORTH NETWORK NODE 014D ARDMORE RD NEXT TO 801 COVINGTON RD, KENSINGTON, CA 94707

CURRENT ISSUE DATE:

03/04/14

ISSUED FOR:

PERMITTING

BY: DATE: DESCRIPTION: REV:

Table with columns for ACI, DATE, DESCRIPTION, REV. Row 1: ACI 03/04/14 Cds 0

PLANS PREPARED BY:



Aero Communications Inc. 1-800-825-4ACI 5711 Research Drive Canton, MI 48188

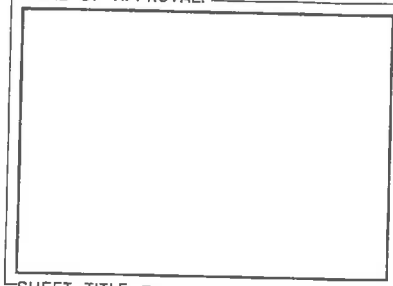
ACI NUMBER: OAKN-014D

CONSTRUCTED BY:



3030 Warrenville Rd, Suite 340 Lisle, IL 60532 www.extenet.com

SEAL OF APPROVAL:



SHEET TITLE:

TITLE SHEET AND PROJECT INFORMATION

SHEET NUMBER: REVISION:

T1 0 03/04/14

LEGEND & SYMBOLS

Legend table with symbols for CENTERLINE, PROPERTY/LEASE LINE, PROPOSED CONDUIT, POWER CONDUIT, TELEPHONE CONDUIT, AERIAL ELECTRICAL LINE, COAXIAL CABLE/CONDUIT, OVERHEAD CONDUCTORS, CHAIN LINK FENCING, SPOT ELEVATION (DATUM), FLAG NOTE, ITEM BALLOON (DETAIL SHEETS), DETAIL REFERENCE, SECTION REFERENCE.

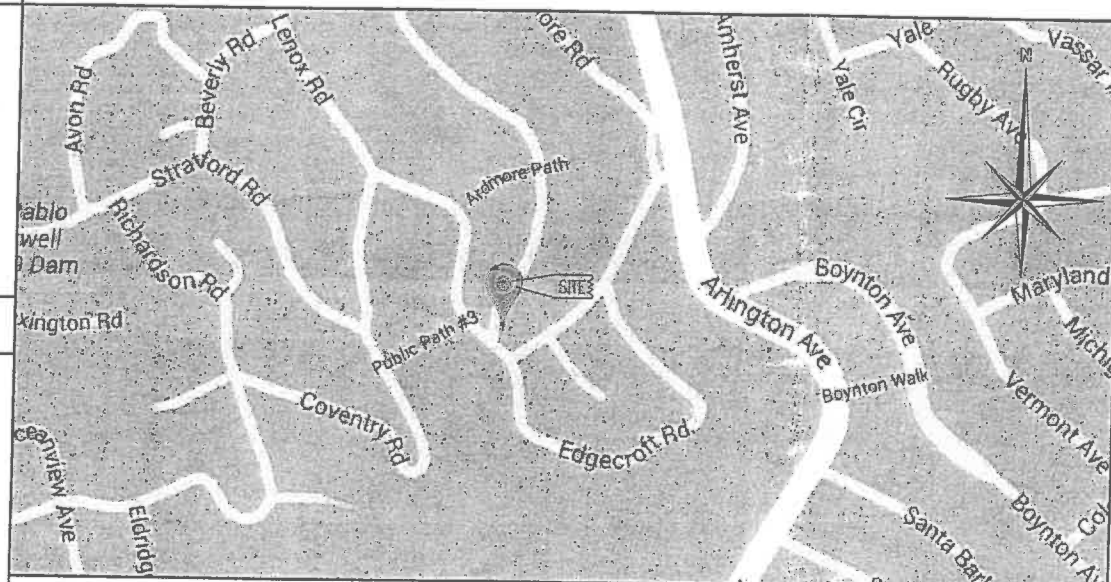
ABBREVIATIONS

Table of abbreviations: AL ALUMINUM, ANT ANTENNA, AMSL ABOVE MEAN SEA LEVEL, etc.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES...

VICINITY MAP



DRIVING DIRECTIONS

FROM: 2678 BISHOP RANCH DR, SAN RAMON, CA DISTANCE: 28.0 MILES (43 MIN) 1. HEAD SOUTHWEST ON BISHOP DR TOWARD SUNSET DR 400 FT...

PROJECT DESCRIPTION

THESE DRAWINGS DEPICT A PORTION OF A DISTRIBUTED ANTENNA SYSTEM (DAS) TELECOMMUNICATIONS NETWORK, TO BE CONSTRUCTED BY EXTENET SYSTEMS AND OWNED AND OPERATED BY NEW CINGULAR WIRELESS PCS, LLC...

THE MAIN COMPONENTS OF THIS INSTALLATION ARE: THE ADDITION OF TWO (2) 27.75"x10.625"x6.25" PANEL ANTENNAS, ONE (1) BBU CABINET, ONE (1) RADIO UNIT...

DRAWING INDEX

Table with columns for drawing ID and description: T1 TITLE SHEET & PROJECT INFORMATION, T2 GENERAL NOTES AND SCHEDULES, etc.

BUILDING / SITE DATA

Table with columns for LATTITUDE, LONGITUDE, ELEVATION, JURISDICTION, A.P.N., ZONING, OCCUPANCY, TYPE OF CONSTRUCTION, AREA OF CONST., HANDICAP REQUIREMENTS, TITLE 24 REQUIREMENTS.

PROJECT TEAM

Table with columns for PROPERTY OWNER, CONSTRUCTION MANAGER, MUNICIPAL AFFAIRS, APPLICANT, APPLICANT AGENT, ARCHITECT.

SIGNATURE BLOCK

Table for signatures: APPROVED BY, MUNICIPAL AFFAIRS, RF MANAGER, CONSTRUCTION MANAGER, PROJECT MANAGER, APPLICANT AGENT, APPLICANT.

GENERAL NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SURVEY MONUMENTS AND/OR VERTICAL CONTROL BENCHMARKS WHICH ARE DISTURBED OR DESTROYED BY CONSTRUCTION. A LAND SURVEYOR MUST FIELD LOCATE, REFERENCE, AND/OR PRESERVE ALL HISTORICAL OR CONTROLLING MONUMENTS PRIOR TO ANY EARTHWORK. IF DESTROYED, SUCH MONUMENTS SHALL BE REPLACED WITH APPROPRIATE MONUMENTS BY A LAND SURVEYOR. A CORNER RECORD OR RECORD OF SURVEY, AS APPROPRIATE, SHALL BE FILED AS REQUIRED BY THE PROFESSIONAL LAND SURVEYORS ACT.
2. IMPORTANT NOTICE: SECTION 4215 OF THE GOVERNMENT CODE REQUIRES A DIG ALERT IDENTIFICATION NUMBER BE ISSUED BEFORE A "PERMIT TO EXCAVATE" WILL BE VALID. FOR YOUR DIG ALERT I.D. NUMBER, CALL UNDERGROUND SERVICE ALERT, TOLL FREE 1-800-227-2600, TWO DAYS BEFORE YOU DIG.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR THE POT HOLE AND LOCATING OF ALL EXISTING UTILITIES THAT CROSS THE PROPOSED TRENCH LINE AND MUST MAINTAIN A 1' MINIMUM VERTICAL CLEARANCE.
4. IF ANY EXISTING HARDSCAPE OR LANDSCAPE INDICATED ON THE APPROVE PLANS IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND PER THE APPROVED PLANS.
5. CONTRACTOR SHALL REPLACE OR REPAIR ALL TRAFFIC SIGNAL LOOPS, CONDUIT, AND LANE STRIPING DAMAGED DURING CONSTRUCTION.
6. THIS PROJECT WILL BE INSPECTED BY ENGINEERING AND FIELD ENGINEERING DIVISION.
7. MANHOLES OR COVERS SHALL BE LABELED EXTENET.
8. CONTRACTOR SHALL IMPLEMENT AN EROSION CONTROL PROGRAM DURING THE PROJECT CONSTRUCTION ACTIVITIES. THE PROGRAM SHALL MEET THE APPLICABLE REQUIREMENTS OF THE STATE WATER RESOURCE CONTROL BOARD.
9. THE CONTRACTOR SHALL HAVE EMERGENCY MATERIALS AND EQUIPMENT ON HAND FOR UNFORESSEEN SITUATIONS, SUCH AS DAMAGE TO UNDERGROUND WATER, SEWER, AND STORM DRAIN FACILITIES WHEREBY FLOWS MAY GENERATE EROSION AND SEDIMENT POLLUTION.

CALTRANS NOTES

1. ANY REMOVED OR DAMAGED STRIPING AND MARKINGS SHALL BE REPLACED IN KIND AS PER CALTRANS STANDARDS AND AT PERMITTEE'S EXPENSE.



Call before you dig
811 / 1-800-227-2600
www.usanorth.org

SPECIAL NOTES

1. INDEMNIFICATION CLAUSE. THE CONTRACTOR AGREES AND SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY OF THE JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTIES. THAT THESE REQUIREMENTS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND CONDITIONS. THE CONTRACTOR FURTHER AGREES TO DEFEND INDEMNITY AND HOLD EXTENET, REPRESENTATIVES, AND ENGINEERS HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF THE WORK ON THIS PROJECT.
2. PRIOR TO THE BEGINNING OF ANY CONSTRUCTION AND THROUGHOUT THE COURSE OF CONSTRUCTION WORK, THE CONTRACTOR SHALL FULLY COMPLY WITH "CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH" ACT OF 1973 INCLUDING ALL REVISIONS AND AMENDMENTS THERETO.
3. ALL WORK SHALL CONFORM TO THE LATEST EDITIONS OF GO95,128 AND THE STANDARD "SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION" AS ADOPTED BY THE CITY, COUNTY OR STATE AS MODIFIED BY STANDARD PLANS AND ADDENDUMS.
4. THE EXISTENCE AND LOCATION OF UTILITIES AND OTHER AGENCY'S FACILITIES AS SHOWN HEREON ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. OTHER FACILITIES MAY EXIST. THE CONTRACTOR SHALL VERIFY PRIOR TO THE START OF CONSTRUCTION AND SHALL USE EXTREME CARE AND PROTECTIVE MEASURES TO PREVENT DAMAGE TO THESE FACILITIES. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITY OR AGENCY FACILITIES WITHIN THE LIMITS OF WORK, WHETHER THEY ARE SHOWN ON THIS PLAN OR NOT.
5. THE CONTRACTOR SHALL NOTIFY THE CITY, COUNTY OR STATE ENGINEER INSPECTION DEPARTMENT, AT LEAST TWO DAYS BEFORE START OF ANY WORK REQUIRING THEIR INVOLVEMENT.
6. THE CITY, COUNTY OR STATE SHALL SPECIFY THE EXPIRATION PERIOD OF THE PERMIT FOR THIS CONSTRUCTION PROJECT.
7. THE MINIMUM COVER FOR ALL CONDUITS PLACED UNDERGROUND SHALL BE 30 INCHES TO THE FINISHED GRADE AT ALL TIMES.
8. THE CONTRACTOR SHALL TUNNEL ALL CURB AND GUTTERS AND BORE ALL CONCRETE DRIVEWAYS AND WALKWAYS AT THE DIRECTION OF THE CITY, COUNTY OR STATE ENGINEER.
9. ALL AC AND/OR CONCRETE PAVEMENT SHALL BE REPLACED AT THE DIRECTION OF THE CITY, COUNTY OR STATE ENGINEERS.
10. ALL SHRUBS, PLANTS OR TREES THAT HAVE BEEN DAMAGED OR DISTURBED DURING THE COURSE OF THE WORK, SHALL BE REPLANTED AND/OR REPLACED SO AS TO RESTORE THE WORK SITE TO ITS ORIGINAL CONDITION.
11. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE PROCESSING OF ALL APPLICANT PERMIT FORMS ALONG WITH THE REQUIRED LIABILITY INSURANCE FORMS. CLEARLY DEMONSTRATING THAT EXTENET, THE CITY, COUNTY OR STATE IS ALSO INSURED WITH THE REQUIRED LIABILITY INSURANCE IN THE AMOUNT OF \$1,000,000.00 FOR THIS CONSTRUCTION PROJECT.
12. VAULTS, PEDESTALS, CONDUITS AND OTHER TYPES OF SUBSTRUCTURE ARE EITHER SPECIFIED ON THIS PLAN OR WILL BE SPECIFIED BY THE CONSTRUCTION ENGINEER. ANY AND ALL DEVIATIONS FROM THE SPECIFIED TYPES OF MATERIAL MUST BE APPROVED BY THE SYSTEM ENGINEER, IN WRITING BEFORE INSTALLATION THEREOF.
13. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES INCLUDING SEWER LATERALS & WATER SERVICES TO INDIVIDUAL LOTS BOTH VERTICAL AND HORIZONTAL PRIOR TO COMMENCING IMPROVEMENT OPERATIONS.
14. CONTRACTOR SHALL MAKE EXPLORATION EXCAVATIONS AND LOCATE EXISTING FACILITIES SUFFICIENTLY AHEAD OF CONSTRUCTION TO PERMIT REVISIONS TO PLANS IF REVISION IS NECESSARY BECAUSE OF LOCATION OF EXISTING UTILITIES.
15. THE LOCATIONS OF ALL EXISTING UTILITIES SHOWN ON THESE PLANS ARE FROM EXISTING RECORDS AND CORROBORATED, WHERE POSSIBLE, WITH FIELD TIES. THE CONTRACTOR IS RESPONSIBLE FOR CONFIRMING THE LOCATIONS SHOWN, BOTH HORIZONTAL AND VERTICALLY PRIOR TO CONSTRUCTION, IF EXISTING LOCATIONS VARY SUBSTANTIALLY FROM THE PLANS. THE ENGINEER SHOULD BE NOTIFIED TO MAKE ANY CONSTRUCTION CHANGES REQUIRED.

EROSION AND SEDIMENT CONTROL NOTES

- TEMPORARY EROSION/SEDIMENT CONTROL PRIOR TO COMPLETION OF FINAL IMPROVEMENTS, SHALL BE PERFORMED BY THE CONTRACTOR OR QUALIFIED PERSON AS INDICATED BELOW:
1. ALL REQUIREMENTS OF THE CITY, COUNTY AND STATE "STORM WATER STANDARDS" MUST BE INCORPORATED INTO THE DESIGN AND CONSTRUCTION OF THE PROPOSED GRADING/IMPROVEMENTS CONSISTENT WITH THE APPROVED STORM WATER POLLUTION PREVENTION PLAN (SWPPP), WATER QUALITY TECHNICAL REPORT (WQTR), AND/OR WATER POLLUTION CONTROL PLAN (WPCP).
 2. FOR STORM DRAIN INLETS, PROVIDE A GRAVEL BAG SILT BASIN IMMEDIATELY UPSTREAM OF INLET AS INDICATED ON DETAILS.
 3. FOR INLETS LOCATED AT SUMPS ADJACENT TO TOP OF SLOPES, THE CONTRACTOR SHALL ENSURE THAT WATER DRAINING TO THE SUMP IS DIRECTED INTO THE INLET AND THAT A MINIMUM OF 1.00' FREEBOARD EXISTS AND IS MAINTAINED ABOVE THE TOP OF THE INLET. IF FREEBOARD IS NOT PROVIDED BY GRADING SHOWN ON THESE PLANS THE CONTRACTOR SHALL PROVIDE IT VIA TEMPORARY MEASURES, I.E. GRAVEL BAGS OR DIKES.
 4. THE CONTRACTOR OR QUALIFIED PERSON SHALL BE RESPONSIBLE FOR CLEANUP OF SILT AND MUD ON ADJACENT STREET(S) AND STORM DRAIN SYSTEM DUE TO CONSTRUCTION ACTIVITY.
 5. THE CONTRACTOR OR QUALIFIED PERSON SHALL CHECK AND MAINTAIN ALL LINED AND UNLINED DITCHES AFTER EACH RAINFALL.
 6. THE CONTRACTOR SHALL REMOVE SILT AND DEBRIS AFTER EACH MAJOR RAINFALL.
 7. EQUIPMENT AND WORKERS FOR EMERGENCY WORK SHALL BE MADE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON. ALL NECESSARY MATERIALS SHALL BE STOCKPILED ON SITE AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF TEMPORARY DEVICES WHEN RAIN IS IMMINENT.
 8. THE CONTRACTOR SHALL RESTORE ALL EROSION/SEDIMENT CONTROL DEVICES TO WORKING ORDER TO THE SATISFACTION OF THE CITY ENGINEER OF RESIDENT ENGINEER AFTER EACH RUN-OFF PRODUCING RAINFALL.
 9. THE CONTRACTOR SHALL INSTALL ADDITIONAL EROSION/SEDIMENT CONTROL MEASURES AS MAY BE REQUIRED BY THE RESIDENT ENGINEER DUE TO UNCOMPLETED GRADING OPERATIONS OR UNFORESSEEN CIRCUMSTANCES, WHICH MAY ARISE.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE AND SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT PUBLIC TRESPASS ONTO AREAS WHERE IMPOUNDED WATERS CREATE A HAZARDOUS CONDITION.
 11. ALL EROSION/SEDIMENT CONTROL MEASURES PROVIDED PER THE APPROVED GRADING PLAN SHALL BE INCORPORATED HEREON. ALL EROSION/SEDIMENT CONTROL FOR INTERIM CONDITIONS SHALL BE DONE TO THE SATISFACTION OF THE RESIDENT ENGINEER.
 12. GRADED AREAS AROUND THE PROJECT PERIMETER MUST DRAIN AWAY FROM THE FACE OF THE SLOPE AT THE CONCLUSION OF EACH WORKING DAY.
 13. ALL REMOVABLE PROTECTIVE DEVICES SHOWN SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN RAIN IS IMMINENT.
 14. THE CONTRACTOR SHALL ONLY GRADE, INCLUDING CLEARING AND GRUBBING FOR THE AREAS FOR WHICH THE CONTRACTOR OR QUALIFIED PERSON CAN PROVIDE EROSION/SEDIMENT CONTROL MEASURES.
 15. THE CONTRACTOR SHALL ARRANGE FOR WEEKLY MEETINGS DURING OCTOBER 1ST TO APRIL 30TH FOR PROJECT TEAM (GENERAL CONTRACTOR, QUALIFIED PERSON, EROSION CONTROL SUBCONTRACTOR IF AN, ENGINEER OF WORK, OWNER/DEVELOPER AND THE RESIDENT ENGINEER) TO EVALUATE THE ADEQUACY OF THE EROSION/SEDIMENT CONTROL MEASURE AND OTHER RELATED CONSTRUCTION ACTIVITIES.

GENERAL NOTES

ROW GROUND CONSTRUCTION NOTES:

1. 120/240 POWER REQUIRED FOR 3-WIRE SERVICE.
2. GC TO REMOVE/CLEAN ALL DEBRIS, NAILS, STAPLES, OR NON-USED VERTICALS OFF THE POLE.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH MUNICIPAL, COUNTY, STATE, FEDERAL, GO95 AND GO128 STANDARDS AND REGULATIONS.
4. CALL USA 48 HOURS PRIOR TO EXCAVATING AT (800) 227-2600.
5. ALL LANDSCAPING TO BE RESTORED TO ORIGINAL CONDITION OR BETTER.
6. ALL EQUIPMENT TO BE BONDED.
7. METERING CABINET REQUIRES 3' CLEARANCE AT DOOR OPENING.
8. CAULK CABINET BASE AT PAD.

STANDARD GROUNDING NOTES:

1. GROUND TESTED AT 5 OHMS OR LESS.
2. 5/8"x8' ROD, CAD WELD BELOW GRADE
3. #6 GROUND AND BOND WIRE.
4. WOOD MOLDING, STAPLED EVERY 3' AND AT EACH END
5. GROUNDS 3' FROM POLE.
6. PLACE 3 #10GA WIRES FROM BREAKER TO METER BOX.

STANDARD CONDUIT NOTES:

1. FOR UNDERGROUND USE SCHEDULE 40.
2. FOR RISERS USE SCHEDULE 80.
3. PLACE 2" GALVANIZED STEEL CONDUIT FOR ANY CONDUIT UNDER 3", STUB UP 10" THEN CONVERT TO SCHEDULE 80.
4. CONVERT 4" CARRIER CONDUIT TO 3" AT BASE OF POLE.
5. GC TO STUB UP POLE 10' w/3" POWER CONDUIT, POWER CO. TO CONVERT FROM 3" SCH. 80 TO 2" SCH. 80 FROM TOP OF STUB UP.
6. ALL CONDUIT WILL BE MAN DRILLED AND EQUIPPED WITH 3/8" PULL ROPE.

STANDARD TRENCHING NOTES:

1. MAINTAIN 40" MINIMUM COVER FOR ELECTRICAL CONDUIT.
2. MAINTAIN 30" MINIMUM COVER FOR COMMUNICATIONS CONDUIT.
3. SAND SHADING MINIMUM 1" UNDER CONDUITS, AND 6" COVERING ON TOP REQUIRED.
4. ALL ELECTRICAL SERVICE CONDUITS FROM POWER COMPANY, WHETHER FROM POLES, TRANSFORMERS, OR OTHER LOCATIONS; WILL BE SLURRY BACKFILLED.
5. IN STREET SLURRY TO GRADE AND MILL DOWN 1-1/2" FOR AC CAP.
6. IN DIRT SLURRY 18" FROM GRADE, AND FILL WITH 95% COMPACTION NATIVE SOIL FOR BALANCE.
7. PLACE WARNING TAPE IN TRENCH 12" ABOVE ALL CONDUITS AND #18 WARNING TAPE ABOVE GROUND RING.

ROW UTILITY POLE CONSTRUCTION NOTES:

1. NO BOLT THREADS TO PROTRUDE MORE THAN 1-1/2".
2. FILL ALL HOLES LEFT IN POLE FROM REARRANGEMENT OF CLIMBERS.
3. ALL CLIMB STEPS NEXT TO CONDUIT SHALL HAVE EXTENDED STEPS.
4. CABLE NOT TO IMPEDE 15" CLEAR SPACE OFF POLE FACE (12:00).
5. 90° SHORT SWEEPS UNDER ANTENNA ARM. ALL CABLES MUST ONLY TRANSITION ON THE INSIDE OR BOTTOM OF ARMS (NO CABLE ON TOP OF ARMS).
6. USE CABLE CLAMPS TO SECURE CABLE TO ARMS; PLACE 2" CARRIER CABLE ID TAGS ON BOTH SIDES OF ARMS.
7. USE 90° CONNECTOR AT CABLE CONNECTION TO ANTENNAS.
8. PLACE GPS ON ARM WITH SOUTHERN SKY EXPOSURE AT MINIMUM 6" FROM TRANSMIT ANTENNA, WHICH IS 24" AWAY FROM CENTER OF POLE.
9. USE 1/2" CABLE ON ANTENNAS UNLESS OTHERWISE SPECIFIED.
10. FILL VOID AROUND CABLES AT CONDUIT OPENING WITH FOAM SEALANT TO PREVENT WATER INTRUSION.

WIND LOADING INFORMATION

ANTENNA/WOOD ARM AREA TOTAL	39.02 SQ. FT.
TOP GRADE	50'-5"
BOTTOM GRADE	47'-6"
BREAKER AREA TOTAL	14.62 SQ. FT.
TOP GRADE	8'-11"
BOTTOM GRADE	8'-0"
BATTERY BACK-UP AREA TOTAL	40.5 SQ. FT.
TOP GRADE	18'-9"
BOTTOM GRADE	16'-6"
PRISM DECK AREA TOTAL	50.77 SQ. FT.
TOP GRADE	15'-9"
BOTTOM GRADE	11'-7"
PRISM DECK (FUT.) AREA TOTAL	-
TOP GRADE	-
BOTTOM GRADE	-
COAX RISER SIZE	3"U
COAX RISER TOP GRADE	47'-0"
COAX RISER BTM GRADE	11'-7"
PWR RISER SIZE	1"ø
PWR RISER TOP GRADE	32'-9"
PWR RISER BTM GRADE	8'-0"

ANTENNA & CABLE SCHEDULE

ANTENNA SECTOR	AZIMUTH	ANTENNA MAKE / MODEL	COAXIAL CABLE LENGTH	CABLES PER SECTOR	CABLE SIZE
SECTOR ALPHA	TBD*	KATHREIN 840-10525	35'/3'	4/6	1/2"
SECTOR BETA	TBD*	KATHREIN 840-10525	-	-	-
SECTOR GAMMA					

NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATION, OR INSTALLATION OF CABLES.

SCALE
NTS 2

ROW CONSTRUCTION GENERAL NOTES

SCALE
NTS 3

LOADING AND ANTENNA CABLE SCHEDULES

SCALE
NTS 1



NEW CINGULAR WIRELESS PCS, LLC
4430 ROSEWOOD DR., BLDG 3
PLEASANTON, CA 94588-3050

PROJECT INFORMATION:

**OAKHILLS AT&T
NORTH NETWORK
NODE 014D**
ARDMORE RD NEXT TO 801 COVINGTON RD,
KENSINGTON, CA 94707

CURRENT ISSUE DATE:

03/04/14

ISSUED FOR:

PERMITTING

BY: DATE: DESCRIPTION: REV:

BY	DATE	DESCRIPTION	REV
ACI	03/04/14	CDs	0

PLANS PREPARED BY:



Aero Communications Inc.
1-800-825-4ACI
5711 Research Drive
Canton, MI 48188

ACI NUMBER: OAKN-014D

CONSTRUCTED BY:



3030 Warrenville Rd, Suite 340
Lisle, IL 60532
www.exenet.com

SEAL OF APPROVAL:

SHEET TITLE:

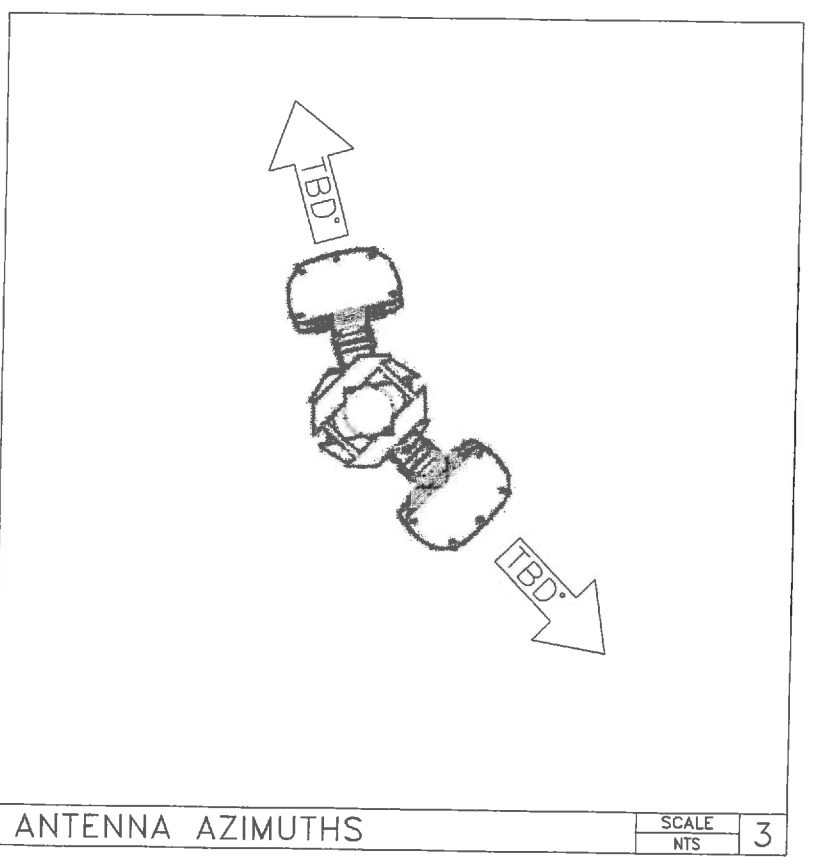
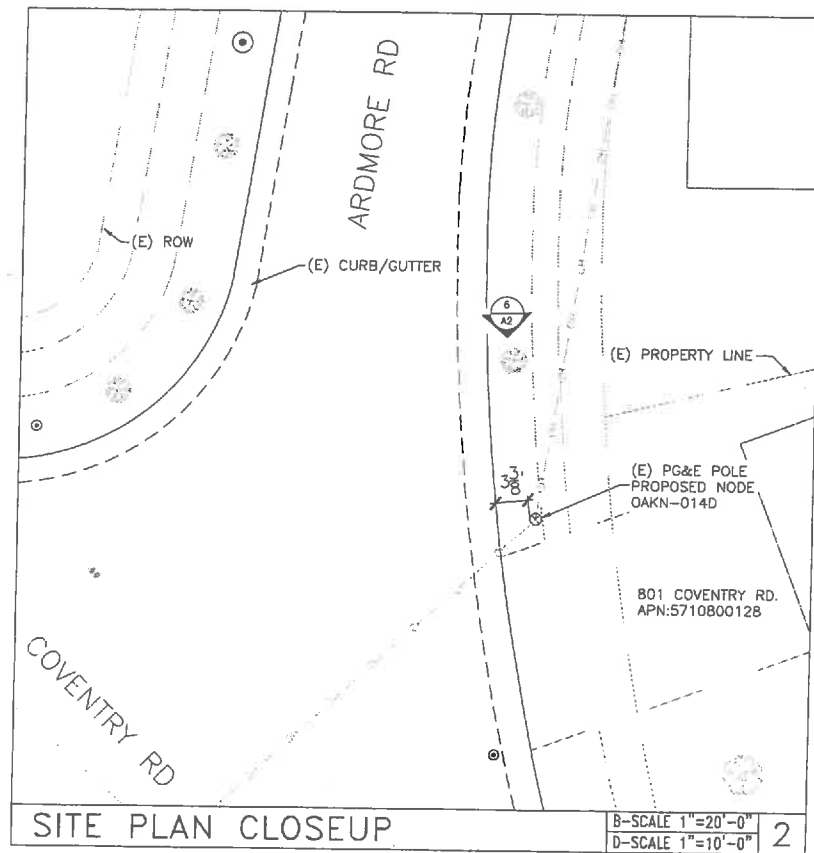
**GENERAL NOTES
AND
SCHEDULES**

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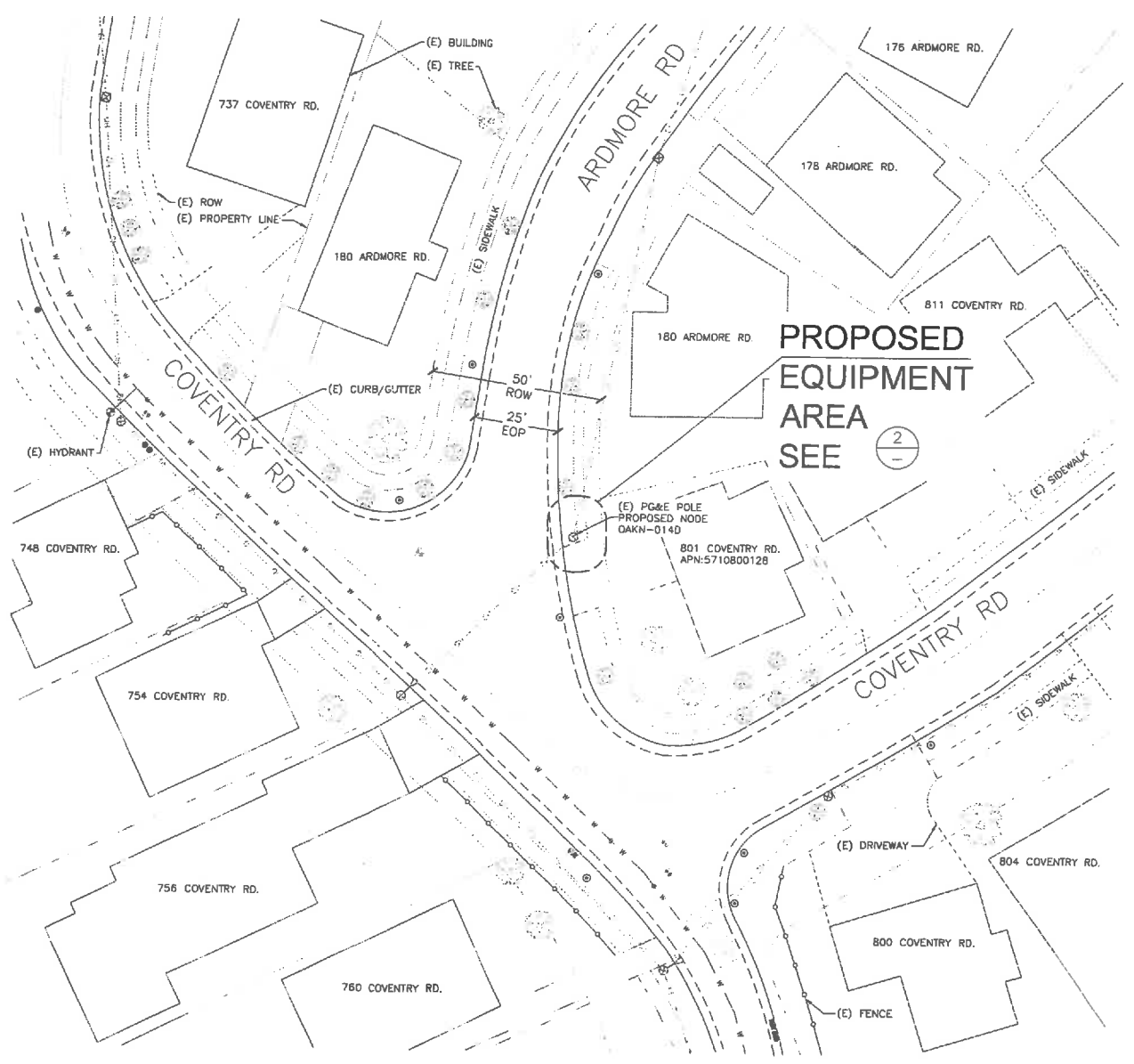
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03/04/14



SITE PLAN



NEW CINGULAR WIRELESS PCS, LLC
4430 ROSEWOOD DR, BLDG 3
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3030 Warrenville Rd, Suite 340
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www.extenet.com

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A1 0
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**ELEVATIONS
&
RISER DETAILS**

SHEET NUMBER: REVISION:

A2

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03/04/14

COMMUNICATIONS MAKE-READY

1. INSTALL PG&E 1" SCH 80 CONDUIT AT 1:30 POSITION FOR POWER SERVICE.
2. INSTALL 3" SCH 80 U-GUARD AT 11:00 POSITION OVER COAX.
3. INSTALL RADIO, BBU, OPTINIB, METER SOCKET, & SAFETY SWITCH 4" OFF OF POLE (USING UNISTRUTS) AT 12:00 POSITION.

POWER MAKE-READY

1. REPLACE EXISTING CL3 45' POLE WITH CL3 55' POLE.
2. INSTALL (2) PANEL ANTENNAS W/ MOUNTING BRACKET ON POLE TOP AT 47'-6" AGL.
3. INSTALL COMBINERS AND (4/8) 1/2" COAX.
4. INSTALL PG&E 1" SCH 80 CONDUIT TO SECONDARY CROSS ARM, AT 1:30 POSITION FOR POWER SERVICE.
5. INSTALL 3" SCH 80 U-GUARD AT 11:00 POSITION OVER COAX.
6. PROVIDE 120/240 3-WIRE SINGLE PHASE, 100 AMP SERVICE TO 1" PG&E CONDUIT AT 1:30 POSITION TO METER SOCKET FROM SECONDARY 32'-9" AGL.

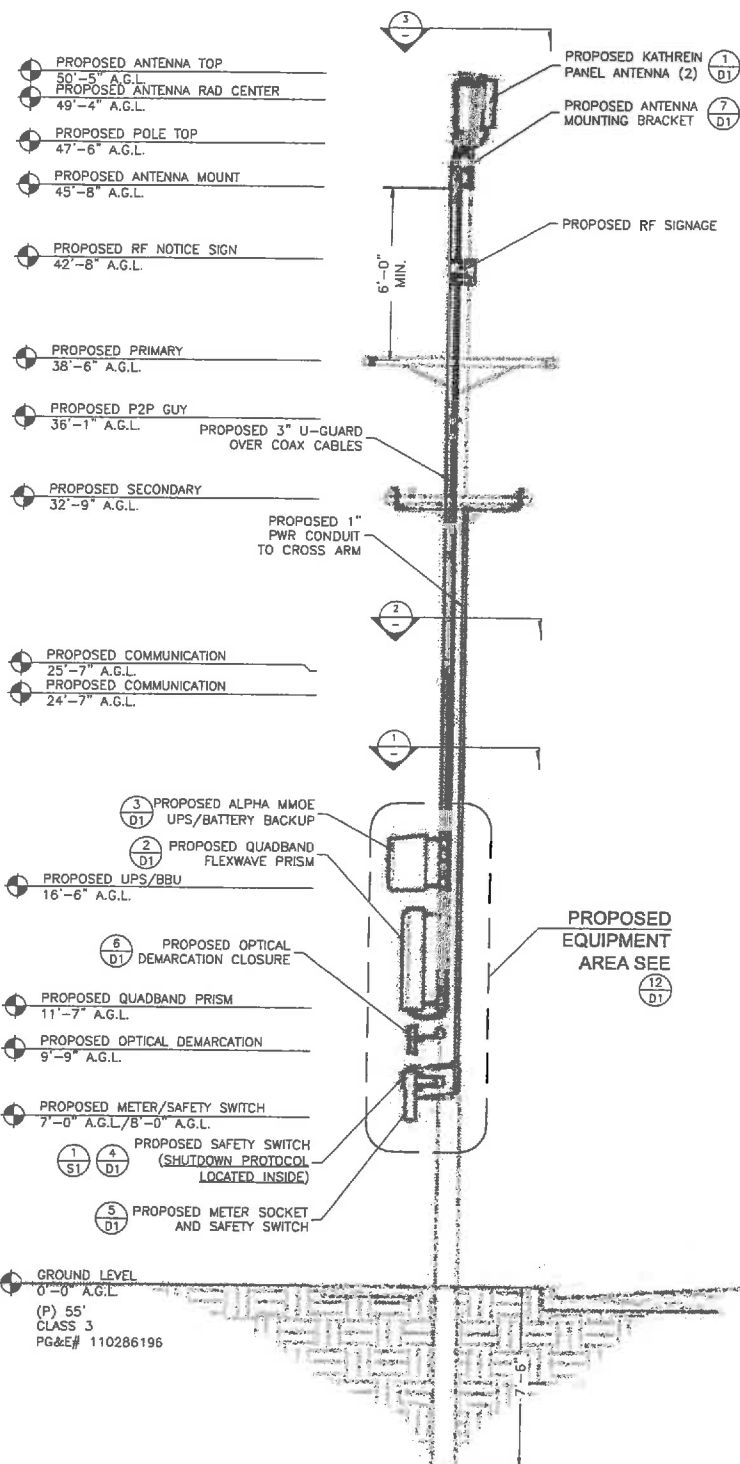
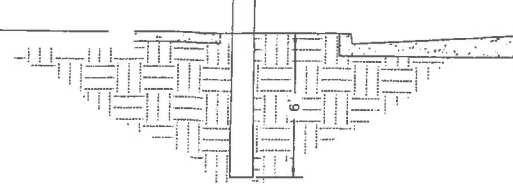
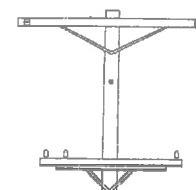
MAKE-READY NOTES

- EXISTING POLE TOP 39'-0" A.G.L.
- EXISTING PRIMARY 38'-6" A.G.L.
- EXISTING P2P GUY 36'-1" A.G.L.

- EXISTING SECONDARY 32'-9" A.G.L.

- EXISTING COMMUNICATION 25'-7" A.G.L.
- EXISTING COMMUNICATION 24'-7" A.G.L.

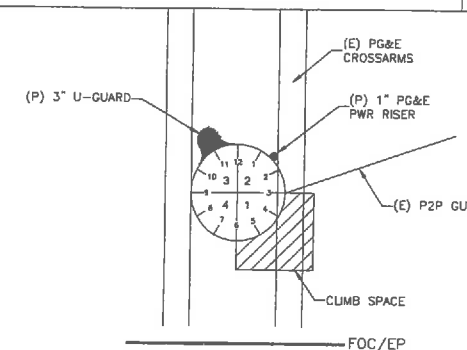
- GROUND LEVEL 0'-0" A.G.L.
- (E) 45' CLASS 3 PG&E# 110286196



PROPOSED ELEVATION NORTH

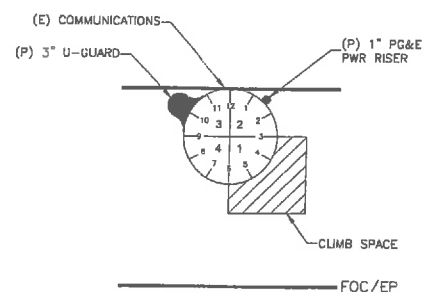
B-SCALE 1/8"=1'-0"
D-SCALE 1/4"=1'-0"

EXISTING ELEVATION NORTH



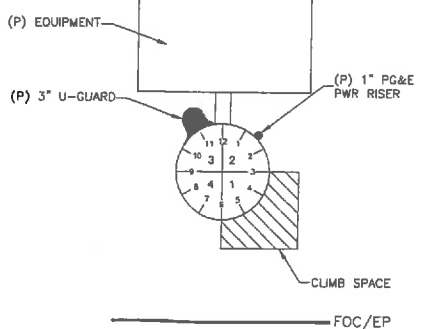
ARDMORE RD

POWER SPACE PLAN VIEW



ARDMORE RD

COMM. SPACE PLAN VIEW



ARDMORE RD

EQUIP. SPACE PLAN VIEW

B-SCALE 1/8"=1'-0"
D-SCALE 1/4"=1'-0"

B-SCALE 1/8"=1'-0"
D-SCALE 1/4"=1'-0"



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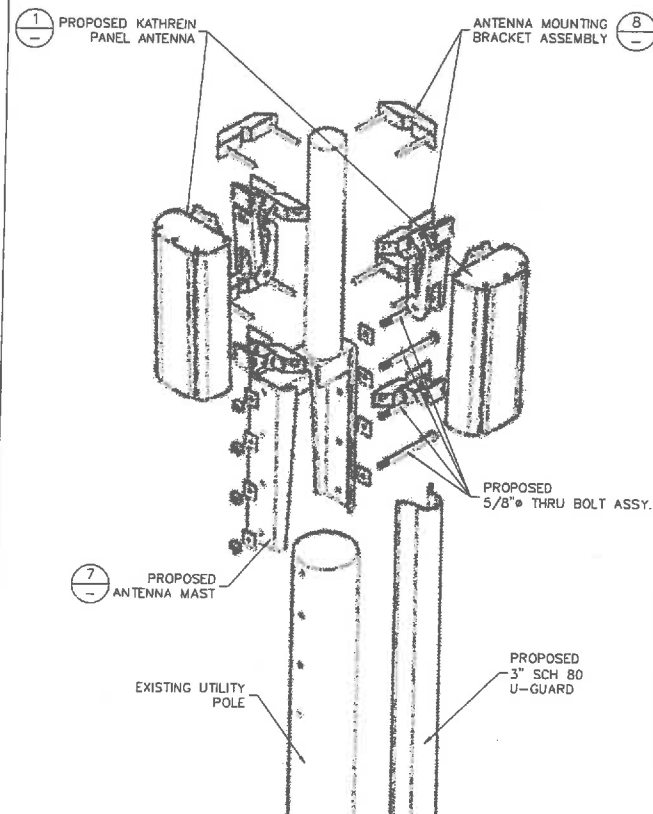
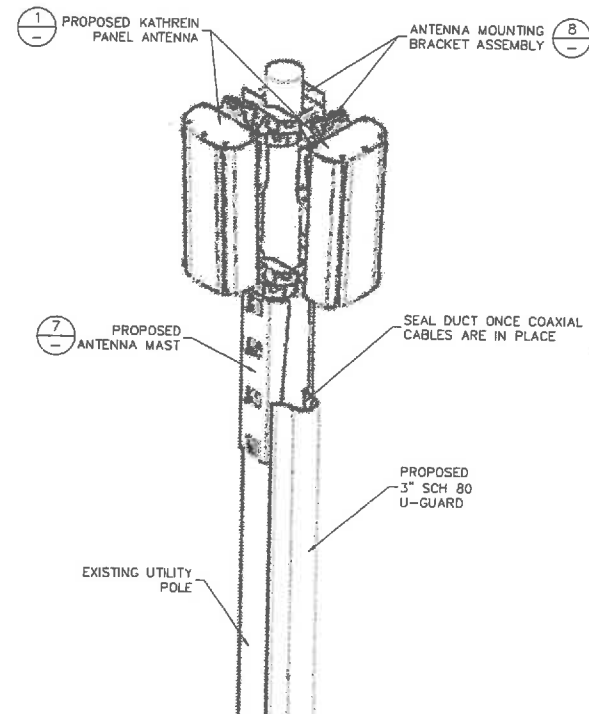
EQUIPMENT DETAILS

SHEET NUMBER: REVISION:

D1

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03/04/14

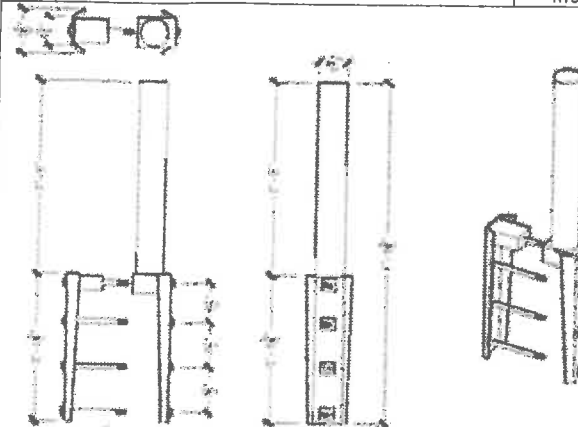


ANTENNA MOUNTING BRACKET ASSEMBLY

SCALE NTS 8

SQUARE D D321NRB SAFETY SWITCH

B-SCALE 3/4"=1'-0"
D-SCALE 1 1/2"=1'-0" 4

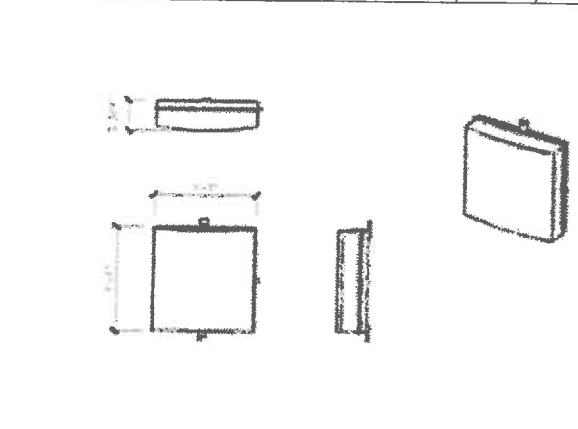


POLE TOP ANTENNA MAST

B-SCALE 3/8"=1'-0"
D-SCALE 3/4"=1'-0" 7

ALPHA MMOE UPS/BATTERY BACKUP

B-SCALE 3/8"=1'-0"
D-SCALE 3/4"=1'-0" 3



RF WARNING SIGNAGE

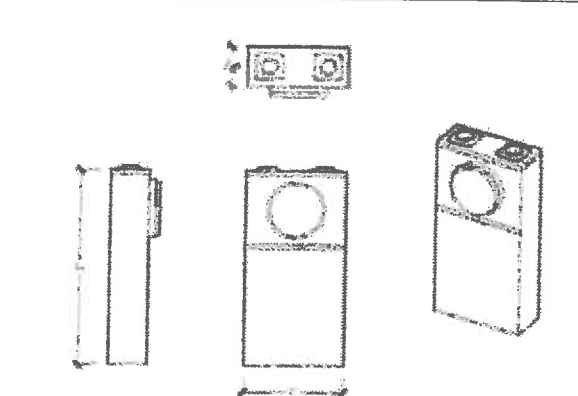
SCALE NTS 10

AFL OPTINID 760 XL OPTICAL DEMARCATION CLOSURE

B-SCALE 1/2"=1'-0"
D-SCALE 1"=1'-0" 6

QUADBAND FLEXWAVE PRISM

B-SCALE 3/8"=1'-0"
D-SCALE 3/4"=1'-0" 2

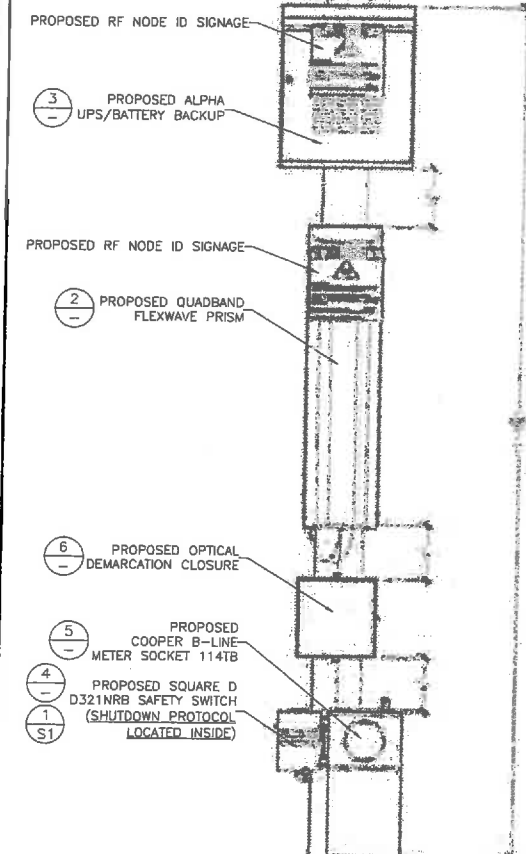


COOPER B-LINE METER SOCKET 114TB

B-SCALE 1/2"=1'-0"
D-SCALE 1"=1'-0" 5

KATHREIN PANEL ANTENNA

B-SCALE 1/2"=1'-0"
D-SCALE 1"=1'-0" 1

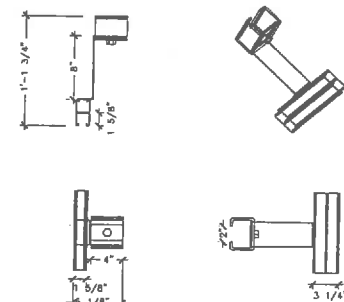


EQUIPMENT CONFIG.

B-SCALE 3/8"=1'-0"
D-SCALE 3/4"=1'-0" 12

LADDER BRACKET

B-SCALE 1/2"=1'-0"
D-SCALE 1"=1'-0" 9



LADDER BRACKET

SHUTDOWN PROTOCOL 7"X9" LAMINATED CARD CARDSTOCK



AT&T oDAS Shutdown Procedure

PROCEDURE TO DE-ENERGIZE RADIO FREQUENCY (RF) SIGNAL EMERGENCY and NON-EMERGENCY WORK REQUIRING RF SIGNAL SHUTDOWN

(A) PG&E personnel SHALL contact AT&T Mobility Switch Center to notify them of an emergency shutdown 800-638-2822. Dial option 9 for cell site "Related" emergency's then option 1. Provide the following information when calling or leave a voicemail:

- (1) Identify yourself and give callback phone number.
- (2) Site number and if applicable site name (located on the shutdown box)
- (3) Site address and location
- (4) Nature of emergency and site condition

(B) Pull Disconnect Handle down to the Open or "OFF" Position. The RF signal will shut down within a few seconds. A visual inspection of the interior blade will confirm that both incoming AC Lead and Battery Backup are disconnected.

(C) Notify AT&T (New Cingular) Switch Center when the emergency work is completed.

See reverse side to view photo of the "on" and "off" position.

FRONT



Switch in the Closed Position ("ON")



Blade in the Closed or "ON" Position.



Switch in the Open Position ("OFF")



Blade in the Open or "OFF" Position.



BACK



NEW CINGULAR WIRELESS PCS, LLC
4430 ROSEWOOD DR, BLDG 3
PLEASANTON, CA 94588-3050

PROJECT INFORMATION:

**OAKHILLS AT&T
NORTH NETWORK
NODE 014D**
ARDMORE RD NEXT TO 801 COVINGTON RD,
KENSINGTON, CA 94707

CURRENT ISSUE DATE:

03/04/14

ISSUED FOR:

PERMITTING

BY: DATE: DESCRIPTION: REV:

BY	DATE	DESCRIPTION	REV
ACI	03/04/14	CDs	0

ACI	DATE	DESCRIPTION	REV
ACI	03/04/14	CDs	0

PLANS PREPARED BY:



Aero Communications Inc.
1-800-825-4ACI
5711 Research Drive
Canton, MI 48188

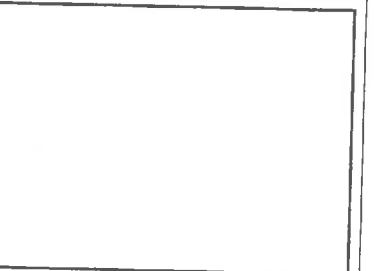
ACI NUMBER: OAKN-014D

CONSTRUCTED BY:



3030 Warrenville Rd, Suite 340
Lisle, IL 60532
www.extenet.com

SEAL OF APPROVAL:



SHEET TITLE:

**POWER & RF
SAFETY
PROTOCOLS**

SHEET NUMBER: REVISION:

S1

0

03/04/14

COUNTY PLANNING COMMISSION
TUESDAY, MAY 13, 2014

I. INTRODUCTION

NEW CINGULAR WIRELESS - AT&T MOBILITY (Applicant), CONTRA COSTA COUNTY/NORTHERN CALIFORNIA JOINT POLE ASSOCIATION (Owners), County File #LP14-2014: The applicant is requesting approval of a Land Use Permit to attach a New Cingular Wireless distributed antenna system (DAS) node to an existing utility pole in the public right-of-way. The project consists of replacing the existing 39-foot tall pole and attaching two panel antennas atop the new pole for a total height of 50-feet 5-inches above-ground-level. The project also includes attaching the associated electrical equipment to the pole between 7-feet and 19-feet above-ground-level. The subject pole is located within the public right-of-way at 801 Coventry Road in the Kensington area. (Zoning: R-6,-TOV,-K) (Assessor's Parcel Number: ROW 571-080-012)

II. RECOMMENDATION

Staff recommends approval of County File #LP14-2014, subject to the attached findings and conditions of approval.

III. BACKGROUND

In January of 2013, AT&T submitted nine Land Use Permit applications for nine separate wireless facilities in the Kensington area. The total number of applications was ultimately reduced to six locations as one larger macro site at the top of Moser Avenue (within the boundaries of the City of El Cerrito) was determined by the applicant to have sufficient coverage to eliminate three of the proposed node sites. Ultimately, the Board of Supervisors (the Board) approved five of the remaining six applications at their December 17, 2013, meeting. The sixth application (County File #LP13-2020, 110 Ardmore Road) was continued to June 3, 2014, in order to provide the applicant with sufficient time to explore an alternative site at 801 Coventry Road. This application is AT&T's response to the direction of the Board.

IV. PROPOSED PROJECT

The applicant is requesting approval of a Land Use Permit to attach a New Cingular Wireless distributed antenna system (DAS) node to an existing utility pole in the public right-of-way. The project consists of replacing the existing 39-foot tall pole and attaching two panel antennas atop the new pole for a total height of 50-feet 5-inches above-ground-level. The project also includes attaching

the associated electrical equipment to the pole between 7-feet and 19-feet above-ground-level. Electrical power will be provided from an existing Pacific Gas and Electric Company power source located on the pole.

According to the application submitted, the proposed panel antennas are 2 feet 3/4 inches tall, 6 1/4 inches deep and 10 5/8 inches wide. The associated electrical equipment measures as follows: one Alpha UPS/Battery Backup - 2 feet 3 inches tall, 1 foot 10 inches wide and 1 foot 6 inches deep; one Quadband Flexwave prism - 4 feet 2 1/4 inches tall, 1 foot 1/8 inches wide and 10 1/8 inches deep; one Optical Demarcation Closure - 1 foot 1 inch tall, 1 foot 1 inch wide and 3 3/4 inches deep; and one Milbank Meter Socket - 2 feet tall, 1 foot wide and 4 and 7/8 inches deep. One 3 inch U-Guard (cover) will carry the power and fiber/coaxial cables from the various electrical components to the subject antennas. The construction of this project is anticipated to take 5-7 days.

V. GENERAL INFORMATION

- A. General Plan: SH, Single-Family Residential-High Density.
- B. Zoning: Single Family Residential District (R-6), Tree Obstruction of Views Combining District (-TOV), Kensington Combining District (-K).
- C. California Environmental Quality Act: The project includes attaching two panel antennas and associated electrical equipment to an existing utility pole in the public right-of-way. Electrical power at the site is currently provided by Pacific Gas and Electric Company. No tree removal or grading is required for the installation of the proposed project.

Therefore, staff has determined that this project qualifies for a Categorical Exemption under the CEQA guidelines, pursuant to Section 15303 (d). Section 15303 (d) exempts "water main, sewage, electrical, gas and other utility extensions, including street improvements, of reasonable length to serve such construction." Additionally, it should be noted that recent case law also supports the CEQA exemption determination for this project. The Court of Appeal, First District, Division 4 of California found in 2012 (Robinson v. City and County of San Francisco) that a project's cumulative impact can only be based on "successive projects of the same type in the same place". To expand on the term "the same place", CEQA Guidelines would limit "the same place" geographical area to where successive project's auditory and visual characteristics are perceivable from one another. In this case, the subject pole is located a sufficient distance from the other sites so that a member of the general public cannot reasonably see or hear two cell sites at the same time.

- D. Previous Applications: None

E. AREA/SITE DESCRIPTION

The subject pole is located within the Kensington Park subdivision of Kensington. The maps for this subdivision were recorded in the very early 1900s. Generally, lots in the area are rectangular in shape 50 to 60 feet in width and 50 to 100 feet in length. The neighborhood consists primarily of custom built homes. Numerous mature trees and landscaping are located in the area. Most homes are two stories tall to maximize views. The topography of the public right-of-way at this location is generally flat, with the adjacent residential properties sloping upwards towards the east and downwards towards the west.

The subject pole is located on the east side of Coventry Road along the frontage of 801 Coventry Road. The pole is within a 50-foot wide public right-of-way. Coventry Road has a paved width of 25 feet. The pole is 39 feet tall and currently supports multiple utility lines between 24 and 39 feet above-ground-level. There are no other wireless telecommunication providers located at the site. The surrounding area is similar to the subject site, which consists of high-density residential development.

VI. AGENCY COMMENTS

- A. Building Inspection Division: In a memorandum dated, March 19, 2014, the Building Inspection Division indicated that they had no comment on this application.
- B. Health Services Department, Environmental Health Services: In a memorandum dated, March 20, 2014, Environmental Health Services staff indicated that they did not have any comment on this application.
- C. Public Works Department, Engineering Services Division: In a memorandum dated April 22, 2014, Public Works staff indicated that the applicant for the project will be required to provide proof of all necessary rights of access to the facility as well as evidence that the applicant is included in the statewide franchise agreement issued by the California Public Utilities Commission (CPUC); or, if unable to do so, the applicant shall enter into a license agreement with the County.
- D. East Bay Municipal Utility District (EBMUD): EBMUD staff submitted a memorandum dated, March 24, 2014, indicating that they had no comment on this application.

- E. Stege Sanitary District: Stege Sanitary District staff submitted a memorandum dated, March 24, 2014, indicating that the District has no comments on this application.
- F. Kensington Fire Protection District: Kensington Fire Protection District staff submitted a memorandum dated, March 21, 2014, indicating that they did not have any comments on this application.
- G. El Cerrito Fire Department: El Cerrito Fire Department staff submitted a memorandum dated, March 21, 2014, indicating that the project site is located in a "Very High Fire Hazard Severity Zone" and all Kensington Vegetation Management Standards and applicable Wildland Urban Interface Codes shall apply to the project.
- H. Kensington Municipal Advisory Council (KMAC): KMAC discussed the project at their April 29, 2014, meeting. According to the draft minutes (attached), KMAC members inquired as to why this site was chosen compared to other sites, why the height is necessary, and does the area have coverage today? In response, the applicant stated that this site was preferred over numerous other alternative sites due to obvious view obstructions and lack of space on other poles to attach their equipment (see attached alternative site analysis). AT&T representatives also indicated that the proposed height is necessary to propagate a signal above the numerous mature trees in the vicinity. Lastly, AT&T staff indicated that the site is necessary to improve the limited coverage existing in the area (see attached existing and proposed coverage maps).

Several members of the public also provided comments at the April 29, 2014, KMAC meeting. Notably, the property owner of 815 Coventry Road expressed concerns regarding his view of the proposed antennas, indicating that nearby foliage may not completely camouflage the proposed antennas as seen from his residence. A representative for 801 Coventry Road indicated that the proposed antennas may block sunlight onto that property, as well as negatively impact their view of the San Francisco Bay. Based on those comments, KMAC members asked if AT&T representatives would be amenable to a one-month continuance of the meeting to allow additional time for KMAC members to review the claims. AT&T representatives informed the KMAC members that a continuance would make it difficult for staff to meet the June 3, 2014, tolling agreement deadline for the 110 Ardmore site. At that point, KMAC unanimously recommended denial of the project based on preservation of views at 801 and 815 Coventry Road.

Staff acknowledges KMAC's recommendation due to the potential view blockage at 801 and 815 Coventry Road. To address the view issue, staff has prompted AT&T to install a story pole at the subject site (see photo #1). That

story pole was installed on March 7, 2014. Staff has taken photos from 815 and 801 Coventry Road on March 19, 2014 and April 30, 2014. The photo taken in March (see photo #2) shows that the antenna story pole will be marginally visible from both properties, as numerous branches obscure both the bay view and story pole. The photo taken in April (see photo #3) clearly shows that the spring foliage completely blocks any view of the story pole and any view of the San Francisco Bay through that corridor from either residence.

With respect to the potential sunlight blockage at 801 Coventry Road, the large adjacent tree is the primary factor blocking sunlight to that property, not the proposed antennas (see photo #4). Therefore, due to the actual visual evidence at the site, staff has determined that the project will not substantially block any views or sunlight of any nearby properties and merits a recommendation of approval.

VII. AGENCY POLICIES AND STANDARDS

- A. Federal Communications Commission (FCC): This agency has adopted radio frequency protection standards, which establish "safety levels with respect to human exposure to radio frequency electromagnetic fields". These standards are jointly published by the American National Standards Institute and the Institute of Electrical and Electronics Engineers. The standards prescribe limits for continuous exposure to radio frequency ("RF") energy. Consequently, the applicant has provided a Radio Frequency – Electromagnetic Energy (RF-EME) Compliance Report for this project. The report dated March 13, 2014, evaluated the proposed facility and concluded that the project is in compliance with the applicable FCC standards.
- B. Federal Aviation Administration (FAA): The FAA regulates the height of structures near airports and towers 200 feet high (or more) that could pose a navigation hazard to pilots. The pole-mounted panel antennas and proposed equipment do not exceed 50 feet 5 inches above-ground-level; therefore, the project does not fall under the authority of the FAA. Additionally, the project is not within any Airport Influence Area as defined in Figure 5-5 of the County's 2005-2020 General Plan. Thus, the project does not fall within the FAA's regulation based on proximity to an airport.
- C. Contra Costa County 1998 Telecommunications Policy: The County has adopted policies that establish guidelines to regulate placement and design of commercial wireless telecommunication facilities. This policy provides administrative direction to staff by indicating factors to be considered in reviewing a Land Use Permit and/or Development Plan application for a commercial wireless telecommunication facility. This AT&T application falls under the authority of these policies and is further discussed below.

VIII. STAFF DISCUSSION/ANALYSIS

- A. Appropriateness of Use: The Kensington area is unique in its steep topography and dense residential development. The typical Kensington residence is two stories tall to maximize views and is located on narrow and short lots. As the demand for wireless services increases, providers must meet the new demand while still being considerate of the unique environmental characteristics each service area may pose. More specifically, on April 7, 2011, the FCC unanimously adopted a Report and Order which reformed its pole attachment rules to streamline access and reduce costs for attaching wireless antennas to utility poles across America. Consequently, the Department of Conservation and Development has seen a significant rise in these types of facilities being applied for. In this case, the applicant has identified a site that is considerate of the nearby residents' views and is reasonably slim in its design.

Furthermore, Federal regulation, 47 United States Code, Section 332(c)(7)(B)(i)(I), states, "*The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof shall not unreasonably discriminate among providers of functionally equivalent services...*" County staff understands this regulation to mean that because other wireless providers are currently serving the Kensington area, the County must allow their competitors an opportunity to extend service into the subject area as well. Therefore, based on the application submittal and pertinent regulations, staff has determined that the proposed use is appropriate for the area in which it is situated.

- B. General Plan Compliance: The property is designated Single-Family High-Density (SH). This designation allows between 5.0 and 7.2 single-family units per net acre. Kensington is essentially "built-out" with very few vacant lots remaining. However, this project is within the public right-of-way and does not propose to remove or add any residential units to the area. Nevertheless, the County's 2005-2020 General Plan does have specific policies for the Kensington area and are enumerated as Policies 3-206 through 3-210, which state:

- 3-206 - Allow for the review of new residential development that provides reasonable protection for existing residences in the Kensington Community with regards to: views, design compatibility (including building bulk, size, and height), adequate parking, privacy, and access to sunlight.
- 3-207 - Preservation of views of scenic natural features (e.g. bay, mountains) and the developed environment (e.g. bridges, city

skyline) should be incorporated into the review of development applications.

- 3-208 - Review proposed residential development for design compatibility with nearby development (e.g. building mass, height, mechanical devices) and provisions for adequate parking.
- 3-209 - New residential development will be reviewed against realistic impacts of privacy and sunlight on surrounding neighbors.
- 3-210 - Consideration will be given to review of non-residential development in the Kensington Community with policies 3-206 through 3-209 herein.

In this case, the proposed cell site height is 50 feet 5 inches above-ground-level. Therefore, the proposed antennas will be visible from various vantage points in the area. However, the siting and slim design of the facility is such that the proposed antennas will not significantly block any views or access to sunlight of adjacent neighbors. Additionally, the majority of the electrical equipment will be located at a lower height along the pole, not at a height which would impact views of nearby residences.

As the site is located within the public right-of-way, County staff is not requiring the applicant to designate permanent off-street parking for any AT&T service vehicles. Adequate street parking is available at the location for routine maintenance of the site. Therefore, given the overall slim design and recommended conditions of approval (e.g., color) for this project, the AT&T cell site is in conformance with the General Plan policies for the Kensington area.

- C. Zoning Compliance: The site is zoned Single-Family Residential District, (R-6), Tree Obstruction of Views Combining District, (-TOV) and the Kensington Combining District, (-K). Wireless communications of the type proposed by AT&T are allowable after the granting of a Land Use Permit.
- D. Contra Costa County 1998 Telecommunications Policy: According to Section IV. A. 1. (General Development Guidelines), "*All proposed commercial wireless telecommunication facilities shall be located so as to minimize their visibility.*" Additionally, Section IV. A. 24, states, "*In appropriate cases, the proposed wireless communication facilities can be located on County-owned or controlled property or County rights-of-way.*" AT&T has met the intent of the above policies by proposing a slim design and by identifying an existing utility pole on which they propose to attach their equipment. According to the applicant, this approach was selected over larger "macro sites" due to the topography and line-of-sight issues in this part of the County. Given that the majority of

equipment will be located lower on the subject pole and the fact that numerous mature trees are located at this site, the proposed facility will only be marginally visible from adjacent neighbors and passersby.

The photo simulations submitted with this application show the proposed antennas and associated equipment being painted a brown color. Nevertheless, staff has added COA #16 which, if approved, would require the proposed antennas to be painted a brown color to match the existing pole. In the event the applicant is required to paint over graffiti, COA #11 requires the applicant to re-paint the entire piece of equipment to avoid mismatched patches of color on the pole. Therefore, as conditioned, staff has determined that the project is in accord with the 1998 Telecommunications Policy.

- E. Applicability of the Kensington Combining District (K-Ordinance): The Kensington Combining District (K-Ordinance) is not applicable in the review of this application. The K-Ordinance (see attached) was adopted by the Board of Supervisors in 2004. The purpose of the K-Ordinance is to “fairly and efficiently implement the Contra Costa County general plan policies for the Kensington area” (enumerated in section B above). Many Kensington residents participated in the drafting of the K-Ordinance as views, privacy, access to sunlight and parking are topics of concern with respect to development in Kensington. Per section 84-74.404 (f) (Definitions) of the ordinance, “Development”, is defined as “*any building or structure that requires a building permit...*” However, section 82-4.270 of the County code, defines a “structure” as “*anything constructed or erected on and permanently attached to land, except: (4) poles, wires, pipes and other devices, and their appurtenant parts, for the transmission or transportation of electricity and gas for light, heat or power, or of telephone and telegraphic messages....*” Furthermore, section 82-4.210, defines a “building” as “*any structure with a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals, or chattels.*” Therefore, the proposed wireless facility is exempt from the provisions of the K-Ordinance as the proposed facility does not qualify as a “structure” or “building” and consequently is not considered “development” as defined by section 84-74.404 (f).

IX. PUBLIC COMMENTS/CONCERNS

Several public comments have been submitted regarding this application (see attached). Those comments as well as those general concerns mentioned as part of the previous AT&T applications for the Kensington area are discussed below.

- A. Decrease in Property Value: No evidence has been provided to staff that concretely proves properties in close proximity to cell sites decrease in value. For every article arguing against there is one supporting this technology.

- B. Alternative Site Analysis: As part of the application submittal, the applicant has provided an alternative site analysis. The analysis considered the light standards along the Arlington Avenue commercial corridor and a number of other existing utility poles in the area. The Arlington Avenue light standards were dismissed altogether as they are not structurally capable of supporting the proposed equipment. The other potential candidates were dismissed due to obvious view blockages as a result of the antennas and/or inadequate climbing space on the pole due to existing utilities. Therefore, the subject site (801 Coventry Road) has been determined by the applicant and staff as a feasible site location to establish the proposed facility as the site provides minimal visual impacts and would be partially screened by existing vegetation.
- C. Radiation Emissions: Section 332 (C)(7)(B)(iv) of the 1996 Federal Communications Act, provides that *"no state or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions."* As mentioned above, the applicant has submitted an RF report indicating that the proposed project complies with FCC standards.
- D. Visual Impacts: The proposed AT&T facility will be visible from various vantage points in the area. As the topography of nearby residences rises sharply to the east, it is anticipated that many of the western views as seen from nearby residences would not be in a direct line-of-sight of the proposed antennas. Those views which are in a direct line-of-sight are currently obscured by existing vegetation, therefore; the proposed antennas will not substantially decrease any existing view of the San Francisco Bay. Furthermore, the vast majority of the equipment will be located between 7 and 19-feet above ground level and is consistent with the 5 other approved cell site applications in the Kensington area. Staff has added conditions of approval requiring the applicant to paint the proposed equipment a color (brown) which matches the utility pole at the site. Therefore, as conditioned the project will represent a minor change in the visual character of the immediate vicinity.
- E. Undergrounding of Utilities: The potential undergrounding of utilities in the Kensington area has been a topic among residents for many years. Currently there is no proposal to undertake the project. Therefore, County staff must review AT&T's proposal on its own merits, not necessarily what potential future activities may be proposed. Nevertheless, staff has added COA#6, which if approved, would require AT&T to remove the subject cell site in the event that utilities are to be undergrounded or a macro site is developed that provides the same coverage.

F. Discrepancy in AT&T's Online Coverage Maps Versus the Maps Submitted With this Application: In determining whether AT&T needs a new facility at a particular location, only site specific RF Maps contain the richness of detail required for the site development process (see attached coverage maps). Additionally, per the applicant, the online coverage maps may not be the most accurate.

It should be noted, that a proposed site may not be needed for coverage alone but capacity as well. Coverage refers to the ability to handle a larger number of users and/or more data-intensive tasks during peak usage periods. Increased capacity will enable a wireless provider to keep up with ever-increasing demands on the network and allow new technology to be deployed.

X. SUMMARY

Combining new wireless facilities with existing utilities is encouraged by the County's 1998 Telecommunications Policy. The County has approved similar applications in the recent past throughout the Kensington area. The fact that other wireless providers are servicing the area and that AT&T currently has marginal coverage in the area, are not reviewable factors per Federal regulations. County staff views projects of this type as a favorable alternative to constructing new free standing towers.

The plans submitted to the County for this project clearly reflect that the project is slender in its design and represents a minor visual change to an existing utility pole and surrounding area. The new pole will undergo safety inspections by engineers prior to issuance of any building permits for the project.

The applicant has installed a story pole so that concerned parties can review the proposed height and impacts of the project. Based on that story pole, photosimulations, and the plans submitted with this application, it is clear that the project will not substantially impact nearby property owners' access to views and sunlight. Staff has added various conditions of approval (e.g., COA compliance reports every 3 years, matching paint colors and the requirement to totally remove the cell site in the event undergrounding of utilities was to occur) that if approved, will result in the least intrusive project that also allows the applicant to achieve its service objectives.

XI. CONCLUSION

Staff recommends approval of LP14-2014 subject to the attached findings and conditions of approval.

MACKENZIE & ALBRITTON LLP

220 SANSOME STREET, 14TH FLOOR
SAN FRANCISCO, CALIFORNIA 94104

TELEPHONE 415 / 288-4000
FACSIMILE 415 / 288-4010

November 27, 2013

VIA EMAIL

Francisco Avila
Planner II
Department of Conservation and Development
Community Development Division
30 Muir Road
Martinez, California 94553

Re: AT&T Mobility Submittal Regarding Contra Costa County
Telecommunications Policy § IV(A)(10)

Dear Francisco:

We write to you on behalf of our client AT&T Mobility (“AT&T”). AT&T has been asked to comment regarding the General Development Guidelines Section IV(A)(10) of the 1998 Contra Costa County Telecommunications Policy (the “Telecommunications Policy”), which provides:

The applicant shall demonstrate through manufacturer and industry information that the latest technology available to minimize visual impacts relating to the design of the commercial wireless telecommunications facility is being used.

As a preliminary matter, this general standard of the Telecommunications Policy exceeds the authority of Contra Costa County to regulate AT&T and is preempted by federal law. The Federal Communications Commission (the “FCC”) maintains exclusive authority to regulate and license the radios and antennas used by AT&T to provide wireless services. The FCC maintains the sole authority to regulate the technology used by AT&T to provide service in Contra Costa County. Federal courts have rejected local ordinances that attempt to dictate the technology to be used by wireless providers. *See New York SMSA v. Town of Clarkstown*, 612 F.3d 97 (2d Cir. 2010).

While not waiving this federal preemption, AT&T is confident that the Kensington DAS represents the “latest technology available to minimize visual impacts” to the Kensington community while providing the full range of AT&T wireless services to the Kensington community. As one of the two largest wireless providers in the state of

Francisco Avila
November 27, 2013

Page 2 of 2

California and the country, AT&T provides 2G, 3G and 4G/Long-Term Evolution (LTE) wireless service over four FCC-licensed frequency bands. When providing its full complement of technologies and frequencies, AT&T uses both "macro" cell sites and distributed antenna systems ("DAS").

DAS is the most technologically-advanced means of providing multiple technologies over multiple frequency bands to areas with challenging topography. In suitable settings such as Kensington, DAS networks enable AT&T to meet multi-band coverage needs with the smallest components and least aesthetic impacts. Unlike a macro cell site, a DAS does not include a typical equipment shelter or cell tower. Instead, small remotely placed antennas and radios are connected by fiber-optic cabling to an existing AT&T central switching office.

DAS antennas are designed to cover a small geographic area, generally no more than a 1,000-foot radius. This means they have very limited power output (wattage) and are quite small, generally around two feet in vertical length. The flexibility of multiple, smaller antennas that cover discrete areas to accommodate undulating topography make DAS networks ideal for providing multi-band service in sloping and hilly terrain such as Kensington.

The Kensington DAS has been designed to cover a topographically-challenged area using the minimum number of nodes given the size and spacing of existing utility poles. The number and separation of the nodes is determined by the coverage provided by each node, which, in turn, is determined by the radius and size of antennas used at each node. By placing diminutive equipment on the minimum number of existing utility poles, the Kensington DAS represents the best and most up to date technology available to provide the full compliment of AT&T wireless services with the least visual impacts to the Kensington community.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul Albritton". The signature is fluid and cursive, with a large initial "P" and a long, sweeping underline.

Paul B. Albritton

Alternatives Analysis

PRIMARY CANDIDATE

OAKN-014B

In Front of 110 Ardmore Road

This DAS Node (Node 14B) is proposed to be constructed on a PG&E utility pole on Ardmore Road in Kensington. The coverage gap to be served by this node is described in the AT&T Mobility Radio Frequency Statement of Significant Coverage Gap dated January 20, 2014 (the "Coverage Gap"). The primary candidate, OAKN-014B, is designed as a pole top extension on PG&E pole #110306453, in the public right-of-way adjacent to 110 Ardmore Road, Kensington (at latitude/longitude 37°54'17.45"N, 122°16'51.04"W). This pole, which is directly adjacent to a large evergreen tree, is situated to the side of a residence. Given the nearby foliage and orientation of nearby residences, AT&T's facility will not result in a view corridor obstruction. AT&T proposed placement of radio equipment on the utility pole and remains willing to implement that design. As requested by the County, the equipment for this proposed facility was approved by the Planning Commission to be located in a ground-mounted equipment cabinet located four feet southeast from the existing pole within the public right-of-way along Ardmore Road.

Design Considerations

In response to comments of the Kensington Municipal Advisory Council and Planning Staff, pole-mounted radio equipment has been relocated to a ground-mounted cabinet. AT&T has not proposed lowering the antennas due to inadequate space on the utility pole for a side mount above 30 feet and due to an adjacent tree that would block radio signal coverage. Based upon resident submitted photographs that failed to show view blockage from the mock facility and evidence from AT&T showing signal blockage from lower antennas, the Planning Staff rescinded its recommendation to lower the antennas and the Planning Commission approved the facility at the originally proposed height.

Following approval by the Board of Supervisors of the Kensington DAS, except for this site, AT&T reevaluated the potential for lowering the antennas to 30 feet. A constant wave study conducted by AT&T RF engineers on January 9, 2014 confirms an approximate 50% loss in in-building coverage from the facility at the lowered antenna height. A photosimulation of the primary candidate with a 30 foot antenna height is attached. A drive test map showing coverage deficiencies from the lowered antennas is also attached.



ALTERNATIVES

OAKN-014B-C1

In front of 97 Ardmore Road

Alternative 1, OAKN-014B-C1, is PG&E pole #110286165, in the public right-of-way in front of 97 Ardmore Road, Kensington (at latitude/longitude 37°54'19.01"N, 122°16'52.67"W). This pole is situated at the intersection of Ardmore Road and Beverly Ct., directly in front of a residence and across the street from another residence. This site is not feasible because climbing space is obstructed by existing facilities on the pole, including a streetlight and cross arms. Further, this site is not available because a facility there would create a view corridor obstruction. This pole also would need to be reframed to accommodate a pole top extension to house AT&T's facility, or replaced due to its condition.



OAKN-014B-C2

In front of 48 Ardmore Road

Alternative 2, OAKN-014B-C2, is PG&E pole #110286203, in the public right-of-way in front of 97 Ardmore Road, Kensington (at latitude/longitude 37°54'20.60"N, 122°16'50.45"W). This pole is directly in front of a residence and across the street from another residence. This site is not available because a facility there would create a view corridor obstruction. Further this pole would need to be reframed to accommodate a pole top extension to house AT&T's facility.



OAKN-014B-C3

In front of 46 Ardmore Road

Alternative 3, OAKN-014B-C3, is PG&E pole #110286167, in the public right-of-way in front of 46 Ardmore Road, Kensington (at latitude/longitude 37°54'20.60"N, 122°16'49.35"W). This pole is situated in front of a residence and across the street from another residence. An adjacent tree provides some screening to the bottom two-thirds of the pole. This site is not feasible because climbing space is obstructed by existing facilities on the pole, including a streetlight and cross arms. Further, this site is not available because a facility there would create a view corridor obstruction. This pole also would need to be reframed to accommodate a pole top extension to house AT&T's facility, or replaced due to its condition.



OAKN-014B-C4

In front of 156 Ardmore Road

Alternative 4, OAKN-014B-C4, is PG&E pole #110306302, in the public right-of-way in front of 156 Ardmore Road, Kensington (at latitude/longitude 37°54'14.04"N, 122°16'46.61"W). This pole, which is located where Ardmore Path crosses Ardmore Road, is situated in front of a residence and directly across the street from another residence. This site is not feasible because climbing space is obstructed by existing facilities on the pole, including a streetlight and cross arms. Further this pole would need to be reframed to accommodate a pole top extension to house AT&T's facility.



OAKN-014B-C5

In front of 100 Ardmore Road

Alternative 5, OAKN-014B-C5, is PG&E pole # 110286201, in the public right-of-way in front of 100 Ardmore Road, Kensington (at latitude/longitude 37°54'18.26"N, 122°16'51.95"W). This pole is situated in front of a residence with no adjacent trees, likely causing view obstruction. This site is not feasible because climbing space is obstructed by existing facilities on the pole, including a transformer and cross arms.



OAKN-014B-C6

In front of 130 Ardmore Road

Alternative 6, OAKN-014B-C6, is PG&E pole #110306452, in the public right-of-way in front of 130 Ardmore Road, Kensington (at latitude/longitude 37°54'16.45"N, 122°16'49.65"W). This pole is situated in front of two residences with no adjacent trees for screening. This highly visible pole already supports two cross-arms, a transformer and street light and is likely infeasible for mounting AT&T's DAS antenna. If the pole could be reframed to accommodate a pole-top extension, the elevated antennas would create substantial aesthetic impacts to multiple uphill homes to the east.



OAKN-014B-C7

In front of 137 Ardmore Road

Alternative 7, OAKN-014B-C7, is PG&E pole #110306451, in the public right-of-way in front of 137 Ardmore Road, Kensington (at latitude/longitude 37°54'15.79"N, 122°16'48.72"W). This pole is situated on the west (downhill) side of the street across the street from an adjacent home to the east with windows facing west. Lower elevation requires a significant pole-top extension to achieve RF coverage that would likely cause view obstruction to homes to the east.



OAKN-014B-C8

Behind 801 Coventry (On Ardmore Road)

Alternative 8, OAKN-014B-C8, is a PG&E pole in the public right-of-way behind 801 Coventry on Ardmore Road, Kensington (at latitude/longitude 37°54'9.13"N, 122°16'48.19"W). This site is located at the intersection of Coventry Road and Ardmore Road and visible from the street in four directions. The site is screened to the east by trees. Lower pole elevation requires a pole-top extension for adequate RF propagation, which may create view impacts to uphill residences further east above screening trees. A photosimulation of a feasible facility at this location is attached.



OAKN-014B-C9

In front of 845 Coventry

Alternative 9, OAKN-014B-C9, is a PG&E pole in the public right-of-way in front of 845 Coventry, Kensington (at latitude/longitude 37°54'13.40"N, 122°16'42.33"W). This site is located at the intersection of Arlington Road and Coventry Road and is visible from the street in four directions. This site is not feasible because climbing space is obstructed by existing facilities on the pole, including a streetlight and two sets of cross arms. Propagation maps prepared for this site reveal an unacceptable gap in the northwest portion of the identified Ardmore Road Coverage Gap.



OAKN-014B-C10

In front of 3 Ardmore

Alternative 10, 10-014B-C9, is PG&E pole #110286189, in the public right-of-way in front of 3 Ardmore Road, Kensington (at latitude/longitude 37°54'15.75"N, 122°16'42.76"W). This site is located across from an elevated parking area above 271 Arlington and is adjacent to 3 Ardmore Road. This site is not feasible because climbing space is obstructed by existing facilities on the pole, including a streetlight and four cross arms.



**OAKN-014B-C11
In front of 13 Ardmore**

Alternative 11, 10-014B-C9, is a PG&E pole in the public right-of-way in front of 13 Ardmore Road, Kensington (at latitude/longitude 37°54'16.69"N, 122°16'44.07"W). This pole is located immediately west of second-story windows facing west with no screening trees. Two levels of cross-arms would require reframing this pole to provide for a 7 foot poletop extension. The poletop extension would cause view obstruction to the adjacent residence to the east.



Decorative Streetlights Along Arlington Avenue Commercial Area

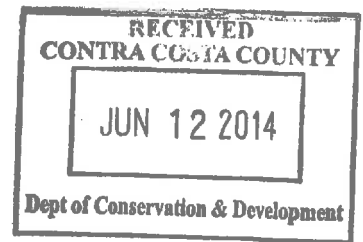
There are no available utility poles along the commercial area of Arlington Avenue between Ardmore Road and Coventry Road. Historic designed light standards are planned for this stretch of Arlington Avenue as well as in the median strip. These historic designed light standards with the illuminating element at the top of the pole are inadequate in height or structure to support an AT&T DAS node, and placement of AT&T antennas and radios on these historic designed light standards would be inappropriate.

Conclusion

AT&T evaluated 12 utility poles in the Ardmore Road area to identify the feasible pole that could provide service to the Coverage Gap with the least aesthetic impacts. The majority of the poles evaluated are infeasible due to a lack of climbing space, required under California Public Utilities Code General Order 95, due to existing facilities on each utility pole. Certain poles were eliminated where coverage maps or constant wave tests showed a lack of signal propagation and inadequate signal to the Coverage Gap. Certain other facilities were rejected due to their visual prominence and location at street corners and obvious view impact to adjacent residences. Based on its analysis, AT&T considers the primary candidate to be the least intrusive utility pole for providing in-building service to the Coverage Gap.

Map of Alternatives





San Francisco Bay Chapter

Serving Alameda, Contra Costa, Marin and San Francisco Counties

REPLY TO: 802 Balra Drive
El Cerrito, CA 94530

June 9, 2014

Mr. Francisco Avila, Project Planner
Contra Costa County
Dept. of Conservation and Development
30 Muir Road
Martinez, CA 94553

Dear Mr. Avila:

Re: AT&T Mobility's Application for Cell Site at 801 Coventry Road, County File #LP14-2014

The Sierra Club supports the appeal of the County's approval of this application for a cell tower site.

The County should hire an independent consultant to perform both a service gap analysis and develop a set of recommendations. AT& T should be charged for this service, but otherwise have no input. (The County might use the same consultant currently performing these steps for a disputed DAS installation in El Cerrito.)

If an independent analysis demonstrates the need for a facility at 801 Ardmore, or any other street, and determines that the metal light poles or the existing wooden poles on the commercial strip of the Arlington are unsuitable, that is if this analysis comes up with the same recommendations, we would accept it.

Sincerely yours,

Norman La Force

Norman La Force, Chair
West Contra Costa County Group

Francisco Avila

From: vladeemir@gmail.com
Sent: Tuesday, May 13, 2014 12:20 AM
To: Francisco Avila
Subject: against AT&T DAS antenna at 801 Coventry Rd (#LP14-2014)

Adrienne Othon
727 Coventry Rd
Kensington, CA 94707

RE: Land Use Permit for new Cingular Wireless DAS antenna at parcel ROW 571-080-012

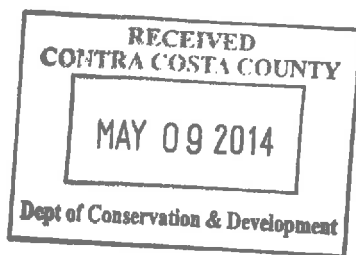
Contra Cosa County Department of Conservation and Development
Community Development Division
30 Muir Road
Martinez, CA

To the Contra Costa County Planning Commission:

I am writing this letter to you in lieu of appearing to express my strong disapproval of any new or further installations of cell phone towers, wireless Wi-Fi antennas in the Kensington neighborhood known as "Kensington Village" where I live in the home that I own at the above address. Last year you approved a cluster of nine cell phone towers for AT&T in the Berkeley Hills area, one of which is already slated for installation at 110 Ardmore Road (cf. El Cerrito Patch Feb. 19, 2013). This about a half a block away from the the proposed DAS antenna to be situated at 801 Coventry Rd (at the corner of Ardmore and Coventry).

I challenge the notion that the new DAS system will somehow extend or improve reception in that area as from a signal propagation point of view these two proposed antenna locations are virtually in the same spot. I make this informed statement as a qualified electrical engineer. There is no additional benefit to this new location that I can see. Why cannot the electronics to be used for this DAS system be co-located at one of the locations that AT&T already got approval for last year ? The cell phone antenna and this DAS antenna would not, or should not, interfere with each others signals. If they would interfere for some reason when co-located on the same pole then they will certainly interfere with each other mounted only a few hundred feet apart as under the current proposal. Simply adding Cingular onto the original provider AT&T does not warrant a whole new antenna complex. Why cannot both providers share the same pole and antenna already approved at 110 Ardmore ?

The new antennas so close to each other simply look like an uncalled-for attempt to justify raising subscriber rates which will certainly follow after installation or even before, as day follows night. I strongly urge you to deny this bid for the proverbial camel to take a mile when he has already been generously given an inch.



149 Ardmore Rd.
Kensington, CA 94707
May 9, 2014

Planning Commission
Contra Costa County

Dear Sirs:

This letter refers to AT&T's application County File #LP14-2014, and your hearing scheduled for Tuesday, May 13, 2014.

I have appended a petition below on this subject. Its original copy was turned in to KMAC at their last meeting.

I earnestly request that you reconsider the conclusion of the staff report on this application for the reasons below. I have pasted snippets of it for reference.

- D. Visual Impacts: The proposed AT&T facility will be visible from various vantage points in the area. As the topography of nearby residences rises sharply to the east, it is anticipated that many of the western views as seen from nearby residences would not be in a direct line-of-sight of the proposed antennas. Those views which are in a direct line-of-sight are currently obscured by existing vegetation, therefore; the proposed antennas will not substantially decrease any existing view of the San Francisco Bay. Furthermore, the vast majority of the equipment will be located between 7 and 19-feet above ground level and is consistent with the 5 other approved cell site applications in the Kensington area. Staff has added conditions of approval requiring the applicant to paint the proposed equipment a color (brown) which matches the utility pole at the site. Therefore, as conditioned the project will represent a minor change in the visual character of the immediate vicinity.

The staff report contains two very important misstatements in D. "The vast majority" of the equipment ignores the only part of the equipment on the pole to which anyone objects, that which is up in the view on the extension above the 39 foot level, the previous pole height; and the glaring fact that of the five other sites, AT&T agreed to lower the height of the antennas to below the existing pole tops on three of them.

- D. Contra Costa County 1998 Telecommunications Policy: According to Section IV. A. 1. (General Development Guidelines), "*All proposed commercial wireless telecommunication facilities shall be located so as to minimize their visibility.*"

AT&T's applications, one after another, simply ignore the fact that their desired antenna location, above the pole tops, clearly violates this long standing policy. Please compel them to comply with it, and in all cases lower the antenna heights to below existing pole tops.

H. Kensington Municipal Advisory Council (KMAC): KMAC discussed the project at their April 29, 2014, meeting. According to the draft minutes (attached), KMAC members inquired as to why this site was chosen compared to other sites, why the height is necessary, and does the area have coverage today? In response, the applicant stated that this site was preferred over numerous other alternative sites due to obvious view obstructions and lack of space on other poles to attach their equipment (see attached alternative site analysis). AT&T representatives also indicated that the proposed height is necessary to propagate a signal above the numerous mature trees in the vicinity. Lastly, AT&T staff indicated that the site is necessary to improve the limited coverage existing in the area (see attached existing and proposed coverage maps).

I attended the subject KMAC meeting. I found the AT&T representative's response to the legitimate questions raised by the members evasive and incomplete. Here are more complete answers to some of these questions.

1. 'Why is the height necessary?'

To save money. And make more money out of each antenna installation, each antenna should be mounted as high as possible to maximize the number of customers that can be reached by line of sight communications, and to maximize the distance to the next necessary antenna that must be installed for complete coverage of the target area.

2. 'Does the area have coverage today?'

Please see the attached petition to KMAC on the subject of this application. As I collected these signatures along Ardmore Rd. in the vicinity of both sites, some of my neighbors expressed a desire for better wireless service in their homes. The AT&T service at my address, 149 Ardmore Rd., was adequate for Supervisor Gioia to receive calls here on May 9 both in my kitchen and in my garage. So the answer is, the coverage is incomplete.

The applicant mainly used the question to hammer away at the notion that their choice of sites is severely constrained. Not so.

It is only constrained by several of their own privately held considerations that they avoid mentioning as best they can:

A. Were they willing to consider mounting the antennas anywhere below the top of a utility pole, including below the cross arms, they would have a shorter range, due to obstructions, and require that antennas be closer together, which would increase costs. Regrettably, to AT&T, I am sure, they cannot pass on such increased costs of serving any given neighborhood.

B. 'the lack of space on other poles to attach their equipment' is only a factor if they can successfully ignore suggestions -or mandates, I whisper,- that they look at other sites on poles instead of their tops. When one looks from this perspective, the potential sites are nearly every utility pole.

In conclusion, the Planners and the Commissioners must not allow AT&T to dictate the constraints within which their applications will be judged.

1. The implied assumptions that the coverage they seek to provide must be handled only by the antenna locations, their placement above the existing pole tops, and the numbers of them that the company has specified. Baloney.
2. The implication that AT&T's installation costs must be kept to a minimum, and their potential profits from each antenna at a maximum. Not our problem.

My petition was signed by well over 90% of those of my neighbors whom I found at home on the Saturday I walked around with it. It fairly represents the public interest in the two questions on it, and as such, I believe, the staff report and the decision of the Planning Commission ought to defer to the sentiment it reveals: Wireless facilities are unacceptable above existing utility structures.

Respectfully Submitted,

Philip Zimmerman

Dear KMAC:

Please submit to Supervisor Gioia and to the County Department of Conservation and Development this petition from your neighbors and constituents. The undersigned request that they:

1. Require of the applicant AT&T regarding its filing LP 14-2014 for a wireless facility atop a utility pole at 810 Coventry, Kensington, that it reposition the location of the antenna to below the existing top of the pole.

Reason for this petition: As designed, it would be ugly and prominent. Below the top of the pole, a modest size antenna will not be as aesthetically offensive or noticeable.

2. Add the following language to the Contra County Draft Wireless Facilities Ordinance (Z 13-0001) in such a way that it applies to the entire county, or at the very least to the Kensington Combining Zoning District, and pass this proposed ordinance into law soon, applying its provisions to all wireless facilities in the county not yet actually built.

(Excerpted from City Of Orinda Wireless Ordinance)

17.34.4 - Standards.

F. Coaxial cables, conduit lines and other electrical boxes for ground-mounted antennas shall be placed underground or within the approved structures. Coaxial cables and conduit lines for roof and facade-mounted antennas shall be placed or camouflaged to minimize their visual impact.

J. If the facility is proposed for a single-family residential zone or in a ridgeline area, a minimum three hundred (300) foot setback shall be provided between a wireless communications facility (except for the associated PG&E meter) and the nearest residential structure on an adjacent parcel, unless the facility is incorporated within or attached in a stealth manner to the main structure on the parcel or is attached to a public utility structure in a visually unobtrusive manner.

L. No wireless communications facility may exceed the maximum height permitted for the main structure in any zone, except that roof-mounted and facade-mounted facilities in nonresidential zones or on public, semi-public or nonprofit buildings may project up to fifteen (15) feet above the roofline of the existing structure regardless of total height. Wireless communications facilities attached to a public utility structure may not exceed the existing height of the public utility structure regardless of total height.

E. Existing and proposed landscaping around the proposed facility, as identified in the project plans, shall be maintained in good condition (including installation of an irrigation system, if necessary) for as long as the facility is in place; landscaping on the applicant's site which helps to screen the wireless communications facility from off-site views, as identified on the project plans, shall not be removed, trimmed or altered in any way, unless such removal or trimming is deemed necessary by a certified arborist to protect the health of the landscaping; if removal or trimming is deemed necessary, additional landscaping may be required;

17.34.5 - Conditions of approval.

F. Within one month after construction of the wireless communications facility, and on an annual basis thereafter, testing of total RF emissions shall be conducted to verify compliance with FCC regulations. Such testing shall be conducted during normal business hours on a nonholiday weekday with the wireless communications facility operating at maximum power and shall measure the total emissions from the subject cell site.

(Ord. 99-5 § 2 (Exh. A (part)))

17.34.6 - Review and approval.

3. Co-location of wireless communications facilities on approved, encouraged sites only where such co-location reduces traffic, visual and other cell site impacts; and

4. Co-location on existing public utility structures such as electrical transmission towers and water tanks in nonvisually sensitive areas.

17.34.9 - Review, termination and revocation.

2. RF Emissions Violation. In the event that total RF emissions for a cell site exceed FCC standards, the applicant shall immediately cease operation of the wireless communications facility and permit revocation procedures shall be commenced.




17.34.10 - Submittal requirements.

I. List the Radio Frequency range in Megahertz and list the wattage output of the equipment;

C. Mock-up structures and/or story poles which replicate the proposed wireless communications facility shall be provided in the field;

D. Documentation demonstrating that use of the site will not result in levels of radio frequency (RF) emissions which will exceed Federal Communication Commission standards. This documentation shall be independently verified by a third party reviewer prior to issuance of a wireless communications facility permit;

E. A description of any proposed noise-generating equipment, including the times and decibel levels of the noise which would be produced;

Name (printed)	Signature	Street Address, Kensington, CA
Anna Frankfurt		145 Ardmore Rd
John Wind		155 Ardmore
Caroline Blankenburg		165 Ardmore Rd

NAME	SIGNATURE	KENSINGTON ADDRESS
Nancy Liebowitz	Nancy Liebowitz	173 Ardmore Rd Kensington PA
Elizabeth Clark		175 Ardmore Kensington CA
Jung Shoppel	Opug Shoppel	72 Ardmore Rd Kensington CA
JOHN GRIFFITH	John Griffith	137 ARDMORE RD KENSINGTON CA
Diana Patpatia	Diana Patpatia	130 Ardmore Rd Ken 94
Sasha Patpatia		130 Ardmore rd. Kensington PA 99707
Sunny Patpatia	Sunny Patpatia	130 ARDMORE, KENSINGTON 997
Steven Johnson	Steven Johnson	115 Ardmore Rd Kensington
SWEN VOLLANU-JOHNSON	Swen V. Johnson	115 Ardmore Rd
Peter Rauch	Peter Rauch	105 Ardmore Rd
Scott Cook		176 Ardmore Rd
Ed Gordon		180 Ardmore
Serene Quinn		730 Coventry Rd
SUSAN CAMPBELL	Susan Campbell	732 Coventry Rd 529-7215
Andrew Reed	Andrew Reed	928 Country Rd 529-7215
Jim McGuire		140 Ardmore Rd
Sharon L messengers		" " Sharon L messenger
Ken Ribet		114 Ardmore Rd
Bill Diebin		100 Ardmore Rd
Tessa Krogh		96 Ardmore Rd
Julie Holabird		90 Ardmore Rd Kensington CA
Kim J. Roots		81 Ardmore Rd. Kensington CA
Sharon Roberts		131 Ardmore Rd. Kensington CA
Randall Cook		132 Ardmore Road Kensington CA
Michael Boteman		1 ARDMORE RD KENSINGTON CA MICHAEL BOTEMAN
Ann Hallow		149 Ardmore, Kensington

Kensington Municipal Advisory Council

April 28,2014

Dear Council,

My name is Evelyn Hayes and, because of my age, I am 100 years old, I will be unable to attend your April 29th meeting at the Community Center because of my lack of mobility. I am a long time Kensington resident who lives at 801 Coventry Road. I have lived at this address for over 65 years.

I believe that because my property will be the one most effected by the proposed Cingular Wireless antenna system node and 50 foot pole at the intersection of Ardmore Avenue and Coventry Road. I wish to express my opposition to this change. The new taller pole would be just to the right of my driveway , and the taller pole with the antenna node in place would be only a short distance from my house. This change would block my view of the bay from my widowed sunroom and my upstairs bedroom window.

Please do not allow this land use permit, requested by New Cingular Wireless Company, to be built for their profit at the expense of my view!

Thank You,



Evelyn Hayes

801 Coventry Road

Kensington, Ca. 94707

APPROVED FOR THE COUNCIL
2014 APR 13 PM 1:11
KENSINGTON CITY CLERK

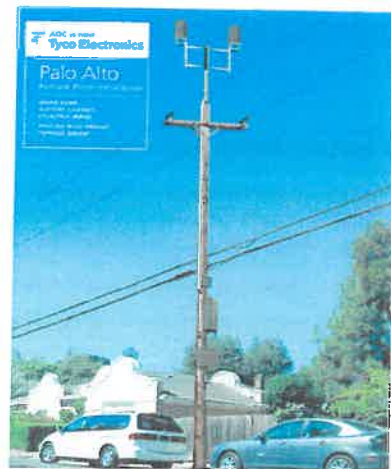
Kensington Doesn't Have To Take AT&T Towers Stuck Into Our View!
Compiled by Philip Zimmerman

Rec.
4/16/14



Little noticed at the end of ATT's applications for nine antennas atop phone poles in Kensington in February, 2013 was this one on Skyline Blvd. Oakland. This style of unobtrusive equipment would be far more welcome in Kensington than the trash can on a stick style on an extension above an existing phone pole, up in our view. That is what we are getting.

Do you think the cell antennas atop telephone poles throughout Kensington will look like those skinny sticks AT&T has put up to illustrate the intended elevation? Guess again. Here are examples of the 90 or so installations they are placing 15 feet above the top of utility poles in Palo Alto:



Why are there two on one pole? Just wait. Contra Costa County encourages colocation. That means with minimal further permitting, all the other cell companies who would like a spot at the top get one. It could get pretty crowded up there, right in our view.

Palo Alto's downtown area is getting one of these installations about every two blocks, or one thousand feet, a total of about 90 in their fair city. AT&T has so far been approved to build six here. Kensington needs better control of future wireless facilities built here. Palo Alto doesn't have a view. The prospect of more of these built up into ours leads me to suggest that we attempt to gain the protection of a Wireless Facilities Ordinance such as Orinda has. Here are quotes from it that I like:

Wireless Ordinance Notes
From
City Of Orinda Wireless Ordinance

17.34.4 - Standards.

F. Coaxial cables, conduit lines and other **electrical boxes for ground-mounted antennas shall be placed underground** or within the approved structures. Coaxial cables and conduit lines for roof and facade-mounted antennas shall be placed or camouflaged to minimize their visual impact.

J. If the facility is proposed for a single-family residential zone or in a ridgeline area, a minimum three hundred (300) foot setback shall be provided between a wireless communications facility (except for the associated PG&E meter) and the nearest residential structure on an adjacent parcel, unless the facility is incorporated within or attached in a stealth manner to the main structure on the parcel or is attached to a public utility structure in a visually unobtrusive manner.

L. No wireless communications facility may exceed the maximum height permitted for the main structure in any zone, except that roof-mounted and facade-mounted facilities in nonresidential zones or on public, semi-public or nonprofit buildings may project up to fifteen (15) feet above the roofline of the existing structure regardless of total height. **Wireless communications facilities attached to a public utility structure may not exceed the existing height of the public utility structure regardless of total height.**

E. Existing and proposed landscaping around the proposed facility, as identified in the project plans, shall be maintained in good condition (including installation of an irrigation system, if necessary) for as long as the facility is in place; landscaping on the applicant's site which helps to screen the wireless communications facility from off-site views, as identified on the project plans, shall not be removed, trimmed or altered in any way, unless such removal or trimming is deemed necessary by a certified arborist to protect the health of the landscaping; if removal or trimming is deemed necessary, additional landscaping may be required;

17.34.5 - Conditions of approval.

F. Within one month after construction of the wireless communications facility, and on an annual basis thereafter, **testing of total RF emissions shall be conducted to verify compliance with FCC regulations.** Such testing shall be conducted during normal business hours on a nonholiday weekday with the wireless communications facility operating at maximum power and shall measure the total emissions from the subject cell site.

(Ord. 99-5 § 2 (Exh. A (part)))

17.34.6 - Review and approval.

- 3. Co-location of wireless communications facilities on approved, encouraged sites only where such co-location reduces traffic, visual and other cell site impacts; and
- 4. Co-location on existing public utility structures such as electrical transmission towers and water tanks in nonvisually sensitive areas.

17.34.9 - Review, termination and revocation.

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17.34.10 - Submittal requirements.

- I. List the Radio Frequency range in Megahertz and list the wattage output of the equipment;
- C. Mock-up structures and/or story poles which replicate the proposed wireless communications facility shall be provided in the field;
- D. Documentation demonstrating that use of the site will not result in levels of radio frequency (RF) emissions which will exceed Federal Communication Commission standards. This documentation shall be independently verified by a third party reviewer prior to issuance of a wireless communications facility permit;
- E. A description of any proposed noise-generating equipment, including the times and decibel levels of the noise which would be produced;

Is Orinda getting any of these monstrosities? Absolutely not. Their Wireless Facilities Ordinance puts it all in black and white. No antennas above the tops of existing utility poles. Further, their planners work for the local taxpayers. Our planners work in Martinez. Representing whose interests? I'll let their own words express it. The following is from an Environmental Impact Statement prepared in support of a 2013 Contra Costa County Draft Wireless Facilities Ordinance, (ZT13-0001) not yet law, that by the way, makes no mention of limiting the height of cell antennas on top of utility poles:

**California Environmental Quality Act
Environmental Checklist Form**

- 1. Project Title: Wireless Facilities Ordinance
County File #ZT13-0001
- 2. Lead Agency Name and Address: Contra Costa County
Department of Conservation & Development
Community Development Division
30 Muir Road
Martinez, CA 94553
- 3. Contact Person and Phone Number: Telma Moreira, (925) 674-7783
- 4. Project Location: Countywide, unincorporated Contra Costa County.

EVALUATION OF ENVIRONMENTAL IMPACTS

I. AESTHETICS - Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	_____	_____	_____	X
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	_____	_____	_____	X
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	_____	_____	_____	X
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	_____	_____	_____	X

Summary:

- a) The proposed Zoning Text Amendment would add Chapter 88-24 of the County Code, which will establish criteria for the location and design of wireless facilities.

No Impact.Thanks A Lot.

My reading of this draft ordinance is that that while it protests that it is particularly concerned with aesthetics of cell facilities, it doesn't really limit them with phrases like "shall not exceed" in ways that would allow opponents to force changes in how projects might look. The draft ordinance also includes this:

88-24.402. Location requirements.

- (a) Collocation encouraged. The collocation of facilities with existing or proposed collocation-eligible facilities is encouraged.
- (h) Limitations on locating within or near certain zones. No high-visibility facility or tower may be established in, or within 100 feet of, any of the following:
 - (1) A single-family residential (R-), two-family residential (D-1), multiple-family residential (M-), water recreational (F-1), mobile home/manufactured home park (T-1), or Kensington combining (-K) zoning district.

What do I want for Kensington? I want protections from AT&T and its ilk by the terms of Orinda's Wireless Facilities Ordinance. Let us request of our politicians that they fold into the Wireless Facilities Ordinance being prepared the above protections from the Orinda Wireless Facilities Ordinance, certainly to apply to the "Kensington Combining Zoning (-K) District" if not to the entire County.

I believe that moving the antennas down the poles would work just fine, probably not as cheaply as bigger more powerful, top mounted models. Nestled among the other hardware already on these poles, they would practically disappear. We are forced to trust the FCC to have established RF emissions standards that protect the public, until we see proof that their standards are inadequate.

Why has our own proposed Ordinance not yet been put on the books? I don't know. It could use some more work, anyway.

And why would it allow this ugly extension of utility poles up into our view? It clearly would allow them in the rest of the county. The proposed ordinance only really protects Kensington from what the county planners would be willing to call a high visibility facility. That is too subjective. Better to prohibit antennas exceeding the height of the utility poles they are mounted on.

Once these extensions are built, collocation will fill them up. If there is room for one antenna, there is probably room for four, perhaps on each of two levels. The original permit for one antenna will have been granted, the planners deciding that it wasn't really that big. Then it's too late for us. We end up with eight.

Here is how it is done right



AT&T won't spend the money to do it right unless they are required to. Let us so require them. Please.

Francisco Avila

From: William Johnston <johnstonwe@gmail.com>
Sent: Tuesday, April 29, 2014 12:43 PM
To: Kate Rauch; Francisco Avila; patricktahara@comcast.net
Cc: tken.mintz@att.com
Subject: AT&T antenna

I would like, once again, to give my unqualified support to the AT&T cell antenna plan. (And to Verizon, Sprint, etc. when they apply.)

Cellular wireless communication is an essential part of modern life - everything from the kids (grand kids in my case) homework to the kids social interaction and parental monitoring to home protection (security and fire).

This sort of capability is transforming modern life and opting out by denying antenna applications disadvantages the entire community.

William E (Bill) Johnston
313 Berkeley Park Blvd.
Kensington

Sent from wej's iPad

Francisco Avila

From: patrick tahara <patricktahara@comcast.net>
Sent: Tuesday, April 29, 2014 1:02 PM
To: Aruna Bhat; Francisco Avila
Subject: Fwd: RE: Help make upgraded wireless a reality in Kensington

I just want to forward one of many emails that I received through AT&T.

Patrick Tahara
415-307-4042

----- Original message -----

From: Robert Fried
Date: 04/28/2014 11:18 AM (GMT-08:00)
To: AT&T Kensington
Cc: Kate Rauch , Francisco.Avila@dcd.cccounty.us, patricktahara@comcast.net
Subject: RE: Help make upgraded wireless a reality in Kensington

 I support ATT's plan for better wireless coverage in Kensington

I have heard from one neighbor who has concerns about the placement of the device on the poll in terms of location. If that can be accommodated without diminishing the projected service improvement, I would support that as well.

Thks

RF

Robert Fried | Partner

Atkinson, Andelson, Loya, Ruud & Romo

5075 Hopyard Road, Suite 210, Pleasanton, California 94588

Direct (925) 251-8515 • Main (925) 227-9200 • Direct Fax (925) 251-8587

RFried@aalr.com | www.aalr.com | [subscribe](#)

Francisco Avila

From: Cliff Ball <cball@sakata.com>
Sent: Monday, April 28, 2014 11:43 AM
To: Francisco Avila
Subject: AT&T Proposal - Kensington

Dear Mr. Avila,

I have been a resident of Kensington for the last 20 years, and really care about our town.

Of the very few disappointments, our wireless strength and service in the area has been weak for some time. This creates headaches for my business and family.

Unfortunately, I am unable to attend the KMAC meeting tomorrow, but would like to have you understand and perhaps share my strong support of AT&T's proposed wireless plan for the area (on Coventry).

Thanks for your attention in this proposal.

Regards –

Cliff Ball
16 Camelot Ct., Kensington
(510) 520-2570

Francisco Avila

From: Robert Fried <RFried@aalrr.com>
Sent: Monday, April 28, 2014 11:18 AM
To: AT&T Kensington
Cc: Kate Rauch; Francisco Avila; patricktahara@comcast.net
Subject: RE: Help make upgraded wireless a reality in Kensington

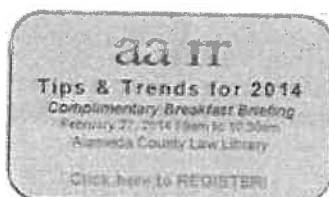
I support ATT's plan for better wireless coverage in Kensington

I have heard from one neighbor who has concerns about the placement of the device on the poll in terms of location. If that can be accommodated without diminishing the projected service improvement, I would support that as well.

Thks

RF

Robert Fried | Partner
Atkinson, Andelson, Loya, Ruud & Romo
5075 Hopyard Road, Suite 210, Pleasanton, California 94588
Direct (925) 251-8515 • Main (925) 227-9200 • Direct Fax (925) 251-8587
RFried@aalrr.com | www.aalrr.com | [subscribe](#)



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From: AT&T Kensington [mailto:ATT_Kensington@mail.vresp.com]
Sent: Monday, April 28, 2014 11:13 AM
To: Robert Fried
Subject: Help make upgraded wireless a reality in Kensington



MACKENZIE & ALBRITTON LLP

220 SANSOME STREET, 14TH FLOOR
SAN FRANCISCO, CALIFORNIA 94104

TELEPHONE 415 / 288-4000
FACSIMILE 415 / 288-4010

CONTRA COSTA
COUNTY

2014 JUN 13 P 4: 37

DEPARTMENT OF
CONSERVATION
AND RECREATION

June 13, 2014

VIA EMAIL AND FEDEX

Chair Karen Mitchoff
Vice Chair John Gioia
Supervisors Candace Anderson,
Mary Piepho and Federal Glover
Contra Costa County Board of Supervisors
651 Pine Street
Martinez, California 94553

Re: Appeal of AT&T DAS Node Application #LP14-2014
On Ardmore Road near 801 Coventry Road
Board of Supervisors Agenda – July 8, 2014

Dear Chair Mitchoff, Vice Chair Gioia and Supervisors:

We write to you on behalf of our client AT&T Mobility (“AT&T”) to request that you affirm the unanimous approval by the Planning Commission and reject the appeal filed May 23, 2014 (the “Appeal”) of the proposed Distributed Antenna System (“DAS”) node on Ardmore Road near 801 Coventry Road (the “Coventry Node”). The Coventry Node represents the final component of the Kensington DAS network (the “Kensington DAS”) proposed by AT&T over two years ago and approved by the Planning Commission. One node approved by the Planning Commission at 110 Ardmore Road (the “Ardmore Node”) remains on appeal to the Board of Supervisors, and the Coventry Node has been proposed as an alternative to the Ardmore Node, providing sufficient coverage to replace the Ardmore Node.

Both the Coventry Node and the Ardmore Node achieve the goals of the Contra Costa County 1998 Telecommunications Policy and the General Plan Policies for the Kensington Area, and both fully comply with necessary findings for approval under the Contra Costa County Ordinance Code. Together with federal and state law, this compliance with all County requirements compels approval of either the Coventry Node or the Ardmore Node as the final node of the Kensington DAS.

The Appeal, like other appeals of AT&T Kensington DAS nodes rejected by this Board, raises numerous erroneous arguments, even going so far as to suggest that an environmental impact report must be prepared before AT&T may attach telephone equipment to a telephone pole. Like the previous appeals rejected by this Board, the Appeal provides no evidence to justify the claimed impacts of the Coventry Node let

alone the substantial evidence required under federal law. Like those previous appeals, this Appeal must also be rejected.

I. Background

After nearly one year of planning and preparation, AT&T first presented its proposed nine-node Kensington DAS for review early last year. Based on input from the community and Planning Division staff, AT&T revised its proposal to redesign the DAS nodes and reduce the total number of nodes to six. Through a series of hearings in September and October of last year, the Planning Commission approved the six AT&T Kensington DAS nodes with certain specific modifications to their designs. The approvals of five of the DAS nodes were affirmed on appeal by this Board on December 17, 2013. In subsequent hearings, the Board asked AT&T to consider the Coventry Node as an alternative to the Ardmore Node. Accordingly, AT&T proposed the Coventry Node, which was unanimously approved by the Planning Commission on May 13, 2014.

II. Project Description

The Coventry Node will be placed in the location of an existing telephone pole in the public right-of-way on Ardmore Road near 801 Coventry Road. The pole is screened by a row of tall trees to the east, which separate it from the nearest residence. As selected by the Board of Supervisors, the Coventry Node location is the least intrusive location to provide wireless service to the gap resulting from the absence of the Ardmore Node. An Alternatives Analysis describing the locations reviewed by AT&T for the Ardmore Node is attached as Exhibit A. The design of the Coventry Node follows the sleek utility pole design affirmed by the Board of Supervisors for each of the other five approved Kensington DAS nodes. The existing 39-foot PG&E pole will be replaced with a 47.5-foot pole. The increase in pole height is required to create state-mandated six-foot separation from antennas and existing power lines. The only other space for antennas on the pole would be below existing lines at a height of 27 feet where signal would be blocked by adjacent residences and topography. Photosimulations and an antenna centerline graphic are attached as Exhibit B.

In developing the Kensington DAS, AT&T selected utility poles that individually serve a discrete area and collectively serve the identified coverage gap with the least number of poles. Thereafter, poles are reviewed within a proximity to this coverage area primarily based on two factors: (1) whether the utility pole has adequate space for AT&T's antennas and radio equipment; and (2) whether the utility pole presents aesthetic challenges. In each case, AT&T has selected a utility pole that will accommodate its equipment with the least impact to neighbor views.

The two-foot panel antennas selected by AT&T are the shortest available to provide necessary coverage and will be painted to match the utility poles. Pole-top antennas are mounted at the minimum of six feet above the top crossbar as required by California Public Utilities Commission General Order 95 for safe separation from power lines.

The radio equipment has been designed to minimize bulk and appearance. Pole-mounted equipment is limited to a less than one-foot-wide and four-foot-tall radio box, a roughly two-foot-wide by two-foot-tall battery backup cabinet, a roughly one-foot-square interface box and an electrical meter, all of which are vertically stacked on the pole. Pole-mounted equipment is painted brown to blend in with surrounding foliage and rotated to the east to minimize visibility from the street.

The Kensington DAS equipment design represents the smallest and most technologically-advanced means of providing the wireless services available from AT&T. With respect to this design, Planning Division staff has noted that, "The proposed equipment is compact and one of the smallest proposals the County has reviewed to date."¹ A drawing of the proposed AT&T DAS equipment for the Coventry Node is attached as Exhibit C.

III. Site Analysis

A. Coverage Gap

The Coventry Node has been located and designed to serve a gap in coverage that will remain in the Kensington DAS absent the Ardmore Node. This gap is significant as it includes an area of approximately 45 acres and 500 residents as more fully described in the *AT&T Mobility Radio Frequency Statement of Significant Coverage Gap* (the "RF Gap Analysis") attached as Exhibit D. As set forth in the RF Gap Analysis, AT&T conducted field tests on January 9, 2014 to confirm that the Coventry Node, with antennas placed at a minimum height of 49 feet, will provide the required wireless service to the identified Coverage Gap. As noted, the 49-foot antenna height is required to maintain state-mandated separation above the existing electrical power lines and to allow signal propagation through adjacent treetops to the east.

B. RF Emissions Analysis

A Statement of Hammett & Edison, Inc., Consulting Engineers dated March 13, 2014 (the "H&E RF Report"), attached as Exhibit E, confirms that the Coventry Node will operate well within allowable limits established by the Federal Communications Commission. Indeed the H&E RF Report confirms that emissions anywhere on the ground adjacent to the Coventry Node or at the nearest building will be more than 100 times below permissible levels.

C. Acoustic Analysis

As part of its application for the Coventry Node, AT&T has submitted an acoustic analysis prepared by Hammett & Edison, Inc., Consulting Engineers dated March 13, 2014 (the "H&E Acoustic Analysis"), attached as Exhibit F. As set forth in the H&E Acoustic Analysis, the Coventry Node "will comply with the pertinent standards limiting acoustic noise emission levels" for Contra Costa County.²

¹ See, e.g., Planning Commission Staff Report, September 10, 2013, County File #LP13-2009, p. SR-8.

² H&E Acoustic Analysis, p. 2.

IV. Planning Commission Approval Consistent with County Telecommunications Policy and Ordinance Code

In its review of the Coventry Node, the Planning Commission easily made the required findings under the Contra Costa County Ordinance Code, confirmed compliance with the 1998 Telecommunications Policy and affirmed that their decision is in compliance with state and federal law.³

A. County Telecommunications Policy

The 1998 *Contra Costa County Telecommunications Policy* (the “Telecommunications Policy”) establishes detailed design preferences to minimize the impact of wireless facilities on residential communities. Least favored under the Telecommunications Policy are monopole designs and their aesthetic impacts. In contrast, the Coventry Node design and site location meet several of the highest standards for wireless facility design. Indeed, one of the preferred camouflage designs under the Telecommunication Policy is a facility disguised as a “telephone pole.” See Telecommunications Policy § IV(E)(1). By attaching antennas to an existing utility pole, the Coventry Node eliminates the impacts that might otherwise result from erection of an entirely new tower structure. See Telecommunications Policy § IV(A)(8) (“...[S]ervice providers are encouraged to co-locate antennas with other facilities such as...light standards, and other utility structures”). Finally, in keeping with the Telecommunications Policy, the Coventry Node has been designed to “avoid *unreasonable interference with views from neighboring properties.*” See Telecommunications Policy § IV(A)(11) (emphasis added). In approving five of the Kensington DAS nodes, the Planning Division staff, the Planning Commission and this Board found that the sleek utility pole design of the Kensington DAS “is in accord with the 1998 Telecommunications Policy.”⁴ Similarly, in approving the Coventry Node, Planning Division staff and the Planning Commission once again affirmed full compliance with the Telecommunications Policy.

B. County Ordinance Code

Under well-established California law, the placement of telephone equipment on telephone poles in the public right-of-way is a state-authorized use. The Coventry Node, as confirmed by approvals by the Planning Commission, is permitted in the R-6 district

³ As stated in our prior correspondence for the Kensington DAS, under established California law, the Coventry Node simply constitutes the attachment of telephone equipment to telephone poles. Pursuant to California Public Utilities Code § 7901, telephone corporations such as AT&T are granted a statewide franchise to place telephone equipment within the public rights-of-way. Under CPUC § 7901, the placement of telephone equipment in the public right-of-way is essentially a state-mandated “use” subject only to reasonable “time, place and manner” restrictions imposed by the County. As a state-authorized use, AT&T does not believe the Coventry Node requires any more than encroachment permit review by the County. In an effort to work cooperatively with County staff, AT&T applied for a land use permit for the Coventry Node, subject to an express reservation of rights dated March 14, 2014.

⁴ See, e.g., Planning Commission Staff Report, September 10, 2013, County File #LP13-2009, p. SR-7.

subject to a land use permit. As the Commission found, the Coventry Node meets all requirements for a land use permit:

- (1) *Not detrimental to health, safety and welfare.* The Planning Commission found that the Kensington DAS is not detrimental to health, safety and welfare where AT&T has shown that it will fully comply with FCC guidelines regulating RF emissions. The attached H&E RF Report confirms that the Coventry Node, like the Kensington DAS, will operate far below permissible public exposure limits. Federal law provides that local jurisdictions may not regulate wireless facilities based upon the "...environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." See 47 U.S.C. § 332(c)(7)(B)(iv).
- (2) *Provides for orderly development within the County.* The orderly development of wireless facilities in Contra Costa County is prescribed by the Telecommunications Policy. As noted above, the Coventry Node fully complies with the preferences and guidelines of the Telecommunications Policy.
- (3) *Does Not Adversely Affect Property Values.* The Planning Commission found, with respect to the Coventry Node, that due to the "small scope," the facility will "not substantially block any views" or "significantly alter the visual characteristics" nor "limit the potential range of uses at the site or on adjacent properties" and that the project will "not adversely affect the preservation of property values."⁵ This finding is consistent with federal law, which preempts the denial of wireless facilities based upon alleged depreciation of property values, where such alleged depreciation is based upon perceived health effects of radiofrequency emissions. See e.g., *AT&T Wireless Services of California LLC v. City of Carlsbad*, 308 F.Supp.2d 1148, 1159 (S.D. Cal. 2003); see also *California RSA No. 4 d/b/a Verizon Wireless v. Madera County*, 332 F.Supp.2d 1291 (E.D. Cal. 2003) (property value evidence found to be a proxy for radiofrequency emission concern).
- (4) *Complies With General Plan.* As confirmed by the Planning Commission, the extension of telephone service through the Kensington DAS fully complies with the Single-Family Residential High Density General Plan designation. The Planning Commission also confirmed that the Coventry Node complies with the General Plan Policies for the Kensington Area. The Coventry Node, with its slim-line design screened by adjacent trees, provides "reasonable protection" of views, compatibility with surrounding structures in terms of bulk, size and height, and no "realistic impacts" on parking or access to sunlight. As clearly demonstrated by the attached photosimulations, the Coventry Node will not interfere with and will preserve neighboring views of the Bay, mountains, bridges and the city skyline.

⁵ See, e.g., Planning Commission Staff Report, May 13, 2014, County File #LP14-2014, p. COA-2.

- (5) *Shall Not Create a Nuisance.* The attachment of AT&T DAS facilities to existing utility poles clearly will not create a nuisance. A specific transportation management plan prepared for the Coventry Node will avoid congestion during construction and maintenance of the facilities. Experience with prior AT&T DAS facilities indicates that maintenance visits to DAS facilities are infrequent. The attached H&E Acoustic Analysis confirms that the Coventry Node will operate far below the allowed noise levels permitted under the Contra Costa County General Plan.
- (6) *Not encourage marginal development.* In its approval of the Coventry Node, the Planning Commission confirmed that the facility will not contribute to marginal development and indeed “will increase the wireless services to an area of the County currently experiencing poor coverage/capacity.”⁶
- (7) *Special conditions and unique characteristics established.* AT&T has clearly established the special conditions and unique characteristics of the Coventry Node. Its location on an existing utility pole within the public right-of-way will provide the necessary line-of-sight wireless service to the specific identified gap in the approved portions of the Kensington DAS.

V. Federal Law

The siting of the Kensington DAS is governed by both federal law and by local land use regulations. The federal Telecommunications Act (the “TCA”) attempts to reconcile any potential conflicts between the need for deployment of new wireless facilities and local land use authority “by placing certain limitations on the County’s control over the construction and modification of WCFs.” See *Sprint PCS Assets, LLC v. City of Palos Verdes Estates*, 583 F.3d 716, 721 (9th Cir. 2009). Specifically, the TCA preserves local control over land use decisions, subject to the following explicit statutory restrictions:

- The local government must act on a permit application within a reasonable period of time (47 U.S.C. §332(c)(7)(B)(ii));
- Any denial of an application must be in writing and supported by substantial evidence contained in a written record (47 U.S.C. §332(c)(7)(B)(iii));
- The local government may *not* regulate the placement, construction, or modification of WCFs on the basis of the environmental effects of radio frequency emissions to the extent such facilities comply with the FCC’s regulations concerning such emissions (47 U.S.C. §332(c)(7)(B)(iv));
- The local government may not unreasonably discriminate among providers of functionally equivalent services (47 U.S.C. §332(c)(7)(B)(i)(I)); and

⁶ *Id.* at COA-3.

- The local government's decision must not "prohibit or have the effect of prohibiting the provision of personal wireless services" (47 U.S.C. §332(c)(7)(B)(i)(II)).

As interpreted under controlling federal court decisions, the "substantial evidence" requirement means that a local government's decision to deny an application must be "authorized by applicable local regulations and supported by a reasonable amount of evidence (i.e., more than a 'scintilla' but not necessarily a preponderance)." See *Metro PCS, Inc. v. City and County of San Francisco*, 400 F.3d 715, 725 (9th Cir. 2005).

While a local government may regulate the placement of wireless facilities based on aesthetics, it must have specific reasons that are both consistent with the local regulations and supported by substantial evidence in the record. Generalized concerns or opinions about aesthetics or adverse effects on the neighborhood do not constitute substantial evidence. *City of Rancho Palos Verdes v. Abrams*, 101 Cal.App.4th 367, 381 (2002). As set forth above, AT&T has provided ample evidence for this Board to make the necessary findings for approval of the Coventry Node. Photographic evidence provided by staff and photosimulations provided by AT&T overwhelmingly confirm the absence of any view impact from the Coventry Node. In contrast, no specific evidence, let alone the substantial evidence required by federal law, has been introduced that would support a denial of the Coventry Node.

As noted above, the County is specifically precluded under the federal statute from considering any alleged health or environmental effects of RF emissions of the Kensington DAS "to the extent such facilities comply with the FCC's regulations concerning such emissions." See 47 U.S.C. §332(c)(7)(B)(iv). The courts have made clear that federal law preempts any local decision based on the alleged health or environmental effects of RF emissions, even when such arguments are cloaked in the guise of other purported concerns. Here, where it is undisputed that the facility will comply with FCC guidelines, denial based on any alleged effects on property values would violate federal law.

A local government violates the "effective prohibition" clause of the TCA if it prevents a wireless provider from closing a "significant gap" in service by the least intrusive means. This issue involves a two-pronged analysis: (1) whether the provider has demonstrated the existence of a "significant gap" in coverage; and (2) whether the proposed facility is the "least intrusive means," in relation to the land use values embodied in local regulations (in this case, the Telecommunications Policy), to address the gap. See *T-Mobile USA, Inc. v. City of Anacortes*, 572 F.3d 987 (9th Cir. 2009); see also *T-Mobile West Corp. v. City of Agoura Hills*, 2010 U.S. Dist. LEXIS 134329 (C.D. Cal. Dec. 20, 2010).

As shown in the attached RF Gap Analysis, AT&T has demonstrated a significant gap in coverage of approximately 45 acres covering 500 residents that results from an absence of the Ardmore Node from the Kensington DAS. The attached Alternatives

Analysis demonstrates that either the Ardmore Node – or the Coventry Node as identified by the Board of Supervisors – is the least intrusive, feasible alternative to provide service to the identified gap. Under these circumstances, the County is *required* to approve one of these facilities, even if there would otherwise be substantial evidence to deny the permit under local land use provisions. This is because the requirements for federal preemption have been satisfied, i.e., denial of the permit would “have the effect of prohibiting the provision of personal wireless services.” 47 U.S.C. §332(c)(7)(B)(1)(ii); *T-Mobile v. Anacortes*, 572 F.3d at 999.⁷

VI. Response to Appeal

As set forth above, AT&T has provided ample evidence and analysis supporting approval of the Coventry Node, which was unanimously granted by the Planning Commission. In response, the Appeal provides a long list of spurious arguments in a shotgun effort to persuade this Board to overturn the Planning Commission’s reasoned approval. The Appeal fails to provide any substantial evidence that would counter the well-reasoned, unanimous decision of the Planning Commission or justify granting the Appeal. Our more specific response to the appeal follows.

1. The Kensington Combining Ordinance does not apply to the Coventry Node, which meets all applicable standards for approval.

Appellants first argue that the Planning Commission approval fails to comply with the Kensington Combining Ordinance, the Kensington Municipal Advisory Council (“KMAC”) recommendation of denial, the County Ordinance Code, the General Plan and the 1998 Telecommunications Policy. As thoroughly briefed by Planning Division staff, and affirmed by the Planning Commission and this Board, the Kensington Combining Ordinance simply does not apply to the Coventry Node. This is because the Coventry Node is not a “development” as defined under the Kensington Combining Ordinance. The KMAC recommendation of denial was solely based upon the absence of photographic evidence of the Coventry Node’s view impact. Evidence prepared by staff for the Planning Commission confirmed that the Coventry Node does not create any view impairment to adjacent residences, and the Planning Commission made their unanimous decision of approval accordingly. As set forth in detail in Section IV above, both the Coventry Node and the AT&T Kensington DAS fully comply with the County Ordinance Code, General Plan and 1998 Telecommunications Policy. This compliance has been

⁷ As confirmed by staff’s response to public comment (*See, e.g.*, Planning Commission Staff Report, September 10, 2013, County File #LP13-2009, p. SR-8), online AT&T customer marketing maps do not provide evidence contradicting the refined RF engineering maps attached to this letter. Online marketing maps contain the following clarifying disclaimer: “This coverage viewer provides a high-level approximation of wireless coverage. There are gaps in coverage that are not shown by this high-level approximation. Actual coverage may differ from map graphics and may be affected by terrain, weather, foliage, buildings and other construction, signal strength, high-usage periods, customer equipment, and other factors. AT&T does not guarantee coverage. Our coverage maps are not intended to show actual customer performance on the network, nor are they intended to show future network needs or build requirements inside or outside of existing AT&T coverage areas.”

affirmed and reaffirmed by Planning Division staff and the Planning Commission, and the Appeal presents no substantial evidence to the contrary.

2. The Appeal confuses federal law preemption for a “significant gap” served by the “least intrusive means” with County Ordinance Code requirements.

The Appeal argues that AT&T has failed to identify a “significant gap” in coverage as defined by federal courts under the Telecommunications Act of 1996. However, neither the County Ordinance Code nor the 1998 Telecommunications Policy creates any such requirement. Indeed, as set forth in Section V above, the issue arises only where the County has substantial evidence (which it does not) to deny the Coventry Node, and AT&T must exercise its preemptive rights under federal law. In any event, AT&T has demonstrated the necessity for the Coventry Node through the attached RF Gap Analysis described in Section III above. The information provided in the RF Gap Analysis far exceeds that which has been required by Federal Courts to identify a significant gap in service.⁸ Federal Courts have rejected the kind anecdotal call data referenced in the appeal to contradict such information.⁹ Finally, while the 1998 Telecommunications Policy may require the identification of at least two alternatives, AT&T’s Alternatives Analysis identified 11 alternatives in addition to the Coventry Node. This included a thorough analysis of locations in the Arlington commercial area (which are infeasible due to their historic nature, not their metal construction). The thorough RF Gap Analysis and Alternatives Analysis have been reviewed and accepted by Planning Division staff and relied upon by the Planning Commission and this Board on more than one occasion. The Appeal’s late request for independent consultant review is unwarranted, not supported by any evidence and would violate the California Permit Streamlining Act as well as timely review requirements under federal law.

3. The Appeal’s request for an environmental impact report is frivolous.

There is simply no question that AT&T’s proposed addition of telephone equipment at an existing telephone pole location qualifies as a “utility extension” under California Environmental Quality Act (“CEQA”) Guidelines §15303(d). Planning Division staff, the Planning Commission and this Board have affirmed the proper application of this categorical exemption on the already-approved Kensington DAS nodes and there is simply no credible argument to suggest that the Coventry Node would not qualify for the same exemption. Counter to the Appeal’s assertions, AT&T is a

⁸ For example, in *T-Mobile West Corp. v. City of Huntington Beach*, 2012 U.S. Dist. LEXIS 148170 (C.D. Cal. 2012), the court found that similar coverage maps used by T-Mobile were “highly reliable and scientifically based,” and that “[t]hose maps demonstrate that T-Mobile has a significant gap in reliable 3G/4G wireless coverage.” *Id.*, slip op. at 17, Finding 47, and 22, Finding 56

⁹ *See, e.g., T-Mobile Northeast LLC v. City of Lawrence*, 755 F. Supp. 2d 286, 292 (overturning denial based on lay opinion that existing coverage was adequate; “Unscientific, anecdotal evidence will not suffice to controvert the plaintiff’s evidence of a coverage gap.”); *Nextel Communs. of the Mid-Atlantic, Inc. v. Town of Sudbury*, 2003 U.S. Dist. LEXIS 2642 (D. Mass. 2003), slip op. at 35-38 (overturning denial based on town’s “semi-scientific” test of coverage based on use of a single phone on a single day as not based on substantial evidence).

“telephone corporation” under California law with specific rights to occupy the public rights-of-way under California Public Utilities Code §§234 and 7901.

Arguments that the Coventry Node could pose any environmental impacts are simply spurious. All of the Appeal’s unsubstantiated allegations regarding the health effects of radio frequency emissions (and indeed the consideration of any such effects under CEQA) are entirely preempted by federal law as set forth above in Section V.

The Appeal fails to provide any evidence that the Coventry Node will increase geologic, seismic or fire hazards by merely reciting seismic and fire conditions at the site. In fact, by replacing the existing 39 foot telephone pole with a more structurally-sound 47.5 foot pole, the Coventry Node improves the seismic stability of the pole. The carefully engineered wireless attachments to the pole will provide essential communications services in times of crisis, particularly in the critical hours following an earthquake.

As addressed in detail in Section IV above, the Coventry Node will not cause any significant aesthetic impacts that would be regulated under the General Plan and the 1998 Telecommunications Policy, let alone the significant aesthetic impacts that would trigger evaluation under CEQA. Existing foliage at the site contradicts the Appeal’s representations regarding required tree-trimming. Similarly, Condition of Approval 4 required by the Planning Division (as revised by Supervisor Gioia) requires discretionary permits for any collocation of facilities at the Coventry Node.

4. The Coventry Node meets all approval requirements, and property value allegations are spurious and preempted by federal law.

As detailed in Section IV above, as well as in the well-reasoned reports of the Planning Division staff and conclusions of the Planning Commission, all necessary findings can be made for approval of the Coventry Node, and the Appeal provides no credible evidence to the contrary. Similarly, as discussed in Section V above, federal law preempts the denial of any wireless facility based upon alleged depreciation of property values where such depreciation is merely a proxy for the alleged environmental effects of radio frequency emissions. The Appeal’s citation to the “EMF Safety Network” for evidence of property value depreciation confirms that this argument is preempted by federal law. In fact many studies have shown contrary conclusions to the assertions of the Appeal.

5. AT&T has not made any misrepresentations.

The claim that AT&T has made misrepresentations is simply false. AT&T has accurately stated that the Contra Costa County Fire Protection District and Contra Costa County Sheriff are customers for its wireless services. The Board of Supervisors specifically directed AT&T to investigate the Coventry Node as an alternative to the Ardmore Node, as detailed in the unofficial transcript of a portion of the Board of Supervisors meeting of February 25, 2014 attached as Exhibit G.

Contra Costa County Board of Supervisors
June 13, 2014

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Conclusion

The Appeal raises fires, earthquakes, and health effects as well as the need for an environmental impact report and independent consultant review in its desperate effort to convince this Board to overturn the Planning Commission's unanimous approval of the Coventry Node. AT&T has pursued the Coventry Node at the behest of this Board in an effort to identify a less intrusive alternative to the previously approved Ardmore Node. Neither AT&T, Planning Division staff nor the Planning Commission believe there are any view impacts from either the Coventry Node or Ardmore Node that would justify granting either appeal. In either case, AT&T is merely adding telephone equipment to a telephone pole to provide needed wireless services through a facility characterized by staff as "compact and innocuous." We encourage you to take the final step to allow completion of the AT&T Kensington DAS and to provide life-saving wireless technology to the Kensington community.

Very truly yours,



Paul B. Albritton

cc: Francisco Avila
Will Nelson
Thomas Geiger, Esq.

Schedule of Exhibits

- Exhibit A: Alternatives Analysis
- Exhibit B: Photosimulations and Antenna Centerline Graphic
- Exhibit C: Drawing of Coventry Node
- Exhibit D: AT&T Mobility Radio Frequency Statement of Significant Coverage Gap
- Exhibit E: H&E RF Report
- Exhibit F: H&E Acoustic Analysis
- Exhibit G: Unofficial Transcript of a Portion of the Board of Supervisors Meeting, February 25, 2014

Alternatives Analysis

PRIMARY CANDIDATE

OAKN-014B

In Front of 110 Ardmore Road

This DAS Node (Node 14B) is proposed to be constructed on a PG&E utility pole on Ardmore Road in Kensington. The coverage gap to be served by this node is described in the AT&T Mobility Radio Frequency Statement of Significant Coverage Gap dated January 20, 2014 (the "Coverage Gap"). The primary candidate, OAKN-014B, is designed as a pole top extension on PG&E pole #110306453, in the public right-of-way adjacent to 110 Ardmore Road, Kensington (at latitude/longitude 37°54'17.45"N, 122°16'51.04"W). This pole, which is directly adjacent to a large evergreen tree, is situated to the side of a residence. Given the nearby foliage and orientation of nearby residences, AT&T's facility will not result in a view corridor obstruction. AT&T proposed placement of radio equipment on the utility pole and remains willing to implement that design. As requested by the County, the equipment for this proposed facility was approved by the Planning Commission to be located in a ground-mounted equipment cabinet located four feet southeast from the existing pole within the public right-of-way along Ardmore Road.

Design Considerations

In response to comments of the Kensington Municipal Advisory Council and Planning Staff, pole-mounted radio equipment has been relocated to a ground-mounted cabinet. AT&T has not proposed lowering the antennas due to inadequate space on the utility pole for a side mount above 30 feet and due to an adjacent tree that would block radio signal coverage. Based upon resident submitted photographs that failed to show view blockage from the mock facility and evidence from AT&T showing signal blockage from lower antennas, the Planning Staff rescinded its recommendation to lower the antennas and the Planning Commission approved the facility at the originally proposed height.

Following approval by the Board of Supervisors of the Kensington DAS, except for this site, AT&T reevaluated the potential for lowering the antennas to 30 feet. A constant wave study conducted by AT&T RF engineers on January 9, 2014 confirms an approximate 50% loss in in-building coverage from the facility at the lowered antenna height. A photosimulation of the primary candidate with a 30 foot antenna height is attached. A drive test map showing coverage deficiencies from the lowered antennas is also attached.

Exhibit A



ALTERNATIVES

OAKN-014B-C1

In front of 97 Ardmore Road

Alternative 1, OAKN-014B-C1, is PG&E pole #110286165, in the public right-of-way in front of 97 Ardmore Road, Kensington (at latitude/longitude 37°54'19.01"N, 122°16'52.67"W). This pole is situated at the intersection of Ardmore Road and Beverly Ct., directly in front of a residence and across the street from another residence. This site is not feasible because climbing space is obstructed by existing facilities on the pole, including a streetlight and cross arms. Further, this site is not available because a facility there would create a view corridor obstruction. This pole also would need to be reframed to accommodate a pole top extension to house AT&T's facility, or replaced due to its condition.



OAKN-014B-C2

In front of 48 Ardmore Road

Alternative 2, OAKN-014B-C2, is PG&E pole #110286203, in the public right-of-way in front of 97 Ardmore Road, Kensington (at latitude/longitude 37°54'20.60"N, 122°16'50.45"W). This pole is directly in front of a residence and across the street from another residence. This site is not available because a facility there would create a view corridor obstruction. Further this pole would need to be reframed to accommodate a pole top extension to house AT&T's facility.



OAKN-014B-C3

In front of 46 Ardmore Road

Alternative 3, OAKN-014B-C3, is PG&E pole #110286167, in the public right-of-way in front of 46 Ardmore Road, Kensington (at latitude/longitude 37°54'20.60"N, 122°16'49.35"W). This pole is situated in front of a residence and across the street from another residence. An adjacent tree provides some screening to the bottom two-thirds of the pole. This site is not feasible because climbing space is obstructed by existing facilities on the pole, including a streetlight and cross arms. Further, this site is not available because a facility there would create a view corridor obstruction. This pole also would need to be reframed to accommodate a pole top extension to house AT&T's facility, or replaced due to its condition.



OAKN-014B-C4

In front of 156 Ardmore Road

Alternative 4, OAKN-014B-C4, is PG&E pole #110306302, in the public right-of-way in front of 156 Ardmore Road, Kensington (at latitude/longitude 37°54'14.04"N, 122°16'46.61"W). This pole, which is located where Ardmore Path crosses Ardmore Road, is situated in front of a residence and directly across the street from another residence. This site is not feasible because climbing space is obstructed by existing facilities on the pole, including a streetlight and cross arms. Further this pole would need to be reframed to accommodate a pole top extension to house AT&T's facility.



OAKN-014B-C5

In front of 100 Ardmore Road

Alternative 5, OAKN-014B-C5, is PG&E pole # 110286201, in the public right-of-way in front of 100 Ardmore Road, Kensington (at latitude/longitude 37°54'18.26"N, 122°16'51.95"W). This pole is situated in front of a residence with no adjacent trees, likely causing view obstruction. This site is not feasible because climbing space is obstructed by existing facilities on the pole, including a transformer and cross arms.



OAKN-014B-C6

In front of 130 Ardmore Road

Alternative 6, OAKN-014B-C6, is PG&E pole #110306452, in the public right-of-way in front of 130 Ardmore Road, Kensington (at latitude/longitude 37°54'16.45"N, 122°16'49.65"W). This pole is situated in front of two residences with no adjacent trees for screening. This highly visible pole already supports two cross-arms, a transformer and street light and is likely infeasible for mounting AT&T's DAS antenna. If the pole could be reframed to accommodate a pole-top extension, the elevated antennas would create substantial aesthetic impacts to multiple uphill homes to the east.



OAKN-014B-C7

In front of 137 Ardmore Road

Alternative 7, OAKN-014B-C7, is PG&E pole #110306451, in the public right-of-way in front of 137 Ardmore Road, Kensington (at latitude/longitude 37°54'15.79"N, 122°16'48.72"W). This pole is situated on the west (downhill) side of the street across the street from an adjacent home to the east with windows facing west. Lower elevation requires a significant pole-top extension to achieve RF coverage that would likely cause view obstruction to homes to the east.



OAKN-014B-C8

Behind 801 Coventry (On Ardmore Road)

Alternative 8, OAKN-014B-C8, is a PG&E pole in the public right-of-way behind 801 Coventry on Ardmore Road, Kensington (at latitude/longitude 37°54'9.13"N, 122°16'48.19"W). This site is located at the intersection of Coventry Road and Ardmore Road and visible from the street in four directions. The site is screened to the east by trees. Lower pole elevation requires a pole-top extension for adequate RF propagation, which may create view impacts to uphill residences further east above screening trees. A photosimulation of a feasible facility at this location is attached.



OAKN-014B-C9

In front of 845 Coventry

Alternative 9, OAKN-014B-C9, is a PG&E pole in the public right-of-way in front of 845 Coventry, Kensington (at latitude/longitude 37°54'13.40"N, 122°16'42.33"W). This site is located at the intersection of Arlington Road and Coventry Road and is visible from the street in four directions. This site is not feasible because climbing space is obstructed by existing facilities on the pole, including a streetlight and two sets of cross arms. Propagation maps prepared for this site reveal an unacceptable gap in the northwest portion of the identified Ardmore Road Coverage Gap.



OAKN-014B-C10

In front of 3 Ardmore

Alternative 10, 10-014B-C9, is PG&E pole #110286189, in the public right-of-way in front of 3 Ardmore Road, Kensington (at latitude/longitude 37°54'15.75"N, 122°16'42.76"W). This site is located across from an elevated parking area above 271 Arlington and is adjacent to 3 Ardmore Road. This site is not feasible because climbing space is obstructed by existing facilities on the pole, including a streetlight and four cross arms.



**OAKN-014B-C11
In front of 13 Ardmore**

Alternative 11, 10-014B-C9, is a PG&E pole in the public right-of-way in front of 13 Ardmore Road, Kensington (at latitude/longitude 37°54'16.69"N, 122°16'44.07"W). This pole is located immediately west of second-story windows facing west with no screening trees. Two levels of cross-arms would require reframing this pole to provide for a 7 foot poletop extension. The poletop extension would cause view obstruction to the adjacent residence to the east.



Decorative Streetlights Along Arlington Avenue Commercial Area

There are no available utility poles along the commercial area of Arlington Avenue between Ardmore Road and Coventry Road. Historic designed light standards are planned for this stretch of Arlington Avenue as well as in the median strip. These historic designed light standards with the illuminating element at the top of the pole are inadequate in height or structure to support an AT&T DAS node, and placement of AT&T antennas and radios on these historic designed light standards would be inappropriate.

Conclusion

AT&T evaluated 12 utility poles in the Ardmore Road area to identify the feasible pole that could provide service to the Coverage Gap with the least aesthetic impacts. The majority of the poles evaluated are infeasible due to a lack of climbing space, required under California Public Utilities Code General Order 95, due to existing facilities on each utility pole. Certain poles were eliminated where coverage maps or constant wave tests showed a lack of signal propagation and inadequate signal to the Coverage Gap. Certain other facilities were rejected due to their visual prominence, lack of screening trees, location at street corners and obvious view impact to adjacent residences. Based on its analysis, AT&T considers the primary candidate to be the least intrusive utility pole for providing in-building service to the Coverage Gap.

Map of Alternatives



Existing



Proposed



view from Coventry Road looking north at site

 **AT&T Wireless** 801 Coventry Road, Kensington, CA
Oakhills AT&T North Network Node 014D

Existing



Proposed



view from Ardmore Road looking southeast at site



801 Coventry Road, Kensington, CA
Oakhills AT&T North Network Node 0140

Existing



Proposed



view from Ardmore Road looking south at site

Existing



Proposed



view from Coventry Road looking southwest at site

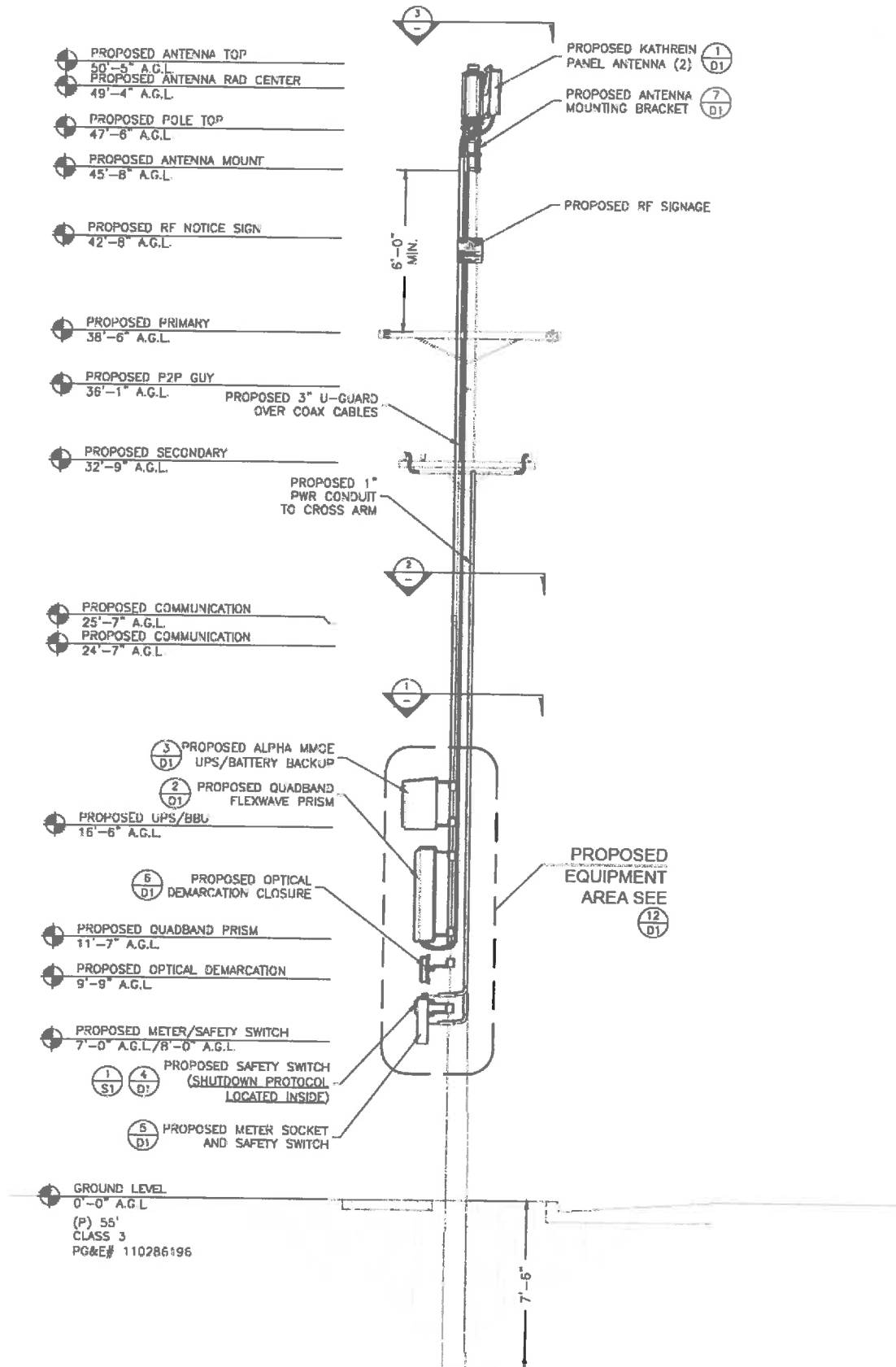


801 Coventry Road, Kensington, CA
Oakhills AT&T North Network Node 014D

Position of Antenna Centerline of 27 FT



Coventry Node Design (viewed from the North)



AT&T Mobility Radio Frequency Statement
of Significant Coverage Gap

Area of Ardmore Road
Kensington, Contra Costa County

I am the AT&T radio frequency engineer assigned to resolving coverage and capacity gaps in the AT&T wireless network in Contra Costa County. In order to provide in-building 3G and 4G wireless services to the Kensington area of Contra Costa County, AT&T proposed installation of six distributed antenna system (“DAS”) nodes along public rights-of-way. On December 17, 2013, the Contra Costa County Board of Supervisors approved five AT&T DAS nodes to serve the Kensington area. The sixth DAS node, proposed to be located on an existing utility pole in the public right-of-way of 110 Ardmore Road, has been continued by the Board of Supervisors to June 3, 2014 in order to explore an alternative site location on an existing utility pole in the Ardmore Road right-of-way behind 801 Coventry Road. This statement is submitted to evidence the extent and significance of the gap in in-building 3G and 4G wireless service coverage that exists in the Ardmore Road area and which will remain following installation of the five Kensington DAS nodes approved by the Board of Supervisors. Based on my personal knowledge of AT&T’s wireless network in Contra Costa County, as well as my review of recent drive test data, I have concluded that while the proposed DAS facility to be located in the public right-of-way of 110 Ardmore Road would best close a coverage gap in AT&T’s 3G and 4G in-building wireless service in the vicinity of Ardmore Road in Kensington, a DAS node in the Ardmore Road right-of-way behind 801 Coventry Road (the “Coventry Facility”) would adequately serve this coverage gap.

The AT&T DAS facilities approved by the Board of Supervisors on December 17, 2013, will provide in-building 3G and 4G service to a large portion of Kensington. Three of the DAS nodes approved by the Board of Supervisors will provide in-building 3G and 4G service to the west, north and east of the Coventry Facility and will be located less than one-third mile away from the Coventry Facility in each direction. Service to the south will be provided by a DAS facility in the City of Berkeley. The Coventry Facility will fill a gap in

in-building 3G and 4G coverage to the residences along roadways including the commercial area of Arlington Avenue, Ardmore Road, Amherst Avenue, Yale Avenue and Princeton Avenue as well as the western halves of Oberlin Avenue and Wellesley Avenue (the "Coverage Gap"). The Coverage Gap includes approximately 45 acres and over 500 residents.

The Coventry Facility will also provide needed in-vehicle 3G and 4G service throughout the residential roadways in the Ardmore Road area for residents, including emergency E911 call locator services used by Contra Costa County first responders. Several County agencies also use AT&T wireless services including Contra Costa Fire District, Contra Costa County Sheriff, the Contra Costa County Emergency Operations Center and Contra Costa County Health Services. In times of crisis such as inland wildfires and earthquakes, the ability of these first responders and critical County agencies to receive resident E911 calls and otherwise use AT&T wireless services when necessary, absent dropped calls and coverage gaps, is critical to the Ardmore Road area.

The Coverage Gap results from the absence of infrastructure in the area. AT&T's existing and approved facilities would provide insufficient coverage in the Ardmore area to provide service to customers in the Ardmore area, let alone address rapidly increasing data usage. Moreover, 4G LTE service coverage has not yet been deployed in this area. To remedy this service Coverage Gap, AT&T needs to install new wireless infrastructure.

AT&T uses industry standard propagation tools to identify the areas in its network where signal strength is too weak to provide reliable in-building service quality. This information is developed from many sources including terrain and clutter databases, which simulate the environment, propagation models that simulate signal propagation in the presence of terrain and clutter variation, drive tests measuring existing radio signals, and signal propagation from test antennas. AT&T designs and builds its network to ensure customers receive reliable in-building service quality.

Exhibit 1 to this Statement is a map of predicted service coverage from the adjacent planned and approved AT&T DAS nodes to be installed to serve the Kensington area. The map has been prepared using the AT&T proprietary prediction tools described above and includes refinements based upon actual drive test data. The green shaded areas depict areas within a signal strength range that provide acceptable in-building service coverage. In-building coverage means customers are able to place or receive a call on the ground floor of a building. The quality of service experienced by any individual can differ greatly depending on whether that customer is indoors, outdoors, stationary, or in transit.

Exhibit 2 provides a graphic representation of actual radio signal propagation from a test antenna placed at the Coventry Facility location on January 9, 2014. The test data collected on January 9, 2014 confirms that the Coventry Facility will provide adequate in-building and in-vehicle service to the identified Coverage Gap in the Ardmore area.

In addition to these 3G wireless service gap issues, AT&T is in the process of deploying its 4G LTE service in Contra Costa County with the goal of providing the most advanced personal wireless experience available to residents. The AT&T Kensington DAS already approved by the Board of Supervisors are an integral part of this process. 4G LTE is capable of delivering speeds up to 10 times faster than industry-average 3G speeds. What's more, LTE uses spectrum more efficiently than other technologies, creating more space to carry data traffic and services and to deliver a better overall network experience. This is particularly important in Kensington because of the likely high penetration of the new 4G LTE tablets, smart phones, and other LTE devices. As clearly depicted in Exhibit 2, the Coventry Facility will provide new LTE service to 45 acres and over 500 residents of the Ardmore Road area including nearly two miles of roadway and footpath.

This is also important in part because as existing customers migrate to 4G LTE, the LTE technology will provide the added benefit of reducing 3G data traffic, which can cause capacity issues on the UMTS (3G) network during peak usage periods, especially in light of forecasted increase in usage. AT&T customers are using these services in a manner that

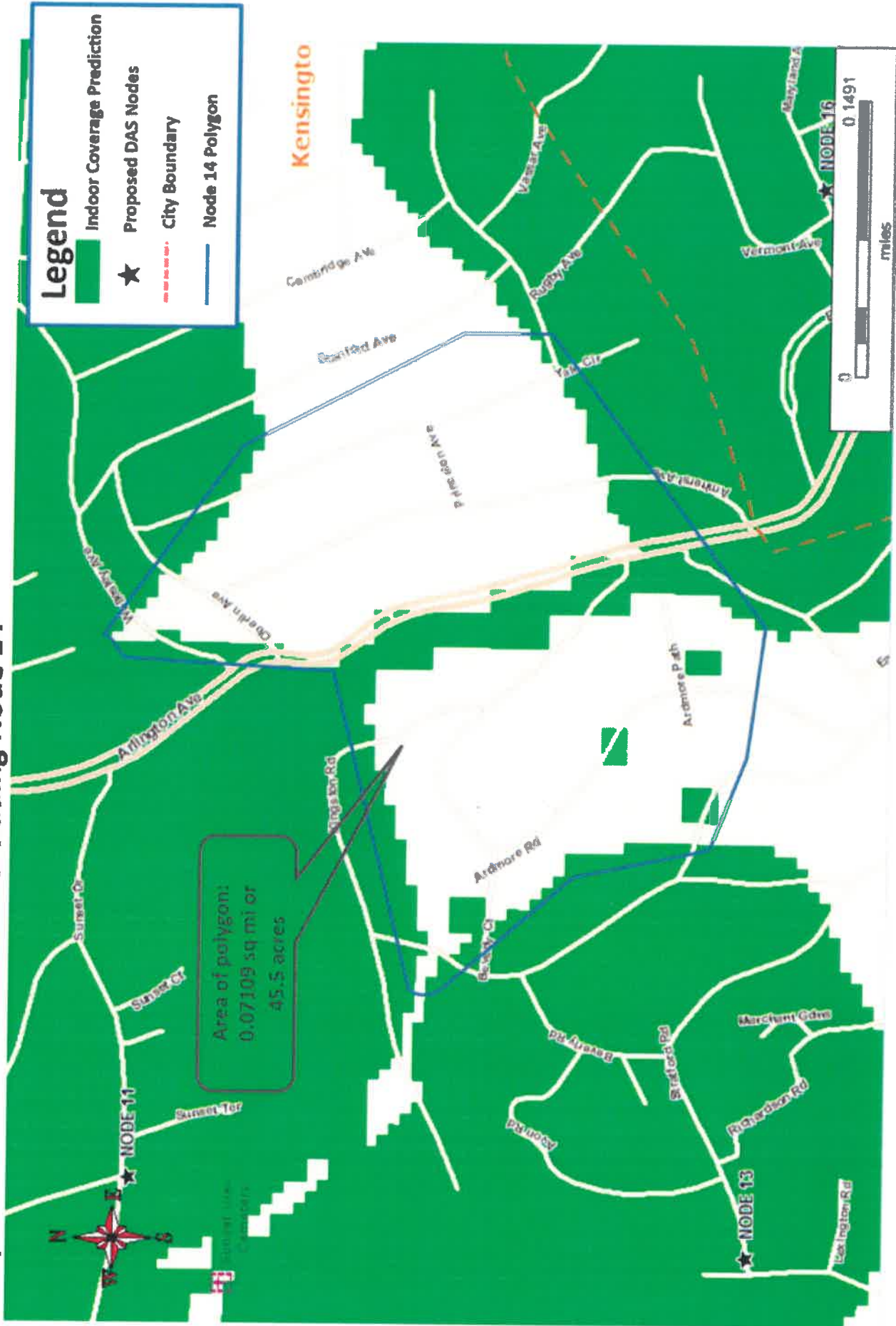
caused a 20,000% increase in mobile data usage on AT&T's network between 2007 and 2011. AT&T expects total mobile data volume to grow 8-10 times over the next five years.

Either a facility at 110 Ardmore Road or the Coventry Facility will be essential to close the predicted 45-acre Coverage Gap around Ardmore Road with in-building 3G and 4G service and to provide seamless wireless service throughout the AT&T Kensington DAS network.

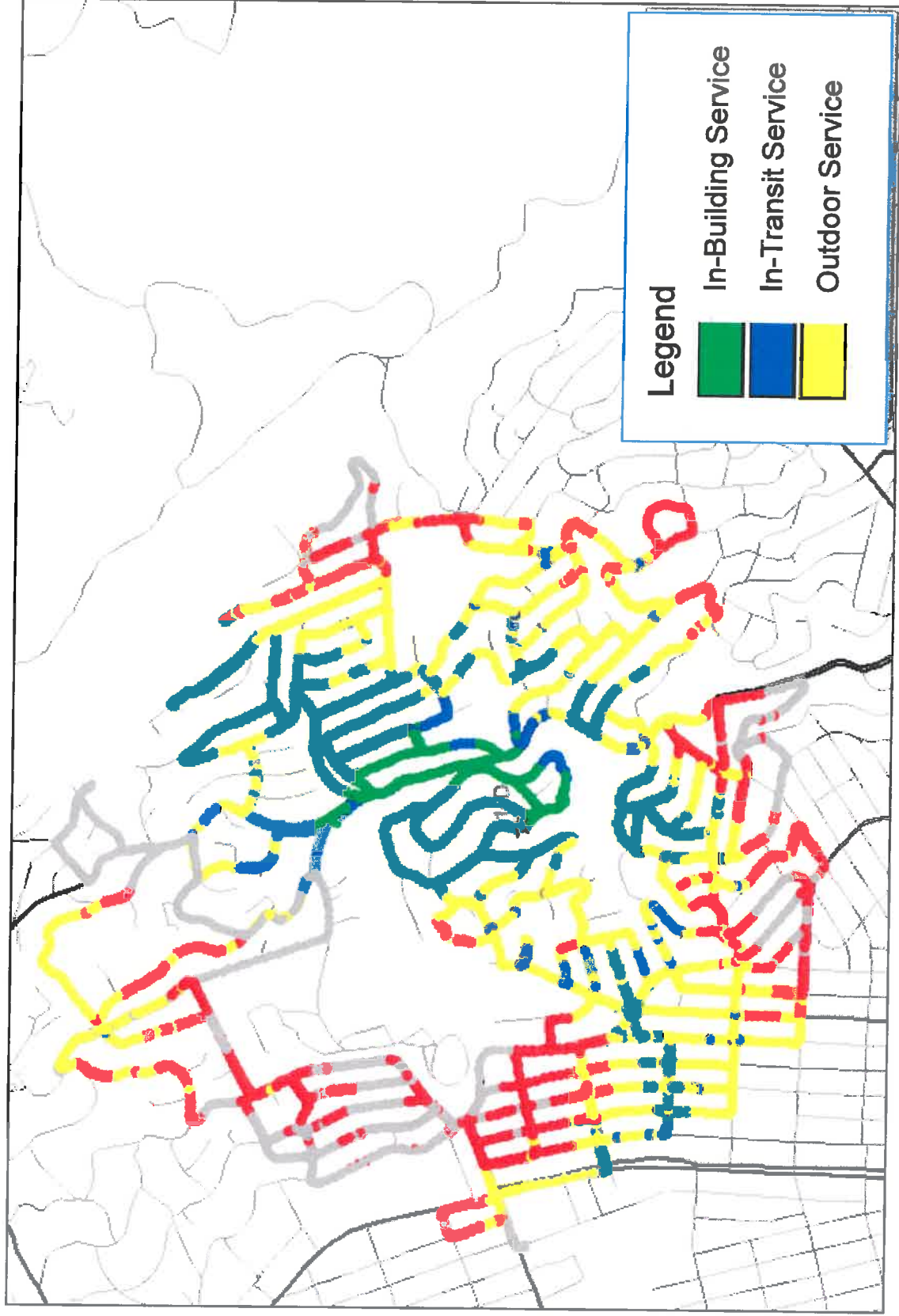

Dimitri Gogas

March 10, 2014

Proposed RSCP of DAS Nodes excluding Node 14



NODE 14D – SIMULATED 850 RXLEV



**New Cingular Wireless, LLC • Proposed Distributed Antenna System Node
Node No. OAKN-014D • 801 Coventry Road • Kensington, California**

Exhibit E

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of New Cingular Wireless, LLC, a wireless telecommunications service provider, to evaluate a distributed antenna system (DAS) node (No. OAKN-014D) proposed to be located at 801 Coventry Road in Kensington, California, for compliance with appropriate guidelines limiting human exposure to radio frequency (“RF”) electromagnetic fields.

Executive Summary

New Cingular Wireless proposes to install two directional panel antennas on a utility pole located in the public right-of-way in front to the residence at 801 Coventry Road in Kensington. The proposed operation will comply with the FCC guidelines limiting public exposure to RF energy.

Prevailing Exposure Standards

The U.S. Congress requires that the Federal Communications Commission (“FCC”) evaluate its actions for possible significant impact on the environment. A summary of the FCC’s exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. The most restrictive FCC limit for exposures of unlimited duration to radio frequency energy for several personal wireless services are as follows:

<u>Wireless Service</u>	<u>Frequency Band</u>	<u>Occupational Limit</u>	<u>Public Limit</u>
Microwave (Point-to-Point)	5,000–80,000 MHz	5.00 mW/cm ²	1.00 mW/cm ²
BRS (Broadband Radio)	2,600	5.00	1.00
WCS (Wireless Communication)	2,300	5.00	1.00
AWS (Advanced Wireless)	2,100	5.00	1.00
PCS (Personal Communication)	1,950	5.00	1.00
Cellular	870	2.90	0.58
SMR (Specialized Mobile Radio)	855	2.85	0.57
700 MHz	700	2.35	0.47
[most restrictive frequency range]	30–300	1.00	0.20

Power line frequencies (60 Hz) are well below the applicable range of these standards, and there is considered to be no compounding effect from simultaneous exposure to power line and radio frequency fields.

**New Cingular Wireless, LLC • Proposed Distributed Antenna System Node
Node No. OAKN-014D • 801 Coventry Road • Kensington, California**

General Facility Requirements

Base stations typically consist of two distinct parts: the electronic transceivers (also called “radios” or “channels”) that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level and are connected to the antennas by coaxial cables. A small antenna for reception of GPS signals is also required, mounted with a clear view of the sky. Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. This means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

Computer Modeling Method

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No. 65, “Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation,” dated August 1997. Figure 2 attached describes the calculation methodologies, reflecting the facts that a directional antenna’s radiation pattern is not fully formed at locations very close by (the “near-field” effect) and that at greater distances the power level from an energy source decreases with the square of the distance from it (the “inverse square law”). The conservative nature of this method for evaluating exposure conditions has been verified by numerous field tests.

Site and Facility Description

Based upon information provided by New Cingular Wireless, including zoning drawings by Aero Communications, Inc., dated March 4, 2014, that carrier proposes to install two Kathrein Model 840-10525 directional panel antennas a new pole to replace the existing utility pole sited in the public right-of-way next to driveway of the residence located at 801 Coventry Road in Kensington. The antennas would be mounted with no downtilt at an effective height of about 49 feet above ground and would be oriented toward 0°T and 75°T. The maximum effective radiated power in any direction would be 219 watts, representing simultaneous operation by New Cingular Wireless at 104 watts for PCS, 61 watts for cellular, and 54 watts for 700 MHz service. There are reported no other wireless telecommunications base stations at the site or nearby.

**New Cingular Wireless, LLC • Proposed Distributed Antenna System Node
Node No. OAKN-014D • 801 Coventry Road • Kensington, California**

Study Results

For a person anywhere at ground, the maximum RF exposure level due to the proposed operation is calculated to be 0.0012 mW/cm², which is 0.23% of the applicable public exposure limit. The maximum calculated level at the top-floor elevation of any nearby building* is 0.80% of the public limit. It should be noted that these results include several “worst-case” assumptions and therefore are expected to overstate actual power density levels from the proposed operation.

Recommended Mitigation Measures

Due to their mounting locations, the New Cingular Wireless antennas would not be accessible to the general public, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines. To prevent occupational exposures in excess of the FCC guidelines, it is recommended that access near the antennas be limited to authorized personnel who have been adequately trained in RF safety and awareness. No access within 3 feet directly in front of the antennas themselves, such as might occur during maintenance work on the pole, should be allowed while the node is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. Posting explanatory signs† at the antennas and/or on the pole below the antennas, such that the signs would be readily visible from any angle of approach to persons who might need to work within that distance, would be sufficient to meet FCC-adopted guidelines.

Conclusion

Based on the information and analysis above, it is the undersigned’s professional opinion that the operation of the New Cingular Wireless distributed antenna system node proposed to be located at 801 Coventry Road in Kensington, California, will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations. Posting explanatory signs on the utility pole is recommended to establish compliance with occupational exposure limitations.

* Including the three-story residence at 801 Coventry, located at least 25 feet from the pole, based on the drawings.

† Signs should comply with OET-65 color, symbol, and content recommendations. Signage may also need to comply with the requirements of California Public Utilities Commission General Order No. 95.

**New Cingular Wireless, LLC • Proposed Distributed Antenna System Node
Node No. OAKN-014D • 801 Coventry Road • Kensington, California**

Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration No. E-20309, which expires on March 31, 2015. This work has been carried out under her direction, and all statements are true and correct of her own knowledge except, where noted, when data has been supplied by others, which data she believes to be correct.



Andrea L. Bright
Andrea L. Bright, P.E.

707/996-5200

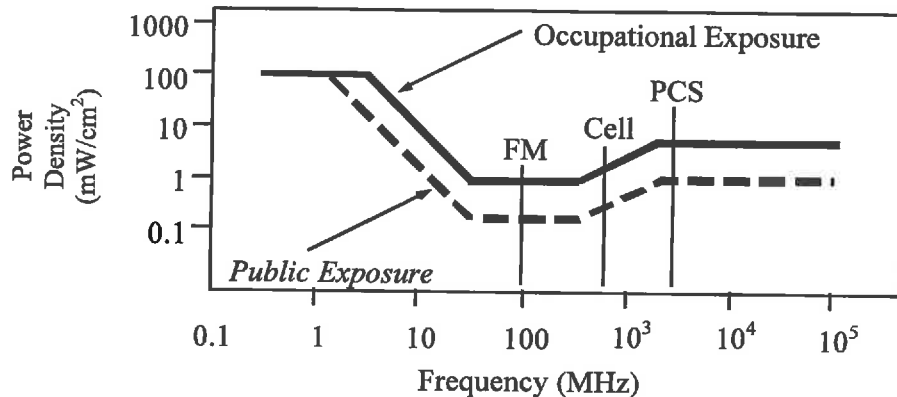
March 13, 2014

FCC Radio Frequency Protection Guide

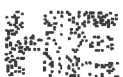
The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission (“FCC”) to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 86, “Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields,” published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements (“NCRP”). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent standard, developed by the Institute of Electrical and Electronics Engineers and approved as American National Standard ANSI/IEEE C95.1-2006, “Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz,” includes similar limits. These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive:

Frequency Applicable Range (MHz)	Electromagnetic Fields (f is frequency of emission in MHz)					
	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm ²)	
0.3 – 1.34	614	<i>614</i>	1.63	<i>1.63</i>	100	<i>100</i>
1.34 – 3.0	614	<i>823.8/f</i>	1.63	<i>2.19/f</i>	100	<i>180/f²</i>
3.0 – 30	1842/f	<i>823.8/f</i>	4.89/f	<i>2.19/f</i>	900/f ²	<i>180/f²</i>
30 – 300	61.4	<i>27.5</i>	0.163	<i>0.0729</i>	1.0	<i>0.2</i>
300 – 1,500	3.54√f	<i>1.59√f</i>	√f/106	<i>√f/238</i>	f/300	<i>f/1500</i>
1,500 – 100,000	137	<i>61.4</i>	0.364	<i>0.163</i>	5.0	<i>1.0</i>



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits. However, neither of these allowances is incorporated in the conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) for projecting field levels. Hammett & Edison has built those formulas into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radio sources. The program allows for the description of buildings and uneven terrain, if required to obtain more accurate projections.



RFR.CALC™ Calculation Methodology

Assessment by Calculation of Compliance with FCC Exposure Guidelines

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission (“FCC”) to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The maximum permissible exposure limits adopted by the FCC (see Figure 1) apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits.

Near Field.

Prediction methods have been developed for the near field zone of panel (directional) and whip (omnidirectional) antennas, typical at wireless telecommunications base stations, as well as dish (aperture) antennas, typically used for microwave links. The antenna patterns are not fully formed in the near field at these antennas, and the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives suitable formulas for calculating power density within such zones.

For a panel or whip antenna, power density $S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$, in mW/cm²,

and for an aperture antenna, maximum power density $S_{max} = \frac{0.1 \times 16 \times \eta \times P_{net}}{\pi \times h^2}$, in mW/cm²,

where θ_{BW} = half-power beamwidth of the antenna, in degrees, and

P_{net} = net power input to the antenna, in watts,

D = distance from antenna, in meters,

h = aperture height of the antenna, in meters, and

η = aperture efficiency (unitless, typically 0.5-0.8).

The factor of 0.1 in the numerators converts to the desired units of power density.

Far Field.

OET-65 gives this formula for calculating power density in the far field of an individual RF source:

power density $S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}$, in mW/cm²,

where ERP = total ERP (all polarizations), in kilowatts,

RFF = relative field factor at the direction to the actual point of calculation, and

D = distance from the center of radiation to the point of calculation, in meters.

The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1.6 (1.6 x 1.6 = 2.56). The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radiation sources. The program also allows for the description of uneven terrain in the vicinity, to obtain more accurate projections.



**New Cingular Wireless, LLC • Proposed Distributed Antenna System Node
Node No. OAKN-014D • 801 Coventry Road • Kensington, California**

Exhibit F

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of New Cingular Wireless, LLC, a wireless telecommunications service provider, to evaluate a distributed antenna system (DAS) node (No. OAKN-014D) proposed to be located at 801 Coventry Road in Kensington, California, for compliance with appropriate guidelines limiting sound levels from the installation.

Executive Summary

New Cingular Wireless proposes to install equipment cabinets on a utility pole located in the public right-of-way in front to the residence at 801 Coventry Road in Kensington. Noise levels at the nearest property line from the equipment will be below the allowed limits.

Prevailing Standard

Contra Costa County sets forth limits on sound levels in its 2005–2020 General Plan. Under Chapter 11, “Noise Element,” Figure 11-6 specifies the following maximum noise levels by district:

<u>Land Use</u>	<u>Normally Acceptable Noise Limit</u>
Residential – Low Density	60 dBA
Residential – Multi-Family	65
Schools/Hospitals/Parks	70
Office and Commercial Uses	70
Industrial/Utilities/Agriculture	75

It is the composite measure L_{dn} that is referenced for this evaluation; that measure incorporates a 10 dBA penalty during nighttime hours (10 p.m. to 7 a.m.), to reflect typical residential conditions, where noise is more readily heard at night. By definition, L_{dn} will be 6.4 dBA higher than the continuous equivalent level L_{eq} .

Figure 1 attached describes the calculation methodology used to determine applicable noise levels for evaluation against the prevailing standard.

General Facility Requirements

Wireless telecommunications facilities (“cell sites”) typically consist of two distinct parts: the electronic base transceiver stations (“BTS” or “cabinets”) that are connected to traditional wired telephone lines, and the antennas that send wireless signals created by the BTS out to be received by individual subscriber units. The BTS are often located outdoors at ground level and are connected to the antennas by coaxial cables. The BTS typically require environmental units to cool the electronics



**New Cingular Wireless, LLC • Proposed Distributed Antenna System Node
Node No. OAKN-014D • 801 Coventry Road • Kensington, California**

inside. Such cooling is often integrated into the BTS, although external air conditioning may be installed, especially when the BTS are housed within a larger enclosure.

Site & Facility Description

According to information provided by New Cingular Wireless, it is proposed to install equipment cabinets on the side of a new pole to replace the existing utility pole sited in the public right-of-way next to driveway of the residence located at 801 Coventry Road in the unincorporated Kensington area of Contra Costa County. A FlexWave Prism Model FP4-10000E2111RU transmitter will be mounted in a cabinet at a height of at least 11½ feet above ground, and a second cabinet will be mounted higher on the pole, to house an Alpha Technologies, Ltd. Model FXM-2000 power supply.

Study Results

The DAS antennas proposed for the top of the pole are passive devices and do not emit acoustic noise. Tyco Electronics Corporation, in its report dated May 20, 2013, describes measurements conducted in an anechoic chamber* that establish a maximum noise level from the transmitter cabinet of 48 dBA, at a reference distance of 5 feet; this applies for ambient temperatures as high as 114°F.† Similarly, Alpha's specification sheet dated October 2011 reports maximum noise from its cabinet of 45 dBA, at a reference distance of 1 meter.

Considering the simultaneous operation of both cabinets, the combined noise level is above the County's most restrictive limit of 60 dBA L_{dn} only within 3 feet of the cabinets, that is, over 8½ feet above ground.

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that the New Cingular Wireless, LLC, distributed antenna system node proposed to be located at 801 Coventry Road in the unincorporated Kensington area of Contra Costa County, California, will comply with the pertinent standards limiting acoustic noise emission levels.

* A special enclosure designed to minimize sound reflections in order to provide a controlled environment for precise measurements of equipment noise.

† The highest recorded temperature in Kensington was 100°F, according to myforecast.com.



**New Cingular Wireless, LLC • Proposed Distributed Antenna System Node
Node No. OAKN-014D • 801 Coventry Road • Kensington, California**

Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2015. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.



William F. Hammett

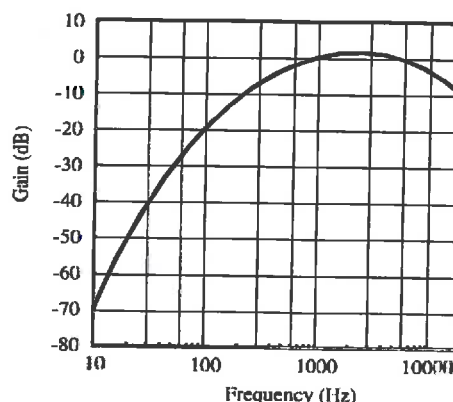
William F. Hammett, P.E.

707/996-5200

March 13, 2014

Noise Level Calculation Methodology

Most municipalities and other agencies specify noise limits in units of dBA, which is intended to mimic the reduced receptivity of the human ear to Sound Pressure (“L_P”) at particularly low or high frequencies. This frequency-sensitive filter shape, shown in the graph to the right as defined in the International Electrotechnical Commission Standard No. 179, the American National Standards Institute Standard No. 5.1, and various other standards, is also incorporated into most calibrated field test equipment for measuring noise levels.



30 dBA	library
40 dBA	rural background
50 dBA	office space
60 dBA	conversation
70 dBA	car radio
80 dBA	traffic corner
90 dBA	lawnmower

The dBA units of measure are referenced to a pressure of 20 μPa (micropascals), which is the threshold of normal hearing. Although noise levels vary greatly by location and noise source, representative levels are shown in the box to the left.

Manufacturers of many types of equipment, such as air conditioners, generators, and telecommunications devices, often test their products in various configurations to determine the acoustical emissions at certain distances. This data, normally expressed in dBA at a known reference distance, can be used to determine the corresponding sound pressure level at any particular distance, such as at a nearby building or property line. The sound pressure drops as the square of the increase in distance, according to the formula:

$$L_P = L_K + 20 \log(D_K/D_P),$$

where L_P is the sound pressure level at distance D_P and L_K is the known sound pressure level at distance D_K.

Individual sound pressure levels at a particular point from several different noise sources cannot be combined directly in units of dBA. Rather, the units need to be converted to scalar sound intensity units in order to be added together, then converted back to decibel units, according to the formula:

where L_T is the total sound pressure level and L₁, L₂, etc are individual sound pressure levels.

$$L_T = 10 \log (10^{L_1/10} + 10^{L_2/10} + \dots),$$

Certain equipment installations may include the placement of barriers and/or absorptive materials to reduce transmission of noise beyond the site. Noise Reduction Coefficients (“NRC”) are published for many different materials, expressed as unitless power factors, with 0 being perfect reflection and 1 being perfect absorption. Unpainted concrete block, for instance, can have an NRC as high as 0.35. However, a barrier’s effectiveness depends on its specific configuration, as well as the materials used and their surface treatment.

*Transcript of Portion of Contra Costa County Board of Supervisors Meeting
February 25, 2014*

Supervisor John Gioia: "There has been a site identified near the 110 Ardmore site located at 801 Coventry Road and it appears to have less impact. So the direction I would like to provide—I also informed AT&T of this issue—is that we would continue the existing application for four months, although the period of time will actually take longer to process. I'm not certain, we'll have to understand this, so maybe get clarification on how many months we are continuing the 110 Ardmore site, while AT&T pursues an application for the site at 801 Coventry. So let me, before I make the motion, let me be clear about the time here so everyone's clear about the continuance and the time to process the other site."

...

Supervisor John Gioia: "I will make a motion to continue the 110 Ardmore application to June 3...10 a.m., which could get rescheduled as the appeal—if there is an appeal—on the 801 Coventry site in the future, but we'll hold that. So my motion is to continue the 110 Ardmore to 10 a.m. on June 3 with agreement that the shot clock is extended by AT&T 'til that time and additional direction that ATT is pursuing an application at 801 Coventry that will go through a full yet streamlined process that would have a one-meeting consideration at the Kensington Municipal Advisory Council, and then to the Planning Commission, as opposed to the Zoning Administrator, just to be clear."

(Moved by Gioia, seconded by Piepho, Motion carried 4-0)

①

2014/04/30 14:54



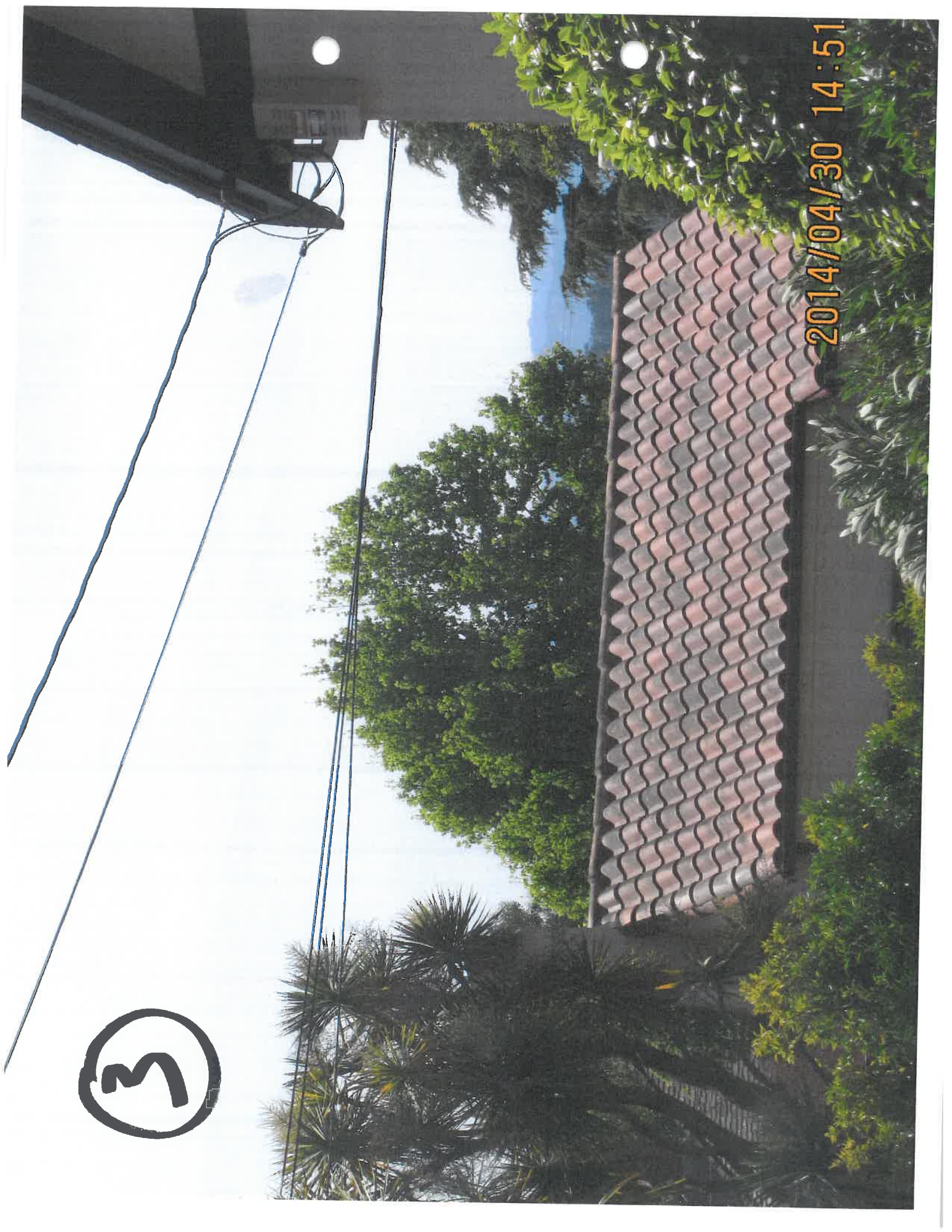
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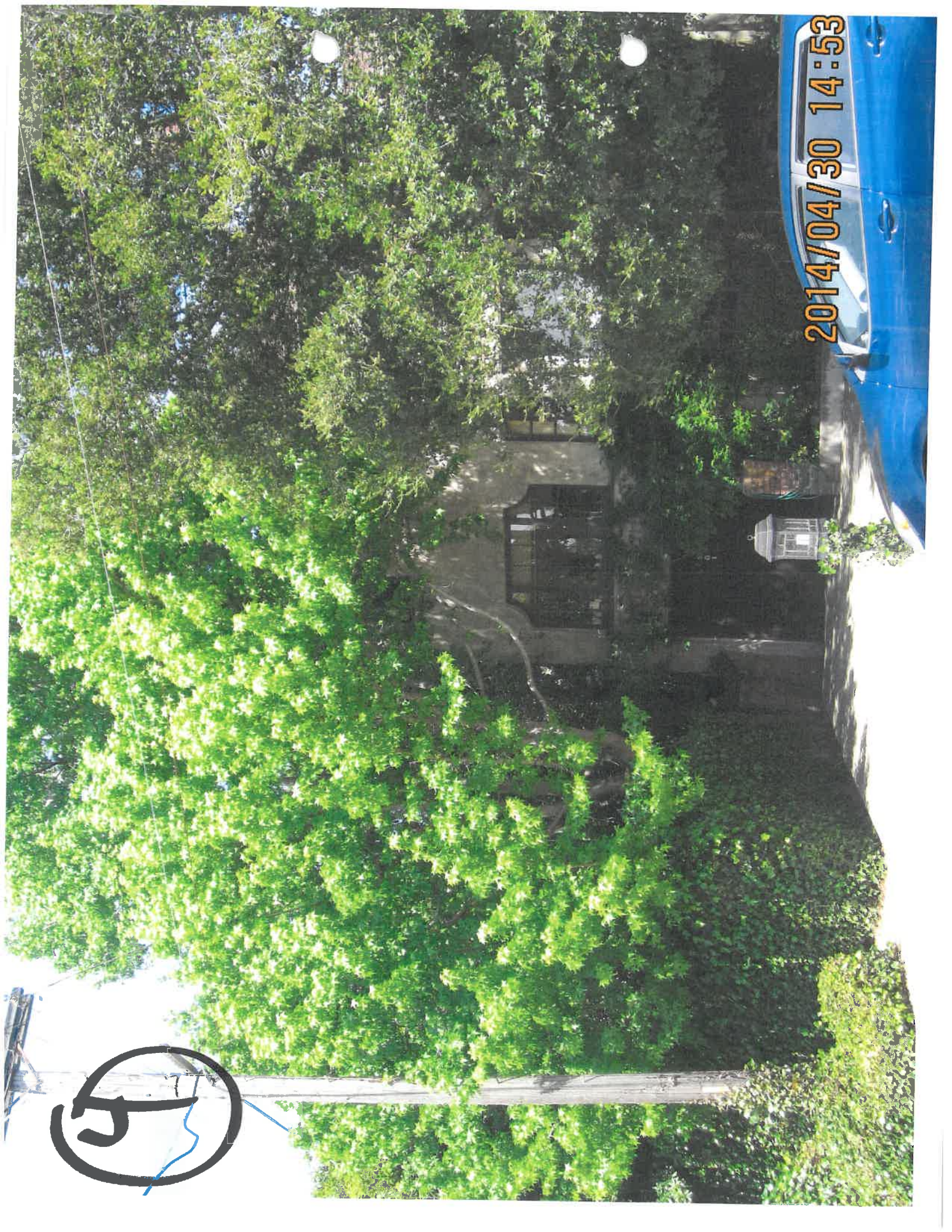
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3





2014/04/30 14:53

F



Contra
Costa
County

To: Board of Supervisors
From: Catherine Kutsuris, Conservation and Development Director
Date: July 8, 2014

Subject: Continued Public Hearing Item - Appeal of the County Planning Commission Approval of LP 13-2020 (110 Ardmore Road, Kensington)

RECOMMENDATION(S):

OPTION A.

If the Board of Supervisors finds merit in County File #LP13-2020, staff recommends the following actions:

- A. ACCEPT public testimony, and CLOSE the hearing.
- B. FIND that the proposed project is categorically exempt from the California Environmental Quality Act - Class 3 (CEQA Guidelines § 15303(d)).
- C. DENY the appeals of Kevin and Michelle Ferguson, and Laura Owen, Kellin Cooper, Krista Bessinger, Jon Sarlin, and David Kwett.
- D. SUSTAIN the decision of the County Planning Commission.
- E. ADOPT the findings contained in County Planning Commission Resolution Number 15-2013.
- F. DIRECT staff to file a California Environmental Quality Act Notice of Exemption with the County Clerk and pay the statutory filing fee.

OPTION B.

If the Board of Supervisors finds County File #LP14-2014 (801 Coventry Road) to be the preferable AT&T alternative, staff recommends that the Board ACCEPT AT&T's withdrawal of County File #LP13-2020.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Francisco Avila,
925-674-7801

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

>

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 material costs associated with the processing of this application.

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 in Kensington. At the December 17, 2013, Board of Supervisor's hearing, one appellant (Ferguson) provided testimony on six AT&T applications in the Kensington area that had been appealed, including this 110 Ardmore Road application. The applicant and general public also testified. Upon conclusion of the public testimony and deliberation by the Board, five of the applications were approved and the hearing on this application (LP13-2020) was continued as an open public hearing to January 14, 2014, and subsequently to the February 4, 2014, February 25, 2014, and June 3, 2014, meetings. The continuance was in order for the applicant to prepare an alternative site analysis for the project. The Board indicated that visual intrusiveness was a concern at the 110 Ardmore Road site (plans and site photos attached) and gave the applicant specific direction to explore alternative locations.

AT&T evaluated 12 alternative poles in the immediate area. All but one alternative, located near 801 Coventry Road, were rejected due to potential view impacts, insufficient climbing space on the pole itself or lack of signal propagation. Locating a facility along Arlington Avenue was dismissed altogether due to the fact that the planned decorative light standards "are inadequate in height or structure to support an AT&T DAS node." Therefore, the Board directed the applicant to pursue County approval of the 801 Coventry Road alternative. In response, AT&T submitted County File #LP14-2014 on March 17, 2014. That application proposes to replace the existing 30 foot tall utility pole at the site with a new 47-foot 5-inch pole and attach two new antennas atop the pole for a maximum height of 50 feet 5 inches. That application was unanimously approved by the County Planning Commission on May 13, 2014. An appeal of that decision was received on May 23, 2014. The Board of Supervisors continued County File #LP13-2020 to July 8, 2014, in order to allow staff an opportunity to review and respond to the 801 Coventry Road appeal. Staff has completed their review of the appeal and scheduled County File #LP14-2014 for the July 8, 2014, Board of Supervisor's meeting. In the event the Board of Supervisors elects to approve the 801 Coventry site, AT&T has indicated that a withdrawal of this application (County File #LP13-2020) would be submitted immediately, negating any further action by the Board.

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 at 110 Ardmore Road.

CHILDREN'S IMPACT STATEMENT:

None.

ATTACHMENTS

County Planning Commission Resolution

Approved Plans

Photosimulations

Photos From 110 Ardmore Road

RESOLUTION NO. 15-2013

RESOLUTION OF THE COUNTY PLANNING COMMISSION OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, INCORPORATING FINDINGS AND CONDITIONS OF APPROVAL FOR THE NEW CINGULAR WIRELESS (AT&T) PROJECT, LOCATED IN THE KENSINGTON AREA OF SAID COUNTY. COUNTY FILE NUMBER LP13-2020 (110 ARDMORE ROAD).

WHEREAS, AT&T (Applicant), Contra Costa County/Northern California Joint Pole Association (Owners) proposes a wireless telecommunications facility which consists of extending the existing pole from 44 feet 2 inches to 54 feet 1 inch tall (antennas included), attaching a safety switch 8-feet above-ground-level and placing the associated electrical equipment within a utility box at the base of the pole, for which an application was received on January 24, 2013; and

WHEREAS, for purposes of compliance with the provisions of the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, the project is Categorically Exempt, per CEQA Section 15303 (d), which exempts “water main, sewage, electrical, gas and other utility extensions, including street improvements, of reasonable length to serve such construction.”; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled before the County Planning Commission on Tuesday, September 10, 2013, where all persons interested therein might appear and be heard; and

WHEREAS, due to the large quantity of public speakers, the County Planning Commission unanimously voted to continue the public hearing to Tuesday, September 24, 2013, so that all persons interested may have an opportunity to appear and be heard; and

WHEREAS, the County Planning Commission held a public hearing on Tuesday, September 24, 2013, where all persons expressing interest in the project were given an opportunity to testify; and

WHEREAS, after having fully reviewed, considered and evaluated all the, public correspondence, testimony and evidence submitted in this matter;

NOW, THEREFORE, BE IT RESOLVED, that the County Planning Commission:

1. FINDS that the proposed development of a wireless telecommunications facility which consists of extending the existing pole from 44 feet 2 inches to 54 feet 1 inch tall (antennas included), attaching a safety switch 8-feet above-ground-level and placing the associated electrical equipment within a utility box at the base of the pole, is consistent with the Contra Costa County General Plan Policies for the Kensington area and Contra Costa County 1998 Telecommunications Policy; and

COUNTY PLANNING COMMISSION
RESOLUTION NO. 15-2013
PAGE 2 of 6

2. APPROVES the requested Land Use Permit application, County File #LP13-2020, submitted by New Cingular Wireless (AT&T), received by the Community Development Division on January 24, 2013.

BE IT FURTHER RESOLVED that the County Planning Commission FINDS as follows:

A. Growth Management Performance Standards

1. Traffic: The project will not significantly increase existing traffic levels in the area. However, there will be a temporary increase in traffic as a result of the construction phase of the project which is anticipated to take 5-7 days. The applicant will be required to obtain an encroachment permit from the Public Works Department, as this project is located within the public right-of-way. One additional truck and employee may be temporarily located at the work site to assist in traffic management. The facility will require routine maintenance which will be 1 to 2 visits a month. Street parking is available in the immediate area to accommodate maintenance vehicles. According to County records, no other wireless providers are currently proposed at this site.
2. Water: The proposed equipment will be located on an existing utility pole; therefore, staff is not recommending vegetative screening for this project. Consequently, the project will not increase the demand for water supplies in the area or for the subject site. Additionally, the East Bay Municipal Utilities District has reviewed the project and has indicated that they did not have any concerns with the proposal as submitted.
3. Sanitary Sewer: The project will not increase the demand for sanitary sewer service in the area as the project is to be un-manned. Therefore, the project does not involve any toilets or sanitary sewer facilities. The Stege Sanitary District has reviewed the project submittal and has returned an Agency Comment Request indicating that they did not have any comments on this application.
4. Fire Protection: The project will not significantly increase the demand for fire protection at the site. There are no fuel cells or back-up generators proposed for this site.
5. Public Protection: The project will not increase the demand for police service facilities; on the contrary, the project will improve wireless telecommunication services in the area which is considered to be a benefit during emergency situations.
6. Parks & Recreation: The project will not increase the demand for parks or recreation facilities, as the project will not increase the housing stock in the County.
7. Flood Control & Drainage: The subject site is not located within a Federal Emergency Management Agency-designated special flood hazard zone. Therefore, the project will not create a hazard associated with any existing physical conditions at the site.

B. Land Use Permit Findings

1. *That the proposed project shall not be detrimental to the health, safety and general welfare of the County.*

Finding: The Federal Communications Commission (FCC) has adopted standards for public exposure, as well as, occupational exposure to electro-magnetic fields (EMF). Compliance with these standards is considered to be evidence that the project does not present health and safety risks. Therefore, the applicant has submitted an EMF report, dated August 20, 2013, indicating that the EMF strength for this project falls within the FCC limit for public exposure.

2. *That the proposed project shall not adversely affect the orderly development within the County or the community.*

Finding: The proposed equipment is so compact and innocuous that granting AT&T a 10 year conditional use permit for the installation and operation of the proposed project cannot reasonably be expected to influence the orderly development of property within the County. Additionally, as discussed in the staff report, the project as conditioned is consistent with applicable policies of the County's 2005-2020 General Plan for the Kensington area, as well as, the 1998 Telecommunications Policy.

3. *That the proposed project shall not adversely affect the preservation of property values and the protection of the tax base within the County.*

Finding: The project site is located within the Ardmore Road right-of-way. As proposed, the project would require a 9 foot 11 inch extension to accommodate the 2 antennas and associated electrical equipment. According to the story poles install for the project and photographs of the subject pole as seen from adjacent properties, the project will not block any views and only represent a minor change to the physical conditions of the site and area. Furthermore, no tree removal is required to attach the proposed electrical equipment to the pole or to establish the required electrical power for the facility.

Due to the relatively small scope of the project, staff does not anticipate that the operation of one cell site at the subject location will limit the potential range of uses at the site or on adjacent properties. No evidence has been provided to staff that confirms cell sites lower property value. Therefore, the project will not adversely affect the preservation of property values and the protection of the tax base within the County.

**COUNTY PLANNING COMMISSION
RESOLUTION NO. 15-2013
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4. *That the proposed project as conditioned shall not adversely affect the policy and goals as set by the General Plan.*

Finding: The General Plan designation for the site is Single-Family Residential-High Density (SH). Accordingly, the site in general is primarily developed with single-family homes, streets, sidewalks and the public utilities which serve the area. As new services are made available to residential customers (e.g., satellite cable and associated antennas), the supporting infrastructure must be upgraded to address the new services. The wireless technology proposed with this application, will allow AT&T to attach two relatively small antennas and associated electrical equipment to an existing utility pole in the public right-of-way. The subject pole currently supports electrical power, cable and telephone landline services. Therefore, AT&T's proposal is consistent with the existing uses at the site, immediate area and intent of the SH General Plan designation in which it is situated.

The 2005-2020 Contra Costa County General Plan also prescribes that many localized scenic vistas, major ridgelines and views of the San Francisco Bay/Delta area, are components of the County's environmental setting which are perceived by many as desirable. The General Plan policies for the Kensington area provide that items such as; parking, views and design compatibility should be considered as part of the application process. As conditioned, the proposed equipment will not block any views currently had by adjacent residents. The photosimulations submitted for this project show that the slim design of the equipment will reduce the visual intrusiveness of the proposed equipment. Therefore, the proposed wireless telecommunications facility complies with the policies and goals set by the General Plan for the Kensington area.

5. *That the proposed project shall not create a nuisance and/or enforcement problem within the neighborhood or community.*

Finding: The project, as conditioned, will not create a nuisance and/or enforcement problem within the neighborhood or community. There has been no record of code enforcement issues with these types of facilities. Nevertheless, the applicant has submitted a noise study dated July 30, 2013, indicating that the equipment proposed will meet the 2005-2020 Contra Costa County General Plan residential noise limits. Furthermore, if approved, the applicant will be required to submit 3-year condition of approval compliance reviews in order for the County to evaluate the on-going compliance efforts by AT&T.

6. *That the proposed project as conditioned shall not encourage marginal development within the neighborhood.*

Finding: The proposed cell site is consistent with the allowable uses in R-6,-TOV,-K Zoning District. The R-6,-TOV,-K Zoning District also clearly defines the other types of uses determined to be appropriate for the subject site and area. The project will increase the wireless services to an area of the County currently experiencing poor

**COUNTY PLANNING COMMISSION
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coverage/capacity. Therefore, staff does not anticipate that the project will encourage marginal development within the neighborhood.

7. *That special conditions or unique characteristics of the subject property and its location or surroundings are established.*

Finding: Kensington is unique with its steep slopes and undulating topography. Cell sites require a reasonably clear line-of-sight to function properly. As a result, AT&T has proposed to install the subject project, as well as five other strategically placed cell sites to accommodate for the line-of-sight challenges in the area. The subject site is located within the public right-of-way along Ardmore Road and does not require the removal of any trees or grading. There are no other concurrent applications that propose to develop this site. Therefore, establishment of the subject wireless facility will not significantly alter the physical or visual characteristics that currently exist at the site or within the immediate vicinity.

NOW BE IT RESOLVED, that the secretary of this Commission will sign and attest the certified copy of this resolution and deliver the same to the Board of Supervisors, all in accordance with the Government Code of the State of California.

This Resolution was approved upon the motion of the County Planning Commission on Tuesday, September 24, 2013, with the following modifications to condition of approval numbers 15 and 16 by the following vote:

Modifications of Condition of Approval Numbers 15 and 16 as Approved by the County Planning Commission on September 24, 2013.

15. _____ **Within 30 days of issuance of the final building permit**, the applicant shall submit evidence for review and approval by the CDD staff that the wireless telecommunications facility meets acceptable exterior noise level standards as established in the Noise and Land Use Compatibility Guidelines contained in the Noise Element of the County General Plan. The noise levels considered for this site shall be the aggregate of the approved equipment, as well as, any existing equipment on the subject pole. The evidence shall include actual noise monitoring data recorded at the site. The report shall be prepared by a consultant chosen by CDD staff and paid for by the applicant.

16. _____ A. All proposed antennas, antenna supports, and conduits shall have a non-reflective finish. Paints with a reflectivity less than 55 percent are required. All equipment shall be painted to match its surroundings (e.g., light brown for the antennas, supports and equipment boxes).

**COUNTY PLANNING COMMISSION
RESOLUTION NO. 15-2013
PAGE 6 of 6**

B. Color photographs showing the as-built condition shall be submitted for review of the CDD staff to verify compliance with this Condition of Approval within 30 days of completing construction.

~~C. 30 days prior to the issuance of a building permit for the subject wireless communications facility, the applicant shall submit revised plans for the review and approval of CDD staff. The revised plans shall reflect that no part of the approved wireless facility shall extend beyond the current height of the existing pole. The plans shall also reflect that the associated electrical equipment (minus the safety switch) will be located within a utility box at the base of the existing utility pole.~~

AYES: Commissioner(s) - Steele, Snyder, Wright, Swenson, Terrell

NOES: Commissioner(s) - Clark, Stewart

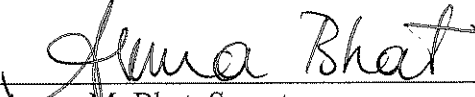
ABSENT: Commissioner(s) - None

ABSTAIN: Commissioner(s) - None

MARVIN TERRELL
Chair of the County Planning Commission
County of Contra Costa, State of California

Within the 10 day appeal period allowed by law the Department of Conservation and Development, Community Development Division, received two appeals of the County Planning Commission decision from Ferguson et al and Cooper et al.

ATTEST:



Aruna M. Bhat, Secretary
County Planning Commission
County of Contra Costa
State of California

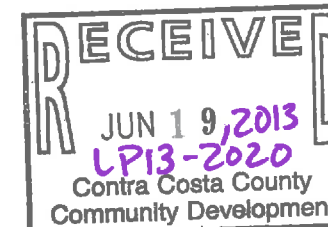


OAKHILLS AT&T NORTH NETWORK OAKN-014B

(PROW) 110 ARDMORE RD, KENSINGTON, CA 94707

PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.



NEW CINGULAR WIRELESS PCS, LLC
4430 ROSEWOOD DR, BLDG 3
PLEASANTON, CA 94588-3050

PROJECT INFORMATION:

**OAKHILLS AT&T
NORTH NETWORK
NODE 014B**
110 ARDMORE RD
KENSINGTON, CA 94707

CURRENT ISSUE DATE:

05/24/13

ISSUED FOR:

PERMITTING

BY: DATE: DESCRIPTION: REV:

BY	DATE	DESCRIPTION	REV
ACI	05/24/13	PAD MOUNTED EQUIP.	2
ACI	01/26/13	PERMITTING	1
ACI	12/24/12	ZDs	0

PLANS PREPARED BY:



ACI Communications Inc.
1-800-825-4ACI
5711 Research Drive
Canton, MI 48128

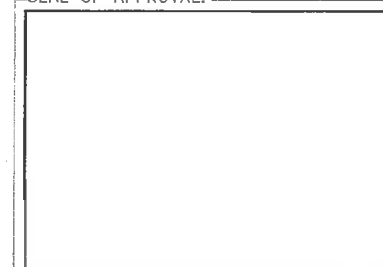
ACI NUMBER: OAKN-014B

CONSTRUCTED BY:



3030 Warrenville Rd, Suite 340
Liste, IL 60532
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SEAL OF APPROVAL:



SHEET TITLE:

**TITLE SHEET
AND
PROJECT INFORMATION**

SHEET NUMBER: REVISION:

T1 **2**
05/24/13

LEGEND & SYMBOLS

--- --	CENTERLINE	▲	SPOT ELEVATION (DATUM)
---	PROPERTY/LEASE LINE	⊗	FLAG NOTE
---	PROPOSED CONDUIT	⊗	ITEM BALLOON (DETAIL SHEETS)
---	POWER CONDUIT	⊗	DETAIL REFERENCE
---	TELEPHONE CONDUIT	⊗	SECTION REFERENCE
---	AERIAL ELECTRICAL LINE		
---	COAXIAL CABLE/CONDUIT		
---	OVERHEAD CONDUCTORS		
○	CHAIN LINK FENCING		

ABBREVIATIONS

AL ALUMINUM	FLR FLOOR	PRELIM PRELIMINARY
ALY ALLOY	FT FOOT	PWR POWER
ANT ANTENNA	FS FAR SIDE	QTY QUANTITY
AGL ABOVE GROUND LEVEL	FSTNR FASTENER	R RADIUS
AMSL ABOVE MEAN SEA LEVEL	GALV GALVANIZED	PAD RADIATION
APVD APPROVED	GA GAUGE	RC RAD CENTER
APPROX APPROXIMATE	GEN GENERATOR	RCVR RECEIVER
AR, A/R AS REQUIRED	GND GROUND/GROUNDING	ALY ALLOY
BAT BATTERY	ID INSIDE DIAMETER	RELOC RELOCATED
BC BOLT CIRCLE	MATL MATERIAL	REQD REQUIRED
BLDG BUILDING	MAX MAXIMUM	SH SHEET
BRKT BRACKET	MFR MANUFACTURER	SPLY SUPPLY
CAB CABINET	MTD MOUNTED	SS STAINLESS STL
CL CENTERLINE	MTG MOUNTING	STD STANDARD
CONC CONCRETE	MTR METER	STL STEEL
CND CONDUIT	MAX MAXIMUM	STRL STRUCTURAL
DN DOWN	MIN MINIMUM	SQ SQUARE
(E) EXISTING	(N) NEW	SW SWITCH
EA EACH	NTS NOT TO SCALE	THD THREAD
EL ELEVATION	OC ON CENTER	THK THICK
EMBED EMBEDMENT	OD OUTSIDE DIAMETER	TINNED
EMER EMERGENCY	(P) PROPOSED	TYP TYPICAL
ENCL ENCLOSURE	PLYWD PLYWOOD	UNIFORM UNIFORM
EQPT EQUIPMENT	PL PLACES	UBC BUILDING CODE
EQ SP EQUAL SPACE	PNL PANEL	W/ WITH
HGT HEIGHT	P/O PART OF	W/O WITHOUT
(F) FUTURE	POSN POSITION	XMFR TRANSFORMER
		XMTR TRANSMITTER

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUCTED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

- CALIFORNIA BUILDING CODE CBC-2010
- CALIFORNIA ADMINISTRATIVE CODE (INCL. TITLES 24 & 25) 2010.
- ANSI/ EIA-222-F LIFE SAFETY CODE NFPA.
- BUILDING OFFICIALS AND CODE ADMINISTRATORS (BOCA)
- CALIFORNIA ELECTRICAL CODE CEC-2010.
- CALIFORNIA MECHANICAL CODE CMC-2010.
- CALIFORNIA PLUMBING CODE CPC 2010.
- LOCAL BUILDING CODE(S).
- CITY AND/OR COUNTY ORDINANCES.
- MUST COMPLY TO LATEST CALIFORNIA FIRE CODE (AND LATEST MUNICIPAL FIRE CODE).
- CALIFORNIA GENERAL ORDER 95 AND 128.

VICINITY MAP



DRIVING DIRECTIONS

FROM: 2678 BISHOP RANCH DR, SAN RAMON, CA
DISTANCE: 27.8 MILES (42 MIN)

- HEAD SOUTHWEST ON BISHOP DR TOWARD SUNSET DR 400 FT
- TAKE THE 1ST LEFT ONTO SUNSET DR 0.1 MI
- TURN RIGHT ONTO BOLLINGER CANYON RD 0.2 MI
- MERGE ONTO I-880 N VIA THE RAMP TO SACRAMENTO 10.9 MI
- TAKE EXIT 45B TO MERGE ONTO CA-24 W/STATE ROUTE 24 W TOWARD LAFAYETTE/OAKLAND 9.0 MI
- TAKE EXIT 7A TOWARD FISH RANCH RD 0.2 MI
- CONTINUE STRAIGHT 0.5 MI
- TURN RIGHT ONTO FISH RANCH RD 0.7 MI
- TURN RIGHT ONTO GRIZZLY PEAK BLVD 4.6 MI
- TURN LEFT ONTO MARRIN AVE 0.3 MI
- TURN RIGHT ONTO REGAL RD 338 FT
- TAKE THE 2ND LEFT TO STAY ON REGAL RD 0.1 MI
- TURN RIGHT ONTO SPRUCE ST 268 FT
- TAKE THE 1ST LEFT ONTO MONTROSE RD 0.1 MI
- TURN RIGHT ONTO SANTA BARBARA RD 0.5 MI
- TURN RIGHT ONTO ARDMORE RD 0.3 MI
- MAKE A U-TURN 256 FT
- TAKE THE 1ST RIGHT ONTO ARDMORE RD 0.3 MI
- DESTINATION WILL BE ON THE LEFT

PROJECT DESCRIPTION

THESE DRAWINGS DEPICT A PORTION OF A DISTRIBUTED ANTENNA SYSTEM (DAS) TELECOMMUNICATIONS NETWORK, TO BE CONSTRUCTED BY EXTENET SYSTEMS AND OWNED AND OPERATED BY NEW CINGULAR WIRELESS PCS, LLC, IN THE PUBLIC RIGHT OF WAY PURSUANT TO AUTHORITY GRANTED BY THE CALIFORNIA PUBLIC UTILITIES COMMISSION.

THE MAIN COMPONENTS OF THIS INSTALLATION ARE:
THE ADDITION OF TWO (2) 27.75"X10.625"X6.25" PANEL ANTENNAS, ASSOC. ELECTRICAL COMPONENTS, AND MOUNTING BRACKETS AS REQUIRED, LOCATED ON AN EXISTING PG&E UTILITY POLE, AND THE ADDITION OF (1) PAD MOUNTED EQUIPMENT SHROUD CONTAINING ONE (1) BBU CABINET, ONE (1) RADIO UNIT, AND ASSOC. ELECTRICAL COMPONENTS AS REQUIRED, LOCATED NEARBY.

DRAWING INDEX

T1	TITLE SHEET & PROJECT INFORMATION
T2	GENERAL NOTES AND SCHEDULES
A1	SITE PLAN
A2	UTILITY POLE ELEVATIONS / RISER DETAILS
D1	EQUIPMENT DETAILS
S1	POWER & RF SAFETY PROTOCOLS

BUILDING / SITE DATA

LATITUDE:	37.904849	TYPE OF CONSTRUCTION:	ATTACHMENTS TO EXISTING WOOD POLE
LONGITUDE:	-122.280846	AREA OF CONST:	
ELEVATION:	N / A	HANDICAP REQUIREMENTS:	FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.
JURISDICTION:	CONTRA COSTA COUNTY	TITLE 24 REQUIREMENTS:	FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. THIS PROJECT IS EXEMPT.
A.P.N.:	5711000132		
ZONING:	PUBLIC RIGHT OF WAY		
OCCUPANCY:	U, UNMANNED		

PROJECT TEAM

PROPERTY OWNER:	CONSTRUCTION MANAGER:	MUNICIPAL AFFAIRS:
NAME: PUBLIC RIGHT OF WAY ADDRESS: 110 ARDMORE RD, KENSINGTON, CA 94707	EXTENET SYSTEMS CA, LLC. CONTACT: KEN BOOKER PHONE: (510) 406-0829	EXTENET SYSTEMS CA, LLC. CONTACT: BILL STEPHENS PHONE: (510) 612-2511
APPLICANT:	APPLICANT AGENT:	ARCHITECT:
NEW CINGULAR WIRELESS PCS, LLC 4430 ROSEWOOD DR, BLDG 3 PLEASANTON, CA 94588-3050 CONTACT: VANI MULLER PHONE: (510) 258-1703	MATTHEW YERGOVICH EXTENET SYSTEMS REAL ESTATE CONTRACTOR FOR AT&T MOBILITY 1826 WEBSTER ST SAN FRANCISCO, CA 94115 PHONE: (415) 596-3474 EMAIL: nyergo@gmail.com	AERO COMMUNICATIONS, INC. 5711 RESEARCH DRIVE CANTON, MI 48108 CONTACT: GARY GETCHELL PHONE: (510) 292-8918

SIGNATURE BLOCK

APPROVED BY:	INITIALS:	DATE:
MUNICIPAL AFFAIRS:		
RF MANAGER:		
CONSTRUCTION MANAGER:		
PROJECT MANAGER:		
APPLICANT AGENT:		
APPLICANT:		

GENERAL NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SURVEY MONUMENTS AND/OR VERTICAL CONTROL BENCHMARKS WHICH ARE DISTURBED OR DESTROYED BY CONSTRUCTION. A LAND SURVEYOR MUST FIELD LOCATE, REFERENCE, AND/OR PRESERVE ALL HISTORICAL OR CONTROLLING MONUMENTS PRIOR TO ANY EARTHWORK. IF DESTROYED, SUCH MONUMENTS SHALL BE REPLACED WITH APPROPRIATE MONUMENTS BY A LAND SURVEYOR. A CORNER RECORD OR RECORD OF SURVEY, AS APPROPRIATE, SHALL BE FILED AS REQUIRED BY THE PROFESSIONAL LAND SURVEYORS ACT.
2. IMPORTANT NOTICE: SECTION 4215 OF THE GOVERNMENT CODE REQUIRES A DIG ALERT IDENTIFICATION NUMBER BE ISSUED BEFORE A "PERMIT TO EXCAVATE" WILL BE VALID. FOR YOUR DIG ALERT ID NUMBER, CALL UNDERGROUND SERVICE ALERT, TOLL FREE 1-800-227-2660, TWO DAYS BEFORE YOU DIG.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR THE POT HOLE AND LOCATING OF ALL EXISTING UTILITIES THAT CROSS THE PROPOSED TRENCH LINE AND MUST MAINTAIN A 1' MINIMUM VERTICAL CLEARANCE.
4. IF ANY EXISTING HARDSCAPE OR LANDSCAPE INDICATED ON THE APPROVE PLANS IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND PER THE APPROVED PLANS.
5. CONTRACTOR SHALL REPLACE OR REPAIR ALL TRAFFIC SIGNAL LOOPS, CONDUIT, AND LINE STRIPING DAMAGED DURING CONSTRUCTION.
6. THIS PROJECT WILL BE INSPECTED BY ENGINEERING AND FIELD ENGINEERING DIVISION.
7. MANHOLES OR COVERS SHALL BE LABELED EXTENET.
8. CONTRACTOR SHALL IMPLEMENT AN EROSION CONTROL PROGRAM DURING THE PROJECT CONSTRUCTION ACTIVITIES. THE PROGRAM SHALL MEET THE APPLICABLE REQUIREMENTS OF THE STATE WATER RESOURCE CONTROL BOARD.
9. THE CONTRACTOR SHALL HAVE EMERGENCY MATERIALS AND EQUIPMENT ON HAND FOR UNFORESEEN SITUATIONS, SUCH AS DAMAGE TO UNDERGROUND WATER, SEWER, AND STORM DRAIN FACILITIES WHEREBY FLOWS MAY GENERATE EROSION AND SEDIMENT POLLUTION.

CALTRANS NOTES

1. ANY REMOVED OR DAMAGED STRIPING AND MARKINGS SHALL BE REPLACED IN KIND AS PER CALTRANS STANDARDS AND AT PERMITTEE'S EXPENSE.



Call before you dig
811 / 1-800-227-2600
www.usanorth.org

SPECIAL NOTES

1. INDEMNIFICATION CLAUSE: THE CONTRACTOR AGREES AND SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY OF THE JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTIES THAT THESE REQUIREMENTS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND CONDITIONS. THE CONTRACTOR FURTHER AGREES TO DEFEND INDEMNITY AND HOLD EXTENET, REPRESENTATIVES, AND ENGINEERS HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF THE WORK ON THIS PROJECT.
2. PRIOR TO THE BEGINNING OF ANY CONSTRUCTION AND THROUGHOUT THE COURSE OF CONSTRUCTION WORK, THE CONTRACTOR SHALL FULLY COMPLY WITH "CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH" ACT OF 1973 INCLUDING ALL REVISIONS AND AMENDMENTS THERETO.
3. ALL WORK SHALL CONFORM TO THE LATEST EDITIONS OF GO95,128 AND THE STANDARD "SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION" AS ADOPTED BY THE CITY, COUNTY OR STATE AS MODIFIED BY STANDARD PLANS AND ADDENDUMS.
4. THE EXISTENCE AND LOCATION OF UTILITIES AND OTHER AGENCY'S FACILITIES AS SHOWN HEREON ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. OTHER FACILITIES MAY EXIST. THE CONTRACTOR SHALL VERIFY PRIOR TO THE START OF CONSTRUCTION AND SHALL USE EXTREME CARE AND PROTECTIVE MEASURES TO PREVENT DAMAGE TO THESE FACILITIES. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITY OR AGENCY FACILITIES WITHIN THE LIMITS OF WORK, WHETHER THEY ARE SHOWN ON THIS PLAN OR NOT.
5. THE CONTRACTOR SHALL NOTIFY THE CITY, COUNTY OR STATE ENGINEER INSPECTION DEPARTMENT, AT LEAST TWO DAYS BEFORE START OF ANY WORK REQUIRING THEIR INVOLVEMENT.
6. THE CITY, COUNTY OR STATE SHALL SPECIFY THE EXPIRATION PERIOD OF THE PERMIT FOR THIS CONSTRUCTION PROJECT.
7. THE MINIMUM COVER FOR ALL CONDUITS PLACED UNDERGROUND SHALL BE 30 INCHES TO THE FINISHED GRADE AT ALL TIMES.
8. THE CONTRACTOR SHALL TUNNEL ALL CURB AND GUTTERS AND BORE ALL CONCRETE DRIVEWAYS AND WALKWAYS AT THE DIRECTION OF THE CITY, COUNTY OR STATE ENGINEER.
9. ALL A.C. AND/OR CONCRETE PAVEMENT SHALL BE REPLACED AT THE DIRECTION OF THE CITY, COUNTY OR STATE ENGINEERS.
10. ALL SHRUBS, PLANTS OR TREES THAT HAVE BEEN DAMAGED OR DISTURBED DURING THE COURSE OF THE WORK, SHALL BE REPLANTED AND/OR REPLACED SO AS TO RESTORE THE WORK SITE TO ITS ORIGINAL CONDITION.
11. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE PROCESSING OF ALL APPLICANT PERMIT FORMS ALONG WITH THE REQUIRED LIABILITY INSURANCE FORMS. CLEARLY DEMONSTRATING THAT EXTENET, THE CITY, COUNTY OR STATE IS ALSO INSURED WITH THE REQUIRED LIABILITY INSURANCE IN THE AMOUNT OF \$1,000,000.00 FOR THIS CONSTRUCTION PROJECT.
12. VAULTS, PEDESTALS, CONDUITS AND OTHER TYPES OF SUBSTRUCTURE ARE EITHER SPECIFIED ON THIS PLAN OR WILL BE SPECIFIED BY THE CONSTRUCTION ENGINEER. ANY AND ALL DEVIATIONS FROM THE SPECIFIED TYPES OF MATERIAL MUST BE APPROVED BY THE SYSTEM ENGINEER, IN WRITING BEFORE INSTALLATION THEREOF.
13. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES INCLUDING SEWER LATERALS & WATER SERVICES TO INDIVIDUAL LOTS BOTH VERTICAL AND HORIZONTAL PRIOR TO COMMENCING IMPROVEMENT OPERATIONS.
14. CONTRACTOR SHALL MAKE EXPLORATION EXCAVATIONS AND LOCATE EXISTING FACILITIES SUFFICIENTLY AHEAD OF CONSTRUCTION TO PERMIT REVISIONS TO PLANS IF REVISION IS NECESSARY BECAUSE OF LOCATION OF EXISTING UTILITIES.
15. THE LOCATIONS OF ALL EXISTING UTILITIES SHOWN ON THESE PLANS ARE FROM EXISTING RECORDS AND CORROBORATED, WHERE POSSIBLE, WITH FIELD TIES. THE CONTRACTOR IS RESPONSIBLE FOR CONFIRMING THE LOCATIONS SHOWN, BOTH HORIZONTAL AND VERTICALLY, PRIOR TO CONSTRUCTION, IF EXISTING LOCATIONS VARY SUBSTANTIALLY FROM THE PLANS THE ENGINEER SHOULD BE NOTIFIED TO MAKE ANY CONSTRUCTION CHANGES REQUIRED.

EROSION AND SEDIMENT CONTROL NOTES

- TEMPORARY EROSION/SEDIMENT CONTROL PRIOR TO COMPLETION OF FINAL IMPROVEMENTS, SHALL BE PERFORMED BY THE CONTRACTOR OR QUALIFIED PERSON AS INDICATED BELOW:
1. ALL REQUIREMENTS OF THE CITY, COUNTY AND STATE "STORM WATER STANDARDS" MUST BE INCORPORATED INTO THE DESIGN AND CONSTRUCTION OF THE PROPOSED GRADING/IMPROVEMENTS CONSISTENT WITH THE APPROVED STORM WATER POLLUTION PREVENTION PLAN (SWPPP), WATER QUALITY TECHNICAL REPORT (WQTR), AND/OR WATER POLLUTION CONTROL PLAN (WPCC).
 2. FOR STORM DRAIN INLETS, PROVIDE A GRAVEL BAG SILT BASIN IMMEDIATELY UPSTREAM OF INLET AS INDICATED ON DETAILS.
 3. FOR INLETS LOCATED AT SUMPS ADJACENT TO TOP OF SLOPES, THE CONTRACTOR SHALL ENSURE THAT WATER DRAINING TO THE SUMP IS DIRECTED INTO THE INLET AND THAT A MINIMUM OF 1.00' FREEBOARD EXISTS AND IS MAINTAINED ABOVE THE TOP OF THE INLET. IF FREEBOARD IS NOT PROVIDED BY GRADING SHOWN ON THESE PLANS, THE CONTRACTOR SHALL PROVIDE IT VIA TEMPORARY MEASURES, I.E. GRAVEL BAGS OR DIKES.
 4. THE CONTRACTOR OR QUALIFIED PERSON SHALL BE RESPONSIBLE FOR CLEANUP OF SILT AND MUD ON ADJACENT STREET(S) AND STORM DRAIN SYSTEM DUE TO CONSTRUCTION ACTIVITY.
 5. THE CONTRACTOR OR QUALIFIED PERSON SHALL CHECK AND MAINTAIN ALL LINED AND UNLINED DITCHES AFTER EACH RAINFALL.
 6. THE CONTRACTOR SHALL REMOVE SILT AND DEBRIS AFTER EACH MAJOR RAINFALL.
 7. EQUIPMENT AND WORKERS FOR EMERGENCY WORK SHALL BE MADE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON. ALL NECESSARY MATERIALS SHALL BE STOCKPILED ON SITE AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF TEMPORARY DEVICES WHEN RAIN IS IMMINENT.
 8. THE CONTRACTOR SHALL RESTORE ALL EROSION/SEDIMENT CONTROL DEVICES TO WORKING ORDER TO THE SATISFACTION OF THE CITY ENGINEER OF RESIDENT ENGINEER AFTER EACH RUN-OFF PRODUCING RAINFALL.
 9. THE CONTRACTOR SHALL INSTALL ADDITIONAL EROSION/SEDIMENT CONTROL MEASURES AS MAY BE REQUIRED BY THE RESIDENT ENGINEER DUE TO UNCOMPLETED GRADING OPERATIONS OR UNFORESEEN CIRCUMSTANCES, WHICH MAY ARISE.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE AND SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT PUBLIC TRESPASS ONTO AREAS WHERE IMPOUNDED WATERS CREATE A HAZARDOUS CONDITION.
 11. ALL EROSION/SEDIMENT CONTROL MEASURES PROVIDED PER THE APPROVED GRADING PLAN SHALL BE INCORPORATED HEREON. ALL EROSION/SEDIMENT CONTROL FOR INTERIM CONDITIONS SHALL BE DONE TO THE SATISFACTION OF THE RESIDENT ENGINEER.
 12. GRADED AREAS AROUND THE PROJECT PERIMETER MUST DRAIN AWAY FROM THE FACE OF THE SLOPE AT THE CONCLUSION OF EACH WORKING DAY.
 13. ALL REMOVABLE PROTECTIVE DEVICES SHOWN SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN RAIN IS IMMINENT.
 14. THE CONTRACTOR SHALL ONLY GRADE, INCLUDING CLEARING AND GRUBBING FOR THE AREAS FOR WHICH THE CONTRACTOR OR QUALIFIED PERSON CAN PROVIDE EROSION/SEDIMENT CONTROL MEASURES.
 15. THE CONTRACTOR SHALL ARRANGE FOR WEEKLY MEETINGS DURING OCTOBER 1ST TO APRIL 30TH FOR PROJECT TEAM (GENERAL CONTRACTOR, QUALIFIED PERSON, EROSION CONTROL SUBCONTRACTOR IF AN, ENGINEER OF WORK, OWNER/DEVELOPER AND THE RESIDENT ENGINEER) TO EVALUATE THE ADEQUACY OF THE EROSION/SEDIMENT CONTROL MEASURE AND OTHER RELATED CONSTRUCTION ACTIVITIES.

GENERAL NOTES

ROW GROUND CONSTRUCTION NOTES:

1. 120/240 POWER REQUIRED FOR 3-WIRE SERVICE.
2. GC TO REMOVE/CLEAN ALL DEBRIS, NAILS, STAPLES, OR NON-USED VERTICALS OFF THE POLE.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH MUNICIPAL, COUNTY, STATE, FEDERAL, GO95 AND GO128 STANDARD AND REGULATIONS.
4. CALL USA 48 HOURS PRIOR TO EXCAVATING AT (800) 227-2600.
5. ALL LANDSCAPING TO BE RESTORED TO ORIGINAL CONDITION OF BETTER.
6. ALL EQUIPMENT TO BE BONDED.
7. METERING CABINET REQUIRES 3" CLEARANCE AT DOOR OPENING.
8. CAULK CABINET BASE AT PAD.

STANDARD GROUNDING NOTES:

1. GROUND TESTED AT 5 CHMS OR LESS
2. 5/8"x8" ROD, CAD WELD BELOW GRADE
3. #6 GROUND AND BOND WIRE
4. WOOD MOLDING, STAPLED EVERY 3' AND AT EACH END
5. GROUNDS 3" FROM POLE
6. PLACE 3 #10GA WIRES FROM BREAKER TO METER BOX

STANDARD CONDUIT NOTES:

1. FOR UNDERGROUND USE SCHEDULE 40.
2. FOR RISERS USE SCHEDULE 80.
3. PLACE 2" GALVANIZED STEEL CONDUIT FOR ANY CONDUIT UNDER 3", STUB UP 10' THEN CONVERT TO SCHEDULE 80
4. CONVERT 4" CARRIER CONDUIT TO 3" AT BASE OF POLE.
5. GC TO STUB UP POLE 10' w/3" POWER CONDUIT, POWER CG TO CONVERT FROM 3" SCH. 80 TO 2" SCH. 80 FROM TOP OF STUB UP.
6. ALL CONDUIT WILL BE MAN DRILLED AND EQUIPPED WITH 3/8" FULL ROPE.

STANDARD TRENCHING NOTES:

1. MAINTAIN 40" MINIMUM COVER FOR ELECTRICAL CONDUIT.
2. MAINTAIN 30" MINIMUM COVER FOR COMMUNICATIONS CONDUIT.
3. SAND SHADING MINIMUM 1" UNDER CONDUITS, AND 6" COVERING ON TOP REQUIRED.
4. ALL ELECTRICAL SERVICE CONDUITS FROM POWER COMPANY, WHETHER FROM POLES, TRANSFORMERS, OR OTHER LOCATIONS, WILL BE SLURRY BACKFILLED.
5. IN STREET SLURRY TO GRADE AND MILL DOWN 1-1/2" FOR AC CAP
6. IN DIRT SLURRY 18" FROM GRADE, AND FILL WITH 95% COMPACTION NATIVE SOIL FOR BALANCE.
7. PLACE WARNING TAPE IN TRENCH 12" ABOVE ALL CONDUITS AND #18 WARNING TAPE ABOVE GROUND RING

ROW UTILITY POLE CONSTRUCTION NOTES:

1. NO BOLT THREADS TO PROTRUDE MORE THAN 1-1/2".
2. FILL ALL HOLES LEFT IN POLE FROM REARRANGEMENT OF CLIMBERS.
3. ALL CLIMB STEPS NEXT TO CONDUIT SHALL HAVE EXTENDED STEPS.
4. CABLE NOT TO IMPEDE 15" CLEAR SPACE OFF POLE FACE (12:00).
5. 90" SHORT SWEEPS UNDER ANTENNA ARM. ALL CABLES MUST ONLY TRANSITION ON THE INSIDE OR BOTTOM OF ARMS (NO CABLE ON TOP OF ARMS).
6. USE CABLE CLAMPS TO SECURE CABLE TO ARMS; PLACE 2" CARRIER CABLE ID TAGS ON BOTH SIDES OF ARMS.
7. USE 90° CONNECTOR AT CABLE CONNECTION TO ANTENNAS.
8. PLACE GFS ON ARM WITH SOUTHERN SKY EXPOSURE AT MINIMUM 6" FROM TRANSMIT ANTENNA, WHICH IS 24" AWAY FROM CENTER OF POLE.
9. USE 1/2" CABLE ON ANTENNAS UNLESS OTHERWISE SPECIFIED
10. FILL VOID AROUND CABLES AT CONDUIT OPENING WITH FOAM SEALANT TO PREVENT WATER INTRUSION.

WIND LOADING INFORMATION

ANTENNA/WOOD ARM AREA TOTAL	82.52 SQ. FT.
TOP GRADE	54'-1"
BOTTOM GRADE	44'-2"
BREAKER AREA TOTAL	5.82 SQ. FT.
TOP GRADE	8'-11"
BOTTOM GRADE	8'-0"
BATTERY BACK-UP AREA TOTAL	--
TOP GRADE	--
BOTTOM GRADE	--
PRISM DECK AREA TOTAL	--
TOP GRADE	--
BOTTOM GRADE	--
PRISM DECK (FUT) AREA TOTAL	--
TOP GRADE	--
BOTTOM GRADE	--
COAX RISER SIZE	3"U
COAX RISER TOP GRADE	51'-0"
COAX RISER BTM GRADE	0'-0"
PWR RISER SIZE	1"Ø
PWR RISER TOP GRADE	35'-4"
PWR RISER BTM GRADE	0'-0"

ANTENNA & CABLE SCHEDULE

ANTENNA SECTOR	AZIMUTH	ANTENNA MAKE / MODEL	COAXIAL CABLE LENGTH	CABLES PER SECTOR	CABLE SIZE
SECTOR ALPHA	32°	KATHREIN 840-10525	62'/3"	2/4	1/2"
SECTOR BETA	86°	KATHREIN 840-10525	62'/3"	2/4	1/2"
SECTOR GAMMA					

NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATION, OR INSTALLATION OF CABLES.

ROW CONSTRUCTION GENERAL NOTES

SCALE NTS 3

LOADING AND ANTENNA CABLE SCHEDULES

SCALE NTS 1



NEW CINGULAR WIRELESS PCS, LLC
4430 ROSEWOOD DR, BLDG 3
PLEASANTON, CA 94588-3050

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**OAKHILLS AT&T
NORTH NETWORK
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1-800-825-4ACI
5711 Research Drive
Canton, MI 48188

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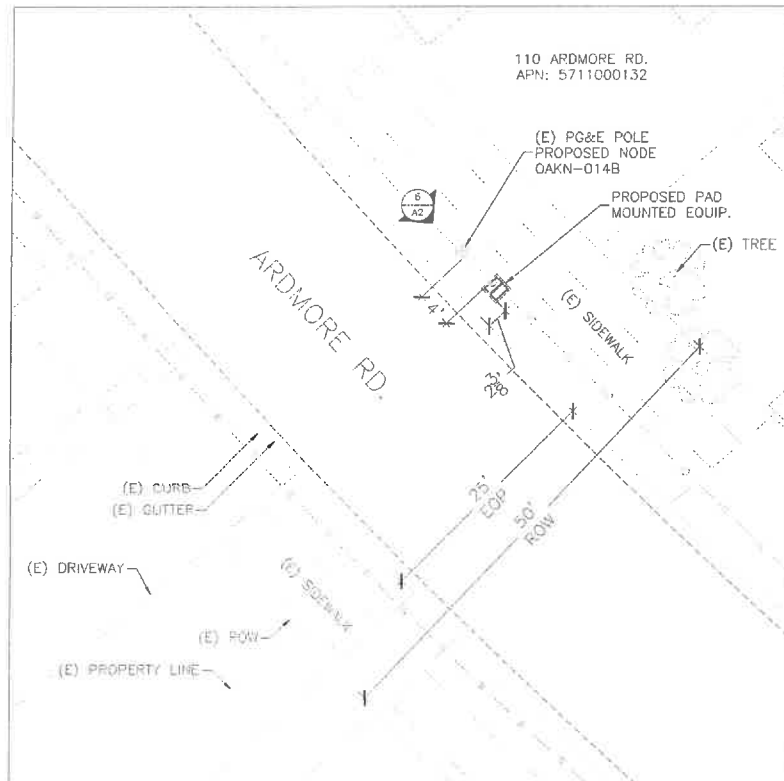
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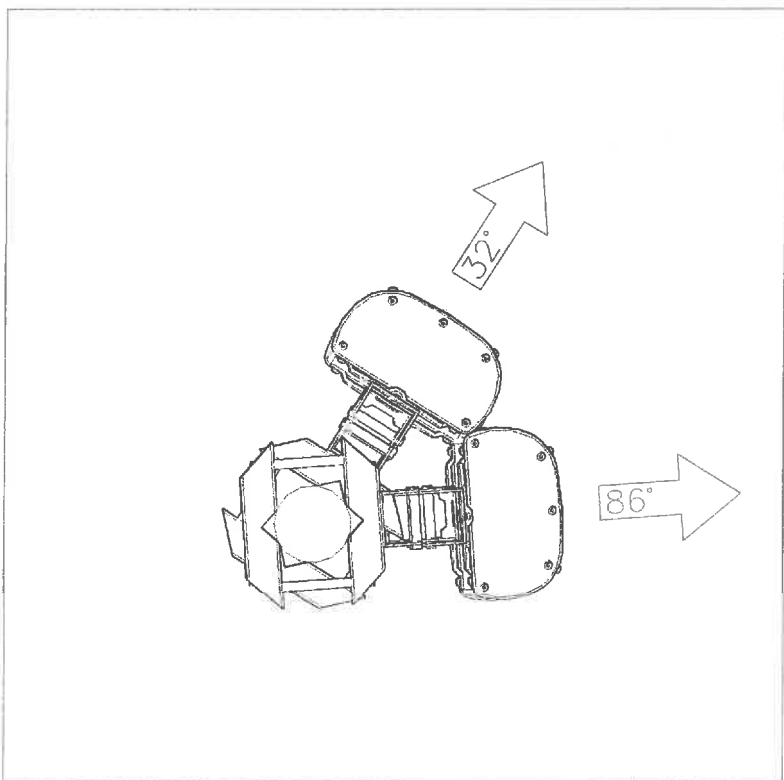
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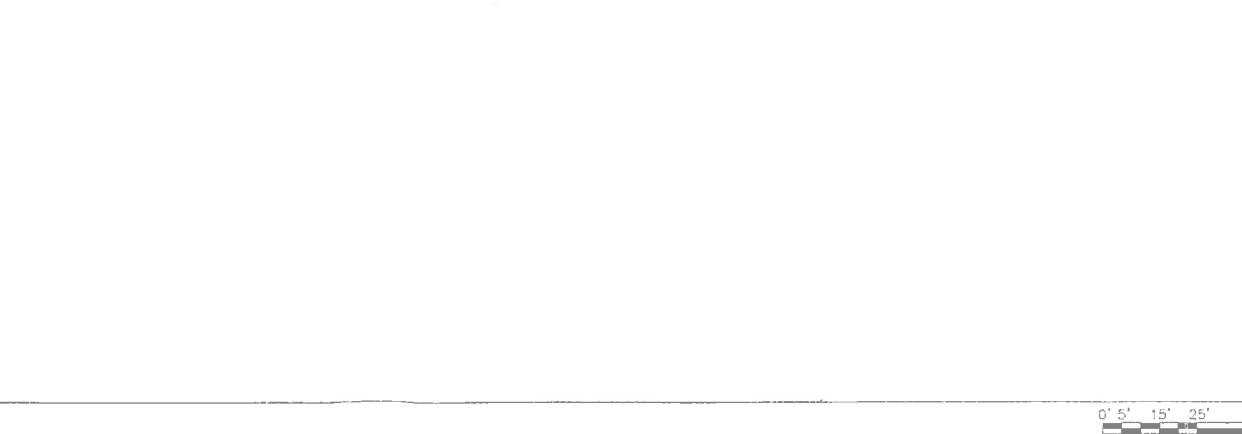
05/24/13



SITE PLAN CLOSEUP 2



ANTENNA AZIMUTHS SCALE NTS 3



SITE PLAN 1



NEW CINGULAR WIRELESS PCS, LLC
4430 ROSEWOOD DR, BLDG 3
PLEASANTON, CA 94588-3050

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3030 Warrenville Rd, Suite 340
Lisle, IL 60532
www.extenet.com

SEAL OF APPROVAL:

SHEET TITLE:
SITE PLAN

SHEET NUMBER: A1 REVISION: 2
05/24/13



NEW CINGULAR WIRELESS PCS, LLC
4430 ROSEWOOD DR, BLDG 3
PLEASANTON, CA 94588-3050

PROJECT INFORMATION:

**OAKHILLS AT&T
NORTH NETWORK
NODE 014B**

110 ARDMORE RD
KENSINGTON, CA 94707

CURRENT ISSUE DATE:

05/24/13

ISSUED FOR:

PERMITTING

BY: DATE: DESCRIPTION: REV:

BY	DATE	DESCRIPTION	REV
ACI	05/24/13	PAD MOUNTED EQUIP.	2
ACI	01/28/13	PERMITTING	1
ACI	12/24/12	ZDs	0

PLANS PREPARED BY:



Also Communications Inc
1-800-825-4ACI
5711 Research Drive
Canton, MI 48188

ACI NUMBER: OAKN-014B

CONSTRUCTED BY:



3030 Warrenville Rd, Suite 340
Lisle, IL 60532
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SEAL OF APPROVAL:

SHEET TITLE:

**ELEVATIONS
&
RISER DETAILS**

SHEET NUMBER: REVISION:

A2

2

05/24/13

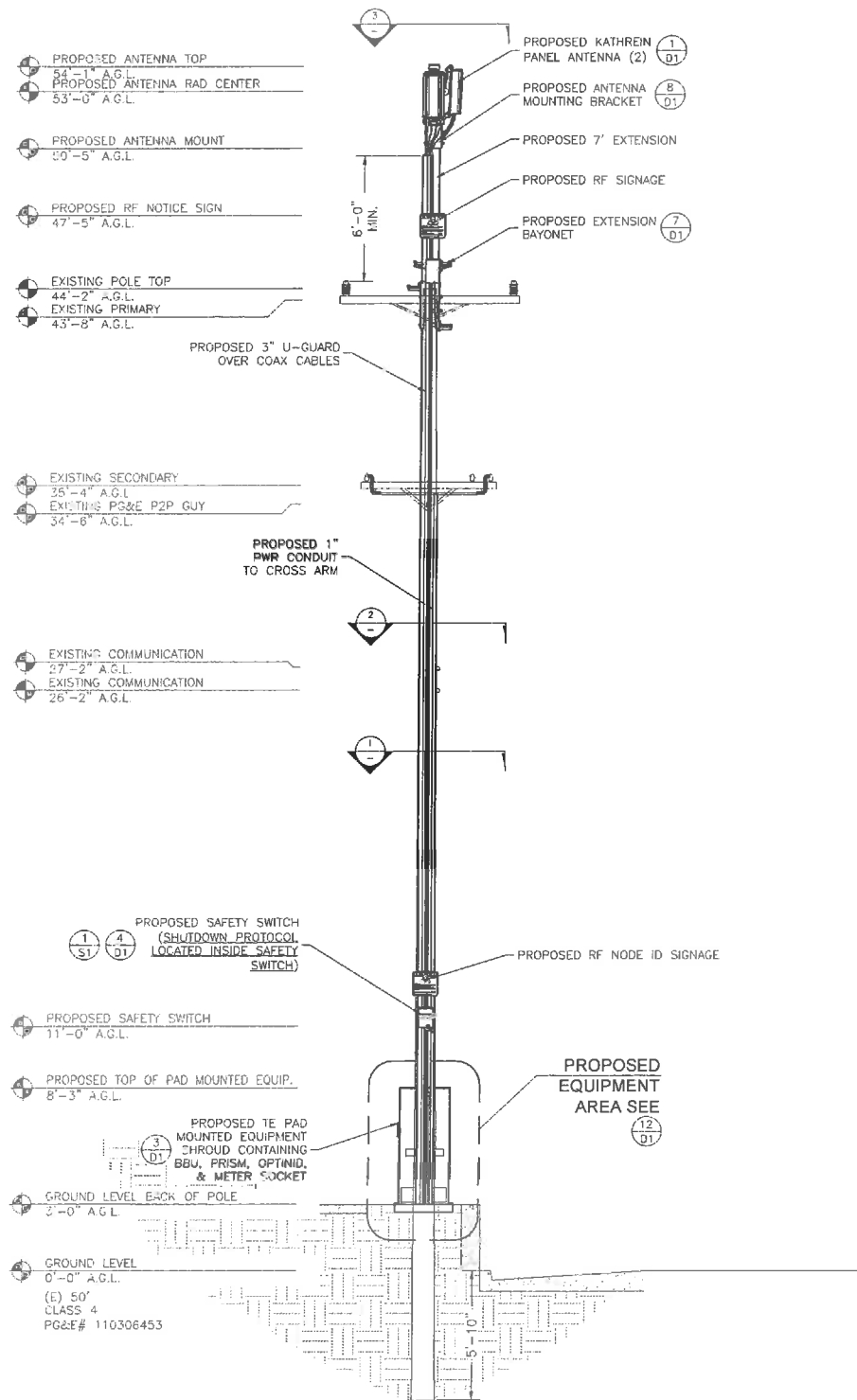
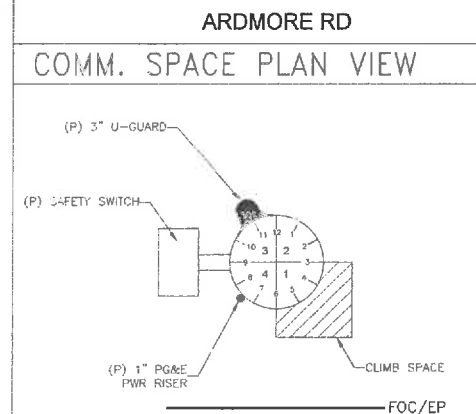
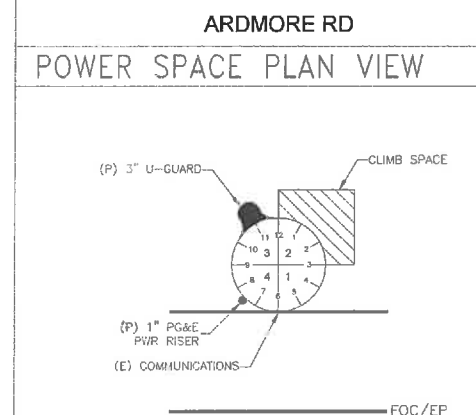
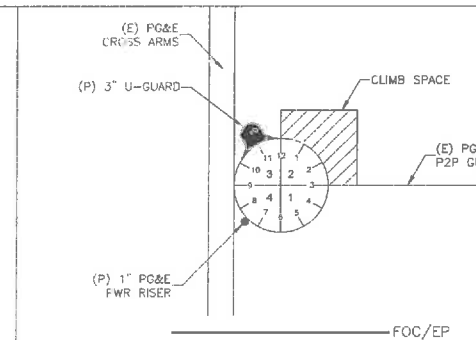
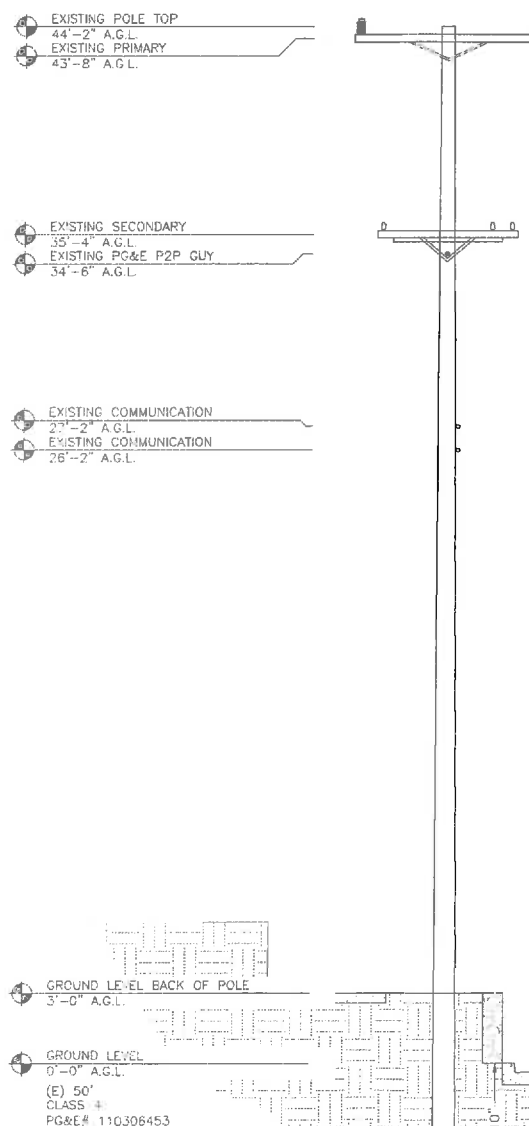
COMMUNICATIONS MAKE-READY

1. INSTALL PG&E 1" SCH 80 CONDUIT AT 7:30 POSITION FOR POWER SERVICE.
2. INSTALL 3" SCH 80 U-GUARD AT 11:00 POSITION OVER COAX.
3. INSTALL RADIO, BBU, OPTINIB, & METER SOCKET IN PAD MOUNTED SHROUD 4' FROM POLE.
4. INSTALL SAFETY SWITCH 4" OFF OF POLE (USING UNISTRUTS) AT 9:00 POSITION.
5. INSTALL CLIMBING PEGS AT 3:00 & 6:00 POSITION, 8'-6" AGL TO COMM ZONE.

POWER MAKE-READY

1. INSTALL 7' POLE TOP EXTENSION.
2. INSTALL (2) PANEL ANTENNAS W/ MOUNTING BRACKET ON POLE TOP EXTENSION AT 51'-5" AGL.
3. INSTALL COMBINERS AND (4/8) 1/2" COAX.
4. INSTALL PG&E 1" SCH 80 CONDUIT TO SECONDARY CROSS ARM, AT 7:30 POSITION FOR POWER SERVICE.
5. INSTALL 3" SCH 80 U-GUARD AT 11:00 POSITION OVER COAX.
6. PROVIDE 120/240 3-WIRE SINGLE PHASE, 100 AMP SERVICE TO 1" PG&E CONDUIT AT 7:30 POSITION TO METER SOCKET FROM SECONDARY 35'-4" AGL.

MAKE-READY NOTES



PROPOSED ELEVATION NORTHWEST

B-SCALE 1/8"=1'-0"
D-SCALE 1/4"=1'-0"

EXISTING ELEVATION NORTHWEST

B-SCALE 1/8"=1'-0"
D-SCALE 1/4"=1'-0"

EQUIP. SPACE PLAN VIEW



NEW CINGULAR WIRELESS PCS, LLC
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PLEASANTON, CA 94588-3050

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ACI	05/24/13	PAD MOUNTED EQUIP.	2
ACI	01/26/13	PERMITTING	1
ACI	12/24/12	ZDs	0

PLANS PREPARED BY:



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1-800-825-4ACI
5711 Research Drive
Canton, MI 48188

ACI NUMBER: OAKN-014B

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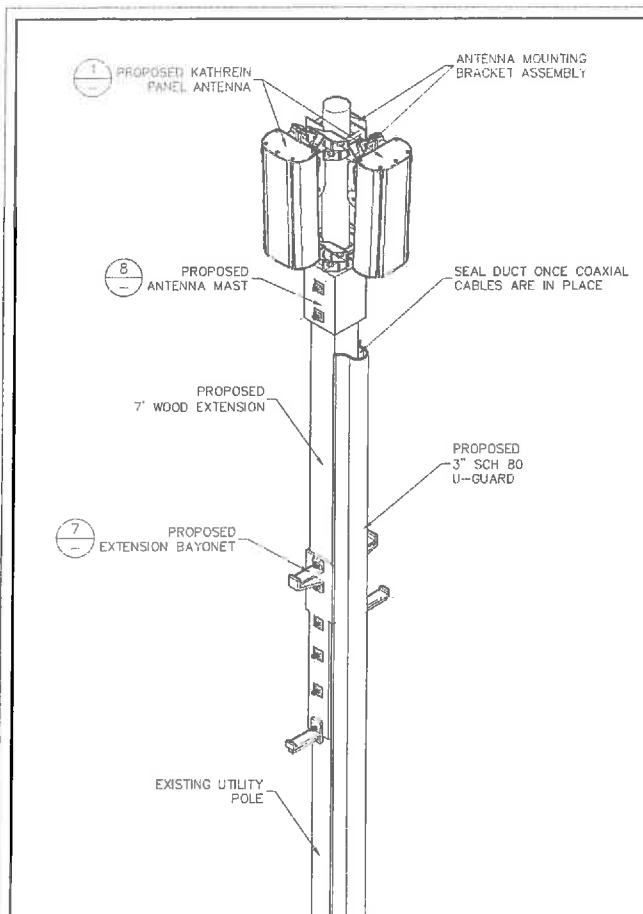
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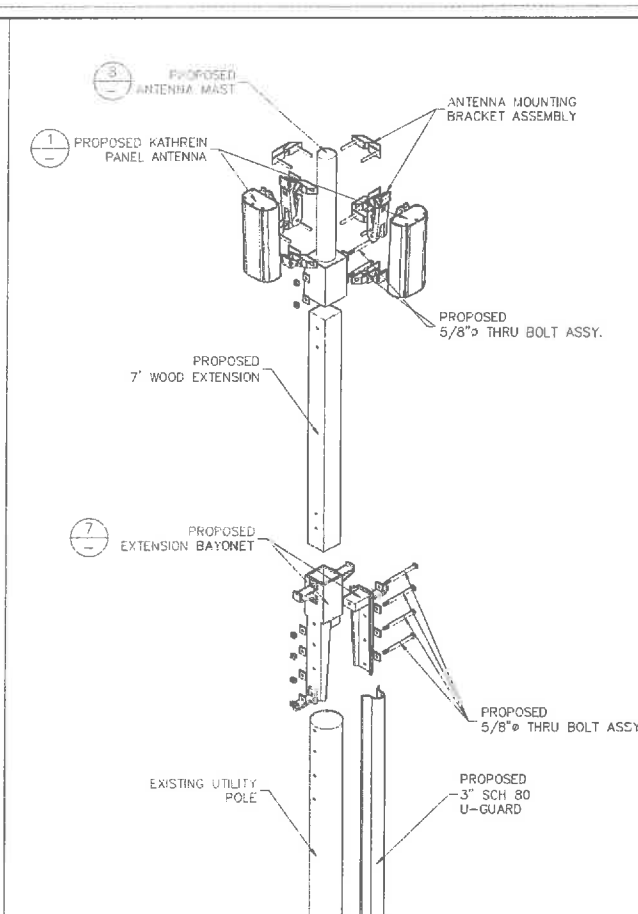
D1

2

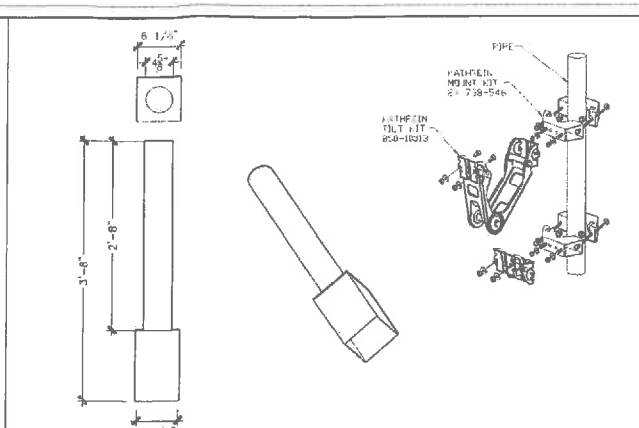
05/24/13



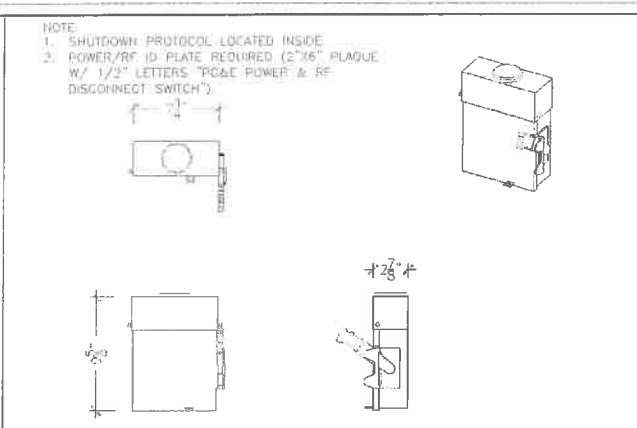
ANTENNA CONFIGURATION B-SCALE 3/8"=1'-0" D-SCALE 3/4"=1'-0" 13



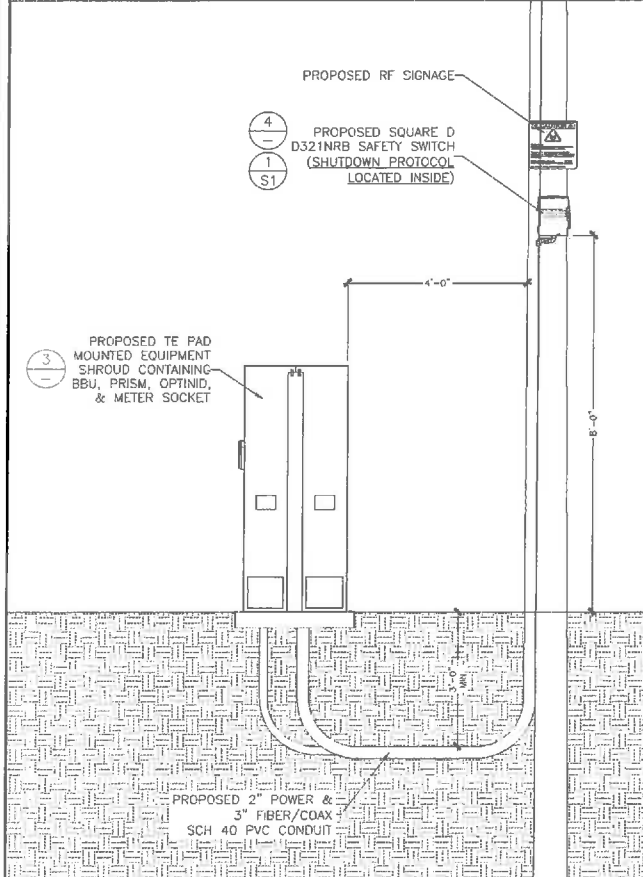
POLE TOP ANTENNA ASSEMBLY B-SCALE 1/4"=1'-0" D-SCALE 1/2"=1'-0" 11



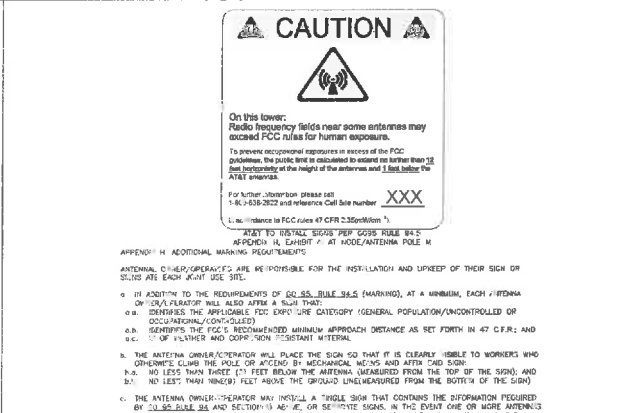
POLE TOP EXTENSION ANTENNA MAST W/ BRKTS B-SCALE 3/8"=1'-0" D-SCALE 3/4"=1'-0" 8



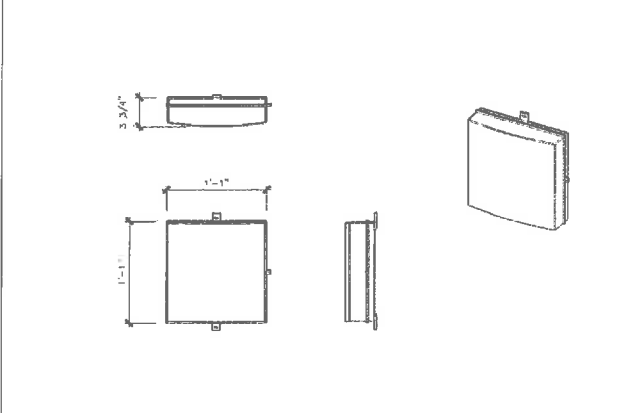
SQUARE D D321NRB SAFETY SWITCH B-SCALE 3/4"=1'-0" D-SCALE 1 1/2"=1'-0" 4



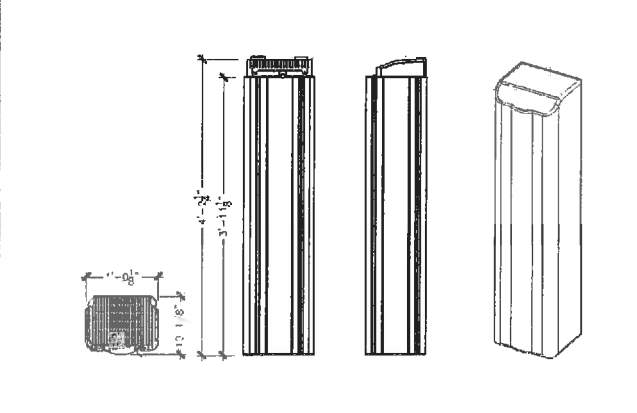
EQUIPMENT CONFIG. B-SCALE 1/4"=1'-0" D-SCALE 1/2"=1'-0" 12



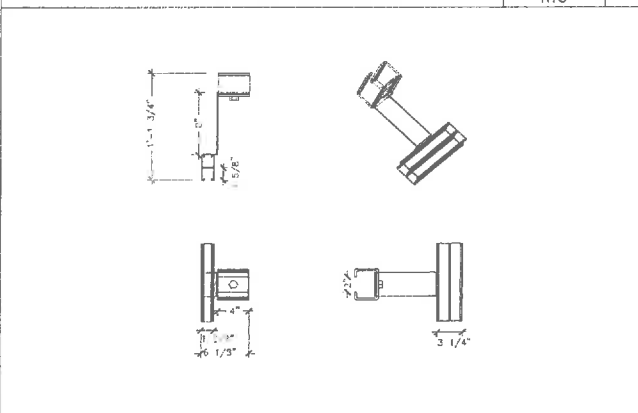
RF WARNING SIGNAGE SCALE NTS 10



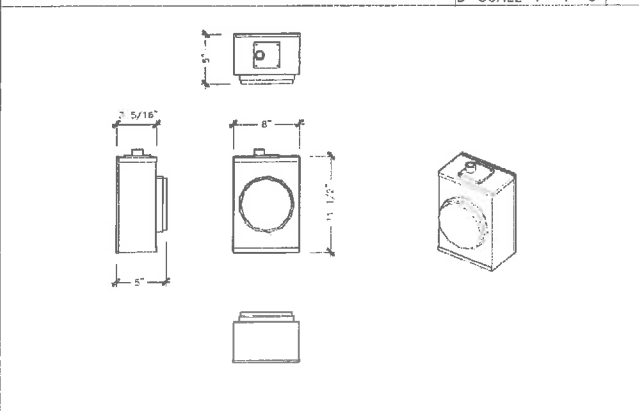
AFL OPTINID 760 XL OPTICAL DEMARCATON CLOSURE B-SCALE 1/2"=1'-0" D-SCALE 1"=1'-0" 6



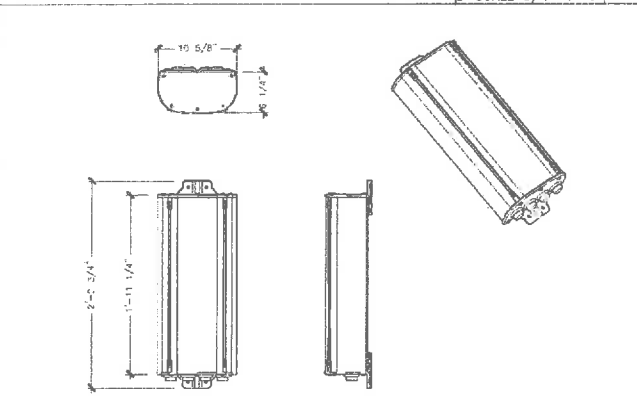
QUADBAND FLEXWAVE PRISM B-SCALE 3/8"=1'-0" D-SCALE 3/4"=1'-0" 2



LADDER BRACKET B-SCALE 1/2"=1'-0" D-SCALE 1"=1'-0" 9



MILBANK METER SOCKET U7490-RL B-SCALE 1/2"=1'-0" D-SCALE 1"=1'-0" 5



KATHREIN PANEL ANTENNA B-SCALE 1/2"=1'-0" D-SCALE 1"=1'-0" 1

SHUTDOWN PROTOCOL 7"X9" LAMINATED CARD CARDSTOCK



AT&T oDAS Shutdown Procedure

PROCEDURE TO DE-ENERGIZE RADIO FREQUENCY (RF) SIGNAL EMERGENCY and NON-EMERGENCY WORK REQUIRING RF SIGNAL SHUTDOWN

(A) PG&E personnel SHALL contact AT&T Mobility Switch Center to notify them of an emergency shutdown 800-638-2822. Dial option 9 for cell site "Related" emergency's then option 1. Provide the following information when calling or leave a voicemail:

- (1) Identify yourself and give callback phone number.
- (2) Site number and if applicable site name (located on the shutdown box)
- (3) Site address and location
- (4) Nature of emergency and site condition

(B) Pull Disconnect Handle down to the Open or "OFF" Position. The RF signal will shut down within a few seconds. A visual inspection of the interior blade will confirm that both incoming AC Lead and Battery Backup are disconnected.

(C) Notify AT&T (New Cingular) Switch Center when the emergency work is completed.

See reverse side to view photo of the "on" and "off" position.

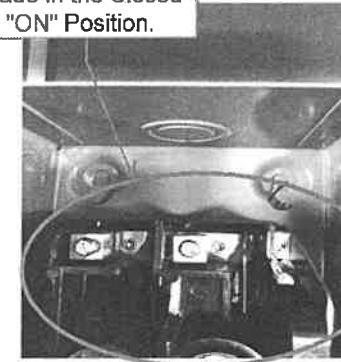
FRONT



Switch in the Closed Position ("ON")



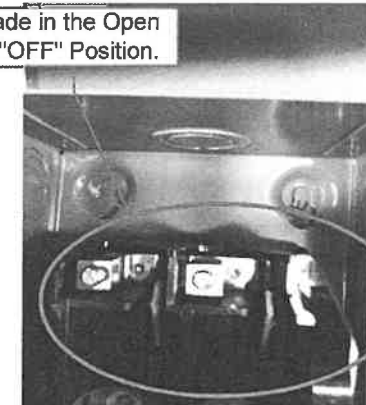
Blade in the Closed or "ON" Position.



Switch in the Open Position ("Off")



Blade in the Open or "OFF" Position.



BACK



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PLEASANTON, CA 94588-3050

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ACI	05/24/13	P-D MOUNTED EQUIP.	2
ACI	01/28/13	PERMITTING	1
ACI	12/24/12	ZDs	0

PLANS PREPARED BY:



ACI NUMBER: OAKN-014B

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SEAL OF APPROVAL:

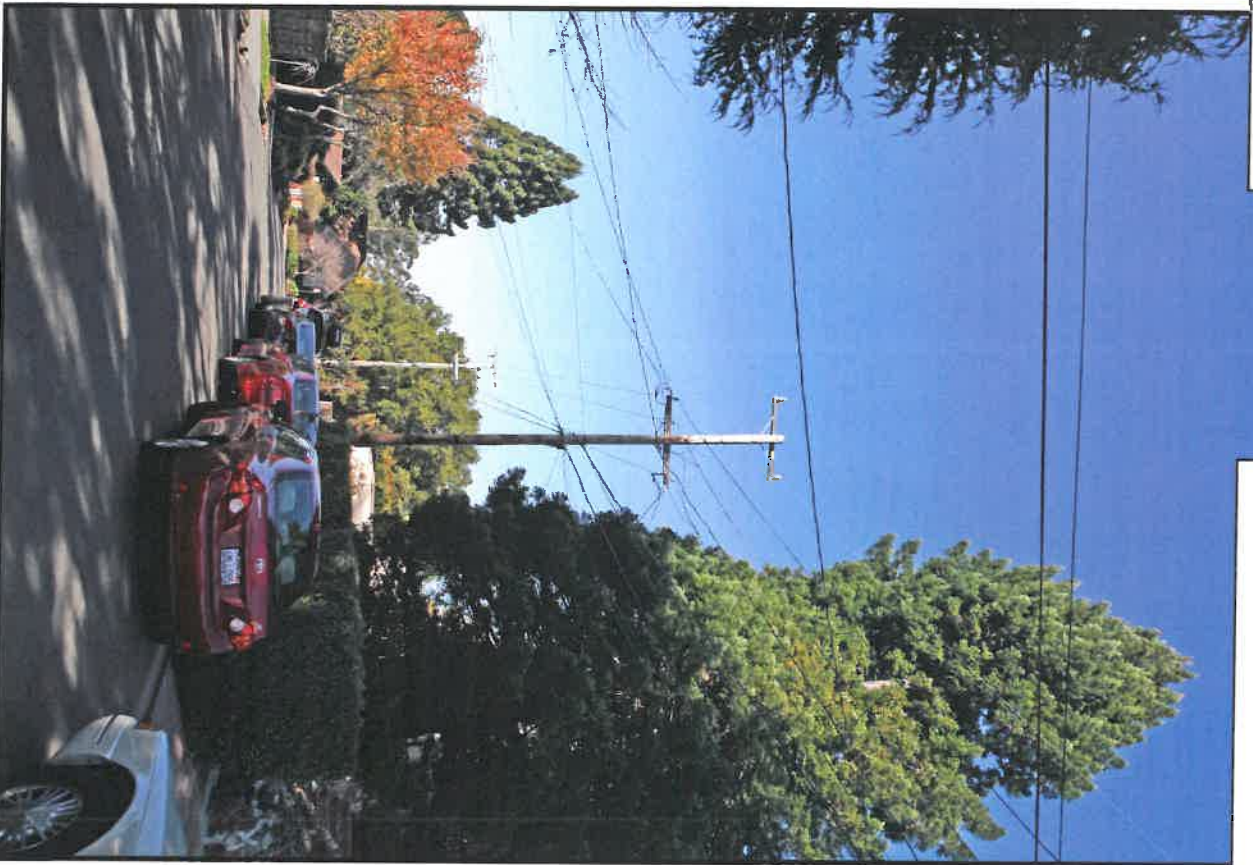
SHEET TITLE:

**POWER & RF
SAFETY
PROTOCOLS**

SHEET NUMBER: REVISION:

S1 2
05/24/13

Existing



110 Ardmore Road, Kensington, CA
Oak Hills AT&T North Network Node 014B

view from Ardmore Road looking northwest at site

Proposed

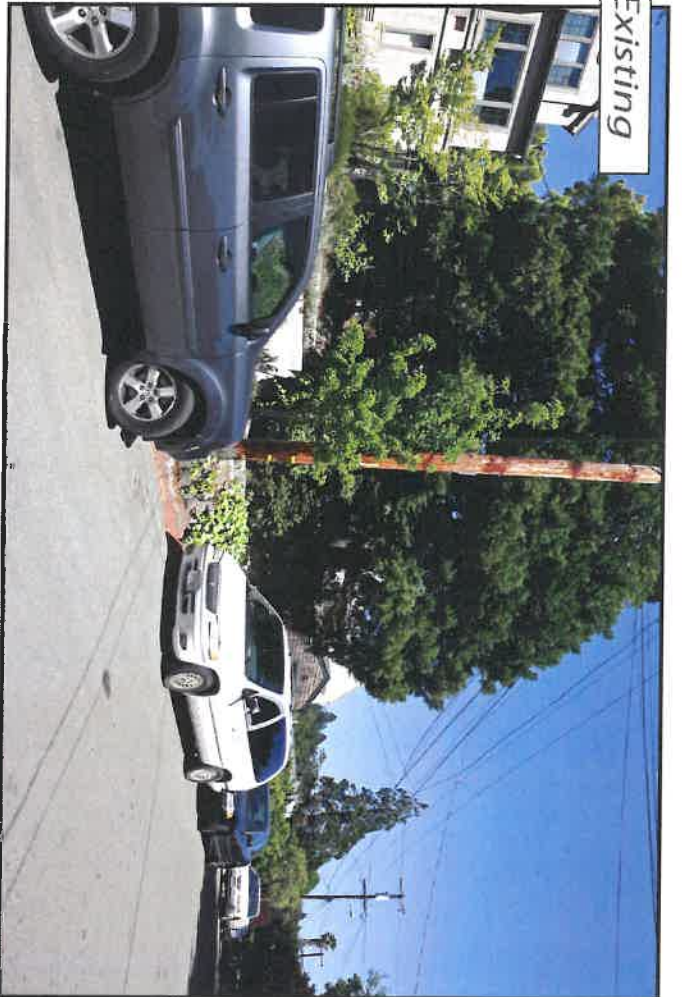


RECEIVED
JUN 19 2013
LP13-2020
Contra Costa County
Community Development

Proposed AT&T
Antenna

Proposed AT&T
Equipment

Existing



Proposed



View from Ardmore Road looking east at site

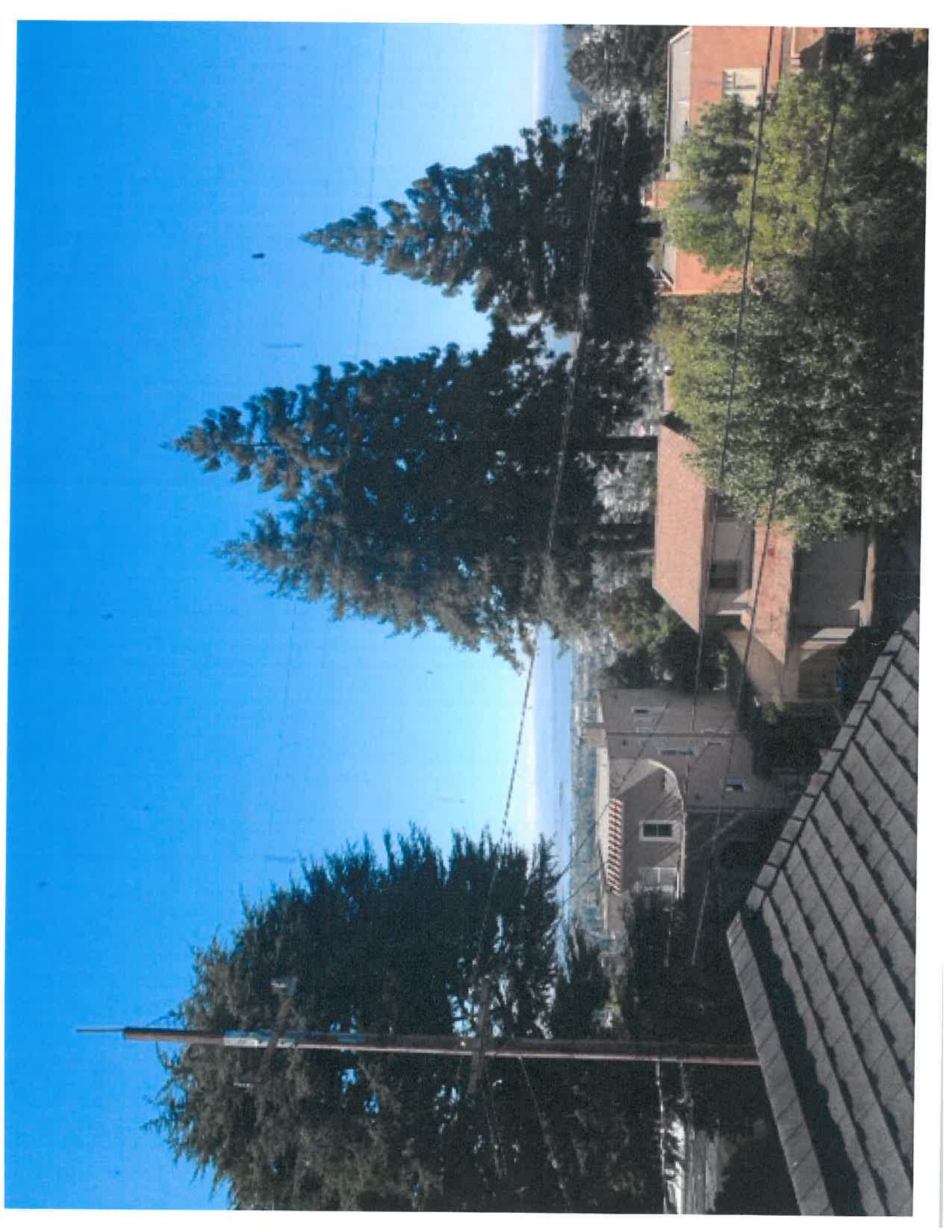


110 Ardmore Road, Kensington, CA
Oak Hills AT&T North Network Node 0148

AdvanceSi
Project: Site/Location Solutions
Contact: 909.209.8207

RECEIVED
JUN 19 2013
CP13-2020
Contra Costa County
Community Development







Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Request for Proposals on Provision of Emergency Ambulance Services

RECOMMENDATION(S):

DIRECT Contra Costa EMS (Emergency Medical Services) Agency on the Request for Proposal (RFP) Process and Timeline for Emergency Operating Area (EOA) I, II and V :

1. Prepare the emergency ambulance RFP for exclusive operating areas currently served by American Medical Response.
2. Solicit a panel of neutral, qualified out of county RFP reviewers to objectively score each RFP submission. Review panel members to consist of EMS, fire and clinical experts.
3. Issue the RFP and conduct the procurement process in accordance with the following timeline:
 - a. Draft RFP to EMS Agency - October 28, 2014
 - b. RFP to EMS Authority - November 25, 2014
 - c. RFP Released to Bidders - February 18, 2015
 - d. Proposer's Conference - March 4, 2015
 - e. Proposals Due - April 15, 2015
 - f. Notice of Intent to Award - May 5, 2015
 - g. Contract Executed - July 1, 2015
 - h. New Contract Start - January 1, 2016

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Dorothy Sansoe,
925-335-1009

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

APPROVE the sole provider minimum credentials and qualifications for emergency ambulance RFP candidates. The following minimum credentials and qualifications are based on requirements associated with the prior RFP and recent emergency ambulance RFPs conducted in the Bay Area.

1. Experience as a sole provider in providing Advanced Life Support (paramedic) ambulance service.
2. Demonstrated ability to meet performance based response time standards.
3. Experience in providing consolidated emergency medical dispatch services.
4. Demonstrated ability to provide a high level of clinical competency and performance at advanced life support level.
5. Demonstrated financial strength and stability.
6. Demonstrated expertise in EMS ambulance flexible deployment, management, and clinical quality improvement processes

AUTHORIZE the EMS Agency to issue a request for proposal incorporating the following features and changes based on recommendations from the Fitch EMS Modernization report:

1. A five year performance based competitive contract for emergency ambulance services at no cost to the county with an option for 5 year extension to include the ability to support future consolidated emergency medical dispatch and other mobile health services.
2. Proposers will be required to employ whatever level of effort is necessary to achieve the clinical, response time, quality improvement, customer satisfaction and other performance results required by the EMS System specifications.
3. Support the integration of operational and patient care data systems consistent with state and federal privacy and protection laws.
4. Assist to develop and provide expanded mobile health care services in partnership with health system providers.
5. Urban Response Areas will be expanded consistent with EMS study demand analysis resulting in shorter response times for those newly designated urban areas.
6. Paramedic Quick Response Vehicles (QRVs) will be eliminated
 - a. In 2004 QRVs were created to provide a paramedic response within 10 minutes.
 - b. EMTs scope of practice has increased in the last ten years.
 - c. Rapid first medical response is competently managed by all fire agencies responsible at both the EMT and Paramedic service levels.
7. RFP may lengthen response times ONLY in the designated urban areas commensurate with a similar decrease in dispatch times not to exceed 60 seconds pending further modeling of demand analysis by the Fitch consultants.
 - a. Achieving response time performance is the major cost driver to the EMS System.
 - b. The EMS system needs to support reasonable response times that have evidence of providing a maximum patient benefit.
 - c. Richmond response time requirement would be modified to match the remainder of the County's urban areas.
8. Minimum emergency ambulance staffing will be standardized in all response areas to one EMT (Emergency Medical Technician) and one paramedic consistent with EMS science, medical efficacy and cost/benefit utilization.
9. Require provider to dedicate resources for Community Outreach including *HeartSafe* communities, injury prevention, education and training supporting CPR (Cardiopulmonary resuscitation) in schools, AED (automated external defibrillation), Stroke, Heart Attack and Cardiac Arrest.
 - a. Prevention and early recognition are essential to improving survival.
 - b. Bystanders and *HeartSafe* communities are part of the chain of survival for cardiac arrest, heart attack and stroke.
 - c. Bystander CPR and early defibrillation are known to be the important factors supporting long term meaningful survival.
10. Require bariatric capable ambulances to support community demands.
11. Require a performance based review program for consumer billing complaints with options for extended payment and compassionate care in coordination with the Contra Costa County HICAP (Health Insurance Counseling and Advocacy Program).

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The Contra Costa EMS system is a high performance, collaborative network of public safety, fire, transport, and emergency hospital personnel committed to improving patient outcomes. The EMS system serves all regardless of ability to pay, every hour of the day, 365 days a year. In 2013, the Contra Costa EMS system responded to over 80,000 9-1-1 calls for medical assistance with 7-13% associated with critical or “life and death” events. At the same time EMS is known to be the most costly way for individuals to access emergency department care.

In 2004 the Contra Costa Board of Supervisors approved the first EMS System Design supporting the development of paramedic first response, advanced life support enhancements, emergency communication and dispatch. Prior to 2004 the County had paid over \$ 2.5 million of Measure H (CSA-EM1) funds annually for emergency ambulance services. After 2004, emergency ambulance services have been exclusively supported by revenue from patient co-pays and medical insurance reimbursement. Measure H funds used previously to provide an ambulance provider subsidy were re-allocated to support fire first medical response.

Changes associated with health care reform, downturns in local economies and increased costs associated with the practice of pre-hospital medicine have created new fiscal challenges. Expenses have risen while revenues have not. Several ballot measures to support EMS system stakeholders have failed.

It is the EMS Agency’s recommendation that the county use a cost savings approach to continue emergency ambulance services without a subsidy. Any savings should be exclusively used to support a fiscally sound, accountable, safe and high quality emergency ambulance service. The EMS Modernization Report identified significant cost savings, consistent with EMS industry standards, EMS science and based on following priorities:

1. Safe, quality patient care
2. A consistent level of sustainable service delivery
3. Value driven performance
4. A commitment to create a consolidated dispatch

Value driven EMS Systems use the best available evidence to provide optimal deployment of resources to meet patient care needs, within the fiscal capabilities of the communities served. While long term solutions will be determined by policy makers, in the short term RFP efforts should be redirected to reduce cost for the county while redirecting savings based on value while optimizing flexibility in EMS service delivery.

CONSEQUENCE OF NEGATIVE ACTION:

Opportunities to achieve financial savings, improve patient outcome and ambulance deployment, as well as explore alternative service delivery models to enhance and support the EMS System will be missed.

CHILDREN'S IMPACT STATEMENT:

Approximately 8-10% of EMS system services are provided to children.

ATTACHMENTS

Optimization of Prehospital Care in Contra Costa County

Measure H Guidelines

Measure H Chart 2013-14 Allocations

Contra Costa Emergency Medical Services

Optimization of Prehospital Care in Contra Costa County July 8, 2014

Background: As a core function, Contra Costa Emergency Medical Services (EMS) is tasked with assuring timely 911 ambulance availability throughout the county, coordinating the efforts of fire first-responder services in conjunction with ambulance responses, receiving hospitals and specialty care centers to establish the most optimal configuration of the system. The goal of that configuration is to provide safe, effective, and efficient medical care that meets the needs of patients with emergency conditions within the capabilities of the community.

In Contra Costa's EMS system, the level of care provided by EMS responders has evolved over the past three decades. Initially in the early 1980's, the first-responder component consisted of fire agencies with EMT (emergency medical technician) or first aid levels of training. The ambulance system was configured primarily with EMT-level personnel, with a limited number of paramedic units. Over time, increasing paramedic ambulance units were added, and the ambulance system became all-paramedic 10 years ago. Fire departments began implementing first-responder paramedic programs in the late 1990's and currently six of nine fire departments are providing first-responder paramedics (covering approximately 75% of responses) while three other agencies -remained at the EMT responder level.

As the system evolved, EMS also developed modifications in response to come closer to providing the same relative access to paramedic care in those areas with EMT-level first responders through reduced response times (Richmond) and addition of Quick Response Vehicles (QRVs) in Crockett and east county areas.

The Science and Local Experience of EMS First Medical Response

Over the past decade we have had an ample opportunity to observe the performance of our system to assess the utility of first-responder paramedics in both the QRV and first-responder fire setting. As well, we have seen the science of EMS develop world-wide with research that demonstrates which paramedic interventions improve patient outcomes. Well-done research out of Ottawa, Canada (known as the OPALS study) demonstrated that addition of paramedic (advanced life support) care improved outcome in patients with respiratory distress. Similar research from that area has shown that ALS care did not improve outcomes in cardiac arrest or traumatic injuries. In cardiac arrest, providing CPR early defibrillation (basic life support skills) are key interventions. In trauma, early transport along with hemorrhage control and basic airway management (again basic life support skills) appear to be the critical interventions.

There are no other large-scale studies showing the benefit of advanced life support in other conditions, although there is growing evidence that early treatment and cessation of seizures improves patient outcomes. As well, it is known that delayed

Contra Costa Emergency Medical Services

recognition and treatment of anaphylaxis (severe allergic reaction) worsens outcomes, so it is widely accepted that early treatment is appropriate. Management of hypoglycemia (low blood sugar) is also an accepted urgent treatment – delay in treatment within a few minutes of onset may not make a huge difference in outcome, but depending on the length of time the condition is present prior to EMS activation it is always prudent to treat in a rapid fashion.

Clearly there are interventions that provide increased comfort to patients, but the number of time-sensitive treatments that paramedics provide that have been shown to improve outcome are small and the addition of those skills in a system-wide manner in the first-responder setting (both with QRVs and first-responder paramedic fire units) comes at a significant cost for the minimal additional impact to the system. The provision of many paramedic-level interventions in a slightly earlier time frame may lead to earlier relief of symptoms or earlier recognition of conditions, but this care does not lead to significant outcome improvements.

The most efficient EMS system configuration is complementary – the pieces fit together in a way to provide the best system without large gaps in care and without significant duplication of services. Ambulances transport patients from the scenes of incidents to hospitals, and then are re-posted to areas of the county that have the best access to the next call. The deployment is -flexible and can take advantage of predictable hourly or daily utilization. First-responder fire units are statically deployed (when engine-based, posted at their stations) and advantageously have presence in some areas with lower volume of calls, geographically placed in locales where ambulances may not tend to be posted (frequently far from hospital facilities). An overlap or redundancy in paramedic care in the system exists in urban and suburban areas where there is a high likelihood of ambulance resources being promptly available. In those areas, first-responder fire units arrive at nearly the same time as ambulance resources, and the duplication of paramedic resources in those situations add minimal or no value to the system.

Fire First Medical Response Funding

Recognizing the fiscal commitment fire agencies had to take on to support paramedic first medical response in 2004, the Contra Costa Board of Supervisors (BOS) created funding to support the expansion of paramedic first medical response. The Board was able to do this by redirecting Measure H funds used to subsidize emergency ambulance service to fire first responders providing a paramedic level of service. In 2013 that funding model was broadened to support all fire first responder agencies service level enhancements the EMS System. The new funding model recognized the science, that all fire service providers enhance EMS Systems, by participating in a coordinated, data driven EMS system of care. The EMS Agency respects that the primary responsibility for fire first medical response rests with the fire district governing bodies. We understand that the board of directors of each fire agency providing first-responder EMS service have the option to choose a level of service that they feel best meets the needs of their communities.

Contra Costa Emergency Medical Services

Quick Response Vehicles (QRVs)

Based on 2013 data, we have an ability to look at the impact of QRVs in Contra Costa. Outside the city of Brentwood, time-sensitive interventions provided by QRVs in East County and in Crockett are rarely administered – if one looks at the treatments for cardiac arrest, altered level of consciousness requiring glucose, anaphylaxis requiring epinephrine, and active seizures, those interventions amount to an average of less than 2 episodes per month. Treatment of shortness of breath with albuterol similarly is administered less than twice a month in those outlying areas.

Approximately 90% of all QRV calls are responses in Brentwood, and while there are a larger number of calls, the frequency of time-sensitive interventions is even less frequent than in outlying areas, which speaks to the duplication of services that QRVs provide in that setting. Given the minimal clinical impact of QRVs (associated with an extremely low volume of calls in outlying areas and the duplication of efforts in Brentwood), EMS no longer supports the QRV concept in those areas. We believe patients will be better served by the ambulance provider in the future by enhancing ambulance availability rather than to provide QRV services.

Among first-responder fire agencies providing paramedic care (excluding the transporting departments of Moraga-Orinda Fire and San Ramon Valley Fire Protection District who generally do not document first-responder interventions separately), critical interventions are also seen in low numbers (again by 2013 data). Time-sensitive interventions are provided in those four agencies (Contra Costa County Fire, Pinole Fire, Rodeo-Hercules Fire and El Cerrito Fire) the order of approximately five times per day in these first-responder fire agencies. While data is not easily available for Moraga-Orinda or San Ramon Valley Fire, it would not be surprising to see a similar pattern in those agencies.

Approximately one-half of time-sensitive interventions are related to cardiac arrest. Treatment of shortness of breath with albuterol averages around 1.2 times per day in the four agencies. Treatment of hypoglycemia (low blood sugar) and anaphylaxis (severe allergic reaction) occurs approximately once every other day. Treatment of active seizures occurs approximately twice per month. Overall, important time-sensitive treatments are provided by first-responder fire providers in 2-4% of all calls in which they arrive on scene.

The Value of Fire First Responder Paramedic Care

It should not be inferred that there is no value in paramedic care or in first-responder paramedic care – certainly this care provides important medical assessments, –comfort for patients and begins the continuum of care with rare events where earlier critical treatments can be given. While provision of first-responder paramedic care in low-volume (rural) areas and fractional increase in ambulance response times in urban areas does not appear cost-effective, there are

Contra Costa Emergency Medical Services

limited suburban areas in which first-responder paramedics more can predictably provide paramedic interventions in an earlier time frame (at times several minutes prior to ambulance arrival). These are generally areas where ambulance responses may be slightly longer on average (typically in areas distant from hospitals).

Examples of these areas include but are not limited to the El Cerrito, Rodeo, and the Rossmoor, Clayton, and Bay Point areas of CCCFPD districts-.

However, many first-responder units based at fire stations have response areas typically well-covered in a timely fashion by ambulance responses, and first-responder paramedics represent duplication in resources in areas already reasonably well covered by ambulances. While the “squad” concept may more effectively provide first-responder paramedic services in our county is yet unknown – the program recently developed by CCCFPD is small and the patient care impact data sample is also small.

It is again recognized that the level of response provided by first-responder personnel is a decision each first responder agency’s governing body must make. But in consideration of optimally structuring the EMS system however, the expenditure of Contra Costa EMS financial resources on first-responder paramedic care does not appear to be cost-effective. The continuation of prior efforts to modify the system to marginally increase paramedic arrival time (with shorter response times in Richmond and QRV placement in other areas) also does not appear to be warranted. We have established previously that fire first-responder services at the BLS (basic life support) level are indispensable in an EMS system to provide critical aid such as early defibrillation. We believe support for those services are vital.

Beyond the direct provision of care, there are also necessary costs for infrastructure to support high-quality paramedic-level care for first-responder fire agencies. These costs include training, quality improvement and system oversight. Paramedic-level interventions are not without risk and when skills used are done infrequently, there needs to be additional emphasis on training. In Contra Costa, the EMS training and quality improvement infrastructure in many of the fire agencies is minimal at best, and in our opinion is not currently robust enough to support sustained high-quality training and oversight in those agencies. Fire agencies desiring to provide ALS level care need to be willing and able to support those costs necessary to assure appropriate patient care and safety.

Some of the same concerns are certainly applicable to the level of care provided by our 911 ambulance providers. Less than half of the EMS transports require advanced life support skills and less than 10 percent require critical interventions. In many situations, rapid transport is the most important “treatment” provided.

Optimal System Design: Tiered EMS Service Delivery

Going forward, Contra Costa EMS wants to consider a tiered 911 ambulance service with provision of both basic life support (EMT) and advanced life support (paramedic) units. Given the abundance of calls for transport of patients with

Contra Costa Emergency Medical Services

mental health issues, other transport modalities (neither a BLS nor ALS ambulance) may be appropriate.

This is an EMS system re-design that leverages partnerships to provide a comprehensive EMS System of care as part of a broader health care delivery system. In such a EMS System the EMS Agency within its medical control can partner with EMS System stakeholders to create an environment that supports enhancements in patient safety, flexibility and cost savings for service providers using strategic deployment of coordinated EMS System resources. This approach is intended to benefit communities by providing informed choices within their fiscal capabilities.

Lastly, to accomplish optimal system function, an essential feature is a high-quality emergency medical dispatch system that can help determine the appropriate level of resources to send to an incident (as well as the appropriate urgency of response). This is fundamental in order to effectively utilize a tiered system and assure that the appropriate level of response is matched to the needs of the patient.

**Contra Costa Emergency Medical Services
Guidelines for Fire First Medical Response Population Based Allocation
County Service Area EM1 (Measure H) Funds
July 5, 2013**

Measure H Advisory

*“Shall a **Countywide** Emergency Medical Services benefit assessment be established to finance **improvements in emergency medical and trauma care system** including expanded countywide paramedic coverage; improved medical communications and medical dispatcher training; and medical equipment and supplies and training for firefighter first responders, including training and equipment for fire services electing to undertake a specialized program of advanced cardiac care(defibrillation)”*

Passed November 8, 1988 with 71.6% voter support.

Background: CSA EM-1 (Measure H) is a **countywide** benefit assessment district under which the Board of Supervisors (BOS) has established charges on real property to support EMS. The CSA was established in 1990 following a countywide advisory election demonstrating voter support for a benefit assessment with annual parcel charges to support enhancements to the county’s EMS System, including expanded paramedic program services, Trauma, EMS communications, medical training and equipment. The EMS Agency serves as the BOS designated trusted agent for the administration of Measure H.

CSA EM-1 funds have been used to provide limited but important funding to enhance the EMS system for different purposes over the years. Some of the most important enhancements in the Contra Costa EMS System have been funded with seed money from Measure H, typically as "one time" funding to support a program, technology or other EMS system enhancement due to the Measure H fund limit.

Fire District CSA EM-1 funding allocations were established in 2004 as a Fire First Responder Paramedic Fund to improve paramedic first responder capability as part of the May 18, 2004 Board order for ambulance services. Funding distributions were based on a "per engine" formula for many years, however beginning in 2009 fire station closures began to prevent full distribution of funds creating unintended budget shortfalls for impacted fire agencies.

New Population Based Allocation Formula (CSA-EM1 Zone B Fire Agencies): On May 14th, 2013, a population based allocation formula to distribute \$2,331,133 was adopted to support preserving fire first medical response to mitigate the unprecedented reductions to fire agency funding. Under this new formula all fire first responder agencies regardless of first responder service will benefit from Measure H funds. The new formula also builds in a 25% differential for paramedic service level agencies.

Funding levels for fire agencies with current written agreements will be honored and a population based "transition" model has been established over the next 2 years, sun-setting at the end of FY 2014-2015. The EMS Agency views the transition model as an "interim approach" and has recommended to the Board that Measure H funding be "revisited" after the completion of the EMS System study and as part of the upcoming ambulance RFP process.

What Will happen to Measure H Fire-EMS Special Project Funding? Since 2004, unallocated Measure H funds have been made available for special project funding providing an excellent source of project driven enhancement. Under the new population based formula, fire funding will be fully allocated each year significantly reducing the availability of Fire-EMS special project funds. Fire agencies should consider collaboratively contributing a portion of their Fire-EMS funding for joint or regional Fire-EMS projects under this new funding formula. It is estimated that available special project funding will be reduced from approximately \$500,000 per year to \$100,000 year.

Population based Transition Funding Allocations¹

Agency	Effective 2013-14 thru FY 2014-15 Population Based Transition Funding
Richmond (BLS)	\$ 177,670
El Cerrito/Kensington (ALS)	\$ 119,315
Pinole (ALS)	\$ 79,543
Rodeo-Hercules (ALS)	\$ 79,543
Crocket-Carquinez (BLS/volunteer)	\$ 7,063
Moraga Orinda (ALS/Transport)	\$ 198,858
East Contra Costa (BLS)	\$ 180,773
Contra Costa Fire (ALS)	\$ 1,488,368

Fiscal Year 2015-2016 Funding²

Agency³	Effective FY 2015-16 Full Implementation of Population Based Funding
Richmond (BLS)	\$ 223,022
El Cerrito/Kensington (ALS)	\$ 111,012
Pinole (ALS)	\$ 49,437
Rodeo-Hercules (ALS)	\$ 88,004
Crocket-Carquinez (BLS/volunteer)	\$ 7,063
Moraga Orinda (ALS/Transport)	\$ 92,748
East Contra Costa (BLS)	\$ 226,125
Contra Costa Fire (ALS)	\$ 1,533,722

Written Agreements and New Measure H Utilization Reporting: Measure H first responder allocations require a written agreement with the EMS Agency. Fire districts without written agreements will need to establish one prior to distribution of funds. Written agreements will be posted on the EMS Agency website. Established Fire agencies written agreements will need minor modification to reflect the new population based funding. All written agreements will include standardized accountability reporting of fund utilization that must be submitted annually to the County Emergency Medical Care Committee for review and will be posted on the EMS agency website for transparency.

What Qualifies for Use of Measure H Funding: Measure H funds are dedicated under the ballot measure to support enhancement of Emergency Medical Services (EMS) and includes advanced life support (aka paramedic, advanced EMT and EMT expanded scope) pre-hospital care, technology, equipment, communications, training, medical control, quality improvement and oversight of the practice of medicine in the field. Funds may not be used to supplant normal "all hazards" fire operations including differentials for EMS line personnel, vehicles, gasoline and maintenance of non-EMS equipment or systems. The following is a list of qualifying items consistent with the utilization of Measure H public funds.

¹ The transition funding was approved to support a 2 year period for those fire agencies that would see reduced funding due to their population base.

² Measure H funding is subject to change by the BOS in accordance with ballot measure requirements. The EMS Agency and CAO office has recommended that any new use of Measure H funding be considered after the findings of the EMS System Modernization project and the CCFPD fire service studies are thoroughly evaluated.

³ In FY 2015-16 Moraga Orinda Fire, El Cerrito/Kensington, and Pinole will have reductions in funding. These reductions are solely due to the reduced population in those service areas. Population numbers are based on 2010 US Census for the cities in those fire districts.

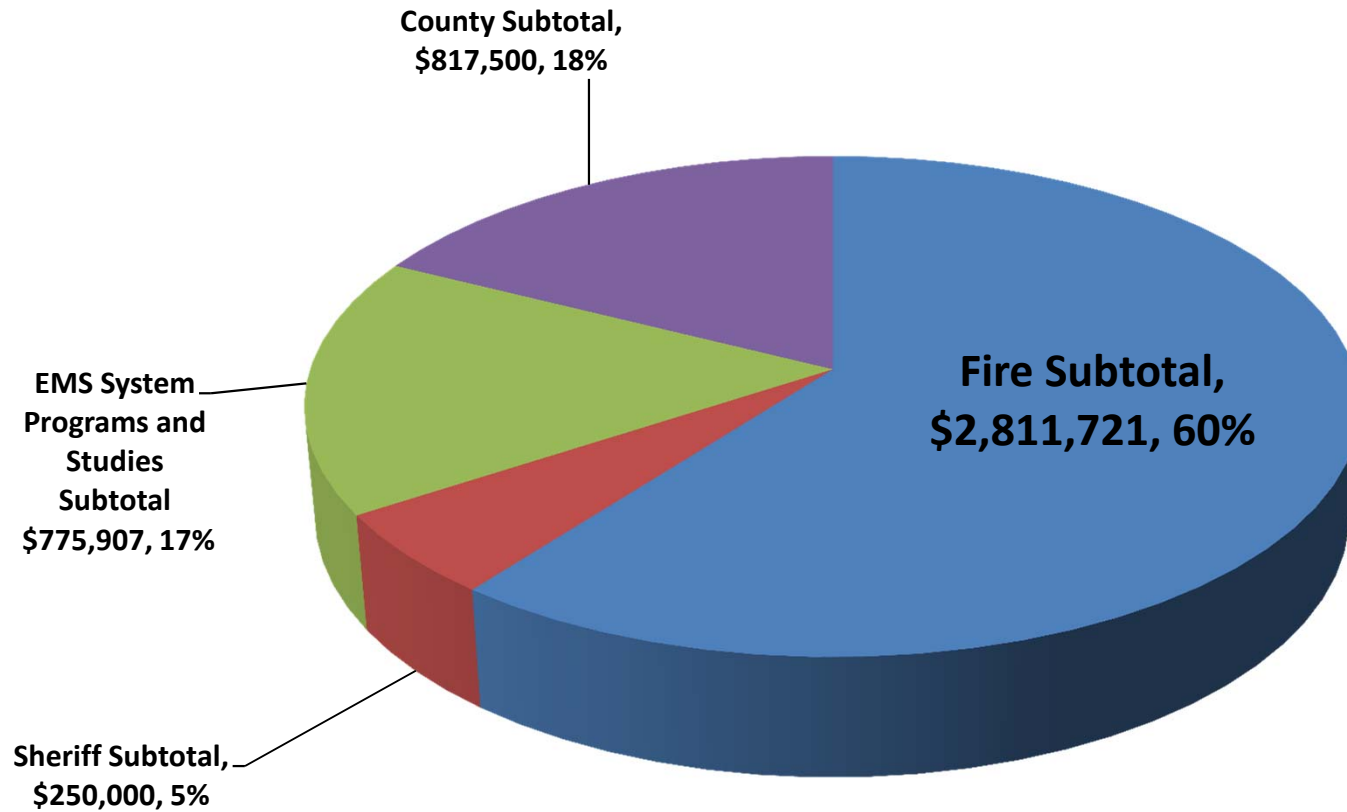
Qualifying Priorities for Fire-Measure H Fund Use⁴

Priority Items Supporting Enhancement in Prehospital Care (Fund First)
Fire agencies should fully fund all staff time and materials dedicated to EMS quality activities and patient care competency sustainability.
Fire personnel patient care and oversight time associated supporting national EMS performance standards of care (e.g. Response times, Quality Improvement, STEMI, Stroke, Trauma, EMS for Children, Cardiac Arrest, and Dispatch Communications) including performance reporting, committees, meetings and workgroups e.g. Medical Advisory Committee, STEMI Advisory Group, Stroke Advisory Group, Trauma Advisory Group, MCI task force, Quality Leadership)
Funding of pilot projects for improvement or enhancement of the EMS System (e.g. community and at risk population programs)
Funding for Advanced EMT or paramedic program development (e.g. training, equipment, patient care oversight)
County approved EMS equipment, medication and supplies including EMS disaster and MCI caches
Fire personnel and support staff time and materials allocated to support national standards for dispatch call processing time and dispatch quality improvement, oversight of patient care or dispatch (e.g. EMD, ProQA, Dispatch Center of Excellence)
All fees, upgrades, Fire personnel training and oversight time supporting costs associated with dispatch software/hardware to maintain a highly reliable process of quality patient care documentation and compliance with pre-hospital electronic medical records completion.
Instructor and Provider Neonatal and Pediatric EMS equipment and training for EMT/EMT-P to support competency in the trauma and medical care of infants and children.
Fees, time (Fire-EMS staff, IT staff, Communications/Dispatch staff) and materials associated with enhancing utilization, sustainability and upgrade of Dispatch software/Hardware to support EMS communications and Emergency Medical Dispatch e.g. First Watch, ATRUS, AQUA, ProQA
Costs with enhancing, integrating or sustaining communication devices or software platforms to support EMS system oversight, situational awareness and response (e.g. Pulse Point, Reddinet, EBRECs, ATRUS, First Watch, Zoll)
Fire personnel time and materials supporting competency, training, orientation, classroom or online training supporting pre-hospital/EMS patient care (e.g. IHI Open School online certification in Quality Improvement and Patient Safety)

Priority Items supporting Sustainability of Enhancement in Prehospital Care
Fire personnel training time and materials to complete BLS and ALS competency checklists (e.g. infrequent skills, CPR, PEPP, PALS, ACLS, ITLS, EMS System Updates, Fire-EMS quarterly consortium training)
Fire-EMS staff time and materials associated with supporting compliance with EMS system performance reporting as described in Fire Agency and EMS Agency written agreements (e.g. EMS System core patient care performance and annual reporting)
Fire-EMS personnel time reviewing and compiling EMS system clinical, utilization and performance reports
Fire personnel time and materials to support injury prevention, Heartsafe communities, AED, and CPR programs
Fees supporting accreditation and certification of EMS personnel e.g. certification fees
Fire personnel costs associated with medication inventory, oxygen devices, narcotics control systems
Patient Care Equipment and Patient Care Monitoring Devices, service plans and supplies (e.g. Physio Monitors and supplies)
Fire personnel time for County Multi Casualty plan exercises and training development, implementation and participation
Acquisition and replacement costs to support and sustain specialty EMS equipment (e.g. Lucas Devices, AEDs)
Fire HazMat training and exercises that includes triage and decontamination of patients or personnel
Fire Infection Control Officer staff time and infection control/personnel protective equipment training of EMS personnel

⁴ This is not intended to be an all-inclusive list. Please contact the EMS Agency Director if your Fire-EMS activity is not listed to assure it meets Measure H criteria for enhancement of the EMS system.

**Measure H Fire and Non-Fire Distributions
2013-14 Projected Annual Allocations
Total Allocation \$4,655,128**





Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: RESPONSE TO 2013/14 CIVIL GRAND JURY REPORT NO. 1405 ENTITLED "THE PUBLIC RECORDS ACT IN CONTRA COSTA COUNTY"

RECOMMENDATION(S):

APPROVE response to 2013/14 Civil Grand Jury Report No. 1405 entitled, "The Public Records Act in Contra Costa County" and DIRECT the Clerk to the Board to send the response to the Superior Court no later than July 15, 2014.

FISCAL IMPACT:

None. This is an informational report.

BACKGROUND:

On June 5, 2014, the County received 2013/14 Civil Grand Jury Report No. 1405 entitled, "The Public Records Act in Contra Costa County", attached, which was filed on May 30, 2014. Penal Code section 933 provides for final grand jury reports at any time during the grand jury's term and requires the governing body of any agency whose operations are the subject of a report to comment on the grand jury's findings and recommendations to the presiding judge of the superior court within 90 days from the date the governing body receives the report, making the Board's response deadline for Report No. 1405 on September 5, 2014.

The Board of Supervisors, on June 24, directed the County Administrator to prepare a response for Board consideration. Attached is the draft response prepared for submission to the Superior Court on behalf of the County, the Contra Costa County Fire Protection District, and the Crockett-Carquinez Fire Protection District, all of which are subject to the County's Better Government Ordinance and Public Access to County Records Policy.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: JULIE DiMAGGIO ENEA
(925) 335-1077

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

By: , Deputy

cc: CAO (DiMaggio Enea)

BACKGROUND: (CONT'D)

The Grand Jury was complimentary towards the County's policies and practices with respect to public access to County records. We can agree to most of the findings except Nos. 5 and 6, which pertained generally to cities and special districts, and did not distinguish between County special districts and independent special districts. The County has implemented most of the recommendations. We are recommending that the County not implement parts of Recommendation No. 3 due to concerns about internet privacy, potential for identity theft, and cost, and because internet publication of the specified document types is required neither by law nor County policy.

ATTACHMENTS

DRAFT Response to GJ Report 1405 - The Public Records Act in Contra Costa County

Grand Jury Report 1405 - The Public Records Act in Contra Costa County

**Contra Costa County Board of Supervisors on Behalf of the
Contra Costa County, Contra Costa County Fire Protection District,
and Crockett-Carquinez Fire Protection District**

**Response to Civil Grand Jury Report No. 1405,
entitled “The Public Records Act in Contra Costa County”**

Findings

1. The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).

Response: *The respondent agrees with the finding.*

2. Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

Response: *The respondent agrees with the finding.*

3. Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.

Response: *The respondent agrees with the finding. The County provides training to designated department and agency employees biennially.*

4. The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.

Response: *The respondent agrees with the finding.*

5. The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed response or fail to respond entirely.

Response: *The County is unable to verify the finding.*

6. Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.

Response: *The County is unable to verify the finding but can confirm that the designated employees of the County's dependent special districts receive periodic training on their duties under the CPRA and the County's Better Government Ordinance.*

7. Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

Response: *The respondent agrees that these documents are among the document types frequently requested of the County. In addition to the annual budget documents, audits, annual debt reports, and the Comprehensive Annual Financial Reports, the County currently publishes on the County website meeting agendas and supporting documents for the Board of Supervisors and its standing committees, the Contra Costa County Fire Protection District, and the Contra Costa County Housing Authority (a separate agency).*

Recommendations

1. Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.

Response: *The recommendation has been implemented. The County's dependent special districts are subject to the Better Government Ordinance.*

2. Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.

Response: *The recommendation has been implemented. Training is offered biennially to designated staff of County departments and dependent special districts.*

3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:

- a. Statements of Economic Interests
- b. Employment Contracts
- c. Annual Audits
- d. Travel and Entertainment reimbursements
- e. Agendas and supporting documents for public meetings.

Response: *The recommendation has been implemented with respect to (c) and (e). The recommendation will not be implemented with respect to (a), (b), and (d) because it is not reasonable or warranted. Economic Interest Statements, employment contracts, and travel reimbursements may contain personal information that, while publicly disclosable, is not appropriate for publication on the worldwide web. Redaction of home addresses, personal telephone numbers, personal email addresses, and signatures for web presentation would be cost-prohibitive. These types of documents remain available for inspection at no charge and for production at nominal charge upon request.*

**A REPORT BY
THE 2013-2014 CONTRA COSTA COUNTY GRAND JURY**
725 Court Street
Martinez, California 94553

REPORT 1405

**THE PUBLIC RECORDS ACT IN
CONTRA COSTA COUNTY**

Letting the Sun Shine In

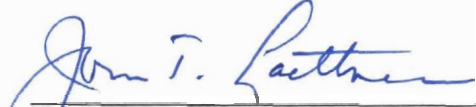
APPROVED BY THE GRAND JURY:

Date: 5/22/2014


STEPHEN D. CONLIN
GRAND JURY FOREPERSON

ACCEPTED FOR FILING:

Date: 5/30/14


JOHN T. LAETTNER
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 1405

THE PUBLIC RECORDS ACT IN CONTRA COSTA COUNTY

Letting the Sun Shine In

TO: Contra Costa County Board of Supervisors
All Contra Costa County Cities,
All Contra Costa County School Districts,
All Contra Costa County Fire Districts,
Selected Special Districts in Contra Costa County

SUMMARY

The California Public Records Act (the “CPRA” or “Act”) is the law that ensures the public has access to records generated by public agencies. The Act, however is complex and flawed. Employees responsible for fulfilling CPRA requests do not always respond in the manner required by the law. Contra Costa County has adopted a Better Government Ordinance; it allows the public even greater access to government records and information and clarifies some of the uncertainties of the ACT. The practice of making public records available on a governmental entity’s website is an economical and practical means of complying with the Act.

METHODOLOGY

In preparing this report, the Contra Costa Civil Grand Jury:

- Interviewed an individual who makes frequent requests for public records from agencies in Contra Costa County and one who bears responsibility for insuring compliance with the law.
- E-mailed and made in-person requests for routine public records to a cross-section of agencies within the County.

Reviewed:

- The California Public Records Act, Government Code Section 6250 et seq.;
- The Summary of the California Public Records Act 2004 prepared by the California Attorney General’s Office;

- Contra Costa County's Better Government Ordinance, 25-2.202 et seq.;
- Contra Costa County Administration Bulletin Number 120.5, Public Access to County Records;
- The People's Business: A Guide to the California Public Records Act published by the League of California Cities;
- Materials concerning audits of public agencies for Public Records Act compliance published by Californians Aware, the Center for Public Form Rights.

BACKGROUND

The CPRA, enacted in 1968, ensures that the public has access to governmental records, and that those records will be disclosed to the public upon request, unless there is a specific reason provided by the Act not to do so. Access to information concerning the conduct of governmental activities permits the public to better monitor the functioning of government and reduces the likelihood of waste, fraud and corruption.

The Act strongly favors the release of the requested records. For example:

- The request need not be in writing. There may be good reason to do so to establish the exact nature of the documents sought and the time frame for responses, but it is not required by law.
- The person requesting the records does not need to identify him/herself. Although it may be easier for the responding agency to deal with the request and get back to the party making the request, only in a few specified situations need the requester be identified.
- The request need not state the purpose of the request.
- The governmental entity has the burden of justifying the denial of a request.
- The agency must respond to the request within 10 days, or provide notice to the requester within 14 days concerning the existence of the requested records, and the records must be produced within a reasonable time.
- The agency must assist the requester by attempting to identify records that contain the information sought.
- Fees may be charged for the costs of reproduction of the records, but not for the time required to conduct a search.

Despite the CPRA's strong mandate and the important policy that lead to its enactment, members of the public and the press are occasionally rebuffed or given the runaround when making legitimate CPRA request. In some cases this may be the result of imprecise requests:

- The scope of the request must be reasonably clear.
- The requester may ask for records that don't exist. The government entity need not create information or write reports in response to requests under the Act.
- The government entity need only produce records that are reasonably identified.

The CPRA does present problems in its implementation. It is complicated in that it contains many exceptions to disclosure, including such matters as attorney-client communications, code enforcement records, law enforcement records, pending litigation, personnel records, and recipients of public services, among others.

If an agency in or of the County opposes disclosure of the records, it can argue that one or more of the exceptions apply. Unless the person making the request is persistent and challenges the agency's right to withhold the record, the agency may avoid disclosure. The requesting party's only option at that point is to threaten litigation or actually file a lawsuit, a choice that realistically is an option available only to the press or other entities with significant resources but less likely to be exercised by individual members of the public.

The Board of Supervisors has adopted the "Better Government Ordinance," (the "BGO"), that expands the public's access to records beyond those available to the public under the CPRA. The BGO applies to the offices of County government under the authority of the Board of Supervisors. Independent districts are covered only by the Public Records Act.

An increased number of County agencies maintain websites that provide links to public records. This has been of major assistance to citizens seeking information, and it is an efficient and inexpensive way of complying with the Public Records Act.

Among the most valuable classifications of documents whose publication would strengthen integrity in government are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements and agendas and supporting documents for public meetings.

Compliance with the Act in Contra Costa County

Compliance with the Act by those agencies reporting to the Board of Supervisors is generally good, but compliance by cities and special districts is uneven, with some being very forthcoming and others less so. There are several reasons that could account for the failure to comply, from an unwillingness to provide information during the existence of a public controversy to simple ignorance about the requirements and workings of the Act. The County provides annual training about the CPRA and compliance. This, no doubt, accounts for the greater receptiveness of County offices to document requests.

E-mail requests were sent to 41 different cities, special districts and divisions of County government. The same request was made to each entity; a request for a copy of the contract of the highest-ranking official for that entity. The request did not identify the name of the person making the request nor did it reveal any connection with the Grand Jury. In many instances an e-mail response with the appropriate document attached or a reference to the document online was received within an hour or so from the time of the inquiry. Several took from one to three days. Several took seven days; one took 24 days. Several of the e-mails bounced and had to be re-directed to a different e-mail addresses where the response was normally prompt once the request reached the appropriate staff member. There was no response from 12 of the offices.

Visits, including visits to some of the offices that failed to respond to the e-mail requests, resulted usually in positive responses. When the Statement of Economic Interest form (Form 700) was requested, it was produced in a matter of minutes in some instances. At other times, an e-mail was sent to the requester with the document attached.

Requests pursuant to the CPRA do not need to be in writing; the requesters do not have to reveal their identity, explain the purpose of the request or with whom they might be affiliated. However this information was requested on several occasions and one entity insisted that the request be in writing.

Several patterns emerged in response to CPRA requests.

- Requests by e-mail were generally directed to knowledgeable individuals within the office so the resulting response was timely and professional.
- Personal visits to offices, while usually successful (the requested record was provided), often revealed the staff's uncertainty about who in the office should respond to the request.
- In-person visits often resulted in requests for the requestor's name and purpose of the request, disclosures the law does not require.
- The quickest responses came when the information was already on the entity's website and could be referenced easily.
- The requests were for very routine documents that are clearly subject to the Act and should be readily forthcoming.

FINDINGS

1. The State of California's policy of transparency in government is embodied in the California Public Records Act (CPRA).
2. Contra Costa County's policy of transparency in government has been strengthened by its adoption of the Better Government Ordinance.

3. Contra Costa County conducts periodic training of its employees regarding how to respond to requests for records under the CPRA and the Better Government Ordinance.
4. The response to CPRA requests by departments reporting to the Board of Supervisors is generally timely and appropriate.
5. The response to CPRA by cities and special districts within Contra Costa County is uneven. Some entities are responsive, while others have a delayed responses or fail to respond entirely.
6. Employees of cities and some special districts who deal with CPRA requests are unfamiliar with the Act and the responsibilities of their agency when records are requested.
7. Among the most valuable documents that could be included on websites are: Statements of Economic Interests, Employment Contracts, Annual Audits, Travel and Entertainment reimbursements, and agendas and supporting documents for public meetings.

RECOMMENDATIONS

1. Cities and special districts in Contra Costa County should consider adopting a policy similar to the Better Government Ordinance, expanding the right of the public to access to public records.
2. Cities and special districts in Contra Costa County should arrange for periodic training of employees who are responsible for responding to Public Records Act requests.
3. Cities and special districts should consider making certain public records that are clearly disclosable under the CPRA available on their websites:
 - a. Statements of Economic Interests
 - b. Employment Contracts
 - c. Annual Audits
 - d. Travel and Entertainment reimbursements
 - e. Agendas and supporting documents for public meetings.

REQUIRED RESPONSES

	<u>Findings</u>	<u>Recommendations</u>
Contra Costa County Board of Supervisors	1-7	1 - 3
City of Antioch	1-7	1 - 3
City of Brentwood	1-7	1 - 3
City of Clayton	1-7	1 - 3
City of Concord	1-7	1 - 3
Town of Danville	1-7	1 - 3
City of El Cerrito	1-7	1 - 3
City of Hercules	1-7	1 - 3
City of Lafayette	1-7	1 - 3
City of Martinez	1-7	1 - 3
Town of Moraga	1-7	1 - 3
City of Oakley	1-7	1 - 3
City of Orinda	1-7	1 - 3
City of Pinole	1-7	1 - 3
City of Pittsburg	1-7	1 - 3
City of Pleasant Hill	1-7	1 - 3
City of Richmond	1-7	1 - 3
City of San Pablo	1-7	1 - 3
City of San Ramon	1-7	1 - 3
City of Walnut Creek	1-7	1 - 3
Acalanes Union High School District	1-7	1 - 3
Antioch Unified School District	1-7	1 - 3

	<u>FINDINGS</u>	<u>RECOMMENDATIONS</u>
Brentwood Union School District	1-7	1 - 3
Byron Unified School District	1-7	1 - 3
Canyon School District	1-7	1 - 3
Contra Costa Community College District	1-7	1 - 3
John Swett Unified School District	1-7	1 - 3
Knightsen Elementary School District	1-7	1 - 3
Lafayette School District	1-7	1 - 3
Liberty Union High School District	1-7	1 - 3
Martinez Unified School District	1-7	1 - 3
Moraga School District	1-7	1 - 3
Mount Diablo Unified School District	1-7	1 - 3
Oakley Union Elementary School District	1-7	1 - 3
Orinda Union School District	1-7	1 - 3
Pittsburg Unified School District	1-7	1 - 3
San Ramon Valley Unified School District	1-7	1 - 3
Walnut Creek School District	1-7	1 - 3
West Contra Costa Unified School District	1-7	1 - 3
Contra Costa County Office of Education	1-7	1 - 3
Kensington Police Protection and Community Services District	1-7	1 - 3
Pleasant Hill Recreation and Park District	1-7	1 - 3
Contra Costa Water District	1-7	1 - 3
Diablo Water District	1-7	1 - 3

	<u>FINDINGS</u>	<u>RECOMMENDATIONS</u>
West Contra Costa Health Care District	1-7	1 - 3
Contra Costa County Fire Protection District	1-7	1 - 3
Crockett-Carquinez Fire Protection District	1-7	1 - 3
East Contra Costa Fire Protection District	1-7	1 - 3
Kensington Fire Protection District	1-7	1 - 3
Moraga-Orinda Fire District	1-7	1 - 3
Rodeo-Hercules Fire Protection District	1-7	1 - 3
San Ramon Valley Fire Protection District	1-7	1 - 3



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: Revised Management Benefits Resolution No. 2014/205, which Supersedes Resolution No. 2013/299

RECOMMENDATION(S):

ADOPT Resolution No. 2014/205, which supersedes Resolution No. 2013/299, regarding compensation and benefits for the County Administrator, County Elected and Appointed Department Heads, Management, Exempt, and Unrepresented employees to reflect changes.

FISCAL IMPACT:

The terms and conditions set forth in this action are mainly administrative. There is an estimated cost to the County of approximately \$1,000 annually.

BACKGROUND:

Historically, the wages and benefits granted by the County to its department heads, managers, and unrepresented employees have paralleled the wages and benefits negotiated by the County with its various labor organizations. The modifications described below modify the benefits for specified groups of unrepresented employees to be consistent with those of their companion bargaining groups; address the Public Employees Pension Reform Act (PEPRA) retirement tier benefits; modify sections to correctly recognize recently created or eliminated classifications; modify the list of appointed department heads to include the County Finance Director; and modify specific benefits for unrepresented CCCERA employees as directed by the Retirement Board.

The attached Management Resolution has been modified in the following ways:

-
- APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

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

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

By: , Deputy

cc: Robert Campbell, Auditor-Controller, Lisa Driscoll, County Finance Director, Mary Ann McNett Mason, Assistant County Counsel, Kurt Schneider, Deputy Chief Executive Officer

BACKGROUND: (CONT'D)

1. Section 1.11 has been revised to clarify the definition of the workweek for employees on regular, flexible, alternate and 4/10 schedules.
2. Section 1.14 has been re-titled and has a revised description of the method of calculating holiday hours for part-time employees and of the pay provisions and use of accruals applicable to part-time employees on holidays.
3. Sections 1.17 and 24 now include the revised title for the Director of Employment and Human Services.
4. Throughout the Resolution, the title Director of Human Resources-Assistant County Administrator has been changed to Director of Human Resources.
5. Section 5.11 now provides that effective July 1, 2014, the Retirement Chief Executive Officer is responsible for one hundred percent (100 %) of the employee's share of retirement contributions.
6. In sections 16.B.2 and 56, the correct class code for Retirement Assistant General Counsel Exempt (97B4) was included and reference to Retirement Disability Counsel was deleted.
7. Section 21 B has been revised to remove classifications, whose incumbents appointed after a specified date, are ineligible to receive an auto allowance.
8. Section 21 C now provides that effective July 1, 2014, the Retirement Chief Executive Officer is ineligible to receive an automobile allowance.
9. Section 24 and Exhibit D "Department Heads and Chief Assistants" now include the classification of County Finance Director as an appointed Department Head.
10. Section 36.10 has been revised to provide that effective June 30, 2016, the contribution unrepresented District Attorney Investigator classes make toward the employer's share of cost for Safety Tier A retirement benefits will cease.
11. Section 36.11 now provides that for persons hired in unrepresented District Attorney Investigator classes on or after July 1, 2014, who become safety New Members of CCCERA in the PEPRA Tier, the cost of living adjustment to the pension benefit will not exceed two percent (2%) per year and will be banked.
12. Section 41, subsections A and B have been revised to clarify the circumstances under which the Nursing Shift Coordinator-Per Diem receives differentials for evening shift work and night shift work. New subsection C has been added to provide the Nursing Shift Coordinator-Per Diem a five percent (5%) shift differential in specified circumstances. Prior section 41 C became section 41 D.
13. Section 43 has been re-titled and revised to delete references to the Exempt Medical Staff Optometrist (VPS1) class, because this class is now represented and no longer covered by the Management Resolution.
14. Section 44.12 now includes Assistant County Probation Officer-Exempt (7AB1) in the list of classes eligible for safety retirement.
15. Technical, non-substantive corrections were made to the language of section 53.11, which addresses the safety PEPRA tier for miscellaneous safety classifications.

CONSEQUENCE OF NEGATIVE ACTION:

If the action is not taken, future saving associated with a 2% pension cola will not be realized for certain safety classifications.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

Resolution No. 2014/205

Body and Exhibits of Management Resolution No. 2014/205

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

Adopted this Resolution on 07/08/2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2014/205

In The Matter Of: Benefits and Other Compensation for County Elected and Appointed Department Heads, Management, Exempt, and Unrepresented Employees for the Period from July 1, 2014 through June 30, 2016 and Until Further Order

The Contra Costa County Board of Supervisors acting solely in its capacity as the governing board of the County of Contra Costa **RESOLVES THAT:**

Effective upon adoption and continuing to June 30, 2016, and until further order of the Board, the Board adopts the attached program of compensation and benefits for County Elected and Appointed Department Heads, Management Employees, Exempt Employees, and Unrepresented Employees. Except for Resolution No. 2002/608 (excluding inconsistent provisions concerning the amount of employee contributions for retirement benefits), as amended, this Resolution supersedes all previous resolutions providing compensation and benefits for the employees listed herein, including but not limited to Resolution No. 2013/299.

Unless expressly provided otherwise, this Resolution is subject to the provisions of resolutions providing general and pay equity salary adjustments, Administrative Bulletins, the 1937 County Employees Retirement Act, the Public Employees Pension Reform Act, the County Salary Regulations, and the County Personnel Management Regulations. This Resolution does not authorize compensation and benefits for any employees of the Contra Costa Superior Court or for any management employee who is represented by an employee organization with a Memorandum of Understanding.

Management and Unrepresented employees include employees in Classified, Project, and Exempt classifications. Unless otherwise expressly provided, compensation and benefits under this Resolution are authorized only for permanent and project employees who work full-time or part-time, twenty (20) or more hours per week.

The full text of this Resolution is attached. Also attached are the following exhibits:

I. **BENEFITS FOR MANAGEMENT, EXEMPT AND UNREPRESENTED EMPLOYEES** are provided for those classes listed in **Exhibit A**.

II. **BENEFITS FOR MANAGEMENT AND EXEMPT EMPLOYEES** are provided for those classes listed in Exhibit A, except for the classes listed in **Exhibit B**.

III. **BENEFITS FOR ELECTED AND APPOINTED DEPARTMENT HEADS** are provided for those classes listed in **Exhibit C**.

IV. **SPECIAL BENEFITS FOR MANAGEMENT EMPLOYEES BY DEPARTMENT OR CLASS** are provided as indicated in each section.

V. **DEPARTMENT HEADS AND THEIR CHIEF ASSISTANTS** for purposes of Section 23 are listed in **Exhibit D**.

VI. **CALPERS HEALTH PLAN CLASSES** for purposes of Section 2 are listed in **Exhibit E**.

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

ATTESTED: July 8, 2014

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

By: , Deputy

cc: Robert Campbell, Auditor-Controller, Lisa Driscoll, County Finance Director, Mary Ann McNett Mason, Assistant County Counsel, Kurt Schneider, Deputy Chief Executive Officer

I. BENEFITS FOR MANAGEMENT, EXEMPT, AND UNREPRESENTED EMPLOYEES

1. Leaves With and Without Pay

1.10 Holidays: The County will observe the following holidays during the term covered by this Resolution:

New Year's Day	Labor Day
Martin Luther King Jr. Day	Veterans' Day
Presidents' Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day

Such other days as the Board of Supervisors may designate by Resolution as holidays.

Any holiday observed by the County that falls on a Saturday is observed on the preceding Friday and any holiday that falls on a Sunday is observed on the following Monday.

1.11 Definitions:

Regular Work Schedule: The regular work schedule is eight (8) hours per day, Monday through Friday, inclusive, for a total of forty (40) hours per week.

Flexible Work Schedule: A flexible work schedule is any schedule that is not a regular, alternate, 9/80, or 4/10 work schedule and where the employee is not scheduled to work more than 40 hours in a "workweek" as defined below.

Alternate Work Schedule: An alternate work schedule is any work schedule where the employee is regularly scheduled to work five (5) days per week, but the employee's regularly scheduled days off are NOT Saturday and Sunday.

4/10 Work Schedule: A 4/10 work schedule is four (4) ten hour days in a seven (7) day period, for a total of forty (40) hours per week.

9/80 Work Schedule: A 9/80 work schedule is where an employee works a recurring schedule of thirty six (36) hours in one calendar week and forty four (44) hours in the next calendar week, but only forty (40) hours in the designated workweek. In the thirty six hour (36) calendar week, the employee works four (4) nine (9) hour days and has the same day of the week off that is worked for eight (8) hours in the forty four (44) hour calendar week. In the forty four (44) hour calendar week, the employee works four (4) nine (9) hour days and one eight (8) hour day.

Workweek for Employees on Regular, Flexible, Alternate, and 4/10 Schedules: For employees on regular, flexible, alternate, and 4/10 schedules, the workweek begins at 12:01 a.m. on Monday and ends at 12 midnight on Sunday. For employees who work in a twenty-four (24) hour facility in the Contra Costa Regional Medical Center and who are not on a 9/80 work schedule, the workweek begins at 12:01 a.m. Sunday and ends at 12:00 midnight on Saturday.

Workweek for Employees on a 9/80 Schedule: The 9/80 workweek begins on the same day of the week as the employee's eight (8) hour work day and regularly scheduled 9/80 day off. The start time of the workweek is four (4) hours and one (1) minute after the start time of the eight (8) hour work day. The end time of the workweek is four (4) hours after the start time of the eight (8) hour work day. The result is a workweek that is a fixed and regularly recurring period of seven (7) consecutive twenty four (24) hour periods (168 hours).

- 1.12 Holidays Observed: Employees are entitled to observe a holiday (day off work), without a reduction in pay, whenever a holiday is observed by the County.
- 1.13 Holidays - Flexible, Alternate, 9/80, and 4/10 Work Schedules: When a holiday falls on the regularly scheduled day off of any employee who is on a flexible, alternate, 9/80, or 4/10 work schedule, the employee is entitled to take the day off, without a reduction in pay, in recognition of the holiday. These employees are entitled to request another day off in recognition of their regularly scheduled day off. The requested day off must be within the same month and workweek as the holiday and it must be pre-approved by the employee's supervisor. If the day off is not approved by the supervisor, it is lost. If the approved day off is a nine (9) hour workday, the employee must use one (1) hour of non-sick-leave accruals. If the approved day off is a ten (10) hour workday, the employee must use two (2) hours of non-sick-leave accruals. If the employee does not have any non-sick-leave accrual balances, leave without pay (AWOP) will be authorized.
- 1.14 Holiday Observed - Part-Time Employees: When a holiday is observed by the County, each part-time employee is entitled to observe the holiday in the same ratio as his/her number of position hours bears to forty (40) hours, multiplied by 8 hours, without a reduction in pay. For example, a part-time employee whose position hours are 24 per week is entitled to 4.8 hours off work on a holiday (24/40 multiplied by 8=4.8). Hereafter, the number of hours produced by this calculation will be referred to as the "part-time employee's holiday hours."

When the number of hours in a part-time employee's scheduled work day that falls on a holiday ("scheduled work hours") is less than the employee's part-time employee's holiday hours, the employee also is entitled to receive flexible pay at the rate of one (1.0) times his/her base rate of pay (not including differentials) for the difference between the employee's scheduled work hours and the employee's part-time employee's holiday hours.

When the number of hours in a part-time employee's scheduled work day that falls on a holiday (scheduled work hours) is more than the employee's part-time

employee's holiday hours, the employee must use non-sick leave accruals for the difference between the employee's scheduled work hours and the employee's part-time employee's holiday hours. If the employee does not have any non-sick leave accrual balances, leave without pay (AWOP) will be authorized.

1.15 No Overtime Pay, Holiday Pay, or Comp Time: Unrepresented, management, and exempt employees are not entitled to receive overtime pay, holiday pay, overtime compensatory time, or holiday compensatory time. Employees who are unable or not permitted to observe a holiday (take the day off), are authorized to receive overtime pay ONLY IF the employee is on the Overtime Exempt Exclusion List (see Section 11).

1.16 Personal Holiday Credit:

A. County Librarian. The County Librarian is entitled to accrue two (2) hours of personal holiday credit each month. The County Librarian may accrue no more than twenty four (24) hours of personal holiday credit. On separation from County service, the County Librarian will be paid for any unused personal holiday credit hours at his/her then current rate of pay, up to a maximum of twenty four (24) hours.

B. Other Employees. Employees are entitled to accrue two (2) hours of personal holiday credit each month. This time is prorated for part time employees. No employee may accrue more than forty (40) hours of personal holiday credit. On separation from County service, employees are paid for any unused personal holiday credit hours at the employee's then current rate of pay, up to a maximum of forty (40) hours.

1.17 Vacation: Employees are entitled to accrue paid vacation credit not to exceed the maximum cumulative hours as follows:

<u>Length of Service</u>	<u>Monthly Accrual Hours</u>	<u>Maximum Cumulative Hours</u>
Under 11 years	10	240
11 years	10-2/3	256
12 years	11-1/3	272
13 years	12	288
14 years	12-2/3	304
15 through 19 years	13-1/3	320
20 through 24 years	16-2/3	400
25 through 29 years	20	480
30 years and up	23-1/3	560

However, for the Director of Employment and Human Services (job code XAA2, County Welfare Director) only, the monthly accrual amount is 12 hours for the first 13 years of County service and the maximum cumulative hours is 240 for the first 11 years of County service. Thereafter, the Director is subject to the maximums set forth in the above chart.

Each employee is eligible to accrue increased vacation hours on the first day of the month following the employee's Service Award Date.

An employee's Service Award Date is the first day of his/her temporary, provisional, or permanent appointment to a position in the County. If an employee is first appointed to a temporary or provisional position and then later appointed to a permanent position, the Service Award Date for that employee is the date of the first day of the temporary or provisional appointment.

- 1.18 Sick Leave: Employees are entitled to accrue paid sick leave credit in accordance with the provisions of the County Salary Regulations and Administrative Bulletin No. 411.7 (Sick Leave Policy) adopted on October 17, 1997, as periodically amended.
- 1.19 Part-Time Employees: Part-time employees are entitled to accrue paid vacation and sick leave credit on a pro-rata basis.
- 1.20 Family Care Leave: The provisions of Section 1006.3 of the Personnel Management Regulations and Resolution No. 94/416, as amended, relating to Leaves of Absence and Family Care Medical Leave apply to all employees covered by this Resolution, except that such employees are not entitled to Family Care or Medical Leave on a calendar year basis. Instead, such employees are entitled to at least eighteen (18) weeks of leave in a "rolling" twelve (12) month period, which period is to be measured backward from the date the employee uses FMLA leave.
- 1.21 Leave Without Pay - Use of Accruals: The provisions of Section 1006.6 of the Personnel Management Regulations, as amended, relating to the use of accruals while on leave without pay, apply to all employees covered by this Resolution.

2. Health, Dental, and Related Benefits

- 2.10 Application:
 - a. Employees in classifications who receive health care coverage from County Plans: The following Sections apply to all employees in classifications covered by this Resolution who receive health care coverage from County Plans and do not receive health plan coverage through CalPERS: Section 2.11 "Health Plan Coverages," Section 2.12 "County Health and Dental Plan Contribution Rates," Section 2.13 "Retirement Coverage," Section 2.14 "Layoff and Other Loss of Coverage," Section 2.15 "Health Plan Coverages"

and Provisions,” and Section 2.16 “Family Member Eligibility.”

- b. Employees in classifications who receive health care coverage from CalPERS: The following Sections apply to all employees in the classifications listed in Exhibit E: Section 2.17 “CalPERS Controls,” Section 2.18 “Contra Costa Health Plan (CCHP),” Section 2.19 “CalPERS Health Plan Monthly Premium Subsidy,” Section 2.20 “CalPERS Retirement Coverage,” Section 2.21 “CalPERS Premium Payments,” and Section 2.22 “Dental Plan - CalPERS Participants.”
- c. General provisions: The following Sections apply to all employees in all the classifications covered by this Resolution: Section 2.23 “Dual Coverage,” Section 2.24 “Life Insurance Benefit Under Health and Dental Plans,” Section 2.25 “Supplemental Life Insurance,” Section 2.26 “Catastrophic Leave Bank,” Section 2.27 “Health Care Spending Account,” Sections 2.28 “PERS Long-Term Care,” Section 2.29 “Dependent Care Assistance Program,” Section 2.30 “Premium Conversion Plan,” and Section 2.31 “Prevailing Section.”

2.A. Employees In Classifications Who Receive Health Care Coverage From County Plans

2.11 Health Plan Coverages: The County will provide the medical and dental coverage for Management, Exempt, and Unrepresented employees and for their eligible family members, expressed in one of the Health Plan contracts and one of the Dental Plan contracts between the County and the following providers:

- a. Contra Costa Health Plans (CCHP)
- b. Kaiser Permanente Health Plan
- c. Health Net
- d. Delta Dental
- e. DeltaCare (PMI)

2.12 Monthly Premium Subsidy:

- a. For each health and/or dental plan, the County’s monthly premium subsidy is a set dollar amount and is not a percentage of the premium charged by the plan. The County will pay the following monthly premium subsidy:
 - 1. Contra Costa County Health Plan, (CCHP), Plan A
Single: \$509.92
Family: \$1,214.90
 - 2. Contra Costa County Health Plan, (CCHP) Plan B
Single: \$528.50
Family: \$1,255.79
 - 3. Kaiser Permanente Health Plan

- Single: \$478.91
Family: \$1,115.84
- 4. Health Net HMO
Single: \$627.79
Family: \$1,540.02
- 5. Health Net PPO
Single: \$604.60
Family: \$1,436.25
- 6. Delta Dental with CCHP A or B
Single: \$41.17
Family: \$93.00
- 7. Delta Dental with Kaiser or Health Net
Single: \$34.02
Family: \$76.77
- 8. Delta Dental without a Health Plan
Single: \$43.35
Family: \$97.81
- 9. DeltaCare (PMI) with CCHP A or B
Single: \$25.41
Family: \$54.91
- 10. DeltaCare (PMI) with Kaiser or Health Net
Single: \$21.31
Family: \$46.05
- 11. DeltaCare (PMI) without a Health Plan
Single: \$27.31
Family: \$59.03

- b. If the County contracts with a health or dental plan that is not listed above, the County will determine the monthly dollar premium subsidy that it will pay to that health plan for employees and their eligible family members.
- c. In the event that the County premium subsidy amounts are greater than one hundred percent (100%) of the applicable premium of any health or dental plan, for any plan year, the County's contribution will not exceed one hundred percent (100%) of the applicable plan premium.

2.13 Retirement Coverage:

- a. Upon Retirement:

1. Upon retirement and for the term of this resolution, eligible employees and their eligible family members may remain in their County health/dental plan, but without County-paid life insurance coverage, if immediately before their proposed retirement the employees and dependents are either active subscribers to one of the County contracted health/dental plans or if while on authorized leave of absence without pay, they have retained continuous coverage during the leave period. The County will pay the health/dental plan monthly premium subsidies set forth in Section 2.12(a) for eligible retirees and their eligible family members.
 2. Any person who becomes age 65 on or after January 1, 2009 and who is eligible for Medicare must immediately enroll in Medicare Parts A and B.
 3. For employees hired on or after January 1, 2009 and their eligible family members, no monthly premium subsidy will be paid by the County for any health or dental plan after they separate from County employment. However, any such eligible employee who retires under the Contra Costa County Employees' Retirement Association ("CCCERA") may retain continuous coverage of a county health and/or dental plan provided that (i) he or she begins to receive a monthly retirement allowance from CCCERA within 120 days of separation from County employment and (ii) he or she pays the full premium cost under the health and/or dental plan without any County premium subsidy. This provision does not apply to any member of the Board of Supervisors who was a County employee when elected to the Board of Supervisors with a County employee hire date that is earlier than January 1, 2009.
- b. Employees Who File For Deferred Retirement: Employees, who resign and file for a deferred retirement and their eligible family members, may continue in their County group health and/or dental plan under the following conditions and limitations.
1. Health and dental coverage during the deferred retirement period is totally at the expense of the employee, without any County contributions.
 2. Life insurance coverage is not included.
 3. To continue health and dental coverage, the employee must:
 - i. be qualified for a deferred retirement under the 1937 Retirement Act provisions;
 - ii. be an active member of a County group health and/or dental plan at the time of filing their deferred retirement application and elect to continue plan benefits;
 - iii. be eligible for a monthly allowance from the Retirement System and direct receipt of a monthly allowance within twenty-four (24) months of application for deferred retirement; and

iv. file an election to defer retirement and to continue health benefits hereunder with the County Benefits Division within thirty (30) days before separation from County service.

4. Deferred retirees who elect continued health benefits hereunder and their eligible family members may maintain continuous membership in their County health and/or dental plan group during the period of deferred retirement by paying the full premium for health and dental coverage on or before the 10th of each month, to the Contra Costa County Auditor-Controller. When the deferred retirees begin to receive retirement benefits, they will qualify for the same health and/or dental coverage pursuant to subsection (a) above, as similarly situated retirees who did not defer retirement.

5. Deferred retirees may elect retiree health benefits hereunder without electing to maintain participation in their County health and/or dental plan during their deferred retirement period. When they begin to receive retirement benefits, they will qualify for the same health and/or dental coverage pursuant to subsection (a) above, as similarly situated retirees who did not defer retirement, provided reinstatement to a County group health and/or dental plan will only occur following a three (3) full calendar month waiting period after the month in which their retirement allowance commences.

6. Employees who elect deferred retirement will not be eligible in any event for County health and/or dental plan subvention unless the member draws a monthly retirement allowance within twenty-four (24) months after separation from County service.

7. Deferred retirees and their eligible family members are required to meet the same eligibility provisions for retiree health/dental coverage as similarly situated retirees who did not defer retirement.

8. This subpart b "Employees Who File for Deferred Retirement" does not apply to any employee in any classification listed in Exhibit E.

- c. Employees Hired After December 31, 2006 - Eligibility for Retiree Health Coverage: All employees hired after December 31, 2006 are eligible for retiree health/dental coverage pursuant to subsections (a) and (b), above, upon completion of fifteen (15) years of service as an employee of Contra Costa County. For purposes of retiree health eligibility, one year of service is defined as one thousand (1,000) hours worked within one anniversary year. The existing method of crediting service while an employee is on an approved leave of absence will continue for the duration of this Resolution.
- d. Subject to the provisions of Section 2.13, subparts (a), (b), and (c), and upon retirement and for the term of this resolution, the following employees (and their eligible family members) are eligible to receive a monthly premium

subsidy for health and dental plans or are eligible to retain continuous coverage of such plans: County Elected and Appointed Department Heads, Management Employees, Exempt Employees, Unrepresented Employees, and each employee who retired from a position or classification that was unrepresented at the time of his or her retirement.

- e. For purposes of this Section 2.13 only, “eligible family members” does not include Survivors of employees or retirees.

2.14 Layoff and Other Loss of Coverage:

- a. If a husband and wife both work for the County and one (1) of them is laid off, the remaining employee, if eligible, will be allowed to enroll or transfer into the health and/or dental coverage combination of his/her choice.
- b. An eligible employee who loses medical or dental coverage through a spouse or partner not employed by the County will be allowed to enroll or transfer into the County health and/or dental plan of his/her choice within thirty (30) days of the date coverage is no longer afforded under the spouse’s plan.

2.15 Health Plan Coverages and Provisions: The following provisions are applicable to County Health and Dental Plan participation:

- a. Health, Dental and Life Participation by Other Employees: Permanent part-time employees working nineteen (19) hours per week or less and permanent-intermittent employees may participate in the County Health and/or Dental plans (with the associated life insurance benefit) at the employee’s full expense.
- b. Employee Contribution Deficiencies: The County’s contributions to the Health Plan and/or Dental Plan premiums are payable for any month in which the employee is paid. If an employee’s compensation in any month is not sufficient to pay the employee share of the premium, the employee must make up the difference by remitting the unpaid amount to the Auditor-Controller. The responsibility for this payment rests solely with the employee.
- c. Leave of Absence: The County will continue to pay the County shares of health and/or dental plan premiums for enrolled employees who are on an approved paid or unpaid leave of absence for a period of thirty (30) days or more provided the employee’s share of the premiums is paid by the employee.
- d. Coverage Upon Separation: An employee who separates from County employment is covered by his/her County health and/or dental plan through the last day of the month in which he/she separates. Employees who separate from County employment may continue group health and/or dental

plan coverage to the extent provided by the COBRA laws and regulations.

2.16 Family Member Eligibility Criteria: The following persons may be enrolled as the eligible Family Members of a medical and/or dental plan Subscriber:

A. Health Insurance

1. Eligible Dependents:
 - a. Employee's legal spouse
 - b. Employee's qualified domestic partner
 - c. Employee's child to age 26
 - d. Employee's disabled child who is over age 26, unmarried, and incapable of sustaining employment due to a physical or mental disability that existed prior to the child attainment of age 19.
2. "Employee's child" includes natural child, step-child, adopted child, child of a qualified domestic partner, and a child specified in a Qualified Medical Child Support Order (QMCSO) or similar court order.

B. Dental Insurance

1. Eligible Dependents:
 - a. Employee's legal spouse
 - b. Employee's qualified domestic partner
 - c. Employee's unmarried child who is:
 - (1) under age 19; or
 - (2) Age 19 or above, but under age 24; and who
 - i. Resides with the employee for more than 50% of the year, excluding time living at school; and
 - ii. Receives at least 50% of support from employee; and
 - iii. Is enrolled and attends school on a full-time basis, as defined by the school.
 - d. Employee's disabled child who is over age 19, unmarried, and incapable of sustaining employment due to a physical or mental disability that existed prior to the child's attainment of age 19.
2. "Employee's child" includes natural child, step-child, adopted child, child of a qualified domestic partner, and a child specified in a Qualified Medical Child Support Order (QMCSO) or similar court order.

2.B. Employees In Classifications Who Receive Health Care Coverage From

CalPERS

- 2.17 CalPERS Controls: The CalPERS health care program, as regulated by the Public Employees' Medical and Hospital Care Act (PEMHCA), regulations issued pursuant to PEMHCA, and the administration of PEMHCA by CalPERS, controls on all health plan issues for employees who receive health care coverage from CalPERS, including, but not limited to, eligibility, benefit plans, benefit levels, minimum premium subsidies, and costs.
- 2.18 Contra Costa Health Plan (CCHP): Because CCHP has met the minimum standards required under PEMHCA and is approved as an alternative CalPERS plan option, employees and COBRA counterparts may elect to enroll in CCHP under the CalPERS plan rules and regulations.
- 2.19 CalPERS Health Plan Monthly Premium Subsidy: The County's subsidy to the CalPERS monthly health plan premiums is as provided below. The employee must pay any CalPERS health plan premium costs that are greater than the County's subsidies identified below.
- a. County Health Plan Premium Subsidy. Beginning on January 1, 2010, and for each calendar year thereafter, the amount of the County premium subsidy that is paid for employees and eligible family members is a set dollar amount and is not a percentage of the premium charged by the plan. The County will pay the CalPERS statutory minimum employer monthly health plan premium subsidy or the following monthly health plan premium subsidy, whichever is greater:
- | | |
|--|-----------|
| Employee/Retiree/Survivor Only | \$478.69 |
| Employee/Retiree/Survivor & One Dependent | \$957.38 |
| Employee/Retiree/Survivor & Two or more Dependents | \$1228.67 |
- b. In the event that the County health plan premium subsidy amounts are greater than one hundred percent (100%) of the applicable premium of any health plan, for any plan year, the County's contribution will not exceed one hundred percent (100%) of the applicable health plan premium.
- 2.20 CalPERS Retirement Coverage: Government Code section 22892 applies to all employees in those classifications listed in Exhibit E.
- 2.21 CalPERS Premium Payments: Employee participation in any CalPERS health plan is contingent upon the employee authorizing payroll deduction by the County of the employee's share of the premium cost. If an employee's compensation in any month (including during a leave of absence) is not sufficient to pay the employee's share of the premium, the employee must pay the difference to the Auditor-Controller. The responsibility for this payment rests

solely with the employee.

2.22 Dental Plan - CalPERS Participants:

- a. Employees in the classifications listed in Exhibit E may participate in any available County Group Dental Plan. The County may change dental plan providers at any time during the term of this resolution.
- b. Dental Plan Monthly Premium Subsidy. On and after January 1, 2010, the provisions of Section 2.12 "Monthly Premium Subsidy," relating to the County subsidies for dental coverage, apply to all classifications listed in Exhibit E.
- c. As to dental coverage only, the following Sections apply to all classifications listed in Exhibit E: Section 2.13 "Retirement Coverage," Section 2.14 "Layoff and Other Loss of Coverage," Section 2.15 "Health Plan Coverages and Provisions," and Section 2.16 "Family Member Eligibility Criteria."

2.C. All Employees

2.23 Dual Coverage:

- a. Each employee and retiree may be covered by only a single County health (or dental) plan, including a CalPERS plan. For example, a County employee may be covered under a single County health and/or dental plan as either the primary insured or the dependent of another County employee or retiree, but not as both the primary insured and the dependent of another County employee or retiree.
- b. All dependents, as defined in Section 2.16, Family Member Eligibility Criteria, may be covered by the health and/or dental plan of only one spouse or one domestic partner. For example, when both husband and wife are County employees, all of their eligible children may be covered as dependents of either the husband or the wife, but not both.
- c. For purposes of this Section 2.23 only, "County" includes the County of Contra Costa and all special districts governed by the Board of Supervisors, including but not limited to, the Contra Costa County Fire Protection District.

2.24 Life Insurance Benefit Under Health and Dental Plans: For employees who are enrolled in the County's program of medical or dental coverage as either the primary or the dependent, term life insurance in the amount of ten thousand dollars (\$10,000) will be provided by the County.

2.25 Supplemental Life Insurance: In addition to the life insurance benefits provided by this resolution, employees may subscribe voluntarily and at their own expense for supplemental life insurance. Employees may subscribe for an amount not to exceed five hundred thousand dollars (\$500,000), of which one hundred

thousand (\$100,000) is a guaranteed issue, provided the election is made within the required enrollment periods.

- 2.26 Catastrophic Leave Bank: All employees are included in the Catastrophic Leave Bank and may designate a portion of accrued vacation, compensatory time, holiday compensatory time, or personal holiday credit to be deducted from the donor's existing balances and credited to the bank or to a specific eligible employee.
- a. The County Human Resources Department operates a Catastrophic Leave Bank which is designed to assist any County employee who has exhausted all paid accruals due to a serious or catastrophic illness, injury, or condition of the employee or family member. The program establishes and maintains a Countywide bank wherein any employee who wishes to contribute may authorize that a portion of his/her accrued vacation, compensatory time, holiday compensatory time or personal holiday credit be deducted from those account(s) and credited to the Catastrophic Leave Bank. Employees may donate hours either to a specific eligible employee or to the bank. Upon approval, credits from the Catastrophic Leave Bank may be transferred to a requesting employee's sick leave account so that employee may remain in paid status for a longer period of time, thus partially ameliorating the financial impact of the illness, injury or condition. Catastrophic illness or injury is defined as a critical medical condition, a long-term major physical impairment or disability that manifests itself during employment.
 - b. The plan is administered under the direction of the Director of Human Resources. The Human Resources Department is responsible for receiving and recording all donations of accruals and for initiating transfer of credits from the Bank to the recipient's sick leave account. Disbursement of accruals is subject to the approval of a six (6) member committee composed of three (3) members appointed by the County Administrator and three (3) members appointed by the majority representative employee organizations. The committee will meet once a month, if necessary, to consider all requests for credits and will make determinations as to the appropriateness of the request. The committee will determine the amount of accruals to be awarded for employees whose donations are non-specific. Consideration of all requests by the committee will be on an anonymous requester basis.
 - c. Hours transferred from the Catastrophic Leave Bank to a recipient will be in the form of sick leave accruals and will be treated as regular sick leave accruals.
 - d. To receive credits under this plan, an employee must have permanent status, have exhausted all time off accruals to a level below eight (8) hours total, have applied for a medical leave of absence, and have medical verification of need.

- e. Donations are irrevocable unless the donation to the eligible employee is denied. Donations may be made in hourly blocks with a minimum donation of not less than four (4) hours from balances in the vacation, holiday, personal holiday, compensatory time or holiday compensatory time accounts. Employees who elect to donate to a specific individual will have seventy-five percent (75%) of their donation credited to the individual and twenty-five percent (25%) credited to the Catastrophic Leave Bank.
 - f. Time donated will be converted to a dollar value and the dollar value will be converted back to sick leave accruals at the recipient's base hourly rate when disbursed. Credits will not be on a straight hour-for-hour basis. All computations will be on a standard 173.33 basis, except that employees on other than a forty (40) hour week will have hours prorated according to their status.
 - g. Each recipient is limited to a total of one thousand forty (1040) hours or its equivalent per catastrophic event; each donor is limited to one hundred twenty (120) hours per calendar year.
 - h. All appeals from either a donor or recipient will be resolved on a final basis by the Director of Human Resources.
 - i. No employee has any entitlement to catastrophic leave benefits. The award of Catastrophic Leave is at the sole discretion of the committee, both as to amounts of benefits awarded and as to persons awarded benefits. Benefits may be denied, or awarded for less than six (6) months. The committee may limit benefits in accordance with available contributions and choose from among eligible applicants on an anonymous basis those who will receive benefits, except for hours donated to a specific employee. In the event a donation is made to a specific employee and the committee determines the employee does not meet the Catastrophic Leave Bank criteria, the donating employee may authorize the hours to be donated to the bank or returned to the donor's account.
 - j. Any unused hours transferred to a recipient will be returned to the Catastrophic Leave Bank.
- 2.27 Health Care Spending Account: After six (6) months of permanent employment, full time and part time (20/40 or greater) employees may elect to participate in a Health Care Spending Account (HCSA) Program designated to qualify for tax savings under Section 125 of the Internal Revenue Code, but such savings are not guaranteed. The HCSA Program allows employees to set aside a predetermined amount of money from their pay, before taxes, for health care expenses not reimbursed by any other health benefit plans. HCSA dollars may be expended on any eligible medical expenses allowed by Internal Revenue Code Section 125. Any unused balance is forfeited and cannot be recovered by the employee.

- 2.28 PERS Long-Term Care: The County will deduct and remit monthly premiums to the PERS Long-Term Care Administrator for employees who are eligible and voluntarily elect to purchase long-term care at their personal expense through the PERS Long-Term Care Program.
- 2.29 Dependent Care Assistance Program: The County will continue to offer the option of enrolling in a Dependent Care Assistance Program (DCAP) designed to qualify for tax savings under Section 129 of the Internal Revenue Code, but such savings are not guaranteed. The program allows employees to set aside up to five thousand dollars (\$5,000) of annual salary (before taxes) per calendar year to pay for eligible dependent care (child and elder care) expenses. Any unused balance is forfeited and cannot be recovered by the employee.
- 2.30 Premium Conversion Plan: The County will continue to offer the Premium Conversion Plan (PCP) designed to qualify for tax savings under Section 125 of the Internal Revenue Code, but tax savings are not guaranteed. The program allows employees to use pre-tax dollars to pay health and dental premiums.
- 2.31 Prevailing Section: To the extent that any provision of this Section (Section 2. Health, Dental, and Related Benefits) is inconsistent with any provision of any other County enactment or policy, including but not limited to Administrative Bulletins, the Salary Regulations, the Personnel Management Regulations, or any other resolution or order of the Board of Supervisors, the provision(s) of this Section (Section 2. Health, Dental, and Related Benefits) will prevail.
3. **Personal Protective Equipment**: The County will reimburse employees for safety shoes and prescription safety eyeglasses in those Management, Exempt and Unrepresented classifications which the County Administrator has determined eligible for such reimbursement.
- 3.10 Safety Shoes. The County will reimburse eligible employees for the purchase and repair of safety shoes in an amount not to exceed two hundred seventy-five dollars (\$275) for each two (2) year period beginning on January 1, 2002. There is no limit on the number of shoes or repairs allowed.
- 3.11 Safety Eyeglasses. The County will reimburse eligible Management, Exempt and Unrepresented employees for prescription safety eyeglasses which are approved by the County and are obtained from an establishment approved by the County.
4. **Mileage Reimbursement**: The County will pay a mileage allowance for the use of personal vehicles on County business at the rate allowed by the Internal Revenue Service (IRS) as a tax deductible expense, adjusted to reflect changes in this rate on the date it becomes effective or the first of the month following announcement of the changed rate by the IRS, whichever is later.

5. Retirement Contributions:

- 5.10 No County Subvention. Effective on October 1, 2011, employees are responsible for the payment of one hundred percent (100%) of the employees' basic retirement benefit contributions determined annually by the Board of Retirement of the Contra Costa County Employees' Retirement Association without the County paying any part of the employees' contribution. Employees are also responsible for the payment of the employees' contributions to the retirement cost-of-living program as determined annually by the Board of Retirement without the County paying any part of the employees' contributions. Except as provided in Section 36 (District Attorney Investigator - Safety Employees Retirement Tier) Section 44 (Probation - Safety Employees Retirement Tiers) and Section 53 (Safety Employees Retirement Tiers- Miscellaneous Safety Classifications), the County is responsible for one hundred percent (100%) of the employer's retirement contributions determined annually by the Board of Retirement.
- 5.11 County Subvention for Retirement Chief Executive Officer. Effective October 1, 2011, pursuant to Government Code Section 31581.1, the County will pay fifty percent (50%) of the Retirement Chief Executive Officer's retirement contribution normally required of members. Effective on June 30, 2014, this payment will cease. Effective on July 1, 2014, the Retirement Chief Executive Officer is responsible for the payment of one hundred percent (100%) of the employees' basic retirement benefit contributions determined annually by the Board of Retirement of the Contra Costa County Employees' Retirement Association without the County paying any part of the employee's contribution. The Retirement Chief Executive Officer also is responsible for payment of the employee's contribution for the retirement cost-of-living program as determined by the Board of Retirement of the Contra Costa County Employees' Retirement Association without the County paying any part of the employee's share. The County is responsible for one hundred percent (100%) of the employer's retirement contributions determined annually by the Board of Retirement.
- 5.12 414H2 Participation. The County will continue to implement Section 414(h) (2) of the Internal Revenue Code which allows the County Auditor–Controller to reduce the gross monthly pay of employees by an amount equal to the employee's total contribution to the County Retirement System before Federal and State income taxes are withheld, and forward that amount to the Retirement system. This program of deferred retirement contribution will be universal and non-voluntary as required by statute.

6. New Retirement Plan:

- A. PEPRA for Employees who become CCCERA Members on or after January 1, 2013. For employees who, under the California Public Employees Pension Reform

Act of 2013 (PEPRA) (Chapters 296 and 297, Statutes of 2012), become New Members of the Contra Costa County Employees Retirement Association (CCCERA) on or after January 1, 2013, retirement benefits are governed by PEPRA. To the extent that this resolution conflicts with any provision of PEPRA, PEPRA governs.

- B. COLA. For employees hired by the County on and after January 1, 2014, who, under PEPRA, become New Members of CCCERA, the cost of living adjustment to the retirement allowance will not exceed two percent (2%) per year, and the cost of living adjustment will be banked.
- C. DISABILITY STANDARD. For employees, who under PEPRA, become New Members of CCCERA, the disability provisions are the same as the current Tier III disability provisions.
- D. Subsections B and C of this Section 6 do not apply to persons employed as staff to CCCERA.
- E. This section 6 does not apply to employees who are safety members of the Contra Costa County Employees Retirement Association.

7. Training:

- 7.10 Career Development Training Reimbursement: All full-time employees (excluding attorney classes) are eligible for career development training reimbursement not to exceed seven hundred fifty dollars (\$750) per fiscal year. The reimbursement of training expenses includes books and is governed by any Administrative Bulletins on Travel or Training.
- 7.11 Management Development Policy: Employees are authorized to attend professional training programs, seminars, and workshops, during normal work hours at the discretion of their Department Head, for the purpose of developing knowledge, skills, and abilities in the areas of supervision, management, and County policies and procedures. Up to thirty (30) hours of such training time is recommended annually.
 - a. Departments are encouraged to provide for professional development training exceeding thirty (30) hours annually for people newly promoted to positions of direct supervision.
 - b. To encourage personal and professional growth, the County provides reimbursement for certain expenses incurred by employees for job-related training (required training and career development training/education). Provision for eligibility and reimbursement is identified in Administrative Bulletin 112.9.
 - c. The Department Head is responsible for authorization of individual professional development reimbursement requests. Reimbursement is

through the regular demand process with demands being accompanied by proof of payment (copy of invoice or canceled check).

8. **Bilingual Pay Differential:** A monthly salary differential will be paid to incumbents of positions requiring bilingual proficiency as designated by the Appointing Authority and the Director of Human Resources. The differential will be prorated for employees working less than full time and/or on an unpaid leave of absence during any given month. The differential is one hundred dollars (\$100.00) per month.

Designation of positions for which bilingual proficiency is required is the sole prerogative of the County, and such designations may be amended or deleted at any time.

9. **Higher Pay for Work in a Higher Classification:** The County Salary Regulations notwithstanding, when an employee is required to work in a higher paid classification, the employee will receive the higher compensation for such work, pursuant to the County Salary Regulations, plus any differentials and incentives the employee would have received in his/her regular position. Unless the Board has by Resolution otherwise specified, the higher pay entitlement will begin on the completion of the 40th consecutive hour in the assignment, retroactive to the beginning of the second full day of work in the assignment.

10. **Workers' Compensation and Continuing Pay:** For all accepted workers' compensation claims filed with the County during calendar year 2007, employees will receive eighty percent (80%) of their regular monthly salary during any period of compensable temporary disability not to exceed one (1) year. For all accepted workers' compensation claims filed with the County on or after January 1, 2008, employees will receive seventy five percent (75%) of their regular monthly salary during any period of compensable temporary disability not to exceed one (1) year. Pay based on accepted workers' compensation claims filed before January 1, 2007, but after December 31, 1999, will be paid as provided in Resolution No. 2006/22. Pay based on accepted workers' compensation claims filed before January 1, 2000, will be paid as provided in resolution No. 96/488. If workers' compensation benefits become taxable income, the County will restore the former benefit level, one hundred percent (100%) of regular monthly salary.

- 10.10 **Waiting Period:** There is a three (3) calendar day waiting period before workers' compensation benefits commence. If the injured worker loses any time on the date of injury, that day counts as day one (1) of the waiting period. If the injured worker does not lose time on the date of the injury, the waiting period is the first three (3) days following the date of the injury. The time the employee is scheduled to work during this waiting period will be charged to the employee's sick leave and/or vacation accruals. In order to qualify for workers' compensation the employee must be under the care of a physician. Temporary compensation is payable on the first three (3) days of disability when the injury

necessitates hospitalization, or when the disability exceeds fourteen (14) days.

- 10.11 Continuing Pay: A permanent employee will receive the applicable percentage of regular monthly salary in lieu of workers' compensation during any period of compensable temporary disability not to exceed one year. "Compensable temporary disability absence" for the purpose of this Section, is any absence due to work-connected disability which qualifies for temporary disability compensation under workers' compensation law set forth in Division 4 of the California Labor Code. When any disability becomes medically permanent and stationary, the salary provided by this Section will terminate. No charge will be made against sick leave or vacation for these salary payments. Sick leave and vacation rights do not accrue for those periods during which continuing pay is received. Employees are entitled to a maximum of one (1) year of continuing pay benefits for any one injury or illness.

Continuing pay begins at the same time that temporary workers' compensation benefits commence and continues until either the member is declared medically permanent/stationary, or until one (1) year of continuing pay, whichever comes first, provided the employee remains in an active employed status. Continuing pay is automatically terminated on the date an employee is separated from County service by resignation, retirement, layoff, or the employee is no longer employed by the County. In these instances, employees will be paid workers' compensation benefits as prescribed by workers' compensation laws. All continuing pay must be cleared through the County Administrator's Office, Risk Management Division.

- 10.12 Physician Visits: Whenever an employee who has been injured on the job and has returned to work is required by an attending physician to leave work for treatment during working hours, the employee is allowed time off, up to three (3) hours for such treatment, without loss of pay or benefits. Said visits are to be scheduled contiguous to either the beginning or end of the scheduled workday whenever possible. This provision applies only to injuries/illnesses that have been accepted by the County as work related.
- 10.13 Labor Code §4850 Exclusion: The foregoing provisions for workers' compensation and continuing pay are inapplicable in the case of employees entitled to benefits under Labor Code Section 4850.

11. Other Terms and Conditions of Employment

- 11.10 Overtime Exempt Exclusion: Employees in unrepresented, management, and exempt classifications are overtime exempt and are not eligible for overtime pay, holiday pay, overtime compensatory time, or holiday compensatory time. Instead, these employees are awarded Annual Management Administrative Leave in recognition of the extra burden their job

responsibilities may sometimes place on their work schedules. However, unrepresented, management, and exempt employees may be made eligible for overtime pay if their names are placed on the Overtime Exempt Exclusion List by the County Administrator's Office. Employees on the Overtime Exempt Exclusion List are authorized to receive overtime pay, only. These employees are NOT eligible for holiday pay, overtime compensatory time, or holiday compensatory time. Employees on the Overtime Exempt Exclusion List are also NOT eligible for Annual Management Administrative Leave for the quarter they are on the Overtime Exempt Exclusion List. The policies and procedures for the Overtime Exempt Exclusion List are set forth in the County Administrator's memo of November 6, 2002, as may be amended.

Employees may be approved for placement on the Overtime Exempt Exclusion List if and when they are assigned to a special or temporary project or task that requires persistent, excess work hours, without relief from their regular job duties. Overtime pay will not be authorized as a means to address normal staffing or operational issues.

- 11.11 Overtime: Employees on the Overtime Exempt Exclusion List will be compensated at one and one-half (1.5) times their base rate of pay (excluding differentials) for authorized work exceeding eight (8) hours in a day or forty (40) hours in a week.
- 11.12 Length of Service Credits: Length of service credit dates from the beginning of the last period of continuous County employment, including temporary, provisional and permanent status and absences on an approved leave of absence; except that when an employee separates from a permanent position in good standing and is subsequently re-employed in a permanent County position within two (2) years from the date of separation, the period of separation will be bridged. Under these circumstances, the service credits will include all credits accumulated at the time of separation but will not include the period of separation. The service credits of an employee are determined from employee status records maintained by the Human Resources Department.
- 11.13 Mirror Classifications: As determined in the sole discretion of the Director of Human Resources, employees in unrepresented job classifications that mirror Management, represented or unrepresented job classifications may receive the salary and fringe benefits that are received by employees in the mirror classification.
- 11.14 Deep Classes: No provision of this Resolution regarding terms and conditions of employment supersedes any provision of any Deep Class Resolution.
- 11.15 Administrative Provisions: The County Administrator may establish

guidelines, bulletins or directives as necessary to further define or implement the provisions of this resolution.

II. BENEFITS FOR MANAGEMENT AND EXEMPT EMPLOYEES

Management and Exempt employees will receive the benefits set forth in Part I and also the following additional benefits:

12. Management Longevity Pay:

12.10 Ten Years of Service:

- a. Employees who have completed ten (10) years of service for the County are eligible to receive a two and one-half percent (2.5%) longevity differential effective on the first day of the month following the month in which the employee qualifies for the ten (10) year service award.
- b. In lieu of subsection a, employees in positions ineligible to receive vacation or sick leave accruals or to convert a portion of those accruals to cash under the terms of this Resolution are eligible to receive a five percent (5%) longevity differential upon the completion of ten years of service effective on the first day of the month following the month in which the employee qualifies for the ten (10) year service award.
- c. Effective April 1, 2007, this section does not apply to members of the Board of Supervisors, except those members who earned this benefit while serving on the Board of Supervisors and were receiving this benefit as of March 31, 2007.
- d. Effective November 1, 2007, for employees who were employed by Contra Costa County, became employees of the Contra Costa Superior Court by operation of law, and thereafter are rehired by Contra Costa County in the classification of District Attorney Manager of Law Offices (JJGE), eligibility for this longevity differential will be determined by adding together all service time with Contra Costa County and all service time with the Contra Costa Superior Court. If this sum is more than ten (10) years, this longevity differential will only be paid prospectively from the date the employee is rehired by Contra Costa County.

12.11 Fifteen Years of Service:

- a. Employees who have completed fifteen (15) years of service for the County are eligible to receive an additional two and one-half percent (2.5%) longevity differential effective on the first day of the month following the month in which the employee qualifies for the fifteen (15) year service award. For

employees who completed fifteen (15) years of service on or before January 1, 2007, this longevity differential will be paid prospectively only from January 1, 2007.

- b. In lieu of subsection a, employees in positions ineligible to receive vacation or sick leave accruals or to convert a portion of those accruals to cash under the terms of this Resolution are eligible to receive an additional two and one-half percent (2.5%) longevity differential upon the completion of fifteen (15) years of service effective on the first day of the month following the month in which the employee qualifies for the fifteen (15) year service award. For employees who completed fifteen years of service on or before January 1, 2007, this longevity differential will be paid prospectively only from January 1, 2007.
- c. This section does not apply to employees who are eligible to receive the District Attorney Inspectors Longevity Differential set forth in Section 35 or the Sheriff Law Enforcement Longevity Differential set forth in Section 51.
- d. Effective April 1, 2007, this section does not apply to members of the Board of Supervisors, except those members who earned this benefit while serving on the Board of Supervisors and were receiving this benefit as of March 31, 2007.
- e. Effective November 1, 2007, for employees who were employed by Contra Costa County, became employees of the Contra Costa Superior Court by operation of law, and thereafter are rehired by Contra Costa County in the classification of District Attorney Manager of Law Offices (JJGE), eligibility for this longevity differential will be determined by adding together all service time with Contra Costa County and all service time with the Contra Costa Superior Court. If this sum is more than fifteen (15) years, this longevity differential will only be paid prospectively from the date the employee is rehired by Contra Costa County.

13. Deferred Compensation:

A. Deferred Compensation Incentive. The County will contribute eighty-five dollars (\$85) per month to each employee who participates in the County's Deferred Compensation Plan. To be eligible for this Deferred Compensation Incentive, the employee must contribute to the deferred compensation plan as indicated below.

Employees with Current Monthly <u>Salary of:</u>	Qualifying Base Contribution <u>Amount</u>	Monthly Contribution Required to Maintain Incentive Program <u>Eligibility</u>
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\$2,500 and below	\$250	\$50
\$2,501 – 3,334	\$500	\$50
\$3,335 – 4,167	\$750	\$50
\$4,168 – 5,000	\$1,000	\$50
\$5,001 – 5,834	\$1,500	\$100
\$5,835 – 6,667	\$2,000	\$100
\$6,668 and above	\$2,500	\$100

Employees who discontinue contributions or who contribute less than the required amount per month for a period of one (1) month or more will no longer be eligible for the eighty-five dollar (\$85) Deferred Compensation Incentive. To reestablish eligibility, employees must again make a Base Contribution Amount as set forth above based on current monthly salary. Employees with a break in deferred compensation contributions either because of an approved medical leave or an approved financial hardship withdrawal will not be required to reestablish eligibility. Further, employees who lose eligibility due to displacement by layoff, but maintain contributions at the required level and are later employed in an eligible position, will not be required to reestablish eligibility.

B. Special Benefit for Permanent Employees Hired on and after January 1, 2009.

1. Beginning on April 1, 2009 and for the term of this resolution, the County will contribute one hundred and fifty dollars (\$150) per month to an employee's account in the Contra Costa County Deferred Compensation Plan, or other tax-qualified savings program designated by the County, for employees who meet all of the following conditions:

- a. The employee must be hired by Contra Costa County on or after January 1, 2009.
- b. The employee must be appointed to a permanent position. The position may be either full time or part time, but if it is part time, it must be designated, at a minimum, as 20 hours per week.
- c. The employee must have been employed by Contra Costa County for at least 90 calendar days.
- d. The employee must contribute a minimum of twenty-five dollars (\$25) per month to the Contra Costa County Deferred Compensation Plan, or other tax-qualified savings program designated by the County.
- e. The employee must complete and sign the required enrollment form(s) for his/her deferred compensation account and submit those forms to the Human Resources Department, Employee Benefits Services Unit.

f. The employee may not exceed the annual maximum contribution amount allowable by the United States Internal Revenue Code.

C. No Cross Crediting. The amounts contributed by the employee and the County pursuant to Subsection B do not count towards the “Qualifying Base Contribution Amount” or the “Monthly Contribution Required to Maintain Incentive Program Eligibility” in Subsection A. Similarly, the amounts contributed by the employee and the County pursuant to Subsection A do not count towards the employee’s \$25 per month minimum contribution required by Subsection B.

D. Maximum Annual Contribution. All of the employee and County contributions set forth in Subsections A and B will be added together to ensure that the annual maximum contribution to the employee’s deferred compensation account does not exceed the annual maximum contribution rate set forth in the United States Internal Revenue Code.

E. Eligibility for Loan Program. All employees are eligible to apply for loans from the Contra Costa County Deferred Compensation Plan loan program established by the Board of Supervisors on June 26, 2012, by Resolution No. 2012/298.

14. Annual Management Administrative Leave:

A. On January 1st of each year, all full-time unrepresented, management, and exempt employees in paid status, except for the Retirement Chief Executive Officer, will be credited with ninety four (94) hours of paid Management Administrative Leave. The Retirement Chief Executive Officer will be credited with seventy (70) hours of paid Management Administrative Leave. All Management Administrative Leave time is non-accruable and all balances will be zeroed out on December 31 of each year.

B. Permanent part-time employees are eligible for Management Administrative Leave on a prorated basis, based upon their position hours. Permanent-intermittent employees are not eligible for Management Administrative Leave.

C. Employees appointed (hired or promoted) to unrepresented, management, or exempt positions are eligible for Management Administrative Leave on the first day of the month following their appointment date and will receive Management Administrative Leave on a prorated basis for that first year.

D. Unrepresented, management, and exempt employees on the Overtime Exempt Exclusion List are authorized to receive overtime pay; therefore, their Management Administrative Leave will be reduced by 25% each time the employee is on the List. The 25% reduction will be deducted from the employee’s current leave balance, but if there is no balance, it will be deducted from future awarded Annual Management Administrative Leave. This section does not apply to the unrepresented, management, and exempt attorneys of the

Offices of the District Attorney, County Counsel, and Public Defender. (See Section 31.)

15. Management Life Insurance: Employees are covered at County expense by term life insurance in the amount of fifty seven thousand dollars (\$57,000) in addition to the insurance provided in Section 2.24.

16. Vacation Buy Back:

A. Employees Hired Before April 1, 2011:

1. Employees hired before April 1, 2011, may elect payment of up to one-third (1/3) of their annual vacation accrual, subject to the following conditions: (1) the choice can be made only once every thirteen (13) months and there must be at least 12 full months between each election; (2) payment is based on an hourly rate determined by dividing the employee's monthly salary by 173.33; and (3) the maximum number of vacation hours that may be paid in any one sale is one-third (1/3) of the annual accrual.

2. Lump Sum Payments. Where a lump-sum payment is made to employees as a retroactive general salary adjustment for a portion of a calendar year that is subsequent to the exercise by an employee of the vacation buy-back provision herein, that employee's vacation buy-back will be adjusted to reflect the percentage difference in base pay rates upon which the lump-sum payment was computed, provided that the period covered by the lump-sum payment includes the effective date of the vacation buy-back.

B. Employees Hired On and After April 1, 2011 and the County Librarian:

1. Employees hired on and after April 1, 2011, and the County Librarian may not elect payment of their vacation accruals, unless the employee was eligible for a Vacation Buy Back benefit before being promoted into any classification covered by this Resolution. This Section 16, subsection B (1) does not apply to the Retirement classifications listed in subsection B (2).

2. Employees hired or promoted into the below-listed Retirement Classifications on and after April 1, 2011, may elect payment of up to one-third (1/3) of their annual vacation accrual, subject to the following conditions: (1) the choice can be made only once every thirteen (13) months and there must be at least 12 full months between each election; (2) payment is based on an hourly rate determined by dividing the employee's monthly salary by 173.33; and (3) the maximum number of vacation hours that may be paid in any one sale is one-third (1/3) of the annual accrual. Such sales may be made prospectively only from September 1, 2013.

Retirement Accounting Manager (97DA)
Retirement Administrative /Human Resources Coordinator (97HD)
Retirement Administration Manager (97HA)
Retirement Assistant General Counsel- Exempt (97B4)
Retirement Benefits Manager (97GA)
Retirement Benefits Program Coordinator (97HB)
Retirement Chief Investment Officer- Exempt (97B2)
Retirement Compliance Officer (97SD)
Retirement Communications Coordinator (97SA)
Deputy Retirement Chief Executive Officer-Exempt (97B1)
Retirement General Counsel- Exempt (97B3)
Retirement Information Technology Manager (97HE)
Retirement Information Technology Coordinator II (97SC)
Retirement Investment Analyst (97TF)

C. Retirement Chief Executive Officer:

1. The Retirement Chief Executive Officer may elect payment of up to one-third (1/3) of her/his annual vacation accrual, subject to the following conditions: (1) the choice can be made only once in each calendar year; (2) payment is based on an hourly rate determined by dividing the Retirement Chief Executive Officer's monthly salary by 173.33; and (3) the maximum number of vacation hours that may be paid in any calendar year is one-third (1/3) of her/his annual accrual.

2. Lump Sum Payments. Where a lump-sum payment is made to the Retirement Chief Executive Officer as a retroactive general salary adjustment for a portion of a calendar year that is subsequent to the exercise of this vacation buy-back provision, the Retirement Chief Executive Officer's vacation buy-back will be adjusted to reflect the percentage difference in base pay rates upon which the lump-sum payment was computed, provided that the period covered by the lump-sum payment includes the effective date of the vacation buy-back.

17. **Professional Development Reimbursement:** Employees (excluding Department Heads, their Chief Assistant(s), Engineering Managers, and all Attorney classes) are eligible for reimbursement of up to six hundred twenty-five dollars (\$625) for each two (2) year period beginning on January 1, 1999, for memberships in professional organizations, subscriptions to professional publications, attendance fees at job-related professional development activities and purchase of job-related computer hardware and software (excludes automation connectivity, support, or subscription fees) from a standardized County-approved list or with Department Head approval, provided each employee complies with the provisions of the Computer Use and Security Policy adopted by the Board of Supervisors and the applicable manuals. In order to receive reimbursement, the employee must have been in an eligible classification when the expense was incurred.

Each professional development reimbursement request must be approved by the Department Head and submitted through the regular demand process. Demands must be accompanied by proof of payment (copy of invoice or receipt). Certification regarding compliance with the County's computer use and security policy may be required. Questions regarding the appropriateness of a request will be answered by the Office of the County Administrator.

- 18. Sick Leave Incentive Plan:** Employees may be eligible for a payoff of a part of unused sick leave accruals at separation. This program is an incentive for employees to safeguard sick leave accruals as protection against wage loss due to time lost for injury or illness. Payoff must be approved by the Director of Human Resources, and is subject to the following conditions:

- A. The employee must have resigned in good standing.
- B. Payout is not available if the employee is eligible to retire.
- C. The balance of sick leave at resignation must be at least seventy percent (70%) of accruals earned in the preceding continuous period of employment excluding any sick leave use covered by the Family and Medical Leave Act, the California Family Rights Act, or the California Pregnancy Disability Act.
- D. Payout is by the following schedule:

<u>Years of Payment Continuous Service</u>	<u>Payment of Unused Sick Leave Payable</u>
3 – 5 years	30%
5 – 7 years	40%
7 plus years	50%

- E. No payoff will be made pursuant to this section unless the Contra Costa County Employees' Retirement Association has certified that an employee requesting a sick leave payoff has terminated membership in, and has withdrawn his or her contributions from, the Retirement Association.
- F. It is the intent of the Board of Supervisors that payments made pursuant to this section are in lieu of County retirement benefits resulting from employment by this County or by Districts governed by this Board.

- 19. Video Display Terminal (VDT) Users Eye Examination:** Employees are eligible to receive an annual eye examination on County time and at County expense provided that the employee regularly uses a video display terminal at least an average of two (2) hours per day as certified by their department.

Employees certified for examination under this program must make their request

through the Benefits Service Unit of the County Human Resources Department. Should prescription VDT eyeglasses be prescribed for the employee following the examination, the County agrees to provide, at no cost, basic VDT eye wear consisting of a ten dollar (\$10) frame and single, bifocal or trifocal lenses. Employees may, through individual arrangement between the employee and the employees' doctor and solely at the employee's expense, include blended lenses and other care, services or materials not covered by the Plan.

20. **Long-Term Disability Insurance:** The County will continue in force the Long-Term Disability Insurance program with a replacement limit of eighty-five (85%) of total monthly base earnings reduced by any deductible benefits.

III. **BENEFITS FOR ELECTED AND APPOINTED DEPARTMENT HEADS**

Department Heads will receive the benefits set forth in Part I and Part II and the following additional benefits:

21. **Executive Automobile Allowance:**

A. **Elected Department Heads**

The below-listed elected Department Heads are eligible to receive a \$600 per month automobile allowance plus mileage for miles driven outside Contra Costa County at the rate per mile allowed by the Internal Revenue Service (IRS) as a deductible expense. Receipt of this automobile allowance means that the elected Department Head must use a private automobile for County business.

Assessor (DAA1)
Auditor–Controller (SAA1)
Clerk–Recorder (ALA1)
District Attorney–Public Administrator (2KA1)
Treasurer–Tax Collector (S5A1)

The Sheriff-Coroner (6XA1) is eligible to receive a \$500 per month automobile allowance plus mileage for miles driven inside and outside of Contra Costa County at the rate per mile allowed by the Internal Revenue Service (IRS) as a deductible expense. Receipt of this automobile allowance means that the Sheriff-Coroner must use a private automobile for County business.

B. **Appointed Department Heads appointed prior to February 1, 2012**

The below-listed Department Heads who were appointed to their positions prior to February 1, 2012 are eligible to receive a \$600 per month automobile allowance plus mileage for miles driven outside Contra Costa County at the rate per mile allowed by the Internal Revenue Service (IRS) as a deductible expense. Receipt of this automobile allowance means that the appointed Department Head must use a

private automobile for County business.

County Administrator (ADA2)
Chief Assistant County Administrator (ADB1)
County Counsel (2EA1)
County Probation Officer (7AA1)
Director of Animal Services (BJA1)
Director of Child Support Services (SMA1)
Director of Conservation and Development (4AA1)
Director of Employment and Human Services/County Welfare Director (XAA2)
Director of Health Services (VCA1)
Director of Information Technology (LTA1)
Public Defender (25A1)
Public Works Director (NAA1)

C. Appointed Department Heads appointed on and after February 1, 2012

Every appointed Department Head, except the Retirement Chief Executive Officer, who is appointed to his/her position on and after February 1, 2012, is ineligible to receive an automobile allowance. Every Retirement Chief Executive Officer who is appointed to his/her position on and after July 1, 2014, is ineligible to receive an automobile allowance.

D. Temporary Loss of Vehicle

If use of a County vehicle is temporarily required as the result of an emergency, such as an accident or mechanical failure to the recipient's personal automobile, a County vehicle may be used if approved by the County Administrator or his/her designee. The user's department will be charged for the costs of the temporary use of the County vehicle. Further, the user of the County vehicle will not receive his/her automobile allowance while using the County vehicle.

22. **Executive Life Insurance:** In lieu of the insurance provided under Section 15, Department Heads are covered at County expense by term life insurance in the amount of sixty thousand dollars (\$60,000) additional to the insurance provided under Section 2.12.
23. **Executive Professional Development Reimbursement:** Department Heads and those chief assistants listed in Exhibit D (excluding Attorney classes) are eligible for reimbursement of up to nine hundred twenty-five dollars (\$925) for each two (2) year period beginning January 1, 1999 for memberships in professional organizations, subscriptions to professional organizations, subscriptions to professional publications, attendance fees at job-related professional development activities, and purchase of job-related computer hardware and software, such as blackberries, I-phones, and treos (excluding automation connectivity, support, or subscription fees) from a standardized County-approved list or with Department Head approval,

provided each employee complies with the provisions of the Computer Use and Security Policy adopted by the Board of Supervisors and the applicable manuals. In order to receive reimbursement, the employee must have been in an eligible classification when the expense was incurred.

Each executive professional development reimbursement request must be approved by the Department Head and submitted through the regular demand process. Demands must be accompanied by proof of payment (copy of invoice or receipt). Certification regarding compliance with the County's computer use and security policy may be required. Questions regarding the appropriateness of a request will be determined by the Office of the County Administrator.

24. **Appointed Department Heads:** The Appointed Department Heads are the Agricultural Commissioner/Director of Weights and Measures, Chief Assistant County Administrator, County Counsel, County Finance Director, County Librarian, County Probation Officer, County Veteran's Services Officer, Director of Employment and Human Services, Director of Animal Services, Director of Child Support Services, Director of Conservation and Development, Director of Health Services, Director of Human Resources, Director of Information Technology, Public Defender, Public Works Director, and Retirement Chief Executive Officer. (The Fire Chief of the Contra Costa County Fire Protection District is also an appointed Department Head, but the benefits for the Fire Chief are set forth in a separate Fire Management Resolution.)
25. **Elected Department Heads:** The Elected Department Heads are the Assessor, Auditor–Controller, Clerk–Recorder, District Attorney–Public Administrator, Sheriff–Coroner, and Treasurer–Tax Collector.
26. **Elected Department Head Benefits:** Elected Department Heads will receive only the following benefits under Parts I, II, and III, together with such benefits as may be authorized under Part IV:
 - A. All Elected Department Heads will receive the benefits set forth in Part I, Sections 5, 6, 7, 8, 10, and 11.12.
 - B. Elected Department Heads will receive the benefits set forth in Part I, Section 2 in accordance with the following:
 1. Those Elected Department Heads who were County employees when elected to County office with a County employee hire date that is earlier than January 1, 2009, will receive the benefits set forth in Part I, Section 2, except the provisions set forth in Section 2.13 (a) (3) do not apply.
 2. Those Elected Department Heads who were County employees when elected to County office with a County employee hire date that is on or after January 1, 2009, will receive all of the benefits set forth in Part I, Section 2.

3. Those Elected Department Heads who were not County employees when elected to County office will receive all of the benefits set forth in Part I, Section 2.
- C. All Elected Department Heads will receive the benefits set forth in Part II, Sections 13 and 20.
- D. Elected Department Heads will not receive the benefits set forth in Part II, Section 12, except for those Elected Department Heads who are in their elected office and receiving longevity pay as of October 1, 2010.
- E. As compensation for not accruing paid vacation credit, in addition to the benefits of Part II, Section 13, twelve thousand dollars (\$12,000) as a deferred compensation contribution will be added to the elected department head's deferred compensation account effective July 1 of each year (commencing July 1, 2007). If after July 1, but prior to June 30 of the next succeeding year, for any reason, the elected department head's occupancy of office terminates and/or expires, the elected department head is entitled to an additional deferred compensation account contribution prorated from July 1 to include the time period the elected department head served prior to the next June 30. Further, if, for any reason, all or part of such deferred compensation cannot be paid into a deferred compensation account the elected department head is entitled to an equivalent lump-sum payment. None of the County's twelve thousand dollar (\$12,000) contribution may be used to establish eligibility and qualification to receive the additional eighty-five dollars (\$85) monthly Deferred Compensation Incentive contribution otherwise provided by the County.
- F. All Elected Department Heads will receive the benefits set forth in Part III, Sections 21, 22, and 23.
- G. A County employee who becomes a County elected official may receive payment for unused vacation accruals only at the rate of pay that the elected official last earned as a County employee. The elected official may not be paid for unused vacation accruals at the rate of pay earned as an elected official.
- H. Only the Board of Supervisors is authorized to prescribe the compensation of County elected officials pursuant to Government Code section 25300.

IV. SPECIAL BENEFITS FOR MANAGEMENT EMPLOYEES BY DEPARTMENT OR CLASS

27. **Accounting Certificate Differential:** Incumbents of Management professional accounting, auditing or fiscal officer positions who possess one of the following certifications in good standing will receive a differential of five percent (5%) of base monthly salary: (1) A valid Certified Public Accountant (CPA) license issued by the State of California, Department of Consumer Affairs, Board of Accountancy; (2) a

Certified Internal Auditor (CIA) certification issued by the Institute of Internal Auditors; (3) a Certified Management Accountant (CMA) certification issued by the Institute of Management Accountants; or (4) a Certified Government Financial Manager (CGFM) certification issued by the Association of Government Accountants.

28. **Animal Services Search Warrant:** Employees in the management class of Deputy Director of Animal Services (BJDF) will be compensated for time spent in assisting law enforcement agencies in the serving of search warrants. The amount of special compensation per incident is one hundred dollars (\$100) and it will continue to be equal to that paid to Animal Services Officers for performing this duty. Only employees involved in actual entry team activities will be so compensated. The department continues to retain the sole right to select and assign personnel to such search warrant duty.
29. **Animal Services Uniform Allowance:** The uniform allowance for employees in the management class of Deputy Director of Animal Services (BJD1) is eight hundred dollars (\$800) effective July 1, 2001, payable one-twelfth (1/12) of the yearly total in monthly pay warrants. Any other increase in the Uniform Allowance, which may be granted to Animal Services Officers while this Resolution is in effect, is granted to the Animal Services Management classes.

30. **Attorney State Bar Dues and Professional Development Reimbursement:**

- 30.10 State Bar Dues Reimbursement. The County will reimburse employees in the classes set forth below for California State Bar Membership dues (but not penalty fees) and, if annually approved in advance by the Department Head, fees for criminal and/or civil specialization.
- 30.11 Professional Development Reimbursement. The County will reimburse employees in the classes listed in Section 30.12 up to a maximum of seven hundred dollars (\$700) each fiscal year for the following types of expenses:
- A. Purchase of job-related computer hardware and software.
 - B. Membership dues in legal professional associations.
 - C. Purchase of legal publications.
 - D. Training and travel costs for job-related educational courses.
 - E. Legal on-line computer services.

Any unused accrual may be carried forward to the next fiscal year up to a maximum of eight hundred dollars (\$800).

- 30.12 Eligible Classes.
This section applies only to the following classifications:

Assistant County Counsel-Exempt (2ED1)

Assistant District Attorney-Exempt (2KD3)
 Assistant Public Defender-Exempt (25D2)
 Chief Asst. County Counsel-Exempt (2ED2)
 Chief Asst. Deputy District Atty-Exempt (2KD2)
 Chief Assistant Public Defender-Exempt (25D1)
 Chief Trial Deputy Public Defender (25DB)
 Civil Litigation Attorney-Advanced (2ETG)
 Civil Litigation Attorney-Standard (2ETF)
 Civil Litigation Attorney-Basic (2ETE)
 County Counsel (2EA1)
 Deputy County Counsel-Advanced (2ETK)
 Deputy County Counsel-Standard (2ETJ)
 Deputy County Counsel-Basic (2ETH)
 Deputy County Counsel- Advanced- Exempt (2ET3)
 Deputy County Counsel- Standard- Exempt (2ET2)
 Deputy County Counsel-Basic- Exempt (2ET1)
 District Attorney-Public Administrator (2KA1)
 Public Defender (25A1)
 Retirement General Counsel-Exempt (97B3)
 Senior Deputy District Attorney-Exempt (2KD1)
 Senior Financial Counsel-Exempt (2ED3)
 Supervising Attorney-Child Support Services (29HA)
 Attorney Basic-Child Support Services (29VA)
 Attorney Advanced-Child Support Services (29TA)
 Attorney Entry-Child Support Services (29WA)

31. Attorney Management Administrative Leave and Additional Longevity Pay:

31.10 Attorney Management Administrative Leave.

- A. On January 1st of each year, the employees in the classes set forth below who are in paid status, excluding fixed-term employees and contract attorneys, will be credited with ninety four (94) hours of Management Administrative Leave. Management Administrative Leave must be used during the calendar year in which it is credited and any unused hours may not be carried forward.
- B. Attorneys appointed between January 1st and June 30th, inclusive, are eligible for ninety four (94) hours of Management Administrative Leave on the first succeeding January 1st and annually thereafter. Attorneys appointed on or after July 1st are eligible for seventy one (71) hours of Management Administrative Leave on the first succeeding January 1st and are eligible for

ninety four (94) hours annually thereafter.

- C. Permanent part time attorneys are eligible for Management Administrative Leave on a prorated basis, based upon their position hours, beginning on January 1st following their appointment and in the same proportion on each January 1st thereafter. Permanent-intermittent attorneys are not entitled to Management Administrative Leave. Any attorney on a leave of absence will have his/her Management Administrative Leave hours pro rated upon his/her return.
- D. Unrepresented, management, and exempt attorneys on the Overtime Exempt Exclusion List are authorized to receive overtime pay; therefore, their Management Administrative Leave will be reduced by 25% each time the attorney is on the List. The 25% reduction will be deducted from the employee's current leave balance, but if there is no balance, it will be deducted from future awarded Management Administrative Leave.

31.11 Additional Longevity Pay at 20 Years of County Service.

In addition to the Longevity Pay provided in Section 12 of this resolution, employees in the classes set forth below are eligible to receive an additional two percent (2%) longevity differential effective on the first day of the month following the month in which the employee qualifies for the twenty (20) year service award, beginning on November 1, 2012. For those employees who have twenty years of service on or before November 1, 2012, this longevity differential will be paid prospectively only from November 1, 2012.

31.12 Eligible Classes.

This section applies only to the following classifications:

- Assistant County Counsel-Exempt (2ED1)
- Assistant District Attorney-Exempt (2KD3)
- Assistant Public Defender-Exempt (25D2)
- Chief Asst. County Counsel-Exempt (2ED2)
- Chief Asst. Deputy District Atty-Exempt (2KD2)
- Chief Assistant Public Defender-Exempt (25D1)
- Chief Trial Deputy Public Defender (25DB)
- Civil Litigation Attorney-Advanced (2ETG)
- Civil Litigation Attorney-Standard (2ETF)
- Civil Litigation Attorney-Basic (2ETE)
- County Counsel (2EA1)
- Deputy County Counsel-Advanced (2ETK)
- Deputy County Counsel-Standard (2ETJ)
- Deputy County Counsel-Basic (2ETH)

Deputy County Counsel- Advanced- Exempt (2ET3)
Deputy County Counsel- Standard- Exempt (2ET2)
Deputy County Counsel-Basic- Exempt (2ET1)
Public Defender (25A1)
Retirement General Counsel-Exempt (97B3)
Senior Deputy District Attorney-Exempt (2KD1)
Senior Financial Counsel-Exempt (2ED3)
Supervising Attorney-Child Support Services (29HA)
Attorney Basic-Child Support Services (29VA)
Attorney Advanced-Child Support Services (29TA)
Attorney Entry-Child Support Services (29WA)

32. **Assessor Education Differential:** Employees in the management class of Assistant County Assessor-Exempt (DAB1) are entitled to a salary differential of two and one-half percent (2.5%) of base monthly salary for possession of a certification for educational achievement from at least one of the following:
- A. American Institute of Real Estate Appraisers Residential Member designation.
 - B. State Board of Equalization Advanced Appraiser Certification.
 - C. International Association of Assessing Officers Residential Evaluation Specialist.
 - D. Society of Auditor-Appraiser Master Auditor-Appraiser designation.
 - E. Society of Real Estate Appraisers Senior Residential Appraiser designation.
 - F. Any other certification approved by the County Assessor and the Director of Human Resources.
33. **Certified Elections/Registration Administrator Certification Differential:** Employees in the classification of Clerk-Recorder (ALA1) are entitled to receive a monthly differential in the amount of five percent (5%) of base monthly salary for possession of a valid Certified Elections/Registration Administrator Certificate issued by The Election Center-Professional Education Program. Verification of eligibility is by the County Administrator or designee. Eligibility for receipt of the differential begins on the first day of the month following the month in which the County Administrator verifies eligibility.
34. **District Attorney Inspectors Longevity Differential:** Incumbents of the classes of District Attorney Chief of Inspectors-Exempt (6KD1), District Attorney Lieutenant of Inspectors (6KNB), and Lieutenant of Inspectors-Welfare Fraud (6KWG) are eligible for a differential of five percent (5%) of base monthly salary when the following conditions are satisfied: The employee has (1) four (4) years of experience as a peace officer with Contra Costa County; (2) fifteen (15) years of P.O.S.T. experience; and (3) has reached the age of thirty-five (35).
35. **District Attorney Inspector P.O.S.T.:** Incumbents of the classes of District

Attorney Lieutenant of Inspectors (6KNB), District Attorney Lieutenant of Inspectors–Welfare Fraud (6KWG) and District Attorney Chief of Inspectors–Exempt (6KD1) who possess the appropriate certificates beyond the minimum P.O.S.T. qualifications required in their class may qualify for one of the following career incentive allowances:

- A. A career incentive allowance of two and one-half percent (2.5%) of base monthly salary will be paid to DA Lieutenant of Inspectors and DA Lieutenant of Inspectors–Welfare Fraud for the possession of an Advanced P.O.S.T. certificate. This allowance will be paid to the DA Chief of Inspectors–Exempt for possession of a Management and/or Executive P.O.S.T. Certificate.
- B. A career incentive allowance of five percent (5%) of base monthly salary will be paid to DA Lieutenant of Inspectors and DA Lieutenant of Inspectors–Welfare Fraud for possession of an Advanced P.O.S.T. certificate and an approved Baccalaureate Degree. This allowance will be paid to the DA Chief of Inspectors for possession of a Management and/or Executive P.O.S.T. certificate and possession of an approved Baccalaureate Degree.
- C. A career incentive allowance of seven and one-half percent (7.5%) of base monthly salary will be paid to DA Lieutenant of Inspectors and DA Lieutenant of Inspectors–Welfare Fraud for the possession of an Advanced P.O.S.T. certificate and possession of an approved Master’s Degree. This allowance will be paid to the DA Chief of Inspectors–Exempt for possession of an approved Management and/or Executive P.O.S.T. certificate and possession of an approved Master’s Degree. No continuing education is required in order to be entitled to any of the foregoing allowances.

36. District Attorney Investigator - Safety Employees Retirement Tiers; Contribution Toward Cost of Enhanced Retirement Benefit :

36.10 Safety Tier A. The retirement formula of “3 percent at 50” applies to employees in the classifications set forth below who become members of the Contra Costa County Employees Retirement Association (CCCERA) on or before December 31, 2012 or who, under PEPRA, become reciprocal members of CCCERA, as determined by CCCERA. The cost of living adjustment (COLA) to the retirement allowances of these employees will not exceed three percent (3%) per year. The final compensation of these employees will be based on a twelve (12) consecutive month salary average. This retirement benefit is known as Safety Tier A.

1. Until July 1, 2012, each employee in Tier A will pay nine percent (9%) of his or her retirement base to pay part of the employer’s contribution for the cost of Safety Tier A retirement benefits.

2. Effective on July 1, 2012, each employee in Tier A will pay three percent (3%) of his/her retirement base to pay part of the employer’s contribution for the cost

of Safety Tier A retirement benefits.

3. Effective on June 30, 2016, these payments will cease.

The payments set forth above will be made on a pre-tax basis in accordance with applicable tax laws. "Retirement base" means base salary and other payments, such as salary differential and flat rate pay allowances, used to compute retirement deductions.

36.11 Safety PEPRA Tier. For employees who become safety New Members of the Contra Costa County Employees Retirement Association (CCCERA) on or after January 1, 2013, retirement benefits are governed by the California Public Employees Pension Reform Act of 2013 (PEPRA) (Chapters 296 and 297, Statutes of 2012) and Safety Option Plan Two (2.7% @ 57) applies. For employees hired on or after July 1, 2014, who under PEPRA, become safety New Members of CCCERA, the cost of living adjustment to the retirement allowance will not exceed two percent (2%) per year and will be banked. To the extent that this resolution conflicts with any provision of PEPRA, PEPRA governs.

36.12 Employees with more than 30 years of Service. Commencing on July 1, 2007, eligible employees in the classifications set forth below and designated by the Contra Costa County Employees' Retirement Association as safety members with credit for more than thirty (30) years of continuous service as safety members, will not make payments from their retirement base to pay part of the employer's contribution towards the cost of Safety Tier A.

36.13 Eligible Classes.

This section applies only to the following classifications:

District Attorney Chief of Inspectors-Exempt (6KD1)
District Attorney Lieutenant of Inspectors (6KNB)
Lieutenant of Inspectors-Welfare Fraud (6KWG)

37. **Engineer Continuing Education Allowance:** Employees in the classification of Deputy Public Works Director-Exempt (NAD0) are eligible to receive a one year Continuing Education Allowance of two and one-half percent (2.5%) of base monthly salary if they complete at least (60) hours of approved education or training or at least three (3) semester units of approved college credit or approved combination thereof, subject to the following conditions.

- A. The specific education or training must be submitted in writing by the employee to the Public Works Director or his designee prior to beginning the course work.
- B. The education or training must be reviewed and approved in advance by the

Public Works Director or his designee as having a relationship to the technical or managerial responsibilities of the employee's current or potential County job classifications.

- C. Employees who qualify for this allowance do so for a period of only twelve (12) months, commencing on the first day of the month after proof of completion is received and approved by the Public Works Director or his designee. This allowance automatically terminates at the end of the twelve (12) month period.

38. **Engineer Professional Development Reimbursement:** Employees in the classification of Engineering Managers will be allowed reimbursement for qualifying professional development expenses and professional engineering license fees required by the employee's classification up to a total of seven hundred dollars (\$700) for each two (2) year period beginning on January 1, 2000. Effective July 1, 2007, the allowable reimbursement amount will be increased by one hundred fifty dollars (\$150) for a total of eight hundred fifty dollars (\$850). Effective on January 1, 2008, Engineering Managers will be allowed reimbursement for qualifying professional development expenses and professional engineering license fees required by the employee's classification up to a total of nine hundred dollars (\$900) for each two (2) year period.

Allowable expenses include the following activities and materials directly related to the profession in which the individual is engaged as a County employee:

- A. Membership dues to professional organizations.
- B. Registration fees for attendance at professional meetings, conferences and seminars.
- C. Books, journals and periodicals.
- D. Tuition and text book reimbursement for accredited college or university classes.
- E. Professional license fees required by the employee's classification.
- F. Application and examination fees for registration as a professional engineer, architect or engineer-in-training.
- G. Certain job-related instruments, job-related computer hardware and software from a standardized County approved list or with Department Head approval, provided each Engineer complies with the provisions of the Computer Use and Security Policy adopted by the Board of Supervisors and the applicable manuals.

Individual professional development reimbursement requests require the approval of the Department Head. Reimbursement occurs through the regular demand process with demands being accompanied by proof of payment (copy of invoice or canceled check).

In order to receive reimbursement, the employee must have been in an eligible classification when the expense was incurred.

39. **Library Department Holidays:** For all management and unrepresented employees

in the County Library Department, the day after Thanksgiving is deleted as a holiday and the day before Christmas is added as a holiday.

- 40. Library Differentials:** The classifications of Library Student Assistant Exempt (3KW2) and Library Aide Exempt (3KWF) may earn the following differential pays under the following circumstances:

A. Employees in the above-listed classes who work between the hours of 6:00p.m. and 9:00p.m. at any County library are entitled to a differential of five percent (5%) of the employee's base rate of pay (not including differentials).

B. Employees in the above-listed classes who work on Saturday are entitled to a differential of five percent (5%) of the employee's base rate of pay (not including differentials). This differential does not apply to any overtime hours worked on a Saturday.

C. Employees in the above-listed classes who work on a Sunday are entitled to a differential of seven and one half percent (7.5%) of the employee's base rate of pay (not including differentials).

- 41. Nursing Shift Coordinator-Per Diem Differentials:** The classification of Nursing Shift Coordinator-Per Diem (VWHD) may earn the following differential pays under the following circumstances:

A. Evening Shift. An employee will receive a shift differential of twelve percent (12%) of the employee's base hourly rate of pay for the employee's entire shift designation when the employee works four (4) or more hours between 5:00 p.m. and 11:00 p.m. In order to receive the shift differential, the employee must start work between 11:00 a.m. and midnight on the day the shift is scheduled to begin. Hours worked in excess of the employee's shift designation will count towards qualifying for the shift differential, but the employee will not be paid the shift differential on any hours worked in excess of the employee's shift designation.

B. Night Shift. An employee will receive a shift differential of fifteen percent (15%) of the employee's base hourly rate of pay for the employee's entire shift designation when the employee works works four (4) or more hours between 11:00 p.m. and 8:00 a.m. In order to receive the shift differential, the employee must start work between the hours of 7:00 p.m. and midnight or midnight and 8:00 a.m. on the day the shift is scheduled to begin. Hours worked in excess of the employee's shift designation will count towards qualifying for the shift differential, but the employee will not be paid the shift differential on any hours worked in excess of the employee's shift designation.

C. Shift Differential. An employee will receive a shift differential of five percent (5%) for a maximum of eight (8) hours per work day and/or forty (40) hours per workweek when the employee works four (4) or more hours between 5:00 p.m. and 9:00 a.m. In order to receive the shift differential, the employee must start work between the

hours of midnight and 5:00 a.m., or 11:00 a.m. and midnight on the day the shift is scheduled to begin. Hours worked in excess of eight (8) hours in a workday will count toward qualifying for the shift differential, but the employee will not be paid the shift differential on any excess hours worked.

D. Code Gray/STAT Team Differential. An employee in the above-listed class who is assigned by hospital administration to respond to emergency Code Gray calls as a member of the STAT Team is entitled to a differential of ten percent (10%) of the employee's base rate of pay (not including differentials).

42. **Nursing Shift Coordinator-Per Diem Overtime:** Employees in the classification of Nursing Shift Coordinator - Per Diem (VWHD) who work on a holiday are entitled to receive overtime pay at the rate of one and one-half (1.5) times his/her hourly rate for all hours worked on the holiday, up to a maximum of eight (8) hours.

43. **Podiatrists- Unrepresented Status:** In addition to all general benefits afforded unrepresented employees in Section I of this Resolution, the class of Exempt Medical Staff Podiatrist (VPS2) is also eligible for the following benefits:

Educational Leave. Each permanent full-time employee with at least one (1) year of service is entitled to five (5) days leave with pay each year to attend courses, institutions, workshops or classes which meet requirements for American Medical Association Category One Continuing Medical Education. Requests must be submitted for approval in advance to the Medical Director and Service Chief. Permanent part-time employees are entitled to educational leave under this section on a pro-rated basis.

Long-Term Disability Insurance: The County will continue in force the Long-Term Disability Insurance program with a replacement limit of eighty-five percent (85%) of total monthly base earnings reduced by any deductible benefits.

Malpractice Coverage. The County will provide coverage under the Continuing Practice Physician's Insurance Plan.

Paid Personal Leave. Permanent full-time employees with three (3) years of service will be credited with five (5) days of non-accruable paid personal leave effective January 1 of each calendar year. Balances not used will be returned to zero (0) at the end of each year. Permanent part-time employees are entitled to paid personal leave under this section on a pro-rated basis.

44. **Probation - Safety Employees Retirement Tiers; Contribution Toward Cost of Enhanced Retirement Benefit:**

44.10 Safety Tier A. The retirement formula of "3 percent at 50" applies to employees in the classifications set forth below who become Safety members of the Contra Costa County Employees Retirement Association (CCCERA) on or before December 31, 2012 or who, under PEPRA, become reciprocal members of

CCCERA, as determined by CCCERA. The cost of living adjustment (COLA) to the retirement allowances of these employees will not exceed three percent (3%) per year. The final compensation of these employees will be based on a twelve (12) consecutive month salary average.

1. Until July 1, 2012, each employee in Tier A will pay nine percent (9%) of his/her retirement base to pay part of the employer's contribution for the cost of Tier A retirement benefits.

2. For the period of July 1, 2012 through and including December 31, 2014, each employee in Tier A will pay four and one half percent (4.5%) of his/her retirement base to pay part of the employer's contribution for the cost of Tier A retirement benefits.

3. For the period of January 1, 2015 through and including June 29, 2015, each employee will pay two and one quarter percent (2.25%) of his/her retirement base to pay part of the employer's contribution for the cost of Tier A retirement benefits.

4. Effective on June 30, 2015, each employee's payment of two and one quarter percent (2.25%) of his/her retirement base to pay part of the employer's contribution for the cost of Tier A retirement benefits will cease.

The payments set forth above will be made on a pre-tax basis in accordance with applicable tax laws. "Retirement base" means base salary and other payments, such as salary differential and flat rate pay allowances, used to compute retirement deductions.

44.11 Safety PEPRA Tier. For employees who become Safety New Members of the Contra Costa County Employees Retirement Association (CCCERA) on or after January 1, 2013, retirement benefits are governed by the California Public Employees Pension Reform Act of 2013 (PEPRA) (Chapters 296 and 297, Statutes of 2012) and Safety Option Plan Two (2.7% @ 57) applies. To the extent that this resolution conflicts with any provision of PEPRA, PEPRA governs.

44.12 Eligible Classes.

This section applies only to the following classifications:

Assistant County Probation Officer-Exempt (7AB1)
County Probation Officer-Exempt (7AA1)
Chief Deputy Probation Officer (7ADC)
Probation Manager (7AGB)
Probation Director (7BFA)

45. Real Property Agent Advanced Certificate Differential: Employees in the

classifications of Assessor (DAA1), Assistant County Assessor (DAB1), and Real Estate Manager-Exempt (DYD1) are entitled to receive a monthly differential in the amount of five percent (5%) of base monthly salary for possessing and maintaining either a valid Senior Member Certificate issued by the International Executive Committee of the International Right of Way Association (IRWA) or a certification issued by the Building Owners and Managers Institute (BOMI) with a designation as either a Real Property Administrator (RPA) or Facilities Management Administrator (FMA). Verification of eligibility will be by the Department Head or his/her designee. Eligibility for receipt of the differential begins on the first day of the month following the month in which eligibility is verified by the Department Head.

All employees who qualify for the Senior Member certificate must recertify every five (5) years with the International Right of Way Association in order to retain the Senior Member designation and continue to receive the differential. In order to recertify, a Senior Member must accumulate seventy-five (75) hours of approved education which may include successfully completing courses, attending educational seminars or teaching approved courses.

All employees who qualify for the RPA or FMA designation must recertify every three (3) years with BOMI in order to retain the RPA or FMA designation and continue to receive this differential. In order to retain certification, an employee must achieve eighteen (18) points of continuing professional development, which may include successfully completing courses, attending educational seminars, or teaching approved courses related to the industry.

46. Sheriff Sworn Management P.O.S.T.:

A. Incumbents of the classes of Sheriff-Coroner (6XA1), Undersheriff-Exempt (6XB4), Assistant Sheriff- Exempt (6XB2) and Commander-Exempt (6XD1) who possess the appropriate certificates beyond the minimum P.O.S.T. qualifications required in their class may qualify for one, and only one, of the following career incentive allowances:

1. A career incentive allowance of two and one-half percent (2.5%) of monthly base pay will be awarded for the possession of a Management and/or Executive P.O.S.T. Certificate and possession of an approved Baccalaureate Degree.
2. A career allowance of five percent (5%) of monthly base pay will be awarded for the possession of a Management and/or Executive P.O.S.T. Certificate and possession of an approved Master's Degree.

B. Incumbents in the class of Chief of Police-Contract Agency-Exempt who possess the appropriate certificates beyond the minimum P.O.S.T. qualifications required in their class may qualify for one, and only one, of the following career incentive allowances:

1. A career incentive allowance of two and one-half percent (2.5%) of monthly base pay will be awarded for the possession of an Advanced P.O.S.T. Certificate.
2. A career incentive allowance of five percent (5%) will be awarded for the possession of an Advanced P.O.S.T. Certificate and possession of an approved Baccalaureate or Master's Degree.

47. Sheriff Continuing Education Allowance: Sheriff's Department employees in the classifications of Sheriff's Fiscal Officer (APSA) and Sheriff's Chief of Management Services (APDC) are eligible to receive a Continuing Education Allowance of two and one-half percent (2.5%) of base monthly salary for any fiscal year in which they complete at least sixty (60) hours of education or training or at least three(3) semester units of college credit or a combination thereof, approved by the department, subject to all of the following conditions:

- A. An application must be submitted in advance, to the Sheriff's Department prior to the fiscal year in which the education or training will occur.
- B. The education or training must be directly related to the technical or Management duties of the employee's job.
- C. The course must be reviewed and approved in advance by the Sheriff's Department Standards and Resources Bureau.
- D. The employee must show evidence of completion with a passing grade.

48. Sheriff Emergency Services Standby Differential: Employees in the classification of Emergency Planning Specialist-Exempt (9GS1) who perform standby duty for the Office of Emergency Services at least one (1) week per month, are entitled to receive a differential in the amount of two and one-half percent (2.5%) of base monthly salary.

49. Sheriff Law Enforcement Longevity Differential:

49.10. 15 years of sworn County service. Incumbents in the classifications of Undersheriff (6XB4), Assistant Sheriff- Exempt (6XB2), Commander (6XD1), and Chief of Police-Contract Agency-Exempt (6XF1) are eligible for a differential of five percent (5%) of base monthly salary upon completion of fifteen (15) years of County service as a full-time, permanent, sworn law enforcement officer.

49.11. 20 years of sworn County service. Incumbents in the classifications of Undersheriff (6XB4), Assistant Sheriff- Exempt (6XB2), Commander (6XD1), and Chief of Police-Contract Agency-Exempt (6XF1) are eligible for a differential of two percent (2%) of base monthly salary upon completion of twenty (20) years of County service as a full-time, permanent, sworn law enforcement officer. For employees who completed twenty (20) years of such service on or before September 1, 2013,

this longevity differential will be paid prospectively only from September 1, 2013.

- 50. Sheriff Uniform Allowance:** The Sheriff-Coroner (6XA1), Undersheriff (6XB4, Assistant Sheriff- Exempt (6XB2), Commander (6XD1), Chief of Police-Contract Agency-Exempt (6XF1) and non-sworn management employees in the Sheriff-Coroner's Department will be paid a uniform allowance in the amount of eight hundred seventy-two dollars (\$872) per year effective July 1, 2007, payable one-twelfth (1/12) of the yearly total in monthly pay warrants. The non-sworn management employees eligible for this uniform allowance are: Sheriff's Fiscal Officer (APSA) and Sheriff's Chief of Management Services (APDC).
- 51. Sheriff - Detention Division Meals:** Employees assigned to the Detention Division will have fifteen dollars (\$15.00) per month deducted from their pay checks in exchange for meals provided by the Department. The employee may choose not to eat facility food. In that case, no fees will be deducted.
- 52. Sheriff - Safety Employees Retirement Tiers:**
- 52.10. Safety Tier A. The retirement formula of "3 percent at 50" applies to employees in the classifications set forth below, who are employed by the County as of December 31, 2006. The cost of living adjustment (COLA) to the retirement allowances of these employees will not exceed three percent (3%) per year. The final compensation of these employees will be based on a twelve (12) consecutive month salary average. Safety Tier A is closed to all employees initially hired by Contra Costa County after December 31, 2006.
- 52.11 Safety Tier C. The retirement formula of "3 percent at 50" applies to employees in the classifications set forth below, who are hired by the County after December 31, 2006 and on or before December 31, 2012, or who, under PEPRA, become reciprocal members of CCCERA, as determined by CCCERA. The cost of living adjustment (COLA) to the retirement allowances of these employees will not exceed two percent (2%) per year. The final compensation of these employees will be based on a thirty-six (36) consecutive month salary average.
- 52.12 Safety PEPRA Tier. For employees who become Safety New Members of the Contra Costa County Employees Retirement Association (CCCERA) on or after January 1, 2013, retirement benefits are governed by the California Public Employees Pension Reform Act of 2013 (PEPRA) (Chapters 296 and 297, Statutes of 2012) and Safety Option Plan Two (2.7% @ 57) applies. The cost of living adjustment to the retirement allowances of these employees will not exceed two percent (2%) per year and will be banked. To the extent that this resolution conflicts with any provision of PEPRA, PEPRA governs.
- 52.13 Employees with more than 30 years of Service. Commencing January 1, 2007, employees in the classifications set forth below and designated by the Contra

Costa County Employees' Retirement Association as safety members with credit for more than thirty (30) years of continuous service as safety members, will not make payments from their retirement base to pay part of the employer's contribution towards the cost of Safety Tier A.

52.14 Retirement Tier Elections. If members of the Deputy Sheriffs' Association have the opportunity to elect different retirement tiers, employees in the classifications set forth below and employed by the County as of December 31, 2012, will be offered the same opportunity to elect the new Safety PEPRA Tier at the same time and on the same terms and conditions as are applicable to members of the Deputy Sheriffs' Association.

52.15 Eligible Classes.

This section applies only to the following classifications:

Sheriff-Coroner (6XA1)
Undersheriff- Exempt (6XB4)
Assistant Sheriff-Exempt (6XB2)
Commander (6XD1)
Chief of Police-Contract Agency-Exempt (6XF1)

53. Safety Employees Retirement Tiers (Miscellaneous Safety Classifications) Benefit

53.10 Safety Tier A. The retirement formula of "3 percent at 50" applies to employees in the classifications set forth below who become Safety members of the Contra Costa County Employees Retirement Association (CCCERA) on or before December 31, 2012, or who under PEPRA, become reciprocal members of CCCERA as determined by CCCERA. The cost of living adjustment (COLA) to the retirement allowances of these employees will not exceed three percent (3%) per year. The final compensation of these employees will be based on a twelve (12) consecutive month salary average.

1. Until September 1, 2013, each employee in Tier A will pay nine percent (9%) of his/her retirement base to pay part of the employer's contribution for the cost of Tier A retirement benefits.

2. For the period September 1, 2013, through and including December 31, 2014, each employee in Tier A will pay four and one half (4.5%) of his/her retirement base to pay part of the employer's contribution for the cost of Tier A retirement benefits.

3. For the period January 1, 2015, through and including June 30, 2015, each employee in Tier A will pay two and a quarter percent (2.25%) of his/her retirement base to pay part of the employer's contribution for the cost of the Tier

A retirement benefit.

4. Effective June 30, 2015, these payments will cease

The payments set forth above will be made on a pre-tax basis in accordance with applicable tax laws. "Retirement base" means base salary and other payments, such as salary differential and flat rate pay allowances used to compute retirement deductions.

53.11 Safety PEPRA Tier. For employees who become safety New Members of the Contra Costa County Employees Retirement Association (CCCERA) on or after January 1, 2013, retirement benefits are governed by the California Public Employees Pension Reform Act of 2013 (PEPRA) (Chapters 296 and 297, Statutes of 2012) and Safety Option Plan Two (2.7% @ 57) applies. For employees hired by the County on or after January 1, 2014, who under PEPRA, become safety New Members of CCCERA, the cost of living adjustment to the retirement allowance will not exceed two percent (2%) per year and will be banked. To the extent that this resolution conflicts with any provision of PEPRA, PEPRA governs.

53.12 Eligible Classes.

This section applies only to the following classifications:

Assistant Chief Public Service Officer (64BA)
Director of Hazardous Materials Program-Exempt (VLD2)

54. **Treasurer-Tax Collector Professional Development Differential:** Treasurer-Tax Collector employees in one of the classifications listed below are eligible to receive a monthly differential equivalent to five percent (5%) of base salary for possession of at least one (1) of the following specified professional certifications and for completion of required continuing education requirements associated with the individual certifications. Verification of eligibility for any such differential must be provided to the Auditor in writing by the Treasurer-Tax Collector or his/her designee. Under this program, no employee may receive more than a single five percent (5%) differential at one time, regardless of the number of certificates held by that employee.

This section applies only to the following classifications:

Treasurer-Tax Collector (S5A1)
Treasurer's Investment Officer-Exempt (S5S3)
Assistant County Treasurer-Exempt (S5B4)
Assistant County Tax Collector (S5DF)
Chief Deputy Treasurer Tax Collector-Exempt (S5B2)

Qualifying Certificates:

Certified Cash Manager (C.C.M.)
Certified Financial Planner (C.F.P.)
Certified Government Planner (C.G.F.P.)
Certified Treasury Manager (C.T.M.)
Chartered Financial Analyst (C.F.A.)

55. **Executive Assistant to the County Administrator Differential.** At the discretion of the County Administrator, an employee in the classification of Executive Assistant II to the County Administrator- Exempt (J3H2) is eligible to receive a monthly differential equivalent to five percent (5%) of base salary while the employee is performing work on special project assignments. Verification of eligibility for any such differential must be provided to the Auditor in writing by the County Administrator or his/her designee.

56. **Contra Costa County Employees Retirement Association Staff Professional Development Differentials.** Commencing August 1, 2013, Employees in one of the Retirement classifications listed below are eligible to receive a monthly differential, equivalent to the percentage of base salary specified below, for possession of at least one (1) of the following professional certifications and for completion of required continuing education requirements associated with the individual certifications:

Chartered Financial Analyst (C.F.A.) – Five percent (5%)
Associate of the Society of Actuaries (A.S.A.)– Five Percent (5%)
Certified Employee Benefit Specialist (C.E.B.S.)– Two and one-half Percent (2.5%)

Verification of eligibility for any such differential must be provided to the Auditor in writing by the Retirement Chief Executive Officer or his/her designee. Under this program, no employee may receive more than one of the above listed professional development differentials at one time, regardless of the number of certificates held by that employee.

This section applies only to the following Retirement classifications:

Retirement Accounting Manager (97DA)
Retirement Administrative /Human Resources Coordinator (97HD)
Retirement Administration Manager (97HA)
Retirement Assistant General Counsel- Exempt (97B4)
Retirement Benefits Manager (97GA)
Retirement Benefits Program Coordinator (97HB)
Retirement Chief Executive Officer (97A1)
Retirement Chief Investment Officer- Exempt (97B2)
Retirement Compliance Officer (97SD)
Retirement Communications Coordinator (97SA)
Deputy Retirement Chief Executive Officer- Exempt (97B1)
Retirement General Counsel- Exempt (97B3)
Retirement Information Technology Manager (97HE)
Retirement Information Technology Coordinator II (97SC)
Retirement Investment Analyst (97TF)

[EXHIBITS ATTACHED]

Exhibit A
Management, Exempt and Unrepresented

Job Code	Job Title
AP7A	ADMINISTRATIVE AIDE-DEEP CLASS
AP73	ADMINISTRATIVE AIDE-PROJECT
AP9A	ADMINISTRATIVE INTERN-DEEP CLS
APDB	ADMINISTRATIVE SVCS OFFICER
AJDB	AFFIRMATIVE ACTION/EEEO
XQD2	AGING/ADULT SVCS DIRECTOR-EX
VHD1	ALCOHOL/OTHER DRUG SVCS DIR-EX
VAB1	AMBULATORY CARE CHF EXC OFC-EX
BKS1	ANIMAL CLINIC VETERINARIAN-EX
JJNG	ASSESSOR'S CLERICAL STAFF MNGR
VCS1	ASSIST TO HLTH SVC DIR - EX
9MD3	ASSISTANT DIRECTOR-PROJECT
BAB1	ASST AGR COM/WTS/MEAS-EXEMPT
64BA	ASST CHIEF PUBLIC SVC OFFICER
7AB1	ASST CO PROB OFF - EXEMPT
ADB4	ASST COUNTY ADMINISTRATOR
DAB1	ASST COUNTY ASSESSOR-EXE
SAB1	ASST COUNTY AUDITOR CONTROLLE
2ED1	ASST COUNTY COUNSEL-EXEMPT
3AB1	ASST COUNTY LIBRARIAN-EXEMPT
ALB3	ASST COUNTY RECORDER-EXEMPT
ALB1	ASST COUNTY REGISTRAR-EXEMPT
S5DF	ASST COUNTY TAX COLLECTOR
S5B4	ASST COUNTY TREASURER-EXEMPT
VCB1	ASST DIR OF HEALTH SVCS
AGB1	ASST DIR OF HUMAN RESOURCES-EX
XAD7	ASST DIR-POLICY & PLANNING-EX
2KD3	ASST DISTRICT ATTORNEY-EXEMPT
LBD4	ASST HS IT DIR-APP DEV-EX
LBD2	ASST HS IT DIR-CUSTOMER SUPP-E
LBD7	ASST HS IT DIR-INFO SECURITY-E
LBD3	ASST HS IT DIR-INFRASTRUCT-EX
LBD1	ASST HS IT DIR-PROJECT MGMT-EX
25D2	ASST PUBLIC DEFENDER-EXEMPT
AJDP	ASST RISK MANAGER
6XB2	ASST SHERIFF-EXEMPT
ADBA	ASST TO THE COUNTY ADMIN
29TA	ATTORNEY ADVANCE-CHLD SPPT SVC
29VA	ATTORNEY BASIC-CHILD SPPT SVCS
29WA	ATTORNEY ENTRY-CHILD SPPT SVCS
J995	BD OF SUPVR ASST-CHIEF ASST
J992	BD OF SUPVR ASST-GEN OFFICE
J993	BD OF SUPVR ASST-GEN SECRETARY

Exhibit A
Management, Exempt and Unrepresented

Job Code	Job Title
J994	BD OF SUPVR ASST-SPECIALIST
ADT2	CAPITAL FACILITIES ANALYST-PRJ
NEG1	CAPITAL PROJECTS DIV MGR-EX
VPD4	CCHP MEDICAL DIRECTOR-EXEMPT
VCB2	CCRMC CHIEF EXEC OFC - EXEMPT
5ABD	CHF, ANEX AND ECON STM PROG
SAGC	CHIEF ACCOUNTANT
JJDA	CHIEF ASSISTANT CLERK-BOS
2ED2	CHIEF ASST COUNTY COUNSEL
SMBA	CHIEF ASST DIRECTOR/DCSS
2KD2	CHIEF ASST DISTRICT ATTORNEY-E
25D1	CHIEF ASST PUBLIC DEFENDER
SFDB	CHIEF AUDITOR
7ADC	CHIEF DEP PROBATION OFFICER
AXD1	CHIEF DEP PUBLIC ADMIN-EXEMPT
S5B2	CHIEF DEP TREASURE/TAX COLL-EX
XAB1	CHIEF DEPUTY DIRECTOR-EXEMPT
NAB1	CHIEF DEPUTY PW DIRECTOR-EX
VCB3	CHIEF EXECUTIVE OFFICER-CCHP-E
6EH1	CHIEF INVESTIGATOR PD-EXEMPT
S5BC	CHIEF INVESTMENT OFFICER
VPS4	CHIEF MEDICAL OFFICER - EXEMPT
VWD2	CHIEF NURSING OFFICER-EXEMPT
AGD3	CHIEF OF LABOR RELATIONS - EX
VWD1	CHIEF OPERATIONS OFFICER-EXEMP
6XF1	CHIEF POLICE-CONTRACT AGENCY-EX
ADS2	CHIEF PUBLIC COMMUN OFFICER-EX
VAB2	CHIEF QUALITY OFFICER-EXEMPT
25DB	CHIEF TRIAL DEPUTY PUBLIC DEF
9JS2	CHILD NUTRT DIV NUTRI-PROJECT
9JS3	CHILD NUTRT FOOD OPER SUPV-PRJ
9CDA	CHILD SPVRT SVCS MANAGER
XAD5	CHILDREN AND FAMILY SVCS DIR-E
9MH1	CHILDREN SVCS MGR-PROJECT
2ETG	CIVIL LITIG ATTY-ADVANCED
2ETE	CIVIL LITIG ATTY-BASIC LVL
2ETF	CIVIL LITIG ATTY-STANDARD
6XD1	COMMANDER-EXEMPT
CCD1	COMMUNITY SVCS DIRECTOR-EXEMPT
CCHA	COMMUNITY SVCS PERSONNEL ADMIN
9J71	COMMUNITY SVCS PERSONNEL TECH
9MS7	COMPREHENSIVE SVCS ASST MGR-PR
9MS3	COMPREHENSIVE SVCS MAN -PRJ

Exhibit A
Management, Exempt and Unrepresented

Job Code	Job Title
ADB6	COUNTY FINANCE DIRECTOR-EX
NAF1	COUNTY SURVEYOR-EXEMPT
CJH3	CS MENTAL HLTH CLIN SUPV-PROJ
APDD	DA CHIEF OF ADMINISTRATIVE SVC
6KD1	DA CHIEF OF INSPECTORS-EXEMPT
6KNB	DA LIEUTENANT OF INSPECTORS
JJGE	DA MANAGER OF LAW OFFICES
JJHG	DA OFFICE MANAGER
J3T7	DA PROGRAM ASSISTANT-EXEMPT
4AD1	DEP DIR OF CONSERV & DEV-EX
APSA	DEPARTMENTAL FISCAL OFFICER
ADSH	DEPTL COMM & MEDIA REL COORD
LTD2	DEPUTY CIO-GIS-EXEMPT
JJHD	DEPUTY CLERK-BOARD OF SUPV
ADDG	DEPUTY CO ADMINISTRATOR
ALB2	DEPUTY CO CLERK-RECORDER-EX
2ETK	DEPUTY CO COUNSEL-ADVANCED
2ET3	DEPUTY CO COUNSEL-ADVANCED-EX
2ETH	DEPUTY CO COUNSEL-BASIC
2ET1	DEPUTY CO COUNSEL-BASIC-EXEMPT
2ETJ	DEPUTY CO COUNSEL-STANDARD
2ET2	DEPUTY CO COUNSEL-STANDARD-EX
3AFE	DEPUTY CO LIBRARIAN-PUB SVCS
3AFG	DEPUTY CO LIBRARIAN-SUPT SVCS
LWS1	DEPUTY DIR CHF INFO SEC OFC-EX
5AB2	DEPUTY DIR COM DEV/CURR-EX
5AH2	DEPUTY DIR COM DEV/TRANS-EX
LTD1	DEPUTY DIR/INFO TECHNOLOGY-EXE
BJD1	DEPUTY DIRECTOR ANIMAL SVC-EX
XAD8	DEPUTY DIR-WORKFORCE SVC-EX
2KWF	DEPUTY DISTRICT ATTORNEY-FT-FL
VCD2	DEPUTY EXECUTIVE DIR/CCHP-EX
NAD8	DEPUTY GENERAL SVCS DIRECTOR/E
NAD0	DEPUTY PUBLIC WORKS DIRECTOR-E
97B1	DEPUTY RETIREMENT CEO -EX
6XW3	DEPUTY SHERIFF RESERVE-EXEMPT
6XWC	DEPUTY SHERIFF-PER DIEM
6XW1	DEPUTY SPEC IN CO SVC AREA P-1
VRG1	DIR MKTG/MEM SVCS & PR-CCHP-EX
VQD4	DIR OF MENTAL HEALTH SVCS-EX
VAD1	DIR OF PATIENT FIN SVCS-EXEMPT
ADD5	DIR OFFICE CHILD SVCS - EX
9BD1	DIRECTOR OF AIRPORTS

Exhibit A
Management, Exempt and Unrepresented

Job Code	Job Title
VLD1	DIRECTOR OF ENV HEALTH SVCS-EX
VLD2	DIRECTOR OF HAZ MAT PROGRAM-EX
5AB1	DIRECTOR OF REDEVEL-EXEMPT
SMD1	DIRECTOR OF REVENUE COLLECTION
ADSB	DIRECTOR OFFICE OF COMM/MEDIA
XASJ	EHS CHIEF FINANCIAL OFFICER
XAD6	EHS DIRECTOR OF ADMIN-EXEMPT
AV71	EHS WORKER TRAINEE-PROJECT
X761	EHS WORKFORCE DEV YOUTH TRN-PJ
X762	EHS WORKFORCE DEV YOUTH WKR-PJ
XAGB	EHSD PERSONNEL OFFICER
VBSC	EMERGENCY MEDICAL SVS DIRECTOR
9GS1	EMERGENCY PLANNING SPEC-EXEMPT
AGD2	EMPLOYEE BENEFITS MANAGER
AGSC	EMPLOYEE BENEFITS SPECIALIST
AJHA	EMPLOYEE BENEFITS SUPERVISOR
J3V2	EXEC ASST I TO CO ADMINIS-EX
J3H2	EXEC ASST II TO CO ADMINIS-EX
J3T6	EXEC SECRETARY/ MERIT BOARD
J3T5	EXEC SECRETARY-EXEMPT
J3TJ	EXECUTIVE SECRETARY-DCSS
VPS2	EXEMPT MED STF PODIATRIST
APDE	FIRE DISTRICT CHIEF/ADMIN SVCS
6CW1	FORENSIC ANALYST-PROJECT
VASH	HEALTH EQUITY PROGRAM MANAGER
VRGC	HEALTH PLAN DIR COMP & GOV REL
VCS3	HEALTH PLAN SERVICES ASST-EX
LBB3	HEALTH SVCS IT DIRECTOR-EX
VCN2	HEALTH SVCS PERSNL OFFICER-EX
VQHA	HLTH/HUMAN SVC RES & EVAL MGR
AGSE	HR DATA ADMINISTRATOR
AGVF	HUMAN RESOURCES CONSULTANT
AGDF	HUMAN RESOURCES PROJECT MNGR
AG7B	HUMAN RESOURCES TECHNICIAN
VTWB	INTERIM PERMIT NURSE
ADSI	LABOR RELATIONS ANALYST I
ADSJ	LABOR RELATIONS ANALYST II
AD7C	LABOR RELATIONS ASSISTANT
ADD6	LABOR RELATIONS MANAGER-EXEMPT
5ASF	LAND INFORMATION BUS OPS MNGR
2YWB	LAW CLERK I
2YVA	LAW CLERK II
2YTA	LAW CLERK III

Exhibit A
Management, Exempt and Unrepresented

Job Code	Job Title
64WB	LAW ENFORCE TRNG INSTR-PER DM
AJTA	LEAD EXAMINATION PROCTOR
3KW4	LIBRARY AIDE-EXEMPT
3KW2	LIBRARY STUDENT ASSISTANT-EX
6KWG	LIEUTENANT OF INSP-WELF FRAUD
ADVB	MANAGEMENT ANALYST
ADD4	MANAGER CAP FAC/DEBT MGMT-EX
VCA2	MEDICAL DIRECTOR
VPD1	MH MEDICAL DIRECTOR-EX
V07A	MICROBIOLOGIST TRAINEE
VWHD	NURSING SHIFT COORD - PER DIEM
SAHM	PAYROLL SYSTEMS ADMINISTRATOR
ARVA	PERSONNEL SERVICES ASST II
ARTA	PERSONNEL SERVICES ASST III
AGDE	PERSONNEL SERVICES SUPERVISOR
AP7B	PERSONNEL TECHNICIAN
ADS5	PRIN MANAGEMENT ANALYST - PROJ
ADHB	PRINCIPAL MANAGEMENT ANALYST
7BFA	PROBATION DIRECTOR
7AGB	PROBATION MANAGER
STD1	PROCUREMENT SVCS MANAGER-EX
ADS1	PUBLIC INFORMATION OFFICER
APDF	PUBLIC WORKS CHIEF OF ADM SVCS
DYD1	REAL ESTATE MANAGER-EXEMPT
9T95	RECREATION INSTRUCTOR-LVL 422
5AH4	REDEVELOPMENT PROJ MANAGER-PRJ
VPD5	RESIDENCY DIRECTOR-EXEMPT
97DA	RETIREMENT ACCOUNTING MANAGER
97HD	RETIREMENT ADMIN/HR COORD
97HA	RETIREMENT ADMINISTRATION MNGR
97B4	RETIREMENT ASST GEN COUNSEL-EX
97GA	RETIREMENT BENEFITS MANAGER
97HB	RETIREMENT BENEFITS PRG COORD
97B2	RETIREMENT CHF INVEST OFCR-EX
97SA	RETIREMENT COMMUNICATIONS CORD
97SD	RETIREMENT COMPLIANCE OFFICER
97B3	RETIREMENT GENERAL COUNSEL-EX
97SC	RETIREMENT INFO TECH COORD II
97TF	RETIREMENT INVESTMENT ANALYST
97HE	RETIREMENT IT MANAGER
AJD1	RISK MANAGER
AJH1	RISK MGMT TRAINING COORD-PRJ
AVS4	SBDC BUSINESS CONSULTANT-PRJ

Exhibit A
Management, Exempt and Unrepresented

Job Code	Job Title
AVD3	SBDC DIRECTOR-PROJECT
CCG1	SCHOOL READINESS PROG COOR-PRJ
J3S2	SECRETARY TO UNDERSHERIFF
NSGA	SENIOR LAND SURVEYOR
ADTD	SENIOR MANAGEMENT ANALYST
APDC	SHERIFF'S CHF OF MGNT SVCS
J3T0	SHERIFF'S EXECUTIVE ASST-EX
ADB5	SPECIAL ASST TO THE CO ADMN-EX
ADDH	SR DEPUTY COUNTY ADMINISTRATOR
2KD1	SR DEPUTY DISTRICT ATTORNEY-EX
2ED3	SR FINANCIAL COUNSELOR-EXEMPT
AGTF	SR HUMAN RESOURCES CONSULTANT
NK7A	STUDENT AIDE-CIVIL ENGINEER
999E	STUDENT WORKER-DEEP CLASS
29HA	SUPERVISING ATTORNEY-DCSS
S5S3	TREASURER'S INVEST OFFICER-EX
6XB4	UNDERSHERIFF-EXEMPT
9KN3	WEATHERIZATION/HM REPAIR SUPV
XAD4	WORKFORCE INV BD EXC DIR-EX
XAD3	WORKFORCE SVCS DIRECTOR-EXEMPT

Exhibit B
Unrepresented

Job Code	Job Title
9JS2	CHILD NUTRT DIV NUTRI-PROJECT
2KWF	DEPUTY DISTRICT ATTORNEY-FT-FL
6XW3	DEPUTY SHERIFF RESERVE-EXEMPT
6XWC	DEPUTY SHERIFF-PER DIEM
6XW1	DEPUTY SPEC IN CO SVC AREA P-1
AV71	EHS WORKER TRAINEE-PROJECT
X761	EHS WORKFORCE DEV YOUTH TRN-PJ
X762	EHS WORKFORCE DEV YOUTH WKR-PJ
VPS2	EXEMPT MED STF PODIATRIST
6CW1	FORENSIC ANALYST-PROJECT
VTWB	INTERIM PERMIT NURSE
2YWB	LAW CLERK I
2YVA	LAW CLERK II
2YTA	LAW CLERK III
64WB	LAW ENFORCE TRNG INSTR-PER DM
AJTA	LEAD EXAMINATION PROCTOR
3KW4	LIBRARY AIDE-EXEMPT
3KW2	LIBRARY STUDENT ASSISTANT-EX
V07A	MICROBIOLOGIST TRAINEE
VWHD	NURSING SHIFT COORD - PER DIEM
9T95	RECREATION INSTRUCTOR-LVL 422
NK7A	STUDENT AIDE-CIVIL ENGINEER
999E	STUDENT WORKER-DEEP CLASS

Exhibit C
Elected and Appointed Department Heads

Job Code	Job Title
BAA1	AGRICULTURAL COM-DIR WTS/MEAS
DAA1	ASSESSOR
SAA1	AUDITOR-CONTROLLER
ADA1	BD OF SUPVR MEMBER
ADB1	CHIEF ASST COUNTY ADMIN
LTA1	CHIEF INFO OFF/DIR OF INFO TEC
ALA1	CLERK RECORDER
ADA2	COUNTY ADMINISTRATOR
2EA1	COUNTY COUNSEL
3AAA	COUNTY LIBRARIAN
7AA1	COUNTY PROBATION OFFICER-EX
96A1	COUNTY VETERANS' SVCS OFFICER
2KA1	DA PUBLIC ADMININSTATOR
4AA1	DIR OF CONSERVATION & DEVL P-EX
BJA1	DIRECTOR OF ANIMAL SERVICES
SMA1	DIRECTOR OF CHILD SUPPORT SVCS
NAA2	DIRECTOR OF GENERAL SERVICES-E
VCA1	DIRECTOR OF HEALTH SERVICES
AGA2	DIRECTOR OF HUMAN RESOURCES-EX
XAA2	DIRECTOR-EHSD-EXEMPT
25A1	PUBLIC DEFENDER
NAA1	PW DIRECTOR
97A1	RETIREMENT CHIEF EXEC OFCR-EX
6XA1	SHERIFF-CORONER
S5A1	TREASURER-TAX COLLECTOR

Exhibit D
Department Heads and Chief Assistants

Department Head	Job Code	Chief Assistant Department Head	Job Code
Agricultural Commissioner/Director of Weights and Measures Assessor	BAA1	Assistant Agricultural Commissioner/Sealer of Weights and Measures	BAB1
Auditor-Controller	DAA1	Assistant County Assessor	DAB1
Board of Supervisors Member	SAA1	Assistant County Auditor-Controller	SAB1
Chief Information Officer/Director of Information Technology	ADA1	No Chief Assistant	
Clerk Recorder	LTA1	Deputy Chief Information Officer - GIS-Exempt	LTD2
	ALA1	Assistant County Registrar	ALB1
		Assistant County Recorder	ALB3
		Deputy County Clerk-Recorder-Exempt	ALB2
County Administrator	ADA2	Chief Assistant County Administrator	ADB1
		County Finance Director-Exempt	ADB6
County Counsel	2EA1	Excluded Classification	
County Librarian	3AAA	Deputy County Librarian - Public Services	3AFE
		Deputy County Librarian - Support Services	3AFG
County Probation Officer	7AA1	Chief Deputy Probation Officer	7ADC
County Veterans' Services Officer	96A1	No Chief Assistant	
Director of Animal Services	BJA1	Deputy Director of Animal Services	BJD1
Director of Child Support Services	SMA1	Chief Assistant Director of Child Support Services	SMBA
Director of Conservation and Development	4AA1	Deputy Director of Community Development/Transportation Planning	5AH2
		Deputy Director of Conservation and Development	4AD1
Director-Employment and Human Services	XAA2	Aging/Adult Svcs Director	XQD2
		Children and Family Svcs Director	XAD5
		Community Svcs Director	CCD1
		EHS Director of Admin	XAD6
		Workforce Inv Bd Exec Director	XAD4
Director of Health Services	VCA1	No Chief Assistant	
Director of Human Resources	AGA2	Assistant Director of Human Resources	AGB1
District Attorney-Public Administrator	2KA1	Excluded Classification	
Public Defender	25A1	Excluded Classification	
Public Works Director	NAA1	Deputy Public Works Director	NAD0
Retirement Chief Executive Officer	97A1	Retirement Chief Investment Officer	97B2
		Deputy Retirement CEO-Exempt	97B1
Sheriff-Coroner	6XA1	Undersheriff	6XB4
Treasurer-Tax Collector	S5A1	Chief Deputy Treasurer-Tax Collector	S5B2

Exhibit E
CalPers Health Plan Classes

Job Code	Job Title
6XB2	ASST SHERIFF-EXEMPT
6XF1	CHIEF POLICE-CONTRACT AGENCY-EX
6XD1	COMMANDER-EXEMPT
6XA1	SHERIFF-CORONER
6XB4	UNDERSHERIFF-EXEMPT



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Approve the annual county miles in the Total Maintained Mileage for County Roads Report. (All Districts)

RECOMMENDATION(S):

ADOPT Resolution No. 2014/231 approving the annual county miles in the Total Maintained Mileage for County Roads Report. (All Districts)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

State Department of Transportation requires annual total mileage to determine the amount of money allocated to the County from the gasoline tax.

CONSEQUENCE OF NEGATIVE ACTION:

The report cannot be submitted to CalTrans without the Board approval.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Jim Stein, Surveys,
925-313-2343

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

By: , Deputy

cc: Surveys Division, Records Division, Maintenance Division, Design/Construction, Engineering Services

ATTACHMENTS

Resolution No.

2014/231

Road Mileage Report

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

Adopted this Resolution on 07/08/2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2014/231

IN THE MATTER OF annual county miles in the Total Maintained Mileage for County Roads Report. (All Districts)

WHEREAS, Section 2121 of the Streets and Highways Code provides that in May of each year, each county shall submit to the State Department of Transportation any additions or exclusions from its mileage of maintained county roads, specifying the terminuses and mileage of each route added or excluded; and

WHEREAS, the State Department of Transportation certified to the State Controller on May 1, 2012 that the total mileage of maintained county roads in Contra Costa County was 670.53.

WHEREAS, the Public Works Director now reports that the total mileage of maintained county roads as of January 1, 2014, is 671.92 miles.

NOW, THEREFORE, BE IT RESOLVED that this Board finds and determines that the mileage of maintained County roads in Contra Costa County is 671.92, and that the terminuses and mileage of each route added to or excluded from the County's maintained roads is as shown in Exhibit "A," such exhibit being made a part of this resolution.

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: July 8, 2014

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

Contact: Jim Stein, Surveys, 925-313-2343

By: , Deputy

cc: Surveys Division, Records Division, Maintenance Division, Design/Construction, Engineering Services

**“EXHIBIT A”
CONTRA COSTA COUNTY
ROAD MILEAGE (+ & -)**

ADDITIONS to ROAD MILEAGE

Road No.	Road Name	Class	Mileage + or -	CRS Page	Coord.
8851D	*Byron Hwy.	4	+.92	6L14	F2
8761	Brentwood Blvd.	3	+2.56	6L14	D2
8761A	Brentwood Blvd.	3	+.06	6K54	B5
5385AW	Inglewood ST.	7	+.03	6K41	G8
5385AY	El Rincon RD.	7	+.06	6K41	G8
5525CN	*Massara ST.	7	+.42	6L22	6C
5525CM	*Charbray ST.	7	+.50	6L22	6C
5525CT	Enderby ST.	7	+.08	6L22	6C
5525CU	Turanian CT.	7	+.09	6L22	6C
5525CV	Robert Duchi WY	7	+.14	6L22	6C
5525CW	Connemara CT.	7	+.13	6L22	6C
5525CX	Percheron CT.	7	+.03	6L22	6C
5525DA	Martingale DR.	7	+.19	6L22	5C
5525DB	Martingale CT.	7	+.07	6L22	5C
5525DC	Preakness ST.	7	+.02	6L22	5C
5525DD	Preakness CT.	7	+.04	6L22	5C
5525DE	Pelham CT.	7	+.03	6L22	5C
5525DF	Friesian CT.	7	+.02	6L22	5C
3971D	*Marsh Creek RD. (Old Alignment with new RD #)	7	+.25	6L	F2

Corrections to Road Mileage

Road No.	Road Name	Class	Mileage	CRS Page	Coord.
9357DR	*Slifer Dr.	7	+.14	6L14	J2
3971A	*Marsh Creek RD. (Corrected Measurement)	4	-.53	6L	F2
3971A	*Marsh Creek RD. (Brentwood 2005 Annex)	4	-.52	6L	F2
3551	*RELIEZ VALLEY RD (Corrected Measurement)	5	+.47	5K54	H5
3554	*RELIEZ VALLEY RD (Corrected Measurement)	5	+.06	5K54	8K

Road Mileage loss due to Annexation and State Highway

Road No.	Road Name	Class	Mileage	CRS Page	Coord
1481	Alhambra Valley RD. (Martinez)	5	-.13	5K54	G5
3971A	Marsh Creek RD. (New SH 4)	4	-3.74	6L	F2

**“EXHIBIT A”
CONTRA COSTA COUNTY
ROAD MILEAGE (+ & -)**

ADDITIONS to ROAD MILEAGE

*Addition to an Existing County Maintained Road

Maintained Mileage Reported on May 1, 2011	670.53
Total Additions	+ 5.64
Total Subtractions	- 3.87
Total Corrections	- 0.38
Maintained Mileage as of January 1, 2014	671.92



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Declaring a two-way stop controlled intersection at Hemme Avenue and La Sonoma Drive/La Sonoma Way, Alamo area. (Dist. II)

RECOMMENDATION(S):

ADOPT Traffic Resolution No. 2014/4415 declaring a two-way stop controlled intersection at Hemme Avenue (Road No. 4337E) and La Sonoma Drive/La Sonoma Way (Road No.4337G & 4337T), Alamo area.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The intersection of Hemme Avenue and La Sonoma Drive/La Sonoma Way is currently uncontrolled. The County’s Public Works Department Traffic Engineering staff recently initiated an investigation of the intersection to determine if a two-way stop control of the intersection is warranted. The analysis included study of the existing intersection geometry, sight line limitations, traffic volume data, pedestrian volumes and collision history.

Based on this investigation, it has been determined that a two-way stop controlled intersection at Hemme Avenue and La Sonoma Drive/La Sonoma Way is warranted. Therefore, the Public Works Department recommends the intersection be declared a two-way stop controlled intersection to enhance the orderly flow of traffic, improve pedestrian safety, and allow enforcement of the traffic regulation.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Monish Sen,
925-313-2187

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The intersection of Hemme Avenue and La Sonoma Drive/La Sonoma Way will remain uncontrolled.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Traffic Resolution 2014/4415

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Traffic Resolution on July 8, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RESOLUTION NO. 2014/4415
Supervisorial District II

SUBJECT: Declaring a two-way stop controlled intersection at Hemme Avenue and La Sonoma Drive/La Sonoma Way, Alamo area.

The Contra Costa Board of Supervisors RESOLVES that:

Based on the recommendations of 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:

Pursuant to Sections 21100(d), 21351 and 21355(a) of the California Vehicle Code, the intersection of Hemme Avenue (Road No. 4337E) and La Sonoma Drive/La Sonoma Way (Road Nos. 4337G & 4337T) is hereby declared to be a two-way stop controlled intersection, and all vehicles traveling on La Sonoma Drive and La Sonoma Way shall stop before entering said intersection.

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.

MS:kh

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

c: California Highway Patrol
Sheriff's Department

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

By _____,
Deputy



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: AUTHORIZE Grant Application for the Contra Costa Priority Development Area (PDA) Planning Grant Program.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to submit on behalf of the County, a grant application to the Contra Costa Transportation Authority (CCTA) for the Contra Costa Priority Development Area (PDA) Planning Grant Program to conduct a planning study on San Pablo Avenue.

FISCAL IMPACT:

88.53% Federal funds and 11.47% Local Road funds.

BACKGROUND:

The Contra Costa Priority Development Area (PDA) Planning Grant Program is intended to fund a variety of planning activities intended to help plan and implement designated priority development areas (PDAs) in Contra Costa County. The grant program is funded by \$2,745,000 in federal Surface Transportation Program (STP) funds available over the next three fiscal years.

The grant program requires projects to be consistent with the PDA Growth and Investment Strategy. The key planning goals of the program are:

- Increase both the housing supply, including affordable housing for low-income residents, and jobs within the PDAs;

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Angela Villar,
925-313-2016

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

- By increasing land use intensities in PDAs, boost transit ridership and thereby reduce vehicle miles traveled (VMT) by PDA residents, employees and visitors;
- Increase walking, bicycling, carpooling and car-sharing by effectively managing parking and driving while promoting multimodal connections for residents, employees and visitors within the PDA; and,
- Locate key services and retail businesses within PDAs thus further reducing VMT.

Planning services to local jurisdictions receiving grant awards will be provided from a list of qualified consultant teams established by the Contra Costa Transportation Authority (CCTA). Local agencies are required to provide an 11.47 percent match for the federal funds. The minimum grant award size will be \$75,000 and the maximum grant award size will be \$700,000.

The San Pablo Avenue Complete Streets Project has been selected for submittal to the PDA Planning Grant Program. The Transportation, Water and Infrastructure Committee reviewed and approved submittal of the grant application for the San Pablo Avenue Complete Streets Project on April 4, 2013.

San Pablo Avenue Complete Streets Project:

Total Study Cost: \$300,000

PDA Grant Amount Requested: \$150,000

The purpose of the project is to incorporate bicycle and pedestrian improvements along San Pablo Avenue between Rodeo and Crockett. The existing four lane road has excess capacity under current traffic volumes which could provide an opportunity to reduce the travel lanes and turn the extra vehicle lanes into bicycle and pedestrian facilities. This segment is approximately 3 miles and would provide connection to existing bicycle and pedestrian facilities on either end and also serve as a segment of the San Francisco Bay Trail alignment.

Funds requested would be used to conduct a planning study to determine the feasibility of bicycle and pedestrian improvements along the roadway. The planning study would identify a preferred alternative for implementation.

The County has been coordinating the project with the West Contra Costa Transportation Advisory Committee (WCCTAC), East Bay Regional Park District (EBRPD), and the Association of Bay Area Governments (ABAG). If grant funds are awarded, WCCTAC has indicated use of \$60,000 from the Community-Based Transportation Planning Program for the project. In addition, the County would seek funding from the San Francisco Bay Trail grant program through ABAG and use local road funds to fill the remaining funding gap.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to direct Public Works to submit these applications will make it more difficult to provide funding to implement the project.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Participation in the San Ramon Valley Street Smarts Program (District II)

RECOMMENDATION(S):

ALLOCATE a total of \$20,000 from the Dougherty Valley Regional Enhancement Fund to implement the San Ramon Valley Street Smarts Program for Fiscal Year 2014/15.

AUTHORIZE expenditure of \$10,000 for Fiscal Year 2014/2015 from the Dougherty Valley Regional Enhancement Fund to add to contributions by the City of San Ramon, the Town of Danville, and the San Ramon Valley Unified School District to implement the San Ramon Valley Street Smarts Program, and;

AUTHORIZE the Public Works Director, or designee, to execute a Memorandum of Understanding with the Town of Danville for Fiscal Year 2014/2015, and contribute \$10,000 in funds from the Dougherty Valley Regional Enhancement Fund to the Town of Danville for program-related administrative services provided by the Town of Danville.

FISCAL IMPACT:

The County's participation in the San Ramon Valley Street Smarts Program is fully funded by the Dougherty Valley Regional Enhancement Fund (No. 1111). The total contribution is \$20,000 for Fiscal Year 2014/2015. Ten thousand dollars (\$10,000) is contributed directly to the San Ramon Valley Street Smarts Program and \$10,000 is provided to the Town of Danville for the costs of administering the San Ramon Valley Street Smarts Program.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Monish Sen,
925-313-2187

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

By: , Deputy

cc:

BACKGROUND:

The San Ramon Valley multi-agency education campaign is implemented through the collaborative effort of the Street Smarts Advisory Committee (“Advisory Committee”), which meets periodically to implement program components.

The Advisory Committee has adopted several large-scale programs to be implemented. They include:

- Street Smarts Media Kick-Off Event: This annual event encourages members of the media and the public to learn about Street Smarts’ traffic safety education activities for the upcoming school year.
- Street Smarts Storybook Poster Contest: Each year, elementary school students compete to have their drawings included in a storybook that features traffic safety concepts. The final book is unveiled each March at an awards ceremony, and thousands of copies of the book are distributed to San Ramon Valley schools, community centers, and public libraries.
- Street Smarts “Be Reel!” Video Contest: Each spring and fall, middle school students work in teams to create 60-second public service announcement (PSA) videos about a specific traffic safety theme. Approximately 10 finalist videos are chosen from these submissions to be premiered at the contest awards ceremony which is held each May at the Danville Village Theatre. All finalist videos are broadcast on Contra Costa Television.
- It Happens” Teen Traffic Safety Campaign: This program encourages high school students to learn about traffic safety through on-campus events and activities. In addition, Street Smarts has partnered with the California Highway Patrol to bring the “Start Smart” Program for new teen drivers and their parents to one local high school each semester. Finally, the “It Happens” Campaign encourages high school students to walk and bike to school through official “Bike/Walk to School Days.”
- Bike Rodeos: As a component of Street Smarts’ Safe Routes to School efforts, bike rodeos are an after-school activity that allows students to practice their cycling and traffic safety skills in a controlled, supervised environment. Street Smarts also sets up game stations at the event to keep children not currently participating in the bicycle obstacle course occupied and entertained. These games reinforce street safety concepts.
- Walk/Bike Challenge: As a component of Street Smarts’ Safe Routes to School efforts, the Walk/Bike Challenge provides incentives for children to walk and bike to school. Through a simple, online tracking system (www.walkbikechallenge.com), children record the number of times per week that they walk either to or from school. Prizes will be awarded for individual participation; also, there is a competitive factor: the classroom with the highest participation overall will receive additional incentives.
- Traffic Safety Assemblies: Street Smarts has devised an elementary school assembly designed to teach students the basics of pedestrian and bicycle safety.

Community Outreach Efforts: Street Smarts staff attends over two dozen community events as part of its outreach efforts, including “Music in the Park” at Livorna Park in Alamo. At the events, Street Smarts staffs an information booth with traffic safety information and activities for children, teens, drivers and seniors.

Street Smarts Web Site: To advance its community outreach efforts, the Street Smarts web site (www.street-smarts.com) will continue to serve as a resource for the community to learn about traffic safety and ongoing Street Smarts programs.

CONSEQUENCE OF NEGATIVE ACTION:

Contra Costa County will no longer be a participant in the program.

CHILDREN'S IMPACT STATEMENT:

The San Ramon Valley Street Smarts Program is an educational campaign to promote traffic safety awareness to elementary, middle, and high school-aged children.

ATTACHMENTS

Memorandum of Understanding

Attachment A

Attachment B



*"Small Town Atmosphere
Outstanding Quality of Life"*

June 17, 2014

Julia Bueren, Director
County of Contra Costa
Public Works Dept.
255 Glacier Dr.
Martinez, CA 94553

RE: 2014/2015 Street Smarts Program
Program Development and Administration Staffing Services
Memorandum of Understanding

Dear Ms. Bueren:

The Town of Danville (the "Town") is pleased to continue to partner with Contra Costa County (the "County") in the implementation of programs, such as the Street Smarts Program, that are of San Ramon Valley-wide importance and on issues which do not recognize political boundaries.

This Memorandum of Understanding (MOU) outlines the apportionment of duties and responsibilities between the Town and the County regarding the provision of Street Smarts Program development, material, and administrative staffing services for the 2014/2015 Program Year.

1. Program Background

The Street Smarts Program is a traffic safety public education campaign that is implemented valley-wide through the collaborative efforts of the Town of Danville, City of San Ramon, Contra Costa County, and the San Ramon Valley Unified School District.

The program is funded and directed by the four primary public agencies listed above, with additional funds provided by private sponsors, including the San Ramon Valley Council of PTAs. The federal Safe Routes to School Program will fund significant components of the Street Smarts efforts during FY2014/15. On an annual basis, each of the four public agencies appropriate funds for program development, material, and administrative costs.

510 LA GONDA WAY, DANVILLE, CALIFORNIA 94526

Administration
(925) 314-3388

Building
(925) 314-3330

Engineering & Planning
(925) 314-3310

Transportation
(925) 314-3310

Maintenance
(925) 314-3450

Police
(925) 314-3410

Parks and Recreation
(925) 314-3400

This MOU outlines the provision of program development, material, and program administrative services to the County, by the Town, for the 2014/2015 Program Year.

2. Responsibilities of the Town and the County

A. The Town shall:

- a. Program staffing services within unincorporated Contra Costa County (in the geographic area known as the San Ramon Valley and as defined by the San Ramon Valley Unified School District) as outlined in the Street Smarts Program 2014/2015 Work Plan (Attachment A) and 2014/15 Financial Plan (Attachment B).
- b. Continue to participate in the Street Smarts Advisory Committee and contribute staff time towards the ongoing implementation of the program.

B. The County shall:

- a. Contribute Ten Thousand Dollars (\$10,000.00) in funds to the Town of Danville for its pro-rata share of the program administrative staffing costs outlined in Attachments A and B for Program Year 2014/2015.
- b. Continue to participate in the Street Smarts Program Advisory Committee and contribute staff time towards the ongoing implementation of the program during Program Year 2014/15.

3. Modifications

The program Work Plan may be augmented at any time during the program year, subject to the review and agreement of both parties. All Work Plan modifications shall be documented in writing and shall be executed with an amended MOU.

4. Termination

This MOU is in effect beginning July 1, 2014 and ending June 30, 2015.

5. Renewal

This MOU may be renewed for Program Year 2015/2016 and beyond, subject to the review and agreement of both parties. All MOU renewals shall be documented in writing and shall be executed with an amended MOU.

If you agree to the terms and conditions above, please execute this MOU on both originals to indicate your acceptance and return one original for our files.

We look forward to continuing our collaboration on programs of regional significance. Please do not hesitate to contact us at (925) 314-3382 if you have any questions.

X

Tai J. Williams, Director
Community Department Department
Town of Danville

X

Julia Bueren, Director
Public Works Department
Contra Costa County

Date: _____

Date: _____



2014 / 2015 PROGRAM WORK PLAN

Revised: May 7, 2014

PROGRAM AREA

1. Elementary School Storybook Poster Contest

Roles & Responsibilities for Street Smarts Coordinator:

- Serve as the primary point of contact and personal interface with the community (including schools) for the Storybook Poster Contest
- Serve as the lead in the development of Storybook Poster Contest guidelines, announcements, and public relations materials
- Serve as lead in coordinating storybook text with author and publication of final storybook

Roles & Responsibilities for Safe Routes to School Program Leader:

- Disseminate poster contest information and collect storybook poster contest submittals
- Provide assistance with data entry for poster contest and related special events
- Create and print contestant certificates, name badges, table displays, etc.

Roles & Responsibilities for City of San Ramon Staff:

- San Ramon staff will continue to purchase prizes and supplies, serving as treasurer.
- San Ramon staff will provide data entry assistance.
- San Ramon staff will provide support at annual Awards Ceremony at the Dougherty Valley Performing Arts Center.

Roles & Responsibilities for Advisory Committee Members:

- Advisory Committee will continue to serve as lead in obtaining raffle prizes.

2. Middle School "Be Reel" Video Contest

Roles & Responsibilities for Street Smarts Coordinator:

- Serve as the primary point of contact and personal interface with the community (including schools and cable stations) for the Video Contest
- Serve as the lead in coordinating Video Contest submittals, issuing invitations, etc.
- Coordinate, plan, and implement the Video Contest Awards Ceremony at the Danville Village Theatre

Roles & Responsibilities for Safe Routes to School Program Leader:

- Provide assistance with dissemination of Video Contest information and collection of banners
- Provide assistance with data entry for Video Contest and related special events

Roles & Responsibilities for City of San Ramon Staff:

- San Ramon staff will serve as lead in purchasing awards and prizes.

Roles & Responsibilities for Advisory Committee Members:

- Advisory Committee will continue to serve as lead in obtaining raffle prizes.

3. High School “It Happens” Campaign

Roles & Responsibilities for Street Smarts Coordinator:

- Supervise the Program Leader for the “It Happens” Campaign
- Schedule and organize CHP “Start Smart” events at local high schools

Roles & Responsibilities for Safe Routes to School Program Leader (also serving as the “It Happens” Program Leader):

- Serve as the primary point of contact and personal interface with the community (including schools, leadership classes, teen councils, etc.) for the “It Happens” campaign, under the direction of the Street Smarts Coordinator
- Serve as the lead in coordinating the dissemination of high school program information, website maintenance, incentive program administration, marketing and promotion, etc., under the direction of the Street Smarts Coordinator
- Work directly with leadership classes to organize on-campus events
- Make regular posts to “It Happens” social media accounts, including Facebook and Pinterest

Roles & Responsibilities for City of San Ramon Staff:

- San Ramon staff will serve as lead in purchasing awards, services, and prizes, subject to approval of the Street Smarts Coordinator.
- San Ramon police will attend on-campus “It Happens” events, when possible.

Roles & Responsibilities for Advisory Committee Members:

- Advisory Committee will aid in securing rewards and prizes, when possible.

4. Safe Routes to School Component

Roles & Responsibilities for Street Smarts Coordinator:

- Serve as the primary point of contact for Street Smarts’ federally funded Safe Routes to School education and encouragement program components (assemblies, bike rodeos, Walk/Bike Challenge, etc.).
- Serve as the primary point of contact for administration of the federal Safe Routes to School grants
- Coordinate fulfillment of the federal Safe Routes to School grant requirements
- Manage components of Street Smarts’ Safe Routes to School efforts, including contractors, staff, school-site efforts, and the administration of valleywide programs

Roles & Responsibilities for City of San Ramon Staff:

- San Ramon will supervise one full-time, temporary Safe Routes to School Program Leader.
- San Ramon will contract with independent consultants to deliver Safe Routes to School program components, such as bike rodeos and assemblies.
- San Ramon police will attend on-campus educational events, such as assemblies and bike rodeos, when possible.

Roles & Responsibilities for Safe Routes to School Program Leader:

- Implement bike rodeos, assemblies, encouragement, and education program components, under the direction of the Street Smarts Coordinator
- Train contractors to deliver assemblies and bike rodeos
- Develop more efficient delivery models for Safe Routes to School program components, including assemblies and rodeos, under the direction of the Street Smart Coordinator

- Develop Safe Routes to School toolkits for assemblies and bike rodeos, for use by community members, community groups, schools, and PTAs
- Implement other outreach programs, such as middle school assemblies and walking school buses, as appropriate

5. Community Marketing: News Articles & Media

Roles & Responsibilities for Street Smarts Coordinator:

- Coordinate Annual Street Smarts Media Kick-Off Event
- Serve as the primary Street Smarts Program newsletter article and press release writer
- Serve as coordinator to distribute press releases to the media
- Serve as the primary editor for Program Leaders' articles and press releases
- Serve as the primary Street Smarts Program website editor and coordinator

Roles & Responsibilities for Advisory Committee Members:

- Serve as internal editors to modify generic newsletter articles to suit their agencies' needs
- Forward news articles to their IT departments for upload onto agency websites

6. Community Marketing: Community Events

Roles & Responsibilities for Street Smarts Coordinator:

- Determine which events Street Smarts will participate in
- Manage inventory of promotional and informational items

Roles & Responsibilities for Safe Routes to School Program Leader:

- Serve as Street Smarts personnel at community events; distribute promotional items and Street Smarts information at such events
- Serve as the primary Street Smarts personnel responsible for distributing program materials to public places, such as community centers and libraries

Roles & Responsibilities for Advisory Committee Members:

- Attend community events as Street Smarts representatives, when possible

7. Administration

Roles & Responsibilities for Street Smarts Coordinator:

- Serve as primary contact person for the Street Smarts Program
- Lead the generation of the Street Smarts Financial Plan
- Maintain the Street Smarts website
- Oversee the social media elements of the Street Smarts Program
- Coordinate fundraising efforts on an as-needed basis with the City of San Ramon as treasurer
- Attend meetings valleywide:
 - City of San Ramon: Approximately 12 hrs per year (including transportation staff meetings and one (1) Transportation Advisory Committee meeting)
 - Contra Costa County: Approximately 12 hrs per year

Roles & Responsibilities for City of San Ramon Staff:

- Serve as treasurer for Street Smarts Program (holds Street Smarts funds)
- Process invoices, donations, and financial transactions
- Maintain inventory of Street Smarts program supplies
- Provide vehicle for use by Street Smarts Program Leader (City of San Ramon employee)



2014/15 Financial Plan
(Adopted 4/10/14)

	FY2013-14		FY2014-15
	Adopted	Proj. Year-End	Budgeted
Prior Year Carry-over	131,321	106,321	173,869
Revenue			
4100-00 · Public Agency Contributions			
4101-00 · City of San Ramon	10,000	10,000	10,000
4102-00 · County of Contra Costa	10,000	10,000	10,000
4103-00 · San Ramon Valley USD	10,000	10,000	10,000
4104-00 · Town of Danville	10,000	10,000	10,000
4105-00 · San Ramon Valley Council of PTAs	500	500	500
Total 4100-00 · Public Agency Contributions	40,500	40,500	40,500
4200-00 · Corporate Contributions			
4201-00 · Elementary School Efforts	2,500	2,500	2,500
4202-00 · Middle School Efforts	0	0	0
4203-00 · High School Efforts	5,000	5,000	10,000
4204-00 · General Efforts	0	4,500	0
Total 4200-00 · Corporate Contributions	7,500	12,000	12,500
4300-00 · Cash Donations	50	50	50
4400-00 · Safe Routes to School Grant ^{1,2}	150,000	140,887	135,000
Total Revenue	198,050	193,437	188,050
Expense			
7100-00 · Elementary Sch. Poster Contest			
7101-00 · Storybook Develop./Production	6,000	5,144	6,000
7102-00 · Contest Marketing	4,000	3,164	4,000
7103-00 · Awards Ceremony	2,500	3,250	3,700
7104-00 · Contest Incentives	1,500	650	1,300
Total 7100-00 · Elementary Sch. Poster Contest	14,000	12,208	15,000
7200-00 · Middle School Video Contest			
7201-00 · Contest Marketing	2,500	1,300	2,000
7202-00 · PSA Production	2,000	700	1,000
7203-00 · Awards Ceremony	1,000	1,200	1,500
7204-00 · Contest Incentives	5,000	2,200	3,500
7205-00 · Judging	500	500	500
Total 7200-00 · Middle School Video Contest	11,000	5,900	8,500
7300-00 · High School "It Happens"			
7301-00 · Web Site	3,000	100	1,600
7302-00 · Marketing	8,000	8,500	5,000
7303-00 · Rewards	3,000	1,100	4,000
7304-00 · Video/Photography Production Services	3,500	1,000	2,100
7305-00 · Salaries	10,000	10,000	10,000
Total 7300-00 · High School "It Happens"	27,500	20,700	22,700



2014/15 Financial Plan
(Adopted 4/10/14)

	FY2013-14		FY2014-15
	Adopted	Proj. Year-End	Budgeted
7400-00 · Community Outreach			
7401-00 · Web Site	3,000	500	15,000
7402-00 · Supplies	250	696	1,200
7403-00 · Media/Public Relations	6,500	7,350	6,600
7404-00 · Promotions	8,000	12,700	10,000
7405-00 · Media Kick-off Event	1,500	710	1,000
Total 7400-00 · Community Outreach	19,250	21,956	33,800
7500-00 · Operations			
7501-00 · Equipment/Supplies	35,000	700	1,000
7502-00 · Software	1,200	700	1,400
7503-00 · Postage	800	800	1,000
7504-00 · Meetings	800	1,525	2,550
Total 7500-00 · Operations	37,800	3,725	5,950
7600-00 · Additional SRTS Programs			
7601-00 · SRTS Program Leaders			
7601-01 · Salaries	45,000	30,450	38,500
7601-02 · Recruitment	500	300	750
7601-03 · Equipment	1,000	700	2,500
7601-04 · Mileage	1,000	1,750	2,000
7601-05 · Independent Contractors	10,000	6,000	30,000
Total 7601-00 · SRTS Program Leaders	57,500	39,200	73,750
7602-00 · Assemblies	14,000	1,000	4,500
7604-00 · Classroom Safety Videos	1,500	1,000	2,500
7605-00 · Print Materials	3,000	2,000	3,500
7608-00 · Bike Rodeos	6,000	6,000	15,000
7609-00 · Walk/Bike Challenge	13,000	3,000	5,000
7610-00 · Walking School Bus/Bike Train	0	0	0
7611-00 · Middle School Ad Campaign	0	0	0
7612-00 · Street Banners	10,000	3,700	2,500
7613-00 · Transit Shelters	3,000	0	0
7614-00 · Before & After Evaluations	5,000	5,000	0
Total 7600-00 · Additional SRTS Programs	55,500	21,700	33,000
7700-00 · Miscellaneous	500	500	500
Total Expense	223,050	125,889	193,200
Fund Balance	106,321	173,869	168,719

Notes:

1. MTC CMAQ SR2S Grant (\$365,000) is a multi-year grant (88.53% reimbursable) ending in October 2015. Estimated remaining funds at end of FY 13/14 is approximately \$215,000.
2. Federal Cycle 3 SRTS Grant (\$225,500) is a multi-year grant (66.91% reimbursable) ending in November 2016. Estimated remaining funds at end of FY 13/14 is approximately \$215,000.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Consulting Services Agreement with Parsons Brinckerhoff, Inc. for Deer Valley Road Shoulder Widening Project, Brentwood area.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Consulting Services Agreement (CSA) with Parsons Brinckerhoff, Inc. (Parsons) in an amount not to exceed \$174,347.00, for construction management services for the Deer Valley Road Shoulder Widening Project, for the period of June 24, 2014 through acceptance of the completed project by the Board of Supervisors, Brentwood area. County Project No. 0662-6R4099, Federal Project No. HRRRL 5928 (084)

FISCAL IMPACT:

This project, including this CSA, is funded by 88% Federal High Risk Rural Road Program Funds and 12% Local Road Funds.

BACKGROUND:

The project generally consists of pavement widening on Deer Valley Road from Marsh Creek Road to approximately 3,300 feet north of Marsh Creek Road, including horizontal and vertical realignment of the roadway, cut slopes, fill slopes, culvert modifications, rock slope

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Kevin Emigh,
925-313-2233

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

protection, fencing, guard railing, signing and striping. There will be a two week full road closure associated with this project.

Construction management services are required for the construction phase of the Deer Valley Road Shoulder Widening Project.

Parsons was selected to provide these services after completing a request for qualifications solicitation from an existing shortlist, and technical proposal review.

Public Works has successfully negotiated with Parsons to provide the construction management services.

CONSEQUENCE OF NEGATIVE ACTION:

Without Board of Supervisors' approval, this CSA will not be in effect. A delay in the construction of the Deer Valley Road Shoulder Widening Project will occur, ultimately delaying the completion of the project. Project delay may also result in substantial additional project costs and jeopardize the funding.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Award and Authorize execution of a construction contract for the Marsh Creek Road Bridge (28C0142) Wingwall Repair Project, Clayton area.

RECOMMENDATION(S):

(1) APPROVE plans, specifications, and design for the Marsh Creek Road Bridge (28C0142) Wingwall Repair Project. Project No. 0662-6U4091-14

(2) DETERMINE that Engineered Soil Repairs, Inc. (“Engineered Soil Repairs”), the lowest monetary bidder, has complied with the requirements of the County’s Outreach Program for this project, as provided in the project specifications; and the Board WAIVES any irregularities in such compliance; and FURTHER DETERMINE that Engineered Soil Repairs has submitted the lowest responsive and responsible bid for the project and has complied with the Mandatory Subcontracting Minimum for the project.

(3) AWARD the construction contract for the above project to Engineered Soil Repairs in the listed amount (\$381,713.00) and the unit prices submitted in the bid, and DIRECT that Engineered Soil Repairs shall present two good and sufficient surety bonds, as indicated below, and that the Public Works Director, or designee, shall prepare the contract.

(4) ORDER that, after the contractor has signed the contract and returned it, together with the bonds as noted below and any required certificates of insurance or other required documents, and the Public Works Director has reviewed and found them to be sufficient,

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Kevin Emigh,
925-313-2233

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

the Public Works Director, or designee, is authorized to sign the contract for this Board.

(5) ORDER that, in accordance with the project specifications and/or upon signature of the contract by the Public Works Director, or designee, bid bonds posted by the bidders are to be exonerated and any checks or cash submitted for security shall be returned.

(6) ORDER that, the Public Works Director, or designee, is authorized to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

(7) DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.

(8) DELEGATE, pursuant to Labor Code Section 6705, to the Public Works Director, or to any registered civil or structural engineer employed by the County, the authority to accept detailed plans showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection during trench excavation covered by that section.

(9) DECLARE that, should the award of the contract to Engineered Soil Repairs be invalidated for any reason, the Board would not in any event have awarded the contract to any other bidder, but instead would have exercised its discretion to reject all of the bids received. Nothing in this Board Order shall prevent the Board from re-awarding the contract to another bidder in cases where the successful bidder establishes a mistake, refuses to sign the contract, or fails to furnish required bonds or insurance (see Public Contract Code Sections 5100-5107).

FISCAL IMPACT:

The construction contract will be funded by 100% Local Road Funds.

BACKGROUND:

The above project was previously approved by the Board of Supervisors, plans and specifications were filed with the Board, payment to the Habitat Conservancy Plan for \$7,766.30 will be paid prior to award of contract, and bids were invited by the Public Works Director. On June 3, 2014, the Public Works Department received bids from the following contractors:

BIDDER, TOTAL AMOUNT, BOND AMOUNTS

Engineered Soil Repairs: \$381,713.00; Payment: \$381,713.00; Performance: \$381,713.00

Water Rock Construction Corporation: \$428,936.00

Granite Rock Company: \$545,675.00

The Public Works Director has reported that Engineered Soil Repairs documented an adequate good faith effort to comply with the requirements of the County's Outreach Program, as provided in the project specifications, and the Public Works Director recommends that the construction contract be awarded to Engineered Soil Repairs.

The Public Works Director recommends that the bid submitted by Engineered Soil Repairs is the lowest responsive and responsible bid, and this Board concurs and so finds.

The Board of Supervisors previously determined that the project is exempt from the California Environmental Quality Act as a Class 1B Exemption, and a Notice of Exemption was filed with the County Clerk on December 11, 2013.

The general prevailing rates of wages, which shall be the minimum rates paid on this project, have been filed with the Clerk of the Board, and copies will be made available to any party upon request.

CONSEQUENCE OF NEGATIVE ACTION:

Construction of the project would be delayed, and the project might not be built.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Consulting Services Agreement with Parsons Brinckerhoff, Inc. for the Marsh Creek Safety Improvements Project, Brentwood area.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Consulting Services Agreement (CSA) with Parsons Brinckerhoff, Inc. (Parsons) in an amount not to exceed \$122,319.00, for construction management services for the Marsh Creek Safety Improvements Project, for the period of June 24, 2014 through acceptance of the completed project by the Board of Supervisors, Clayton area. County Project No. 0662-6R4063, Federal Project No. HSIPHR3L 5928 (096)

FISCAL IMPACT:

This project, including this CSA, is funded by 38% Federal High Risk Rural Road Program Funds, 34% Federal Highway Safety Improvement Program Funds, 27% East County Area of Benefit Funds, 1% Local Road Funds.

BACKGROUND:

The project consists of widening approximately 1,650 lineal feet of Marsh Creek Road approximately 1 mile east of Russelmann Park Road. The work to be done generally consists of pavement widening, fill slopes, culvert modifications, rock slope protection, fencing, guard railing, signing and striping. There will be no

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Kevin Emigh,
925-313-2233

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

road closures.

Construction management services are required for the construction phase of the Marsh Creek Road Safety Improvement Project.

Parsons was selected to provide these services after completing a request for qualifications solicitation from an existing shortlist, and technical proposal review.

Public Works has successfully negotiated with Parsons to provide the construction management services.

CONSEQUENCE OF NEGATIVE ACTION:

Without Board of Supervisors' approval, this CSA will not be in effect. A delay in the construction of the Marsh Creek Road Safety Improvement Project will occur, ultimately delaying the completion of the project. Project delay may also result in substantial additional project costs and jeopardize the funding.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: APPROVE and AUTHORIZE acceptance of donations for the installation of traffic calming features on Cherry Lane, Walnut Creek area. (Dist. IV)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to accept donations in the amount of \$30,000 from John Muir Health and \$5,000 from Contra Costa Centre Association for a total of \$35,000, for the purchase and installation of traffic-calming features on Cherry Lane (Road No. 4057B), Walnut Creek area.

FISCAL IMPACT:

100% Restricted Donations.

BACKGROUND:

John Muir Health recently opened an Outpatient Center at 1450 Treat Boulevard and requested a re-opening of the temporarily closed left-turn lane from westbound Treat Boulevard to southbound Cherry Lane. On May 13, 2014, the Board of Supervisors rescinded the traffic resolution that had temporarily closed the Treat Boulevard left-turn lane to southbound Cherry Lane, with provisions for a limitation of green time during peak hours. John Muir Health agreed to donate \$30,000 and the Contra Costa Centre Association an additional \$5,000 towards the purchase and installation of traffic calming features on Cherry Lane. Administrative Bulletin 117.6 requires County Departments receiving donations in excess of \$10,000 to request approval from the Board of Supervisors.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Monish Sen,
925-313-2187

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The Public Works Department will be unable to formally accept receipt of the donations.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Execution of three contracts for the 2014 On-Call Trucking Services Contract(s) for Various Road and Flood Control Maintenance Work, Countywide.

RECOMMENDATION(S):

- (1) APPROVE the specifications for the 2014 On-Call Trucking Services Contract(s) for Various Road and Flood Control Maintenance Work, Countywide. Project No. 7520-6B9385
- (2) DETERMINE that USA Trucking, Inc. ("USA Trucking"), the lowest monetary bidder, has complied with the requirements of the project specifications, and FURTHER DETERMINE that USA Trucking has submitted the lowest responsive and responsible bid for the project.
- (3) DETERMINE that All City Trucking, Inc. ("All City Trucking"), the second lowest monetary bidder, has complied with the requirements of the project specifications, and FURTHER DETERMINE that All City Trucking has submitted the second lowest responsive and responsible bid for the project.
- (4) DETERMINE that Roby Trucking, the third lowest monetary bidder, has complied with the requirements of the project specifications, and FURTHER DETERMINE that Roby Trucking has submitted the third lowest responsive and responsible bid for the project.
- (5) AWARD on-call contracts to the following three contractors in the following priority for Job Orders: (A) USA Trucking in a not-to exceed amount (\$300,000) and the unit prices submitted in the bid (\$244.00 Total Unit Price) (B) All City Trucking in a not-to-exceed amount (\$300,000) and the unit prices submitted in the bid (\$248.47 Total Unit Price)

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Kevin Emigh,
925-313-2233

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

(C) Roby Trucking in a not-to-exceed amount (\$300,000) and the unit prices submitted in the bid (\$255.00 Total Unit Price)

(6) DIRECT that the Public Works Director, or designee, shall prepare the contracts.

(7) ORDER that, after the contractors have signed the contracts and returned them, together with any required certificates of insurance or other required documents, and the Public Works Director has reviewed and found them to be sufficient, the Public Works Director, or designee, is authorized to sign the contracts for this Board.

(8) ORDER that the Public Works Director, or designee, is authorized to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitutions of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

(9) DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.

(10) DELEGATE, pursuant to Labor Code Section 6705, to the Public Works Director or to any registered civil or structural engineer employed by the County the authority to accept detailed plans showing the design of shoring, bracing, sloping or other provisions to be made for worker protection during trench excavation covered by that section.

(11) DECLARE that, should the award of the contracts to USA Trucking, All City Trucking, or Roby Trucking be invalidated for any reason, the Board would not in any event have awarded the contracts to any other bidders, but instead would have exercised its discretion to reject all of the bids received. Nothing herein shall prevent the Board from re-awarding a contract to another bidder in cases where the successful bidder established a mistake, refuses to sign the contract, or fails to furnish required bonds or insurance (see Public Contract Code Sections 5100-5107).

FISCAL IMPACT:

The contracts, for a maximum amount of \$300,000 each, will be funded by 100% Local Road Funds

BACKGROUND:

The above project was previously approved by the Board of Supervisors, specifications were filed with and approved by the Board, and bids were invited by the Public Works Director. On June 17, the Public Works Department received bids from the following contractors:

USA Trucking, Inc. ("USA Trucking"): \$244.00 Total Unit Price

All City Trucking, Inc. ("All City Trucking"): \$248.47 Total Unit Price

Roby Trucking, Inc. ("Roby Trucking"): \$255.00 Total Unit Price

Destination Anywhere, Inc.: \$263.00 Total Unit Price

Dillard Trucking, Inc.: \$276.00 Total Unit Price

Cutler Trucking, Inc.: \$400.98 Total Unit Price

USA Trucking submitted the lowest responsive and responsible bid, which is \$4.47 less (Total Unit Price) than the next lowest bid.

All City Trucking submitted the second lowest responsive and responsible bid, which is \$6.53 less (Total Unit Price) than the next lowest bid.

Roby Trucking submitted the third lowest responsive and responsible bid, which is \$8.00 less (Total Unit Price) than the next lowest bid.

The Public Works Director has recommended that the contracts be awarded to USA Trucking, All City Trucking, and Roby Trucking. The Public Works Director recommends that the bids submitted by USA Trucking, All City Trucking, and Roby Trucking are the lowest responsive and responsible bids, and this Board so concurs and finds. As provided in the project specifications, the three on-call contracts will be awarded in the following priority for Job Orders: (1) USA Trucking, (2) All City Trucking, and (3) Roby Trucking.

CONSEQUENCE OF NEGATIVE ACTION:

The Public Works Department may be unable to complete routine maintenance work in a timely manner.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Execution of the contract for the San Pablo Avenue at Rodeo Creek Bridge Replacement Project, Rodeo area.

RECOMMENDATION(S):

- (1) APPROVE plans, specifications, and design for the San Pablo Avenue at Rodeo Creek Bridge Replacement project. Project No. 0662-6R4005/Federal Project No. BRLS-5928(067)
- (2) DETERMINE that the bid submitted by Granite Rock Company (“Granite Rock”), demonstrated adequate good faith efforts to meet the Disadvantaged Business Enterprise (DBE) requirements for this project and that Granite Rock has submitted the lowest responsive and responsible bid for this project.
- (3) AWARD the construction contract for the above project to Granite Rock, in the listed amount (\$2,878,914.19) and the unit prices submitted in the bid and DIRECT that Granite Rock shall present two good and sufficient surety bonds as indicated below, and that the Public Works Director, or designee, shall prepare the contract.
- (4) ORDER that, after the contractor has signed the contract and returned it, together with the bonds as noted below and any required certificates of insurance or other required documents, and the Public Works Director has reviewed and found them to be sufficient, the Public Works Director, or designee, is authorized to sign the contract for this Board.
- (5) ORDER that, in accordance with the project specifications and/or upon signature of the contract by the Public Works Director, or designee, any bid bonds posted by the bidders are to be exonerated and any checks or cash submitted

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Kevin Emigh,
925-313-2233

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

for security shall be returned.

(6) ORDER that, the Public Works Director, or designee, is authorized to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

(7) DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Boards' functions under Public Contract Code Sections 4107 and 4110.

(8) DELEGATE, pursuant to Labor Code Section 6705, to the Public Works Director, or to any registered civil or structural engineer employed by the County, the authority to accept detailed plans showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection during trench excavation covered by that section.

(9) DECLARE that, should the award of the contract to Granite Rock be invalidated for any reason, the Board would not in any event have awarded the contract to any other bidder, but instead would have exercised its discretion to reject all of the bids received. Nothing in this Board Order shall prevent the Board from re-awarding the contract to another bidder in cases where the successful bidder establishes a mistake, refuses to sign the contract, or fails to furnish required bonds or insurance (see Public Contract Code Sections 5100-5107).

FISCAL IMPACT:

The construction contract will be funded by 88.53% Federal Highway Bridge Program (HBP) Funds and 11.47% Local Road Funds.

BACKGROUND:

The above project was previously approved by the Board of Supervisors, plans and specifications were filed with the Board, and bids were invited by the Public Works Director. On June 17, 2014, the Public Works Department received bids from the following contractors:

BIDDER TOTAL AMOUNT, BOND AMOUNTS

Granite Rock Company: \$2,878,914.19; Payment Bond: \$2,878,914.19; Performance Bond: \$2,878,914.19

Gordon N. Ball, Inc. \$2,882,931.85

Ghilotti Bros./R.M. Harris JV \$2,954,482.00

MCM Construction, Inc. \$2,996,416.00

McGuire and Hester \$3,028,381.60

Ghilotti Construction Company, Inc. \$3,028,754.50

C.C. Myers, Inc. \$3,164,395.00

Viking Construction Company, Inc. \$3,316,834.00

The bidder listed first above, Granite Rock, submitted the lowest responsive and responsible bid, which is \$4,017.66 less than the next lowest bid.

This is a federally-funded project subject to a DBE contract goal and requirements. The Public Works Director has determined and reports that Granite Rock attained DBE participation of 3.51% and submitted adequate documentation of good faith efforts to meet the DBE goal (20.68%) and requirements for this project. The Public Works Director recommends that the Board determine that Granite Rock has demonstrated adequate good faith efforts to meet the DBE goal for this project and has complied with the DBE requirements for this project and recommends that the construction contract be awarded to Granite Rock.

The Public Works Director recommends that the bid submitted by Granite Rock, is the lowest responsive and responsible bid, and this Board so concurs and so finds.

The Board of Supervisors previously adopted the Mitigated Negative Declaration and Mitigation Monitoring Program in compliance with the California Environmental Quality Act, and a Notice of Determination was filed with the County Clerk on March 14, 2013.

The general prevailing rates of wages, which shall be the minimum rates paid on this project, have been filed with the Clerk of the Board, and copies will be made available to any party upon request.

CONSEQUENCE OF NEGATIVE ACTION:

Construction of the San Pablo Avenue at Rodeo Creek Bridge Replacement project would be delayed, and the project might not be built.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Consulting Services Agreement with Hanna Engineering, Inc. for the San Pablo Avenue at Rodeo Creek Bridge Replacement Project, Rodeo area.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Consulting Services Agreement (CSA) with Hanna Engineering, Inc., dba The Hanna Group (“Hanna”) in an amount not to exceed \$334,000.00, for construction management services for the San Pablo Avenue at Rodeo Creek Bridge Replacement Project, for the period of July 8, 2014 through acceptance of the completed project by the Board of Supervisors, Rodeo area. County Project No. 0662-6R4005, Federal Project No. BRLS-5928(067)

FISCAL IMPACT:

This project, including this CSA, is funded by 88.53% Federal Highway Bridge Program (HBP) Funds and 11.47% Local Road Funds.

BACKGROUND:

This project will replace the existing two span bridge that spans the Rodeo Creek Channel with a new single-span precast concrete voided slab structure and to perform other related work. The project replaces an existing bridge (sufficiency rating of 25.9) with a new bridge built to current safety standards while minimizing

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Kevin Emigh,
925-313-2233

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

the impacts to the local stakeholders.

Construction management services are required for the construction phase of the San Pablo Avenue at Rodeo Creek Bridge Replacement Project.

Hanna was selected to provide these services after completing a request for qualifications solicitation, technical proposal, and interview process.

Public Works has successfully negotiated with Hanna to provide the construction management services.

CONSEQUENCE OF NEGATIVE ACTION:

Without Board of Supervisors' approval, this CSA will not be in effect. A delay in the design and construction of the San Pablo Avenue at Rodeo Creek Bridge Replacement Project will occur, ultimately delaying the completion of the project. Project delay may also result in substantial additional project costs and jeopardize the funding.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: AWARD and AUTHORIZE execution of a construction contract for the Walnut Boulevard Pedestrian and Bicycle Project, Walnut Creek area.

RECOMMENDATION(S):

- (1) APPROVE plans, specifications, and design for the Walnut Boulevard Pedestrian and Bicycle Project, Project No. 0662-6R4176-14.
- (2) DETERMINE that the lowest monetary bidder, Breneman, Inc. (“Breneman”), has failed to document an adequate good faith effort to comply with the requirements of the County’s Outreach Program, as provided in the project specifications, and the Board FURTHER DETERMINES that Breneman’s bid is non-responsive and REJECTS bids on that basis; and
- (3) DETERMINE that the second lowest monetary bidder, Malachi Paving & Grading, Inc. (“Malachi”), has failed to document an adequate good faith effort to comply with the requirements of the County’s Outreach Program, as provided in the project specifications, and the Board FURTHER DETERMINES that Malachi’s bid is non-responsive and REJECTS bid on that basis; and
- (4) DETERMINE that the bid submitted by Grade Tech, Inc. (“Grade Tech”), has complied with requirements of the County’s Outreach Program and has exceeded the Mandatory Subcontracting Minimum for the project, as provided in the project specifications; and FURTHER DETERMINE that Grade Tech has submitted the lowest responsive and responsible bid for this project.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Kevin Emigh,
925-313-2233

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

(5) AWARD the construction contract for the above project to Grade Tech in the total amount (\$541,469.00) and the unit prices submitted in the bid and DIRECT that Grade Tech shall present two good and sufficient surety bonds as indicated below, and that the Director of Public Works, or designee, shall prepare the contract.

(6) ORDER that, after the contractor has signed the contract and returned it, together with the bonds as noted below and any required certificates of insurance or other required documents, and the Public Works Director has reviewed and found them to be sufficient, the Public Works Director, or designee, is authorized to sign the contract for this Board.

(7) ORDER that, in accordance with the project specifications and/or upon signature of the contract by the Public Works Director, or designee, any bid bonds posted by the bidders are to be exonerated and any checks or cash submitted for security shall be returned.

(8) ORDER that, the Public Works Director, or designee is authorized to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

(9) DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.

(10) DELEGATE, pursuant to Labor Code Section 6705, to the Public Works Director or to any registered civil or structural engineer employed by the County the authority to accept detailed plans showing the design of shoring, bracing, sloping or other provisions to be made for worker protection during trench excavation covered by that section.

(11) DECLARE that, should the award of the contract to Grade Tech be invalidated for any reason, the Board would not in any event have awarded the contract to any other bidder, but instead would have exercised its discretion to reject all of the bids received. Nothing herein shall prevent the Board from re-awarding the contract to another bidder in cases where the successful bidder establishes a mistake, refuses to sign the contract or fails to furnish required bonds or insurance (see Public Contract Code Sections 5100-5107).

FISCAL IMPACT:

Project will be funded by 93% Central County Area of Benefit Funds, 7% Transportation Development Act Funds.

BACKGROUND:

The above project was previously approved by the Board of Supervisors, plans and specifications are filed with the Board, bids were invited by the Public Works Director. On June 11, 2014, the Public Works Department received bids from the following contractors:

BIDDER, TOTAL AMOUNT, BOND AMOUNTS:

Grade Tech, Inc.: \$541,469.00; Payment: \$541,469.00; Performance: \$541,469.00

Breneman, Inc.: \$431,976.00

Malachi Paving & Grading., Inc.: \$448,509.00

Sposeto Engineering, Inc.: \$602,986.00

The Public Works Director has determined that the low bidder, Breneman, Inc. (“Breneman”), submitted a non-responsive bid by failing to document an adequate good faith effort to comply with the requirements of the County’s Outreach Program, as provided in the project specifications, and the Public Works Director recommends rejection of the bid submitted by Breneman.

On June 25, 2014, Breneman was notified in writing of the Public Works Director’s determination. A copy of the letter is attached to this Board Order. Breneman did not appeal the determination.

The Public Works Director has determined that the second low bidder, Malachi Paving & Grading, Inc. (“Malachi”) submitted a non-responsive bid by failing to document an adequate good faith effort to comply with the requirements of the County’s Outreach Program, as provided in the project specifications, and the Public Works Director recommends rejection of the bid submitted by Malachi.

On June 25, 2014, Malachi was notified in writing of the Public Works Director’s determination. A copy of the letter is attached to this Board Order. Malachi did not appeal the determination.

The Public Works Director has determined that Grade Tech, Inc. (“Grade Tech”) documented an adequate good faith effort to comply with the requirements of the County’s Outreach Program and exceeded the Mandatory Subcontracting Minimum for this project, and the Public Works Director recommends that the construction contract be awarded to Grade Tech.

The Public Works Director recommends that the bid submitted by Grade Tech is the lowest responsive and responsible bid, and this Board concurs and so finds.

The Board of Supervisors previously determined that the project is exempt from the California Environmental Quality Act as a Class 3 exemption, and a Notice of Exemption was filed with the County Clerk on February 13, 2013.

The general prevailing rates of wages, which shall be the minimum rates paid on this project, have been filed with the Clerk of the Board, and copies will be made available to any party upon request.

CONSEQUENCE OF NEGATIVE ACTION:

Construction of this project would be delayed, and the project might not be built.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Letter to Breneman

Letter to Malachi



June 24, 2014

Fax: (925) 446-6600

Certified Mail: 7012 3460 0001 2107 7427

Breneman, Inc.
2000 Norris Road
Walnut Creek, CA 94596

**RE: Walnut Boulevard Pedestrian and Bicycle Project
Project No.: 0662-6R4176-14**

Our office has reviewed the bid and good faith effort documentation submitted by your firm on the above project. Based upon our review, we have determined that your good faith effort documentation does not comply with the requirements of Contra Costa County's Outreach Program as specified in section 2-1.12 of the project specifications. We have identified the following deficiencies:

1. Your firm did not attend the pre-bid meeting on May 27, 2014 or submit a copy of a previous attendance sheet from a pre-bid meeting or construction workshop within the last year (Indicator #2, 0 out of 10 points).
2. Your firm did not provide the required documentation (ad or faxed/mailed notices) identifying specific work items in the project to be performed by subcontractors (Indicator #3, 0 out of 13 points).
3. Your firm did not place an advertisement for sub-bids from interested business enterprises in one or more daily or weekly newspapers, trade association publications, minority or trade oriented publications, trade journals, or other media and did not submit a copy of the advertisement (Indicator #4, 0 out of 9 points).
4. Your firm did not solicit sub-bids from subcontractors, suppliers, manufacturers, and truckers by faxed/mailed, written notices to various business enterprises and did not submit copies of the notices (Indicator #5, 0 out of 10 points).
5. Your firm did not perform any telephone follow-up to initial written solicitations, since there were no initial solicitations (Indicator #6, 0 out of 10 points).
6. Your firm did not provide information to subcontractors about the plans, specifications, and requirements via either an advertisement or faxed/mailed notices and did not submit copies of the ad or notices (Indicator #7, 0 out of 5 points).

7. Your firm did not send faxes or letters to recruitment/placement agencies to request assistance in recruiting MBEs, WBEs, OBEs, SBEs, LBEs, and DVBEs and did not submit copies of the faxes or letters (Indicator #8, 0 out of 10 points).
8. In the ad or faxed/mailed notices, your firm did not demonstrate efforts to advise and assist interested MBEs, WBEs, OBEs, SBEs, LBEs, and DVBEs in obtaining bonds, lines of credit, and insurance required by the County or contractor and did not submit copies of the ad or notices (Indicator #10, 0 out of 7 points).

Based upon the above deficiencies, we have determined that your firm has not documented an adequate good faith effort to comply with the Outreach Program requirements, having achieved only 26 out of 100 points (75 minimum required). Therefore, we plan to recommend that your firm's bid be deemed non-responsive for failure to comply with the Outreach Program requirements and that the contract be awarded to the third lowest bidder, GradeTech, Inc., which has fully complied with those requirements.

Should your firm disagree with our determination, you may appeal it in writing to David J. Twa, County Administrator, County Administrator's Office, 651 Pine Street, 10th Floor, Martinez, CA 94553. Your firm's appeal must be received at that address no later than June 30, 2014, and must describe in detail all facts and arguments on which you rely.

It is anticipated that the contract will be awarded by the Board of Supervisors at its meeting on Tuesday, July 8, 2014, which begins at 9:30 a.m. If you wish, you may appear at the Board meeting to comment on this matter. Any comments to the Board will be limited to the facts and arguments set forth in your firm's appeal.

Sincerely,



FOR Kevin Emigh
Assistant Public Works Director
Design/Construction Division

KE:AH:sr

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Cc: D. Twa, CAO
L. Strobel, CAO
D. Schmidt, County Counsel
A. Wilson, Human Resources
J. Bueren, Public Works
S. Kowalewski, Public Works
S. Gospodchikov, Public Works
J. Dowling, Public Works

June 25, 2014

Via Fax: 510-652-5498

Certified Mail: 7012 3460 0001 2107 7410

Malachi Paving & Grading, Inc.
503 South 18th Street
Richmond, CA 94804

**RE: Walnut Boulevard Pedestrian and Bicycle Project
Project No.: 0662-6R4176-14**

Our office has reviewed the bid and good faith effort documentation submitted by your firm on the above project. Based upon our review we have determined that your firm's good faith effort documentation does not comply with the requirements of the Contra Costa County's Outreach Program as specified in Section 2-1.12 of the project specifications. We have identified the following deficiencies:

1. Although your firm identified work items to be performed by subcontractors, the items were not identified in a timely advertisement or faxed/mailed notices to subcontractors that complied with the project requirements (Indicator #3, 0 out of 13 points).
2. Your firm's advertisement in the Bay Area Builders Exchange was inadequate, since you did not provide a copy of the advertisement and the ad was published on June 5, 2014, which was less than 10 calendar days prior to the June 11, 2014 bid opening (Indicator #4, 0 out of 10 points).
3. The written notices submitted by your firm were inadequate because: (a) only five sub-bidders were solicited; (b) of the five sub-bidders solicited, two were truckers; and (c) of the five written notices, three were sent on June 2, 2014, which was less than 10 calendar days prior to the June 11, 2014 bid opening (Indicator #5, 0 out of 10 points).
4. The telephone log that was provided to document your firm's follow-up on initial solicitation is incomplete and inadequate. Since the initial solicitations were inadequate, the follow-up calls have the same deficiency. Also, there is no indication that your firm followed up with Cinray Construction, which was faxed a written solicitation notice (Indicator #6, 0 out of 10 points).

5. Your firm did not provide information to subcontractors about the plans, specifications, and requirements because your firm's advertisement was inadequate and your firm's solicitation faxes/letters were also inadequate, as described above (Indicator #7, 0 out of 5 points).
6. Your firm did not send faxes or letters to recruitment/placement agencies to request assistance in recruiting MBEs, WBEs, OBEs, SBEs, LBEs, and DVBEs and did not submit copies of the faxes or letters (Indicator #8, 0 out of 10 points).
7. Your firm did not demonstrate that you negotiated in good faith with interested MBEs, WBEs, OBEs, SBEs, LBEs and DVBEs, especially since only five sub-bidders were contacted by your firm. A summary sheet listing the sub-bids received did not include all the sub-bids received, such as bids received from Sierra Traffic Marking, DVBE trucking, Ridgeline Engineering, CBL Professional Services, and Tully Consulting Group. The summary sheet also indicated that your firm did not select a DBE firm (Superior Hydroseeding) to perform hydroseed work, yet your firm did not identify the company actually selected to perform this work and the amount of the accepted sub-bid. The summary sheet also indicates that your firm will be performing the fence work with its own forces, yet there is no amount shown to compare to the sub-bid received by Calco Fence for the same work (Indicator #9, 0 out of 26 points).
8. In the ad or faxed/mailed notices, your firm did not provide sufficient information to subcontractors on your policy concerning assistance with bonds, lines of credit, and insurance because your firm did not place a timely, adequate advertisement and did not send timely, adequate written notices to subcontractors, as described above (Indicator #10, 0 out of 7 points).

Based upon the above deficiencies, we have determined that your firm has not documented an adequate good faith effort to comply with the Outreach Program requirements, having achieved only 10 out of 100 points (75 minimum required). Therefore, we plan to recommend that your firm's bid be deemed non-responsive for failure to comply with the Outreach Program requirements and that the contract be awarded to the third lowest bidder, GradeTech, Inc., which has fully complied with those requirements.

Should your firm disagree with our determination, you may appeal it in writing to David J. Twa, County Administrator, County Administrator's Office, 651 Pine Street, 10th Floor, Martinez, CA 94553. Your firm's appeal must be received at that address no later than June 30, 2014 and must describe in detail all facts and arguments on which you rely.

It is anticipated that the contract will be awarded by the Board of Supervisors at its meeting on Tuesday, July 8, 2014, which begins at 9:30 a.m. If you wish, you may appear at the Board meeting to comment on this matter. Any comments to the Board will be limited to the facts and arguments set forth in your firm's appeal.

Sincerely,



for Kevin Emigh
Assistant Public Works Director
Design/Construction Division

KE:AH:sr

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Cc: D. Twa, CAO
L. Strobel, CAO
D. Schmidt, County Counsel
A. Wilson, Human Resources
J. Bueren, Public Works
S. Kowalewski, Public Works
S. Gospodchikov, Public Works
J. Dowling, Public Works



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: July 8, 2014

Subject: Acceptance of Federal Aviation Administration Grant Funding for Byron Airport Pavement, Signage and Lighting Enhancements

RECOMMENDATION(S):

AUTHORIZE the Director of Airports, or designee, to submit an Airport Improvement Program (AIP) grant application to both the Federal Aviation Administration (FAA) and the California Department of Transportation-Division of Aeronautics (Caltrans) for approximately \$892,500 and \$22,400, respectively, to perform pavement maintenance on all the airfield, perform minor reconstruction on a portion of the ramp, and upgrade signage and lighting at Byron Airport.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Beth Lee (844)
359-8687

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

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

APPROVE and **AUTHORIZE** the Chair of the Board of Supervisors to sign a Statement of Acceptance with the Federal Aviation Administration for grant funds to perform environmental analysis, design, engineering and maintenance/reconstruction of various pavements at Byron Airport in the amount of approximately \$893,000.

APPROVE and **AUTHORIZE** the Director of Airports, or designee, to sign an acceptance of funds under the California Aid to Airports Program Grant Agreement-Federal AIP Matching Funds grant program to perform environmental analysis, design, engineering and maintenance/reconstruction of various pavements at Byron Airport in the amount of approximately \$22,500.

FISCAL IMPACT:

On April 24, 2012, the Board authorized the submittal and acceptance of FAA and Caltrans grants for this project. The estimated project amount was approximately \$600,000. Since that Board action, Airport staff has had our aviation engineer analyze the pavement and perform the design necessary to construct the required improvements. As a result of the design engineering, the project cost estimate has increased to approximately \$992,000 but final project total cost may differ due to construction bids.

This Board action will authorize submitting and accepting FAA and Caltrans grants for the higher estimated project amount. There is no impact on the County General Fund. The total project amount will be approximately \$992,000; of which about 90% (or \$892,500.00) will be from the FAA, approximately 2.25% (or \$22,400.00) will be from Caltrans, and about 7.75% (or \$76,900.00) will be from the Airport Enterprise Fund.

BACKGROUND:

This FAA grant funding request is consistent with the Byron Airport Master Plan adopted by the Board of Supervisors on June 14, 2005. The adopted Airport Master Plan includes runway, taxiway and ramp maintenance activities plus signage and lighting enhancements. The pavement is about 18 years old and is in need of pavement repairs, upgrading to more energy efficient LED lighting and signage enhancements.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not receive the FAA Grant funding necessary to maintain the airfield, perform minor reconstruction on portions of the ramp, and install signage and lighting improvements on the Airport.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: July 8, 2014

Subject: APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a hangar rental agreement with Buchanan Field Airport Hangar tenant.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Felix Boston, for a shade hangar at Buchanan Field Airport effective July 2, 2014, in the monthly amount of \$172.41, Pacheco area.

FISCAL IMPACT:

The Airport Enterprise Fund will realize \$2,068.92 annually.

BACKGROUND:

On September 1, 1970, Buchanan Airport Hangar Company entered into a 30-year lease with Contra Costa County for the construction of seventy-five (75) hangars and eighteen (18) aircraft shelters at Buchanan Field Airport. Buchanan Airport Hangar Company was responsible for the maintenance and property management of the property during that 30-year period.

On September 1, 2000, the County obtained ownership of the aircraft hangars and shelters, pursuant to the terms of the above lease.

On February 13, 2007, Contra Costa County Board of Supervisors approved the new Large Hangar

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Beth Lee (844)
359-8687

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Lease Agreement for use with the larger East Ramp Hangars.

On February 3, 2008, Contra Costa County Board of Supervisors approved the amended T-Hangar Lease Agreement which removed the Aircraft Physical Damage Insurance requirement. The new amended T-hangar Lease Agreement will be used to enter into this aircraft rental agreement.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action will cause a loss of revenue to the Airport Enterprise Fund.

CHILDREN'S IMPACT STATEMENT:

Not Applicable

ATTACHMENTS

Hangar Rental Agreement

CONTRA COSTA COUNTY - BUCHANAN FIELD AIRPORT

T-HANGAR AND SHADE HANGAR RENTAL AGREEMENT

1. **PARTIES:** Effective July 2, 2014 ("**Effective Date**"), the COUNTY OF CONTRA COSTA, a political subdivision of the State of California ("**Airport**"), and Felix Boston ("**Renter**"), hereby mutually agree and promise as follows:

2. **RENTER AND AIRCRAFT INFORMATION:** Simultaneous with the execution of this T-Hangar and Shade Hangar Rental Agreement ("**Rental Agreement**") by Renter, Renter shall complete the Renter and Aircraft Information Form. A completed copy of the Renter and Aircraft Information Form is attached hereto as Exhibit "A" and incorporated herein. Renter must also provide to Airport at that time, for inspection and copying, (1) the original current Aircraft Registration or, if the aircraft described in Exhibit A is under construction, the plans for and proof of ownership of such aircraft; and (2) the insurance information required by Section 16 below.

3. **PURPOSE:** The purpose of this Rental Agreement is to provide for the rental of a T-Hangar or Shade Hangar space at the Contra Costa County - Buchanan Field Airport for the storage of the aircraft described in the Renter and Aircraft Information Form ("**Renter's Aircraft**").

4. **PREMISES:** For and in consideration of the rents and faithful performance by Renter of the terms and conditions set forth herein, Airport hereby rents to Renter and Renter hereby rents from Airport that T-Hangar or Shade Hangar shown as # B-2 on the T-Hangar and Shade Hangar Site Plan, attached hereto as Exhibit B and incorporated herein. This T-Hangar or Shade Hangar is part of the T-Hangar and Shade Hangar Site ("**T-Hangar Site**") and shall hereinafter be described as the "**T-Hangar**."

Renter has inspected the T-Hangar and hereby accepts the T-Hangar in its present condition, as is, without any obligation on the part of Airport to make any alterations, improvements, or repairs in or about the T-Hangar.

5. **USE:** The T-Hangar shall be exclusively by Renter for the storage of Renter's Aircraft. In addition to the storage of Renter's Aircraft, Renter may use the T-Hangar for (1) the homebuilding, restoration and/or maintenance of Renter's Aircraft, provided that such homebuilding, restoration and/or maintenance is performed by Renter only and in conformance with all applicable statutes, ordinances, resolutions, regulations, orders, circulars (including but not limited to FAA Advisory Circular 20-27) and policies now in existence or adopted from time to time by the United States, the State of California, the County of Contra Costa and other government agencies

with jurisdiction over Buchanan Field Airport; (2) the storage of and materials directly related to the storage, construction of homebuilt planes homebuilding, restoration, and/or maintenance of Renter's Aircraft; (3) the storage of one boat, or one recreational vehicle, or one motorcycle, or one automobile, provided that Renter first provides to Airport proof of Renter's ownership and original registration of any stored boat or vehicle, for inspection and copying; and/or (4) the storage of comfort items (such as a couch, small refrigerator, etc.) that the Director of Airports, in his sole discretion, determines will not impede the use of the hangar for the storage of Renter's Aircraft, and are not prohibited by applicable building and fire codes. The T-Hangar shall not be used for any purpose not expressly set forth in this Section 5. Use.

The use of all or a portion of the T-Hangar for the storage of aircraft not owned or leased by Renter is prohibited. ("Aircraft not owned or leased by Renter" means any aircraft in which Renter does not have an ownership interest or which is not directly leased to Renter). Renter shall present proof of said ownership interest or lease to Airport upon request in addition to that information provided in Exhibit A.

If Renter's Aircraft is or becomes non-operational, it may be stored in the T-Hangar only if it is being homebuilt or restored by Renter. Prior to the commencement of any such homebuilding or restoration, Renter shall provide to Airport (1) a copy of the purchase agreement or (2) a valid federal registration number. If Renter's Aircraft is not registered as of the Effective Date, upon completion of construction, Renter shall register and apply for an airworthiness certificate for Renter's Aircraft in accordance with all applicable federal statutes and regulations and provide the original registration and certification to Airport, for inspection and copying, immediately upon receipt by Renter. On or before January 1 of each year, if the homebuilding or restoration has not been completed, Renter shall provide a written annual report to the Director of Airports that details the homebuilding or restoration activity performed, work still required to be completed and an estimate of time of completion.

6. **TERM:** This Rental Agreement shall be from month to month commencing July 2, 2014, and shall continue until terminated. This Rental Agreement may be terminated by any party upon thirty (30) days written notice to the other party.

7. **RENT:**

A. **Monthly Rent and Additional Rent.** Renter shall pay \$ 172.41 in rent per month ("**Monthly Rent**") due and payable in advance on the first day of each calendar month, beginning on the commencement date of this Rental Agreement. Unless directed to do otherwise by Airport, Renter shall pay rent only in cash or by personal check, certified check, or money order. If the term of this Rental Agreement begins on a day other than the first day of the month, the Monthly Rent stated above for the first month shall be prorated



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Approve a Contract with ADH Technical Services, Inc. (ADH), for Water Quality Monitoring Services for FY 14-15

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District, or designee, to execute, on behalf of the Contra Costa Clean Water Program, a contract with ADH Technical Services, Inc., for the period July 1, 2014 to June 30, 2015 in an amount not to exceed \$660,000, for compliance with mandated federal and state stormwater rules contained in National Pollutant Discharge Elimination System (NPDES) Permits issued by the San Francisco Bay and Central Valley Regional Water Quality Control Boards, Countywide. (100% Cities and County Stormwater Utility Fee Assessments) Project No. 6X7618

FISCAL IMPACT:

The cost is estimated to be \$660,000; and, shall be funded by stormwater utility fee assessments collected by the Cities/Towns and County, proportional to their respective populations.

BACKGROUND:

The Contra Costa Clean Water Program (CCCWP) consists of Contra Costa County, its 19 incorporated cities/towns, and the Contra Costa County Flood Control and Water Conservation District (District), hereinafter referred to as "Permittees."

In November 1990, the United States Environmental Protection Agency (USEPA) published final stormwater rules implementing the 1987 federal Clean Water

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Deanna Constable
925-313-2194

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Act (CWA) amendments, which established, among other things, a framework for regulating municipal stormwater discharges under the National Pollutant Discharge Elimination System (NPDES) Permit Program. The rules prohibit the discharge of pollutants in stormwater unless the discharge is in compliance with a NPDES permit. In response, the Permittees jointly established the CCCWP in 1991 through a Program Agreement, and jointly applied for, and were subsequently issued, joint Municipal NPDES Permits issued by the San Francisco Bay and Central Valley Regional Water Quality Control Boards (Water Boards). The Municipal NPDES Permits are reissued approximately every five years.

The permits mandate Permittees to develop and implement stormwater pollution prevention and control programs designed to reduce or eliminate the discharge of pollutants into and from municipal separate storm sewers (MS4s). Permittees conduct many of these mandated activities collectively (referred to as “Group Activities”). The roles and responsibilities of the CCCWP and Permittees are outlined in the Program Agreement, which was last updated and adopted by all Permittees in June 2010. In accordance with the Program Agreement, each City/Town/County/District manager designates a voting representative to participate on the Management Committee, which is the CCCWP’s decision-making body.

The Management Committee has directed that certain requirements of the Municipal NPDES Permits, such as monitoring of stormwater quality and pollutants of concern (POC), and related special studies be coordinated, implemented, and funded as a Group Activity.

On March 18, 2014, the CCCWP issued a Request for Qualifications for Monitoring Technical Support Services to 27 companies. By April 7, 2014, the CCCWP received three Statements of Qualifications. After a review of the candidates, the CCCWP’s Monitoring Committee recommended ADH, which the Management Committee approved on May 21, 2014.

CCCWP staff, on behalf of the Permittees, respectfully requests approval of this contract with ADH for Fiscal Year 2014/15 (July 1, 2014- June 30, 2015).

CONSEQUENCE OF NEGATIVE ACTION:

If the Contract with ADH Technical Services, Inc. is not approved, the CCCWP would not be able to fulfill the permit mandates, and municipalities could be found in non-compliance with the NPDES permits issued by the Water Boards. Fines totaling \$10,000 per day and \$10 per gallon of stormwater discharge could potentially be imposed.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Approve a Contract Amendment with AMEC Environment & Infrastructure, Inc., for Additional Program Management Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District, or designee, to execute, on behalf of the Contra Costa Clean Water Program, a contract amendment with AMEC Environment & Infrastructure, Inc., to extend the termination date from June 30, 2014 to August 31, 2014, for continuing compliance with mandated federal and state stormwater rules contained in National Pollutant Discharge Elimination System Permits issued by the San Francisco Bay and Central Valley Regional Water Quality Control Boards, Countywide. (100% Cities and County Stormwater Utility Fee Assessments) Project No. 6X7616

FISCAL IMPACT:

No fiscal impact. This amendment is to extend the term of the contract only.

BACKGROUND:

The Contra Costa Clean Water Program (CCCWP) consists of Contra Costa County, its 19 incorporated cities/towns, and the Contra Costa County Flood Control and Water Conservation District (District), hereinafter referred to as "Permittees."

In November 1990, the United States Environmental Protection Agency (USEPA) published final stormwater rules implementing the 1987 federal Clean Water

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Deanna Constable
925-313-2194

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Act (CWA) amendments, which established, among other things, a framework for regulating municipal stormwater discharges under the National Pollutant Discharge Elimination System (NPDES) Permit Program. The rules prohibit the discharge of pollutants in stormwater unless the discharge is in compliance with a NPDES permit. In response, the Permittees jointly established the CCCWP in 1991 through a Program Agreement, and jointly applied for, and were subsequently issued, joint Municipal NPDES Permits issued by the San Francisco Bay and Central Valley Regional Water Quality Control Boards (Water Boards). The Municipal NPDES Permits are reissued approximately every five years.

The permits mandate Permittees to develop and implement stormwater pollution prevention and control programs designed to reduce or eliminate the discharge of pollutants into and from municipal separate storm sewers (MS4s). Permittees conduct many of these mandated activities collectively (referred to as “Group Activities”). The roles and responsibilities of the CCCWP and Permittees are outlined in the Program Agreement, which was last updated and adopted by all Permittees in June 2010. In accordance with the Program Agreement, each City/Town/County/District manager designates a representative to participate on the Management Committee, which is the CCCWP’s decision-making body.

The Management Committee has directed that certain requirements of the Municipal NPDES Permits, such as assistance with stormwater quality and pollutants of concern monitoring, special studies, pilot projects, and grant-related activities be coordinated, implemented and funded as a Group Activity. Additional technical support services provided by AMEC Environment & Infrastructure, Inc. (AMEC) are necessary to assist the CCCWP with compliance of these mandates especially as the CCCWP transitions from AMEC to the new contractor hired to start July 1, 2014. This extension will allow for the smooth transition between the two entities.

In order to continue maintaining permit compliance, CCCWP staff, on behalf of the Permittees, respectfully requests approval of this contract amendment with AMEC.

CONSEQUENCE OF NEGATIVE ACTION:

If the Contract Amendment with AMEC is not approved, the CCCWP would not be able to fulfill the permit mandates, and municipalities could be found in non-compliance with the NPDES permits issued by the Water Boards. Fines totaling \$10,000 per day and \$10 per gallon of stormwater discharge could potentially be imposed.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Approve a Contract with Larry Walker Associates for Stormwater-related Technical Support Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District, or designee, to execute, on behalf of the Contra Costa Clean Water Program, a contract with Larry Walker Associates for the period of July 1, 2014 to June 30, 2015 in an amount not to exceed \$140,000, for general technical support services necessary to comply with federal and state stormwater rules contained in National Pollutant Discharge Elimination System (NPDES) Permits issued by the San Francisco Bay and Central Valley Regional Water Quality Control Boards, Countywide. (100% Cities and County Stormwater Utility Fee Assessments) Project No. 7519-6x7616

FISCAL IMPACT:

The cost is estimated to be \$140,000; and, shall be funded by stormwater utility fee assessments collected by the Cities/Towns and County, proportional to their respective populations.

BACKGROUND:

The Contra Costa Clean Water Program (CCCWP) consists of Contra Costa County, its 19 incorporated cities/towns, and the Contra Costa County Flood Control and Water Conservation District (District), hereinafter referred to as "Permittees."

In November 1990, the United States Environmental

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Deanna Constable
925-313-2194

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Protection Agency (USEPA) published final stormwater rules implementing the 1987 federal Clean Water Act (CWA) amendments, which established, among other things, a framework for regulating municipal stormwater discharges under the National Pollutant Discharge Elimination System (NPDES) Permit Program. The rules prohibit the discharge of pollutants in stormwater unless the discharge is in compliance with a NPDES permit. In response, the Permittees jointly established the CCCWP in 1991 through a Program Agreement, and jointly applied for, and were subsequently issued, joint Municipal NPDES Permits issued by the San Francisco Bay and Central Valley Regional Water Quality Control Boards (Water Boards). The Municipal NPDES Permits are reissued approximately every five years.

The permits mandate Permittees to develop and implement stormwater pollution prevention and control programs designed to reduce or eliminate the discharge of pollutants into and from municipal separate storm sewers (MS4s). Permittees conduct many of these mandated activities collectively (referred to as "Group Activities"). The roles and responsibilities of the CCCWP and Permittees are outlined in the Program Agreement, which was last updated and adopted by all Permittees in June 2010. In accordance with the Program Agreement, each City/Town/County/District manager designates a voting representative to participate on the Management Committee, which is the CCCWP's decision-making body. The Management Committee has directed that certain requirements of the Municipal NPDES Permits, such as stormwater monitoring programs be coordinated, implemented and funded as a Group Activity.

The CCCWP's stormwater monitoring programs cover a variety of water quality monitoring activities, special studies, and pilot projects designed to identify and evaluate sources, pathways, loadings and impacts of pollutants, such as mercury and PCBs, that reach local creeks and streams, and eventually into the San Francisco Bay; and, to investigate the effectiveness of stormwater treatment control technologies.

On March 19, 2014, the CCCWP issued a Request for Qualifications for Stormwater Technical Support Services to 23 companies. By April 7, 2014, the CCCWP received two Statements of Qualifications and both companies were subsequently interviewed. The CCCWP's Monitoring Committee recommended Larry Walker Associates, and the Management Committee approved their recommendation on May 21, 2014.

CCCWP staff, on behalf of the Permittees, respectfully requests approval of this contract with Larry Walker Associates for Fiscal Year 2014/15 (July 1, 2014- June 30, 2015).

CONSEQUENCE OF NEGATIVE ACTION:

If the Contract with Larry Walker Associates is not approved, the CCCWP would not be able to fulfill the permit mandates, and municipalities could be found in non-compliance with the NPDES permits issued by the Water Boards. Fines totaling \$10,000 per day and \$10 per gallon of stormwater discharge could potentially be imposed.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: ADOPT Resolution No. 2014/234 terminating and abandoning Offers of Dedication within Concord Industrial Park, Unit 4, Concord area.

RECOMMENDATION(S):

ADOPT Resolution No. 2014/234 terminating and abandoning Offers of Dedication within the Concord Industrial Park, Unit 4, Concord area. Project No.: LUP 07-2045, WL0029

DIRECT the Real Estate Division to record a certified copy of the Resolution in the office of the County Recorder.

FISCAL IMPACT:

100% Applicant Fees.

BACKGROUND:

On August 16, 1988, Contra Costa County (County) approved but did not accept, Offers of Dedication identified as Parcel "A" and 25' access easement (Dedications) by Final Map Subdivision 5882-Concord Industrial Park, Unit 4, recorded September 13, 1988, in Book 325 at Pages 18 through 20.

The current property owner submitted applications for a lot line adjustment and a land use permit and has requested the County terminate and abandon the Dedications in order to remove the encumbrance.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Jann Edmunds, (925) 313-2250

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

By: , Deputy

cc: T. Torres, PW Environmental, T. Rie, Flood Control, Conco Companies

BACKGROUND: (CONT'D)

It has been determined that the Dedications are no longer needed and will not be used for the purpose for which they are dedicated.

A Notice of Determination for a California Environmental Quality Act Negative Declaration was filed on March 8, 2008 by the Contra Costa County Department of Conservation and Development for the Warehouse Distribution/Light Industrial Facility.

CONSEQUENCE OF NEGATIVE ACTION:

An encumbrance on the property that is not needed will continue to exist and limit development of the site.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Resolution No. 2014/234

Recorded at the request of: Contra Costa County

Return To: Jann Edmunds, Public Works, Real Estate

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

Adopted this Resolution on 07/08/2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2014/234

IN THE MATTER OF: ADOPT Resolution No. 2014/234 terminating and abandoning Offers of Dedication within Concord Industrial Park, Unit 4, Concord Area, District IV. Project No.: LUP 07-2045, WL0029

WHEREAS, on August 16, 1988, Contra Costa County (County) approved, but did not accept, Offers of Dedication for public use, identified as Parcel 'A' and a 25' access easement herein after referred to as (Dedications) for the Concord Industrial Park, Unit 4, Concord area. The Dedications were included on the Final Map for Subdivision 5882 recorded on September 13, 1988, in Book 325 at Pages 18 through 20.

WHEREAS, the current property owner has requested that the County terminate and abandon the Dedications to remove the encumbrance.

WHEREAS, the Dedications have not been used for the purpose for which the Offers of Dedication were made for five consecutive years immediately preceding the proposed termination and abandonment (S&H Code Section 8333 (a)). No known public facilities are located within the offered area.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Contra Costa County that:

The Board FINDS that there is no reasonable probability that the Dedications will be accepted into the County system, that the County has not expended County funds to maintain or improve the Dedications.

A Notice of Determination for a California Environmental Quality Act Negative Declaration was filed on March 8, 2008 by Contra Costa County Department of Conservation and Development for the Warehouse Distribution/Light Industrial Facility. The Dedications described and depicted as Parcel 'A' and 25' access easement in Final Map for Subdivision 5882 recorded on September 13, 1988, in Book 325 at Pages 18 through 20 is hereby TERMINATED and ABANDONED pursuant to Government Code section 66477.2 subdivision (c), and to Part 3 of Division 9, Chapter 4 of the Streets and Highways Code, commencing with section 8330 et. seq. From and after the date that this resolution is adopted, the Dedications shall not constitute public access of Contra Costa County.

The Board DIRECTS the Public Works Director to cause a certified copy of this Resolution to be recorded.

From and after the date this Resolution is recorded, the Dedications are terminated and the County's right to accept the Dedication is abandoned.

Contact: Jann Edmunds, (925) 313-2250

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: July 8, 2014

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

By: , Deputy

cc: T. Torres, PW Environmental, T. Rie, Flood Control, Conco Companies



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: APPROVE Notice of Intention to Sell 2,192 square feet of land to Sandra M. Scranton, TRE, Alamo area. Project No.: 4500 6G5594

RECOMMENDATION(S):

APPROVE the attached Notice of Intention to Sell 2,192 square feet of land to Sandra M. Scranton, TRE pursuant to Government Code Section 25526; Project No.: 4500 6G5594

DETERMINE said property to be surplus and no longer necessary for public purposes.

DIRECT the Real Estate Division, Public Works Department, to publish the attached Notice of Intention to Sell 2,192 square feet of land in the Contra Costa Times pursuant to Government Code Section 6063.

FISCAL IMPACT:

100% Applicant Fees.

BACKGROUND:

Contra Costa County continues its efforts to identify encroachments within the Iron Horse Corridor (IHC). When identified the encroachments are: 1) cleared from the IHC when they are a public safety concern 2) allowed temporary occupancy under a license agreement 3) in rare cases small areas of the IHC that can be considered surplus sold or transferred.

Over the years different property owners of 1554

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Angela Bell (925) 313-2337

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Manning Lane, Alamo, which abuts the IHC, have placed various improvements within a small portion of the IHC that have been identified as encroachments. The improvements include landscaping, fencing, walkway, edge of pool, portion of the house and a shed. Some of these improvements existed when the County acquired the IHC in the mid 1980's. The improvements are significant enough that the current owner Sandra M. Scranton requests that the County consider selling her the encroachment area that is approximately 10' in width and 188' in length containing 2,192 square feet. Staff has reviewed the request and has found that the sale of this area will not interfere with the current or future uses of the IHC.

CONSEQUENCE OF NEGATIVE ACTION:

The County will require removal of the improvements at considerable expense to the adjacent Property owner and County.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Exhibit A

Notice of Intention to Sell Real Property

Iron Horse Corridor
Grant Deed (Fee Title)
From Contra Costa County to Sandra M. Scranton
Adjacent to 1554 Manning Lane
Portion of APN 191-030-030

EXHIBIT "A"

Real property in the unincorporated area of Alamo, County of Contra Costa, State of California, being a portion of the 100 foot strip of land conveyed to the Southern Pacific Railroad Company by D.P. Smith in the deed dated June 30, 1890 and recorded July 17, 1891 in Volume 60 of Deeds, Page 20; also being a portion of the 100 foot wide strip of land described as Parcel 36 in the grant deed to Contra Costa County from Southern Pacific Transportation Company and recorded December 9, 1985 in Book 12652 of Official Records at Page 570 as Document 85-181262, more particularly described as follows:

Fee Title

Beginning at the intersection of the easterly line of said 100 foot wide strip and the north line of the parcel of land described in the deed from M. Davetta Manning, et al, to F.L. Manning dated October 10, 1938 and recorded October 11, 1938 in Book 486 of Official Records, Page 98; thence south 65°37'00" west, 8.57 feet along the southwesterly prolongation of said north line; thence leaving said extension, south 12°43'01" east, 188.76 feet, more or less, to the prolongation of the south line of said deed (486 OR 98); thence north 65°37'00" east, 10.63 feet along said prolongation of said south line to its intersection with said easterly line of said 100 foot wide strip (60 D 20); thence northwesterly along said easterly line to the Point of Beginning.

Contains an area of 2192 square feet of land, more or less.

Exhibit "B", a plat is attached hereto, and by this reference made a part hereof.

Bearings are based on said Manning Grant Deed (486 OR 98).

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: *Janine L. Hampton*
Licensed Land Surveyor
Contra Costa County Public Works

Date: March 12, 2014

G:\Surveys\Legals\Exhibits2013\1554 Manning at IHC.docx
JH:js 3/12/2014



**CONTRA COSTA COUNTY
PUBLIC WORKS DEPARTMENT
255 Glacier Drive
Martinez, CA 94553**

NOTICE OF INTENTION TO SELL REAL PROPERTY

(Government Code § 25526)

The County Real Estate Division will sell to Sandra M, Scranton, TRE, the real property hereinafter described:

A semi rectangular strip of land approximately 10 feet wide by 188 feet in length that contains 2,192 square feet of land directly behind County Assessor's Parcel Number 191-040-026 and identified as 1554 Manning Lane, Alamo and located in the Iron Horse Corridor.

Terms and Conditions of Sale are available at the office of County Real Estate Division, 255 Glacier Drive, Martinez, California 94553, or may be requested by phone to be mailed by calling 313-2220.

The 2,192 square feet of land is being sold as is and the purchaser assumes all risks and responsibility.

The 2,192 square feet of land will be sold without warranty as to possible uses and the purchaser assumes all risks and responsibilities.

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: _____

Publication Dates:



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: July 8, 2014

Subject: Authorize the Public Works Director, or designee, to Advertise Byron Pavement, Signage and Lighting Enhancements

RECOMMENDATION(S):

AUTHORIZE the Public Works Director, or designee, to ADVERTISE the Byron Airport pavement maintenance, signage and lighting at Byron Airport. Project No. 4875-4650-SAS-6X5314, DCD-CP #12-26, and FAA Project No. 3-06-0008-014

FISCAL IMPACT:

The estimated construction cost is \$992,000; of which, approximately 90% (or \$892,500) will be from the FAA, approximately 2.25% (or \$22,400) will be from Caltrans, and approximately 7.75% (or \$76,900) will be from the Airport Enterprise Fund.

BACKGROUND:

The Contra Costa County Public Works Department is in the process of improving the pavement and upgrading lights and signs at the Byron Airport. The project will include the minor reconstruction and surface maintenance of the runways, taxiways and aircraft ramp. The project is necessary to maintain the structural integrity of the runways, taxiways and ramp as required by the FAA for safety, operational and capacity purposes. The project is consistent with the Byron Airport Master Plan adopted by the Board of Supervisors

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Beth Lee, (925)
681-4203

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

on June 14, 2005.

The Department of Conservation and Development previously determined that this project is a Categorical Exemption, under Section 15302 (Class II) of the California Environmental Quality Act (CEQA) Guidelines. The Notice of Exemption (County file CP #12-26) was administratively approved on April 3, 2012. Even though a Categorical Exemption has already been determined, our department still requires that Board of Supervisors to authorize the Public Works Director, or designee, to advertise the project for bids.

CONSEQUENCE OF NEGATIVE ACTION:

Delay in approving the project advertisement will result in a delay of the construction and may jeopardize Federal funding.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: CLAIMS

RECOMMENDATION(S):

DENY claims filed by MarcAnthony Dario Aguilar (Minor Child) & Delia Pedroza, Robert P. Amatrone & Marla D. Sharlow (6 claims), Ashley & Mike Bizicki, Patricia Brown, Ron Bryant, David Cook Sr., Enterprise Rent-A-Car Co. of San Francisco, LLC, Kelli Ewing, Malysa Humphrey, Jillian Hutchison, Thomas Mathew, and Rebecca McFarlain.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

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APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Joellen Balbas
925.335.1906

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Sharon Offord Hymes, Risk Manager
Date: July 8, 2014

Subject: Final Settlement of Claim, Sandra Deering vs. Contra Costa County Department of Health Services

RECOMMENDATION(S):

RECEIVE this report concerning the final settlement of Sandra Deering and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed \$150,000.

FISCAL IMPACT:

Workers' Compensation Internal Service Fund payment of \$150,000.

BACKGROUND:

Attorney Mark A. Cartier, defense counsel for the County, has advised the County Administrator that within authorization an agreement has been reached settling the workers' compensation claim of Sandra Deering v. Contra Costa County Department of Health Services. The Board's June 24, 2014 closed session vote was: Supervisors Gioia, Andersen, Piepho, Mitchoff and Glover - Yes. This action is taken so that the terms of this final settlement and the earlier June 24, 2014 closed session vote of this Board authorizing its negotiated settlement are known publicly.

CONSEQUENCE OF NEGATIVE ACTION:

Case will not be settled.

CHILDREN'S IMPACT STATEMENT:

None.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Sharon Hymes Offord
(925) 335-1442

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

By: , Deputy

cc: Denise Rojas, Denise Niber



Contra
Costa
County

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: July 8, 2014

Subject: Public report of litigation settlement agreements that became final during the period of June 1, 2014 through June 30, 2014.

RECOMMENDATION(S):

RECEIVE public report of litigation settlement agreements that became final during the period of June 1, 2014 through June 30, 2014, as recommended by County Counsel.

FISCAL IMPACT:

Settlement amounts are listed below.

BACKGROUND:

One agreement to settle pending litigation, as defined in Government Code section 54956.9, became final during the period of June 1, 2014 through June 30, 2014.

Lucinda Simpson v. County of Contra Costa, et al., U.S.D.C. Case No. 3:12-cv-05303 WHO (N.D.Cal.). On June 17, 2014, the Board of Supervisors authorized settlement of this employment case. Settlement in the amount of \$50,000, inclusive of attorney fees and costs, was authorized in closed session by a 3-2 vote, Supervisors Andersen and Piepho dissenting. The settlement became final on June 17, 2014. The settlement amount is paid through the Risk Management Liability Internal Service Fund.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Thomas Geiger,
335-1800

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

By: , Deputy

cc: Thomas Geiger, Assistant County Counsel, Sharon Hymes-Offord, Risk Manager

BACKGROUND: (CONT'D)

No agreements to settle pending litigation became final during the period of April 1, 2014 through May 31, 2014.

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: Philip F. Kader, County Probation Officer
Date: July 8, 2014

Subject: Pretrial, Probation and Parole Supervision Week

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: P. Hernandez,
313-4149

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.

2014/198

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

In the matter of:

Resolution No. 2014/198

**DECLARING THE WEEK OF JULY 13-19, 2014 AS PRETRIAL, PROBATION and PAROLE SUPERVISION
OFFICER'S WEEK IN CONTRA COSTA COUNTY**

WHEREAS, Probation is an essential part of the justice system; and

WHEREAS, Probation professionals uphold the law with dignity, while recognizing the right of the public to be safe-guarded from criminal activity; and

WHEREAS, Probation professionals are responsible for supervising adult and juvenile offenders in the community; and

WHEREAS, Probation professionals are trained professionals who provide services and referrals for offenders; and

WHEREAS, Probation professionals work in partnership with community agencies and groups; and

WHEREAS, Probation professionals promote prevention, intervention and advocacy; and

WHEREAS, Probation professionals provide services, support, and protection for victims; and

WHEREAS, Probation professionals advocate community and restorative justice; and

WHEREAS, community corrections professionals are a true Force for Positive Change in their communities, and;

NOW, THEREFORE, BE IT RESOLVED that, on the recommendation of County Probation Officer Philip F. Kader, that the Contra Costa County Board of Supervisors do hereby proclaim July 13-19, 2014 as ***Pretrial, Probation and Parole Supervision Week*** and encourage all citizens to honor these community corrections professionals and to recognize their achievements.

KAREN MITCHOFF

Chair,
District IV Supervisor

JOHN GIOIA
District I Supervisor

CANDACE ANDERSEN
District II Supervisor

MARY N. PIEPHO
District III Supervisor

FEDERAL D. GLOVER
District V 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: July 8, 2014

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: Philip F. Kader, County Probation Officer
Date: July 8, 2014

Subject: Resolution Honoring Paula Hernandez upon her Retirement

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Phil Kader, (925)
313-4188

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

By: , Deputy

cc:

ATTACHMENTS

Resolution No.

2014/238

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

In the matter of:

Resolution No. 2014/238

Honoring and Thanking Paula Hernandez on the occasion of her Retirement from Contra Costa County after over 26 Years of Service

WHEREAS, Ms. Hernandez attended City College of San Francisco and graduated from San Francisco State University with a Bachelor of Arts in Psychology; and

WHEREAS, Ms. Hernandez completed the Basic Law Enforcement Academy and briefly worked for City of Berkeley Police Department; and

WHEREAS, Ms. Hernandez is married and has three children; and

WHEREAS, Ms. Hernandez began her public service with Contra Costa County as a Probation Counselor on July 1, 1988 in the Probation Department; after a two-year absence, was rehired as a Deputy Probation Officer III on July 23, 1997; was promoted to Probation Supervisor, Probation Manager, Chief Deputy Probation Officer and finally Assistant Chief Probation Officer; and during these 26 years of service worked in various facilities including John A. Davis Juvenile Hall, the Orin Allen Youth Rehabilitation Facility and in Administrative Services; and

WHEREAS, Ms. Hernandez has been a member of the California Association of Probation Institution Administrators (CAPIA) as well as the Zero Tolerance core design team; and

WHEREAS, Ms. Hernandez assisted with arming 18 of the Probation Department's staff; and

WHEREAS, Ms. Hernandez rewrote all the policies and procedures for the Probation Department; and

WHEREAS, Ms. Hernandez was instrumental in the Probation Department's successful competition for the Second Chance Grant, the Smart Probation Grants and the State Evidence-Based Practices Grant; and

WHEREAS, Ms. Hernandez led the Probation Department in the lengthy review and selection of the new case management system; and

WHEREAS, Ms. Hernandez is the perfect example of a highly motivated, energetic leader; and

WHEREAS, Ms. Hernandez's unsung devotion and dedication will be greatly missed in the Probation Department;

NOW, THEREFORE, BE IT RESOLVED that the Contra Costa County Board of Supervisors honors Paula Hernandez upon her retirement from the County of Contra Costa, and for her unsung devotion and dedication to improving the lives of those placed in custodial care in Contra Costa County.

KAREN MITCHOFF

Chair,
District IV Supervisor

JOHN GIOIA

District I Supervisor

CANDACE ANDERSEN

District II Supervisor

MARY N. PIEPHO

District III Supervisor

FEDERAL D. GLOVER

District V 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: July 8, 2014

David J. Twa,

By: _____, Deputy



Contra
Costa
County

To: Board of Supervisors
From: Federal D. Glover, District V Supervisor
Date: July 8, 2014

Subject: Resignation of Heidi Petty, CSA R-10 Citizens Advisory Committee

RECOMMENDATION(S):

ACCEPT the resignation of Heidi Petty, DECLARE a vacancy in Appointee 5 seat on the CSA R-10 Citizens Advisory Committee, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Federal D. Glover.

FISCAL IMPACT:

None.

BACKGROUND:

Ms. Petty has been serving on the CSA R-10 and is now resigning her seat.

The purpose of the CSA R-10 Citizens Adv. Committee is to advise the Board of Supervisors and the administrative department regarding the desires of the community in the area of local park and recreation facilities and services.

CONSEQUENCE OF NEGATIVE ACTION:

Seat would remain vacant.

CHILDREN'S IMPACT STATEMENT:

None.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Vincent Manuel, (925)
427-8138

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: John Gioia, District I Supervisor
Date: July 8, 2014

Subject: Accept the resignation of Texanita Bluitt from the Emergency Medical Care Committee and declare vacant the District 1 seat

RECOMMENDATION(S):

Accept the resignation of Texanita Bluitt, DECLARE a vacancy in the District 1 seat on the Emergency Medical Care Committee, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Gioia.

FISCAL IMPACT:

None.

BACKGROUND:

The Emergency Medical Care Committee (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.

Ms. Bluitt has conflicting obligations and cannot attend the regularly scheduled meetings and has chosen to resign her seat.

CONSEQUENCE OF NEGATIVE ACTION:

The seat will remain vacant.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: James Lyons,
510-231-8692

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

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: July 8, 2014

Subject: APPOINTMENT TO THE ALAMO MUNICIPAL ADVISORY COUNCIL

RECOMMENDATION(S):

Appoint the following person to the Alternate Seat of the Alamo Municipal Advisory Council for the remainder of the term, which expires December 31, 2016, as recommended by Supervisor Candace Andersen:

Aron DeFerrari
2982 Roundhill Road
Alamo, CA 94507

FISCAL IMPACT:

None.

BACKGROUND:

The Alamo MAC may advise the Board of Supervisors on services that are or may be provided to the Alamo community by Contra Costa County or other local government agencies. Such services include, but are not limited to, parks and recreation, lighting and landscaping, public health, safety, welfare, public works, code enforcement, land use and planning, transportation and other infrastructure.

The Council

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Jill Ray,
925-957-8860

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

By: , Deputy

cc: District 2 Supervisor, Maddy Book, Alamo MAC, Applicant

BACKGROUND: (CONT'D)

may also provide input and reports to the District Supervisor, Board of Supervisors, County staff or any County hearing body on issues of concern to the community. The Council may represent the Alamo community before the Board of Supervisors, County Planning Commission and the Zoning Administrator. The Council may also represent the Alamo community before the Local Agency Formation Commission on proposed boundary changes effecting the community. The Council may advocate on parks and recreation issues to the Town of Danville and the San Ramon Valley Unified School District.

Supervisor Andersen advertised the vacancy, collected applications, met with the applicants and felt Mr. DeFerrari would make a good addition to the AMAC.

CONSEQUENCE OF NEGATIVE ACTION:

The Alternate Seat will remain vacant.

CHILDREN'S IMPACT STATEMENT:

None.



Contra
Costa
County

To: Board of Supervisors
From: John Gioia, District I Supervisor
Date: July 8, 2014

Subject: Reappoint Gina Swirsding to the Contra Costa County Mental Health Commission's District 1 Consumer seat

RECOMMENDATION(S):

Reappoint Gina Swirsding to the Contra Costa County Mental Health Commissions District 1 Consumer seat, to serve a term ending June 30, 2017, as recommended by Supervisor Gioia.

FISCAL IMPACT:

None.

BACKGROUND:

The Contra Costa County Mental Health Commission was established by order of the Contra Costa County Board of Supervisors on June 22, 1993, pursuant to the Welfare & Institutions Code 5604, also known as the Bronzan-McCorquodale Act, Stats. 1992, c. 1374 (A.B. 14). The primary purpose of the Commission is to serve in an advisory capacity to the Board of Supervisors and to the Mental Health Division and its staff.

Commissioners are appointed by members of the County Board of Supervisors from each of the five districts for a term of three years. Each district has a consumer of mental health services, family member and an at-large representative on the Commission, for a total of 15 members plus a representative from the Board of Supervisors.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: James Lyons,
510-231-8692

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Gina Swirsding has been successfully serving on the Contra Costa County Mental Health Commission and Supervisor Gioia wishes to reappoint her.

CONSEQUENCE OF NEGATIVE ACTION:

The seat will become vacant.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Medical Staff Appointments and Reappointments – June 2014

RECOMMENDATION(S):

Approve medical staff members appointments and reappointments, privileges, department changes, advancements and voluntary resignations as recommend by the Medical Staff Executive Committee at their June 16 meeting, and by the Health Services Director.

FISCAL IMPACT:

None.

BACKGROUND:

The Joint Commission on Accreditation of Healthcare Organizations has requested that evidence of Board of Supervisors approval for each Medical Staff member will be placed in his or her Credentials File. The above recommendations for appointment/reappointment were reviewed by the Credentials Committee and approved by the Medical Executive Committee.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, Contra Costa Regional Medical and Contra Costa Health Centers' medical staff would not be appropriately credentialed and not be in compliance

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Anna Roth,
370-5101

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

By: , Deputy

cc: T Scott, C Rucker, Steele Colby

CONSEQUENCE OF NEGATIVE ACTION: (CONT'D)

with the Joint Commission on Accreditation of Healthcare Organizations.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Attachment

A. New Medical Staff Members

Grace Chang, MD	Anesthesia
Doreen Fukushima, MD	Psychiatry/Psychology
Marcus Houston, MD	Psychiatry/Psychology
Jeffery Kahn, MD	Psychiatry/Psychology
Irene Lo, MD	Surgery
Mikel Matto, MD	Psychiatry/Psychology
Jeana Radosevich, MD	Internal Medicine
Mridula Rewal, MD	Internal Medicine
Bryan Ristow, MD	Internal Medicine
Summer Savon, MD	Psychiatry/Psychology
Deron Warren, DO	Emergency Medicine
Ashley Ballard, MD	Family Medicine
Jon Froyd, DO	Family Medicine
Erin Stratta, MD	Family Medicine
Tina Toosky, MD	Family Medicine
Lauren Wondolowski, MD	Family Medicine

B. New Staff Affiliation

Emma Winfield, NP	Family Medicine
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C. 1st Year Residents – Family Medicine

Kaya Belknap, MD
Nichole Boisvert, MD
Wesley Chin, MD
Erica Dorfman, MD
Benjamin Durant, MD
Nadra Farmer, MD
Miguel Gomez, MD
Kaitlin Hollander, MD
Neil Jackson, MD
Caroline Kovaleski, MD
Bonnie Kowk, MD
Jacqueline Proudfoot, MD
Teresa Schiff, MD

D. Request for Additional Privileges

Michael Madlock, CNM	Family Medicine
David Raphael, MD	Surgery

E. Request to change Primary Department

Sergio Urcuyo, MD	From: Family Medicine	To: Internal Medicine
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F. Advance to Non-Provisional

Melanie Austin, CNM	OB/GYN
Ae Sil Cheun, NP	Family Medicine
Michael Ciranni, PhD	Psychiatry/Psychology
Alessandra D'Avanzo, MD	Family Medicine

Zita Latona, MD	Family Medicine
Mehrdad Mansouri, MD	Family Medicine
Jasdeepa Nagi, MD	Internal Medicine
Luren Pak, NP	Family Medicine
Lorraine Romero, NP	Family Medicine
Renan Sagum, NP	Family Medicine
Scott Turpin, MD	Psychiatry/Psychology

G. Biennial Reappointments

Neary Arpakirakil, MD	Family Medicine	A
Rodney Chan, MD	Surgery	A
Craig Desoer, DMP	Family Medicine	A
Jan Diamond, MD	Family Medicine	C
Matthew Falk, MD	Family Medicine	C
Chris Farnitano, MD	Family Medicine	A
David Goldstein, MD	Emergency Medicine	A
Jonathan Kalkstein, MD	Psychiatry/Psychology	C
David Kleinerman, MD	Surgery	A
Zita Latona, MD	Family Medicine	C
Jeremy Lieb, MD	Surgery	C
Trang Lehman, MD	Family Medicine	A
John Lipson, MD	Family Medicine	P/A
Ritu Malik, MD	Emergency Medicine	A
Wilfredo Manuntag, MD	Family Medicine	A
Craig Nielsen, MD	Anesthesia	A
Gary Nye, MD	Psychiatry/Psychology	C
Michael Puell, MD	Family Medicine	A
Leah Romito, MD	Family Medicine	C
Indra Singh, MD	Psychiatry/Psychology	P/C
Rachael Steinhart, MD	Emergency Medicine	A
Sonia Sutherland, MD	Internal Medicine	A
Opal Taylor, MD	Emergency Medicine	A
Christopher Voscopoulos, MD	Anesthesia	A

H. Biennial Renew of Privileges

Rebecca Arcos, NP	Family Medicine	AFF
Michelle Fahlsing, NP	OB/GYN	AFF
Analisa Loewen, NP	Family Medicine	AFF

I. 2nd Year Resident Reappointments

Stephanie Cheng, MD	Family Medicine
John Parr, MD	Family Medicine
Mena Ramos, MD	Family Medicine

J. Voluntary Resignations

Martin Bauman, MD	Internal Medicine
Teresa Holdbrook, NP	Affiliate
Pauline Velez, MD	Surgery



Contra
Costa
County

To: Board of Supervisors
From: INTERNAL OPERATIONS COMMITTEE
Date: July 8, 2014

Subject: NOMINATION TO THE CONTRA COSTA COUNTY PLANNING COMMISSION

RECOMMENDATION(S):

1. RESCIND Board action of June 3, 2014 that appointed Barbara Pendergrass to the At Large #1 seat on the Contra Costa County Planning Commission, and
2. RE-APPOINT Marvin Terrell to the At Large #1 seat on the County Planning Commission to a new four-year term beginning July 1, 2014 and ending June 30, 2018.

FISCAL IMPACT:

Planning Commissioners receive a County-paid stipend of \$50 per meeting, not to exceed \$300 a month, plus mileage reimbursement.

BACKGROUND:

On December 12, 2000, the Board of Supervisors approved a policy on the process for recruiting applicants for selected advisory bodies of the Board. This policy requires an open recruitment for all vacancies to At Large seats appointed by the Board. The Board also directed that the IOC personally conduct interviews of applicants for At Large seats on several boards, committees, and commissions including the Contra Costa County Planning Commission.

On June 30, 2014, the term for one Planning Commissioner expired. The term of office for the vacant seat is July 1, 2014 - June 30, 2018. At the direction of the Internal Operations Committee, staff initiated a six-week

-
- | | |
|---|---|
| <input checked="" type="checkbox"/> APPROVE | <input type="checkbox"/> OTHER |
| <input type="checkbox"/> RECOMMENDATION OF CNTY ADMINISTRATOR | <input checked="" type="checkbox"/> RECOMMENDATION OF BOARD COMMITTEE |
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: JULIE DiMAGGIO ENEA
925.335.1077

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

By: , Deputy

cc: Planning Commission Staff, IOC Staff, CoB

BACKGROUND: (CONT'D)

> recruitment by issuing a press release (attached) on February 14th advertising the vacancies with an application deadline of March 28th. The recruitment garnered six applications.

The Planning Commission's powers and duties include:

- Exercise all powers and duties prescribed by law (statute, ordinance or board order), including consideration of matters referred to it by the zoning administrator except those powers and duties specifically reserved or delegated to other divisions of the planning agency;
- Initiate preparation of general plans, specific plans, regulations, programs and legislation to implement the planning power of the county;
- Be generally responsible for advising the legislative body of matters relating to planning, which, in the opinion of the commission, should be studied;
- Be the advisory agency as designated in Title 9 of this code for the purpose of passing on subdivisions;
- Hear and decide all applications or requests for proposed entitlements estimated to generate one hundred or more peak hour trips unless otherwise provided by this code or board order; and
- Hear and make recommendations regarding proposed development agreements when it is hearing the related project applications being processed concurrently with the development agreements.

The Committee conducted a group interview of four candidates (two did not appear). At the conclusion of the interview, the Committee selected for nomination to the At Large #1 seat on the Planning Commission:

1. Barbara Pendergrass, if she would agree to resign from the El Sobrante Municipal Advisory Council, OR
2. Marvin Terrell, in the event that Ms. Pendergrass declined the nomination.

The Board appointed Ms. Pendergrass on June 3, 2014 (Item C.46). However, on June 20, 2014, Ms. Pendergrass notified the County that she will be unable to serve due to emerging health issues. Since Ms. Pendergrass declined the appointment prior to the beginning of her term of office, we recommend that the Board rescind her appointment and re-appoint Marvin Terrell to the vacant seat.

CONSEQUENCE OF NEGATIVE ACTION:

Should the Board not approve the nomination, a new recruitment would need to be initiated, the duration of which would likely cause a gap in representation in the At Large #1 seat.

ATTACHMENTS

Media Release Planning Commission

Candidate Application_Marvin Terrell



Contra Costa County

County Administrator's Office • 651 Pine Street, 10th Floor • Martinez, CA 94553 • www.co.contra-costa.ca.us

Media Release

FOR IMMEDIATE RELEASE

Friday, February 14, 2014

Contact: Julie DiMaggio Enea
Phone: (925) 335-1077
Email: julie.enea@cao.cccounty.us

WOULD YOU LIKE TO SERVE ON THE COUNTY PLANNING COMMISSION?

The Contra Costa County Board of Supervisors is seeking an individual who is interested in serving on the County's Planning Commission. The Commission is responsible for hearing and deciding applications for proposed projects that generate more than 100 peak hour trips, and all appeals from decisions of the zoning administrator. The Commission also may initiate preparation of general plans, specific plans, regulations, programs, and legislation to implement the land use planning power of the county; is generally responsible for advising the legislative body of matters relating to planning; is the designated advisory agency for the purpose of passing on subdivisions; and hears and makes recommendations regarding proposed development agreements.

Meetings of the Planning Commission are generally held on the second and fourth Tuesdays of each month at 7:00 p.m. in Martinez. Members of the Planning Commission receive \$50 per meeting up to a monthly maximum of \$300, plus mileage expense. The appointment will be for a full four-year term ending June 30, 2018.

Application forms can be obtained from the Clerk of the Board of Supervisors by calling (925) 335-1900 or by visiting the County webpage at www.co.contra-costa.ca.us. Applications should be returned to the Clerk of the Board of Supervisors, Room 106, County Administration Building, 651 Pine Street, Martinez, CA 94553 **no later than Friday, March 28, 2014 by 5:00 p.m.** Applications will be reviewed, and invitations to interview with the Internal Operations Committee of the Board of Supervisors will be extended to qualified candidates. Interviews will take place on **Monday, May 5, 2014 at 10:30 a.m.** in Room 101, County Administration Building, 651 Pine Street, Martinez, CA 94553. The appointment will be effective on July 1, 2014.

####



Contra Costa County
CLERK OF THE BOARD OF SUPERVISORS
CONTRA COSTA CO.

RECEIVED
FEB 07 2014

For Office Use Only
Date Received:

For Reviewers Use Only:
Accepted Rejected

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:
Contra Costa County
CLERK OF THE BOARD
651 Pine Street, Rm. 106
Martinez, California 94553-1292
PLEASE TYPE OR PRINT IN INK
(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Planning Commission
PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

At Large
PRINT EXACT SEAT NAME (if applicable)

1. Name: Terrell (Last Name), Marvin (First Name), James (Middle Name)
2. Address: (No.), (Street) Concord (City), Ca (State), 94519 (Zip Code)
3. Phones: (Home No.), (Work No.), (Cell No.)
4. Email Address:

5. EDUCATION: Check appropriate box if you possess one of the following:

High School Diploma G.E.D. Certificate California High School Proficiency Certificate

Give Highest Grade or Educational Level Achieved 12

Names of colleges / universities attended	Course of Study / Major	Degree Awarded Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Golden Gate U S.F.	Labor	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>				
B)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
C)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year) From <u>Oct 1989</u> To <u>2-2014</u></p> <p>Total: Yrs. <u>24</u> Mos. <u>4</u></p> <p>Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title <u>C.C. Planning Commissioner</u></p> <p>Employer's Name and Address <u>Retired</u></p>	<p>Duties Performed</p>
<p>B) Dates (Month, Day, Year) From <u>1983</u> To <u>1989</u></p> <p>Total: Yrs. <u>6</u> Mos. <input type="text"/></p> <p>Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title <u>Parks & Rec Commission</u> <u>City of Concord</u></p> <p>Employer's Name and Address</p>	<p>Duties Performed</p>
<p>C) Dates (Month, Day, Year) From <input type="text"/> To <input type="text"/></p> <p>Total: Yrs. <input type="text"/> Mos. <input type="text"/></p> <p>Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Employer's Name and Address</p>	<p>Duties Performed</p>
<p>D) Dates (Month, Day, Year) From <input type="text"/> To <input type="text"/></p> <p>Total: Yrs. <input type="text"/> Mos. <input type="text"/></p> <p>Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Employer's Name and Address</p>	<p>Duties Performed</p>

7. How did you learn about this vacancy?

CCC Homepage Walk-In Newspaper Advertisement District Supervisor Other

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No Yes

If Yes, please identify the nature of the relationship:

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations? No Yes

If Yes, please identify the nature of the relationship:

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name:

Date: 2-6-14

Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.



Contra
Costa
County

To: Board of Supervisors
From: Karen Mitchoff, District IV Supervisor
Date: July 8, 2014

Subject: APPOINT Brent Trublood to the Economic Opportunity Council, District IV Seat

RECOMMENDATION(S):

APPOINT the following individual to the District IV seat on the Economic Opportunity Council to a term ending on June 30th, 2015, as recommended by Supervisor Mitchoff:

Brent Trublood
1415 Gary Drive
Concord, CA 94518

FISCAL IMPACT:

None.

BACKGROUND:

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: L.Chow,
925-521-7100

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The Economic Opportunity Council duties and responsibilities include: To participate in, and advise the Board of Supervisors regarding the selection of the Director. To exercise all powers delegated to it by the Board of Supervisors. To hold public hearings to determine overall program goals for the EOC. To review fiscal and programmatic reports submitted by staff and the performance of Community Services Block Grant contractors and the Weatherization program services. To select its officers and appoint members to EOC Committees. To make recommendations to the Board of Supervisors on all program proposals and budgets related to Community Services Block Grant and the Weatherization program. To require and receive budget and other reports prepared by staff every other month along with an Annual Report in September.

CONSEQUENCE OF NEGATIVE ACTION:

Position on the Economic Opportunity Council would remain vacant.

CHILDREN'S IMPACT STATEMENT:

None.



Contra
Costa
County

To: Board of Supervisors
From: Karen Mitchoff, District IV Supervisor
Date: July 8, 2014

Subject: Reappointment to the Contra Costa County Fire Protection District's Fire Advisory Commission

RECOMMENDATION(S):

REAPPOINT the following individual to the District IV Alternate Seat of the Contra Costa County Fire Protection District's Fire Advisory Commission for a four-year term with an expiration date of June 30, 2018, as recommended by Supervisor Karen Mitchoff:

Dylan Reinhold
5190 Garaventa Drive
Concord, CA 94521

FISCAL IMPACT:

None.

BACKGROUND:

The Commission was established to review and advise on annual operations and capital budgets; to review district expenditures; to review and advise on long-range capital improvement plans; pursuant to district ordinance to serve as the Appeals Board on weed abatement matters; to advise the Fire Chief on district service

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Laura Case
925-521-7100

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

matters; to meet jointly with the Board of Supervisors and provide advice to the board as needed; to communicate with the other fire district advisory commissions on services and functional integration; to assist in the Fire Chief's selection process as required; to serve as liaison between the Board of Supervisors and the community served by each district; to perform such other duties and responsibilities as may be assigned and as directed by the Board of Supervisors. The Commission consists of 7 members and 5 alternates. Terms for all Commission seats are four years.

CONSEQUENCE OF NEGATIVE ACTION:

The alternate seat for District IV will be vacant.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Karen Mitchoff, District IV Supervisor
Date: July 8, 2014

Subject: Declare Vacancies on the Contra Costa Centre Municipal Advisory Council

RECOMMENDATION(S):

DECLARE vacant Seat 2 and Seat 6 on the Contra Costa Centre Municipal Advisory Council due to resignations, and DIRECT the Clerk of the Board to post the vacancies as recommended by Supervisor Mitchoff.

FISCAL IMPACT:

None.

BACKGROUND:

On June 17, 2014 James Egnor-Keil (Seat 6) and Marylee Martinez (Seat 2) notified Supervisor Mitchoff of their resignation from the Contra Costa Centre Municipal Advisory Council . The term for both seats expires on January 4, 2015.

The Contra Costa Centre Municipal Advisory Council advises the Board of Supervisors on local government services. In addition to advising the Board of Supervisors, the Council also provides input to county staff or any county hearing body on issues of concern to the community.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Laura Case
925-521-7100

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If Seats 2 and 6 on the Contra Costa Centre Municipal Advisory Council are not declared vacant it will not be possible to fill the seats.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: Appointment to the Contra Costa Interjurisdictional Council on Homelessness

RECOMMENDATION(S):

APPOINT Kevin Corrigan to the County Government seat 1 on the Contra Costa Inter-jurisdictional Council on Homelessness with a term expiring on March 31, 2016.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The Contra Costa Inter-jurisdictional Council on Homelessness (CCICH) was established on March 11, 2008, combining the efforts of the Contra Costa County Homeless Continuum of Care Board and the Homeless Inter-Jurisdictional Inter-Departmental Work Group. CCICH is charged with providing a forum for communication and coordination about the overall implementation of the Ten Year Plan to End Homelessness and providing advice and input on the operations of homeless services. CCICH meets on a regular basis to discuss issues surrounding homelessness throughout the County and is made up of representatives from city and county government, health care, law enforcement, service providers and consumers.

The Council membership includes two seats representing County government. Seat #1 is appointed by the

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Dorothy Sansoe,
925-335-1009

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

County Administrator and seat #2 is appointed by the Conservation and Development Director. The current appointee to County Government Seat #1 is retiring and a new representative has been selected.

CONSEQUENCE OF NEGATIVE ACTION:

The position will not be filled and County Government will not be represented on the Council.

CHILDREN'S IMPACT STATEMENT:

Not Applicable

ATTACHMENTS

Application



**Contra
Costa
County**

For Office Use Only
Date Received:

For Reviewers Use Only:
Accepted Rejected

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:
Contra Costa County
CLERK OF THE BOARD
651 Pine Street, Rm. 106
Martinez, California 94553-1292
PLEASE TYPE OR PRINT IN INK
(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Inter-jurisdictional Council on Homelessness

County Government 1

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Corrigan, Kevin Joseph
 (Last Name) (First Name) (Middle Name)

2. **Address:** 1255 Oak Crest Court; Martinez, CA 94553
 (No.) (Street) (Apt.) (City) (State) (Zip Code)

3. **Phones:** 925-957-9840 925-335-1022
 (Home No.) (Work No.) (Cell No.)

4. **Email Address:** kevin.corrigan@cao.cccounty.us

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma G.E.D. Certificate California High School Proficiency Certificate

Give Highest Grade or Educational Level Achieved: Masters of Public Health

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) University of Notre Dame	Anthropology	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	124		BA	12/74
B) University of Hawaii	International Health	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	33		MPH	12/77
C)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year) From <u> </u> To <u> </u> 09/07 Present Total: Yrs. <u> </u> Mos. <u> </u> 6 9 Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p>Title Senior Management Analyst Employer's Name and Address Contra Costa County; County Administrator's Office 651 Pine Street - 10th Floor Martinez, CA 94553</p>	<p>Duties Performed Reviews departmental fiscal, personnel and contractual requests; Reviews, analyzes and monitors departmental budgets, prepares recommendation for Sr. Deputy County Administrator for 4 County departments.</p>
<p>B) Dates (Month, Day, Year) From <u> </u> To <u> </u> 5/98 09/07 Total: Yrs. <u> </u> Mos. <u> </u> 9 2 Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p>Title Program Administrator Employer's Name and Address Community Wellness & Prevention Program 597 Center Ave. Martinez, CA 94553</p>	<p>Duties Performed Manages the project budgets; provides supervision to program support staff; advises program director and project managers on budget, personnel and administrative policy for 8 community service programs.</p>
<p>C) Dates (Month, Day, Year) From <u> </u> To <u> </u> 9/94 5/98 Total: Yrs. <u> </u> Mos. <u> </u> 3 9 Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p>Title Senior Health Education Specialist Employer's Name and Address Community Wellness & Prevention Program 597 Center Ave. Martinez, CA 94553</p>	<p>Duties Performed Works closely with public, private and nonprofit agencies to identify emerging childhood injury issues and develop effective prevention strategies.</p>
<p>D) Dates (Month, Day, Year) From <u> </u> To <u> </u> 2/92 8/94 Total: Yrs. <u> </u> Mos. <u> </u> 2 6 Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p>Title District Manager Employer's Name and Address NovaCare Inc. 1533 Crossbrook Drive Moraga, CA</p>	<p>Duties Performed Managed region program for service organization that provided Physical Therapists, Occupational Therapists and Speech and Language Pathologists to skilled nursing facilities and freestanding hospitals.</p>

7. How did you learn about this vacancy?

CCC Homepage Walk-In Newspaper Advertisement District Supervisor Other Sr. Deputy County Admin.

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No Yes

If Yes, please identify the nature of the relationship:

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

No Yes

If Yes, please identify the nature of the relationship: Employee

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name: 

Date: 6/11/2014

Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA and for
Special Districts, Agencies and Authorities Governed by the Board Adopted Resolution
no. 2011/55 on 2/08/2011 as follows:**

IN THE MATTER OF ADOPTING A POLICY MAKING FAMILY MEMBERS OF THE BOARD OF SUPERVISORS INELIGIBLE FOR APPOINTMENT TO BOARDS, COMMITTEES OR COMMISSIONS FOR WHICH THE BOARD OF SUPERVISORS IS THE APPOINTING AUTHORITY

WHEREAS the Board of Supervisors wishes to avoid the reality or appearance of improper influence or favoritism;
NOW, THEREFORE, BE IT RESOLVED THAT the following policy is hereby adopted:

- I. SCOPE: This policy applies to appointments to any seats on boards, committees or commissions for which the Contra Costa County Board of Supervisors is the appointing authority.
- II. POLICY: A person will not be eligible for appointment if he/she is related to a Board of Supervisors' Member in any of the following relationships:
1. Mother, father, son, and daughter;
 2. Brother, sister, grandmother, grandfather, grandson, and granddaughter;
 3. Great-grandfather, great-grandmother, aunt, uncle, nephew, niece, great-grandson, and great-granddaughter;
 4. First cousin;
 5. Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
 6. Sister-in-law (brother's spouse or spouse's sister), brother-in-law (sister's spouse or spouse's brother), spouse's grandmother, spouse's grandfather, spouse's granddaughter, and spouse's grandson;
 7. Registered domestic partner, pursuant to California Family Code section 297.
 8. The relatives, as defined in 5 and 6 above, for a registered domestic partner.
 9. Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: Declare a Vacancy on the Advisory Council on Equal Employment Opportunity

RECOMMENDATION(S):

ACCEPT the resignation of William Truesdell as Community Seat Member #2 on the Advisory Council on Equal Employment Opportunity, which expires on November 30, 2014; DECLARE a vacancy and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Affirmative Action Officer.

FISCAL IMPACT:

None

BACKGROUND:

The Advisory Council on Equal Employment Opportunity was established on June 9, 1991 to serve as an advisory committee to the Board of Supervisors regarding the implementation of the County's Affirmative Action Plan, to review the Affirmative Action Program, and recommend actions to facilitate attainment of the County's goals for affirmative action and equal employment opportunity.

CONSEQUENCE OF NEGATIVE ACTION:

The seat will remain vacant.

CHILDREN'S IMPACT STATEMENT:

None

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

**VOTE OF
SUPERVISORS**

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: July 8, 2014

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

Contact:
925-335-1045

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: THE ADVISORY COUNCIL ON EQUAL EMPLOYMENT OPPORTUNITY APPOINTMENTS AND VACANCY

RECOMMENDATION(S):

1. ACCEPT the resignation of Debra Carrell from the Labor Involved in Training Programs Member seat on the Advisory Council on Equal Employment Opportunity, which expires November 30, 2014; DECLARE a vacancy; and DIRECT the Clerk of the Board to post the vacancy.

2. REAPPOINT the following individuals to the Advisory Council on Equal Employment Opportunity:

Gayle Walls-Burns	Labor Organization 1	12/1/13-11/30/15
Larry Jones	Labor Organization 2	12/1/14-11/30/16
Keith Cormier	Management 1	12/1/12-11/30/15

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

**VOTE OF
SUPERVISORS**

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: July 8, 2014

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

Contact:
925-335-1455

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

>

FISCAL IMPACT:

None

BACKGROUND:

The Advisory Council on Equal Employment Opportunity was established on June 9, 1991 to serve as an advisory committee to the Board of Supervisors regarding the implementation of the County's Affirmative Action Plan, to review the Affirmative Action Program, and recommend actions to facilitate attainment of the County's goals for affirmative action and equal employment opportunity.

CONSEQUENCE OF NEGATIVE ACTION:

The committee will not be able to fulfill the Board of Supervisors goal of facilitating equal employment opportunities within the County's workforce.

CHILDREN'S IMPACT STATEMENT:

None



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Appropriation Adjustment for Crockett - Carquinez FPD Fire Engine Replacement

RECOMMENDATION(S):

APPROVE Fiscal Year 2013-14 Appropriation and Revenue Adjustment No. 5096 and AUTHORIZE the transfer of revenue from the Crockett - Carquinez Fire Protection District Fund available balance and appropriate it to Crockett - Carquinez Fire Protection District Fund Autos & Trucks, in the amount of \$500,000.00 for the purchase of a replacement fire engine, Crockett area.

FISCAL IMPACT:

100% Crockett - Carquinez Fire Protection District Fund, Fund 202800.

BACKGROUND:

The appropriation adjustment is necessary to fund the replacement of a 35-year-old fire engine that is becoming too costly to maintain and repair.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Crockett - Carquinez Fire Protection District will not have enough appropriated funds to cover the replacement of the old fire engine.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Daniel Lesnick,
925-313-2376

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

By: , Deputy

cc:

ATTACHMENTS

TC 27 & 24

#5096

CONTRA COSTA COUNTY
 APPROPRIATION ADJUSTMENT /
 ALLOCATION ADJUSTMENT
T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

- BOARD OF SUPERVISORS
- COUNTY ADMINISTRATOR
- AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT : CROCKETT - CARQUINEZ FIRE PROTECTION DISTRICT			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
7028	4953	AUTOS & TRUCKS		00	500,000 00
TOTALS			0	00	500,000 00

APPROVED

AUDITOR-CONTROLLER:

BY: Maria Pineda DATE 6/26/14

COUNTY ADMINISTRATOR:

BY: [Signature] DATE 6/30/14

BOARD OF SUPERVISORS:

YES:

NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST:

To appropriate Crockett - Carquinez Fire Protection District available fund balance for the purchase of a new fire engine to replace a 35 year old engine.

FISCAL YEAR 2013-14

[Signature] Acting PW Chf of
 Admn Svcs
 SIGNATURE TITLE DATE 6/12/14

APPROPRIATION APOO 5096
 ADJ. JOURNAL NO.

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 : CROCKETT - CARQUINEZ FIRE PROTECTION DISTRICT			
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE		<DECREASE>
7028	8981	FUND BALANCE AVAILABLE	500,000	00	00
TOTALS			500,000	00	0 00

APPROVED

AUDITOR-CONTROLLER:

BY: Mari Rothstein DATE 6/26/14

COUNTY ADMINISTRATOR:

BY: A. Strobel DATE 6/30/14

BOARD OF SUPERVISORS:

YES:

NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST:

To appropriate Crockett - Carquinez Fire Protection District available fund balance for the purchase of a new fire engine to replace a 35 year old engine.

FISCAL YEAR 2013-14

Judy Lytle Acting PW Chf of Admn Svcs 6/12/14
 SIGNATURE TITLE DATE

REVENUE ADJ. RAOO 5096
 JOURNAL NO.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Revenue Adjustment for Unanticipated Revenue and Appropriation for Estimated Expenditures in Various Flood Control Funds for Fiscal Year 2013/14.

RECOMMENDATION(S):

Approve prior year Appropriation and Revenue Adjustment No. 5097 and AUTHORIZE: 1) new revenue in Flood Control Drainage Area 52B, Fund 254900, for Drainage Area Fees collected, \$34,762, and in Flood Control Drainage Area 130, Fund 256200, for Drainage Fees collected, \$1,166,044, and Grant Revenues received, \$1,248,278, and 2) the transfer of revenue from Flood Control Zone 1, Fund 252100, to Drainage Area 130, in the amount of \$400,000 to reimburse for the expense for the Upper Sand Creek Basin Project.

FISCAL IMPACT:

This action provides additional appropriations from unanticipated realized revenues in Flood Control Drainage Area Funds and budgets for expenditures for Fiscal Year 2013/14 (1.4% FC Zone 1, Fund 252100, 1.2% FC Drainage Area 52B, Fund 254900, and 97.4% FC Drainage Area 130, Fund 256200).

BACKGROUND:

This action appropriates unanticipated FY 2013/14 revenue and provides adjustments to Public Works Flood Control funds for estimated expenditures and includes additional appropriations from Flood Control Zone 1, Fund 252100, to Drainage Area 130, Fund 256200, for additional

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Diana Oyler,
925-313-2122

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

expenditures for the Upper Sand Creek Basin Project (7562-6D8518). Drainage Area 130 was formed as an overlay within Zone 1. The Sand Creek Basin exists in both FC Zone 1 and DA 130 and both funds are to share in the costs of the project. Revenue collected can be used for the planning and construction of flood control and water conservation facilities.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, expenditures will exceed current budgets in various Flood Control Funds.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

TC 24 & 27 #5097

CONTRA COSTA COUNTY
 APPROPRIATION ADJUSTMENT /
 ALLOCATION ADJUSTMENT
T/C 27

AUDITOR-CONTROLLER USE ONLY

FINAL APPROVAL NEEDED BY:

- BOARD OF SUPERVISORS
 COUNTY ADMINISTRATOR
 AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT : Public Works Department - Flood Control			
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>		INCREASE
FLOOD CTL DRAINAGE ARE 52B - FUND 254900					
7549	2310	NON CNTY PROF SPCLZD SVCS			5,000 00
7549	3611	INTERFUND - GOV/GOV			5,000 00
7549	5011	REIMBURSEMENTS - GOV/GOV			24,762 00
7549	6301	RESERVE FOR CONTIGENCIES	34,762	00	
7549	6301	APPROPRIATENEW REVENUE			34,762 00
FLOOD CNTL Z 1 MARSH CR - FUND 252100					
7521	2479	OTHER SPECIAL DPMTAL EXP	400,000	00	
7521	5011	REIMBURSEMENTS - GOV/GOV			400,000 00
FLOOD CTL DRAINAGE AREA 130 - FUND 256200					
7562	2310	NON CNTY PROF SPCLZD SVCS			100,000 00
7562	2319	PUBLIC WORKS CONTRACTS			2,214,322 00
7562	5011	REIMBURSEMENTS - GOV/GOV			500,000 00
7562	6301	RESERVE FOR CONTIGENCIES	2,814,322	00	
7562	6301	APPROPRIATENEW REVENUE			2,814,322 00
TOTALS			3,249,084	00	6,098,168 00

APPROVED

AUDITOR-CONTROLLER:

BY: Marie Pothoda DATE 6/27/14

COUNTY ADMINISTRATOR:

BY: [Signature] DATE 6/30/14

BOARD OF SUPERVISORS:

YES:

NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST:

Appropriation Adjustment to resolve FY 2013/14 over expenditures in various Flood Control accounts. Appropriate revenue from FC Z1 to FC DA 130 for it's share of expenses due to change orders for Upper Sand Creek Basin.

[Signature] [Signature]
 SIGNATURE TITLE DATE 6/27/14

APPROPRIATION APOO 5097
 ADJ. JOURNAL NO.

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 : Public Works Department - Flood Control		
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
7549	9140	FLOOD CTL DRAINAGE 52B - FUND 254900 OTHER LICENSES & PERMITS	34,762	00
7562	9140	FLOOD CTL DRAINAGE AREA 130 - FUND 256200 OTHER LICENSES & PERMITS	1,166,044	00
7562	9595	MISC GOVT AGENCIES	1,248,278	00
7562	9956	TRANSFERS - GOV/GOV	400,000	00
TOTALS			2,849,084	00
				0 00

APPROVED

AUDITOR-CONTROLLER:

BY: Maria Rullo DATE 6/27/14

COUNTY ADMINISTRATOR:

BY: Shobel DATE 6/30/14

BOARD OF SUPERVISORS:

YES:

NO:

BY: _____ DATE _____

EXPLANATION OF REQUEST:

Appropriation Adjustment to resolve FY 2013/14 over expenditures in various Flood Control accounts. Appropriate revenue from FC Z1 to FC DA 130 for additional expense due to change orders for Upper Sand Creek Basin.

Judy Kiser Acting PW Fiscal Off. 6-27-14
SIGNATURE TITLE DATE

REVENUE ADJ. RAOO 5097
JOURNAL NO.



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: Oppose Position on AB 1621 Emergency Medical Services: Data and Information System (Lowenthal), as amended

RECOMMENDATION(S):

ADOPT a "Oppose" position on AB 1621 (Lowenthal), as amended: Emergency Medical Services: Data and Information System, a bill that requires the Emergency Medical Services Authority to adopt a single statewide standard for the collection of information regarding pre-hospital care to determine and monitor the quality and effectiveness of the statewide emergency medical services system, and to develop regulations for electric patient care records by local agencies, as recommended by the Health Services Director.

FISCAL IMPACT:

According to the Assembly Appropriations Committee:

1. One-time information technology costs in the range of \$300,000. The requirements of the system are not specified in detail, and would be elucidated through the regulatory process.
2. One-time administrative costs to EMSA in the range of \$300,000 to develop standards and regulations, and minor ongoing administrative costs.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: L. DeLaney,
925-335-1097

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

By: , Deputy

cc:

BACKGROUND:

The Director of Health Services has requested the County take an "Oppose" position on AB 1621. Because the Legislation Committee does not meet again until August 7, 2014, the County Administrator's Office is referring the bill to the Board of Supervisors for immediate action.

Current Status: 06/24/2014: In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

SUBJECT: Emergency medical services: data and information system.

SUMMARY: Requires the Emergency Medical Services Agency (EMSA) to adopt a single statewide standard for the collection of information regarding pre-hospital care for its California Emergency Medical Services Information System (CEMSIS), requires EMSA to develop standards for electronic patient care records systems used by local emergency medical services (EMS) agencies and local pre-hospital EMS providers to ensure compatibility with CEMSIS, and requires local EMS agencies to submit patient information to EMSA utilizing the single statewide standard in a timely manner.

Existing law:

1. Establishes EMSA, which is responsible for the coordination and integration of all state activities concerning EMS, including the establishment of minimum standards, policies, and procedures.
2. Requires EMSA, utilizing regional and local information, to assess each EMS area or the system's service area for the purpose of determining the need for additional emergency services, and the coordination and effectiveness of EMS.
3. Requires EMSA to develop planning and implementation guidelines for EMS systems which address specified components, including communications, system organization and management, and data collection and evaluation.
4. Authorizes counties to develop an EMS program and designate a Local Emergency Medical Services Agency (LEMSA) responsible for planning and implementing an EMS system, which includes day-to-day EMS system operations.
5. Establishes an 18-member Commission on EMS, within the California Health and Human Services Agency (HHSA). Defines the duties of the Commission to include reviewing regulations, standards, and guidelines developed by EMSA; advising EMSA on a data collection system; advise on emergency facilities and services, emergency communications, medical equipment, personnel training, and various aspects of the EMS system; and, to make recommendations for further development of the EMS system.

This bill:

1. Requires EMSA, in order to fulfill its responsibility to assess emergency medical services and their effectiveness, to utilize its CEMSIS and adopt a single statewide standard for the collection of information regarding pre-hospital care to determine and monitor the quality and effectiveness of the statewide emergency medical services system, compliant with the most current National Emergency Medical Services Information System (NEMSIS) standards, and to avoid unnecessary duplication of data collection at the local level.
2. Requires EMSA to develop regulations and standards for electronic patient care records systems used by LEMSAs and local pre-hospital EMS providers to ensure compatibility with CEMSIS, including, but not limited to, a common data dictionary, integration of first responder data, transport provider data, and patient outcome data, and compliant with current NEMSIS standards and privacy requirements in state and federal law.
3. Requires the privacy requirements of the electronic patient care records systems to ensure that all patient data obtained from EMS providers for the purpose of this bill is subject to legal privacy and security standards

consistent with privacy and security standards consistent with privacy and security protections for personal health data in the possession of EMS providers under state and federal law.

4. Requires the regulations and standards developed by EMSA on the electronic patient care records systems to describe standards for the purpose of standardizing data collection.
5. Requires the regulations and standards developed by EMSA on the electronic patient care records systems to allow the use of any pre-hospital electronic patient record system, provided that the system is compatible with CEMSIS, compliant with NEMSIS, and meets the standards set by EMSA.
6. Requires EMSA to consult with stakeholders in the development of standards and compatibility with CEMSIS, including air ambulance providers and other entities not included in the California Commission on Emergency Medical Services members.
7. Requires LEMSAs and local pre-hospital EMS providers that upgrade or purchase an electronic patient care record system on or after the date EMSA issues final guidance on the regulations and standards for electronic patient care records systems to ensure that the system complies with the standards contained in that guidance.
8. Requires LEMSAs to submit patient information consistent with the requirements of this bill regarding a single statewide standard to EMSA in a timely manner, using NEMSIS standards and electronic transfer when available.
9. Requires EMSA, in order to exercise the powers and duties conferred upon it by this bill and related provisions of law, to adopt, amend or repeal any rules, regulations, or standards as may be necessary.
10. Requires EMSA to post any proposed rules promulgated under this bill on its public Internet Web site no later than 90 calendar days prior to the effective date of the proposed rule, and to also include notification to the public regarding how members of the public may comment, including the date by which those comments must be received in order to be considered by EMSA.
11. Specifies that this bill and any rules and regulations adopted under this bill will only be implemented to the extent that funds are made available through an appropriation in the annual Budget Act.
12. Requires EMSA to comply with the provisions of this bill on or before July 1, 2016.

PRIOR VOTES:

Assembly Health: 19- 0
Assembly Appropriations: 17- 0
Assembly Floor: 79- 0

COMMENTS:

1. Author's statement. According to the author, accurate and timely data collection is a critical component of any system designed to evaluate the effectiveness of a program. While EMSA is charged in statute with overseeing and coordinating EMS throughout the state and has utilized its CEMSIS to collect data from the 33 LEMSAs to do so, submission of information by local agencies is voluntary, and historically inconsistent. A review in 2013 found that approximately half of the LEMSAs are not reporting data to EMSA. As EMS providers transition to electronic patient records, it will be essential that data collection is consistent across various platforms, that LEMSAs have clear guidelines for system components and data points, that any electronic platform has the ability to securely track patient care and outcome data, and that statewide and local standards take into account system limitations, and remain compatible with national data collection standards to ensure that we have an accurate picture of EMS across the state.
2. NEMSIS and CEMSIS. NEMSIS was formed in 2001 by the National Association of State EMS Directors, in conjunction with the National Highway Traffic Safety Administration and the Trauma/EMS Systems program of

the Health Resources and Services Administration's Maternal Child Health Bureau, in order to develop a national EMS database. NEMSIS is the national repository that will be used to potentially store EMS data from every state in the nation, and was developed to help states collect more standardized elements to allow submission to the national database. According to EMSA, CEMSIS is a demonstration project for improving EMS data analysis across California. CEMSIS offers a secure, centralized data system for collecting data about individual EMS requests, patients treated at hospitals, and EMS provider organizations. EMSA states that at least 14 of California's 33 LEMSAs currently send a variety of local data collections to CEMSIS on a voluntary basis, and in return, these local agencies gain access to digital tools for running comprehensive reports on their own data at no cost. EMSA states when fully operational with 100 percent local participation, it is estimated that CEMSIS will catalogue more than three million EMS events per year. According to EMSA, it will use the data to develop and coordinate high quality emergency medical care in California through activities such as healthcare quality programs that monitor patient care outcomes, agency collaboration across jurisdictional boundaries, and public health surveillance. In order to improve local data quality and prepare California EMS for health information exchange, EMSA is planning to adopt new data standards known as NEMSIS Version 3, which will provide a set of tools that EMS professionals can use to integrate EMS patient care data with electronic medical records at hospitals, leading to better patient outcomes and a smarter system of care. EMSA's website states that it is targeting transition to NEMSIS Version 3 no later than the end of this year.

3. Related legislation. AB 1975 (R. Hernandez) would require LEMSAs to contract with the American College of Surgeons every five years to conduct a comprehensive assessment of their regional trauma system. AB 1975 was held on the Assembly Appropriations Committee suspense file.

4. Prior legislation. SB 535 (Nielsen), of 2013, would have increased the membership of the EMS Commission from 18 to 20 members, and required the additional members to be an air ambulance representative appointed by the Senate Committee on Rules, and representative appointed by the Speaker of the Assembly from a public agency that provides air rescue and transport. SB 535 was vetoed by the Governor.

5. Support. This bill is supported by a number of ambulance organizations. American Medical Response states that adopting a single statewide standard for the collection of pre-hospital care information would provide important data needed to assess existing EMS systems and establish performance indicators and quality initiatives across the state. The California Ambulance Association states that collecting and analyzing data gives us enormous potential to look for trends, discover new therapies and find ways to improve care and operations. Paramedics Plus states that patient care is enhanced when all EMS providers and stakeholders follow uniform statewide EMS reporting standards. This bill is also supported by the California Hospital Association (CHA), which states that advances in technology are bringing new opportunities to vastly improve communication and transfer of patient data, and that effective use of health information exchange among California's EMS providers is of critical importance in day-to-day operations.

6. Opposition. The Emergency Medical Services Administrators Association of California (EMSAAC), which represents the 33 LEMSAs, states in opposition that recent amendments requiring a single statewide standard would upend the existing EMS statutory structure whereby EMSA establishes statewide minimum standards that LEMSAs may exceed based on locally identified needs. According to EMSAAC, by mandating a single statewide standard and depending on how it is crafted, rural LEMSAs could find the standard too cumbersome or urban LEMSAs could find it too basic to meet their complex system needs. EMSAAC also states it remains opposed to the mandate that LEMSAs submit patient data to EMSA, stating that a requirement in statute to submit patient information would prove onerous on stretched-thin LEMSAs. Finally, EMSAAC notes that without a requirement that hospitals provide patient disposition and outcome data to LEMSAs, there would be huge amount of critical information missing from the uniform standards this bill seeks to ensure.

The Regional County Representatives of California state in opposition that many LEMSAs already have these systems in place or have plans to do so, and that this bill is not necessary since it will only impose costs to those rural LEMSAs that can least afford it. San Joaquin County Health Care Services Agency states that the requirements imposed by this bill would limit local flexibility and increase the difficulty in managing the costs associated with implementing electronic patient care record software in local EMS systems.

7. Drafting concerns.

a. Conflict with single statewide standard. On page 4, lines 1-4, this bill requires LEMSAs to submit information consistent with the requirements of paragraph (1) of subdivision (a), which is the single statewide standard that is to be developed by this bill. The bill then goes on to state that LEMSAs can use NEMSIS standards when available. A single statewide standard, even while it is required to be compliant with NEMSIS, is not necessarily the same thing as a NEMSIS standard. To correct this possible conflict, the following amendment is suggested:

(c) Local EMS agencies shall submit patient information

consistent with the requirements of paragraph (1) of subdivision

(a) to the authority in a timely manner, using national NEMSIS

standards and electronic transfer when available.

b. Unnecessary duplication of the rulemaking authority. On page 4, lines 5-9, this bill gives rulemaking authority to EMSA. However, existing law already contains this same broad rulemaking authority (Health and Safety Code 1797.107). Additionally, on page 4, lines 10-16, this bill requires this rulemaking process to include certain requirements that are duplicative of the existing Administrative Procedures Act. These two subdivisions (page 4, lines 5-16) should be deleted from the bill.

8. Policy comment. The introduced version of this bill included provisions requiring hospitals to include LEMSAs in health information exchange development with the objective of exchanging critical patient data with EMS providers, and to provide patient disposition information to LEMSAs for purposes of quality improvement. These provisions were amended out in the Assembly. However, the handoff of patients from ambulances to emergency departments is a critical and information-dependent moment in the care of a patient. Being able to transfer patient data from the field to the emergency department electronically prior to arrival would be of obvious benefit to patient care. Similarly, having information regarding the ultimate disposition of the patient provided back to the LEMSA would help LEMSAs to evaluate the effectiveness of the care provided by the EMS providers prior to delivering the patient to the hospital. While standardizing the reporting of EMS patient data to EMSA is an important first step, making sure hospitals are fully included in the exchange of this information should be an objective for policymakers.

SUPPORT AND OPPOSITION:

Support: American Federation of State, County and Municipal Employees, AFL-CIO

American Medical Response

California Ambulance Association

California Association of Air Medical Services

California Hospital Association

Paramedics Plus

PHI Air Medical

Oppose: California State Association of Counties

County Health Executives Association of California

Emergency Medical Services Administrators Association of California

Rural County Representatives of California

San Joaquin County Health Care Services Agency

COMMENTS FROM CONTRA COSTA HEALTH SERVICES: EMSAAC is opposing AB 1621 and in its present form of an oppressive unfunded mandate. EMSA is making a grab away of local control in these matters and has a history of not partnering and being quite heavy handed in mandates of this type. It would be a real problem for us if the bill passes in its present form.

Here is the breakdown of what AB1621 really does:

1) EMSA must use CEMSIS and adopt a single statewide standard for the collection of prehospital care information.

- CEMSIS must be compliant with NEMSIS
- EMSA must comply with this by 7/1/16

2) a) EMSA must develop regulations & standards for ePCRs used by LEMSAs and EMS providers.

- Compatible with CEMSIS
- Include a data dictionary
- Integration of first responder data
- Transport provider data
- Patient outcome data
- Compliant with NEMSIS
- Privacy protections consistent with state & federal law

b) Regulations & standards (developed by EMSA) must describe standards for standardizing data collection

- These regulations & standards must allow the use of ANY prehospital ePCR system (as long as it's CEMSIS & NEMSIS compliant and meets the standards)

c) EMSA must consult with stakeholders as they develop standards and compatible with CEMSIS

d) LEMSAs and EMS providers that UPGRADE or BUY ePCR systems after EMSA releases final regulations must comply with those standards

3) LEMSAs MUST submit patient data to EMSA using NEMSIS standards and using use electronic transfer WHEN AVAILABLE

#1: Applies to the collection of ANY prehospital data (whether electronic or otherwise)

#2: Applies only to the collection of electronic data

#3: Applies to the collection of ANY prehospital data (whether electronic or otherwise)

CONSEQUENCE OF NEGATIVE ACTION:

Contra Costa County would not have a position on the bill.

ATTACHMENTS

AB 1621 Bill Text

AMENDED IN SENATE JUNE 9, 2014
AMENDED IN ASSEMBLY MAY 23, 2014
AMENDED IN ASSEMBLY APRIL 21, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1621

Introduced by Assembly Members Lowenthal and Rodriguez

February 6, 2014

An act to add Section 1797.119 to the Health and Safety Code, relating to emergency medical services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1621, as amended, Lowenthal. Emergency medical services: data and information system.

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, governs local emergency medical ~~service~~ *services* systems. The act establishes the Emergency Medical Services Authority, which is responsible for the coordination and integration of all state agencies concerning emergency medical services. Existing law also creates the Commission on Emergency Medical Services, and requires the commission to perform various duties regarding the authority and emergency medical services.

Existing law requires the authority to develop planning and implementation guidelines for emergency medical services systems that address data collection and evaluation, among other things. Existing law requires the commission to review and approve regulations, standards, and guidelines developed by the authority.

This bill would require the authority to utilize its California Emergency Medical Services Information System (CEMSIS) and adopt

~~minimum standards~~ *a single statewide standard* for the collection of information regarding prehospital care to determine and monitor the quality and effectiveness of the statewide emergency medical services system, compliant with the most current National Emergency Medical Services Information System (NEMSIS) standards, and to avoid unnecessary duplication of data collection at the local level. The bill would require the authority to develop regulations and standards for electronic patient care record systems used by local ~~emergency medical services~~ EMS agencies and local prehospital ~~emergency medical services~~ EMS providers to ensure compatibility with CEMSIS. The bill would require the authority to comply with its provisions on or before July 1, 2016. The bill would require the authority to post proposed rules and to notify the public with regard to commenting on the proposed rules, as specified.

The bill would also require local EMS agencies to submit specified information to the authority. By imposing new duties on local officials, the bill would impose a state-mandated local program.

The bill would provide that all of the above provisions and any rules or regulations adopted pursuant to those provisions would only be implemented to the extent that funds are made available through an appropriation in the annual budget act.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1797.119 is added to the Health and
- 2 Safety Code, to read:
- 3 1797.119. (a) (1) In order to fulfill the authority's
- 4 responsibility to assess emergency medical services and their
- 5 effectiveness as required by Section 1797.102, the authority shall
- 6 utilize its California Emergency Medical Services Information
- 7 System (CEMSIS) and adopt ~~minimum standards~~ *a single statewide*

1 *standard* for the collection of information regarding prehospital
2 care to determine and monitor the quality and effectiveness of the
3 statewide emergency medical *services* system, compliant with the
4 most current National Emergency Medical Services Information
5 System (NEMSIS) standards, and to avoid unnecessary duplication
6 of data collection at the local level.

7 (2) The authority shall comply with this section on or before
8 July 1, 2016.

9 (b) (1) The authority shall develop regulations and standards
10 for electronic patient care record systems used by local ~~emergency~~
11 ~~medical services~~ *EMS* agencies and local prehospital ~~emergency~~
12 ~~medical services~~ *EMS* providers to ensure compatibility with
13 CEMSIS, including, but not limited to, a common data dictionary,
14 integration of first responder ~~data and data~~, transport provider
15 data, and patient outcome data, *and* compliant with current
16 NEMSIS standards and privacy requirements in state and federal
17 law. Privacy requirements shall ensure that all patient data obtained
18 from ~~emergency medical service~~ *EMS* providers for the purpose
19 of this section is subject to legal privacy and security standards
20 consistent with privacy and security protections for personal health
21 data in the possession of ~~emergency medical services~~ *EMS*
22 providers under state and federal law.

23 (2) The regulations and standards developed by the authority
24 shall describe ~~minimum~~ standards for the ~~purposes~~ *purpose* of
25 standardizing data ~~collection and encouraging compatibility~~
26 ~~between systems.~~ *collection*. The regulations and standards shall
27 allow the use of any prehospital electronic patient record system,
28 provided that the system is compatible with CEMSIS, compliant
29 with NEMSIS, and meets the standards set by the authority.

30 (3) The authority shall consult with stakeholders in the
31 development of standards and compatibility with CEMSIS,
32 including air ambulance providers and other entities not included
33 in the California Commission on Emergency Medical Services
34 membership.

35 (4) Local ~~emergency medical services~~ *EMS* agencies and local
36 prehospital ~~emergency medical services~~ *EMS* providers that
37 upgrade or purchase an electronic patient care record system on
38 or after the date the authority issues final guidance pursuant to
39 paragraph (1) shall ensure that the system complies with standards
40 contained in that guidance.

1 (c) Local EMS agencies shall submit patient information
 2 consistent with the requirements of paragraph (1) of subdivision
 3 (a) to the authority in a timely manner, using ~~national~~ *NEMESIS*
 4 standards and electronic transfer when available.

5 (d) The authority, in order to exercise the powers and perform
 6 the duties conferred upon it by this chapter, and in accordance with
 7 Chapter 3.5 (commencing with Section 11340) of Part 1 of Division
 8 3 of the Government Code, shall adopt, amend, or repeal any rules,
 9 regulations, or standards as may be necessary.

10 (e) The authority shall post any proposed rules promulgated
 11 under this section on its public Internet Web site no later than 90
 12 calendar days prior to the effective date of the proposed rule, which
 13 shall also include notification to the public regarding how members
 14 of the public may comment, including the date by which those
 15 comments must be received in order to be considered by the
 16 authority.

17 (f) This section and any rules and regulations promulgated
 18 pursuant to this section shall ~~only~~ be implemented *only* to the
 19 extent that funds are made available through an appropriation in
 20 the annual Budget Act.

21 SEC. 2. If the Commission on State Mandates determines that
 22 this act contains costs mandated by the state, reimbursement to
 23 local agencies and school districts for those costs shall be made
 24 pursuant to Part 7 (commencing with Section 17500) of Division
 25 4 of Title 2 of the Government Code.

O



Contra
Costa
County

To: Board of Supervisors
From: Catherine Kutsuris, Conservation and Development Director
Date: July 8, 2014

Subject: Comments on the Draft Bay Delta Conservation Plan and Associated Draft Environmental Impact Report/Statement

RECOMMENDATION(S):

- 1) AUTHORIZE the Chair of the Board of Supervisors to sign a letter to the California Natural Resources Agency presenting the County's comments on the Draft Bay Delta Conservation Plan (BDCP) and associated Draft Environmental Impact Report and Environmental Impact Statement (DEIR/EIS); and
- 2) DIRECT staff to submit the letter and detailed comments on the Draft BDCP and associated DEIR/EIS prior to the July 29, 2014 deadline.

FISCAL IMPACT:

None to the General Fund. Cost of the review of BDCP and preparation of comments are funded by the Contra Costa County Water Agency.

BACKGROUND:

In December 2013, the California Natural Resources Agency released the Draft Bay Delta Conservation Plan (BDCP) and associated Draft Environmental Impact Report and Environmental Impact Statement (DEIR/EIS) for public review and comment.

The BDCP is an effort by state and federal governments, and large water districts from the Central Valley, Southern California and Bay Area, to plan and build large twin tunnels underneath the Delta that will divert fresh water from the Sacramento River before it reaches the Delta. The proposed tunnels will send the water to the export pumps near Tracy for delivery to other parts of the state. To offset the impacts to the Delta created by the construction

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Ryan Hernandez,
925-674-7824

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

of the tunnels BDCP proposes to create thousands of acres of habitat in and around the Delta. On May 13, 2014, the Board received a presentation that outlined major concerns about the negative impacts the BDCP would have on the County if the project was constructed.

Attached is a letter presenting the County's comments on the Draft BDCP and associated DEIR/EIS. There will be several more attachments that comprise of the County's detailed comments on the proposed project, as listed in the letter. Included with this report is a summary outline (Attachment A) of the County's comments specific to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). Note that the letter, the summary outline and all the attachments make up the County's detailed comments and will be submitted prior to the deadline of July 29, 2014.

The Director of Conservation and Development recommends the Board authorize the Chair to sign the letter expressing our major concerns with the project.

CONSEQUENCE OF NEGATIVE ACTION:

Not commenting on the Draft Bay Delta Conservation Plan and associated Draft Environmental Impact Report and Environmental Impact Statement limits the Board's options on how to respond to the significant and unavoidable impacts the proposed project will have on the County.

CHILDREN'S IMPACT STATEMENT:

None.

ATTACHMENTS

Contra Costa County's Comment Letter

Summary Outline of CEQA and NEPA Comments

July 29, 2014

John Laird
Secretary
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

David Murillo
Regional Director, Mid-Pacific Region
U.S. Bureau of Reclamation
Federal Office Building
2800 Cottage Way
Sacramento CA 95825-1898

Re: The Draft Bay Delta Conservation Plan (BDCP) Threatens the Delta

Dear Secretary Laird and Director Murillo:

The future of Contra Costa County is closely linked to the health of the Sacramento-San Joaquin Delta and we are writing to express our grave concerns with the threat posed by the Bay Delta Conservation Plan (BDCP) as it has been drafted. We are concerned that the BDCP threatens to take more water from the Delta than ever before, will have significant adverse impacts to water quality, and assumes that new habitat creation will be enough to provide a net improvement in the health of the ecosystem and to protect fish. The lack of meaningful stakeholder participation in the process has led to a draft project that is inadequate and deficient, fails to provide a more reliable water supply for California while concurrently failing to protect, restore, and enhance the Delta ecosystem. We respectfully request that State and Federal water leaders withdraw and revise the Draft BDCP to address these concerns.

Contra Costa County is bounded on its western, northern and eastern sides by the San Francisco Bay and the Sacramento-San Joaquin Delta, and these natural features are the basis for not only the County's identity and quality of life but also our economic vitality. The availability of good quality water in the Delta is essential for municipal drinking water for the residents of Contra Costa County as well as agriculture, recreation, and industry in this region. As a local agency responsible for land use, flood protection, and other services vital for protecting the Delta, Contra Costa County must have a key, decision-making role in governing any proposed solution to the current problems afflicting the Delta.

The 2009 Delta Reform Act requires the achievement of two coequal goals: to provide a more reliable water supply for California and to protect, restore, and enhance the Delta ecosystem. Additionally the Delta Reform Act requires the protection of the unique cultural, recreational, natural resource, and agricultural values of Delta as an evolving place. From our perspective, the BDCP is written to secure the permitting of the twin tunnels estimated at a cost of up to \$65 billion dollars, and treats the health of the Delta as an afterthought. The basis for improvement of the Delta is founded on incomplete information, heroic assumptions, and inconsistent base lines. The Draft BDCP project fails to achieve the coequal goals by harming fish, degrading the Delta's water quality and failing to include actions to expand statewide water storage or reduce reliance on the Delta.

When the BDCP planning began, the State required an agency or County to first agree not to oppose the project in order to secure a seat at the Steering Committee table. This was not a reasonable precondition. In addition, all physical impacts of the BDCP are within the Delta while the benefits are realized by water contractors located outside the Delta, yet another reason why the County should have been included in the planning of this project. During implementation, the BDCP proposes to relegate the Counties to a "Stakeholder Council" that has no ability to make decisions on behalf of the health and welfare of the Delta and the communities surrounding it. Any successful management of Delta ecosystem restoration and new Delta conveyance requires a robust Governance structure that includes the locally affected Counties. Each Delta County should have a voting seat on an entity that sits atop the BDCP governance body that oversees the development, approval and implementation of the BDCP. The entity itself should be constituted in a balanced manner with participation by agencies that sell water and control water-related infrastructure, agencies that buy water and the local governments directly impacted. The State cannot claim transparency when people who live, work, recreate, and govern in the Delta are excluded from a meaningful role in the development and implementation of a massive and expensive project like the BDCP.

Contra Costa County has experienced successful implementation of a Habitat Conservation Plan that includes federal, state and local governments working together. Our implementation structure is benefited with local governance and project impacts and mitigation are realized equally. We know it works because we have seen it work.

Taking more water from the Delta, when it is dearly needed to support beneficial uses in the Delta, creates the significant and unavoidable impacts to water quality as described in the BDCP. Water quality impacts to the Delta can be avoided by increasing the amount of water flowing out of the Delta to the San Francisco Bay. The corresponding impact of export water supply can be offset by capturing more water during high flow periods and storing it for use when exports are reduced. The proposed mitigation measure below is not mitigation; rather it is a blank check.

"Following initial operations of Conservation Measure 1 (twin tunnels), conduct additional evaluation and modeling of chloride levels to determine feasibility of mitigation to reduce chloride levels (see Mitigation Measure WQ-7)"

Real mitigation would involve binding agreements for additional flows in the Delta to reduce seawater intrusion and improve Delta water quality. There also needs to be minimum flow and water quality standards for the summer months to ensure fish protection actions in the spring and fall do not redirect impacts to the currently poorly protected summer months.

It is unfortunate that for budgetary reasons, the state and federal administrations appear to be ceding responsibility in addressing the longstanding problems with the current export and storage system to the export water contractors. It is not surprising that the product of this exporter-led process fails to provide the flows necessary to restore the Delta ecosystem, preferring instead to promote habitat restoration (to be paid primarily out of public funds). The BDCP proponents have done very little to develop a holistic and sustainable solution. They have not embraced the

full responsibility and complexity of solving the problems of fish decline, degraded Delta water quality, the increasing demands of water, and the impacts of climate change.

The State of California through its Water Action Plan and recent efforts to finally manage California's depleted groundwater basins has made a welcome step in the right direction. The current Drought Emergency Declaration has drawn attention to the need for increased storage upstream and south of the Delta so that standards established to protect fish do not need to be further relaxed during drier periods. The State response to the current emergency has also raised questions as to whether the new BDCP facilities would be operated as promised or whether the BDCP proponents would seek relaxations of the operating rules whenever dry years occur or they deem necessary.

Contra Costa County again requests that the lead agencies withdraw this flawed and inadequate Draft BDCP and establish an inclusive approach to development with involvement of local agencies and other indispensable parties that will provide a comprehensive approach to solving the problems of the Delta and sustaining a healthy ecosystem and reliable water supply.

It is unfortunate that after expenditure of more than \$200 million on planning studies and tying up the staff resources of state and federal agencies and stakeholders for more than seven years, the BDCP has failed to produce a viable or legally permissible solution to the water and ecosystem problems facing California. As such, the proposed BDCP and its associated Draft EIR/EIS should not be approved. In order to efficiently and successfully provide water for all of California, continuous collaboration and consultation on developing a suite of actions must take place based on water system operational improvements, creating water storage, levee improvements, regional self-reliance and lasting and meaningful protection of the Delta.

Attached to this letter are Contra Costa County's detailed comments on the Draft Bay Delta Conservation Plan and associated Draft Environmental Impact Report and Environmental Impact Statement. If you have any questions regarding Contra Costa County's comments, please contact me at (925) 521-7100 or Ryan Hernandez at (925) 674-7824.

Sincerely,

Karen Mitchoff
Chair
Contra Costa County Board of Supervisors

Attachments:

- A: Summary Outline of CEQA/NEPA Comments
- B: Detailed comments on BDCP Draft EIR/EIS

Secretary Laird and Director Murillo
Contra Costa County's Comments on the Draft BDCP
July 29, 2014
Page 4

- C. Detailed comments on the Draft Bay Delta Conservation Plan
- D: Detailed comments on the Draft Implementing Agreement
- E: Analysis of Historical and BDCP Project Changes to Delta outflow
- F: Analysis of other BDCP Project Impacts based on BDCP Modeling Data
- H: Previous County Comments on BDCP

Cc: Governor Jerry Brown
U.S. Secretary of Commerce, Jenny Pritzker
U.S. Secretary of Interior, Sally Jewell
Senator Diane Feinstein
Senator Barbara Boxer
Congressman George Miller
Congressman Mike Thompson
Congressman Eric Swalwell
Congressman John Garamendi
Congressman Jerry McNerney
Congressman Jared Huffman
Michael Boots, Acting Chair, Council on Environmental Quality
Will Stelle, Regional Administrator, NOAA Fisheries, West Coast Regional Office
Ren Lohofener, Regional Director, USFWS, Pacific Southwest Region
Jared Blumenfeld, Region 9 Administrator, U.S. Environmental Protection Agency
Brigadier General C. David Turner, South Pacific Region, U.S. Army Corps of Engineers
Charlton H. Bonham, Director, California Department of Fish and Wildlife
Mark W. Cowin, Director, California Department of Water Resources
Felicia Marcus, Chair, State Water Resources Control Board
Contra Costa County Board of Supervisors

BDCP Comments
Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100u.s. Bureau of Reclamation
Sacramento, CA 95814

Attachment A

Summary Outline of CEQA/NEPA Comments

The following is a summary of Contra Costa County's comments regarding the draft Bay Delta Conservation Plan (BDCP) and associated draft Environmental Impact Report/Environmental Impact Statement (DEIR/EIS) (dated December 2013):

1. The draft BDCP proposed project (Alternative 4 - Modified Tunnel Alignment) and the remaining DEIR/EIS alternatives would result in significant adverse water quality impacts in the Delta (as acknowledged in the DEIR/EIS). The DEIR/EIS is inadequate because it fails to mitigate these completely avoidable impacts to municipal and industrial, agricultural, recreational and ecosystem beneficial uses of water.
 - a. The DEIR/EIS fails to examine a reasonable range of alternatives;
 - b. The DEIR/EIS fails to analyze increased storage for capturing surplus flow in wet months which would allow increased flow for fish and water quality in drier months;
 - c. The BDCP proposed project benefits southern California at the expense of northern California, significantly harms the Sacramento-San Joaquin Delta, and does not meet the main goal of the project, improving water supply reliability;
 - d. Declaring water quality impacts caused by the SWP unavoidable contravenes the requirements of the Delta Protection Act of 1959 which requires the SWP to maintain salinity control in the Delta and prohibits export of water that is required to meet the needs of the Delta;
 - e. The DEIR/EIS fails to avoid the impact altogether by not taking a certain action or parts of an action (CEQA Guidelines section 15370)
 - f. The mitigation measures that are suggested defer formulation of actual mitigation to a future time, which is in direct contradiction to CEQA Guidelines section 15126.4(a)(1)(B).

2. The significant adverse water quality impacts of the BDCP must be fully mitigated. A finding and statement of overriding considerations regarding adverse water quality impacts of the BDCP would be inadequate because:
 - a. There are feasible alternatives or feasible mitigation measures available which would substantially avoid the significant environmental effects of the BDCP project.
 - b. The DEIR/EIS does not examine a reasonable range of alternatives;
 - c. The BDCP proposed project does not benefit California as a whole, harms a significant portion of California and the Delta in particular, and does not even provide any additional water supply for the project proponents;
 - d. Allowing further degradation of Delta water quality is poor public policy and contrary to the statutory requirements of the 2009 Delta Reform Act (Cal. Water Code 85020(e));
 - e. CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of the BDCP proposed project do not outweigh the unavoidable adverse environmental effects (CEQA Guidelines section 15093).

3. The analysis of **water supply impacts** in the DEIR/EIS uses computer models and assumptions that contain significant errors and, therefore:
 - a. Fails to disclose the full magnitude of adverse water supply and Delta flow impacts;
 - b. Fails to disclose additional adverse impacts that would occur in subsequent months when the modeling errors are corrected.

4. The analysis of **water quality impacts** in the DEIR/EIS using computer models contains significant errors and, therefore:
 - a. Fails to accurately disclose the magnitude of adverse Delta water quality impacts,
 - b. Fails to disclose adverse water quality impacts that will occur in subsequent months when these modeling errors are corrected;
 - c. Fails to meet required SWRCB standards such as the Rock Slough chloride standards, even in the base cases (without BDCP);
 - d. Fails to apply consistent flow inputs to the water quality models. The use of daily variations in Sacramento River inflows to the Delta but monthly variations in Delta exports in the BDCP modeling studies caused large unrealistic spikes in water quality that distort the impact analyses.

5. The analysis of environmental impacts includes a number of significant changes to existing facilities and existing Delta operation standards (e.g., State Water Resources Control Board water rights decision 1641) such that the individual adverse impacts of each change is masked and therefore not disclosed. These changes are:
 - a. Adding new diversion intakes in the North Delta on the Sacramento River;
 - b. Shifting the compliance point for the SWRCB's Emmaton water quality standard from Emmaton to Three Mile Slough;
 - c. Redefining the SWRCB's export/inflow ratio limits in some alternatives;
 - d. Adding a permanent operable flow barrier at the Head of Old River;
 - e. Eliminating the existing U.S. Army Corps limits of the inflow from the south Delta into Clifton Court Forebay;
 - f. Accurately disclose the magnitude of adverse water supply and Delta flow impacts
 - g. Disclose adverse impacts that will occur in subsequent months when these modeling errors are corrected.

6. The effects of operations of the proposed project on fish are not fully disclosed because actual operations to protect fish will not be determined for at least 10 years after the DEIR is certified and a Record Decision is issued on the DEIS.
 - a. The BDCP proponents are proposing to operate according to a Decision Tree which will not be finalized until a 10-year study of fall and spring outflow criteria is completed;
 - b. The Delta Independent Science Board has expressed concern that the study will not consider six of the species of concern and that criteria to protect Delta smelt may be different than for longfin smelt;
 - c. The Decision Tree process will end once the new facilities become operational and thereafter, adaptive management will be the primary process for determining the spring and fall outflow operations.

7. The DEIR/EIS fails to analyze a reasonable range of alternatives.
 - a. There are essentially only two alternatives: one through-Delta alternative and 13 variations of a new north Delta intake alternative;

- b. No additional storage upstream, downstream or within the Delta is considered;
 - c. Because no additional storage is considered, no serious consideration of alternatives that increase flows during drier months by shifting the timing of export diversions to wetter months when water is surplus to the needs of the Delta;
 - d. No actions to reduce reliance on the Delta, such as regional supplies, conservation or water use efficiency, are considered (2009 Delta Reform Act, Cal. Water Code Section 80521);
 - e. No screening of the Clifton Court Forebay even though screening of other Delta diversions is proposed as a conservation measure, and the Engineering Reports.
8. The DEIR/EIS is inadequate because it relies on future actions to be decided after certification of the EIR and the NEPA Record of Decision to mitigate impacts and determine final operational criteria. This is illegal under both CEQA and NEPA.
- a. Operations will be determined through a Decision Tree process that requires at least 10 years of research study;
 - b. Operations to protect fish will be determined after initial operation of the new BDCP facilities through an adaptive management approach;
 - c. Mitigation measures to address the significant adverse water quality impacts will not even be considered, and determined whether they are feasible or not, until after initial operation of the proposed BDCP facilities.
9. The DEIR/EIS and BDCP assume new limits on operation of the south Delta export pumps in the fall (September-November) and the spring (March-May), which when combined with existing Delta standards in the spring (February-June X2 limits) will shift the existing impacts of reduced flows and export diversions to July-August. Unless enhanced protections for fish are also set during July and August as well as the Fall (critical, dry and below normal years), the proposed project will put other fish species, not currently listed or in decline, at risk. The DEIR/EIS is therefore inadequate because it fails to protect resident fish species from redirection of adverse impacts to the summer months.
- a. The BDCP operations criteria needs to include Old and Middle River flow limits for July-September. This is consistent with the original objectives of reducing (not increasing) exports from the south Delta;
 - b. The BDCP operational criteria needs to have Fall X2 limits for critical, dry and below normal years, as well as corresponding Delta outflow, X2 and Rio Vista flow requirements for July-August;
 - c. The BDCP north Delta intake would need to include more protective limits for July-September to avoid shifting adverse impacts to these three months.
10. The DEIR/EIS fails to fully analyze alternatives with increased flows as a percentage of unimpaired flow as informed by the SWRCB's 2010 Delta Flow Criteria Report and corresponding California Department of Fish and Wildlife (formerly Fish and Game) 2010 "Quantifiable Biological Objectives and Flow Criteria for Aquatic and Terrestrial Species of Concern Dependent on the Delta" Report.
11. The DEIR/EIS fails to optimize reservoir operation "rule curves" to represent realistic reservoir and export operations by the SWP and CVP in response to new conveyance facilities, global climate change and enhanced Delta flow requirements.



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: July 8, 2014

Subject: Add four (4) Teacher-Project positions and three (3) Associate Teacher-Project positions and cancel six (6) Senior Clerk-Project in the EHSD/CSB.

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 21466 to add four (4) Teacher Project (CJN1)(represented) positions at salary level QH5 0974 (\$2,836 - \$3,447) and three (3) Associate Teacher-Project (CJW1) (represented) positions at salary level QH5 0643 (\$2,105 - \$ 2558) and cancel six (6) Senior Clerk-Project (9KT7) (represented) vacant positions #1405, #1407, #6839, #12608, #13358 and #13362 at salary level QH5 1089 (\$3,273 - \$3,979) in the Employment and Human Services Department/Community Services Bureau.

FISCAL IMPACT:

CSB is requesting to add (4) Teacher-Project and (3) Associate Teacher-Project positions with an estimated annual costs of \$408,420. This expense will be offset by cancelling (6) six Senior Clerk-Project positions with an estimated annual costs of \$454,248. This action will result in cost saving of \$ 45,828 for the CSB.

Additionally, this action will result in annual pension cost saving of \$15,242. The funding required for the action requested is within the CSB's budget and will be sustained.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Reni Radeva (925)
313-1718

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

By: , Deputy

cc: EHSD/Community Services Bureau, Human Resources, Otilia Parra

BACKGROUND:

The Community Service Bureau (CSB) operates childcare centers receiving state and federal funding. The regulations guiding the services and operation of these centers requires that each center is staffed with qualified teaching staff. Currently CSB has several Teachers and Associate Teachers on long term leave, and has had to rely on county temps to maintain adequate and consistent coverage in the child care centers. Community Services Bureau request to add 4 Teacher –Project and 3 Associate Teacher-Project positions will allow the Bureau to hire permanent staff and use them as permanent Floaters, thus there will be more flexibility and stability in covering the vacancies created by employees on long term leave.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to enact these changes will compromise the Bureau’s ability to meet staffing needs and ensure that the centers meet Licensing, State and Federal requirements. This may result in violations, and loss of funding. CSB is preparing for a triennial Federal Review in the late Fall of 2014 – beginning of 2015, thus adding adequate staffing to the program is crucial for the preparation and success of the Review.

CHILDREN'S IMPACT STATEMENT:

Community Services Bureau supports all five outcomes establish by the Children’s Report Card: (1) Children Ready for and Succeeding in School; (2) Children and Youth Healthy and Preparing for Productive Adulthood; (3) Families that are Economically Self Sufficient; (4) Families that are Safe, Stable and Nurturing; and (5) Communities that are Safe and Provide a High Quality of Life for Children and Families.

ATTACHMENTS

P-300 No. 21466

POSITION ADJUSTMENT REQUEST

NO. 21466
DATE 5/27/2014

Department EHSD/CSB

Department No./
Budget Unit No. 0588 Org No. 1432 Agency No. 019

Action Requested: ADD 4 Teacher-Project (CJN1), represented, position numbers and 3 Associate Teacher-Project (CJW1), represented, and Cancel 6 vacant funded Senior Clerk-Project (9K T7) positions # 1405, #1407, #6839, # 12608, #13358 and #13362, represented, in CSB effective July 1, 2014.

Proposed Effective Date: 7/1/2014

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

Total One-Time Costs (non-salary) associated with request: 0

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

Total annual cost \$408,390.00 Net County Cost \$0.00
Total this FY \$0.00 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Federal and State funding

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Camilla Rand

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Kevin J. Corrigan

6/4/2014

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 6/9/2014

Add four (4) Teacher Project (CJN1)(represented) positions at salary level QH5 0974 (\$2,836 - \$3,447) and three (3) Associate Teacher-Project (CJW1) (represented) positions at salary level QH5 0643 (\$2,105 - \$ 2558) and cancel six (6) Senior Clerk-Project (9K T7) (represented) vacant positions #1405, #1407, #6839, #12608, #13358 and #13362 at salary level QH5 1089 (\$3,273 - \$3,979) in CSB/EHSD.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: Day following Board Action.

_____(Date)

Otilia Parra

6/17/2014

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

6/30/2014

Approve Recommendation of Director of Human Resources

Disapprove Recommendation of Director of Human Resources

Other: _____

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:

REQUEST FOR PROJECT POSITIONS

Department _____

Date 6/30/2014

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: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Add Carpenter Positions and Delete Lead Carpenter and Lead Stationary Engineer Positions

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 21468 to add two (2) Carpenter (GFWB) (represented) positions at salary plan and grade QE5 1569 (\$5,109 - \$5,633); and cancel one (1) Lead Carpenter (GFTC) (represented) vacant position #10142 and one (1) Lead Stationary Engineer (GWTD) (represented) vacant position #1970 in the Public Works Department

FISCAL IMPACT:

Adding two Carpenter positions would result in a cost to the Public Works Department of \$218,000 annually; however, these costs will be offset by the elimination of the Lead Carpenter and Lead Stationary Engineer positions which will result in a savings of \$11,000 annually. The Lead Carpenter and Lead Stationary Engineer positions are vacant and fully funded for fiscal year 2014/15.

BACKGROUND:

Since 2004, through attrition, the Public Works Department has lost four Carpenter positions, which has decreased the number of hours allotted for carpentry services, creating an adverse effect on such services to County buildings. Since many of the County buildings are open to the public, there is a significant need for

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Jean Rounsaville, (925)
313-2108

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

By: , Deputy

cc: Roxana Mendoza, Jean Rounsaville, Gladys Scott Reid

BACKGROUND: (CONT'D)

carpentry services in them. These carpenters are needed to keep County buildings looking and functioning properly. By canceling the two Lead positions, the Public Works Department will be able to save money while also achieving its goal of responding to all work order requests in a timely and efficient manner.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not carried out, the Facilities Division of the Public Works Department will not be able to complete work orders and will have to redistribute the workload which will cause delays in project start and completion dates and delays in the performance of general maintenance for County Departments.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

P300 No. 21468

POSITION ADJUSTMENT REQUEST

No.: 21468
Date: 6/9/14

Department Public Works Department No./ Budget Unit No 0079 Org No.4031 Agency No.65

Action Requested Add two (2) full-time Carpenter positions (GFWB) at salary level \$5,109.43 - \$5,633.15. Cancel one (1) Lead Carpenter position (GFTC) at salary level \$5,863.33 - \$6,464.32 and one (1) Lead Stationary Engineer position (GWTC) position at salary level \$5,492.42 - \$6,055.39.

Proposed Effective Date: Day following Board Action

Classification Questionnaire Attached: Yes [] No [X]
Cost is within Department's Budget: Yes [X] No []

Total One-Time Costs (non-salary) Associated With Request: \$-0-
Estimated Total Cost Adjustment (salary/benefits/one time:
Total Annual Cost \$ <11,117> Net County Cost \$-0-
Total This FY \$0 N.C.C. This FY \$-0-

SOURCE OF FUNDING TO OFFSET ADJUST This action will result in approximately \$11,000 annual savings.

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Deputy County Administrator Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATION Date 6/20/2014
ADD two (2) Carpenter (GFWB) (represented) full-time positions at salary level QE5-1569 (\$5,109-\$5,633). Cancel one (1) Lead Carpenter vacant position #10142 (GFTC) (represented); and one (1) Lead Stationary Engineer vacant position #1970 (GWTC) (represented) in the Public Works Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic/Exempt salary schedule as described above.

Effective: [X] Day following Board Action.
[] (Date)

(for) Director of Human Resources

COUNTY ADMINISTRATOR RECOMMENDATION Date

- [] Approve Recommendation of Director of Human Resources
[] Disapprove Recommendation of Director of Human Resources
[] Other:

(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment APPROVED [] DISAPPROVED []
DATE:

Phil Batchelor, Clerk of the Board of Supervisors
and County Administrator

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: David Twa, County Administrator
Date: July 8, 2014

Subject: Reallocate Contra Costa County Employees Retirement Association's (CCCERA) Chief Executive Officer Salary

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 21474 to reallocate the Retirement Chief Executive Officer (97A1) classification on the Salary Schedule at BD1 4699 (\$15,166) in the Contra Costa County Employees' Retirement Association (CCCERA), as recommended by the CCCERA Retirement Board.

FISCAL IMPACT:

Approval of this request will result in annual CCCERA cost savings of approximately \$23,645, including \$5,745 in pension costs. Since County Retirement positions are funded by the Contra Costa County Employees' Retirement Association, there is no direct impact on the County budget.

BACKGROUND:

Since March 8, 2014, the Chief Executive Officer position in CCCERA has been vacant due to retirement. This classification is exempt and is appointed by the CCCERA Retirement Board. Additionally, the salary for this classification is set by the CCCERA Retirement Board.

At the May 21, 2014 CCCERA Retirement Board meeting, an employment agreement was approved with a set annual base salary of \$182,000. In order to process the approved action, this position adjustment resolution is required to reallocate the Salary Schedule of the Chief Executive Officer classification.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

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

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

By: , Deputy

cc: Roxana Mendoza, Karen Levy, Haj Nahal, Otilia Parra

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the salary schedule for the incoming Retirement Chief Executive Officer will not be consistent with the salary set by the Retirement Board for this classification.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

AIR 18419 P300 21474

POSITION ADJUSTMENT REQUEST

NO. 21474
DATE 6/12/2014

Department CCC Employees' Retirement Assoc. Department No./
Budget Unit No. 4980 Org No. 4980 Agency No. 49

Action Requested: REALLOCATE the salary of the classification of Retirement Chief Executive Officer-Exempt (97A1) from BD1 4699 (\$16,534.64) to (\$15,166.66) in the Contra Costa County Employees' Retirement Association.

Proposed Effective Date: 7/1/2014

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 (\$23,645.00)

Net County Cost (\$0.00)

Total this FY (\$0.00)

N.C.C. this FY (\$0.00)

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost savings (CCCERA)

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE _____

Reallocate the Retirement Chief Executive Officer (97A1) classification on the Salary Schedule at BD1 4699 (\$15,166) .

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: Day following Board Action.

7/1/2014 (Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE _____

Approve Recommendation of Director of Human Resources

Disapprove Recommendation of Director of Human Resources

Other: _____

(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 6/19/2014

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: July 8, 2014

Subject: Add one (1) full time Secretary-Advanced Level position and cancel vacant Account Clerk Supervisor position #10903 in the Health Services Department

RECOMMENDATION(S):

ADOPT Position Resolution No. 21481 to add one (1) full-time Secretary-Advanced Level (J3TG) position (\$3,386-\$4,334) and cancel one vacant Account Clerk Supervisor (JDHD) position #10903 (\$3,906-\$4,988) in the Contra Costa Health Plan division of the Health Services Department.

FISCAL IMPACT:

There will be no additional costs associated with this action. There will be a cost savings of \$11,533 annually with this action.

BACKGROUND:

Contra Costa Health Plan has only two (2) full-time secretarial staff members to support CCHP Administration which includes the CEO, Chief Medical Officer, Chief Operations Officer, two (2) Assistant Medical Directors, the Director of Regulatory Affairs and the Director of Pharmacy. The new Secretary position will support the busy Health Plan Executive Staff and fill in for vacation and sick leave of other secretarial staff.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved and without additional staff, the Contra Costa Health Plan Administration will not have the necessary support staff to meet mandated requirements of the Health Plan.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Kristen Cunningham,
925-957-5267

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

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

P-300 #21481

POSITION ADJUSTMENT REQUEST

NO. 21481
DATE 6/18/14

Department HEALTH SERVICES-CCHP Department No./
Budget Unit No. 0860 Org No. 6116 Agency No. A18

Action Requested: Add one(1) full-time Secretary-Advanced Level and cancel one Account Clerk Supervisor (position #10903) in the Contra Costa Health Plan of the Health Services Department

Proposed Effective Date: 7/9/14

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 (\$11,533.00) Net County Cost \$0.00
Total this FY (\$11,533.00) N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost savings

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Kristen Cunningham

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Dorothy Sansoe

6/26/2014

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

6/26/14

- 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:

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

Adjustment is APPROVED DISAPPROVED

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: July 8, 2014

Subject: Add six (6) permanent positions in the Health Services Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 21480 to add one (1) permanent full-time Director, Public Health Clinic Services (VVGS) position at salary level ZA5-2177 (\$9,328 - \$11,339); three (3) permanent part-time (32/40) Registered Nurse - Experienced Level (VWXD) positions at salary level L3H-0400 (\$7,305 - \$8,142); one (1) permanent part-time (32/40) Family Nurse Practitioner (VWSB) position at salary level L35-1873 (\$8,393 - \$10,202); and one (1) permanent full-time Clerk-Senior Level (JWXC) position at salary level 3RX-1033 (\$2,882 - \$3,680) in the Health Services Department. (Represented)

FISCAL IMPACT:

Upon approval, this action has an annual cost of approximately \$824,754.85, which include \$292,787.97 in pension costs. The entire cost is fully offset with Federally Qualified Health Care revenue.

BACKGROUND:

The Health Services Department is requesting to add one (1) permanent full-time Director, Public Health Clinic Services (VVGS) position; three (3) permanent part-time (32/40) Registered Nurse - Experienced Level (VWXD) positions; one (1) permanent part-time (32/40) Family

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Jo-Anne Linares, (925)
957-5246

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Nurse Practitioner (VWSB) position; and one (1) permanent full-time Clerk-Senior Level (JWXC) position assigned to Public Health Clinic Services' School Based Health Clinics. These clinics are expanding their medical and dental services in approximately 20 elementary and high schools in West Contra Costa, Mt. Diablo, Pittsburg and Antioch Unified School Districts. The services provided include low cost, on-site accessible medical and dental preventive services to qualified students under the age of 19 years. Upon approval, there is an annual cost of approximately \$824,754.85, which include \$292,787.97 in pension costs, and is fully offset by Federally Qualified Health Care revenue.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, there will not be sufficient staff for the expanded medical and dental services in Public Health Clinic Services' School Based Health Clinics, which negatively impacts direct patient care services.

CHILDREN'S IMPACT STATEMENT:

This action is necessary to staff the expanded medical and dental services in Public Health Clinic Services' School Based Health Clinics serving qualified students below the age of 19 years in approximately 20 elementary and high schools in West Contra Costa, Mt. Diablo, Pittsburg and Antioch Unified School Districts.

ATTACHMENTS

P-300 #21480

POSITION ADJUSTMENT REQUEST

NO. 21480
DATE 6/18/2014

Department Health Services Department No./
Budget Unit No. 0450 Org No. 6377 Agency No. A18
Action Requested: Add six (6) permanent positions in the Health Services Department (see Attachment 1).

Proposed Effective Date: _____

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

Total One-Time Costs (non-salary) associated with request: _____

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

Total annual cost \$824,754.85 Net County Cost \$0.00
Total this FY \$824,754.85 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Fully offset with Federally Qualified Health Care revenue

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

6/26/2014

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

6/26/2014

- 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:

P300 ATTACHMENT 1

SBHC Expansion 3

Add six (6) permanent full-time and part-time positions in the Health Services Department:

- One (1) 40/40 Director, Public Health Clinic Services (VVGs)
salary level ZA5-2177 (\$9,328 - \$11,339)
- One (1) 32/40 Family Nurse Practitioner (VWSB)
salary level L35-1873 (\$8,393 - \$11,202)
- Three (3) 32/40 Registered Nurse – Experienced Level (VWXD)
salary level L3H-0400 (\$7,305 - \$8,142)
- One (1) 40/40 Clerk – Senior Level (JWXD)
salary level 3RX-1033 (\$2,882 - \$3,680)



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services
Date: July 8, 2014

Subject: Add twelve (12) permanent positions in the Health Services Department

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 21482 to add two (2) permanent full-time Exempt Medical Staff Physician (VPW9) positions at salary level 1P5-2312 (\$10,417 - \$14,010); two (2) permanent full-time and two (2) permanent part-time (32/40) Mental Health Clinical Specialist (VQSB) positions at salary level QT2-1384 (\$4,382 - \$6,506); two (2) permanent part-time (32/40) Registered Nurse - Experienced Level (VWXD) positions at salary level L3H-0400 (\$7,305 - \$8,142); one (1) permanent full-time and one (1) permanent part-time (32/40) Certified Medical Assistant (VTWC) positions at salary level QB5-1088 (\$3,173 - \$3,857); and one permanent full-time and one (1) permanent part-time (32/40) Community Health Worker II (VKVB) positions at salary level QT5-1043 (\$3,035 - \$3,689) in the Health Services Department. (Represented)

FISCAL IMPACT:

Upon approval, this action has an annual cost of approximately \$1,476,988.27, which includes \$524,330.84 in pension costs. The entire cost is fully offset by third party revenue.

BACKGROUND:

The Health Services Department is requesting to add ten positions to be

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Jo-Anne Linares, (925)
957-5246

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

assigned to the newly opened George & Cynthia Miller Wellness Center, which provides improved access to care and integrated behavioral and physical health care. Services provided include psychiatry, short-term individual and family therapy, outpatient care for substance abuse, support groups, and crisis management and referral into long-term treatment for children and adults.

Upon approval, this action has an annual cost of approximately \$1,476,988.27, which include \$524,330.84 in pension costs. The entire cost is fully offset by third party revenue.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, there will not be sufficient staffing for the George & Cynthia Miller Wellness Center, which will impact direct patient care.

CHILDREN'S IMPACT STATEMENT:

This action provides patient care services to children at the George & Cynthia Miller Wellness Center.

ATTACHMENTS

P-300 #21482

POSITION ADJUSTMENT REQUEST

NO. 21482
DATE 6/19/2014

Department Health Services Department No./
Budget Unit No. 0540 Org No. 6417 Agency No. A18
Action Requested: Add 12 permanent positions in the Health Services Department (see Attachment 1)

Proposed Effective Date: 6/9/2014

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

Total One-Time Costs (non-salary) associated with request: _____

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

Total annual cost \$1,476,988.20 Net County Cost \$0.00
Total this FY \$1,476,988.2 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Enterprise Fund I

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

6/26/2014

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

6/26/2014

- 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:

P300 #21482 ATTACHMENT 1

Add twelve (12) permanent full-time and part-time positions in the Health Services Department:

- Two (2) 40/40 Exempt Medical Staff Physician (VPW9) (Represented)
salary level 1P5-2312 (\$10,417 - \$14,010)
- Two (2) 40/40 and Two (2) 32/40 Mental Health Clinical Specialist (VQSB)
(Represented)
salary level QT2-1384 (\$4,382 - \$6,506)
- Two (2) 24/40 Registered Nurse – Experienced Level (VWXD) (Represented)
salary level L3H-0400 (\$7,305 - \$8,142)
- One (1) 40/40 and One (1) 32/40 Certified Medical Assistant (VTWC)
(Represented)
salary level QB5-1088 (\$3,173 - \$3,857)
- One (1) 40/40 and One (1) 32/40 Community Health Worker II (VKVB)
(Represented)
salary level QT5-1043 (\$3,035 - \$3,689)



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: Resolution No. 2014/236 Amending Resolution No. 2014/159 Regarding Labor Unit Transfer to County Administrator's Office

RECOMMENDATION(S):

ADOPT Resolution No. 2014/236, amending Resolution No. 2014/159 authorizing the transfer and addition of the following positions:

1. Transfer one Clerk-Senior Level position and incumbent from the Human Resources Department to the County Administrator's Office due to the establishment of a Labor Relations Unit in the County Administrator's Office as approved in Resolution No. 2014/159 on May 13, 2014.
2. Add one Clerk-Experience Level (JWXB) position at salary level and grade 3RH 0750 (\$2608.38 - \$3236.32) in the Human Resources Department.

FISCAL IMPACT:

This action will result in an annual general fund cost of approximately \$64,650, including pension costs of \$12,710.

BACKGROUND:

On May 13, 2013, the Board authorized establishing a Labor Relations Unit in the County Administrator's Office and

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

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

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

By: , Deputy

cc: Harjit S. Nahal, Assistant Auditor-Controller, Human Resources

BACKGROUND: (CONT'D)

several changes as required for the transition of the Labor Relations Unit from the Human Resources Department to the County Administrator's Office. Positions previously assigned to the Labor Relations Unit were reclassified and transferred, and the incumbents of all filled positions were transferred to the County Administration/Labor Unit.

A Clerk-Senior Level position in the Human Resources Administrative Office has provided support to the Labor Relations Unit due to a high vacancy factor. It has been determined that the ongoing support of this position will be necessary in the Labor Relations Unit. Therefore, authorization to transfer the Clerk-Senior Level and the incumbent to the County Administration/Labor Unit is requested to ensure a smooth transition of the Labor Unit and much needed ongoing clerical support.

Due to the transfer of the Clerk-Senior Level position to the County Administration/Labor Unit, the Human Resources Administration Office will require the addition of a Clerk-Experienced Level.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, services provided by the Labor Unit and Human Resources Department may be negatively impacted.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Resolution No. 2014/236

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

Adopted this Resolution on 07/08/2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2014/236

In the Matter Of: amending Resolution No. 2014/159, to add the transfer of one Clerk-Senior Level position and the incumbent from the Human Resources Department to the County Administrator's Office and to add one Clerk-Experienced Level in the Human Resources Administration Unit.

WHEREAS, on May 13, 2014, the Board approved Resolution No. 2014/159, which reclassified Labor Relations classifications and positions assigned to the County Administrator's Office; and

WHEREAS, the incumbent of a Clerk-Senior Level position in the Human Resources Department continues to support the Labor Relations Unit as assigned to the County Administrator's Office; and

WHEREAS, the County Administrator's Office anticipates an ongoing need for clerical support in the Labor Unit, which requires the transfer of position no. 103 and the incumbent (no. 78458) from the Human Resources Administration Unit (org 1300) to the County Administrator's Office Labor Unit (org 1220), and the addition of a Clerk-Experienced Level in the Human Resources Administration Unit (org 1300); and

WHEREAS, the County Administrator's Office requests that the move and addition of positions be considered as an amendment to the position adjustments approved in Resolution No. 2014/159.

THE CONTRA COSTA COUNTY BOARD OF SUPERVISORS, in its capacity as governing Board of the County, RESOLVES THAT: Resolution No. 2014/159 is hereby amended to include the transfer of position no. 103 and the incumbent to the County Administrator's Office and to add one Clerk-Experienced Level position in the Human Resources Administration Unit, effective July 1, 2014.

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

ATTESTED: July 8, 2014

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

By: , Deputy

cc: Harjit S. Nahal, Assistant Auditor-Controller, Human Resources



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: Resolution No. 2014/228 General Salary Increase for Unrepresented Per Diem Classifications

RECOMMENDATION(S):

ADOPT Resolution No. 2014/228 to provide for salary increases for the unrepresented job classifications of Deputy Sheriff-Per Diem, Nursing Shift Coordinator-Per Diem, and Law Enforcement Training Instructor-Per Diem as follows:

- effective July 1, 2014, reallocate the salary schedule of Deputy Sheriff-Per Diem (6XWC) from F85/1251 to that of the Deputy Sheriff-40 Hour (6XWA) F85/1355;
- effective July 1, 2014, a 6% wage increase for the classifications of Law Enforcement Training Instructor-Per Diem (64WB);
- effective July 1, 2014, a 4% wage increase for the classifications of Nursing Shift Coordinator-Per Diem (VWHD);
- effective July 1, 2015, a 3% wage increase for the classifications of Deputy Sheriff-Per Diem (6XWC), Nursing Shift Coordinator-Per Diem (VWHD), and Law Enforcement Training Instructor-Per Diem (64WB).

FISCAL IMPACT:

Upon approval, the cost of this action will be absorbed by the Departments who utilize these classifications.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

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

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

By: , Deputy

cc: Harjit S. Nahal, Assistant Auditor-Controller, Human Resources

BACKGROUND:

Contra Costa County has historically tied unrepresented per diem classifications to represented classifications. The Board's actions of October 1, 2013 and April 22, 2014 provided for salary increases for unrepresented sworn positions to parallel those in the Deputy Sheriffs' Association Memorandum of Understanding and for unrepresented non-sworn positions to parallel those in Local 21. This action re-aligns the three unrepresented classifications of Deputy Sheriff-Per Diem, Nursing Shift Coordinator-Per Diem, and Law Enforcement Training Instructor-Per Diem in the same manner.

Additionally, Government Code section 7522.56, subdivision (d), requires that the "rate of pay for the employment shall not be less than the minimum, nor exceed the maximum, paid by the employer to other employees performing comparable duties, divided by 173.333 to equal an hourly rate". This is one of the new PEPRAs requirements that applies only to retirees. The classification of Deputy Sheriff-Per Diem has a salary range of \$3,516 to \$6,013 and Deputy Sheriff-40 Hour has a salary range of \$5,059 to \$7,003. Because the majority of Deputy Sheriff-Per Diem employees are retirees and to be in compliance with PEPRAs, this action reallocates the salary schedule of the Deputy Sheriff-Per Diem classification to be the same salary schedule as that of the Deputy Sheriff-40 hour classification.

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, the County could be detrimentally impacted by the potential loss of highly trained personnel.

CHILDREN'S IMPACT STATEMENT:

None.

ATTACHMENTS

Resolution No. 2014/228

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

Adopted this Resolution on 07/08/2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2014/228

In The Matter Of: Adopting Resolution 2014/228 to provide for General Salary Increases for the Unrepresented Per Diem Classifications of Deputy Sheriff-Per Diem (6XWC), Nursing Shift Coordinator-Per Diem (VWHD) and Law Enforcement Training Instructor-Per Diem (64WB)

WHEREAS the County of Contra Costa has maintained a historic salary tie between represented and nonrepresented employees; and

WHEREAS employees in the classifications of Deputy Sheriff-Per Diem (6XWC), Nursing Shift Coordinator-Per Diem (VWHD), and Law Enforcement Training Instructor-Per Diem (64WB) had their salaries reduced in October 2011 and have not received the general unrepresented management wage increase nor the lump sum payment received by unrepresented managers;

WHEREAS the Public Employees' Pension Reform Act (PEPRA) requires that retirees be paid the same as employees performing comparable duties;

The Contra Costa County Board of Supervisors in its capacity as governing Board of the County of Contra Costa and all districts of which it is ex-officio governing Board **RESOLVES** that:

1. Effective July 1, 2014, the classification of Deputy Sheriff-Per Diem (6XWC) will be reallocated on the salary schedule from F85/1251 to F85/1355 and increased as follows:
 - Effective July 1, 2015, a 3% increase
2. The base rate of pay for the classification of Law Enforcement Training Instructor-Per Diem (64WB) will be increased as follows:
 - Effective July 1, 2014, a 6% wage increase
 - Effective July 1, 2015, a 3% wage increase
3. The base rate of pay for the classification of Nursing Shift Coordinator-Per Diem (VWHD) will be increased as follows:
 - Effective July 1, 2014, a 4% wage increase
 - Effective July 1, 2015, a 3% wage increase

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

ATTESTED: July 8, 2014

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

By: , Deputy

cc: Harjit S. Nahal, Assistant Auditor-Controller, Human Resources



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: P300 No. 21484 to Reallocate Specific Unrepresented Classifications on the Salary Schedule and Delete Three Defunct Classifications

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 21484 to reallocate the salary schedules of the unrepresented classifications of Student Worker (999E), Library Aide-Exempt (3KW4), and Library Student Assistant-Exempt (3KW2) and delete the defunct unrepresented classifications of Recreation Instructor – LVL 422 (9T95), EHS Workforce Dev Youth Trainee – Project (X761), and EHS Worker Trainee – Project (AV71).

FISCAL IMPACT:

Upon approval, the cost of this action will be absorbed by the Departments who utilize these classifications.

BACKGROUND:

The State of California has increased the minimum wage from \$8.00 to \$9.00 per hour effective July 1, 2014. On June 3, 2014, in order to remain in compliance the Board of Supervisors reallocated the following classes on the salary schedule to set the salary step 1 at no less than \$9.00 per hour on July 1, 2014:

- 9T95 – Recreation Instructor-LVL 422
- 999E – Student Worker-Deep Class
- 3KW2 – Library Student Assistant-Exempt
-

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

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

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

By: , Deputy

cc: Harjit S. Nahal, Assistant Auditor-Controller, Human Resources

BACKGROUND: (CONT'D)

- 3KW4 – Library Aide-Exempt
- XSK1 – Title V Trainee
- X762 – EHS Workforce Dev Youth Wkr-Project
- X761 – EHS Workforce Dev Youth Trn-Project
- AV71 – EHS Worker Trainee-Project
- CJK1 – Teacher Asst Trainee-Project
- 98W3 – Child Nutri Worker I-Project Sub
- 98W1 – Child Nutri Worker I-Project

During implementation of the Board's action it became apparent for three of these classes that increasing step 1 caused the remaining steps to be out of alignment. This action reallocates the salary schedules of the classes of Student Worker (999E), Library Aide-Exempt (3KW4), and Library Student Assistant-Exempt (3KW2) to retain a 5% difference in steps for the library classes and a 2.5% difference in steps for the Student Worker.

Additionally, research indicated that three (3) of the classifications have not been used in years and are therefore recommended to be abolished. The classifications are:

- 9T95 – Recreation Instructor – LVL 422, which has not been used since 1980;
- X761 – EHS Workforce Dev Youth Trainee – Project, which was created in 2004 and never used; and
- AV71 – EHS Worker Trainee – Project, which was converted to WEX Trainee in 2009.

CONSEQUENCE OF NEGATIVE ACTION:

Classifications will not maintain proper alignment between steps. Defunct classifications will remain in system.

ATTACHMENTS

Position Resolution No. 21484

Attachment A

POSITION ADJUSTMENT REQUEST

NO. 21484
DATE 7/1/2014

Department Various- see attachment A Department No./
Budget Unit No. Var Org No. Var Agency No. Var

Action Requested: REALLOCATE the salary schedules of three classifications to modify the existing plans and grades to the correct step increments of certain classes impacted by the CA minimum wage law effective July 1, 2014, as specified in Attachment A, and ABOLISH the classifications of Recreation Instructor Lvl 422 (9T95), EHS Worker Trainee- Project (AV71), and EHS Workforce Development Youth Trainee (X761) (all unrepresented)

Proposed Effective Date: 7/1/2014

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 (\$119,511.00) Net County Cost (\$0.00)
Total this FY (\$119,511.00) N.C.C. this FY (\$0.00)

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Costs will be absorbed by departments utilizing classes

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Lisa Driscoll, County Finance Director

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Lisa Driscoll, County finance Director 7/1/2014

Deputy County Administrator Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 7/1/2014

REALLOCATE the salary schedules of three classifications to modify the existing plans and grades to the correct step increments of certain classes impacted by the CA minimum wage law effective July 1, 2014, as specified in Attachment A, and ABOLISH the classifications of Recreation Instructor Lvl 422 (9T95), EHS Worker Trainee- Project (AV71), and EHS Workforce Development Youth Trainee (X761) (all unrepresented)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: Day following Board Action.
 7/1/2014 (Date)

Kathy Ito 7/1/2014

(for) Director of Human Resources Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE _____

- Approve Recommendation of Director of Human Resources
- Disapprove Recommendation of Director of Human Resources
- Other: _____

(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 7/2/2014

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

ATTACHMENT A

Reallocate the salary schedules of the following three classifications to modify the existing plans and grades to the correct step increments, as specified below:

999E - Student Worker (Unrepresented Classified & Exempt)										
Before July 1, 2014					Effective July 1, 2014					
<u>Plan</u>	<u>Grade</u>	<u>Step</u>	<u>Hourly</u>	<u>Annually</u>	<u>Plan</u>	<u>Grade</u>	<u>Step</u>	<u>Hourly</u>	<u>Annually</u>	
FS2	0268	1	\$8.00	\$16,640.00	FS2	0268	1	\$9.00	\$18,720.00	
FS2	0268	2	\$8.09	\$16,823.64	FS2	0268	2	\$9.23	\$19,188.00	
FS2	0268	3	\$8.18	\$17,007.29	FS2	0268	3	\$9.46	\$19,667.70	
FS2	0268	4	\$8.38	\$17,432.47	FS2	0268	4	\$9.69	\$20,159.39	
FS2	0268	5	\$8.59	\$17,868.28	FS2	0268	5	\$9.93	\$20,663.38	
FS2	0268	6	\$8.81	\$18,314.99	FS2	0268	6	\$10.18	\$21,179.96	
FS2	0268	7	\$9.03	\$18,772.87	FS2	0268	7	\$10.44	\$21,709.46	
FS2	0268	8	\$9.25	\$19,242.18	FS2	0268	8	\$10.70	\$22,252.20	
FS2	0268	9	\$9.48	\$19,723.24	FS2	0268	9	\$10.97	\$22,808.50	
FS2	0268	10	\$9.72	\$20,216.32	FS2	0268	10	\$11.24	\$23,378.71	
FS2	0268	11	\$9.96	\$20,721.73	FS2	0268	11	\$11.52	\$23,963.18	
FS2	0268	12	\$10.21	\$21,239.78	FS2	0268	12	\$11.81	\$24,562.26	
FS2	0268	13	\$10.47	\$21,770.76	FS2	0268	13	\$12.10	\$25,176.32	
FS2	0268	14	\$10.73	\$22,315.03	FS2	0268	14	\$12.41	\$25,805.73	
FS2	0268	15	\$11.00	\$22,872.92	FS2	0268	15	\$12.72	\$26,450.87	
FS2	0268	16	\$11.27	\$23,444.73	FS2	0268	16	\$13.03	\$27,112.14	
FS2	0268	17	\$11.55	\$24,030.86	FS2	0268	17	\$13.36	\$27,789.95	
FS2	0268	18	\$11.84	\$24,631.63	FS2	0268	18	\$13.69	\$28,484.69	
FS2	0268	19	\$12.14	\$25,247.41	FS2	0268	19	\$14.04	\$29,196.81	
FS2	0268	20	\$12.44	\$25,878.61	FS2	0268	20	\$14.39	\$29,926.73	
FS2	0268	21	\$12.75	\$26,525.56	FS2	0268	21	\$14.75	\$30,674.90	
FS2	0268	22	\$13.07	\$27,188.70	FS2	0268	22	\$15.12	\$31,441.77	
FS2	0268	23	\$13.40	\$27,868.42	FS2	0268	23	\$15.49	\$32,227.82	
FS2	0268	24	\$13.73	\$28,565.13	FS2	0268	24	\$15.88	\$33,033.51	
FS2	0268	25	\$14.08	\$29,279.26	FS2	0268	25	\$16.28	\$33,859.35	
FS2	0268	26	\$14.43	\$30,011.25	FS2	0268	26	\$16.69	\$34,705.83	
FS2	0268	27	\$14.79	\$30,761.52	FS2	0268	27	\$17.10	\$35,573.48	
FS2	0268	28	\$15.16	\$31,530.56	FS2	0268	28	\$17.53	\$36,462.82	
FS2	0268	29	\$15.54	\$32,318.83	FS2	0268	29	\$17.97	\$37,374.39	
FS2	0268	30	\$15.93	\$33,126.79	FS2	0268	30	\$18.42	\$38,308.75	
									Cost of Action:	\$113,404.40

3KW4 - Library Aide - Exempt (Unrepresented Classified & Exempt)										
Before July 1, 2014					Effective July 1, 2014					
<u>Plan</u>	<u>Grade</u>	<u>Step</u>	<u>Hourly</u>	<u>Annually</u>	<u>Plan</u>	<u>Grade</u>	<u>Step</u>	<u>Hourly</u>	<u>Annually</u>	
F85	0288	1	\$8.00	\$16,640.00	F85	0288	1	\$9.00	\$18,720.00	
F85	0288	2	\$8.37	\$17,412.73	F85	0288	2	\$9.45	\$19,656.00	
F85	0288	3	\$8.79	\$18,283.38	F85	0288	3	\$9.92	\$20,638.80	
F85	0288	4	\$9.23	\$19,197.55	F85	0288	4	\$10.42	\$21,670.74	
F85	0288	5	\$9.69	\$20,157.42	F85	0288	5	\$10.94	\$22,754.28	
									Cost of Action:	\$4,105.48

3KW2 - Library Student Assistant - Exempt (Unrepresented Classified & Exempt)

<u>Before July 1, 2014</u>					<u>Effective July 1, 2014</u>				
<u>Plan</u>	<u>Grade</u>	<u>Step</u>	<u>Hourly</u>	<u>Annually</u>	<u>Plan</u>	<u>Grade</u>	<u>Step</u>	<u>Hourly</u>	<u>Annually</u>
FS5	0288	1	\$8.00	\$16,640.00	FS5	0288	1	\$9.00	\$18,720.00
FS5	0288	2	\$8.37	\$17,412.73	FS5	0288	2	\$9.45	\$19,656.00
FS5	0288	3	\$8.79	\$18,283.38	FS5	0288	3	\$9.92	\$20,638.80
FS5	0288	4	\$9.23	\$19,197.55	FS5	0288	4	\$10.42	\$21,670.74
FS5	0288	5	\$9.69	\$20,157.42	FS5	0288	5	\$10.94	\$22,754.28
Cost of Action:									\$2,001.80



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Lease for the Employment and Human Services Department – Workforce Development Board - 2300 El Portal Drive, San Pablo.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute, on behalf of the County, a Second Amendment to Lease between the County and CC San Pablo, LP, for office space located at 2300 El Portal Drive in San Pablo. (WLP840)

FISCAL IMPACT:

80% Federal and State; 20% General Fund

BACKGROUND:

The Employment and Human Services Department – Workforce Development Board (WDB) has been a tenant at 2300 El Portal Drive in San Pablo since 1998. WDB operates a one-stop career center at this location that provides employment service programs, including career planning, job training, and transition solutions to members of the public who want to re-enter the workforce. The career center offers individuals high-speed internet access, photocopiers, fax, and telephones for use in their job search.

The County rents approximately 5,259 square feet of office space at the site. The County currently pays rent of \$9,286 per month. The existing lease expires June 30, 2014. The proposed amendment

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Dave Silva (925)
313-2132

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

By: , Deputy

cc: Auditor/Controller

BACKGROUND: (CONT'D)

gives the County two additional 5-year extension options. The first option allows the County to remain in possession of the space through June 30, 2019. The second option allows the County to remain in possession of the space through June 30, 2024. The rent payable by the County during these periods is set forth in Attachment A to this Board Order. The proposed amendment also adds a provision to the lease that permits the County to take remedial action if a perilous condition occurs at the site and the landlord fails to address the condition within twenty-four hours. All other terms of the lease remain unchanged.

CONSEQUENCE OF NEGATIVE ACTION:

If the Second Amendment to Lease is not approved, the lease will expire June 30, 2014. If WDB cannot continue to occupy the existing site, it will need to find a new location. Relocating the career center will cause the County to incur additional expenses and could result in an interruption in the services currently provided at this location.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Attachment A, Second Amendment to Lease

SECOND AMENDMENT TO LEASE

**Between
CC SAN PABLO LIMITED PARTNERSHIP
And
COUNTY OF CONTRA COSTA
For
2300 EL PORTAL DRIVE, SUITE B, SAN PABLO**

This second lease amendment (this “**Second Amendment**”) is dated July _ , 2014, and is between CC San Pablo Limited Partnership, a California limited partnership, as landlord (“**Landlord**”), and the County of Contra Costa, a political subdivision of the State of California, as tenant (“**Tenant**”).

Recitals

- A. On December 1, 1998, Tenant entered into a lease (“**Lease**”) with El Portal, LLC (the “**Original Landlord**”) for a portion of the building (“**Building**”) more commonly known as 2300 El Portal Drive (formerly 1510 International Marketplace) in the City of San Pablo (“**Premises**”). On December 18, 2001, the Original Landlord sold the Building to the Redevelopment Agency of the City of San Pablo (the “**Successor Landlord**”).
- B. On June 2, 2006, Tenant entered into a First Amendment to Lease with the Successor Landlord wherein for considerations given to Tenant, Tenant agreed to change the location of the Premises to an area within the Building known as Suite B. The Premises consists of 5,259 square feet of office space and 571 square feet of common area, for a total of 5,830 square feet.
- C. On December 6, 2006, the Successor Landlord sold the Building to Signature Properties at Abella, LLC (“**Signature**”), and Signature, pursuant to a Grant Deed dated and recorded on February 9, 2011, transferred the Building to College Center Retail, LLC (“**College Center**”).
- D. On August 22, 2013, College Center sold the Building to the Landlord.
- E. Landlord and Tenant desire to amend the Lease in accordance with the terms and conditions contained in this Second Amendment.

The parties therefore agree as follows:

Agreement

- 1. Capitalized terms not defined in this Second Amendment have the meanings ascribed to them in the Lease.

2. Section **A.5. EXTENSION** is deleted in its entirety and replaced with the following:

A.5. EXTENSION: This Lease may, at the option of the Tenant, be extended on the same terms and conditions, except the rent will be adjusted as follows:

- a. First Option: For a five (5) year term, commencing July 1, 2004 and ending June 30, 2009 at a rental of \$8,162.00 per month.
- b. Second Option: For a five (5) year term, commencing July 1, 2009 and ending June 30, 2014, at a rental of \$9,386.00 per month.
- c. Third Option: For a five (5) year term, commencing July 1, 2014 and ending June 30, 2019, at the following rental per month:

July 1, 2014 through December 15, 2014	\$ 0.00
December 16, 2014 through December 31, 2014	\$4,597.50
January 1, 2015 through June 30, 2019	\$9,195.00

In consideration of Tenant exercising the Third Option, Landlord will give Tenant five and one half (5 ½) months of rent abatement beginning July 1, 2014 through December 15, 2014, as noted above. Tenant shall, at its expense, paint the interior walls of the Premises, and install new carpet tiles in the Premises using Tandus Flooring; Aftermath II - 03026; color: Russet 23507. Upon the signing of this Amendment, Tenant is exercising the Third Option.

- d. Fourth Option: For a five (5) year term, commencing July 1, 2019 and ending June 30, 2024, at a rental of \$10,400.00 per month.

It is understood and agreed Tenant shall give Landlord thirty days prior written notice of its intention to exercise any option to extend this Lease. However, in the event Tenant does not give such written notice, its right to exercise any option before termination of the Lease shall not expire until fifteen working days after receipt of Landlord's written demand to exercise or forfeit said option.

3. Section **B.12 PERILOUS CONDITIONS**: is added to the Lease as follows:

B.12 PERILOUS CONDITIONS: If the County's Public Works Director becomes aware of a perilous condition on the Premises that, in his or her reasonable opinion, threatens the health and safety of Tenant employees and/or invitees (a "**Perilous Condition**"), the Public Works Director, or his or her designee, will immediately notify Landlord of such Perilous Condition and Landlord shall use best efforts to immediately eliminate the Perilous Condition.

Landlord shall immediately address any condition reasonably constituting an emergency, whether Landlord learns of the condition through Tenant or otherwise.

If Landlord fails to address a Perilous Condition within twenty-four (24) hours after Tenant's notice or to immediately address an emergency situation, Tenant may attempt to resolve the Perilous Condition or emergency situation. Landlord shall reimburse Tenant for any costs incurred by Tenant in addressing the Perilous Condition or emergency situation promptly upon receipt of Tenant's invoice.

[The remainder of this page if left blank]

4. All other terms of the Lease remain unchanged. If any provisions of the Lease is inconsistent with a provision of this Second Amendment, the terms of the Second Amendment will control.

The parties are executing this Second Amendment as of the day and year first above written.

TENANT

COUNTY OF CONTRA COSTA, a
political subdivision of the State of
California

By: _____
Julia R. Bueren
Public Works Director

RECOMMENDED FOR APPROVAL:
JULIA R. BUEREN, Public Works Director

By: _____
Karen Laws
Principal Real Property Agent

By: _____
Dave Silva
Senior Real Property Agent

APPROVED AS TO FORM:
SHARON L. ANDERSON, County Counsel

By: _____
Kathleen M. Andrus
Deputy County Counsel

LANDLORD

CC SAN PABLO LIMITED PARTNERSHIP, a
California limited partnership

By: L.A.-San Pablo Properties, Inc.,
a California corporation, it's General Partner

By: _____
Todd Okum
General Partner

By: _____
Bruce Goren
General Partner



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: First Amendment to Lease for Health Services Department - 2727 Alhambra Avenue, Martinez

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute, on behalf of the County, a First Amendment to Lease between the County and General Teamsters Local 315, for parking spaces located at 2727 Alhambra Avenue, Martinez. (WLP844)

FISCAL IMPACT:

100% Hospital Enterprise Fund

BACKGROUND:

To alleviate some of the parking pressures at the Contra Costa Regional Medical Center, 2500 Alhambra Avenue, the County leases 65 parking spaces across the street at 2727 Alhambra Avenue. The County has been using this parking area since 1993. The Health Services Division has requested that the Lease be extended through June 30, 2017. The rent payable by the County during this period is set forth in Attachment A to this Board Order.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Jann Edmunds (925)
313-2250

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

By: , Deputy

cc: Auditor/Controler

CONSEQUENCE OF NEGATIVE ACTION:

Relocating the parking will cause the County to incur additional expenses and could result in an interruption in the services currently provided at this location.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

First Amendment to Lease

FIRST AMENDMENT TO LEASE
2727 Alhambra Avenue
Martinez, California

This first amendment to lease is dated _____ and is between General Teamsters Local 315, affiliated with the International Brotherhood of Teamsters, a non-profit labor organization, hereinafter called (the "**Teamsters**") and the County Of Contra Costa, a political subdivision of the State of California, hereinafter called ("the **County**").

Recitals

A. The Teamsters and the County are parties to a lease dated June 23, 2009, under which the County is leasing from the Teamsters sixty-five (65) parking spaces in the parking lot adjacent to the building located at 2727 Alhambra Avenue, Martinez, California (the "**Lease**").

B. The parties desire to extend the term, and specify the rent during the extension periods.

The parties therefore agree as follows:

Agreement

1. Section **A.3. TERM:** is deleted in its entirety and replaced with the following:

A.3. TERM: The term of this Lease is for eight years, beginning March 1, 2009 and ending June 30, 2017. Unless either party terminates the Lease in writing by giving notice at least sixty days in advance, the term of the Lease will automatically renew through June 30, 2017.

2. Section **A.4. RENT** is deleted in its entirety and replaced with the following:

A.4. RENT; County shall pay to Teamsters as rent for the use of the Premises a monthly rental, payable in advance on the tenth day of each month during the term of this Lease, as follows:

<u>Period</u>	<u>Monthly Rent</u>
March 1, 2009 to February 28, 2010	\$1,300.00
March 1, 2010 to February 28, 2011	\$1,350.00
March 1, 2011 to February 29, 2012	\$1,400.00
March 1, 2012 to February 28, 2013	\$1,450.00
March 1, 2013 to June 30, 2014	\$1,500.00
July 1, 2014 to June 30, 2015	\$1,550.00
July 1, 2015 to June 30, 2016	\$1,600.00
July 1, 2016 to June 30, 2017	\$1,650.00

Payments are to be mailed to Teamsters at Teamsters – Local 315, 2727 Alhambra Avenue, Suite 1, Martinez, CA 94553 or to any other location designated by Teamsters in writing from time to time.

3. All other terms of the Lease remain unchanged.
4. Teamsters and County are causing this First amendment to be executed as of the date set forth in the introductory paragraph.

COUNTY

TEAMSTERS

COUNTY OF CONTRA COSTA, a
political subdivision of the State of
California

GENERAL TEAMSTERS LOCAL 315,
affiliated with the INTERNATIONAL
BROTHERHOOD OF TEAMSTERS, a
NON-PROFIT LABOR ORGANIZATION

By: _____
Julia R. Bueren
Director of Public Works

By _____
Carlos Borba, President

RECOMMENDED FOR APPROVAL:

By: _____
Karen Laws
Principal Real Property Agent

By _____
Don E. Garcia, Secretary/Treasurer

By: _____
Gail Myers
Associate Real Property Agent

APPROVED AS TO FORM:
SHARON L. ANDERSON, County Counsel

By: _____
Kathleen M. Andrus
Deputy County Counsel



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: 500 Court Street, Martinez - First Amendment to Lease for the Sheriff-Coroner

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute, on behalf of the County, the First Amendment to Lease with the Contra Costa Community College District for a fifteen-month term beginning April 1, 2014 and ending June 30, 2015, for continued use of approximately 7,280 square feet of office space located at 500 Court Street, Martinez, by the Sheriff-Coroner, under terms and conditions set forth in the Lease. (WLP822).

AUTHORIZE the Auditor-Controller to issue a check in the amount of \$1,635 to Contra Costa Community College District, 500 Court Street, Martinez, CA, for rent owed to the Contra Costa Community College District from April 2014 through June 2014.

FISCAL IMPACT:

100% General Fund.

BACKGROUND:

Since 1999, this location

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Karen Laws (925)
313-2131

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

By: , Deputy

cc: Auditor/Controller

BACKGROUND: (CONT'D)

has served as offices for the Sheriff-Coroner's Records and Warrants and Central Identification Services. Those offices will be moved to the County-owned building at 2530 Arnold Drive (Summit Centre) in Martinez, once tenant improvements are completed there. The First Amendment to Lease will provide for the Sheriff's continued use of the offices at 500 Court Street, Martinez, while the Sheriff-Coroner's tenant improvements at Summit Centre are completed. The First Amendment to Lease will obligate the County to pay total rent of approximately \$141,825 over the fifteen- month extended term. The rent was anticipated and budgeted in the Sheriff-Coroner's approved 2014/15 budget. The rent payable by the County during this period is set forth in Attachment A to this Board Order.

CONSEQUENCE OF NEGATIVE ACTION:

Not authorizing the First Amendment to Lease for the Sheriff-Coroner's continued occupancy at 500 Court Street, Martinez, would require the Sheriff-Coroner to vacate 500 Court Street before the tenant improvements for its new offices are completed.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

First Amendment to Lease

FIRST AMENDMENT TO LEASE

Sheriff-Coroner – Records and Warrants and Central Identification Services

500 Court Street, Martinez

This first amendment is dated _____ and is between the Contra Costa Community College District, a community college district duly organized and existing under and by virtue of the laws of the State of California (the “**District**”) and the County of Contra Costa, a political subdivision of the State of California (the “**County**”).

Recitals

A. The District and the County are parties to a lease dated May 18, 2010, under which the County is leasing approximately 7,280 square feet in the building commonly known as 500 Court Street, Martinez, California (the “**Lease**”).

B. On May 31, 2011, the parties agreed to extend the Lease to May 31, 2012. On May 31, 2012, the parties agreed to extend the Lease on a month-to-month basis. The parties now desire to amend the Lease to extend the term through June 30, 2015, modify the District’s right to inspect the Premises, and add a termination provision.

The parties therefore agree as follows:

Agreement

1. Paragraph A.3. Term is deleted in its entirety and replaced with the following:

A.3. Term. The term of this Lease is five years and one month, beginning June 1, 2010 (“**Commencement Date**”) and ending June 30, 2015; provided, however, either party may terminate the Lease at any time after January 1, 2015, by giving sixty (60) days’ prior written notice to the other party.

If the County terminates the Lease at any time between January 1, 2015 and May 31, 2015, the County shall pay the District a one-time termination fee of NINE THOUSAND FOUR HUNDRED FIFTY-FIVE AND NO/100 DOLLARS (\$9,455.00).

2. Paragraph A.4. Rent is deleted in its entirety and replaced with the following:

A.4. Rent. County shall pay rent (“**Rent**”) to District monthly, in advance, beginning on the Commencement Date. Rent is payable on the tenth of each month during the Term in the amounts set forth below:

- a. EIGHT THOUSAND SEVEN HUNDRED THIRTY-FIVE AND NO/100 DOLLARS (\$8,735.00) per month commencing June 1, 2010 and ending May 31, 2012.
- b. EIGHT THOUSAND NINE HUNDRED TEN AND NO/100 DOLLARS (\$8,910.00) per month commencing June 1, 2012 and ending March 31, 2014.
- c. NINE THOUSAND FOUR HUNDRED FIFTY-FIVE AND NO/100 DOLLARS (\$9,455.00) per month commencing April 1, 2014 and ending June 30, 2015.

Rent for any fractional month will be prorated and computed on a daily basis with each day's rent equal to one-thirtieth (1/30) of the monthly Rent. Payments are to be mailed to: Contra Costa Community College District, 500 Court Street, Martinez, CA 94553.

3. Paragraph A.6. Extension is deleted in its entirety.
4. Section B.11. Inspection is deleted in its entirety and replaced with the following:

B.11. Inspection. District may enter the Premises by prior appointment with County between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding holidays, for the following purposes:

- a. To have Lessor, or its proper representatives or contractors determine that (i) the Premises is being reasonably cared for, (ii) no waste is being made and that all actions affecting the Premises are done in a manner best calculated to preserve the Premises, and (iii) County is in compliance with the terms and conditions of this Lease.
 - b. To have its planners, estimators, architects, and contractors survey the Premises in conjunction with its planning for the renovation of the Premises for District's occupancy, which renovation and occupancy will occur after the termination of the Lease.
5. County shall pay, in arrears, no later than thirty (30) days after the date of execution of this first amendment, all Rent that is then due under the payment schedule set forth in this first amendment.
 6. All other terms of the Lease remain unchanged.

[Remainder of Page Intentionally Left Blank]

7. District and County are executing this first amendment as of the date set forth in the introductory paragraph.

COUNTY

COUNTY OF CONTRA COSTA, a political subdivision of the State of California

By: _____
Julia R. Bueren
Public Works Director

DISTRICT

CONTRA COSTA COMMUNITY COLLEGE DISTRICT, a college district duly organized and existing under and by virtue of the laws of the State of California

By: _____
David Wetmore, Director of Purchasing and Contracts

RECOMMENDED FOR APPROVAL:

By: _____
Karen Laws
Principal Real Property Agent

APPROVED AS TO FORM:
Atkinson, Andelson, Loya, Ruud & Romo

By: _____
Steven B. Van Horn
Senior Real Property Agent

By: _____
Elizabeth B. Hearey

APPROVED AS TO FORM:

SHARON L. ANDERSON, County Counsel

By: _____
Kathleen M. Andrus
Deputy County Counsel



Contra
Costa
County

To: Board of Supervisors
From: Robin Lipetzky, Public Defender
Date: July 8, 2014

Subject: Approve contract for clinical fellow-- Lawyers for America

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Defender, or designee, to execute a Field Agency Agreement and an accompanying Memorandum of Agreement with University of California Hastings College of Law and Lawyers for America in an amount not to exceed \$40,000 to provide a two-year work experience for a law student for the Lawyers for America program for the period of August 1, 2013 through May 15, 2015.

FISCAL IMPACT:

\$40,000, 100% General Fund.

BACKGROUND:

This Agreement is between UC Hastings College of the Law and the Contra Costa County Public Defender's Office. The Lawyers of America program is a two-year program which aims to improve the lawyering skills of new lawyers while expanding the availability of legal services for those who cannot afford to hire lawyers and for the public by providing two-year work experiences in the public and nonprofit sectors. The primary purpose of this Agreement is to further the educational objectives of the Lawyers for America Program by placing one (1) clinical Fellow with the Agency to work under the direction of a designated attorney supervisor and other Agency attorneys in the defense of criminal cases.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Robin Lipetzky,
925-335-8035

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The Public Defender would not be able to execute the Lawyers for America program.

CHILDREN'S IMPACT STATEMENT:

No impact.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Grant Award #28-858 from Los Medanos Community Healthcare District

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to accept, on behalf of the County, Grant Award #28-858 from Los Medanos Community Healthcare District, to pay the County in an amount not to exceed \$10,000, for the County’s Public Health, Family Maternal and Child Health Program (FMCH), Pathways to Fatherhood Project, for the period from January 1, 2014 through December 31, 2014.

FISCAL IMPACT:

Acceptance of this Grant Award will result in an amount not to exceed \$10,000 from Los Medanos Community Healthcare District for the Public Health, Pathways to Fatherhood Project. No County match required.

BACKGROUND:

The Los Medanos Community Healthcare District has awarded Contra Costa Health Services’ (CCHS), Family Maternal and Child Health Program (FMCH), “Pathways to Fatherhood” project. In collaboration with other non-profit organizations and providers, this project consists of an eight (8) week series of workshops,

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Wendel Brunner, M.D.
313-6712

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

By: , Deputy

cc: Jacqueline Pigg, Tasha Scott

BACKGROUND: (CONT'D)

and case management services for fathers residing in Bay Point and Pittsburg. The goal of the project is to improve availability of and access to direct health and behavioral services for all residents of the District, support preventative and public health efforts that promote and protect the personal community, and environmental well-being and health of residents, and engage in population-specific efforts to address residents that are underserved or particularly impacted by health

Approval of Grant Award #28-858 will provide funding to support FMCH Pathways to Fatherhood Project through December 31, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

If this award is not approved, the County will not receive funds to support the fathers residing in Bay Point and Pittsburg under the "Pathways to Fatherhood" project.

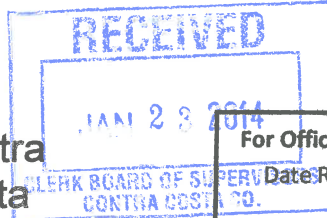
CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS



Contra
Costa
County



For Office Use Only
Date Received:

For Reviewers Use Only:
Accepted Rejected

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:

Contra Costa County
CLERK OF THE BOARD
651 Pine Street, Rm. 106
Martinez, California 94553-1292
PLEASE TYPE OR PRINT IN INK
(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

CONTRA COSTA COUNTY ADVISORY COUNCIL ON AGING
PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION PRINT EXACT SEAT NAME (if applicable)

1. Name: TERVELT RONALD L
(Last Name) (First Name) (Middle Name)

2. Address: 5617 FRANK PLACE CLAYTON CA 94517
(No.) (Street) (Apt./) (State) (Zip Code)

3. Phones: 925/672-8755
(Home No.) (Work No.) (Cell No.)

4. Email Address: TERVELTFAM@SBCGLOBAL.NET

5. EDUCATION: Check appropriate box if you possess one of the following:

High School Diploma G.E.D. Certificate California High School Proficiency Certificate

Give Highest Grade or Educational Level Achieved COLLEGE GRADUATE

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) PURDUE UNIVERSITY	ARCH ENG	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			ARS	1963
B) PURDUE UNIVERSITY	MATHEMATICS	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			BS	1967
C)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year) From <u>7/1/08</u> To <u>4/30/09</u></p> <p>Total: <u>Yrs. 1</u> <u>Mos.</u></p> <p>Hrs. per week <u>20</u> . Volunteer <input type="checkbox"/></p>	<p>Title <u>GRAND JURY MEMBER</u></p> <p>Employer's Name and Address <u>CONTRA COSTA COUNTY</u> <u>725 COURT ST</u> <u>MARTINEZ, CA</u></p>	<p>Duties Performed <u>EVALUATE CITIES AND COUNTY SERVICES FOR EFFICIENCIES AND EFFECTIVENESS</u></p>
<p>B) Dates (Month, Day, Year) From <u>7/1/09</u> To <u>4/30/10</u></p> <p>Total: <u>Yrs. 1</u> <u>Mos.</u></p> <p>Hrs. per week <u>20</u> . Volunteer <input type="checkbox"/></p>	<p>Title <u>GRAND JURY FOREMAN</u></p> <p>Employer's Name and Address <u>CONTRA COSTA COUNTY</u> <u>725 COURT ST</u> <u>MARTINEZ, CA</u></p>	<p>Duties Performed <u>LEAD 19 MEMBERS IN THEIR DUTIES OF FOREPERSONS</u></p>
<p>C) Dates (Month, Day, Year) From <u>3/2001</u> To <u>4/2008</u></p> <p>Total: <u>Yrs. 7</u> <u>Mos. 6</u></p> <p>Hrs. per week <u>20</u> . Volunteer <input type="checkbox"/></p>	<p>Title <u>TRUSTEE</u></p> <p>Employer's Name and Address <u>CONTRA COSTA COUNTY MOSQUITO & VECTOR CONTROL DISTRICT</u> <u>155 MASON CIRCLE</u> <u>CONCORD, CA</u></p>	<p>Duties Performed <u>PRESIDENT</u> <u>VICE-PRESIDENT</u> <u>BUDGET CHAIR, CONSULTANT</u> <u>POLICY DEVELOPMENT</u> <u>GOAL OBJECTIVES</u></p>
<p>D) Dates (Month, Day, Year) From _____ To _____</p> <p>Total: <u>Yrs.</u> <u>Mos.</u></p> <p>Hrs. per week _____ . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Employer's Name and Address</p>	<p>Duties Performed</p>

7. How did you learn about this vacancy?

CCC Homepage Walk-In Newspaper Advertisement District Supervisor Other FRIEND

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No Yes

If Yes, please identify the nature of the relationship: _____

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name: Ronald Smith Date: 1-22-2014

Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: 651 Pine Street, Room 106, Martinez, CA 94553.
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.

R. L. Tenveit
5617 Frank Place
Clayton, CA
94517

OAKLAND CA 945
22 JAN 2014 PM 5 L



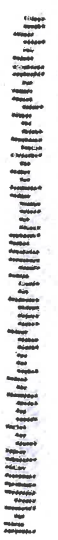
CONTRA COSTA COUNTY
CLERK OF THE BOARD

651 RINE STREET, Room 104
MARTINEZ, CA

94553-1292

RECEIVED
JAN 23 2014
CLERK BOARD OF SUPERVISORS
CONTRA COSTA CO.

9455312939





Contra
Costa
County

To: Board of Supervisors
From: Vincent L. Guise, Director of Agriculture/Weights & Measures
Date: July 8, 2014

Subject: MOU between CA Agricultural Commissioners and Sealers Assn (CACASA) and the Agricultural Commissioner of CCC

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Agricultural Commissioner, or his designee, to sign the Memorandum of Understanding with the California Agricultural Commissioners and Sealers Association (CACASA) to provide reimbursement of \$6,372 to the department for certain non-mandated pesticide use reporting activities for the period of July 1, 2014 to June 30, 2015 as recommended by the Agricultural Commissioner.

FISCAL IMPACT:

The Agricultural Department will be reimbursed \$6,372 for activities related to pesticide use reporting

BACKGROUND:

In 1990, the State mandated that all agricultural pesticide usage be reported through county agricultural commissioners to the CA Dept. of Pesticide Regulations (CDPR). The use of pesticides by pest control businesses and the agricultural use of restricted pesticides were already required to be reported in the same manner.

The CDPR subsequently contracted with county agricultural commissioners to input the data from these reports into a database and to submit the data to CDPR monthly.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

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

Contact: 646-5250

By: , Deputy

cc:

BACKGROUND: (CONT'D)

In 2011, through the joint efforts of CDPF and CACASA, a new computer program was installed in the offices of all county agricultural commissioners which improved the permit process for restricted pesticides, issuance of operator identification numbers and the submission of pesticide use reports. This new program provided the capability of centralized data submission and allows on-line entry of the data by those required to submit pesticide use reports.

The CDPR no longer offers individual data submission contracts to counties and has contracted with CACASA to provide the data storage, software and data communication infrastructure for the reporting of pesticide use data. CACASA has simplified the overall process of the data submission contracts and is providing the online program support to maintain the enhanced reporting capabilities.

In order to ease the transition from county personnel inputting the data to the user of the pesticide inputting the data, CACASA is providing funding to counties during the transition period, in return for county agricultural commissioners' efforts to provide on-going data input and training to submitters of data to use the new online submission program.

CONSEQUENCE OF NEGATIVE ACTION:

A negative vote would cause the department to lose revenue for the pesticide use reporting program,

CHILDREN'S IMPACT STATEMENT:

None



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: July 8, 2014

Subject: 2014/2015 Keller Canyon Mitigation Trust Fund - Bay Point School Resource Officer

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to apply for and accept a grant in an amount up to \$241,386 from Contra Costa County Keller Canyon Mitigation Trust fund to fund one Deputy Sheriff position for the Bay Point School Resource Officer Program for the period of July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

\$241,386, 100% Keller Canyon Mitigation Funds. No County match.

BACKGROUND:

The Bay Point School Resource Officer Program is to emphasize the prevention and enforcement of criminal matters and to participate in the youth intervention programs. In addition to the general goals the School Resource Officer also assists the Resident Deputies with organizing and planning the yearly Christmas and Holiday Heroes programs and the annual Bike Rodeo and bicycle give-away. The outcomes and impacts of this project will result in reducing the number of incidents within the local schools, increasing public trust, and reducing the seriousness of incidents and/or the amount of harm, as reflected in routinely collected law enforcement data/information related

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Mary Jane Robb, (925)
335-1557

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

to problems (e.g. crime data, arrests, incident reports, calls for service). Since this is an on-going project, the School Resource Officer is flexible in approaching and dealing with the issues affecting the schools, their students and the community. In the off season while school is out of session, the School Resource Officer focuses on the Crime Free Multi-Housing Program to ensure the children have a safe/crime free home environment.

CONSEQUENCE OF NEGATIVE ACTION:

The Office of the Sheriff would not be able to fund a full time Bay Point School Resource Officer.

CHILDREN'S IMPACT STATEMENT:

The Bay Point School Resource Officer helps to establish a safe school environment and promote positive development of the Bay Point youth.



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: July 8, 2014

Subject: 2014-2015 Keller Canyon Mitigation Trust Fund - Bay Point Resident Deputy

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to apply for and accept a grant in an amount up to \$241,386 from the Contra Costa County Keller Mitigation Trust Fund to fund one Deputy Sheriff position for the Bay Point Resident Deputy program for the period of July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

\$241,386, 100% Keller Canyon Mitigation Fund. No County match.

BACKGROUND:

The Bay Point Resident Deputy Program provides focused Community Policing to the residents of Bay Point with an emphasis on crime prevention, enforcement, active participation in the National Crime Free Housing Program, acts as a liaison to local businesses and works with the School Resource Officer to implement and participate in youth crime prevention programs. Due to the level of continual and increasing criminal activity in the Bay Point community, the regular beat deputies are often unable to address many of the quality of life issues affecting residents. The Resident Deputy Program allows the program deputies to concentrate on the prevention of criminal activity,

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Mary Jane Robb,
925-335-1557

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

build personalized/ one-on-one relationships with businesses and residents alike, allows time to familiarize themselves with specific criminal elements, identify and strengthen vulnerable points of the community and improve the overall atmosphere of the neighborhoods by adding a consistent enforcement.

CONSEQUENCE OF NEGATIVE ACTION:

The Office of the Sheriff would not be able to fund a full time Bay Point Resident Deputy.

CHILDREN'S IMPACT STATEMENT:

The Bay Point Resident Deputy works with the School Resources Officer to implement and participate in youth crime prevention programs.



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: July 8, 2014

Subject: 2014/2015 Keller Canyon Mitigation Trust Fund - Bay Point Christmas Dinner & Toy Giveaway

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to apply for and accept a grant in an amount up to \$8,000 from Contra Costa Keller Canyon Mitigation Trust Fund to host a free community Christmas party and toy giveaway for the residents of Bay Point.

FISCAL IMPACT:

\$8,000, 100% Keller Canyon Mitigation Funding. No County match.

BACKGROUND:

The Contra Costa County Office of the Sheriff will host a free community Christmas Party and Toy Giveaway for the residents of Bay Point. Last year's event provided meals for 950 people. The meal consisted of turkey, stuffing, mashed potatoes, corn, and dessert. During the meal, local performers provided entertainment. Over 1,200 toys were given to the children of Bay Point. Our goal is to continue to develop positive relationships between the residents of Bay Point and the Office of the Sheriff by demonstrating our good will and sincerity at the event. The verifiable changes come from the increased witness participation in the community; developing trust is a key to our success.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Mary Jane Robb, (925)
335-1557

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The Office of the Sheriff would not be able to host the annual Christmas party and toy giveaway.

CHILDREN'S IMPACT STATEMENT:

Many families in Bay Point have very limited incomes. The Sheriff's Christmas Party provides a meal and gifts to children who would otherwise not receive a traditional Christmas dinner or gifts during the holiday season.



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: July 8, 2014

Subject: 2014-2015 Keller Canyon Mitigation Trust Fund - Bay Point Bicycle Safety Rodeo

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff, or designee, to apply for and accept a grant in the amount up to \$3,500 from Contra Costa County Keller Mitigation Trust Fund. The funds will be used to provide bicycle helmets, bicycle repair, an instructional class on safety and bicycle raffles.

FISCAL IMPACT:

\$3,500, 100% Keller Canyon Mitigation Funds. No matching County Funds.

BACKGROUND:

The Contra Costa County Office of the Sheriff, in partnership with the Street Smarts Program, Bike Mobile (mobile bike repair program) and County Health Services, will host a free bicycle safety rodeo to teach local youths about bicycle, pedestrian and railroad crossing safety. There is a sit down class of instruction on the above safety items. A practical application course has been set up for the youths to exercise and practice what they have learned. All participants will receive a free bike helmet. The Bike Mobile will repair, at no cost, bicycles brought to the event by local youths that are in need of repairs. Due to the financial economics of local families,

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Mary Jane Robb, (925)
335-1557

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

many of the local youths do not own a bicycle. With the funding from the Keller Canyon Mitigation Fund, bicycles will be purchased and raffled free at the event. This event will also encourage the local youth to involve themselves in physical activity by riding their bicycles.

CONSEQUENCE OF NEGATIVE ACTION:

The Office of the Sheriff would not be able to help host the Bay Point Bicycle Rodeo.

CHILDREN'S IMPACT STATEMENT:

This event will encourage the local youth to involve themselves in physical activity by riding their bicycles.



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: July 8, 2014

Subject: 2013 Emergency Management Performance Grant Amendment

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute an amendment to the California Emergency Management Agency (Cal EMA) 2013 Emergency Management Performance Grant, to increase the grant amount by \$15,000 not to exceed \$375,548 for the period of July 1, 2013 through June 30, 2014, to purchase additional equipment to prepare for, mitigate, respond to and recover from emergencies and disasters.

FISCAL IMPACT:

\$15,000, 100% Federal. Approval of this amendment will result in additional funds in the amount of \$15,000, for the 2013 Emergency Management Performance Grant; 100% Federal with the State as the fiscal agent. Grant requires in-kind match in the amount of the grant award, which is currently budgeted. (CFDA# 97.042)

BACKGROUND:

The Operational Area of Contra Costa County has received Emergency Management Performance Grant (EMPG) funds from the California Emergency Management Agency for several years. The continuation of this program is critical to maintaining the quality and quantity of emergency management programs provided within the County. This funding will allow for enhanced coordination

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Mary Jane Robb
335-1557

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

and communication among the disciplines within the Operational Area to maximize protective actions, emergency preparedness, and the effective response to emergencies and disasters. Up to \$50,000 from this grant will be passed on to other municipalities within the County. The total Emergency Management Performance Grant program allocation provided to the County by the U.S. Department of Homeland Security and sub-granted through the State of California is \$375,548.

Contra Costa County submitted a request for additional funds from the California Emergency Management Agency to acquire a Portable Sanitation Trailer. Purchase of a new Portable Sanitation Trailer is to be used by the Sheriff's Office during critical incidents such as SWAT and SAR deployments. In addition the trailer will deploy to a variety of training events and exercises where restrooms are not readily available. Funds to purchase this item come from a special State reallocation of unspent grant dollars to Contra Costa's FY13 Emergency Management Performance Grant. California Emergency Management Agency has approved this additional equipment, for the amount of \$15,000, for the 2013 Emergency Management Performance Grant.

CONSEQUENCE OF NEGATIVE ACTION:

The Sheriff's Office will not be authorized to accept the additional grant funding.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

Resolution No. 2014/232

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

Adopted this Resolution on 07/08/2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2014/232

IN THE MATTER OF:

Applying for and Accepting the 2013 Emergency Management Performance Grant.

WHEREAS, the County of Contra Costa is seeking funds available through the Emergency Management Performance Grant program administered by the California Emergency Management Agency;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the Sheriff-Coroner, the Undersheriff or the Sheriff's Chief of Management Services, to execute for and on behalf of the County of Contra Costa, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining Federal financial assistance provided by the U.S. Department of Homeland Security and subgranted through the State of California.

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: Mary Jane Robb 335-1557

ATTESTED: July 8, 2014

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: July 8, 2014

Subject: 2014-15 California Department of Education Preschool Program revenue contract

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Department Director, or designee, to execute a contract with the California Department of Education in an amount not to exceed \$6,899,491, to provider State Preschool services, for the period July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

County to receive up to \$6,899,491: State 78% (\$5,377,689); Federal 22% (\$1,521,802) No County match.

CFDA #s 93.596 (\$1,030,300) and 93.575 (\$491,502).

State Agreement CSPP 4045 / CCC Agreement 39-908-15

BACKGROUND:

The California Department of Education notified the Department on June 18, 2014 of the 2014-15 funding allocation of the California State Preschool program services. The County receives funds from the California Department of Education to provide state preschool services

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: J. Bhambra,
313-1545

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

By: , Deputy

cc: Jagjit Bhambra, Ressie Dayco, Cassandra Youngblood

BACKGROUND: (CONT'D)

to program eligible County residents. The program is operated by the Employment and Human Services Department, Community Services Bureau. Approval of this board order will allow the continued provision of these childcare services.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, County will not receive funding to operate these childcare programs.

CHILDREN'S IMPACT STATEMENT:

The Employment and Human Services Department, Community Services Bureau supports three of the community outcomes established in the Children's Report Card: 1) "Children Ready for and Succeeding in School"; 3) "Families that are Economically Self-sufficient"; and, 4) "Families that are Safe, Stable, and Nurturing" by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.



Contra
Costa
County

To: Board of Supervisors
From: Linda Dippel, Child Support Services Director
Date: July 8, 2014

Subject: Interagency Agreement Amendment with Monterey County Department of Child Support Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Child Support Services, or designee, to execute an interagency agreement amendment with Monterey County Department of Child Support Services, a government agency, to increase the total payment limit to the County by \$50,000 to a new payment limit not to exceed \$106,052.00 to provide Early Intervention Services, and to extend the term from June 30, 2014 through September 30, 2014.

FISCAL IMPACT:

Approval of this Interagency Agreement will result in a total payment to the County, not to exceed \$106,052 during the term of the agreement. No County matching funds required.

BACKGROUND:

The California State Department of Child Support Services has issued a statewide mandate for local child support agencies to focus on early intervention efforts to prevent payment delinquency and increase collections. The Department of Child Support Services has a contract with Maximus to provide early intervention services to accommodate the state wide mandate. The pricing structure of the program is discounted based upon the volume of cases submitted to be processed.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Sarah Bunnell,
313-4433

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Due to the statewide focus on early intervention efforts, Monterey County Department of Child Support Services has requested to submit their cases, with Contra Costa County to increase the volume of cases submitted and thereby reduce the per case cost. This is a collaborative effort to address the State mandate and to accomplish this task in a cost efficient manner by leveraging the buying power of multiple agencies.

Approval of this Interagency Agreement will allow Monterey County Department of Child Support Services to pay Contra Costa County for early intervention delinquency services that were specifically applied to their Agency's caseload.

CONSEQUENCE OF NEGATIVE ACTION:

If this action were not approved, it would eliminate the ability for other county child support agencies from participating in this program and increase the per case cost to Contra Costa County Department of Child Support Services.

CHILDREN'S IMPACT STATEMENT:

Approval of this Board Order will help the Department of Child Support Services to collect child support payments and pass these collections on to the home for the benefit of the children associated with cases within this Department.



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: July 8, 2014

Subject: POST Driving Simulator and Force Option Contract

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with the State of California Commission on Peace Officer Standards and Training (POST), including full indemnification of the State of California, to pay the County an amount not to exceed \$90,000 for the instruction of accredited Driving Simulator and Force Option Simulator courses for the period July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

No County Costs. \$90,000; 100% Revenue, State of California. Budgeted in fiscal year 2014/15.

BACKGROUND:

The Office of the Sheriff - Law Enforcement Training Center provides State Commission on Peace Officer Standards and Training (POST)-approved driving simulator and force option simulator instruction to law enforcement personnel in order to ensure up-to-date training. This contract will enable the Sheriff's Office to recover the costs of this instruction for up to 90 students at a cost not to exceed \$1,000 per student.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Sandra Brown,
925-335-1553

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The contract with the State of California will not be approved. The Sheriff's Office will not be able to provide or be reimbursed for the services outlined in this contract.

CHILDREN'S IMPACT STATEMENT:

No impact.



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: July 8, 2014

Subject: 2014-15 Calif. Dept. of Educ. CalWORKS Stage 2 childcare revenue contract

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment & Human Services Department Director, or designee, to execute a contract with California Department of Education in an amount not to exceed \$3,723,981, to provide for childcare and development programs (CalWORKS Stage 2) for the period July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

100% State funding
No County match
State: C2AP 4009
County: 29-213-23

BACKGROUND:

The Department received notification on June 19, 2014 from California Department of Education for the 2014-15 funding allocation for alternative payment / CalWORKS Stage 2 childcare services. This State program provides funding to reimburse a portion of the childcare costs incurred by CalWORKS Stage 2 participants through their participation in the CalWORKS program.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: C. Youngblood,
313-1712

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

By: , Deputy

cc: Jagjit Bhambra, Haydee Ilan, Cassandra Youngblood

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, County will not have funds to operate CalWORKS Stage 2 childcare program.

CHILDREN'S IMPACT STATEMENT:

The Employment & Human Services Department Community Services Bureau supports three of Contra Costa County's community outcomes - Outcome 1: "Children Ready for and Succeeding in School," Outcome 3: "Families that are Economically Self-sufficient," and, Outcome 4: "Families that are Safe, Stable, and Nurturing." These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.



Contra
Costa
County

To: Board of Supervisors
From: Linda Dippel, Child Support Services Director
Date: July 8, 2014

Subject: Interagency Agreement Amendment with Stanislaus County Department of Child Support Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Child Support Services, or designee, to execute an interagency agreement amendment with Stanislaus County Department of Child Support Services, a government agency, to increase the total payment limit by \$40,000 to a new payment limit of \$125,000 to provide Early Intervention Services with no change in the term of January 1, 2014 through September 30, 2014.

FISCAL IMPACT:

Approval of this Interagency Agreement will result in a total payment to the County, not to exceed \$125,000 during the term of the agreement. No County matching funds required.

BACKGROUND:

The California State Department of Child Support Services has issued a statewide mandate for local child support agencies to focus on early intervention efforts to prevent payment delinquency and increase collections. The Department of Child Support Services has a contract with Maximus to provide early intervention services to accommodate the state wide mandate. The pricing structure of the program is discounted based upon the volume of cases submitted to be processed.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Sarah Bunnell,
313-4433

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Due to the statewide focus on early intervention efforts, Stanislaus County Department of Child Support Services has requested to submit their cases with Contra Costa County to increase the volume of cases submitted and thereby reduce the per case cost. This is a collaborative effort to address the State mandate and to accomplish this task in a cost efficient manner by leveraging the buying power of multiple agencies.

Approval of this Interagency Agreement will allow Stanislaus County Department of Child Support Services to pay Contra Costa County for early intervention payment delinquency services that were specifically applied to their Agency's caseload.

CONSEQUENCE OF NEGATIVE ACTION:

If this action were not approved, Stanislaus County's Department of Child Support Services would not be able to participate in the multiple agency program and the per case cost to DCSS would increase.

CHILDREN'S IMPACT STATEMENT:

Approval of this Board Order will help the Department of Child Support Services collect child support payments and pass these collections on to the home for the benefit of the children associated with cases within this Department.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Contract #26-967-16 with Thomas J. McDonald, M.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-967-16 with Thomas J. McDonald, M.D., a self-employed individual, in an amount not to exceed \$1,425,000, to provide ophthalmology services at Contra Costa Medical Center and Contra Costa Health Centers, for the period from June 1, 2014 through May 31, 2017.

FISCAL IMPACT:

This Contract is funded 100% by Enterprise Fund I. Cost to the County depends upon utilization. As appropriate, patients and/or third party payors will be billed for services. (Rate increase)

BACKGROUND:

On May 7, 2013, the Board of Supervisors approved Contract #26-967-15 with Thomas J. McDonald, M.D., for the period from June 1, 2013 through May 31, 2014, for the provision of ophthalmology services at Contra Costa Regional Medical Center and Contra Costa Health Centers. Approval of Contract #26-967-16 will allow Contractor to continue to provide ophthalmology services through May 31, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, ophthalmology services at Contra Costa Regional Medical Center and Contra Costa Health Centers will be reduced.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: David Goldstein, M.D.
370-5525

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

By: , Deputy

cc: A Floyd , C Rucker

CHILDREN'S IMPACT STATEMENT:

NOT APPLICABLE



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Fiscal Year 2013-14 Purchase Order with Pierce Manufacturing, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Public Works Director, to execute a purchase order with Pierce Manufacturing, Inc., in an amount not to exceed \$500,000.00 for the purchase of a new fire engine for the Crockett - Carquinez Fire Protection District.

FISCAL IMPACT:

100% Crockett - Carquinez Fire Protection District (202800).

BACKGROUND:

The purchase order is necessary to fund the replacement of a 35-year-old fire engine that is becoming too costly to maintain and repair.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved, the Crockett - Carquinez Fire Protection District will not be able to replace the old fire engine.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Daniel Lesnick,
925-313-2367

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Jessica Hudson, County Librarian
Date: July 8, 2014

Subject: Library and 3M Equipment Service Agreement FY 2014/15

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Librarian, or designee, to execute a contract with 3M Library Systems in an amount not to exceed \$144,942 for service and maintenance of self-check and self-return equipment, Radio Frequency Identification (RFID) security gates, RFID digital library assistants (to read RFID tags), and staff workstations for the period July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

The cost is appropriated in the Library's FY 2014/2015 budget.

BACKGROUND:

3M equipment is used throughout the library's 26 locations. The service agreement covers 120 pieces of equipment plus software and includes labor, parts, and equipment modifications. Service can be requested via an 800 number 24 hours 7 days a week. The equipment under the service agreement is used for book/media security equipment, inventory equipment, and customer self service equipment. The Library staff is experienced with 3M equipment and support. Since all of the library's self-service equipment is manufactured by 3M, it is imperative for network and training that the systems are compatible and the same in each location, especially for staff that move between locations.

CONSEQUENCE OF NEGATIVE ACTION:

Library self-service functions will not be maintained, resulting in increased staff mediation and decreased customer satisfaction.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Cathy Sanford
925-927-3228

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

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Joseph E. Canciamilla, Clerk-Recorder
Date: July 8, 2014

Subject: Contract for Election Equipment and Supply Delivery

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Clerk-Recorder, or designee, to execute a contract with Metropolitan Van and Storage, Inc., in an amount not to exceed \$880,000 for the delivery, pick up and storage of election supplies and equipment for the period May 1, 2014 through December 31, 2015.

FISCAL IMPACT:

The amount of the contract will not exceed \$880,000 and is included in the 2013-14 and 2014-15 General Fund budgets. The cost of drayage is a reimbursable election cost and a portion is reimbursed by those agencies for whom the County conducts elections.

BACKGROUND:

Bulky and heavy supplies and voting equipment must be delivered to polling locations, set up and later retrieved for each election the County conducts. Metropolitan has provided these drayage services for many years and this contract renews their services for the same scope of work as in the past. Metropolitan also stores much of the bulky election equipment at its location between elections, saving the department storage space.

CONSEQUENCE OF NEGATIVE ACTION:

If the request is not approved, the Department will have to find alternative sources for these services, as it does not have the internal capacity to store or deliver the supplies and equipment.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

**VOTE OF
SUPERVISORS**

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: July 8, 2014

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

Contact: 335-7808

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

None.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: APPROVE a purchase order amendment with East Bay Tire

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Public Works Director, a purchase order amendment with East Bay Tire to increase the payment limit by \$57,000 to a new payment limit of \$150,000, for tires and tire supplies, Countywide.

FISCAL IMPACT:

This cost is to be funded through the Fleet Services Internal Service Fund

BACKGROUND:

Fleet Management is responsible for vehicle maintenance. Tires are an important commodity for this maintenance. Goodyear's tires have been established as the County's standard. Goodyear Tires can be purchased through any Goodyear dealer at government prices. Goodyear Tires in Benicia is Fleet's primary vendor. In addition to them, Fleet Management uses East Bay Tire as an alternate Goodyear Tires dealer. East Bay Tire's location in Pittsburg establishes them as a local business enterprise. The funds for East Bay Tire's purchase order have been exhausted and are in need of an increase.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, Goodyear Tires will not be purchased at government pricing through East Bay Tire.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Stan Burton,
925-313-7077

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

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: July 8, 2014

Subject: Contract #23-290-2 with PricewaterhouseCoopers, LLP

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #23-290-2 with PricewaterhouseCoopers LLP, a limited liability partnership, in an amount not to exceed \$200,000, to provide consultation and technical assistance to the Health Services Department, for the period from August 1, 2014 through July 31, 2015.

FISCAL IMPACT:

This Contract is funded 100% by Enterprise Fund I.

BACKGROUND:

On August 6, 2013, the Board of Supervisors approved Contract #23-290-1 with PricewaterhouseCoopers LLP, for the provision of consultation and technical assistance including research, opinion, valuation, integration opportunities, deal structure, and advice regarding potential organizational changes and affiliations with other entities. This Contract includes modification to the County's Standard General Conditions language including modification to the indemnification provisions, a binding arbitration provision, and a limitation of Contractor's liability

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Patrick Godley,
925-957-5405

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

By: , Deputy

cc: K Cyr, C Rucker

BACKGROUND: (CONT'D)

for the period from August 6, 2014 through July 31, 2014. Approval of Contract #23-290-2 will allow the Contractor to continue to provide consultation and technical assistance to the Health Services Department through July 31, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the Health Services Department will not be able to use the Contractor's expertise to determine if a potential reorganization or affiliation should be considered by the Health Services Department.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: July 8, 2014

Subject: Correct Board Action of June 24, 2014 (C63) with Bay Area Community Resources, Inc. for Out of School Youth Development

RECOMMENDATION(S):

AMEND Board Order approved on June 24, 2014 (C63) authorizing the Employment and Human Services Director to execute a contract with Bay Area Community Resources, Inc., by changing service provisions from "In School Youth Services" to "Out of School Youth Services" with no change in the term of July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

\$675,000 No County Costs; 100% Federal Workforce Investment Act Youth Funding.

BACKGROUND:

In March 2014 the Employment and Human Services Department, on behalf of the Workforce Development Board of Contra Costa (WDB) and The Youth

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Stephen Baiter,
2-6820

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Council, awarded contracts under Request for Proposal #1134 for in-school, out-of-school, and follow-up youth services as mandated by the Workforce Investment Act (WIA). The Youth Council and WDB awarded one of three contracts to Bay Area Community Resources, Inc. (BARC) for these services. BACR will provide comprehensive workforce training, placement and wraparound services to 185 out-of-school youth in East and West County. BACR will provide both educational and workforce development strategies that assist youth in returning to and completing High School, and prepare disconnected youth for ongoing education and training, long-term careers and entry into the workplace. BARC will connect with partners from postsecondary institutions to provide pathways to postsecondary education and training, enabling youth to earn a degree and/or an industry-recognized certification or credential in a high growth occupation. (#18-357-0)

This Board Order is requesting Board Approval to correct Board Action of June 24, 2014 (C63) Workforce Investment Act (WIA) from In School Youth Services to Out of School Youth Services.

CONSEQUENCE OF NEGATIVE ACTION:

Out-of-School Youth will not receive assistance in overcoming barriers to employment, job readiness, educational programs, or career training.

CHILDREN'S IMPACT STATEMENT:

The contract supports all five of the community outcomes established in the Children's Report Card: 1) "Children Ready for and Succeeding in School", 2) "Children and Youth Healthy and Preparing for productive Adulthood", 3) "Families that are Economically Self-Sufficient", 4) "Families that are Safe, Stable and Nurturing", and 5) "Communities that are safe and Provide a High Quality of Life for Children and Families by training and providing employment opportunities for youth.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Novation Contract #74-356-5 with Child Abuse Prevention Council of Contra Costa County

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #74-356-5 with Child Abuse Prevention Council of Contra Costa County, a non-profit corporation, in an amount not to exceed \$111,828, to provide Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) Services for the period from July 1, 2014 through June 30, 2015. This Contract includes a six-month automatic extension through December 31, 2015, in an amount not to exceed \$55,914.

FISCAL IMPACT:

This Contract is funded 100% by MHSA. (No rate increase)

BACKGROUND:

This Contract meets the social needs of County’s population by providing evidence-based curriculum of culturally, linguistically, and developmentally appropriate parenting

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Cynthia Belon,
957-5201

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

By: , Deputy

cc: A Down, C Rucker

BACKGROUND: (CONT'D)

classes to Spanish speaking families in East Contra Costa County and Central Contra Costa County's Monument Corridor.

On September 17, 2013, the Board of Supervisors approved Novation Contract #74-356-4 with Child Abuse Prevention Council of Contra Costa County, for the period from July 1, 2013 through June 30, 2014, which included a six-month automatic extension through December 31, 2014, for the provision of MHSA PEI Services.

Approval of Novation Contract #74-356-5 replaces the automatic extension under the prior Contract and allows the Contractor to continue providing services, through June 30, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, this Contractor will not provide MHSA prevention and early intervention Nurturing Parenting Program and County residents will have reduced access to these services.

CHILDREN'S IMPACT STATEMENT:

This MHSA-PEI program supports the following Board of Supervisors' community outcomes: "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 increases in social connectedness, communication skills, parenting skills, and knowledge of the human service system in Contra Costa County.



Contra
Costa
County

To: Board of Supervisors
From: Sharon Offord Hymes, Risk Manager
Date: July 8, 2014

Subject: Contract with Environmental Occupational Risk Management (EORM)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Risk Manager to execute a contract with Environmental and Occupational Risk Management, Inc. (EORM) to provide professional on-site environmental, health, safety, and sustainability consulting support in an amount not to exceed \$736,300 for the period from July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

Costs will be funded 43% through the Workers' Compensation Internal Service Fund and 57% through direct charges to user departments.

BACKGROUND:

Environmental and Occupational Risk Management, Inc. (EORM) consists of staff possessing specialized technical skills in areas such as indoor air quality, infectious disease control, industrial hygiene, as well as general and environmental compliance. Consulting services assist in dealing with Occupational Safety Health Administration (OSHA) compliance inspections and responses on behalf of County departments.

EORM Safety Specialists assist with the following: facility and program assessments requested by Departments; ergonomic and air quality investigations; development and distribution of federal

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Sharon Hymes-Offord,
(925) 335-1442

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

and state required safety and training tools; continual training of loss control coordinators; implementation of safety/loss control programs for Departments; responses to requests for research and interpretation of federal, state and local health and safety regulations; and on-site First Aid/CPR/AED Training.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not be able to ensure that it meets Cal-OSHA regulatory requirements.

CHILDREN'S IMPACT STATEMENT:

None.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Contract #23-391-11 with Laura Swafford

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #23-391-11 with Laura Swafford, a self-employed individual, in an amount not to exceed \$230,000, to provide professional technical support, and training services for the Department's Keane Patcom System, for the period from July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

This Contract is funded 100% by Enterprise Fund I Budget. (No rate increase)

BACKGROUND:

On September 10, 2013, the County Administrator approved and the Purchasing Services Manger executed Contract #23-391-10 with Laura Swafford, to provide professional technical support, and training services for the Department's Keane Patcom System, for the period from July 1, 2013 through June 30, 2014.

Approval of Contract #23-391-11 will allow Contractor to continue providing services through June 30, 2015.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Patrick Goldey,
957-5405

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

By: , Deputy

cc: T Scott, C Rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the Contractor will not be able to provide services to the Department with regard to the Keane Patcom System.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Contract # 24-725 with Counseling Options & Parent Education, Inc. (C.O.P.E.)

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #24-725 with Counseling Options & Parent Education, Inc. (C.O.P.E.), a non-profit corporation, in an amount not to exceed \$225,000, to provide Triple-P parent education classes and practitioner trainings for the period from July 1, 2014 through June 30, 2015. This Contract includes a six-month automatic extension through December 31, 2015, in an amount not to exceed \$112,500.

FISCAL IMPACT:

This Contract is funded 100% by Mental Health Service Act.

BACKGROUND:

This Contract meets the social needs of County's population by providing Triple P parent education programming to at-risk families in order to help parents develop

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Cynthia Belon,
957-5201

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

By: , Deputy

BACKGROUND: (CONT'D)

better coping skills and improve family communication. Contractor shall also provide trainings and certification services to maintain a qualified pool of practitioners within Contra Costa County.

Under Contract #24-725, Contractor will provide Triple-P parent education classes and practitioner trainings through June 30, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, at-risk families will have reduced access to parent education programming and qualified Triple-P practitioners, resulting in reduced levels of service to the community.

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: July 8, 2014

Subject: Contract #74-469 with Pathways to Wellness Medication Clinic

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-469 with Pathways to Wellness Medication Clinic, a corporation, in an amount not to exceed \$1,198,486, to provide children's and adult mental health services for the period from July 1, 2014 through June 30, 2015. This Contract includes a six-month automatic extension through December 31, 2015, in an amount not to exceed \$599,243.

FISCAL IMPACT:

This Contract is funded 50% by Federal Financial Participation and 50% by County Realignment. (No rate increase)

BACKGROUND:

This Contract meets the social needs of County's population by providing a broad range of mental health services to children and adults in Central County. This Contract is a part of the System of Care and contributes to County's compliance with Mental Health regulations.

Under Contract #74-469, Contractor will provide children's and adult mental health services through June 30, 2015.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Cynthia Belon,
957-5201

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

By: , Deputy

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's clients will not have access to Contractor's services resulting in reduced levels of service to the community.

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: July 8, 2014

Subject: Contract #24-712-1 with Telecare Corporation

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #24-712-1 with Telecare Corporation, a corporation, in an amount not to exceed \$2,017,019, to provide and manage services for Hope House, a sixteen (16) bed short-term residential facility, for mentally ill adults for the period from July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

This Contract is funded 39% by Federal Financial Participation and 61% 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. On January 4, 2014, the Board of Supervisors approved Contract #24-712 with Telecare Corporation,

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Cynthia Belon,
957-5201

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

By: , Deputy

cc: A Down, C Rucker

BACKGROUND: (CONT'D)

for the period from December 5, 2013 through June 30, 2014, to provide and manage services at Hope House, a short-term crisis residential facility.

Approval of Contract #24-712-1, will allow Contractor to continue providing services through June 30, 2015.

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: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Amendment #27-799-3 with Health Management Systems, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #27-799-3 with Health Management Systems, Inc., a corporation, effective July 1, 2014, to amend Contract #27-799-2, to increase the payment limit by \$180,000, from \$75,000 to a new payment limit of \$255,000, with no change in the original term of February 1, 2013 through January 31, 2015.

FISCAL IMPACT:

This amendment is funded 100% by Health Plan member premiums. (No rate increase)

BACKGROUND:

Contra Costa Health Plan is mandated by State and Federal law to have a comprehensive fraud, waste, and abuse prevention and detection program which must include measures that prevent, detect, and correct noncompliance with the Centers for Medicare and Medicaid Services

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Patricia Tanquary,
313-6004

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

By: , Deputy

cc: A Down, C Rucker

BACKGROUND: (CONT'D)

(CMS) program requirements.

On March 12, 2013, the Board of Supervisors approved Contract #27-799-2 with Health Management Systems, Inc. for the provision of professional auditing services, for the period from February 1, 2013 through January 31, 2015.

At the time of negotiations, the payment limit was based on target levels of utilization. However, based on revised projections, actual usage will exceed the target levels by end of the Contract term.

Approval of Contract Amendment Agreement #27-799-3 will allow the Contractor to provide additional services through January 31, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the Health Plan will be out of compliance with Medi-Cal Audit Corrective Action Plan requirements.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Amendment #24-928-22 with Fred Finch Youth Center

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #24-928-22 with Fred Finch Youth Center, a non-profit corporation, effective June 1, 2014, to amend Novation Contract #24-928-21, to increase the payment limit by \$120,766, from \$560,000 to a new payment limit of \$680,766, with no change in the original term of July 1, 2013 through June 30, 2014, and to increase the automatic extension payment limit by \$60,383, from \$280,000 to a new payment limit of \$340,383, with no change in the term of the automatic extension, through December 31, 2014.

FISCAL IMPACT:

This amendment is funded 49% by Federal Financial Participation, 49% by County Realignment and 2% by Mt. Diablo Unified School District. (No rate increase)

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Cynthia Belon,
957-5201

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

By: , Deputy

cc: A Down, C Rucker

BACKGROUND:

This Contract meets the social needs of County's population by providing school and community based mental health services including: assessments, individual, group and family therapy, medication support, case management, outreach and crisis intervention services for Seriously Emotionally Disturbed (SED) children and their families.

On November 12, 2013, the Board of Supervisors approved Novation Contract #24-928-21 with Fred Finch Youth Center for the period from July 1, 2013 through June 30, 2014, which included a six-month automatic extension through December 31, 2014, for the provision of school-based and residential treatment including therapeutic behavioral services.

At the time of negotiations, the payment limit was based on target levels of utilization. Due to increased demand in the Contractor's school-based and dual diagnosis residential treatment programs, actual usage has exceed these target levels.

Approval of Contract Amendment Agreement #24-928-22 will allow the Contractor to continue to provide services through June 30, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, Contractor will not provide SED children within Contra Costa County access to its mental health services resulting in a reduced level of service to the community.

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: Sharon Offord Hymes, Risk Manager
Date: July 8, 2014

Subject: Contract with TCS Risk Management Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Risk Manager to execute a contract with TCS Risk Management Services to administer a county-wide ergonomic program effective July 1, 2014 through June 30, 2016 in an amount not to exceed \$371,000.

FISCAL IMPACT:

Costs for preventative evaluations and equipment will be charged directly to the Departments. Costs for administration of the ergonomic program will be paid from the Workers' Compensation Internal Service Fund.

BACKGROUND:

TCS Risk Management Services provides review and administration of ergonomic programs; employee ergonomic evaluations; installation of ergonomic equipment; discount pricing for equipment; training and coordination with departments; timely delivery of ergonomic evaluations and equipment to prevent or reduce the level of injuries sustained by employees. The results are savings in workers' compensation claims.

CONSEQUENCE OF NEGATIVE ACTION:

This ergonomic program, including the ergonomics laboratory and equipment, will not be available to meet the County's needs and satisfy current regulations.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Sharon Hymes-Offord
925.335.1450

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

By: , Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

None.



**Contra
Costa
County**

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Contract #27-599-12 with Paladin Managed Care Services

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-599-12 with Paladin Managed Care Services, a corporation, in an amount not to exceed \$400,000, to provide claims processing and negotiation services for the Contra Costa Health Plan for the period from June 1, 2014 through May 31, 2016.

FISCAL IMPACT:

This is a contingency fee contract. Contractor receives a percentage of the savings received from their actions. (No rate increase)

BACKGROUND:

On June 5, 2012, the Board of Supervisors approved Contract #27-599-11 with Paladin Managed Care Services, for the period from June 1, 2012 through May 31, 2014 for the provision of claims processing services and negotiation services for the Contra Costa Health Plan including:

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Patricia Tanquary,
313-6004

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

By: , Deputy

cc: A Down, C Rucker

BACKGROUND: (CONT'D)

acting as billing agent to negotiate discounted rates, reviewing the documentation of medical claims, and electronically transmitting claims from out-of-network medical providers.

Approval of Contract #27-599-12 will allow Contractor to continue providing services through May 31, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, Contra Costa Health Plan will not have access to Contractor's negotiation, claims processing and price factoring services.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Contract #72-026-5 with ISIS Healthcare Services, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #72-026-5 with ISIS Healthcare Services, Inc., a corporation, in an amount not to exceed \$200,000, to provide Physical and Occupation Therapists for Public Health California Children’s Service (CCS) Program, Medical Therapy Units (MTU) sites for the period from July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

This Contract is funded 50% State of California Children’s Services Funds and 50% County Funds. (No rate increase)

BACKGROUND:

In July 2013 the County Administrator approved and the Purchasing Services Manager executed Contract #72-026-2 (as amended by Amendment Agreement #72-026-3 and #72-026-4) with ISIS Healthcare Services, Inc., for the provision of professional temporary physical and occupational therapists to fill staff vacancies during peak loads, temporary absences, and emergency situations, for the period from July 1, 2013 through June 30, 2014. Approval of Contract #72-026-5 will allow Contractor to continue providing professional temporary physical and occupational therapists at Public Health California Children’s Service (CCS) Program, Medical Therapy Units (MTU) sites through June 30, 2015.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Wendel Brunner,
925-313-6712

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

By: , Deputy

cc: K Cyr, C Rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring professional physical and occupational therapists at Public Health California Children's Service (CCS) Program, Medical Therapy Units (MTU) sites, will not have access to Contractor's services, which may result in a reduction in the overall levels of service to the community.

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: July 8, 2014

Subject: Amendment/Extension Agreement #26-602-7 with Traditions Psychology Group, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment/Extension Agreement #26-602-7 with Traditions Psychology Group, Inc. (dba Traditions Behavioral Health), a corporation, effective June 1, 2014 to amend Contract #26-602-5, to increase the payment limit by \$840,000 from \$14,700,000 to a new payment limit of \$15,540,000, and to extend the term from June 30, 2014 through August 31, 2014.

FISCAL IMPACT:

This amendment is funded 100% by Enterprise Fund I. As appropriate, patients and/or third party payors will be billed for services. This Contract provides costs savings compared to using contracts with individual psychiatrists and temporary staffing companies. No rate increase.

BACKGROUND:

On July 12, 2011, the Board of Supervisors approved Contract #26-602-5 with Traditions Psychology Group, Inc. (dba Traditions Behavioral Health), to provide staffing and

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: David Goldstein, MD
370-5525

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

By: , Deputy

cc: T Scott, C Rucker

BACKGROUND: (CONT'D)

medical staff leadership of the Inpatient Psychiatric and Crisis and Stabilization Units at Contra Costa Regional Medical Center and Contra Costa Health Centers and the Main Detention Facility and Mental Health Clinics including, but not limited to, providing a required number of psychiatrists necessary for clinical coverage of patients twenty-four (24) hours a day, (7) seven days a week, a lead psychiatrist to direct administrative and clinical supervision and supervision of all non-clinical areas related to the medical staff of the Department of Psychiatry, from June 16, 2011 through June 30, 2014.

Due to an increase in utilization, higher than anticipated, the County and contractor have agreed to amend and extend services for sixty (60) days, at the existing rates, pending finalization of contract negotiations.

Approval of Contract Amendment/Extension Agreement #26-602-7 will allow Contractor to provide additional psychiatric staffing and leadership services for the Inpatient Psychiatric and Crisis Stabilization Units at Contra Costa Regional Medical Center and Health Centers, and the County's Main Detention Facility, through August 31, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the Department would not have adequate psychiatric coverage and quality and performance compliance in the County's Inpatient Psychiatric and Crisis Stabilization Units at Contra Costa Regional Medical Center and Health Centers and the County's Main Detention Facility.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Ed Woo, Chief Information Officer
Date: July 8, 2014

Subject: Purchase Order with AT&T for Cisco Equipment

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent or designee, to execute, on behalf of Chief Information Officer, a purchase order with AT&T Datacomm in an amount not to exceed \$1,010,000 for the acquisition of Cisco equipment, in support of a hosted communication system for the Contra Costa County Superior Court, Department of Conservation and Development, and Department of Information Technology.

FISCAL IMPACT:

\$1,010,000; The project cost is billed in quarterly installments and charged out to user departments on a per site deployment basis.

BACKGROUND:

The Department of Information Technology's Telecommunication Division is in the process of moving to a Cloud Hosted Internet Protocol Communication system, allowing for greater flexibility, disaster recovery, and enhanced use of unified communications. This will provide for a more reliable office telephone service.

CONSEQUENCE OF NEGATIVE ACTION:

The current County telephone system is 100% installed locally within the county buildings, which does not allow for recovery in case of a local building disaster incident. Callers would receive an error tone because the telephone system will be offline during such incident. With a cloud hosted telephone service, we will be able to maintain in- and out-bound calling during local and regional disasters.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Ed Woo
925-383-2688

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

By: , Deputy

cc: Fern Carroll, Joanne Buenger

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Amendment #26-601-6 with Landrus Pfeffinger, M.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #26-601-6 with Landrus Pfeffinger, M.D., a self-employed individual, effective May 1, 2014, to amend Contract #26-601-5, to increase the payment limit by \$15,000, from \$125,000 to a new payment limit of \$140,000, with no change in the original term of June 1, 2013 through May 31, 2015.

FISCAL IMPACT:

This amendment is funded 100% by Enterprise Fund I. (No rate increase)

BACKGROUND:

On June 25, 2013, the Board of Supervisors approved Contract #26-601-5 with Landrus Pfeffinger, M.D. for the provision of orthopedic services for Contra Costa Regional Medical Centers and Contra Costa Health Centers, for the period from June 1, 2013 through May 31, 2015. At the time the Contract was negotiated, the payment limit was based on target levels of utilization. However, the Division did not include enough funds to allow the Contractor to provide the services needed through the term of this Contract. Approval of Contract Amendment Agreement #26-601-6 will allow the Contractor to provide additional orthopedic services through May 31, 2015.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: David Goldstein, M.D.
370-5525

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

By: , Deputy

cc: C Rucker , A Floyd

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the Contractor will not receive payment for services previously rendered under this contract.

CHILDREN'S IMPACT STATEMENT:

NOT APPLICABLE



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Amendment #27-277-15 Kaiser Foundation Health Plan, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment/Extension Agreement #27-277-15 with Kaiser Foundation Health Plan, Inc., a non-profit corporation, effective June 30, 2014, to amend Contract #27-277-14, to increase the payment limit by \$55,000,000, from \$25,000,000 to a new payment limit of \$80,000,000, and extend the term from June 30, 2014 through December 31, 2014.

FISCAL IMPACT:

This amendment is funded 100% by Contra Costa Health Plan member premiums. (No rate increase)

BACKGROUND:

On April 29, 2014, the Board of Supervisors approved Contract #27-277-14 with Kaiser Foundation Health Plan, Inc, for the provision of professional health care services for Medi-Cal recipients enrolled in the Kaiser Foundation Health Plan, for the period from January 1, 2014 through June 30, 2014. Approval of Contract Amendment Agreement #27-277-15 will allow the Contractor to provide additional professional health care services for Medi-Cal recipients enrolled in the Kaiser Foundation Health Plan Through December 31, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, Medi-Cal recipients enrolled in Kaiser Foundation Health Plan would not receive professional health care services.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Patricia Tanquary
313-6004

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

By: , Deputy

cc: C Rucker , A Floyd

CHILDREN'S IMPACT STATEMENT:

NOT APPLICABLE



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: July 8, 2014

Subject: Contract amendment with National Council on Crime and Delinquency

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with the National Council on Crime and Delinquency, to increase the payment limit by \$27,000 to a new payment limit of \$112,000, to implement Domestic Violence homicide reduction and prevention models, and extend the contract term to September 30, 2014.

FISCAL IMPACT:

\$112,000: 100% Federal Department of Justice Grant, CFDA 16.540.

BACKGROUND:

The US Department of Justice, Office on Violence Against Women initiated the Domestic Violence (DV) Homicide Prevention Demonstration Initiative to implement DV homicide reduction and prevention models and evaluate how well they work in different communities as well as the key components of successful adaptations to the models. Contra Costa Zero Tolerance for Domestic Violence Initiative was selected as 1 of 12 sites awarded this grant. This initiative builds the capacity of local jurisdictions to improve identification of and services for high-risk victims while

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- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Earl Maciel
3-1648

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

better monitoring high-risk offenders to reduce domestic violence related homicides. The four year initiative includes a Phase 1 year long process for jurisdictions to partner with a local researcher and assess structures and processes for addressing DV and DV homicide. During a Phase II implementation sites will be selected based on their work plans developed in Phase I to receive up to \$600,000 for three additional years.

CONSEQUENCE OF NEGATIVE ACTION:

The Employment and Human Services Department will be unable to continue to provide this valuable service.

CHILDREN'S IMPACT STATEMENT:

None



Contra
Costa
County

To: Board of Supervisors
From: Philip F. Kader, County Probation Officer
Date: July 8, 2014

Subject: Contract with Donte Blue for Reentry Coordinator Services

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chief Probation Officer, or designee, to execute a contract with Donte Blue in an amount not to exceed \$133,500 to perform coordination services for the County's reentry process for the period of July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

\$133,500, 100% State AB109 Public Safety Realignment Funding.

BACKGROUND:

As part of the 2011/12 budget plan, the State Legislature enacted a realignment of some offenders and adult parolees from state to local jurisdiction. These lower-level offenders were placed on community supervision at the county level and supervised by the County's Probation Department. The Board of Supervisors approved the County's Community Corrections Partnership (CCP) 2011/12 Plan on October 4, 2011 at which time the Probation Department began the process of hiring a contractor to coordinate the County's Reentry Strategic Plan for the CCP.

The Probation Department did not use

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- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Danielle Fokkema,
925-313-4195

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

a competitive process to select the incumbent Reentry Coordinator. After two years, it was decided that it would be best for the County and the Community to complete a formal RFQ (Request for Qualifications) process. On May 1, 2014 the Probation Department released the RFQ to the public. The incumbent declined to participate.

A Review Panel consisting of the Chief Probation Officer, the Director of Behavioral Health Services, and the City of Concord Police Chief reviewed all applications and interviewed all qualified candidates. Two candidates were selected to participate in a further interview. The Chief Probation Officer, Assistant Chief Probation Officer and Senior Deputy County Administrator Lara Delaney participated. At the conclusion of this process Donte Blue was selected as the Probation Department's new Reentry Coordinator.

CONSEQUENCE OF NEGATIVE ACTION:

Contra Costa County's Community Corrections Partnership (CCP) will have to function without a Reentry Coordinator, making it difficult to support inter-organizational coordination.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Amendment #25-012-30 with The Center for Common Concerns, Inc. (dba HomeBase)

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #25-012-30 with The Center for Common Concerns, Inc. (dba HomeBase), a non-profit corporation, effective April 14, 2014, to amend Contract #25-012-29, to increase the payment limit by \$93,840, from \$296,950 to a new payment limit of \$390,790, with no change in the original term of October 1, 2013 through September 30, 2014

FISCAL IMPACT:

This Amendment is funded 5% by Federal Medi-Cal Administrative Activities (MAA), 36% Behavioral Health Administration, 16% by budgeted County General funds and 43% by Medi-Cal Administrative Activities/Housing and Urban Development. (Rate increase)

BACKGROUND:

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- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Cynthia Belon
957-5201

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

By: , Deputy

cc: D Morgan, C Rucker

BACKGROUND: (CONT'D)

On December 17, 2013, the Board of Supervisors approved Contract #25-012-29 with The Center for Common Concerns, Inc. (dba HomeBase), for the period from October 1, 2013 through September 30, 2014, for the provision of consultation and technical assistance to the Department with regard to the Continuum of Care planning and resource development, including grant-writing services for County's McKinney-Vento application.

Approval of Contract Amendment Agreement #25-012-30 will allow the Contractor to provide additional services through September 30, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

If this Amendment is not approved, County will not have the expertise needed to meet federal guidelines to secure maximum McKinney-Vento funding required to implement the 10-year plan to eliminate homelessness in Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Amendment Agreement #24-939-12 (10) with Wesley Robinson, Ph.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #24-939-12 (10) with Wesley Robinson, Ph.D., a self-employed individual, effective April 1, 2014, to amend Contract #24-939-12 (8) [as amended by Contract Amendment Agreement #24-939-12 (9)], to increase the payment limit by \$35,000, from \$160,000 to a new payment limit of \$195,000, with no change in the original term of July 1, 2012 through June 30, 2014.

FISCAL IMPACT:

This amendment is funded 50% State General Funds and 50% Federal Medi-Cal. (No rate increase)

BACKGROUND:

On August 14, 2012, the Board of Supervisors approved Contract #24-939-12 (8) [as amended by Contract Amendment Agreement #24-939-12 (9)] with Wesley Robinson, Ph.D., for the provision of Medi-Cal specialty mental health services, for the period from July 1, 2012 through June 30, 2014. At the time of negotiations, the payment limit was based on target levels of utilization. However, the utilization during the term of the agreement was higher than originally anticipated. Approval of Contract Amendment Agreement #24-939-12 (10) will allow the Contractor to provide additional Medi-Cal specialty mental health services through June 30, 2014.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Cynthia Belon
957-5201

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

By: , Deputy

cc: A Floyd, C Rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, services provided to Contra Costa Mental Health Plan Medi-Cal beneficiaries could be negatively impacted, including access to services, choice of providers, cultural competency, language capacity, geographical locations of service providers and waiting lists.

CHILDREN'S IMPACT STATEMENT:

NOT APPLICABLE.



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: July 8, 2014

Subject: Management Consultant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Kevin Blatter dba Delta Bay Consulting for management consulting services in an amount not to exceed \$290,000 for the period July 14, 2014 through July 13, 2015.

FISCAL IMPACT:

\$290,000: 10% County, 45% State, 45% Federal. EHSD Administrative Overhead

BACKGROUND:

Contractor was selected through the open bid process, Request for Proposals #1137 for management consulting services. Services include, but are not limited to Department recommendations on organizational and business process issues, propose efficiencies available through technology and new systems, conduct evaluations and assessments of current operations and practices. Contractor will engage a wide variety of individuals in numerous functional areas and with varying levels of technical expertise to evaluate and assess current business processes in program and support service functional units with emphasis on opportunities for simplification, improved use of technology, and more efficient use of resources.

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- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Elaine Burres,
313-1717

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Department strategic planning processes and management consulting services would be limited.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Purchase Order Amendment with JC Paper Company

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, an amendment to a purchase order with JC Paper Company to increase the payment limit by \$199,990 to a new payment limit of \$399,980.

FISCAL IMPACT:

The cost of paper is initially charged to the General Fund but recovered through charges to departments.

BACKGROUND:

NCR carbonless paper and recycled copy paper are purchased in volume and are used by County departments and the Print and Mail Division for printing of forms and copies. Departments also place orders for blank recycled paper through Print and Mail. The cost of the paper is charged back to the departments. This allows the County to purchase in bulk.

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, costs for paper may increase.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Marie Estrada,
925-646-5521

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: July 8, 2014

Subject: MedTox Laboratories, Inc., Contract Amendment

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with MedTox Laboratories, Inc., effective June 30, 2014 to extend the term from June 30, 2014 through August 31, 2014 with no change in the contract payment limit of \$225,000 to provide additional Child Welfare Mandated Drug Testing services.

FISCAL IMPACT:

\$225,000 Child Welfare Allocation (30% County, 70% State). No change in funding per this amendment.

BACKGROUND:

Random drug testing are court ordered services and are ordered as part of the client service plan. Laboratory results are submitted for inclusion in the Court Hearing on child Welfare Family Maintenance and Reunification cases. Services include ensuring the availability of specimen collection sites, screening test specimens providing "on-demand" sample testing when requested by the County's Employment and Human Services Department social workers, and providing monthly statistics to the Department for clients referred for drug testing.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Elaine Burres,
313-1717

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Employment and Human Services will be unable to provide court-ordered drug testing services.

CHILDREN'S IMPACT STATEMENT:

Not applicable



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: BLANKET PURCHASE ORDER WITH STRYKER ORTHOPAEDICS

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute a Blanket Purchase Order with Stryker Orthopaedics in an amount not to exceed \$1,550,000 for orthopedic products for Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers for the period from June 1, 2014 through May 31, 2016.

FISCAL IMPACT:

100% Funding is included in the Enterprise I Fund budget.

BACKGROUND:

Stryker Orthopaedics provides prosthesis, screws, and equipment used to repair hip, shoulder, elbow and knee injuries. They also provide instruments such as drills, saw blades, bone cement, bone substitute and instrument trays including, but not limited to, plates, screws and drill bits.

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase Order is not approved, orthopedic surgeries cannot be performed at CCRMC.

CHILDREN'S IMPACT STATEMENT:

Not applicable

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Anna Roth,
370-5101

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

By: , Deputy

cc: T Scott, C Rucker, M Harris



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Contract #27-938 with Rose Susan Cohen, M.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-938 with Rose Susan Cohen, M.D., a self-employed individual, in an amount not to exceed \$127,000, to provide healthcare consultation and technical assistance to the Health Plan Medical Management team for the period from May 1, 2014 through April 30, 2015.

FISCAL IMPACT:

This Contract is funded 100% by Contra Costa Health Plan Member Premiums.

BACKGROUND:

Under Contract #27-938, the Contractor will provide healthcare consultation and technical assistance to the Health Plan Medical Management team, including but not limited to evaluation of quality improvement programs, utilization management program and policies and health Plan incentive programs, for the period from May 1, 2014 through April 30, 2015, including mutual indemnification to hold the other party harmless from any claims arising out of the performance of this contract.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Patricia Tanquary
313 6004

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

By: , Deputy

cc: A Floyd, C Rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the Contra Costa Health Plan Management Team will not receive the benefits of consultation and technical assistance 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: July 8, 2014

Subject: Amendment #27-883-1 with Mt. Diablo-Solano Oncology Medical Associates

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #27-883-1 with Mt. Diablo-Solano Oncology Medical Associates, a corporation, effective July 1, 2014, to amend Contract #27-883, to increase the payment limit by \$1,300,000, from \$1,000,000 to a new payment limit of \$2,300,000, with no change in the original term of August 1, 2012 through July 31, 2014.

FISCAL IMPACT:

This amendment is funded 100% by Contra Costa Health Plan member premiums.(No rate increase)

BACKGROUND:

On August 14, 2012, the Board of Supervisors approved Contract #27-883 with Mt. Diablo-Solano Oncology Medical Associates for the provision of professional hematology/oncology services for the Contra Costa Health Plan for the period from August 1, 2012 through July 31, 2014. However, the utilization during the term of the agreement was higher than originally anticipated. Approval of Contract Amendment Agreement #27-883-1 will allow the Contractor to provide additional professional hematology/oncology services through July 31, 2014.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Patricia Tanquary
313-6004

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

By: , Deputy

cc: C Rucker , A Floyd

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment 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: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Contract amendment with W.C. Maloney, Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with W.C. Maloney, Inc., effective May 5, 2014, to increase the payment limit by \$1,462 to a new payment limit of \$119,783.50 for abatement and demolition of 3160 and 3168 Rollingwood Drive in San Pablo for the I80/San Pablo Dam Rd. Interchange Improvement Project. Project No. 4660 6X4170.

FISCAL IMPACT:

100% Contra Costa Transportation Authority Funds.

BACKGROUND:

On April 1, 2014, the Board approved the original contract with W.C. Maloney, Inc. in the amount of \$118,321 for the abatement and demolition of 3160 and 3168 Rollingwood Drive in San Pablo. This amendment covers unforeseen delays during removal of contaminated soil which resulted in layover fees, in the amount of \$1,462.50, in order to keep the project on track and to ensure public safety.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Angela Bell (925)
313-2337

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

By: , Deputy

cc: Auditor-Controller

CONSEQUENCE OF NEGATIVE ACTION:

W.C. Maloney will not be paid according to the terms of the abatement and demolition contract.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Abatement & Demolition Contract, Amendment No. 1

**ABATEMENT & DEMOLITION CONTRACT
AMENDMENT NO. 1**

1. **Parties**. The County of Contra Costa (Public Agency), for its Public Works Department, and the following named Contractor, mutually agree and promise as follows:

Contractor: W.C. Maloney, Inc.

Address: P.O. Box 30326
Stockton, CA 95213-0326

Federal Taxpayers ID: 93-1191781

2. **Term**. The effective date of this Contract Amendment is May 5, 2014.

3. **The Work**. The Contract identified above is hereby amended as set forth in the "Amendment Specifications" attached hereto which are incorporated herein by reference.

4. **Payment Limit**. Contract is hereby amended to increase the Payment Limit by \$1,462.50 from \$118,321.00 to a new Payment Limit of \$119,783.50.

5. **Signatures and Acknowledgment**.

Public Agency:

By _____
Director of Public Works, or designee

Approved: County Administrator

By _____
Designee

Form Approved: County Counsel

By _____
Deputy

Contractor, hereby also certifying awareness of and compliance with Labor Code Sections 1861 and 3700 concerning Workers' Compensation Law, and other applicable laws and regulations including those specified in Sections 14 through 17 of this Contract:

By _____
 (Signature of individual or officer)

 (Designate official capacity in the business)

By _____
 (Signature of individual or officer)

 (Designate official capacity in the business)

Note to Contractor: For corporations, the contract must be signed by two officers. The first signature must be that of the chairman of the board, president or vice-president; the second signature must be that of the secretary, assistant secretary, chief financial officer or assistant treasurer. (Civ. Code, Sec. 1190 and Corps. Code, Sec. 313.) The acknowledgment below must be signed by a Notary Public.

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF CALIFORNIA)
)
 COUNTY OF CONTRA COSTA)

On _____ before me, _____, Notary Public,

personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

AMENDMENT SPECIFICATION

WC Maloney, Inc.

Amendment No. 1

Due to unforeseen delays by the Contractor during removal of contaminated soil from the real properties located at 3160 and 3168 Rollingwood Drive in San Pablo, and the County's need for the properties to be available for use by Phillips 66 for utility relocation associated with the I-80 San Pablo Dam Rd. Interchange Improvement Project, in exchange for the mutual promises set forth in this Amendment, County and Contractor agree to amend the Contract referred herein as follows:

1. Section 4 (Payment Limit) of the Abatement and Demolition Contract is hereby amended to increase the Payment Limit by \$1,462.50 from \$118,321.00 to a new Payment Limit of \$119,783.50.
2. Appendix A (Scope of Services) is hereby amended by deleting the first sentence of that section and replacing it with the following:

“In consideration for payment of \$119,783.50 hereunder, Contractor shall perform the following demolition and abatement work at the Property located at 3160 and 3168 Rollingwood Drive, San Pablo (Together the Property):”



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Blanket Change Order with Henry Schein

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute a Change Order to Blanket Purchase Order # F43333 with Henry Schein , effective January 1, 2014, to add \$20,000, for a new total of \$320,000 for dental supplies, equipment, and repairs for Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, from May 1, 2012 through April 30, 2014.

FISCAL IMPACT:

100% Funding is included in Enterprise Fund I budget.

BACKGROUND:

CCRMC and Contra Costa Health Centers have purchased dental supplies and equipment from Henry Schein for many years. This vendor provides institutional discount prices, free loaner equipment, and prompt personal service. This enables CCRMC and Contra Costa Health Centers to provide optimum dental care to patients.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Anna Roth,
370-5101

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

By: , Deputy

cc: T Scott, C Rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this Change Order is not approved, CCRMC and Contra Costa Health Centers will be unable to pay this vendor for services provided prior to the expiration of the original Purchase Order.

CHILDREN'S IMPACT STATEMENT:

Children make up a large percentage of dental patients at CCRMC and Contra Costa Health Centers.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: BLANKET PURCHASE ORDER WITH TIERNAN-LEINO DENTAL LABORATORY

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute a Blanket Purchase Order with Tiernan-Leino Dental Laboratory in the amount of \$145,000 for the purchase of dental prosthetics for dentures and partials and for other dental laboratory needs for Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period from July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

100% Funding is included in the Enterprise Fund I Budget.

BACKGROUND:

CCRMC and Contra Costa Health Centers have used Tiernan-Leino Dental Laboratory for many years. This vendor provides excellent dentures and partials and also gives a discount on the prices, saving the County money each year.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Anna Roth,
370-5101

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

By: , Deputy

cc: T Scott, C Rucker, M Harris

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase Order is not approved, CCRMC would have to find another vendor in order to continue providing dental care to patients.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Blanket Purchase Order with Cooper Surgical Inc.

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute a Blanket Purchase Order with Cooper Surgical Inc., in an amount not to exceed \$120,000, for specialty surgical and medical supplies for Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period from July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

100% funding is included in Enterprise Fund I Budget.

BACKGROUND:

CCRMC has purchased specialty surgical and medical supplies from Cooper Surgical, Inc. since 1997. They provide a large variety of specialty surgery and medical supplies which are used extensively at CCRMC to care for patients.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Anna Roth,
370-5101

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

By: , Deputy

cc: T Scott, C Rucker, M Harris

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, CCRMC will be unable to treat patients.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Russell Watts, Treasurer-Tax Collector
Date: July 8, 2014

Subject: APPROVE and AUTHORIZE the County Treasurer to enter into agreement with Wells Fargo Bank, N.A.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Treasurer to enter into a five-year agreement with Wells Fargo Bank, N.A. (“Wells Fargo”) for general banking and lockbox services, with a total payment limit of \$1,400,000 for the entire term of the agreement.

FISCAL IMPACT:

Service fees and costs will be paid from the interest earned on the monies deposited with Wells Cap Management and/or on the monies deposited in the Treasury Pool, specifically, General County Revenue Fund.

BACKGROUND:

The County Treasurer manages the funds of the County, as well as various districts and agencies throughout the County, including 21 special districts, 19 school districts and one community college district. In order to determine if the County’s incumbent bank is the best qualified and financially secure bank to administer the County’s extensive banking operations in the most efficient and cost-effective manner available, the County Treasurer conducted a

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Belinda Zhu, 925
957-2807

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

comprehensive Request for Proposal (“RFP”) search. Upon completion of a thorough review of all RFP responses, the County Treasurer selected Wells Fargo, the incumbent bank, as the best qualified candidate to provide general banking and lockbox services for the County. To formalize the banking relationship between Wells Fargo and the County, the County Treasurer, with assistance of the County Counsel, has negotiated an agreement with Wells Fargo.

Pursuant to the agreement between Wells Fargo and the County, Wells Fargo will provide general banking services, including, but not limited to, deposit services, automated clearing house, positive pay, online banking, sweep account, and information reporting. Wells Fargo will also provide lockbox services, including, but not limited to, lockbox imaging, under the agreement.

The service fees are significantly reduced based on the newly negotiated fee schedule, representing an average annual savings of approximately 50% of the most recent annual service fees. The cost of these services will be paid by the interest earned on the monies deposited with Wells Cap Management and/or on the monies deposited in the Treasury Pool, specifically, General County Revenue Fund. Under the agreement, each party is required to indemnify the other for its errors and omissions.

CONSEQUENCE OF NEGATIVE ACTION:

The County Treasurer will not retain the general banking services of Wells Fargo.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: July 8, 2014

Subject: Amend Board Order of June 17, 2014, Item No. C71

RECOMMENDATION(S):

APPROVE and AUTHORIZE amendment to Request for Proposal No. 1141 for Kinship Supportive Services, by changing the payment limit from \$150,000 to \$600,000 as recommended by the Director of Employment and Human Services.

FISCAL IMPACT:

\$600,000: 20% Federal Promoting Safe and Stable Families (CFDA 93.556); 80% State 2011 Realignment.

BACKGROUND:

Following further evaluation, it was determined that available funds for this program had been understated by \$450,000. This board order serves to correct this oversight and reissue RFP 1141 with available funding set at \$600,000.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Earl Maciel
3-1648

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

Assembly Bill 1193 (Statutes of 1997, Chapter 794), appropriated funds for the California Department of Social Services (CDSS) to conduct a Kinship Support Services Program. This program provides funds for the planning, start-up and expansion of kinship support services programs in California Counties. These programs are required to provide community-based family support services to relative caregivers, to court dependent children placed in their homes as well as to relative caregivers of children who are at risk of dependency or delinquency. The program is also mandated to provide post-permanency services to relative caregivers who have become the legal guardian(s) or adoptive parent(s) of formerly dependent children.

CONSEQUENCE OF NEGATIVE ACTION:

The Request for Proposal will have an incorrect payment limit amount.

CHILDREN'S IMPACT STATEMENT:

This contract supports all of the community outcomes established in the Children's Report Card: 1) "Children Ready for and Succeeding in School"; 2) "Children and Youth Healthy and Preparing for Productive Adulthood"; 3) "Families that are Economically Self Sufficient"; 4) "Families that are Safe, Stable and Nurturing"; and 5) "Communities that are Safe and Provide a High Quality of Life for Children and Families," by providing services to children and families.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Amendment #26-395-17 with Locumtenens.com, LLC

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #26-395-17 with Locumtenens.com, LLC a limited liability company, effective April 28, 2014, to amend Contract #26-395-16, to modify the rate sheet and increase the payment limit by \$100,000, from \$650,000 to a new payment limit of \$750,000, with no change in the original term of March 1, 2014 through February 28, 2015

FISCAL IMPACT:

This amendment is funded 100% by Enterprise Fund I. (Rate increase)

BACKGROUND:

On March 25, 2014, the Board of Supervisors approved Contract #26-395-16 with Locumtenens.com, LLC, for the provision of professional temporary physician services at Contra Costa Regional Medical Center (CCRMC), for the period from March 1, 2014 through February 28, 2015. Approval of Contract Amendment Agreement #26-395-17 will allow the Contractor to provide additional professional services including emergency and critical care at CCRMC through February 28, 2015.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: David Goldstein, M.D.,
925-370-5525

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

By: , Deputy

cc: K Cyr, C Rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, patients requiring professional physician services at CCRMC will not have access to Contractor's services, which may result in a reduction in the levels of service 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: July 8, 2014

Subject: Amendment #27-640-6 with Noel T.D. Chiu, M.D., a Medical Corporation

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #27-640-6 with Noel T.D. Chiu, M.D., a Medical Corporation, effective July 1, 2014, to amend Contract #27-640-5, to increase the payment limit by \$240,000, from \$240,000 to a new payment limit of \$480,000, with no change in the original term of February 1, 2013 through January 31, 2015.

FISCAL IMPACT:

This amendment 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 February 26, 2013, the Board of Supervisors approved Contract #27-640-5 with Noel T.D. Chiu, M.D., for the provision of professional dermatology services for Contra Costa Health Plan (CCHP) members, for the period from February 1, 2013 through January 31, 2015. At the time of negotiations, the payment limit was based on target levels of utilization. However,

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Patricia Tanquary,
925-313-6004

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

By: , Deputy

cc: K Cyr, C Rucker

BACKGROUND: (CONT'D)

the County requested and the Contractor agreed to increase his volume of services provided throughout the re-remainder of the contract term. Approval of Contract Amendment Agreement #27-640-6 will allow the Contractor to provide additional dermatology services to CCHP members through January 31, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, patients requiring professional dermatology services under Contra Costa Health Plan will not have access to Contractor's services, which may result in a reduction in the overall levels of service to the community.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Execute a contract with Contra Costa ARC to provide packet fulfillment services.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Contra Costa ARC d/b/a/ Commercial Support Services, a California non-profit corporation, in an amount not to exceed \$350,000.00, to provide packet fulfillment services for Print and Mail Services, for the period from June 1, 2014 through May 31, 2016, Countywide.

FISCAL IMPACT:

This contract is funded 100% by Department user fees.

BACKGROUND:

Commercial Support Services (CSS) provides employment opportunities to developmentally disabled adults. For several years the Print and Mail Services Division has contracted with CSS to fill the low-skill need of assembling informational packets (i.e., packet fulfillment services) for use by the Employment and Human Services Department (EHSD) as well as other County departments. Due to their involvement with and support of Covered California, the volume of work generated by EHSD has increased. This has resulted in an increase in the number of crew members required from six to ten and the addition of one supervisor. Staff will now consist of ten crew members and three supervising staff for a total of 13 employees.

Approval of this Contract will allow CSS to continue to provide packet fulfillment services through May 2016.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Marie Estrada
925-646-5521

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this Contract is not approved, sublet packet fulfillment services will not be performed.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Contract #27-872-2 with Appian Imaging, LLC (dba Northbay MRI Center)

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-872-2 with Appian Imaging, LLC (dba Northbay MRI Center), a limited liability company, in an amount not to exceed \$400,000, to provide professional diagnostic imaging services for the period from June 1, 2014 through May 31, 2016.

FISCAL IMPACT:

This Contract is funded 100% by Contra Costa Health Plan member premiums. (No rate increase)

BACKGROUND:

In June, 2012, the County Administrator approved and Purchasing Services Manager executed Contract # 27-872 (as amended by Contract Amendment Agreement #27-872-1) with Appian Imaging, LLC (dba Northbay MRI Center) for the provision of professional diagnostic imaging services, for the period from June 1, 2012 through May 31, 2014. Approval of Contract #27-872-2 will allow Contractor to continue providing professional diagnostic imaging services through May 31, 2016.

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.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Patricia Tanquary
313-6004

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

By: , Deputy

cc: C Rucker , A Floyd

CHILDREN'S IMPACT STATEMENT:

NOT APPLICABLE



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Contract #27-169-10 with Lifelong Medical Care

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-169-10 with Lifelong Medical Care, a non-profit corporation, in an amount not to exceed \$1,500,000, to provide Primary Care and Specialty Medical services to Contra Costa Health Plan (CCHP) members for the period from July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

This Contract is funded 100% by Contra Costa Health Plan member premiums. Costs depend upon utilization. (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. Under Contract #27-169-10, the Contractor will provide Primary Care and Specialty Medical services through June 30, 2015, including modification to Insurance, paragraph 18 (Indemnification) and paragraph 19 (Insurance), of the General Conditions.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Patricia Tanquary
313-6004

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

By: , Deputy

cc: C Rucker, A Floyd

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: July 8, 2014

Subject: Contract #27-939 with Axis Community Health, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-939 with Axis Community Health, Inc., a non-profit corporation, in an amount not to exceed \$140,000, to provide Primary Care and Specialty Medical services for the period from July 1, 2014 through June 30, 2016.

FISCAL IMPACT:

This Contract is funded 100% by Contra Costa Health Plan 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. Under Contract #27-939, the Contractor will provide Primary Care and Specialty Medical services through June 30, 2016, including modification to the Insurance, paragraph 18 (Indemnification) and paragraph 19 (Insurance) of the General Conditions.

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.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Patricia Tanquary
313-6004

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

By: , Deputy

cc: C Rucker, A Floyd

CHILDREN'S IMPACT STATEMENT:

NOT APPLICABLE



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Contract #26-641-14 with Advanced Medical Personnel Services, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-641-14 with Advanced Medical Personnel Services, Inc., a corporation, in an amount not to exceed \$923,000, to provide temporary therapists at Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC), for the period from July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

Funding for this contract is 100% Enterprise Fund I. 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 registries to provide temporary medical professionals to assist CCRMC during peak loads, temporary absences and in emergency situations. On July 9, 2013, the Board of Supervisors approved Contract #26-641-12 (as amended by Amendment Agreement #26-641-13) with Advanced Medical Personnel Services, Inc., for the period July 1, 2013 through June 30, 2014, to provide temporary therapists including speech, physical and

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Anna Roth,
925-370-5101

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

By: , Deputy

cc: K Cyr, C Rucker

BACKGROUND: (CONT'D)

occupational therapists at CCRMC. Approval of Contract #26-641-14 will allow the Contractor to continue to provide temporary therapy services at CCRMC, through June 30, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring physical and occupational therapists at CCRMC will not have access to Contractor's service which may result in a reduction in the overall levels of service 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: July 8, 2014

Subject: Contract #23-566 with Huron Consulting Services, LLC

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #23-566 with Huron Consulting Services, LLC, a limited liability corporation, in an amount not to exceed \$350,000, to provide professional consulting, technical support, training, and project management for Department's information systems at Contra Costa Health Services (CCHS) for the period from May 1, 2014 through June 30, 2015.

FISCAL IMPACT:

This Contract is funded 100% Enterprise Fund I.

BACKGROUND:

Under Contract #23-566 Contractor will provide professional consulting, technical support, training, and project management to the Department's Information Systems for CCHS, for the period from May 1, 2014 through June 30, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County will not have access to Contractor's expert technical assistance with regard to support and optimization of the Electronic Health Record Project.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: David Runt,
925-335-8700

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

By: , Deputy

cc: K Cyr, C Rucker



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Contract #26-721-3 with Minh Hiep Nguyen, M.D.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-721-3 with Minh Nguyen, M.D., a self-employed individual, in an amount not to exceed \$150,000, to provide professional physician services in the Critical Care Unit at Contra Costa Regional Medical Center (CCRMC) for the period from June 1, 2014 through May 31, 2017.

FISCAL IMPACT:

This contract is funded 100% by Enterprise Fund I. (No rate increase)

BACKGROUND:

In May 2013, the County Administrator approved and the Purchasing Services Manager executed Contract #26-721-2 with Minh Hiep Nguyen, M.D., for the provision of professional physician services in the Critical Care Unit at CCRMC, for the period from June 1, 2013 through May 31, 2014. Approval of Contract #26-721-3 will allow Contractor to continue providing professional physician services in the Critical Care Unit at CCRMC through May 31, 2017.

-
- APPROVE OTHER
 - RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE
-

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: David Goldstein, M.D.,
925-370-5525

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

By: , Deputy

cc: K Cyr, C rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring critical care physician services will not have access to Contractor's services, which may result in a reduction in the overall levels of service 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: July 8, 2014

Subject: Contract #23-455-6 with Xerox Consultant Company, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #23-455-6 with Xerox Consultant Company, Inc., a corporation, in an amount not to exceed \$275,000, to provide professional consultation and technical support for the Department's Health Services Information System for the period from July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

This Contract is funded 100% by budgeted Enterprise Fund I. (No rate increase)

BACKGROUND:

On November 3, 2009, the Board of Supervisors approved Contract #23-455-4 (as amended by Contract Amendment Agreement #23-455-5), with Xerox Consulting Company, Inc. (formerly ACS Consulting Company, Inc.), for the period from July 1, 2013 through June 30, 2014, for the provision of professional consultation and technical support for the Department's Health Services Information System. ACS Consultant Company, Inc. has now changed its name to Xerox Consultant Company, Inc.

Approval of Contract

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: David Runt,
335-8700

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

By: , Deputy

cc: T Scott, C Rucker

BACKGROUND: (CONT'D)

#23-455-6, will allow the Contractor to continue to provide professional consultation and technical support, through June 30, 2015, including modifications to County's standard indemnification clause and General Conditions.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, Contractor will not be able to provide support services for the Department's Information Systems.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Sharon Offord Hymes, Risk Manager
Date: July 8, 2014

Subject: Contract with Essential Staffing

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Risk Manager to execute a contract with Essential Staffing, Inc. for workers' compensation staffing services for the period from July 1, 2014 through June 30, 2015 in an amount not to exceed \$500,000.

FISCAL IMPACT:

Costs for workers' compensation services are funded through the Workers' Compensation Internal Service Fund.

BACKGROUND:

Essential Staffing, Inc. specializes in providing highly experienced workers' compensation claims adjusters and clerical support. These services have resulted in a reduction of claim inventory to industry standards and an excellent audit rating by the California State Association of Counties Excess Insurance Authority as well as increased confidence level to the internal service fund.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not have adequate technical assistance for processing workers' compensation claims in a timely manner.

CHILDREN'S IMPACT STATEMENT:

None.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Sharon Hymes-Offord
925.335.1450

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

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: Ed Woo, Chief Information Officer
Date: July 8, 2014

Subject: IBM Mainframe Support

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract with International Business Machines Corporation in an amount not to exceed \$318,400 to provide mainframe support for the period August 1, 2014 through July 31, 2015.

FISCAL IMPACT:

\$318,400; Budgeted under Fiscal Year 14/15 Org #1060

BACKGROUND:

The IBM Mainframe system houses critical County business systems including the property tax system, law and justice case management systems for the Courts, Probation, Public Defender and District Attorney, and the County finance system. This contract with IBM will provide a thorough review and analysis of our current mainframe environment to ensure that we are configured and operating according to best-practice industry standards. Part of this analysis includes knowledge transfer to existing staff so that we can continue to properly maintain and support this system as well as offering long-term supplemental support and systems monitoring.

CONSEQUENCE OF NEGATIVE ACTION:

Failure of even one of these mission-critical business systems could be catastrophic to the operations of the County and the Superior Court. Therefore it is critical that we have multiple levels of support to ensure that the mainframe system continues to operate without interruption.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Ed Woo
925-383-2688

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

By: , Deputy

cc: Fern Carroll, Joanne Buenger, John Huie

CHILDREN'S IMPACT STATEMENT:

Non-Applicable



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: APPROVE and AUTHORIZE Advertisement for the Relocation of the Sheriff's Office Records Unit, 2530 Arnold Drive, Martinez

RECOMMENDATION(S):

1. APPROVE the design and bid documents, including the plans and specifications, for the Relocation of the Sheriff's Office Records Unit, 2530 Arnold Drive, First Floor, Martinez.
2. DETERMINE that the project is a California Environmental Quality Act (CEQA) Class 1a Categorical Exemption; DIRECT the Director of Conservation and Development, or designee, to promptly file a Notice of Exemption with the County Clerk; and DIRECT the Public Works Director, or designee, to arrange for payment of the \$25 handling fee to the County Clerk for filing the Notice of Exemption and the \$25 handling fee to the Department of Conservation and Development for processing costs.
3. AUTHORIZE the Public Works Director, or designee, to solicit bids to be received on or about August 14, 2014, and issue bid addenda, as needed, for clarification of the bid documents, provided the involved changes do not significantly increase the construction cost estimate.
4. DIRECT the Clerk of the Board to publish, at least 14 calendar days before the bid opening date, the Notice to Contractors in accordance with Public Contract Code Section 22037, inviting bids for this project.
5. DIRECT the Public Works Director,

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Steve Jordan, (925) 313-2000

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

By: , Deputy

RECOMMENDATION(S): (CONT'D)

or designee, to send notices by mail and electronically (fax or email) to the construction trade journals specified in Public Contract Code Section 22036 at least 15 calendar days before the bid opening.

FISCAL IMPACT:

Funding for this project is provided by the General Fund.

BACKGROUND:

Plans and specifications for the project have been prepared for the Public Works Department by Kava Massih Architects, and filed with the Clerk of the Board by the Public Works Director. The construction cost estimate is \$275,000 and the general prevailing wage rates are on file with the Clerk of the Board of Supervisors and will be the minimum rates paid on this project.

The Sheriff's Office Records Unit needs to be moved from its currently-leased location at 500 Court Street, Martinez, to the County-owned building at 2530 Arnold Drive, Suites 170 and 190, Martinez. The project scope includes interior architectural and electrical improvements and modifications, such as wall additions and alterations, painting, floor covering, doors and hardware, lighting, low voltage, and related work.

CONSEQUENCE OF NEGATIVE ACTION:

If the project is not approved, this would delay relocation of the Sheriff's Office Records Unit and result in further lease expense to the County while other County-owned facilities are available for occupancy.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: July 8, 2014

Subject: Bay Area Cash Assistance Program for Individuals (CAPI) Consortium Agreement

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human services Director, or designee, as one of the ten (10) member counties of the Bay Area Cash Assistance Program for Individuals (CAPI) Consortium to execute a non-financial agreement with the County of San Mateo for San Mateo County's administration of the CAPI Program, including mutual indemnification against any claims arising out of the performance of this agreement for the period July 1, 2014 through June 30, 2018.

FISCAL IMPACT:

None

BACKGROUND:

A multi-county consortium including Alameda, Contra Costa, Marin, Merced, Monterey, San Mateo, Santa Clara, Solano, Sonoma, and Stanislaus counties provides the Cash assistance Program for individuals (CAPI) to provide cash assistance to aged, blind, and disabled legal immigrants who are not eligible for Social Security Income/State Supplementary Program (SSI/SSP) benefits solely due to their immigrant status. San Mateo County is the program administrator for the consortium.

CONSEQUENCE OF NEGATIVE ACTION:

Contra Costa County would no longer participate in the ten (10) county member Bay Area Cash Assistance Program for Individuals (CAPI) Consortium.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Elaine Burres,
313-1717

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

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: July 8, 2014

Subject: Request for Relief of Cash Shortage

RECOMMENDATION(S):

AUTHORIZE relief of cash shortage in the Mental Health Specialized Services Petty Cash Account for the Health Services Department, in the amount of \$1,064.54, as recommended by the Auditor-Controller.

FISCAL IMPACT:

Cash shortage in the amount of \$1,064.54 will be funded with 100% Realignment funds.

BACKGROUND:

In accordance with the provisions of Administrative Bulletin 207.7, the Auditor-Controller has verified and concurs with the report of a cash shortage in the amount of \$1,064.54 for the Health Services Department, Spirit of Caring account. This shortage occurred when various expenses/payments were made using the Mental Health checking account and were refused payment by the Auditor's office as disallowed expenses. All disallowed expenses were solely for Mental Health clients. The Department attests that these expenses were not caused by fraud or gross negligence. Staff were advised these type of expenses are not allowable.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Dorothy Sansoe,
925-335-1009

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The shortage will not be relieved, cash will not be in balance.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: July 8, 2014

Subject: Operations Update of the Employment and Human Services Department, Community Services Bureau

RECOMMENDATION(S):

ACCEPT the May 2014 update of the operations of the Employment and Human Services Department, Community Services Bureau, as recommended by the Employment and Human Services Department Director.

FISCAL IMPACT:

Not applicable.

BACKGROUND:

The Employment and Human Services Department submits a monthly report to the Contra Costa County Board of Supervisors (BOS) to ensure ongoing communications and updates to the County Administrator and BOS regarding any and all issues pertaining to the Head Start Program and Community Services Bureau.

CONSEQUENCE OF NEGATIVE ACTION:

Not applicable.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Elaine Burres,
313-1717

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

By: , Deputy

cc:

ATTACHMENTS

CSB May 2014 CAO Report

CSB May 2014 CSPC Report

CSB May 2014 HS Monitoring

CSB May 2014 EHS Monitoring

CSB May 2014 LIHEAP Report

CSB May 2014 Credit Card
Report

CSB May 2014 Menu

CSB May 2014 Random Sample

CSB Annual Report



To: David Twa, Contra Costa County Administrator
From: Kathy Gallagher, EHSD Director
Subject: Monthly Report
Date: June 2014

Camilla Rand, M.S.
Director



I. Good News Update/Accomplishments:

- CSB's Stage 2 Alternative Payment Program C2AP 3009 received another augmentation of its contract from California Department of Education (CDE) with a Maximum Reimbursable Amount (MRA) of \$3,349,349 from original contract of \$2,501,891. The adjusted MRA is a result of increased caseloads which is expected to be continued in the next fiscal period. The augmentation of contract is necessary to meet the needs of our clients and families and to effectively carry out our administrative and contractual obligations.
- CSB will be re-opening the Crescent Park Children's Center in Richmond on July 1st offering both full-day and part-day services to 60 children during the 2014-2015 Program Year.
- May 6th was Teacher Appreciation Day and CSB families and administrators took the time to recognize and thank our teaching staff for their tireless efforts and commitment to the children we serve.
- In collaboration with CHDP, CSB offered Audiometric Screening Certification Training to 23 participants including CSB staff and representatives from local clinics and doctor's offices in Contra Costa County. This training is a joint effort to ensure high quality and timely sensory screenings for preschool aged children.

II. Status Updates:

a. Caseloads, workload (all programs)

- Head Start Enrollment: 1,094 (70% with part day programs closed for summer)
- Early Head Start Enrollment: 260 (100%)
- Average Daily Attendance: 86.3%
- Stage 2: 383 families and 612 children
- CAPP: 57 families and 85 children
- In total: 440 families and 697 children
- Incoming cases from Stage 1: 38 children
- LIHEAP: 795 households have been assisted
- Weatherization: 26 units weatherization

b. Staffing:

- CSB filled several management and non-management vacant positions such as Site Supervisor I, Infant/Toddler Teacher, Associate Teacher and Intermediate Clerk. Oral Board interviews were conducted for Comprehensive Services Manager-Project. CSB Personnel unit is in the process of scheduling interviews to fill vacant Comprehensive Services Manager-Project and Children's Services

CAO Report- Page 1





Camilla Rand, M.S.
Director



Manager-Project positions. CSB Personnel unit submitted 2 P-300s to add new teaching and management positions to the Bureau. These positions are needed to ensure adequate staffing for the child care program and to provide services to eligible Stage II clients.

c. Legal/lawsuits

- N/A

d. Union Issues

- CSB conducted 2 Meet & Confer sessions with PEU Local 1 regarding the 2014-2015 FY program changes and its impact on PEU Local 1 members. A Skelly Hearing was held and a step 2 Grievance has been scheduled for June 12, 2014.

III. Hot Topics/Concerns/Issues:

- On May 27, 2014, Community Services Bureau had an annual CSBG Desk Audit on CSBG Contract: 14F-3007. The review included an evaluation of administrative and programmatic performance where The Department of Community Services Development (CSD) requested documents to review and as requested, we have supplied all documents. The CSD will be updating our agency on this written desk review for five areas of administrative and programmatic performance. We are certain all reviewed areas are in good standing.

IV. Emerging Issues/New Challenges:

- The Funding Opportunity Announcement for Early Head Start Expansion and Early Head Start-Child Care Partnerships was released on June 6th. CSB is actively working with potential community partners to develop a proposal that, if awarded, will result in increased access to high quality early care and education for infants and toddlers in our county.
- CSB has been informed that the Head Start and Early Head Start program will receive a Federal Triennial Review in the 2015 program year, which for CSB begins October 1st, 2014. Areas of focus are health and safety, facilities and CLASS.

cc: Policy Council Chair
Family & Human Services Committee
Shirley Karrer, ACF



EMPLOYMENT & HUMAN SERVICES DEPARTMENT
 COMMUNITY SERVICES BUREAU
 CHILD NUTRITION FOOD SERVICES
 CHILD and ADULT CARE FOOD PROGRAM MEALS SERVED
 FY 2013-2014

Month covered	2014 April
Approved sites operated this month	14
Number of days meals served this month	22
Average daily participation	779
Child Care Center Meals Served:	
Breakfast	12,994
Lunch	17,144
Supplements	12,502
Total Number of Meals Served	<u>42,640</u>

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
2014 HEAD START PROGRAM
April 2014 Expenditures

1 DESCRIPTION	2 YTD Actual	3 Total Budget	4 Remaining	5 % YTD
a. PERSONNEL	\$ 1,301,410	\$ 3,764,361	\$ 2,462,951	35%
b. FRINGE BENEFITS	811,215	2,452,556	1,641,341	33%
c. TRAVEL	-	1,600	1,600	0%
d. EQUIPMENT	-	-	-	0%
e. SUPPLIES	68,466	243,000	174,534	28%
f. CONTRACTUAL	1,816,617	6,689,194	4,872,577	27%
g. CONSTRUCTION	-	-	-	0%
h. OTHER	323,840	1,749,531	1,425,691	19%
I. TOTAL DIRECT CHARGES	\$ 4,321,549	\$ 14,900,242	\$ 10,578,693	29%
j. INDIRECT COSTS	128,498	789,488	660,990	16%
k. TOTAL-ALL BUDGET CATEGORIES	\$ 4,450,047	\$ 15,689,730	\$ 11,239,683	28%
In-Kind (Non-Federal Share)	\$ 390,506	\$ 3,922,432	\$ 3,531,925	10%

**CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
2014 HEAD START PROGRAM
April 2014 Expenditures**

1	2	3	4	5	6	7	8	9
	Actual Jan-14	Actual Feb-14	Actual Mar-14	Actual Apr-14	Total YTD Actual	Total Budget	Remaining Budget	% YTD
a. PERSONNEL (Object class 6a)	284,579	329,259	364,183	323,389	1,301,410	3,764,361	2,462,951	35%
b. FRINGE (Object Class 6b)	187,474	230,013	188,946	204,783	811,215	2,452,556	1,641,341	33%
c. TRAVEL (Object Class 6c)	-	-	-	-	-	1,600	1,600	0%
e. SUPPLIES (Object Class 6e)								
1. Office Supplies	1,432	2,772	14,124	1,689	20,017	70,000	49,983	29%
2. Child and Family Services Supplies (Includesclassroom Supplies)	-	798	2,567	1,046	4,410	28,500	24,090	15%
3. Food Services/Nutrition Supplies	-	-	-	-	-	-	-	
4. Other Supplies	-	-	-	-	-	-	-	
Computer Supplies, Software Upgrades, Computer Replacement	-	9,308	29,362	-	38,669	115,200	76,531	34%
Health/Safety Supplies	232	292	267	605	1,395	6,000	4,605	23%
Mental helath/Diasabilities Supplies	-	355	58	-	413	5,000	4,587	8%
Miscellaneous Supplies	1,295	608	610	705	3,218	12,000	8,782	27%
Emergency Supplies	-	-	-	-	-	2,500	2,500	0%
Household Supplies	-	165	179	-	344	3,800	3,456	9%
TOTAL SUPPLIES (6e)	2,959	14,297	47,166	4,044	68,466	243,000	174,534	28%
f. CONTRACTUAL (Object Class 6f)								
1. Adm Svcs (e.g., Legal, Accounting, Temporary Contracts)	-	-	1,395	5,738	7,133	5,400	(1,733)	
2. Health/Disabilities Services	-	-	-	-	-	-	-	
Estimated Medical Revenue from Medi-Cal (Org 1432 - credit)	-	-	-	-	-	(230,000)	(230,000)	0%
Health Consultant	3,674	3,674	4,133	3,444	14,924	32,001	17,077	47%
5. Training & Technical Assistance - PA11	3,450	-	-	-	3,450	4,000	550	86%
7. Delegate Agency Costs	-	-	-	-	-	-	-	
First Baptist Church Head Start PA22	-	-	294,185	167,707	461,892	2,044,356	1,582,464	23%
First Baptist Church Head Start PA20	-	-	-	-	-	8,000	8,000	
8. Other Contracts	-	-	-	-	-	-	-	
Antioch Partnership	-	10,800	10,800	10,800	32,400	129,600	97,200	25%
FB-Fairgrounds Partnership	-	5,772	4,871	11,269	21,912	68,812	46,900	32%
FB-E. Leland/Mercy Housing Partnership	-	4,500	4,500	9,000	18,000	54,000	36,000	33%
Martinez ECC (18 HS slots x \$225/mo x 12/mo)	9,000	-	9,000	9,175	27,175	108,000	80,825	25%
Richmond Foundation (78 HS slots x \$15.27/day x 215/days)	-	11,605	9,162	12,827	33,594	128,268	94,674	26%
YMCA of the East Bay (20 HS slots x \$225/mo x 12/mo)	-	4,500	4,500	4,500	13,500	54,000	40,500	25%
Child Outcome Planning and Administration (COPA/Nulinx)	-	4,228	-	-	4,228	10,100	5,872	42%
Enhancement/wrap-around HS slots with State CD Program	-	383,691	-	738,018	1,121,709	4,102,557	2,980,848	27%
f. CONTRACTUAL (Object Class 6f)	16,124	442,945	356,721	1,000,827	1,816,617	6,689,194	4,872,577	27%
h. OTHER (Object Class 6h)								
2. Bldg Occupancy Costs/Rents & Leases	2,490	33,214	21,614	3,100	60,417	595,000	534,583	10%
(Rents & Leases/Other Income)	-	(81)	-	-	(81)	(1,000)	(919)	
4. Utilities, Telephone	5,022	20,426	21,265	4,124	50,838	227,300	176,462	22%
5. Building and Child Liability Insurance	-	3,293	-	-	3,293	14,500	11,207	23%
6. Bldg. Maintenance/Repair and Other Occupancy	179	1,640	4	-	1,822	92,600	90,778	2%
7. Incidental Alterations/Renovations	-	-	-	-	-	-	-	
8. Local Travel (55.5 cents per mile effective 1/1/2012)	822	1,794	3,640	3,767	10,023	53,532	43,509	19%
9. Nutrition Services	-	-	-	-	-	-	-	
Child Nutrition Costs	-	44,547	45,186	-	89,733	557,300	467,567	16%
(CCFP & USDA Reimbursements)	-	(57,391)	(30,587)	-	(87,978)	(256,400)	(168,422)	34%
13. Parent Services	-	-	-	-	-	-	-	
Parent Conference Registration - PA11	-	1,099	-	-	1,099	11,366	10,267	10%
Parent Resources (Parenting Books, Videos, etc.) - PA11	-	-	-	-	-	-	-	
PC Orientation, Trainings, Materials & Translation - PA11	-	4,704	279	1,055	6,039	7,000	961	86%
Policy Council Activities	-	-	-	-	-	2,100	2,100	0%
Parent Activities (Sites, PC, BOS luncheon) & Appreciation	-	233	537	-	770	2,500	1,730	31%
Child Care/Mileage Reimbursement	-	1,009	1,671	363	3,042	10,100	7,058	30%
14. Accounting & Legal Services	-	-	-	-	-	-	-	
Auditor Controllers	-	-	-	-	-	5,635	5,635	0%
Data Processing/Other Services & Supplies	-	1,697	1,663	-	3,360	15,000	11,640	22%
15. Publications/Advertising/Printing	-	-	-	-	-	-	-	
Outreach/Printing	-	-	-	-	-	1,000	1,000	0%
Recruitment Advertising (Newspaper, Brochures)	-	-	-	-	-	5,500	5,500	0%
16. Training or Staff Development	-	-	-	-	-	-	-	
Agency Memberships (WIPFLI, Meeting Fees, NHSA, NAEYC, etc.)	-	-	1,806	3,625	5,431	20,175	14,744	27%
Staff Trainings/Dev. Conf. Registrations/Memberships - PA11	392	5,634	8,025	2,785	16,837	39,956	23,119	42%
17. Other	-	-	-	-	-	-	-	
Site Security Guards	-	3,660	1,192	-	4,852	28,000	23,148	17%
Field Trips	-	-	-	-	-	1,000	1,000	0%
Vehicle Operating/Maintenance & Repair	-	3,071	23,405	9,525	36,000	57,600	21,600	63%
Equipment Maintenance Repair & Rental	1,900	1,657	5,861	1,995	11,411	50,000	38,589	23%
Dept. of Health and Human Services-data Base (CORD)	-	839	839	839	2,518	9,800	7,282	
Other Operating Expenses (Facs Admin/Other admin)	-	15,236	-	-	15,236	99,467	84,231	15%
h. OTHER (6h)	10,805	159,142	122,715	31,178	323,840	1,749,531	1,425,691	19%
I. TOTAL DIRECT CHARGES (6a-6h)	501,941	1,175,656	1,079,731	1,564,221	4,321,549	14,900,242	10,578,693	29%
j. INDIRECT COSTS	-	81,982	46,516	-	128,498	789,488	660,990	16%
k. TOTALS (ALL BUDGET CATEGORIES)	501,941	1,257,638	1,126,247	1,564,221	4,450,047	15,689,730	11,239,683	28%
Non-Federal match (In-Kind)	-	150,037	130,764	109,705	390,506	3,922,432	3,531,925	10%
Total Federal and Non-Federal Budget	501,941	1,407,675	1,257,011	1,673,926	4,840,553	19,612,162	14,771,608	25%

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
2014 EARLY HEAD START PROGRAM
 April 2014 Expenditures

1 DESCRIPTION	2 YTD Actual	3 Total Budget	4 Remaining	5 % YTD
a. PERSONNEL	\$ 165,688	\$ 824,266	\$ 658,578	20%
b. FRINGE BENEFITS	105,029	561,919	456,890	19%
c. TRAVEL	-	800	800	0%
d. EQUIPMENT			-	0%
e. SUPPLIES	8,305	60,121	51,816	14%
f. CONTRACTUAL	591,404	1,633,144	1,041,740	36%
g. CONSTRUCTION			-	0%
h. OTHER	18,560	190,588	172,028	10%
I. TOTAL DIRECT CHARGES	\$ 888,986	\$ 3,270,838	\$ 2,381,852	27%
j. INDIRECT COSTS	18,800	172,996	154,196	11%
k. TOTAL-ALL BUDGET CATEGORIES	\$ 907,786	\$ 3,443,834	\$ 2,536,048	26%
In-Kind (Non-Federal Share)	\$ 74,380	\$ 860,958	\$ 786,578	9%

**CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
2014 EARLY HEAD START PROGRAM
April 2014 Expenditures**

1	2	3	4	5	6	7	8	9
	Actual Jan-14	Actual Feb-14	Actual Mar-14	Actual Apr-14	Total YTD Actual	Total Budget	Remaining Budget	% YTD
Expenditures								
a. Salaries & Wages (Object Class 6a)								
Permanent 1011	38,866	33,451	39,280	35,794	147,391	693,746	546,355	21%
Temporary 1013	5,769	5,496	3,652	3,379	18,297	130,520	112,223	14%
a. PERSONNEL (Object class 6a)	44,635	38,947	42,933	39,173	165,688	824,266	658,578	20%
b. FRINGE BENEFITS (Object Class 6b)								
Fringe Benefits	28,295	24,849	27,366	24,519	105,029	561,919	456,890	19%
b. FRINGE (Object Class 6b)	28,295	24,849	27,366	24,519	105,029	561,919	456,890	19%
c. TRAVEL (Object Class 6c)								
	-	-	-	-	-	800	800	0%
e. SUPPLIES (Object Class 6e)								
1. Office Supplies	1,221	18	488	320	2,046	8,000	5,954	26%
2. Child and Family Services Supplies (Includesclassroom Suppl	2,899	49	1,326	350	4,623	6,518	1,895	71%
4. Other Supplies	-	-	-	-	-	-	-	-
Computer Supplies, Software Upgrades, Computer Replacerr	-	943	493	-	1,436	40,503	39,067	4%
Health/Safety Supplies	-	-	-	-	-	300	300	0%
Mental helath/Diasabilities Supplies	-	-	-	-	-	100	100	0%
Miscellaneous Supplies	-	36	2	143	182	1,000	818	18%
Emergency Supplies	-	-	-	-	-	3,000	3,000	0%
Household Supplies	-	-	18	-	18	700	682	3%
e. SUPPLIES (Object Class 6e)	4,120	1,046	2,326	813	8,305	60,121	51,816	14%
f. CONTRACTUAL (Object Class 6f)								
1. Adm Svcs (e.g., Legal, Accounting, Temporary Contracts)	-	-	349	1,434	1,783	-	(1,783)	-
2. Health/Disabilities Services	-	-	-	-	-	-	-	-
Health Consultant	1,574	1,574	1,771	1,476	6,396	32,001	25,605	20%
8. Other Contracts	-	-	-	-	-	-	-	-
FB-Fairgrounds Partnership	-	4,900	4,900	4,900	14,700	58,800	44,100	25%
FB-E. Leland/Mercy Housing Partnership	-	5,600	5,600	11,200	22,400	67,200	44,800	33%
Brighter Beginnings	-	-	-	-	-	81,600	81,600	0%
Cameron School	-	4,900	4,900	9,800	19,600	58,800	39,200	33%
Crossroads	-	-	14,000	7,000	21,000	77,000	56,000	27%
Martinez ECC	8,400	-	8,400	8,400	25,200	100,800	75,600	25%
Child Outcome Planning and Administration (COPA/Nulinx)	-	490	-	-	490	1,868	1,378	26%
Enhancement/wrap-around HS slots with State CD Program	-	165,189	-	314,646	479,835	1,021,200	541,365	47%
f. CONTRACTUAL (Object Class 6f)	9,974	182,653	39,920	358,856	591,404	1,633,144	1,041,740	36%
h. OTHER (Object Class 6h)								
2. Bldg Occupancy Costs/Rents & Leases	-	434	290	-	724	10,500	9,776	7%
4. Utilities, Telephone	6	215	306	-	527	10,000	9,473	5%
5. Building and Child Liability Insurance	-	-	-	-	-	-	-	-
6. Bldg. Maintenance/Repair and Other Occupancy	-	65	-	-	65	1,600	1,535	4%
8. Local Travel (55.5 cents per mile effective 1/1/2012)	80	360	246	435	1,120	11,700	10,580	10%
9. Nutrition Services	-	-	-	-	-	-	-	-
13. Parent Services	-	-	-	-	-	1,413	1,413	0%
Parent Conference Registration - PA11	-	-	-	-	-	-	-	-
Parent Resources (Parenting Books, Videos, etc.) - PA11	-	-	60	-	60	-	(60)	0%
PC Orientation, Trainings, Materials & Translation - PA11	-	420	954	-	1,375	3,330	1,955	41%
Policy Council Activities	-	181	-	7	188	500	312	38%
Parent Activities (Sites, PC, BOS luncheon) & Appreciation	-	-	-	-	-	21,400	21,400	0%
Child Care/Mileage Reimbursement	-	195	206	140	541	1,200	659	45%
14. Accounting & Legal Services	-	-	-	-	-	3,000	3,000	0%
Auditor Controllers	-	-	-	-	-	3,000	3,000	0%
Data Processing/Other Services & Supplies	-	172	169	-	340	3,100	2,760	11%
15. Publications/Advertising/Printing	-	-	-	-	-	-	-	-
Outreach/Printing	-	-	-	-	-	-	-	0%
Recruitment Advertising (Newspaper, Brochures)	-	-	-	-	-	-	-	0%
16. Training or Staff Development	-	-	-	-	-	15,257	14,619	4%
Agency Memberships (WIPFLI, Meeting Fees, NHSA, NAEY	250	-	275	114	638	15,257	14,619	4%
Staff Trainings/Dev. Conf. Registrations/Memberships - PA1	68	2,464	1,133	878	4,543	30,943	26,400	15%
17. Other	-	-	-	-	-	500	500	0%
Site Security Guards	-	-	-	-	-	500	500	0%
Vehicle Operating/Maintenance & Repair	-	61	4,036	2,946	7,043	19,150	12,107	37%
Equipment Maintenance Repair & Rental	-	3	23	-	26	400	374	7%
Dept. of Health and Human Services-data Base (CORD)	-	-	-	-	-	-	-	0%
Other Operating Expenses (Facs Admin/Other admin)	-	-	-	-	-	7,570	7,570	0%
County Indirect Cost (A-87)	-	802	562	-	1,364	48,825	47,461	3%
h. OTHER (6h)	404	5,344	8,293	4,519	18,560	190,588	172,028	10%
I. TOTAL DIRECT CHARGES (6a-6h)	87,429	252,840	120,837	427,880	888,986	3,270,838	2,381,852	27%
j. INDIRECT COSTS	-	12,859	5,941	-	18,800	172,996	154,196	11%
k. TOTALS - ALL BUDGET CATEGORIES	87,429	265,698	126,778	427,880	907,786	3,443,834	2,536,048	26%
Non-Federal Match (In-Kind)	-	48,873	16,714	8,793	74,380	860,958	786,578	9%
Total Federal and Non-Federal Budget	87,429	314,572	143,492	436,673	982,166	4,304,792	3,322,626	23%

**CAO Monthly Report
CSBG and Weatherization Programs
Year-to-Date Expenditures
As of April 30, 2014**

1. 2014 LIHEAP WX

Contract # 14B-5005
Term: Jan. 1, 2014 - Jan. 31, 2015
Amount: WX \$ 912,922

Total Contract	\$	912,922
Expenditures		(348,879)
Balance	\$	<u>564,043</u>
Expended		38%

2. 2014 LIHEAP ECIP/EHA 16

Contract # 14B-5005
Term: Jan. 1, 2014 - Jan. 31, 2015
Amount: EHA 16 \$ 783,702

Total Contract	\$	783,702
Expenditures		(243,783)
Balance	\$	<u>539,919</u>
Expended		31%

3. 2014 COMMUNITY SERVICES BLOCK GRANT (CSBG)

Contract # 14F-3007
Term: Jan. 1, 2014 - December 31, 2014
Amount: \$ 676,850

Total Contract	\$	676,850
Expenditures		(174,445)
Balance	\$	<u>502,405</u>
Expended		26%

SUMMARY CREDIT CARD EXPENDITURE

Agency: Community Services Bureau

Month: April 2014



Credit Card: Visa/U.S. Bank

Authorized Users

C. Rand, Bureau Dir	xxxx8798
K. Mason, Div Mgr	xxxx7843
C. Johnson, AD	xxxx0746
J. Rowley, AD	xxxx8855
P. Arrington, AD	xxxx3838
R. Radeva, PSA III	xxxx1899
S. Kim, Interim Div Mgr	xxxx1907
J. Sanchez-Rosa, ASA III	xxxx4980
K. Cooke, ASA III	xxxx9105

Stat. Date	Card Account #	Amount	Program	Purpose/Description
05/08/14	xxxx9105	1,292.57	HS Parent Services	Office Expense
05/08/14	xxxx1907	173.47	Indirect Admin Costs	Office Expense
		1,466.04		
05/08/14	xxxx1907	340.88	CSBG	Minor Computer Equipment
05/08/14	xxxx1907	354.15	Indirect Admin Costs	Minor Computer Equipment
		695.03		
05/08/14	xxxx8855	49.04	HS Basic Grant	Food
05/08/14	xxxx8855	(49.05)	HS Basic Grant	Food
		(0.01)		
05/08/14	xxxx7843	296.00	Head Start T & TA	Auto Mileage Employees
05/08/14	xxxx1907	346.00	Head Start T & TA	Auto Mileage Employees
05/08/14	xxxx1899	134.00	Head Start T & TA	
05/08/14	xxxx1899	492.00	Child Nutrition Food Services	
		1,268.00		
05/08/14	xxxx7843	990.00	CSBG	Training and Registrations
05/08/14	xxxx8798	495.00	CSBG	Training and Registrations
05/08/14	xxxx8855	150.00	Child Care Svcs Program	Training and Registrations
05/08/14	xxxx8855	1,330.00	Head Start T & TA	Training and Registrations
05/08/14	xxxx1899	139.00	Child Care Svcs Program	Training and Registrations
05/08/14	xxxx1899	200.00	EHS T & TA	Training and Registrations
05/08/14	xxxx1899	990.00	CSBG	Training and Registrations
		4,294.00		
05/08/14	xxxx8855	1,646.51	HS Basic Grant	Education Supplies and Courses
		1,646.51		
05/08/14	xxxx9105	2,156.89	HS Parent Services	Miscellaneous Services and Supplies
05/08/14	xxxx1907	86.79	CSBG	Miscellaneous Services and Supplies
05/08/14	xxxx8798	52.30	HS Basic Grant	Miscellaneous Services and Supplies
05/08/14	xxxx0746	90.21	Lavonia Allen Site Costs	Miscellaneous Services and Supplies
		2,386.19		
TOTAL		11,755.76		

May 2014 - COMMUNITY SERVICES BUREAU PRESCHOOL MENU

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
<p>"NEW MENU ITEM" JOLLOF RICE</p> <p>RECIPE SUBMITTED BY AFI FIAXE SITE SUPERVISOR @ LOS NOGALES</p>		<p>ALL BREAKFAST & LUNCH SERVED WITH 1% LOW-FAT MILK</p> <p>WATER IS OFFERED THROUGHOUT THE DAY</p>	<p>1</p> <p><u>BREAKFAST</u> PINEAPPLE CHUNKS PLAIN BAGEL LOW-FAT CREAM CHEESE</p> <p><u>LUNCH</u> <i>CHILI CON CARNE</i> (ground turkey & Red beans) FRESH ORANGE UNSALTED SALTINE CRACKERS</p> <p><u>PM SNACK</u> BROCCOLI FLORETS COTTAGE CHEESE RANCH DIP WATER</p>	<p>2</p> <p><u>BREAKFAST</u> FRESH BANANA CORNFLAKE CEREAL</p> <p><u>LUNCH</u> <u>NUTRITION EXPERIENCE</u> <i>CHICKEN CAESAR STYLE SALAD</i> (diced chicken, romaine lettuce, cucumbers, parmesan cheese, bread cubes, & lemon mustard dressing) FRESH KIWI SPROUTED DINNER ROLL</p> <p><u>PM SNACK</u> <u>NUTRITION EXPERIENCE</u> ANTS ON A LOG (celery sticks, sunbutter & raisins) 1% LOW-FAT MILK</p>
<p>5</p> <p><u>BREAKFAST</u> FRESH ORANGE RICE CHEX CEREAL</p> <p><u>LUNCH</u> <i>BAJA BEAN WRAP</i> (refried beans mixed with a mild salsa) SHREDDED CHEESE SHREDDED KALE, SPINACH & ROMAINE FRESH KIWI CORN TORTILLA</p> <p><u>PM SNACK</u> GRAHAM CRACKERS 1% LOW-FAT MILK</p>	<p>6</p> <p><u>BREAKFAST</u> FRESH PEAR BRAN CEREAL</p> <p><u>LUNCH</u> <i>CHICKEN BBQ SANDWICH</i> RAINBOW CABBAGE SLAW FRESH APPLE SPROUTED HAMBURGER BUN</p> <p><u>PM SNACK</u> CUCUMBER & CARROT STICKS VEGETABLE DIP WHEAT WORTH CRACKERS WATER</p>	<p>7</p> <p><u>BREAKFAST</u> FRESH BANANA SUN BUTTER & TORTILLA WRAP</p> <p><u>LUNCH</u> <i>BEEF STEW</i> (potatoes, green peas & carrots) DINNER ROLL FRESH STRAWBERRIES</p> <p><u>PM SNACK</u> LETS GO FISHING TRAIL MIX (crispix , pretzels, fish crackers,& cheese crackers) 1%LOW-FAT MILK</p>	<p>8</p> <p><u>BREAKFAST</u> MANGO CHUNKS WHOLE WHEAT CINNAMON BREAD</p> <p><u>LUNCH</u> <i>TURKEY & BLACK BEAN CHILI</i> FRESH ORANGE MEXICALI CORNBREAD</p> <p><u>PM SNACK</u> FRESH APPLE SLICES 1% LOW-FAT MILK</p>	<p>9</p> <p><u>BREAKFAST</u> FRESH STRAWBERRIES CORN CHEX CEREAL</p> <p><u>LUNCH</u> <u>NUTRITION EXPERIENCE</u> <i>CRUNCHY HAWAIIAN CHICKEN WRAP</i> (broccoli, carrots, pineapple, & spinach) FRESH HONEYDEW MELON SPROUTED WHEAT TORTILLA</p> <p><u>PM SNACK</u> PITA CHIPS HUMMUS 1% LOW-FAT MILK</p>
<p>12</p> <p><u>BREAKFAST</u> FRESH PEAR RICE CHEX CEREAL</p> <p><u>LUNCH</u> <i>EGG SALAD SANDWICH</i> SPINACH SALAD WITH VINAIGRETTE DRESSING FRESH STRAWBERRIES WHOLE WHEAT BREAD</p> <p><u>PM SNACK</u> COTTAGE CHEESE PINEAPPLE TIDBITS WATER</p>	<p>13</p> <p><u>BREAKFAST</u> FRESH ORANGE BRAN CEREAL</p> <p><u>LUNCH</u> <i>TURKEY TACOS WITH CHEESE</i> LETTUCE & TOMATOES MANGO CHUNKS CORN TORTILLAS</p> <p><u>PM SNACK</u> FRESH APPLE SUNBUTTER WATER</p>	<p>14</p> <p><u>BREAKFAST</u> FRESH BANANA CORNFLAKES</p> <p><u>LUNCH</u> <i>LIMA BEANS, DICED CARROTS & TURKEY HAM</i> FRESH KIWI WHOLE WHEAT CORNBREAD</p> <p><u>PM SNACK</u> HOMEMADE PICO DE GALLO CORN TORTILLA CHIPS 1% LOW-FAT MILK</p>	<p>15</p> <p><u>BREAKFAST</u> TROPICAL FRUIT SPROUTED RAISIN BAGEL LOW-FAT CREAM CHEESE</p> <p><u>LUNCH</u> <u>NUTRITION EXPERIENCE</u> <i>TURKEY HAM & SWISS CHEESE SUBMARINE SANDWICH</i> HONEY MUSTARD DRESSING GREEN LEAF LETTUCE & TOMATO SLICE FRESH APPLE SLICES SPROUTED HOT DOG ROLL</p> <p><u>PM SNACK</u> FRESH PEAR 1% LOW-FAT MILK</p>	<p>16</p> <p><u>BREAKFAST</u> FRESH STRAWBERRIES CHEERIOS</p> <p><u>LUNCH</u> <u>NUTRITION EXPERIENCE</u> <i>GREEK CHICKEN SALAD</i> (cucumbers, tomatoes & olives) WITH FETA CHEESE DRESSING FRESH CANTALOUPE SLICES PITA BREAD</p> <p><u>PM SNACK</u> FRESH BANANA 1% LOW-FAT MILK</p>
<p>19</p> <p><u>BREAKFAST</u> FRESH ORANGE BRAN CEREAL</p> <p><u>LUNCH</u> <i>VEGETABLE CHILI</i> FRESH KIWI UNSALTED SALTINE CRACKERS</p> <p><u>PM SNACK</u> LOW-FAT PLAIN YOGURT DICED PEACHES HOMEMADE GRANOLA</p>	<p>20</p> <p><u>BREAKFAST</u> FRESH APPLE KIX CEREAL</p> <p><u>LUNCH</u> <i>CHICKEN CHILAQUILES WITH CORN TORTILLAS</i> BEAUTIFUL SPINACH SALAD WITH VEGETABLES VINAIGRETTE DRESSING FRESH STRAWBERRIES</p> <p><u>PM SNACK</u> BROCCOLI & CAULIFLOWER FLORETS VEGETABLE DIP WHEATWORTH CRACKERS WATER</p>	<p>21</p> <p><u>BREAKFAST</u> FRESH BANANA WHOLE WHEAT BREAD SUNBUTTER</p> <p><u>LUNCH</u> <i>SEASONED BLACKEYE PEAS WITH TURKEY HAM</i> GARDEN SALAD WITH RASPBERRY DRESSING FRESH ORANGE WHOLE WHEAT CORNBREAD SQUARES</p> <p><u>PM SNACK</u> FRESH APPLE 1% LOW-FAT MILK</p>	<p>22</p> <p><u>BREAKFAST</u> PINEAPPLE CHUNKS PLAIN BAGEL LOW-FAT CREAM CHEESE</p> <p><u>LUNCH</u> <i>JOLLOF RICE</i> (chicken, rice, tomatoes, & chilies) ORGANIC BABY GREENS WITH ITALIAN DRESSING FRESH PEAR</p> <p><u>PM SNACK</u> FRIENDS TRAIL MIX (kix, cheerios, chex, raisins, pretzels, & dried apricots) 1% LOW-FAT MILK</p>	<p>23</p> <p><u>BREAKFAST</u> FRESH STRAWBERRIES CORNFLAKES</p> <p><u>LUNCH</u> <u>NUTRITION EXPERIENCE</u> <i>TURKEY WRAP WITH LOW-FAT CREAM CHEESE</i> SPINACH LEAVES, SHREDDED CAROTS & BELL PEPPERS) FRESH CANTALOUPE SPROUTED WHEAT TORTILLA</p> <p><u>PM SNACK</u> STRING CHEESE WHEAT CRACKERS WATER</p>
<p>26</p> 	<p>27</p> <p><u>BREAKFAST</u> FRESH ORANGE CORN CHEX</p> <p><u>LUNCH</u> <u>NUTRITION EXPERIENCE</u> <i>SUNBUTTER & JELLY SANDWICH</i> STRING CHEESE BABY CARROTS NO DRESSING FRESH APPLE WHOLE WHEAT BREAD</p> <p><u>PM SNACK</u> ANIMAL CRACKERS 1% LOW-FAT MILK</p>	<p>28</p> <p><u>BREAKFAST</u> FRESH STRAWBERRIES CHEERIOS</p> <p><u>LUNCH</u> <i>CURRY CHICKEN SALAD</i> MARINATED CUCUMBER & TOMATOES FRESH PEAR PITA BREAD</p> <p><u>PM SNACK</u> <u>NUTRITION EXPERIENCE</u> HUMMUS SPREAD SPROUTED WHEAT TORTILLA 1% LOW-FAT MILK</p>	<p>29</p> <p><u>BREAKFAST</u> FRESH BANANA CORNFLAKE CEREAL</p> <p><u>LUNCH</u> <i>PIZZA BURGER</i> CHOPPED ROMAINE & KALE SALAD WITH VINEGARETTE DRESSING FRESH ORANGE SPROUTED WHEAT HAMBURGER BUN</p> <p><u>PM SNACK</u> FRESH APPLE 1% LOW-FAT MILK</p>	<p>30</p> <p><u>BREAKFAST</u> FRESH PEAR RICE CHEX CEREAL</p> <p><u>LUNCH</u> <i>ASIAN CHICKEN SALAD WRAP</i> SESAME SLAW MANGO CHUNKS SPROUTED WHEAT TORTILLIA</p> <p><u>PM SNACK</u> FRESH BANANA 1% LOW-FAT MILK</p>

EHSD, Community Services Bureau
2013-2014 Random Sample CLASS Observation Results

Description: 36 preschool classrooms were randomly selected to receive CLASS observations between the months of October-December and March-May. Corrective action plans were developed for all Domain average scores that fell below the CSB Thresholds. Corrective action plans were completed by site supervisors and teachers and validated by a Comprehensive Services Education Manager. All plans and validations were reviewed by an Assistant Director.

Average by Dimension				
Domain	Dimension	C1-Average	C2-Average	Variance
Emotional Support	Positive Climate (PC)	6.11	6.35	+0.24
	Negative Climate (NC) *	1.11	1.14	-0.03
	Teacher Sensitivity (TS)	4.51	5.60	+1.09
	Regard for Student (RFS)	4.24	5.24	+1.00
Classroom Organization	Behavior Management (BM)	5.29	5.84	+0.55
	Productivity (PD)	5.18	5.69	+0.51
	Instructional Learning Formats (ILF)	3.68	4.79	+1.11
Instructional Support	Concept Development (CD)	2.06	2.60	+0.54
	Quality of Feedback (QF)	2.33	3.25	+0.92
	Language Modeling (LM)	2.57	3.24	+0.67

* Negative Climate was inverted to calculate average

Countywide Total Average Domain Score					
Domain	C-1	C-2	variance	2013-14 CSB Threshold	Current DRS Threshold
Emotional Support	5.44	6.01	+.57	6.00	5.49
Classroom Organization	4.77	5.44	+.67	5.00	4.85
Instructional Support	2.36	3.03	+.67	3.00	2.19



2013 Annual Report

**Contra Costa County
Employment & Human
Services Department
Community Services Bureau**

Letter from the Director

I am pleased to present Community Services' 2013 annual report. Despite another challenging year of budget reductions, Community Services Bureau (CSB) remained the largest childcare program in Contra Costa County, providing quality services to over 2,700 children and their families. Continuing the 49-year tradition as the Community Action Agency for Contra Costa, our staff also touched the lives of over 9,000 additional individuals through CSB's child care alternative payment programs, energy assistance and weatherization, and our many community action partnerships.

Five successful audits and reviews this year in CSB's various programs highlight the continued quality and strong systems of our organization. Our success is due to the tireless commitment of CSB's staff and governing bodies as well as the strong linkages with dozens of community partners throughout the county. Together we continue to fight poverty and ensure that our children and families are the best prepared for school and beyond.

Please take a look at the innovative work Community Services has done and will continue to do in the years to come.



*Camilla Rand, Director
Employment and Human Services Department
Community Services Bureau*



CONTRA COSTA COUNTY
COMMUNITY SERVICES
BUREAU



Shared Governance

Governance of CSB programs is unique in that it is shared by the Contra Costa County Board of Supervisors comprised of elected officials, the Head Start Policy Council comprised primarily of currently enrolled Head Start and Early Head Start parents, and the Economic Opportunity Council, a tri-partite advisory board appointed by the County Board of Supervisors. Annually these bodies come together for joint training and networking, and to celebrate the accomplishments of their shared leadership.



2013–2014 Policy Council Executive Committee: Irma Ruiz, Secretary; Edith Vinner, Chair; Veronica Covarrubias, Vice-Chair; Ti Carolyn Rucks, Parliamentarian

“CSB contributes a great service to our community by giving children a safe haven where they receive high-quality early care and education services equal to or better than what is received by families who pay top dollar. CSB gives parents the opportunity and support to find work, work and further their education while having the confidence that their children are well cared for and safe.”

Supervisor Federal Glover, 2013 Chair



About Community Services Bureau



The Community Services Bureau is part of a national network of Community Action Agencies that were established by the 1964 War on Poverty to address the underlying conditions that cause poverty. In 2006, the Community Services Department was made a bureau of the Employment and Human Services Department. We have an annual budget of about \$35 million and we employ approximately 400 employees in 14 service locations across the county.

Our largest program is our Child Development program. Each year we combine federal Head Start and State Child Development funds to provide early childhood education services to over 2,000 children and their families.

CSB administers several other programs that serve vulnerable households and low income families: Home Energy Assistance, weatherization, and child care alternative payment programs. Through the federally funded, state administered Community Services Block Grant, (CSBG), CSB is also able to fund a variety of community-based organizations operating poverty reduction programs.

In 2013, CSB served 2,781 Head Start and Early Head Start children and their families which represent 28% of the eligible children in Contra Costa County. Our average monthly enrollment was 105.7% and our average monthly attendance was 86.5%.

Program Highlights

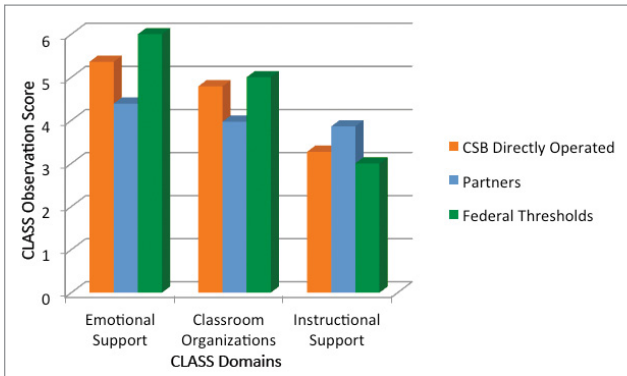
Early Childhood Education

School Readiness Program Enhancements:

Kindergarten Readiness is supported by site based activities including visits from area kindergarten teachers, visits to local kindergarten classes, and “visiting experts” currently enrolled in kindergarten. Staff are trained in “Roadmap to Kindergarten” to equip them with strategies to prepare parents and children for transition to kindergarten. This is a pilot program in collaboration with the County Office of Education.

Quality Rating and Improvement System (QRIS) is a method to communicate indicators of quality to both parents and providers, and a system of assessing and supporting those indicators of quality. The QRIS is built on the California RTT-ELC (Race to the Top-Early Learning Challenge) framework which includes the following indicators: child observation, child health and developmental screening, center lead teacher/FCC owner and center director levels of education, ratio and group size, and quality of environment, and classroom interactions. Some of the incentives are site-based stipends, professional development opportunities for the teachers, and improvement plans based on self-assessment. Nine of the CSB centers participated this year.

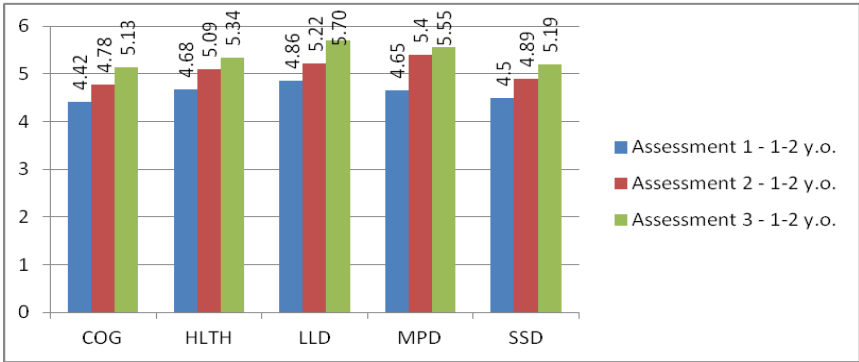
Classroom Assessment Scoring System (CLASS)



The CSB teaching staff received a series of training in the Classroom Assessment Scoring System (CLASS). 2013 results indicate there is a need to increase the CLASS scores to meet the Federal Thresholds. CLASS is an observation tool that focuses on the effectiveness of classroom interactions among teachers and children, because these daily interactions promote childrens’

social, emotional, and cognitive development. Children thrive when teachers create nurturing, well-managed settings and provide frequent and engaging opportunities to learn.

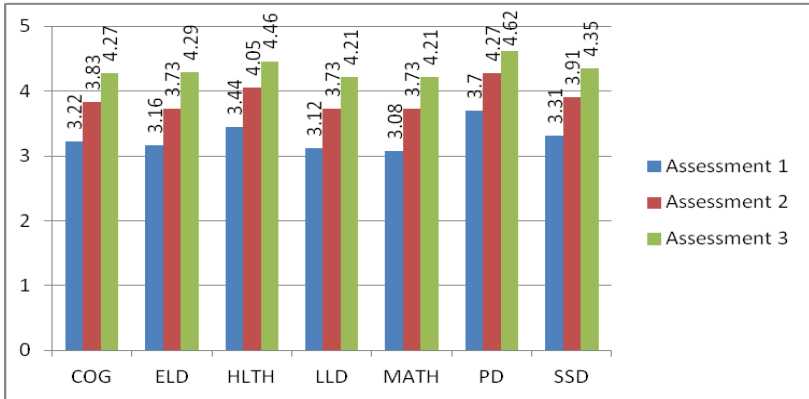
2013 Desired Results Developmental Profile: Infant-Toddler



The chart compares the mean scores by thematic area for age group 1-2 year olds for Assessments 1, 2 and 3. Children progressed in all domains as follows: Cognitive Development (+16.06%), Health (+14.10%), Language and Literacy Development (+17.28%), Motor and Perceptual Development (+19.35%), and Self and Social Development (+15.33%). Highest scores were seen in Language and Literacy Development (5.70 points) while lowest scores were found in Cognitive Development (5.13 points).



2013 Desired Results Developmental Profile: Preschool



The chart compares the mean scores by domain for all four-year olds for Assessments 1, 2 and 3. Children showed progress in each area as follows: Self and Social Development (+31.42%), Physical Development (+24.86%), Math (+36.69%), Language and Literacy Development (+34.94%), Health (+29.65%), English Language Development (+35.76%), and Cognitive Development (+32.61%).



Program Highlights

Early Childhood Education

Each year CSB is required to submit a Program Information Report (PIR) to the Office of Head Start (OHS). The PIR survey measures how well programs are doing in following the rules and regulations governing the program called the Performance Standards. OHS compiles these reports nationally and regionally provides the



information to Congress to inform their decision-making regarding Head Start (HS) and Early Head Start (EHS). The chart below shows that CSB has performed well over the National Average in most key indicators; with the exception being dental exams. This lower rate is primarily due to a lack of pediatric dental providers in Contra Costa County that accept Medi-Cal.

Indicators	National 2012-2013	CSB 2012-2013
Health Insurance	HS-96.6% EHS-88.0%	HS-2134/2153=99.1% EHS-602/628=95.8%
Medical Home	HS- 96.8% EHS-87.9%	HS-2145/2153=99.6% EHS-576/578=99.6%
Immunizations Up to date, possible or exempt	HS-92.2% EHS-76.3%	HS-2153/2153=100% EHS-578/578=100%
Dental Home	HS-92.7%	HS-1957/2153=90.8%
Disabilities services	All- 12.1%	All – 10.9%

Parent, Family & Community Engagement

Parent and family engagement is about building relationships with families that support family well-being, strong relationships between parents and their children, and ongoing learning and development for both parents and children. The following is a highlight of activities in 2013:

- Male Involvement meetings empower male figures to get engaged in the lives of children: **93 participants from January–November 2013**
- Financial Literacy Workshops offered from Wells Fargo Bank were provided to both the directly operated and partner sites parents on various topics like: Credit Counseling, Budgeting, Savings, Money Management: **over 145 parents participated**
- Volunteers who offered their assistance in the program through classroom help, field trips, visiting experts: **1,783 parent volunteers and 23,146 parent volunteer hours**
- **Policy Council (PC) Orientation** so that parents may learn about program governance and their roles and responsibilities as PC members
- **Facilitative Leadership Training** to enhance parent leadership skills and learn about conducting and facilitating effective meetings



Comprehensive Services Highlights

Mental Health

155 children and their families were served by mental health professionals since last year's PIR was reported. These services included individual play therapy, clinical assessments, case management and mental health consultation with caregivers and staff.

Disabilities

24 children received services under the West Contra Costa Unified School District (WCCUSD)Special Day Class. The center provided opportunities for children to benefit from reverse inclusion and full inclusion in addition to their specialized services.

Over 300 children participated in Response Intervention (RTI) enhancement activities and referral support collaboration between CSB and WCCUSD.

Nutrition

National Food Day was celebrated by handing out fruits and vegetables donated from the Food Bank to all families. This is a nationwide celebration that promotes healthy, delicious and affordable food prepared in a sustainable and humane way.

Messaging to promote healthy eating continues to be delivered to families and children. Each child received a *Potter the Otter Loves Water* book, plus *Rethink Your Drink* posters were posted in all classrooms to encourage better drink choices. Also, First 5 Contra Costa, the Sugar Bites Campaign brochure was handed out to every family. These resources help to teach the link between consumption of sugar-sweetened beverages and health risks, and encourage drinking water instead of sugary drinks.

Health Services

736 preschool children received vision screenings through the California Hawaii ELKS Vision Collaboration. Glasses were obtained for all children identified as in need.

698 preschool children received on-site dental exams and fluoride varnish applications through collaboration with the Contra Costa Dental Society, the Children's Oral Health Program, Loma Vista Dental Assistants and local dentists volunteering during the annual and national Give Kids a Smile Day event in February.

With the support of Comprehensive Services staff, 100% of CSB's children obtained a medical home, access to high quality medical services and a physical exam.

100% of CSB's children, including infants, toddlers and preschoolers received toothbrushes and oral health education at their initial home visit.

61 preschool children received free dental treatment at local dental offices during the National Give Kids a Smile Day event: **409** children, including infants and toddlers received dental exams, fluoride varnish applications and dental kits through CSB's collaboration with Strategies for Healthy Smiles.



Alternative Payment Programs

CSB ALTERNATIVE PAYMENT PROGRAMS – STAGE II/ CAPP

The Cal-WORKS Stage II and CAPP Child Care Alternative Payment Programs are designed to maximize parental choice in selecting child care that meets the needs of the child and family. Parents may select licensed child care centers, licensed family child care homes, license-exempt or in-home providers. The age limit for child care through these programs is 0–12 years of age (age limit may be extended under certain limited circumstances).

CSB served approximately **750** families and over **1200** children in 2012–2013 with a funding amount of \$2,813,312. The Cal-WORKS Stage II child care program is limited to those parents who are in receipt of, or have received Cal-WORKS cash assistance within the last 24 months.

Approximately **160** families and **260** children were served through CAPP funding of \$705,025. This Program primarily assists families referred by Children & Family Services Child Protective Services.

Low-Income Home Energy Assistance and Weatherization Programs

The Low-Income Home Energy Assistance Program (LIHEAP) is a federally-funded program that assists low-income households with their heating and cooling needs while helping protect the health and safety of the household. Priority for services is given to those households with the highest energy burden, while taking into consideration vulnerable populations such as elderly, disabled, and families with young children.

4,670 households in a crisis situation such as receiving a 48-hour disconnect notice, or service termination by a utility company were served in 2013.

The Bureau's weatherization program was able to service **360** dwellings including attic insulation, kitchen appliance and thermostat replacement.



Community Action Partnership

As the designated Community Action Agency for Contra Costa County, the Bureau is also considered an anti-poverty agency. To assist low-income people, CSB addresses multiple needs with a comprehensive approach. Partnerships with community organizations help involve low-income clients in the agency's operations and programs designed to measurably reduce poverty.

In 2013, the Bureau received \$780,601 in CSBG funds to support the administration and operation of a variety of poverty reduction programs. The programs funded with CSBG dollars included:

- **CCC Health Services Dept. (HSD)** Emergency shelter for **135** homeless youth ages 14 to 21;
- **Contra Costa Clubhouses** Peer support and vocation rehabilitation service for **288** adult mental health consumers;
- **Opportunity Junction** Job Training and Placement Program (JTPP) for **73** low-income residents with multiple barriers;
- **City of Richmond Summer Youth Employment Program** Job training program for **32** youth ages 14 to 21;
- **Bay Area Legal Aid** Legal services in the areas of Domestic Violence Prevention, Housing and Homelessness Prevention, Economic Security and Health Care Access to **100** low-income Contra Costa County residents.



Clerical Assistant Trainee Program

CSBG funds supported the professional growth and development of **25** low income individuals by offering specialized training on current office practices and procedures, technical skills, customer service, professionalism and time/stress management. Participants were placed throughout the Bureau in our administrative offices and child care centers and received on the job training in clerical and administrative services support.

Innovations

CLOUDS

(Child Location, Observation, and Utilization Data System)

CLOUDS is a completely customized data management information system which is tailored to the bureau's unique program needs. Functions were added into the CLOUDS to reduce staff time on manual paperwork, facilitate a paperless environment, and automate most processes through the automation of many protocols.

Electronic-Fax Server

In a cost saving measure, we were able to eliminate cost of procuring fax toners, papers and maintenance of the fax machines. This technology helps us to move toward a paperless environment at our agency.

Free Wi-Fi

Under the Special Technology Grant (E-Rate), CSB has implemented wireless internet network connection throughout all child care centers.



Professional Development

CSB believes that training and technical assistance (T&TA) is critical to meeting and exceeding the Head Start Performance Standards, realizing program goals and objectives, determining priorities based on data and systems analysis, and continuous improvement as an agency.

- **152** teaching staff received **Ready to Learn** training focusing on safe and developmentally appropriate environments and transition of children to school.
- **42** teaching staff completed modules training on **Program for Infant Toddler Care (PITC):** Early Messages, Brain Development in Infancy, Discoveries of Infancy and More than Just Routine.
- **12** Comprehensive Services Managers and Assistant Managers participated in the **Family Development Credential (FDC)** program to enhance their knowledge and skills to support families' development. Upon successful completion of the program, they will be awarded a Family Development Credential through the California Head Start Association.
- **85%** of CSB's Pre-school Teachers possess an **Associate's Degree or Bachelor's Degree.**
- **84%** of CSB's Infant/Toddler Teachers possess an **Associate's Degree or Bachelor's Degree.**



Funding & Expenditures

Fiscal Year 2012–13 Revenues	
Program Name	Amount
Head Start	17,310,339
LIHEAP/Weatherization	3,826,922
Early Head Start	4,450,974
California Dept. of Education Contracts	21,890,011
USDA/CCFP Meal Reimbursements	1,038,273
CSBG	664,255
Tuition-Based Program	37,469
County Contribution	423,823
Total	49,642,066

Fiscal Year 2012–13 Expenditures	
Program Name	Amount
Head Start	17,514,858
Child Development	17,967,825
CAPP & Stage 2	3,876,621
Early Head Start	4,501,707
USDA/CCFP Meal Reimbursements	1,049,334
CSBG	744,101
LIHEAP/Weatherization	3,952,574
Tuition-Based Program	35,046
Total	49,642,066



Funding & Expenditures



Fiscal Year 2013–14 Budget

Program Name	Expenditures	Revenues	Net County Cost
Head Start	14,676,805	14,676,805	-
CDE Contracts	13,780,314	13,780,314	-
Early Head Start	3,225,849	3,225,849	-
CA Dept of Community Services Contracts	3,127,072	2,968,284	(158,788)
USDA/CCFP Meal Reimbursements	1,062,059	1,062,059	-
Total	35,872,099	35,872,099	(158,788)

Audits and Reviews

2013 Audits and Reviews by Federal, State and CPA Firms

Name of Agency	Purpose	Outcome
California Department of Education Nutrition Services Division, Field Services Unit	Administrative Review of the 2012 Child and Adult Care Food Program (CACFP)	No findings
State of California Department of Community Services & Development	On-site Monitoring Visit 2012 LIHEAP & 2011 DOE WAP Programs	No findings
State of California Department of Community Services & Development	On-site Monitoring Visit 2013 CSBG Program	No findings
Marcum LLP	FY 2011-2012 Single Audit	No findings
Badawi & Associates	FY 2012-13 State Child Development Audit	No findings



CSB Child Care Center Locations

Ambrose 073402849 • 3103 Willow Pass Road, Bay Point 94565
Phone: (925) 427-8463, 8464 Fax: (510) 427-8465

Balboa 073400249/IT073402613
1001 S. 57th St., Richmond 94804
Phone: (510) 374-7025, 7026, 7027, 7028 Fax: (510) 374-7024



Bayo Vista 073402140 • 2 California St., Rodeo 94572
Phone: (510) 374-7492 Fax: (510) 374-7512



Brookside 070213108 • 847 “B” Brookside Dr., Richmond 94801
Phone: (510) 374-3732, 3733, 3736, 3765 Fax: (510) 374-3729

Contra Costa College 073404255
2600 Mission Bell Dr, Rm 118 &121, San Pablo 94806
Phone: (510) 235-1277, 1251 Fax: (510) 235-1244



George Miller 73400252/IT073402545
3068 Grant St., Concord 94520
Phone: (925) 646-5646, 5647, 5948, 5952, 5801 Fax: (925) 646-5054

George Miller III 073404440
300 S. 27th St., Richmond 94804
Phone: (510) 374-3526 Fax: (510) 374-3553



Las Deltas 073404675/IT-070213144
135 W. Grove, Richmond 94801
Phone: (510) 374-3444, 3446, 3469, 3470 Fax: (510) 374-3564



Lavonia Allen 073400254 • 94 ½ Medanos Ave., Bay Point 94565
Phone: (925) 427-8270, 8272 Fax: (510) 427-8355

Los Arboles 073402350 • 240 Las Dunas, Oakley 94561
Phone: (925) 427-8930, 8931, 8932, 8933 Fax: (925)427-8935



Los Nogales 073400495 • 321 Orchard Dr., Brentwood 94513
Phone: (925) 427-8531, 8601 Fax: (925) 427-8594

Marsh Creek 073401411
7251 Brentwood Blvd., Brentwood 94513
Phone: (925) 427-8576, 8577 Fax: (925) 427-8594 & 8578



Riverview 073404270 • 227 Pacifica Ave., Bay Point 94565
Phone: (925) 427-8340, 8341 Fax: (925) 427-8378



Verde 070212633 • 2000 Giamita Ave., North Richmond 94801
Phone: (510) 374 3008, 3009 Fax: (510) 374-3006



Contra
Costa
County

To: Board of Supervisors
From: David O. Livingston, Sheriff-Coroner
Date: July 8, 2014

Subject: Accept a Donation from Contra Costa Centre Association

RECOMMENDATION(S):

ACCEPT a donation from the Contra Costa Centre Association in the sum of \$210,480, to be used for the purpose of providing targeted law enforcement services at the Contra Costa Centre Transit Village.

FISCAL IMPACT:

\$210,480 revenue. No net County cost. Budgeted.

BACKGROUND:

Contra Costa Centre Transit Village (Contra Costa Centre) is an area of 125 acres in unincorporated Walnut Creek and features approximately 2.4 million square feet of office/commercial space, two full-service hotels, 50,000 square feet of retail/restaurants and nearly 2,700 multi-family residential units as well as over eight acres of green space. It also encompasses the Pleasant Hill/Contra Costa Centre BART Station.

In 2004, the Contra Costa Centre Association (CCCA) and the Contra Costa County Redevelopment Agency funded the Contra Costa Centre Resident Deputy Program at the Contra Costa Centre. The program is designed to eliminate drug activity, violent crimes and other unlawful acts. The Sheriff's Office operates a substation at the Contra Costa Centre and has assigned one full-time

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Sandra Brown,
925-335-1553

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

peace officer and one patrol vehicle to the substation. The Contra Costa County Redevelopment Agency stopped funding the Contra Costa Centre Resident Deputy Program in 2012 when the Redevelopment Agency dissolved.

CCCA wants to make a donation in the amount of \$210,480 to Contra Costa County for the purpose of continuing to provide targeted law enforcement services to the Contra Costa Centre for a one year period commencing July 1, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not receive \$210,480 in revenue.

CHILDREN'S IMPACT STATEMENT:

No impact.



Contra
Costa
County

To: Board of Supervisors
From: Catherine Kutsuris, Conservation and Development Director
Date: July 8, 2014

Subject: Authorize County Participation in Spare the Air Day Program

RECOMMENDATION(S):

AUTHORIZE County participation in the 2014 Spare the Air Program, and REQUEST each County department to participate in the program.

FISCAL IMPACT:

None to the General Fund. Participation involves email notifications and each department posting Spare the Air notices at the entrances to each County work site.

BACKGROUND:

The Spare the Air Program is a voluntary program organized by the Bay Area Air Quality Management District (BAAQMD) to encourage the public to take steps to protect air quality on days when ozone (smog) levels are expected to exceed the state and federal air quality standards. In the Bay Area, the summer Spare the Air season generally runs from May and will typically last through mid-October when clear skies, hot temperatures, lighter than usual winds, and strong temperature inversions combine to create smoggy conditions. Spare the Air alerts are declared for days forecast to have ozone concentrations high enough to exceed federal health-based standards. Since 1991, the number of Spare the Air notices during a season has varied from 1 to 25. Last year, 6 Spare the Air notices were issued for the Bay Area. In 2012, 10 notices were issued (<http://www.sparetheair.org/Stay-Informed/Ozone/Ozone-Box-Scores.aspx>).

Once the Board authorizes participation, DCD staff will prepare notices for the County Administrator's Office (CAO) to distribute when Spare the Air alerts are transmitted by the BAAQMD. When smog conditions are expected

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Jamar Stamps,
925-674-7832

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

to exceed standards, the BAAQMD will issue a Spare the Air alert to the County's Department of Conservation and Development, which in turn will alert the CAO to disseminate the notice to all departments via e-mail broadcast. Each department and employee with access to e-mail will be instantly notified to refrain from unnecessary activities that contribute to air pollution. These activities include driving, refueling vehicles during the day, using gasoline-powered lawn mowers and leaf blowers, using lighter fluid when barbecuing, and using aerosol products and oil-based paints. Exhibit A is an example of a notice that could be posted at the entrances to each County work site during a Spare the Air alert.

The BAAQMD advisories are also posted on their website (<http://www.sparetheair.org>), recorded on the 1-800-HELP-AIR (1-800-435-7247) forecast phone line, announced in local newspapers, and broadcast on local TV and radio stations. Information regarding Spare the Air day is also available through social networking internet sites such as Facebook and Twitter. The BAAQMD promotes participation in the Spare the Air Program as part of employers' Transportation Demand Management programs, since many of the Program's actions are also trip-reduction measures. Employees are encouraged to carpool, take public transit, bicycle, or walk to work. If feasible, employees could also telecommute provided that arrangements have been made with their supervisors.

CONSEQUENCE OF NEGATIVE ACTION:

The Department of Conservation and Development will not be able to distribute Spare the Air alerts to County departments.

CHILDREN'S IMPACT STATEMENT:

None.

ATTACHMENTS

Exhibit 'A'

Tuesday, July 8th is a SPARE THE AIR DAY



Spare the Air Friday

The Bay Area Air Quality Management District (BAAQMD) has forecasted that tomorrow will be a Spare the Air Day in the San Francisco Bay Area.

Mañana es "Spare the Air" día. Por favor, conduzca su coche lo menos posible el mañana.

Clear skies, hot temperatures, a strong temperature inversion trapping pollutants near the ground, and light winds will combine to produce poor air quality for the Bay Area.

What you can do

- Drive less, bike or walk to your destination.
- Ride transit, visit 511 Bay Area website to plan your trip: <http://511.org>.
- Walk to lunch or bring your lunch to work to avoid mid-day driving.
- Put off all nonessential trips and activities that require engines until the air is better.
- If you must refuel, do it after dark and don't top off the tank.

To monitor current air quality conditions and see the five day forecast, visit www.sparetheair.org.

Thank you for helping to Spare the Air!

Jamar I. Stamps
Transportation Planning Section
Contra Costa County
Community Development Division
Phone: 925-674-7832 Fax: 925-674-7258
jamar.stamps@dcd.cccounty.us

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exprtype	positive integer
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AIR-18494

BOARD OF SUPERVISORS

**Consent
Other Actions**

Meeting Date: 07/08/2014

Time (Duration):

CONTINUE Extension of Emergency Declaration Regarding Homelessness

Submitted For: David Twa, County Administrator

Department: County Administrator

Division: Health & Human Services

Noticed Public Hearing: No

Official Body: Board of Supervisors

Presenter/Phone, if applicable:

Audio-Visual Needs:

Handling Instructions:

District: All Districts

Contact, Phone: Lavonna Martin, 925-313-6736

Information

Recommendation(s):

CONTINUE the emergency action originally taken by the Board of Supervisors on November 16, 1999 regarding the issue of homelessness in Contra Costa County.

Fiscal Impact:

None.

Background:

Government Code Section 8630 required that, for a body that meets weekly, the need to continue the emergency declaration be reviewed at least every 14 days until the local emergency is terminated. In no event is the review to take place more than 21 days after the previous review.

On November 16, 1999, the Board of Supervisors declared a local emergency, pursuant to the provisions of Government Code Section 8630 on homelessness in Contra Costa County.

With the continuing high number of homeless individuals and insufficient funding available to assist in sheltering all homeless individuals and families, it is appropriate for the Board to continue the declaration of a local emergency regarding homelessness.

Consequence of Negative Action:

The Board of Supervisors would not be in compliance with Government Code Section 8630.

Children's Impact Statement:

None.

Budget Information

Information about available funds

Budgeted:

Funds Available:

Adjustment:

Amount Available:

Unbudgeted:

Funds NOT Available:

Amendment:

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

No file(s) attached.



Contra
Costa
County

To: Board of Supervisors
From: Joseph E. Canciamilla, Clerk-Recorder
Date: July 8, 2014

Subject: APPROVE and ACCEPT the results of the CCC Retirement Board Election June 17, 2014

RECOMMENDATION(S):

APPROVE and ACCEPT the following results of the Retirement Board Election, conducted June 17, 2014, as on file in the Contra Costa County Elections Division:

General Member #3

Todd Smithey 610
Robert TeVrucht 394
Adam Down 141
Write-In 150

Safety Member and Alternate Member #7

Gabe Rodrigues 239
William Pigeon 202
Write-In 2

FISCAL IMPACT:

None.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Rosa M. Mena,
925.335.7806

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

By: , Deputy

cc:

BACKGROUND:

Resolution No. 2014/31 requires the Elections Official to prepare a certified statement of results of the election and submit it to the governing body. That certification is attached.

CONSEQUENCE OF NEGATIVE ACTION:

The following candidates will not receive official approval and authorization to be elected and serve. The candidates' new term begins July 1, 2014 and ends June 30, 2017.

- General Member #3 - Todd Smithey 1031 Feather Circle, Clayton, CA 94517
- Safety Member #7 - Gabe Rodrigues 19957 Lorena Circle, Castro Valley, CA 94546
- Alternate Member #7 - William Pigeon 2010 Geary Road, Pleasant Hill, CA 94523

CHILDREN'S IMPACT STATEMENT:

Not Applicable

ATTACHMENTS

6/17/14 Official Results

State of California)
) ss.
County of Contra Costa)

I JOSEPH CANCIAMILLA, County Clerk of the County of Contra Costa, do hereby certify that I have complied with the provisions of Resolution 2014/31 regarding conducting the election for a member of the County Retirement Board.

On June 18, 2014, conducted the canvass of the votes cast in the election covering all voted ballots received by 5:00 p.m. on **June 17, 2014**.

As a result of said canvass, the following votes were determined:

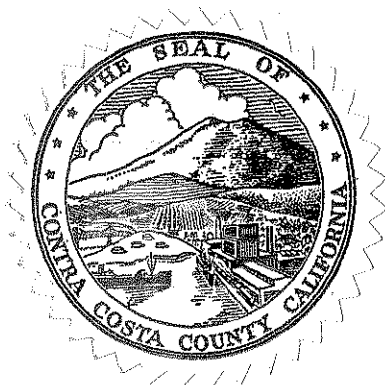
GENERAL MEMBER OF RETIREMENT BOARD, NUMBER 3

Todd Smithey	610
Robert TeVrucht	394
Adam Down	141
Write-In	150

Pursuant to the above resolution, a Certificate of Election/Oath of Office has been issued as follows:

GENERAL MEMBER OF RETIREMENT BOARD, NUMBER 3
Todd Smithey

WITNESS my hand and official seal this 18th day of June, 2014.



JOSEPH CANCIAMILLA
County Clerk

By: Rosa Meng
Elections Processing Supervisor

State of California)
) ss.
County of Contra Costa)

I JOSEPH CANCIAMILLA, County Clerk of the County of Contra Costa, do hereby certify that I have complied with the provisions of Resolution 2014/31 regarding conducting the election for members of the County Retirement Board.

On June 18, 2014, conducted the canvass of the votes cast in the election covering all voted ballots received by 5:00 p.m. on **June 17, 2014**.

As a result of said canvass, the following votes were determined:

SAFETY MEMBER OF RETIREMENT BOARD, NUMBER 7

Gabe Rodrigues 239
William Pigeon 202
Write-In 2

Pursuant to the above resolution, a Certificate of Election/Oath of Office has been issued as follows:

SAFETY MEMBER OF RETIREMENT BOARD, NUMBER 7

Gabe Rodrigues

SAFETY ALTERNATE OF RETIREMENT BOARD, NUMBER 7

William Pigeon

WITNESS my hand and official seal this 18th day of June, 2014.



JOSEPH CANCIAMILLA
County Clerk

By: *Rosa Mena*
Elections Processing Supervisor



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Mental Health Services Act (Proposition 63): Three Year Program and Expenditure Plan for Fiscal Years 2014/15 through 2016/17

RECOMMENDATION(S):

ACCEPT the recommendation of the Behavioral Health Services Director to adopt the draft Mental Health Services Act (Proposition 63) Three Year Program and Expenditure Plan, Fiscal Years 2014/15 through 2016/17.

AUTHORIZE and DIRECT the Chair of the Board of Supervisors to send a letter to that effect to the Mental Health Services Oversight and Accountability Commission (MHSOAC) to inform the MHSOAC of their approval of the adoption of this plan.

FISCAL IMPACT:

Adoption of the Mental Health Services Act Three Year Program and Expenditure Plan, Fiscal Years 2014-2015 through FY 2016/17 assures continued MHSA funding for Fiscal Years 2014/2015 through 2016/2017 in the amount of \$127,844,238.

BACKGROUND:

Proposition 63 was passed by California voters in the November 2004 election.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Cynthia Belon,
957-5501

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

By: , Deputy

cc: T Scott, C Rucker, G Loenikcker

BACKGROUND: (CONT'D)

Now known as the Mental Health Services Act (MHSA), the legislation provides public mental health systems by imposing an additional one percent tax on individual, but not corporate, taxable income in excess of one million dollars. There are a total of five MHSA components which have been rolled out over time by the State Department of Mental Health with the goal of creating a better program of mental health services and supports in California's public mental health systems. The five components include: Community Services and Support; Prevention and Early Intervention; Workforce Education and Training; Capital Facilities and Technology Needs; and Innovation. There are multiple programs operated within each component. This is a state mandated program under Welfare & Institutions Code.

ATTACHMENTS

MHSA Three Year Plan

Letter of Approval

Contra Costa County

Mental Health Services Act

Three Year Program and Expenditure Plan

Fiscal Years 2014 – 15 through 2016 - 17

Introduction

We are pleased to present Contra Costa County Mental Health's (CCMH) integrated Mental Health Services Act (MHSA) Three Year Program and Expenditure Plan. This plan starts July 1, 2014, and integrates the components of Community Services and Supports, Prevention and Early Intervention, Innovation, Workforce Education and Training, and Capital Facilities/Information Technology.

This Plan describes county operated and contract programs that are funded by MHSA, what they will do, and how much money will be set aside to fund these programs. Also, the plan will describe what will be done to evaluate their effectiveness and ensure they meet the intent and requirements of the Mental Health Services Act.

California approved Proposition 63 in November, 2004, and the Mental Health Services Act became law. The Act provides significant additional funding to the existing public mental health system, and combines prevention services with a full range of integrated services to treat the whole person. With the goal of wellness, recovery and self-sufficiency, the intent of the law is to reach out and include those most in need and those who have been traditionally underserved. Services are to be consumer driven, family focused, based in the community, culturally and linguistically competent, and integrated with other appropriate health and social services. Funding is to be provided at sufficient levels to ensure that counties can provide each child, transition age youth, adult and senior with the necessary mental health services, medications and support set forth in their treatment plan. Finally, the Act requires this Three Year Plan be developed with the active participation of local stakeholders in a community program planning process.

Thus the Mental Health Services Act not only provides additional funding, but also provides a philosophical framework for the entire Behavioral Health System to successfully provide care to those whose needs are greatest.

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Note. Program and plan element profiles and a glossary section are included in the Appendices to provide more information regarding a specific program or plan element, and to assist in better understanding terms that are used. The electronic version of this document utilizes hyperlinks, in which the reader may click on a term or title and have immediate access to the information. The Table of Contents also utilizes hyperlinks, whereby the reader can click on the page number and have immediate access to the desired section. To return, click on the program title, or glossary term.

Vision

The Mental Health Services Act serves as a catalyst for the creation of a framework that calls upon members of our community to work together to facilitate change and establish a culture of cooperation, participation and innovation. We recognize the need to improve services for individuals and families by addressing their complex behavioral health needs. This is an ongoing expectation. We need to continually challenge ourselves by working to improve a system that pays particular attention to individuals and their families who need us the most, and may have the most difficult time accessing care.

During this past year we asked our consumers, their families and our service providers to describe mental health care that works best. The following elements emerged:

Access. Programs and care providers are most effective when they serve those with mental health needs without regard to Medi-Cal eligibility or immigration status. They provide a warm, inviting environment, and actively and successfully address the issues of transportation to and from services, wait times, availability after hours, services that are culturally and linguistically competent, and services that are performed where individuals live.

Capacity. Care providers are most appreciated when they are able to take the time to determine with the individual and his or her family the level and type of care needed and appropriate, coordinate necessary health, mental health and ancillary resources, and then are able to take the time to successfully partner with the individual and his or her family to work through the mental health issues.

Integration. Mental health care works best when health and behavioral health providers, allied service professionals, public systems such as law enforcement, education and social services, and private community and faith-based organizations work as a team. Effective services are the result of multiple services coordinated to a successful resolution.

We honor this input by envisioning a system of care that supports independence, hope, and healthy lives by making accessible behavioral health services that are responsive, integrated, compassionate and respectful.

Cynthia Belon, L.C.S.W.
Behavioral Health Services Director

The Community Program Planning Process

The County has utilized the community program planning process to 1) identify issues related to mental illness that result from a lack of mental health services and supports, 2) analyze mental health needs, and 3) identify priorities and strategies to meet these mental health needs.

In 2006 CCMH completed its first community program planning process under MHSA, and received funding for the Community Services and Supports component of the Act. The Prevention and Early Intervention component was approved in 2010, and the remaining components of Workforce, Education and Training, Innovation, Capital Facilities and Information Technology soon followed. Additional programs and services were incrementally approved and added each succeeding year as service needs were identified by means of the community program planning process.

CCMH has consolidated all of these components into a single Plan, and its current MHSA funded programs and services are included in the Fiscal Year 2013-14 Plan Update.

In addition to the above community program planning processes, CCMH continues to provide support and seeks counsel from an active stakeholder body, entitled the Consolidated Planning Advisory Workgroup (CPAW). Over the years these stakeholder representatives have provided input to the Mental Health Director as each MHSA component was developed and implemented. For the upcoming Three Year Plan CPAW has recommended that the Plan provide a more comprehensive approach that links MHSA funded services and supports to prioritized needs, evaluates their effectiveness and fidelity to the intent of the Act, and informs future use of MHSA funds. Thus the Plan can provide direction for continually improving not only MHSA funded services, but also influencing the County's entire Behavioral Health System.

Overview. With one million residents Contra Costa County is comprised of three distinct regions in the West, Central and Eastern parts of the county. It is estimated that potentially 60,000 of these individuals may be adults who have a serious mental illness, or are children and youth who have been diagnosed with a serious emotional disorder. Many of these individuals are faced with the compounding debilitating effects of poverty; the daily struggle with the basic necessities of food, clothing, employment, transportation, health care and a safe place to live. With the addition of MHSA funded services and supports CCMH now provides services to approximately 20,000 individuals who have a serious mental illness or serious emotional disturbance, and who cannot afford private mental health treatment. This ranks Contra Costa County's

performance for providing services to this potentially eligible population in the top 25% of counties throughout the state. However, it is reasonable to conclude that the County will continue to operate in an environment where there are more people in need of public mental health services than there are resources to meet this need.

It is within this context that the community program planning process was initiated in Fiscal Year 2013-14 in order to inform the direction of this Plan.

Assessment of Need. During the months of September and October of 2013 Contra Costa County Mental Health initiated an assessment of need process in order to provide a preliminary identification of issues related to mental illness, and to assess mental health needs.

Staff conducted a series of site visits to interview both individuals who provide services and individuals who receive services. These consumers, their families and mental health professionals were considered “key informants” who could provide a preliminary assessment of public mental needs throughout the county. A stratified sampling of 25 CCMH programs were selected to ensure representation from 1) all three regions of the county, 2) all four age groups (children, transition age youth, adults and older adults, 3) both county and contract operated services, and 4) all types of services, to include clinics, full service partnership programs, housing programs, wellness and recovery centers, prevention and early intervention programs, and CCMH administrative staff.

The method for participation was small group discussions that were supplemented by surveys in English and Spanish that could be completed and mailed in by individuals who either chose to provide written input, or were not available for scheduled discussions. The agenda for the group discussions and format for the written surveys were the same; namely, the participants were asked to discuss 1) what the program, service provider or agency does well, 2) what the program, service provider or agency needs to improve upon, and 3) what needed mental health services and supports are missing.

Over 300 consumers, family members, line staff, supervisors and senior staff actively participated in the discussions and/or completed surveys. Host agency staff arranged for consumers and family members to participate with them (in some cases separately) in the discussions, although all individuals were considered stakeholders without designation of affiliation during the discussions.

A summary of the discussions and surveys was completed for each of the 25 sites, and the detailed results of this preliminary needs assessment was made available for the subsequent consumer, family member and service provider focus groups and the community forums that were conducted in January through March of 2014.

Focus Groups and Community Forums. Resource Development Associates (RDA) was contracted with to provide independent facilitation of the focus group and community forum phases of the community program planning process. Individuals with lived mental health consumer experience co-facilitated these group discussions with RDA staff in order to foster a safe environment for individuals to freely discuss issues they may not otherwise feel comfortable discussing.

Focus Groups. 232 consumers and family members and 50 service providers met in small groups, provided their perceptions of priority mental health needs, and suggested ideas to address these needs. Eighteen consumer and family focus groups were conducted in all three regions of the County, with recruitment to each age group, underserved communities, persons experiencing homelessness, persons monolingual in Spanish, and individuals identifying as lesbian, gay, bi-sexual, transgender, or questioning their sexual identity. Four service provider focus groups were conducted, covering all geographic regions. RDA developed reports with participant feedback on strengths, gaps, barriers and proposed solutions for service access, quality, and sufficiency of services.

Community Forums. Approximately 150 members of the public participated in three community forums that were held in the western, central and eastern parts of the county. RDA presented the accumulated input from the needs assessment and focus group events, and solicited additional feedback.

Finally, RDA presented the results of the needs assessment, focus groups and community forums to the Consolidated Planning Advisory Workgroup, with the Mental Health Commission invited to attend. This event was also open to the public, and all in attendance were invited to provide input.

The full preliminary needs assessment report and Resource Development's subsequent report on the community program planning process can be found at:

<http://cchealth.org/mentalhealth/pdf/2014-0417-CCMHSA-Consoildated-Report.pdf> .

Results. The following are broad themes taken from these detailed reports that enable informed decision-making regarding program direction and evaluation efforts. Stakeholders participating in the community program planning process identified the following significant shortfalls as priority needs, and weighed in on strategies to improve access to services, quality and levels of service provided, integration of effort, accountability, and stakeholder participation in planning and evaluation. Each theme includes a cross reference of where relevant program or plan elements are contained in the Plan. This Plan's chapter on Evaluating the Plan outlines a process by which each

of the funded programs and plan elements will be assessed for the extent to which they address these needs.

Access.

- **Getting to and from services.** The cost of transportation and the County's geographical challenges make access to services a continuing priority. Flexible financial assistance with both public and private transportation, training on how to use public transportation, driving individuals to and from appointments, and bringing services to where individuals are located, are all strategies needing strengthening and coordinating.
 - Relevant program/plan elements: Transportation assets and flexible funds to assist consumers get to and from services are included in supports provided in Full Service Partnerships. MHSA purchased vehicles to augment children, adult and older adult county operated clinic transportation assets, and additional staff are being hired through MHSA funding to drive consumers to and from appointments. A proposed Innovation Component program is being developed to provide a comprehensive, multi-faceted approach to transportation needs.
- **Navigating the system.** Mental health and its allied providers, such as primary care, alcohol and other drug services, housing and homeless services, vocational services, educational settings, social services and the criminal justice system provide a complexity of eligibility and paperwork requirements that can be defeating. Just knowing what and where services are can be a challenge. Easy access to friendly, knowledgeable individuals who can ensure connection to appropriate services is critical. Suggested strategies include expanding the system navigation capacity by use of trained peer and family partners (both paid and volunteer), strengthening system emphasis on active collaboration among service providers, and improving timely response and efficiency of the County's telephone access line.
 - Relevant program/plan elements: Family partners are stationed at the children's county operated clinics to assist family members participate in wraparound services. Clinicians are stationed at adult operated clinics to assist consumers with rapid access and connectivity to services. The Women Embracing Life and Learning (WELL) program in the Innovation component has a public health nurse assist participants navigate health and behavioral health resources. The Workforce Education and Training Component contracts with NAMI to provide family to family training. Outside the scope of this Plan Behavioral Health Services has focused attention on improving the County's Access Line as a single source of entry to mental health, alcohol and other drugs, and homeless services.

- **Cultural/linguistic appropriate outreach and engagement.** Focus groups underscored that mental health stigma and non-dominant culture differences continue to provide barriers to seeking and sustaining mental health care. Emphasis should continue on recruiting and retaining cultural and linguistically competent service providers (especially psychiatrists), training and technical assistance emphasis on treating the whole person, and the importance of providing on-going staff training on cultural specific treatment modalities. Also, culture-specific service providers providing outreach and engagement should assist their consumers navigate all levels of service that is provided in the behavioral health system. Transition age youth, to include lesbian, gay, bi-sexual, transgender and questioning youth, who live in at-risk environments feel particularly vulnerable to physical harassment and bullying. Stakeholders continued to emphasize MHSA's role in funding access to all levels of service for those individuals who are poor and not Medi-Cal eligible.
 - Relevant program/plan elements: Prevention and Innovation programs provide outreach and engagement to individuals and underserved populations who are at-risk for suffering the debilitating effects of serious mental illness. These programs are culture specific, and will be evaluated by how well they assist individuals from non-dominant cultures obtain the cultural and linguistically appropriate mental health care needed. The full service partnership programs in the Community Services and Supports component are to provide bi-lingual staff on their teams. The training and technical assistance category of the Workforce Education and Training component utilizes MHSA funding to sensitize service providers to the issues impacting cultural awareness and understanding, and mental health access and service delivery for underserved cultural and ethnic populations.

Capacity.

- **Serve those who need it the most.** Through MHSA funding the County has developed designated programs for individuals with serious mental illness who have been deemed to be in need of a full spectrum of services. These are described in the full service partnership category of the Community Services and Supports component. In spite of these programs stakeholders report that a number of individuals who have been most debilitated by the effects of mental illness continue to cycle through the most costly levels of care without success. Strategies put forth are to enact Assembly Bill 1421 (Laura's Law), or to adapt elements of the law that more assertively applies a comprehensive, multi-disciplinary service response, such as that described in the assisted out-patient treatment model. Also, stakeholders recommended that full service partner

programs develop outcome data that could help determine and improve the level to which the most severely disabled are served.

- Relevant program/plan elements: The County is studying the feasibility of implementing or adapting Assembly Bill 1421, or Laura's Law, with the accompanying assisted out-patient treatment model. Planning efforts are taking place outside the MHSA community program planning process, as there are potential costs to the County outside of mental health treatment. At the time a proposal and budget is put forth for Board of Supervisor consideration, the impact, if any, on reduction or elimination of other mental health funded programs will be assessed. For Fiscal Year 13-14 two new full service partnership programs for transition age youth and adults were started in the Eastern part of the county. Their impact should be felt in the coming three years. The chapter entitled Evaluating the Plan describes a comprehensive program and fiscal review process that includes addressing whether programs serve those who need the service and achieve the outcomes that have been agreed upon.
- **Crisis response.** Response to crisis situations occurring in the community needs to be improved for both adults and children. Crisis response now primarily consists of psychiatric emergency services located at the Contra Costa Regional Medical Center (CCRMC). There is fewer more appropriate and less costly alternatives. Suggested strategies include implementing the much anticipated crisis residential facility and assessment and recovery center being built and co-located with the CCRMC), developing mobile crisis teams, improving partnership with law enforcement, and building coordinated follow-up and support for individuals and their families after a crisis event. Stakeholders emphasized that crisis response from mental health providers needs to be available outside normal business hours.
 - Relevant program/plan elements: In addition to the implementation of the crisis residential facility and assessment and recovery center, CCMH has applied to the California Health Facilities Financing Association for state MHSA funding for a mobile, multi-disciplinary team for adults and older adults to be first responders to a psychiatric emergency occurring in the community. Seneca Family of Agencies contracts with the County as part of the Children's Services full service partnership program, and provides a mobile response team for coordinating crisis support activities on behalf of youth and their families.
- **Housing and Homeless Services.** The chronic lack of affordable housing make this a critical factor that affects the mental health and well-being of all individuals with limited means. However, it is especially deleterious for an individual and his/her family who are also struggling with a serious mental illness. Stakeholders

suggested a range of strategies that would increase housing availability, such as increasing transitional beds, housing vouchers, supportive housing services, permanent housing units with mental health supports, staff assistance to locate and secure housing in the community, and coordination of effort between Homeless Services and Contra Costa Mental Health.

- Relevant program/plan elements: Unfortunately, sufficient affordable housing for all consumers of CCMH is beyond the financial means of the County's Behavioral Health Services budget. It is estimated that up to 3,800 individuals in the County are homeless on any given night. However, the MHSA funded Housing Services category of the Community Services and Supports component is coordinating staff and resources with Homeless Services of the Behavioral Health Division in order to improve and maximize the impact of the number of beds and housing units available, shorten wait times, and improve mental health treatment and life skills supports needed for consumers to acquire and retain housing. In addition, evaluation efforts will focus attention on efforts to improve the overall quality of housing and supports, and to seek opportunities to move housing units within county boundaries.
- **Assistance with meaningful activity.** Stakeholders underscored the value of engaging in meaningful activity as an essential element of a treatment plan. Youth in high risk environments who are transitioning to adulthood were consistently noted as a high priority. For pre-vocational activities, suggested strategies include providing career guidance, assistance with eliminating barriers to employment, and assistance with educational, training and volunteer activities that improve job readiness. Stakeholders highlighted the need for better linkage to existing employment services, such as job seeking, placement and job retention assistance. For daily living skills, suggested strategies include assistance with money and benefits management, and improving health, nutrition, transportation, cooking, cleaning and home maintenance skill sets.
 - Relevant program/plan elements: The prevention component lists a number of programs providing outreach and engagement to transition age youth. Approved for plan development in the Innovation component is a new and different pattern of service that will expand Contra Costa Vocational Services capacity to provide more pre-vocational services to enable greater access to existing employment services. Resource planning and management specialists, or money managers, are being added to the three adults clinics to assist consumers better manage financial and in-kind resources. All full service partnership programs are to provide money management services. Approved for plan development

in the Innovation component are the addition of peer and family partners to provide health and wellness coaching.

- **Children in-patient beds.** In-patient beds and residential services for children needing intensive psychiatric care are not available in the county, and are difficult to find outside the county. This creates a significant hardship on families who can and should be part of the treatment plan, and inappropriately strains care providers of more temporary (such as psychiatric emergency services) or less acute levels of treatment (such as Children's' clinics) to respond to needs they are ill equipped to address. Additional funding outside the Mental Health Services Fund would be needed to add this resource to the County, as in-patient psychiatric hospitalization is outside the scope of MHSA.
- **Supporting family members and significant others.** Critical to successful treatment is the need for service providers to partner with family members and significant others of loved ones experiencing mental illness. Stakeholders continued to underscore the need to provide families and significant others with education and training, emotional support, and assistance with navigating the system.
 - Relevant program/plan elements: Children's Services utilizes family partners to actively engage families in the therapeutic process, and is implementing the evidence based practices of multi-dimensional family therapy and multi-systemic therapy, where families are an integral part of the treatment response. Adult Services provides family advocacy services out of their Central Adult Mental Health Clinic. In the Prevention and Early Intervention Component the County provides clinicians dedicated to supporting families experiencing the juvenile justice system due to their adolescent children's involvement with the law. Five Prevention programs provide family education designed to support healthy parenting skills. Project First Hope provides multi-family group therapy and psycho-education to intervene early in a young person's developing psychosis. Two Innovation programs, Rainbow Community Center and Community Violence Solutions, have a family support component. The Workforce Education and Training Component describes NAMI's Family-to Family training, where emotional support and assistance with how to navigate the system is provided.
- **Support for peer and family partners.** CCMH was acknowledged for hiring individuals who bring lived experience as consumers and/or family members of consumers. Their contributions have clearly assisted the County to move toward a more client and family member directed, recovery focused system of care. However, these individuals have noted the high incidence of turnover among their colleagues due to exacerbation of mental health issues brought on by work

stressors, and lack of support for career progression. Individuals in recovery who are employed need ongoing supports that assist with career progression, and normalizes respites due to relapses.

- Relevant program/plan elements: CCMH has received state MHSA funding to strengthen its certification training for consumers who are preparing for a service provider role in the behavioral health system. These funds are to expand the curriculum to include preparing family members as well, provide ongoing career development and placement assistance, and develop ongoing supports for individuals with lived experience who are now working in the system. This is described in the Workforce Education and Training Component. Also included in this component are additional funds to provide scholarships for employees to concurrently obtain bachelors and master's degrees and enable upward mobility.
- **Care for homebound frail and elderly.** Services for older adults continue to struggle with providing effective treatment for those individuals who are homebound and suffer from multiple physical and mental impairments. Often these individuals cycle through psychiatric emergency care without resolution.
 - Relevant program/plan elements: The Prevention and Early Intervention component describes a contract agency and a county operated plan element to provide services designed to support isolated older adults. The Innovation component describes a project in development that would train and field in-home peer support workers to engage older adults who are frail, homebound and suffer from mental health issues.
- **Intervening early in psychosis.** Teenagers and young adults experiencing a first psychotic episode are at risk for becoming lifelong consumers of the public mental health system. Evidence based practices are now available that can successfully address this population by applying an intensive multi-disciplinary, family based approach. A suggested strategy is to expand the target population now served by Project First Hope from youth at risk for experiencing a psychotic episode to include those who have experienced a “first break”.
 - Relevant program/plan elements: The Early Intervention category of the Prevention and Early Intervention component describes Project First Hope. This county operated program recently completed its first year in operation. Consideration will be given for expansion to youth experiencing a first psychotic break, should the program demonstrate success and funds be available.

Integration.

- **Between levels of care.** Levels of care range from in-patient hospitalization to intensive case management to therapy and medication to self-care recovery services. Stakeholders (both care providers and receivers) consistently cited the difficulty in moving from one level of care to another. Consumers often cited the disincentive to getting better, as it meant loss of care altogether. Consumers and their families indicated that this system inattention to level of care movement often interfered with the important work of minimizing or eliminating the level of psychotropic medications needed to maintain recovery and wellness. Often a “meds only” service response was not responsive to appropriate lower levels of medication and/or psychosocial support alternatives. Care providers indicated that they faced the choice of either ending service or justifying continuance of a more intensive level of care than was needed. Continuity of care from a more intensive to a less intensive level and vice-versa need to be improved. Suggestions included using contracts and memorandums of understanding as a means of incentivizing professionals at different care levels to collaborate and facilitate the process of recovery.
 - Plan Response. This is a system-wide emphasis that affects all programs and plan elements. The chapter entitled Evaluating the Plan describes the method by which every program and plan element will be evaluated as to the degree to which it meets the needs of the community and/or population. The degree to which there is successful integration between levels of care will be addressed in each written report, with program response and plan(s) of action required where attention is needed.
- **Between service providers.** Integrating mental health, primary care, drug and alcohol, homeless services and employment services through a coordinated, multi-disciplinary team has been proven effective for those consumers fortunate to have this available. Often cited by consumers and their families was the experience of being left on their own to find and coordinate services, and to understand and navigate the myriad of eligibility and paperwork issues that characterize different service systems. Also cited was the difficulty of coordinating education, social services and the criminal justice systems to act in concert with the behavioral health system. Suggested strategies were to emphasize and normalize system collaboration and navigation as an expected service from the most senior leaders down through managers to service providers. Also recommended was to add paid and volunteer peer and family partners to facilitate both care providers working together and assist care receivers to navigate these systems.

- Plan Response. The Plan funds a number of multi-disciplinary teams that models effective integration of service providers for select groups of clients. However, this is a system issue that affects all programs and plan elements. The chapter entitled Evaluating the Plan describes the method by which every program and plan element will be evaluated as to the degree to which it communicates effectively with its community partners. The degree to which there is successful communication, cooperation and collaboration will be addressed in each written report, with program response and plan(s) of action required where attention is needed.

Accountability and Stakeholder Participation.

The stakeholder community has requested CCMH to provide more transparent and ongoing program and fiscal information and decision-making in order to better understand what is working well, what needs to improve, and what needs to change in order to address identified priority needs. This would enable a better working partnership in planning, implementation and evaluation between consumers, their families, service providers, and administration.

- Plan Response. The chapter entitled Evaluating the Plan outlines a comprehensive program and fiscal review of every MHSA funded program and plan element that will be conducted in the next three years. These reviews and written reports will provide a transparent means for better aligning resources with needs on an ongoing basis. Also, during Fiscal Year 2013-14 a prototype monthly program and budget report was developed to provide an ongoing means of program and fiscal communication between administration and stakeholders.

The community program planning process surfaced many program ideas that are not articulated in the above listed broad themes. This input is welcomed and is contained in the reports prepared by Resource Development Associates and staff conducting the needs assessment. This information will be considered and utilized, as appropriate, as programs are evaluated for responsiveness to the needs of the community.

The Consolidated Planning Advisory Workgroup has recognized their role to support full stakeholder participation in all committees supported by Contra Costa Mental Health, and to facilitate active sharing among committees of program and fiscal information, workgroup progress and decision-making.

Summary. This year's community program planning process has resulted in the identification of current and ongoing mental health service needs, and provides direction for MHSA funded programs to address these needs over the next three years. It also informs planning and evaluation efforts that can influence how and where MHSA resources can be directed in the future.

The full complement of MHSA funded programs and plan elements described in this document are the result of current as well as previous community program planning processes. Thus this year's planning process builds upon previous ones. It is important to note that stakeholders did not restrict their input to only MHSA funded services, but addressed the entire public mental health system. The MHSA Three Year Program and Expenditure Plan operates within the laws and regulations provided for the use of the Mental Health Services Fund. The Budget chapter also addresses funding constraints. Thus the Three Year Plan contained herein does not address all of the prioritized needs identified in the community program planning process, but does provide a framework for improving existing services and implementing additional programs as funding permits.

The following Plan and Budget chapters contain programs and plan elements that are funded by the County's MHSA Fund, and will be evaluated by how well they address the Three year Plan's Vision and identified needs as prioritized by the Community Program Planning Process.

The Plan

Community Services and Supports

Community Services and Supports is the component of the Three-Year Program and Expenditure Plan that refers to service delivery systems for mental health services and supports for children and youth, transition age youth (ages 16-25), adults, and older adults (over 60). Contra Costa County Mental Health utilizes MHSA funding for the categories of Full Service Partnerships and General System Development.

First approved in 2006 with an initial State appropriation of \$7.1 million Contra Costa's budget has grown incrementally to \$31.5 million annually in commitments to programs and services under this component. The construction and direction of how and where to provide funding began with an extensive and comprehensive community program planning process whereby stakeholders were provided training in the intent and requirements of the Mental Health Services Act, actively participated in various venues to identify and prioritize community mental health needs, and developed strategies by which service delivery could grow with increasing MHSA revenues. The programs and services described below are directly derived from this initial planning process, and expanded by subsequent yearly community program planning processes, to include current year.

Full Service Partnerships

Contra Costa Mental Health both operates and contracts with mental health service providers to enter into collaborative relationships with clients, called full service partnerships. Personal service coordinators develop an individualized services and support plan with each client, and, when appropriate, the client's family to provide a full spectrum of services in the community necessary to achieve agreed upon goals. Children (0 to 18 years) diagnosed with a serious emotional disturbance, transition age youth (16 to 25 years) diagnosed with a serious emotional disturbance or serious mental illness, and adults and older adults diagnosed with a serious mental illness are eligible. These services and supports include, but are not limited to, crisis intervention/stabilization services, mental health treatment, including alternative and culturally specific treatments, peer support, family education services, access to wellness and recovery centers, and assistance in accessing needed medical, substance abuse, housing, educational, social, vocational rehabilitation and other community

services, as appropriate. A qualified service provider is available to respond to the client/family 24 hours a day, 7 days a week to provide after-hours intervention.

In order to provide the full spectrum of needed services the County makes available a variety of services that may be provided outside the particular agency who enters into a full service partnership agreement with a client. These additional services are included here as part of providing the full spectrum of services in the Full Service Partnership category. These services are utilized by full service partners on a pro-rated basis in order to direct as required by statute the majority of Community Services and Supports funds to those individuals who need services from a full service partnership.

The following full service partnership programs are now established:

Children. The Children's Full Service Partnership Program is comprised of four elements, 1) personal services coordinators, 2) multi-dimensional family therapy for co-occurring disorders, 3) multi-systemic therapy for juvenile offenders, and 4) county operated children's clinic staff.

- 1) Personal Service Coordinators. Personal service coordinators are part of a program entitled Short Term Assessment of Resources and Treatment (START). Seneca Family of Agencies contracts with the County to provide personal services coordinators, a mobile response team, and three to six months of short term intensive services to stabilize the youth in their community and to connect them and their families with sustainable resources and supports. Referrals to this program are coordinated by County staff on a countywide assessment team, and services are for youth and their families who are experiencing severe stressors, such as out-of-home placement, involvement with the juvenile justice system, co-occurring disorders, or repeated presentations at the County's Psychiatric Emergency Services.
- 2) Multi-dimensional Family Therapy (MDFT) for Co-occurring Disorders. Lincoln Center contracts with the County to provide a comprehensive and multi-dimensional family-based outpatient program for adolescents with a mental health diagnosis who are experiencing a co-occurring substance abuse issue. These youth are at high risk for continued substance abuse and other problem behaviors, such as conduct disorder and delinquency. This is an evidence based practice of weekly or twice weekly sessions conducted over a period of 4-6 months that target the youth's interpersonal functioning, the parents' parenting practices, parent-adolescent interactions, and family communications with key social systems.
- 3) Multi-systemic Therapy (MST) for Juvenile Offenders. Community Options for Families and Youth (COFY) contracts with the County to provide home-based multiple therapist-family sessions over a 3-5 month period. These sessions

are based on nationally recognized evidence based practices designed to decrease rates of anti-social behavior, improve school performance and interpersonal skills, and reduce out-of-home placements. The ultimate goal is to empower families to build a healthier environment through the mobilization of existing child, family and community resources.

- 4) Children’s Clinic Staff. County clinical specialists and family partners serve all regions of the County, and contribute a team effort to full service partnerships. Clinical specialists provide a comprehensive assessment on all youth deemed to be most seriously emotionally disturbed. The team presents treatment recommendations to the family, ensures the family receives the appropriate level of care, and family partners helps families facilitate movement through the system.

The Children’s Full Service Partnership Program is summarized below:

Program/Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Personal Service Coordinators	Seneca Family Agencies	Countywide	45	562,915
Multi-dimensional Family Therapy	Lincoln Center	Countywide	60	874,417
Multi-systemic Therapy	Community Options for Family and Youth	Countywide	66	650,000
Children’s Clinic Staff	County Operated	Countywide	Support for full service partners	798,488
Total			171	\$2,885,820

Transition Age Youth. Eligible youth (ages 16-25) are individuals who are diagnosed with a serious emotional disturbance or serious mental illness, and experience one or more of the risk factors of homelessness, co-occurring substance abuse, exposure to trauma, repeated school failure, multiple foster care placements, and experience with the juvenile justice system. Fred Finch Youth Center contracts with the County to serve West and Central County. This program utilizes the assertive community treatment model as modified for young adults that includes a personal service coordinator working in concert with a multi-disciplinary team of staff, including peer and family mentors, a psychiatric nurse practitioner, staff with various clinical specialties, to include co-occurring substance disorder and bi-lingual capacity. In addition to mobile mental health and psychiatric services the program offers a variety of

services designed to promote wellness and recovery, including assistance finding housing, benefits advocacy, school and employment assistance, and support connecting with families.

Youth Homes contracts with the County to serve Central and East County. This program emphasizes the evidence based practice of integrated treatment for co-occurring disorders, where youth receive mental health and substance abuse treatment from a single treatment specialist, and multiple formats for services are available, to include individual, group, self-help and family.

The Transition Age Youth Full Service Partnership Program is summarized below:

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Transition Age Youth Full Service Partnership	Fred Finch Youth Center	West and Central County	90	1,400,642
Transition Age Youth Full Service Partnership	Youth Homes	Central and East County	40	665,000
Total			130	\$2,065,642

Adult. Adult Full Service Partnerships provide a full range of services to adults over the age of 18 who are diagnosed with a serious mental illness, are at or below 300% of the federal poverty level, and are uninsured or receive Medi-Cal benefits. Five contractors to the County currently provide full service partnerships, and utilize the assertive community treatment model. This is a self-contained mental health model of treatment made up of a multi-disciplinary mental health team, including a peer specialist, who work together to provide the majority of treatment, rehabilitation, and support services that clients use to achieve their goals. Rubicon Programs contracts with the county to provide full services partnerships for West County clients through its Bridges to Home program. Anka Behavioral Health takes the lead in providing full service partnership services to Central County. The Hume Center contracts with the County to provide full service partnerships for East County, while Familias Unidas and Community Health for Asian Americans contracts with the County to provide the lead on full service partnerships for West County’s Hispanic and Asian populations, respectively.

Anka Behavioral Health additionally serves those adults who have been charged with non-violent felonies or misdemeanors, and who experience a serious mental illness/serious emotional disturbance. The Behavioral Health Court Program is a

collaboration with Contra Costa Superior Court, Sheriff’s Department, District Attorney’s Office, Public Defenders Office, and the Probation Department to prevent incarceration and to assist individuals receive the health and mental health care needed.

The Adult Full Service Partnership Program is summarized below:

Program/Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Bridges to Home	Rubicon Programs	West County	75	928,813
Full Service Partnership	Community Health for Asian Americans	West County	20	123,422
Full Service Partnership, Behavioral Health Court	Anka Behavioral Health	Central County Countywide	50 30	768,690
Full Service Partnership	Familias Unidas	West County	30	207,096
Full Service Partnership	Hume Center	East County	60	907,493
Total			265	\$2,935,514

Additional Services Supporting Full Service Partners. The following services are utilized by full service partners, and enable the County to provide the required full spectrum of services and supports.

Adult Mental Health Clinic Support. Contra Costa Mental Health has dedicated clinicians and nursing staff at each of the three adult mental health clinics to provide support, coordination and rapid access for full service partners to health and mental health clinic services as needed and appropriate.

Program/Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
FSP Support, Rapid Access, Wellness Nurses	County Operated	West, Central, East County	Support for Full Service Partners	1,794,059
Total				\$1,794,059

Wellness and Recovery Centers. Recovery Innovations contract with the County to provide wellness and recovery centers situated in West, Central and East County to ensure the full spectrum of mental health services is available. These centers offer peer-led recovery-oriented, rehabilitation and self-help groups, which teach self-management and coping skills. The centers offer wellness recovery action plan (WRAP) groups, physical health and nutrition education, advocacy services and training, arts and crafts, and support groups.

Program/Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Recovery and Wellness Centers	Recovery Innovations	West, Central, East County	200	875,000
Total			200	\$875,000

Crisis Residential Program. For Fiscal Year 2013-14 the County is contracting with Telecare to operate a recently constructed MHSA financed 16 bed residential facility. This is a voluntary, highly structured treatment program that is intended to support seriously mentally ill adults during a period of crisis and to avoid in-patient psychiatric hospitalization. It will also serve consumers being discharged from the hospital and long term locked facilities that would benefit from a step-down from institutional care in order to successfully transition back into community living. Services are designed to be up to a month in duration, are recovery focused with a peer provider component, and will be able to treat co-occurring disorders, such as drug and alcohol abuse.

The Crisis Residential Program is summarized below:

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Crisis Residential Program	Telecare	Countywide	200	2,017,019
Total			200	\$2,017,019

MHSA Housing Services. MHSA funded housing services supplements that provided by CCMH and the County's Homeless Services Division, and is designed for those low income adults with a serious mental illness or children with a severe emotional disorder and their families who are homeless or at imminent risk of being homeless. The program provides affordable housing, and is comprised of five elements, 1) supportive housing, 2) augmented board and care facilities, 3) temporary shelter beds, 4) permanent housing units, and 5) a centralized county operated coordination team.

1. Supportive Housing. Shelter, Inc. contracts with the County to provide a master leasing program, in which adults or children and their families are provided tenancy in apartments and houses throughout the County. Through a combination of self-owned units and agreements with landlords Shelter, Inc. acts as the lessee to the owners and provides staff to support individuals and their families move in and maintain their homes independently. In addition to Shelter, Inc., Bonita House is proposing to develop a supportive housing program, entitled the “Knightsen Farm”, in the Eastern part of the County. As a result of stakeholder support a \$220,000 placeholder in the annual housing services budget has been added, while feasibility and program design are determined.
2. Augmented Board and Care. The County contracts with a number of licensed board and care providers and facilities to provide additional staff care to enable those with serious mental illness to avoid institutionalization and enable them to live in the community. Of these 26 augmented board and care providers, seven were added due to MHSA funding.
3. Temporary Shelter Beds. The County’s Homeless Services Division operates a number of temporary bed facilities in West and Central County for transitional age youth and adults. In 2010 CCMH entered into a Memorandum of Understanding with the Homeless Services Division that provides additional funding to enable up to 109 individuals with a serious mental illness per year to receive temporary emergency housing for up to four months.
4. Permanent Housing Units. Having participated in a specially legislated state run MHSA Housing Program through the California Housing Finance Agency (CalHFA) the County, in collaboration with many community partners, embarked on a number of one-time capitalization projects to create 50 permanent housing units for individuals with serious mental illness. These individuals receive their mental health support from Contra Costa Mental Health contract and county service providers. The sites include Villa Vasconcellos in Walnut Creek, Lillie Mae Jones Plaza in North Richmond, The Virginia Street Apartments in Richmond, Tabora Gardens in Antioch, Robin Lane apartments in Concord, Ohlone Garden apartments in El Cerrito, Third Avenue Apartments in Walnut Creek, Garden Park apartments in Concord, and scattered units throughout the County operated by Anka Behavioral Health.
5. Coordination Team. Mental Health Housing Services Coordinator and staff work closely with County’s Homeless Services Division staff to coordinate referrals and placements, facilitate linkages with other Contra Costa mental health programs and services, and provide contract monitoring and quality control.

The allocation for MHSA Housing Services is summarized below:

Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Supportive Housing	Shelter, Inc.	Countywide	128	1,663,668
Supportive Housing	Bonita House	Countywide	To be determined	190,000 (estimated)
Augmented Board and Care	Crestwood	Central County	26 beds	411,653
Augmented Board and Care	Devines	West County	6 beds	4,850
Augmented Board and Care	Modesto Residential	Countywide	7 beds	120,000
Augmented Board and Care	Oak Hill	East County	8 beds	21,120
Augmented Board and Care	Pleasant Hill Manor	Central County	16 beds	30,000
Augmented Board and Care	United Family Care (Family Courtyard)	West County	48 beds	271,560
Augmented Board and Care	Williams Board and Care Home	West County	12 beds	30,000
Augmented Board and Care	Woodhaven	Central County	5 beds	13,500
Shelter Beds	County Operated	Countywide	109 beds	1,672,000
Permanent Housing	County Operated	Countywide	50 units	One time funding allocated
Coordination Team	County Operated	Countywide	Support to Homeless Program	457,958
Total			***	\$4,886,309

***** It is estimated that up to 700 individuals per year will receive temporary, supported or permanent housing by means of MHSA funded Housing Services.**

General System Development

General System Development is the service category in which the County uses Mental Health Services Act funds to improve the County's mental health service delivery system for all clients who experience a serious mental illness or serious emotional disturbance, and to pay for mental health services for specific groups of clients, and, when appropriate, their families. Since the Community Services and Supports component was first approved in 2006 programs and plan elements included herein have been incrementally added each year by means of the community program planning process. These services are designed to support those individuals who need services the most.

Funds are now allocated in the General System Development category for the following programs and services designed to improve the overall system of care:

Older Adult Mental Health Program. First implemented in 2008 there are now two programs serving the older adult population over the age of 60, 1) Intensive Care Management, and 2) IMPACT (Improving Mood: Providing Access to Collaborative Treatment).

- 1) Intensive Care Management. Three multi-disciplinary teams, one for each region of the County provide mental health services to older adults in their homes, in the community, and within a clinical setting. The primary goal is to support aging in place and to improve consumers' mental health, physical health and overall quality of life. Each multi-disciplinary team is comprised of a psychiatrist, a nurse, a clinical specialist, and a community support worker. The teams deliver a comprehensive array of care management services, linkage to primary care and community programs, advocacy, educational outreach, medication support and monitoring, and transportation assistance.
- 2) IMPACT. IMPACT is an evidence-based practice which provides depression treatment to older adults in a primary care setting who are experiencing co-occurring physical health impairments. The model involves short-term (8 to 12 visits) problem solving therapy and medication support, with up to one year follow-up as necessary. MHSA funded mental health clinicians are integrated into a primary treatment team.

The Older Adult Mental Health Program is summarized below:

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Intensive Care Management	County Operated	Countywide	237	3,189,600
IMPACT	County Operated	Countywide	138	370,479
Total			375	\$3,560,079

Children’s Wraparound Support. The County’s Wraparound Program, in which children and their families receive intensive, multi-leveled treatment from the County’s three children’s mental health, were augmented in 2008 by family partners and mental health specialists. Family partners are individuals with lived experience as parents of children and adults with serious emotional disturbance or serious mental illness who assist families with advocacy, transportation, navigation of the service system, and offer support in the home, community, and county service sites. Family partners participate as team members with the mental health clinicians who are providing treatment to children and their families. Mental Health Specialists are non-licensed care providers who can address culture and language specific needs of families in their communities. These professionals arrange and facilitate team meetings between the family, treatment providers and allied system professionals.

Children’s Wraparound Support is summarized below:

Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Wraparound Support	County Operated	Countywide	Supports Wraparound Program	2,161,974
Total				\$2,161,974

Assessment and Recovery Center. The County has recently completed construction on a separate building near the Contra Costa Regional Medical Center that will house an Assessment and Recovery Center. This county operated mental health treatment program for both children and adults will be co-located with a primary care site, and will be utilized to divert adults and families from the psychiatric emergency services (PES) located at the Regional Medical Center. Through a close relationship with Psychiatric Emergency Services children and adults who are evaluated at PES can quickly step down to the services at the Assessment and Recovery Center if they do not need hospital level of care. The Assessment and Recovery Center will also allow for urgent same day appointments for individuals who either are not open to the Contra Costa Mental Health System of Care, or have disconnected from care after being seen previously.

The allocation for the Assessment and Recovery Center is summarized below:

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Assessment and Recovery Center	County Operated	Countywide	To be Determined	2,750,000
Total				\$2,750,000

Liaison Staff. Contra Costa Mental Health partners with the Regional Medical Center to provide two Mental Health Clinical Specialists who assist with mental health treatment planning and transitioning clients from in-patient hospitalization at the Regional Center to an appropriate treatment plan of mental health care in the community. In addition, two Community Support Workers, individuals with lived experience as consumers of mental health services, are assigned to Psychiatric Emergency Services in order to assist individuals experiencing a psychiatric crisis connect with services that will support them in the community.

The allocation for the Liaison Staff is summarized below:

Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Liaison Staff	County Operated	Countywide	Hospital Support	513,693
Total				\$513,693

Clinic Support. The Community Program Planning Process that supported the 2012-13 MHSA Plan Update recommended adding County positions to supplement clinical staff implementing treatment plans at the three adult clinics and three children's clinics. These are:

- 1) Resource Planning and Management. Dedicated staff at the three adult clinics assist consumers with money management and the complexities of eligibility for Medi-Cal, Medi-Care, Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) benefits. One money management specialist is allocated for each clinic, and work with and are trained by financial specialists.
- 2) Transportation Support. The Community Program Planning Process identified transportation to and from clinics as a critical priority for accessing services. Toward this end one-time MHSA funds were utilized in Fiscal Years 2013-14 and 14-15 to purchase additional county vehicles to be located at the clinics. Community Support Workers, one for each adult clinic, are being added to the three clinics to be dedicated to the transporting of consumers to and from appointments.

- 3) Evidence Based Practices. Clinical Specialists, one for each Children’s clinic, are being added to provide training and technical assistance in adherence to the fidelity of treatment practices that have an established body of evidence that support successful outcomes.

The allocation for Clinic Support Staff are as follows:

Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Resource Planning and Management	County Operated	Countywide	Clinic Support	617,465
Transportation Support	County Operated	Countywide	Clinic Support	213,693
Evidence Based Practices	County Operated	Countywide	Clinic Support	370,479
Total				\$1,201,637

Forensic Team. Authorized for Fiscal Year 2011-12 four clinical specialists were funded by MHSA to join a multi-disciplinary team that provides mental health services, alcohol and drug treatment, and housing services to individuals with serious mental illness who are on probation and at risk of re-offending and incarceration. These individuals were determined to be high users of psychiatric emergency services and other public resources, but very low users of the level and type of care needed. This team works very closely with the criminal justice system to assess referrals for serious mental illness, provide rapid access to a treatment plan, and work as a team to provide the appropriate mental health, substance abuse and housing services needed.

The allocation for mental health clinicians on the Forensic Team are as follows:

Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Forensic Team	County Operated	Countywide	Support to the Forensic Team	493,973
Total				\$493,973

Quality Assurance and Administrative Support. In 2008 the County first added needed positions via MHSA funding to perform various administrative support and quality assurance functions for statutory, regulatory and contractual compliance, as well as management of quality of care protocol. County staff time and funding to support the community program planning process are also included here. Utilizing the state’s allowance guide of 15% of total MHSA budget for this support element, the County’s total percentage has varied from 12.3% in Fiscal Year 2009-10 to 10.3% for

the upcoming year. County positions have been incrementally justified, authorized and added each year as the total MHSA budget has increased.

The following functions and positions are summarized below:

1) Quality Assurance.

Function	Position(s)	Yearly Funds Allocated
Utilization Review	3	370,473
Medication Monitoring	1	89,843
Clinical Quality Management	3	370,473
Clerical Support	4	345,884
Total		\$1,176,673

2) Administrative Support.

Function	Position(s)	Yearly Funds Allocated
Project and Program Manager	5	757,210
Clinical Coordinator	2	213,902
Planner/Evaluator	2	260,400
Family Service Coordinator	1	105,205
Administrative and Financial Analyst	3	327,336
Clerical Supervisor	1	96,876
Clerical Support	5	390,310
Community Planning	Contract	100,000
Total		\$2,251,239

Community Services and Supports (CSS) Component Yearly Program and Expenditure Summary

Full Service Partnerships		Number to be Served: 576	17,459,363
	Children	2,885,820	
	Transition Age Youth	2,065,642	
	Adults	2,935,514	
	Adult Clinic Support	1,794,059	
	Wellness and Recovery Centers	875,000	
	Crisis Residential Center	2,017,019	
	MHSA Housing Services	4,886,309	
General System Development			14,109,268
	Older Adults	3,560,079	
	Children's Wraparound Support	2,161,974	
	Assessment and Recovery Center	2,750,000	
	Liaison Staff	513,693	
	Clinic Support	1,201,637	
	Forensic Team	493,973	
	Quality Assurance	1,176,673	
	Administrative Support	2,251,239	
Total			\$31,568,631

Prevention and Early Intervention

Prevention and Early Intervention is the component of the Three-Year Program and Expenditure Plan that refers to services designed to prevent mental illnesses from becoming severe and disabling. This means providing outreach and engagement to increase recognition of early signs of mental illness, and intervening early in the onset of a mental illness. Programs in this component are designed to 1) reduce risk for negative outcomes related to untreated mental illness for groups whose risk of developing a serious mental illness is significantly higher than average; 2) prevent relapse for individuals in recovery from a serious mental illness; 3) reduce the stigma and discrimination related to mental illness; and 4) prevent suicide. All of the programs contained in this component help create access and linkage to mental health treatment, with an emphasis on outreach and engagement to those populations who have been identified as traditionally underserved.

First approved in 2009, with an initial State appropriation of \$5.53 million Contra Costa's Prevention and Early Intervention budget has grown incrementally to \$7.86 million annually in commitments to programs and services. The construction and direction of how and where to provide funding for this component began with an extensive and comprehensive community program planning process that was similar to that conducted in 2005-6 for the Community Services and Support component. Underserved and at risk populations were researched, stakeholders actively participated in identifying and prioritizing mental health needs, and strategies were developed to meet these needs. The programs and services described below are directly derived from this initial planning process, and expanded by subsequent yearly community program planning processes, to include current year.

Prevention

Prevention programs provide outreach and engagement to individuals and underserved populations who are at-risk for suffering the debilitating effects of serious mental illness, and educate the community as to the adverse effects that stigma and discrimination have on persons experiencing mental illness. The County provides dedicated staff and contracts with community based organizations to 1) reduce the risk of developing a serious mental illness, 2) prevent relapse of individuals in recovery, 3) reduce stigma and discrimination, 4) prevent suicide, and 5) administratively support and evaluate MHSA funded prevention and early intervention programs.

- 1) Reducing risk of developing a serious mental illness. This category includes
 - a) providing outreach and engagement to underserved communities, b)

supporting at-risk youth, c) supporting healthy parenting skills, d) integrating primary care and mental health care for adults, and e) providing outreach and support to isolated older adults.

- a. Eight agencies contract with the County to provide outreach and engagement to underserved communities.
 1. Asian Community Mental Health provides culturally-sensitive education and access to mental health services for immigrant Asian communities, especially the Southeast Asian and Chinese population of Contra Costa County. Staff provide outreach, medication compliance education, community integration skills, and mental health system navigation. Early intervention services are provided to those exhibiting symptoms of mental illness, and participants are assisted in actively managing their own recovery process.
 2. The Center for Human Development serves the primarily African American population of Bay Point in Eastern Contra Costa County. Services consist of culturally appropriate education on mental health issues through support groups and workshops. Participants at risk for developing a serious mental illness receive assistance with referral and access to County mental health services. In addition, the Center for Human Development provides mental health education and supports for gay, lesbian, bi-sexual, and questioning youth and their supports in East County to work toward more inclusion and acceptance within schools and in the community.
 3. Jewish Family and Children's Services of the East Bay provides culturally grounded, community-directed mental health education and navigation services to refugees and immigrants of all ages in the Latino, Afghan, Bosnian, Iranian and Russian communities of Central and East County. Outreach and engagement services are provided in the context of group settings and community cultural events that utilize a variety of non-office settings convenient to individuals and families.
 4. La Clinica de la Raza reaches out to at-risk Latinos in Central and East County to provide behavioral health assessments and culturally appropriate early intervention services to address symptoms of mental illness brought about by trauma, domestic violence and substance abuse. Clinical staff also provide psycho-

educational groups that address the stress factors that lead to serious mental illness.

5. Lao Family Community Development provides a comprehensive and culturally sensitive integrated system of care for Asian and Southeast Asian adults and families in West Contra Costa County. Staff provide comprehensive case management services, to include home visits, counseling, parenting classes, and assistance accessing employment, financial management, housing, and other service both within and outside the agency.
6. The Native American Health Center provides a variety of culturally specific methods of outreach and engagement to educate Native Americans throughout the County regarding mental illness, identify those at risk for developing a serious mental illness, and help them access and navigate the human service systems in the County. Methods include an elder support group, a youth wellness group, a traditional arts group, talking circles, Positive Indian Parenting sessions, and Gatherings of Native Americans.
7. Rainbow Community Center provides a community based social support program designed to decrease isolation, depression and suicidal ideation among members who identify as lesbian, gay, bisexual, transgender, or who question their sexual identity. Key activities include reaching out to the community in order to engage those individuals who are at risk, providing mental health support groups that address isolation and stigma and promote wellness and resiliency, and providing clinical mental health treatment and intervention for those individuals who are identified as seriously mentally ill.
8. The Building Blocks for Kids Collaborative, located in the Iron Triangle of Richmond, train family partners from the community with lived mental health experience to reach out and engage at-risk families in activities that address family mental health challenges. Individual and group wellness activities assist participants make and implement plans of action, access community services, and integrate them into higher levels of mental health treatment as needed.

The allocation for these prevention activities are summarized below:

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Underserved Communities	Asian Community Mental Health	Countywide	50	130,000
Underserved Communities	Center for Human Development	East County	230	133,000
Underserved Communities	Jewish Family and Children's Services	Central and East County	350	159,699
Underserved Communities	La Clinica de la Raza	Central and East County	4,000	256,750
Underserved Communities	Lao Family Community Development	West County	120	169,926
Underserved Communities	Native American Health Center	Countywide	150	213,422
Underserved Communities	Rainbow Community Center	Countywide	1,210	220,507
Underserved Communities	Building Blocks for Kids	West County	1,200	198,057
Total			7,310	\$1,481,361

- b. Five agencies contract with the County to provide outreach and engagement to support at-risk youth, while the County provides clinicians dedicated to supporting families experiencing the juvenile justice system.
1. The James Morehouse Project at El Cerrito High School, a student health center that partners with community based organizations, government agencies and local universities, provides a range of youth development groups designed to increase access to mental health services for at-risk high school students. These on-campus groups address coping with anger, violence and bereavement, factors leading to substance abuse, teen parenting and caretaking, peer conflict and immigration acculturation.
 2. The New Leaf program at Martinez Unified School District provides career academies for at-risk youth that include individualized learning plans, learning projects, internships, and mental health education and counseling support. Students, school staff, parents and community partners work together on projects designed to

develop leadership skills, a healthy lifestyle and pursuit of career goals.

3. People Who Care is an after school program serving the communities of Pittsburg and Bay Point that is designed to accept referrals of at-risk youth from schools, juvenile justice systems and behavioral health treatment programs. Various vocational projects are conducted both on and off the program's premises, with selected participants receiving stipends to encourage leadership development. A licensed clinical specialist provides emotional, social and behavioral treatment through individual and group therapy.
4. The RYSE Center provides a constellation of age-appropriate activities that enable at-risk youth in Richmond to effectively cope with the continuous presence of violence and trauma in the community and at home. These trauma informed programs and services include drop-in, recreational and structured activities across areas of health and wellness, media, arts and culture, education and career, technology, and developing youth leadership and organizing capacity. The RYSE Center facilitates a number of city and system-wide training and technical assistance events to educate the community on mental health interventions that can prevent serious mental illness as a result of trauma and violence.
5. STAND! Against Domestic Violence is a prevention program that utilizes established curricula to assist youth successfully address the debilitating effects of violence occurring both at home and in teen relationships. Fifteen week support groups are held for teens throughout the County, and teachers and other school personnel are assisted with education and awareness with which to identify and address unhealthy relationships amongst teens that lead to serious mental health issues.
6. Within the County operated Children's Services five mental health clinicians support families who are experiencing the juvenile justice system due to their adolescent children's involvement with the law. Three clinicians are out-stationed at juvenile probation offices, and two clinicians work with the Oren Allen Youth Ranch. The clinicians provide direct short-term therapy and coordinates appropriate linkages to services and supports as youth transition back into their communities.

The allocation for these prevention activities are summarized below:

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Supporting Youth	James Morehouse Project	West County	300	94,200
Supporting Youth	New Leaf	Central County	46	220,079
Supporting Youth	People Who Care	East County	200	203,594
Supporting Youth	RYSE	West County	2,000	460,119
Supporting Youth	STAND! Against Domestic Violence	Countywide	1,270	122,734
Supporting Youth	County Operated	Countywide	300	500,000
Total			4,116	\$1,600,726

- c. Five agencies contract with the County to provide prevention programs designed to support healthy parenting skills.
1. The Child Abuse Prevention Council of Contra Costa provides a 23 week curriculum designed to build new parenting skills and alter old behavioral patterns, and is intended to strengthen families and support the healthy development of their children. The program is designed to meet the needs of Spanish speaking families in East and Central Counties.
 2. Contra Costa Interfaith Housing provides on-site services to formerly homeless families, all with special needs, at the Garden Park Apartments in Pleasant Hill, the Bella Monte Apartments in Bay Point, and Los Medanos Village in Pittsburg. Services include pre-school and afterschool programs, such as teen and family support groups, assistance with school preparation, and homework clubs. These services are designed to prevent serious mental illness by addressing domestic violence, substance addiction and inadequate life and parenting skills.
 3. The Counseling Options Parenting Education (COPE) Family Support Center utilizes the evidence based practices of the Positive Parenting Program to help parents develop effective skills to address common child and youth behavioral issues that can lead to serious emotional disturbances. Targeting families residing in underserved communities this program delivers in English and

Spanish a number of seminars, training classes and groups throughout the year.

4. First Five of Contra Costa, in partnership with the COPE Family Support Center, takes the lead in training families who have children up to the age of five. First Five also partners with the COPE Family Support Center to provide training in the Positive Parenting Program method to mental health practitioners who serve this at-risk population.
5. The Latina Center serves Latino parents and caregivers in West Contra Costa County by providing culturally and linguistically specific twelve-week parent education classes to high risk families utilizing the evidence based curriculum of Systematic Training for Effective Parenting (STEP). In addition, the Latina Center trains parents with lived experience to both conduct parenting education classes and to become Parent Partners who can offer mentoring, emotional support and assistance in navigating social service and mental health systems.

The allocation for these prevention activities are summarized below:

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Supporting Families	Child Abuse Prevention Council	Central and East County	120	118,828
Supporting Families	Contra Costa Interfaith Housing	Central and East County	170	64,526
Supporting Families	Counseling Options Parenting Education	Countywide	228	225,000
Supporting Families	First Five	Countywide	(numbers included in COPE)	75,000
Supporting Families	Latina Center	West County	300	102,080
Total			818	\$585,434

- d. The County's primary care system staffs the new Concord Health Center II, which integrates primary and behavioral health care. Two mental health clinicians are funded by MHSA to enable a multi-disciplinary team to provide an integrated response designed to prevent the onset of serious functional impairment among adults visiting the clinic for medical services.

The allocation for this prevention activity is summarized below:

Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Supporting Adults	County Operated	Central County	To be determined	246,986
Total				\$246,986

- e. One contract agency and one county operated plan element provide prevention services designed to support isolated older adults.
 1. Lifelong Medical Care provides isolated older adults in West County opportunities for social engagement and access to mental health and social services. A variety of group and one-on-one approaches are employed in three housing developments to engage frail, older adults in social activities, provide screening for depression and other mental and medical health issues, and linking them to appropriate services.
 2. The Senior Peer Counseling Program within the Contra Costa Mental Health Older Adult Program engages volunteer peer counselors to reach out to older adults at risk of developing mental illness by providing home visits and group support. Two clinical specialists support the efforts aimed at reaching Latino and Asian American seniors. The volunteers receive extensive training and consultation support.

The allocation for this prevention activity is summarized below:

Program/Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Supporting Older Adults	Lifelong Medical Care	West County	115	118,970
Supporting Older Adults	County Operated	Countywide	225	370,479
Total			340	\$489,449

- 2) Preventing relapse of individuals in recovery. Following the internationally recognized clubhouse model, the Putnam Clubhouse provides peer-based programming for adults throughout Contra Costa County who are in recovery from a serious mental illness. This structured, work focused programming helps individuals develop support networks, career development skills, and the self-confidence needed to sustain stable, productive and more independent lives. Features of the program provide respite support to family

members, peer-to-peer outreach, and special programming for transition age youth and young adults.

The allocation for this prevention activity is summarized below:

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Preventing Relapse	Putnam Clubhouse	Countywide	278	468,440
Total			278	\$468,440

- 3) Reducing stigma and discrimination. The Contra Costa Behavioral Health Services Office for Consumer Empowerment (OCE) provides leadership and staff support to a number of initiatives designed to a) reduce stigma and discrimination, b) develop leadership and advocacy skills among consumers of behavioral health services, c) support the role of peers as providers, and d) encourage consumers to actively participate in the planning and evaluation of MHSA funded services.
- a. Staff from the OCE support a number of activities designed to educate the community in order to raise awareness of the stigma that can accompany mental illness. The PhotoVoice Empowerment Program enables consumers to produce artwork that speaks to the prejudice, discrimination and ignorance that people with behavioral health challenges face. The Wellness Recovery Education for Acceptance, Choice and Hope (WREACH) Speaker’s Bureau forms connections between people in the community and people with lived mental health and co-occurring experiences, using face to face contact by providing stories of recovery and resiliency and current information on health treatment and supports. Other related activities include producing videos, public service announcements and educational materials.
 - b. The OCE facilitates Wellness Recovery Action Plan (WRAP) groups by providing certified leaders and conducting classes throughout the County, and supports ongoing support groups in partnership with the Contra Costa chapter of the National Alliance for the Mentally Ill (NAMI). These groups include a writer’s group and a self-help group led by NAMI certified facilitators.
 - c. The Service Provider Individualized Recovery Intensive Training (SPIRIT) is a college accredited recovery oriented, peer led classroom and experiential-based program for individuals with lived mental health experience. This classroom and internship experience leads to a certification for individuals who successfully complete the program, and

is accepted as the minimum qualifications necessary for employment within Contra Costa Behavioral Health in the classification of Community Support Worker. Participants learn peer counseling skills, group facilitation, Wellness Action Plan (WRAP) development, wellness self-management strategies and other skills needed to gain employment in peer provider positions in both county operated and community based organizations. The OCE offers monthly group peer support and training for those individuals who are employed by the County in various peer and family support roles.

- d. The Committee for Social Inclusion is an ongoing alliance of committee members that work together to promote social inclusion of persons who receive behavioral health services. The Committee is project based, and projects are designed to increase participation of consumers and family members in the planning, implementation and delivery of services. Current efforts are supporting the integration of mental health, alcohol and other drug, and homeless services within the Behavioral Health Services Division. In addition, OCE staff assist and support consumers and family members in participating in the various planning committees and sub-committees, Mental Health Commission meetings, community forums, and other opportunities to participate in planning processes.

The allocation for this prevention activity is summarized below:

Program	County/Contract	Region Served		Yearly Funds Allocated
Stigma Reduction	County Operated	Countywide		692,988
Total				\$692,988

- 4) Preventing Suicide. There are three plan elements that augment the County’s efforts to reduce the number of suicides in Contra Costa County; a) augmenting the Contra Costa Crisis Center, b) dedicating a clinical specialist to support the County’s adult clinics and psychiatric emergency services, and c) supporting a suicide prevention committee.
 - a. The Contra Costa Crisis Center provides services to prevent suicides by operating a certified twenty four hour suicide prevention hotline. The hotline connects with people when they are most vulnerable and at risk for suicide, enhances safety, and builds a bridge to community

resources. Staff conduct a lethality assessment on each call, provide support and intervention for the person in crisis, and make follow up calls (with the caller's consent) to persons who are at medium to high risk of suicide. MHSA funds enable additional paid and volunteer staff capacity, most particularly in the hotline's trained multi-lingual, multi-cultural response.

- b. The County fields a mental health clinical specialist to augment the psychiatric emergency services unit and the adult clinics for responding to those individuals identified as at risk for suicide. This clinician receives referrals from psychiatrists and clinicians of persons deemed to be at risk, and provides a short term intervention and support response, while assisting in connecting the person to more long term care.
- c. A multi-disciplinary, multi-agency Suicide Prevention Committee has been established, and has published a countywide Suicide Prevention Strategic Plan. This ongoing committee will now oversee the implementation of the Plan by addressing the strategies outlined in the Plan. These strategies include i) creating a countywide system of suicide prevention, ii) increasing interagency coordination and collaboration, iii) implementing education and training opportunities to prevent suicide, iv) implementing evidence based practices to prevent suicide, and v) evaluating the effectiveness of the County's suicide prevention efforts.

The allocation for this prevention activity is summarized below:

Program/Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Suicide Prevention	Contra Cost Crisis Center	County wide	25,000	292,850
Suicide Prevention	County Operated	County wide	50	123,493
Suicide Prevention	County Supported	County wide	N/A	Included in PEI administrative cost
Total				\$416,343

- 5) Administrative support and evaluation of prevention and early intervention programs. Two program managers and two planner/evaluator positions have

been allocated by the County to provide administrative support and evaluation of programs and plan elements that are funded by MHSA. The allocation for this activity is summarized below:

Plan Element	County/Contract	Region Served	Yearly Funds Allocated
Administrative Support	County Operated	Countywide	123,493
Planning/Evaluation	County Operated	Countywide	246,986
Total			\$370,479

Early Intervention

Early intervention means services that provide treatment and other interventions to address and promote recovery and related functional outcomes, and to mitigate the negative outcomes that result from untreated mental illness. The County operated First Hope Program serves youth who are at risk for, or show early signs of psychosis. Referrals are accepted from all parts of the County, and through a comprehensive assessment process young people, ages 12-25, and their families are helped to determine whether First Hope is the best treatment to address the psychotic illness and associated disability. A multi-disciplinary team provides intensive care to the individual and their family, and consists of psychiatrists, mental health clinicians, occupational therapists and employment/education specialists. These services are based on the Portland Identification and Early Referral (PIER) Model, and consists of multi-family group therapy, psychiatric care, family psycho-education, education and employment support, and occupational therapy.

The allocation for this program is summarized below:

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
First Hope	County operated	Countywide	100	1,685,607
Total			100	\$1,685,607

Prevention and Early Intervention (PEI) Component Yearly Program and Expenditure Summary

Prevention		6,352,206
Early Intervention		1,685,607
Total		\$8,037,813

Innovation

Innovation is the component of the Three Year Program and Expenditure Plan that funds new or different patterns of service that contribute to informing the mental health system of care as to best or promising practices that can be subsequently added or incorporated into the system. The innovative programs for Contra Costa Mental Health are developed by an ongoing community program planning process that is sponsored by the Consolidated Planning Advisory Workgroup through its Innovation Committee.

These innovative programs accomplish one or more of the following objectives; i) increase access to underserved groups, ii) increase the quality of services, to include better outcomes, iii) promote interagency collaboration, and iv) increase access to services.

The following programs have been approved, implemented and funds are allocated for each year of the Three Year Plan :

- 1) Mental Health and Social Supports for Lesbian, Gay, Bi-sexual, Transgender, Questioning (LGBTQ) Consumers. Rainbow Community Center has contracted with the County to continue to develop a behavioral/mental health model to serve youth, TAY and adult consumers who identify themselves as lesbian, gay, bi-sexual, transgender or questioning their sexual identity or gender. Previously, this program worked to identify unmet needs and tested the effectiveness of various modes of engagement, assessment and service provision, and developed best practices for engaging and serving LGBTQ consumers and broadening and strengthening their social supports (peers, family, schools, faith communities). A key component of the project included building learning collaboratives of local community members and organizations who worked to improve linkage and care services for LGBTQ community members in schools, faith communities, and service provider settings. The project developed proposed models of LGBTQ counseling, support groups, youth and TAY development activities, and specialty mental health services tailored to meet needs of LGBTQ community members. Three categories of interventions will be sustained with future funding in order to inform the mental health system of care as to best practices and to assist in replication: i) promote inclusive climates with faith communities and service providers, ii) individual counseling (clinic and school-based) and support group services to promote healthy LGBTQ identity development, iii) specialty mental health services for consumers who have been

marginalized and have a serious mental illness, and iv) development of evaluation methodology for school and agency-based mental health services. The counseling and mental health programs have begun to serve TAY and adults and older adults as well as youth.

- 2) Women Embracing Life and Learning (WELL). This project is a collaboration between Contra Costa Mental Health, Public Health Nursing and the Women, Infant and Child (WIC) program. This new pattern of service integrates a coordinated approach to addressing perinatal and post-partum depression among women in order to improve health outcomes and prevent serious mental illness. The Central County WIC office screens for symptoms of depression, refers women at risk to the multi-disciplinary team, and the team provides one-on-one and group counseling, medication support as appropriate, and referral and linkage to additional treatment as needed.
- 3) Trauma Recovery Project. The County is providing staff to lead trauma recovery groups within the County’s adult mental health clinics for individuals who are both suffering from post-traumatic stress disorder (PTSD) and are receiving mental health services for a serious mental illness. The groups adhere to the trauma recovery group practice for treatment of PTSD. This is a promising practice that utilizes cognitive restructuring, and seeks to reduce involuntary hospitalizations and psychiatric emergency services for this at-risk population.
- 4) Reluctant to Rescue. Community Violence Solutions contracts with the County to provide outreach and engagement to exploited youth who engage in street socialization, commercial sex work or survival sex. Staff adapt their outreach to engaging youth where they are located, providing safe, accessible drop-in centers, and providing mental health and support services. This project is developing promising practices to identify exploited and at-risk youth, coordinate with and educate public entities, such as law enforcement, and mobilize resources to assist youth leave exploited situations.

The allocation for these programs are summarized below:

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Supporting LGBTQ Youth	Rainbow Community Center	Countywide	125	420,187
Women Embracing Life and	County Operated	Central County	50	194,652

Learning (WELL)				
Trauma Recovery Project	County Operated	Central County	40	123,493
Reluctant to Rescue	Community Violence Solutions	West, East County	40	126,000
Administrative Support	County	Countywide	Innovation Support	121,773

Total 255 \$1,019,495

The following concepts have been designated to be Innovation Projects, and are on track to be fully developed, approved and implemented during the next three years:

- Wellness Coaches. Individuals who have experience as a consumer and/or family member of the mental health system will be trained to provide mental health and health wellness coaching to recipients of integrated health and mental health services within Contra Costa Mental Health. These peer providers will be part of the County’s Behavioral Health Services integration plans that are currently in development. Upon determination of location and organizational role within the county operated system of care these positions will be filled and receive training specific to the skill sets needed to improve health and wellness outcomes for consumers.
- Vocational Services for Unserved Mental Health Consumers. The community program planning process has placed an urgent priority on the County providing pre-vocational and employment services to a large number of mental health consumers who are not currently receiving this service. An analysis indicates that Contra Costa Vocational Services currently partners with the California Department of Rehabilitation to provide a “place and train” model of employment services. This model screens applicant for readiness to enter competitive employment, and then provides job placement and supported employment services to facilitate job retention. However, a large number of individuals who need training, education and other pre-employment services are being screened out. A new and innovative model is being developed to combine a “train and place” approach with the existing “place and train” approach in order to serve a larger number of consumers who represent a broader spectrum of readiness for employment.

- Partners in Aging. Older adults who are frail, homebound and suffer from mental health issues experience higher rates of isolation, psychiatric emergency interventions, and institutionalization that could be prevented. An Innovation Project is being developed that would train and field in-home peer support workers to engage older adults who have been identified by Psychiatric Emergency Services as individuals who need additional staff care in order to avoid repeated crises, engage in ongoing mental health treatment, increase their skills in the activities of daily living, and engage appropriate resources and social networks.
- Overcoming Transportation Barriers. Transportation challenges provide a constant barrier to accessing mental health services. A comprehensive study was completed via the County's community program planning process, and a number of needs and strategies were documented. Findings indicated a need for multiple strategies to be combined in a systemic and comprehensive manner. These strategies include training consumers to independently navigate public transportation, providing flexible resources to assist with transportation costs, educating consumers regarding schedules, costs and means of various modes of public transportation, transport consumers to and from mental health appointments and develop shuttle routes, accommodate special transportation needs, and create a centralized staff response to coordinate efforts and respond to emerging transportation needs. During this Three Year Plan an Innovation Project will be developed to address these needs and provide a means to inform the overall mental health system of care regarding solutions for improving transportation access to mental health care.

The above concepts have been recommended by the Innovation Committee for development and submittal to the Mental Health Services Oversight and Accountability (MHSOAC) for approval. They are a result of recommendations from previous community program planning processes. Additional concepts for Innovation Projects will be entertained and vetted through the Innovation Committee on an ongoing basis. These submitted concepts will be consistent with the priorities of this year's community program planning process.

The Mental Health Services Act states that five percent of a County's budget will be for Innovation Projects. In order to meet this five percent requirement additional funds will be set aside for the emerging projects listed above, as well as new concepts that are brought forward, should funds be available.

Innovation (INN) Component Yearly Program and Expenditure Summary

Programs Implemented			1,019,495
Funds allocated for emerging programs			1,000,000
Total			\$2,019,495

Workforce Education and Training

Workforce Education and Training is the component of the Three Year Program and Expenditure Plan that includes staff development through education and training, workforce activities including career pathway development, and financial incentive programs for current and prospective Contra Costa Mental Health employees, and contractor agency staff. The purpose of this component is to develop and maintain a diverse mental health workforce capable of providing consumer and family-driven services that are compassionate, culturally and linguistically responsive, and promote wellness, recovery and resilience across healthcare systems and community-based settings.

The County's Workforce, Education and Training Component Plan was developed and approved in May 2009, with subsequent yearly updates. The following represents funds and activities allocated for the next three fiscal years in the categories of 1) Workforce Staffing Support, 2) Training and Technical Assistance, 3) Mental Health Career Pathway Programs, 4) Residency, Internship Programs, and 5) Financial Incentive Programs.

- 1) Workforce Staffing Support. A Workforce Education and Training Coordinator and an administrative support staff person are designated to develop and coordinate all aspects of this component. This includes conducting a yearly workforce needs assessment, coordinating education and training activities, acting as an educational and training resource by participating in the Greater Bay Area Regional Partnership and state level workforce activities, providing staff support to County sponsored ongoing and ad-hoc workforce workgroups, developing and managing the budget for this component, applying for and maintaining the County's mental health professional shortage designations, applying for workforce grants and requests for proposals, coordinating intern placements throughout the County, and managing the contracts with various training providers and community based organizations who receive funding for graduate level interns.

The County's funding allocation for this category is summarized below:

Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Administrative Support	County Operated	Countywide	N/A	184,426
Total				\$184,426

- 2) Training and Technical Assistance. Various individual and group staff trainings will be funded that support the values of the Mental Health Services Act. As a

part of the MHS community program planning process and training surveys stakeholders identified the need for training to increase knowledge related to cultural communities, such as disadvantaged populations, and the lesbian, gay, bi-sexual, transgender communities, and those who question their sexual identity. Additionally, stakeholders expressed the need to develop activities to reduce stigma. In response the County will host a variety of culture-specific training events focused on cultural groups, such as Asian Americans, Latinos, and African Americans.

In addition, the following specific contracts will be let out; i) payment for a Contra Costa College instructor to support the County’s SPIRIT training for consumers and family members who are preparing for a career in mental health service, ii) payment to the Contra Costa National Alliance on Mental Illness (NAMI) to provide Family-to-Family training in both English and Spanish that assists families support their loved ones navigate the public mental health system, iii) training for law enforcement officers to respond safely and compassionately to crisis situations involving consumers.

The County’s funding allocation for this category is summarized below:

Plan Element	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Staff Training	Various vendors	Countywide	To be determined	84,000
SPIRIT	Contra Costa College	Countywide	40	11,000
Family to Family	NAMI	Countywide	48	20,000
Law Enforcement	Various	Countywide	70	5,000
Total				\$120,000

- 3) Mental Health Career Pathway Programs. Funding is annually allocated to enable a designated Contra Costa County high school to develop and deliver a mental health class curriculum and provide stipend work experiences. By introducing high school students to mental health through this curriculum, students increase their knowledge of mental health concepts and potential careers in the public mental health system. Staff assist students connect with colleges that support a career ladder in the public mental health system.

Contra Costa Mental Health has successfully created a number of peer and family provider positions in its system of care, and, through its SPIRIT program has recruited and prepared individuals with lived experience for entry level

positions as peer providers. However, the County’s assessment of workforce needs has determined that these individuals could benefit from ongoing support and assistance with career development and advancement through the system. Also, training is needed for individuals with lived experience as a family members for entry to enter the workforce as a family provider. Toward this end the County applied for and received a \$436,386 grant through the statewide workforce, education and training funds administered by the Office of Statewide Health Planning and Development. These funds are to expand the curriculum to include training to be a family provider, supporting ongoing career development and placement assistance, and developing ongoing supports for individuals with lived experience who are now working in the system.

The County’s funding allocation for this category is summarized below:

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
High School Academy	Contra Costa Unified School District	Countywide	15	14,500
Total				\$14,500

- 4) Residency, Internship Programs. Contra Costa County supports internship programs which place graduate level students in various county operated and community based organization locations. Particular emphasis is put on the recruitment of individuals who are bi-lingual and/or bi-cultural, and individuals with consumer and/or family member experience. CCMH provides funding to enable up to 75 graduate level students to participate in paid internships in both county operated and contract agencies that lead to licensure as a Marriage and Family Therapist (MFT), Licensed Clinical Social Worker (LCSW), Clinical Psychologist and Mental Health Nurse Practitioner. These County financed internships are in addition to the state level workforce education and training stipend programs that are funded by the California Office of Statewide Health Planning and Development. This state funded stipend program requires that participants commit to working in community public mental health upon graduation. The County’s assessment of workforce needs has determined that a combination of state and locally financed internships has enabled the County and its contractors to keep pace with the annual rate of turnover of licensed staff.

Recruitment and retention of psychiatrists remain a challenge for Contra Costa County. Toward this end the County is seeking state level workforce, education and training funds to develop a psychiatric residency relationship with the

University of California at San Francisco to enable psychiatrists to complete their final year of residency within the County’s mental health system of care.

The County’s funding allocation for this category is summarized below:

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Graduate Level Internships	County Operated	Countywide	25	169,945
Graduate Level Internships	Contract Agencies	Countywide	50	100,000
Total			75	\$269,945

- 5) Financial Incentive Programs. Contra Costa Mental Health offers a scholarship program for employees seeking upward mobility through obtaining a bachelor or master’s degree. A portion of educational expenses is covered under this program for eligible staff in exchange for a two year service obligation in the public mental health system.

The County also participates in the state level workforce, education and training funded Mental Health Loan Assumption Program. Administered by the Office of Statewide Health Planning and Development, this program makes annual payments of up to \$10,000 to an educational lending institution on behalf of an employee who has incurred debt while obtaining education. The recipient is required to work in the public mental health system for each year (up to five years) in a capacity that meets the employer’s workforce needs. For current year eight individuals were enrolled in the program. The County plans to maximize the impact of this retention strategy by incrementally increasing the number of awards provided yearly for county and contract agency employees who work in the Contra Costa Mental Health system of care.

Program	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Bachelor/Master Degree Scholarships	County Operated	Countywide	10	50,000
Total			10	\$50,000

Workforce Education and Training (WET) Component Yearly Program and Expenditure Summary

WET Component			638,871
Total			638,871

Capital Facilities/Information Technology

The Capital Facilities/Information Technology component of the Mental Health Services Act enables counties to utilize MHPA funds on a one-time basis for major infrastructure costs necessary to i) implement MHPA services and supports, and ii) generally improve support to the County's community mental health service system. The County completed an extensive community program planning process related to capital facility outlays and information technology needs, and received approval from the State in 2010 to spend up to \$10 million, \$6 million for an electronic health record system specific to mental health needs, and \$4 million for construction of a facility to house an Assessment and Recovery Center. In the fiscal year 2011-12 MHPA Plan Update the construction of a 16 bed crisis residential facility (Hope House) was approved and added as a Capital Facilities project. This was funded by transferring \$3 million from the County's Prudent Reserve.

- 1) Electronic Health Records System. The electronic health record system, as proposed in 2010, intended to transform the current paper and location-based system with an electronic system where clinical documentation could be centralized and made accessible to all members of a consumer's treatment team, with shared decision-making functionality. It would replace the existing claims system, where network providers and contract agencies would be part of the system and be able to exchange their clinical and billing information with the County. The proposed system would allow doctors to submit their pharmacy orders electronically, and permit sharing between psychiatrists and primary care physicians to allow knowledge of existing health conditions and drug interoperability. It would also allow consumers to access part of their medical record, make appointments, and electronically communicate with their treatment providers.

Since approval for this project was obtained in 2010, Contra Costa Health Services, to include Contra Costa Regional Medical Center, the ambulatory care clinics and the Contra Costa Health Plan converted existing systems to an integrated electronic medical record system, entitled EPIC. This conversion of the larger health care system initiated an analysis to determine the feasibility of using the EPIC system for behavioral health services. The analysis indicated significant functionality gaps in the clinical documentation and billing for specialty mental health services, as it utilized a different billing format. To close the gap would require significant development efforts by EPIC system staff. Consequently the decision was made to purchase and implement a new system

specifically for Behavioral Health Services. This new system will have the capacity to communicate and share information with EPIC and other systems currently in use by contract providers and other entities involved in the treatment and care of clients. Selection of a preferred vendor has occurred; however, to date a contract has not been signed. The project is scheduled to be completed in two years. As per the 2010 proposal, funding from the County's Health Services Department would be sought for any costs that exceed the originally approved \$6 million.

Ongoing County staff costs allocated for this project are summarized below:

Project	County/Contract	Region Served	Number to be Served Yearly	Yearly Funds Allocated
Administrative Support	County Operated	Countywide	N/A	849,936
Total				\$849,936

- 2) Construction of an Assessment and Recovery Center. An extensive community program planning process completed in 2010 supported the construction of a new facility that would house an Assessment and Recovery Center. This 6,000 square foot building will house a mental health treatment program for both children and adults, will be co-located with a primary care site, and will be utilized to divert adults and children and their families from the psychiatric emergency services (PES) located at the Regional Medical Center. In addition to the clinical treatment areas business and operations support were included, such as parking, housekeeping and a staff lounge.

The building was completed in spring of current year, with start of services projected by end of June.

- 3) Construction of Hope House. The 16 bed crisis residential treatment facility (Hope House) was completed in March of 2014, and is located on a hillside above the Contra Costa Regional Medical Center. It is intended to help mental health consumers avoid hospitalization, as well as to assist in the transition from hospitals or long term care facilities back to the community. It provides round-the-clock, recovery focused services that encourages successful transition back to the community.

Telecare has contracted with the County to begin services in April 2014.

Capital Facilities/Information Technology (CF/TN) Component Yearly Program and Expenditure Summary

CF/TN Component			849,936
		Total	\$849,936

The Budget

The following tables represent a Mental Health Services Act yearly funding summary by component:

Fiscal Year 2014/15

A.Estimated FY 2014/15 Available Funding	CSS	PEI	INN	WET	CF/TN
1.Estimated unspent funds from prior fiscal years	16,250,578	10,572,630	3,314,376	2,043,384	4,054,864
2. Estimated new FY 14/15 funding	28,060,615	7,015,154	1,846,093		
3. Transfers in FY 14/15					
4.Estimated available funding for FY 14/15	44,311,193	17,587,784	5,160,469	2,043,384	4,054,864
B.Estimated FY 14/15 Expenditures	30,068,631	8,037,813	2,019,495	638,871	849,936

Fiscal Year 15/16

A.Estimated FY 2015/16 Available Funding	CSS	PEI	INN	WET	CF/TN
1.Estimated unspent funds from prior fiscal years	14,242,562	9,549,971	3,140,974	1,404,513	3,204,928
2. Estimated new FY 15/16 funding	24,219,250	6,054,813	1,593,372		
3. Transfers in FY 15/16					

4.Estimated available funding for FY 15/16	38,461,812	15,604,784	4,734,346	1,404,513	3,204,928
B.Estimated FY 15/16 Expenditures	31,568,631	8,037,813	2,019,495	638,871	849,936

Fiscal Year 16/17

A.Estimated FY 2016/17 Available Funding	CSS	PEI	INN	WET	CF/TN
1.Estimated unspent funds from prior fiscal years	6,893,181	7,566,971	2,714,851	765,642	2,354,992
2. Estimated new FY 16/17 funding	24,758,147	6,189,537	1,628,825		
3. Transfers in FY 16/17					
4.Estimated available funding for FY 16/17	31,651,328	13,756,507	4,343,677	765,642	2,354,992
B.Estimated FY 16/17 Expenditures	31,568,631	8,037,813	2,019,495	638,872	849,936
C.Estimated funds available for FY 17/18	82,697	5,718,694	2,324,182	126,771	1,505,056

Prudent Reserve: \$7,125,250

Budget Analysis.

1. Total funding commitments for the Community Services and Supports (CSS) and Prevention and Early Intervention (PEI) components currently exceed estimated revenues for each of the three fiscal years of this plan. Unspent funds from prior fiscal years will be utilized to meet funding commitments to sustain this level of

programming. It is estimated that there will be sufficient unspent funds from prior years and estimated new revenues such that funds from the prudent reserve will not be utilized. This is based upon the following assumptions:

- a. Revenue estimates from the State MHSA Fund and federal financial participation from the Medi-Cal program actualize at or above the above estimated levels.
 - b. No significant funding obligations for additional programs or plan elements are added. Any MHSA funding commitments for new or expanded programming should also consider corresponding program reductions or eliminations.
2. Estimated funds available for Fiscal Year 2017-18 indicate that funding commitments will need to equal estimated funding revenues at some point during the next Three Year Program and Expenditure Plan (Fiscal Years 2017-20).
 3. The Mental Health Services Act requires that 20% of the total new funding for the County go for the PEI component. The balance of new funding is for the CSS component. From the total of CSS and PEI components, five percent of the total new funding is to go for the Innovation (INN) component, and is to be equally divided between the CSS and PEI allotment. The estimated new funding for each fiscal year reflects this distribution.
 4. The County may set aside up to 20% of its total allocation of new funding for the Workforce, Education and Training (WET) component, Capital Facilities, Information Technology (CF/TN) component and a prudent reserve. For this three year period the County is not allocating any new funding for these areas, as the existing balances are estimated to be sufficient to fund estimated expenditures. However, it is anticipated that continuation of part or all of the existing WET programs for the next three year period (FY 2017-20) will require use of new funding.
 5. The MHSA requires that counties set aside sufficient funds, entitled a prudent reserve, to ensure that services do not have to be significantly reduced in years in which revenues are below the average of previous years. The County's prudent reserve balance through June 30, 2017 is estimated to be \$7,125,250. This figure is in addition to the estimated available funds.
 6. For the CF/TN component it is projected that the combined one-time costs of the construction of the Assessment and Recovery Center, Hope House and the implementation of a mental health electronic record system will utilize the entire component fund balance by the end of this three year period. The remaining one-time transfers from the CF/TN component that are made to pay for these projects are not depicted in the above table, but will be reflected in subsequent Plan Updates. Any costs that are incurred above the total funds set aside for

these three projects will be considered separately as a new and additional funding obligation.

7. Significant changes in revenues or funding commitments, such as program additions and reductions, and staff cost of living adjustments, or increases in costs of doing business due to inflation will be reflected in subsequent plan updates.

Evaluating the Plan

Contra Costa Mental Health is committed to evaluating the effective use of funds provided by the Mental Health Services Act. Toward this end a comprehensive program and fiscal review process has been developed to a) improve the services and supports provided, b) more efficiently support the County's MHSA Three Year Program and Expenditure Plan, and c) ensure compliance with statute, regulations and policies.

During the next three years each of the over 85 contract and county operated programs and plan elements receiving MHSA funds will undergo a program and fiscal review. This will entail interviews and surveys of individuals both delivering and receiving services, review of data, case files, program and financial records, and performance history. Key areas of inquiry include:

- Delivering services according to the values of the Mental Health Services Act.
- Serving those who need the service.
- Providing services for which funding was allocated.
- Meeting the needs of the community and/or population.
- Serving the number of individuals that have been agreed upon.
- Achieving the outcomes that have been agreed upon.
- Assuring quality of care.
- Protecting confidential information.
- Providing sufficient and appropriate staff for the program.
- Having sufficient resources to deliver the services.
- Following generally accepted accounting principles.
- Maintaining documentation that supports agreed upon expenditures.
- Charging reasonable administrative costs.
- Maintaining required insurance policies.
- Communicating effectively with community partners.

Each program or plan element will receive a written report that addresses each of the above areas. Promising practices, opportunities for improvement, and/or areas of concern will be noted for sharing or follow-up activity, as appropriate. The emphasis will be to establish a culture of continuous improvement of service delivery, and quality feedback for future planning efforts.

In addition, a monthly MHSA Financial Report will be generated that will depict funds budgeted versus spent for each program and plan element included in this Plan. This will enable ongoing fiscal accountability, as well as provide information with which to engage in sound planning.

Acknowledgements

We acknowledge that this document is not a description of how Contra Costa Mental Health has delivered on the promise provided by the Mental Health Services Act. It is, however, a plan for how the County can continually improve upon delivering on the promise. We have had the honor this past year to meet many people who have overcome tremendous obstacles on their journey to recovery. They were quite open that the care they received literally saved their life. We also met people who were quite open and honest regarding where we need to improve. For these individuals, we thank you for sharing.

We would also like to acknowledge those Contra Costa stakeholders, both volunteer and professional, who have devoted their time and energy over the years to actively and positively improve the quality and quantity of care that has made such a difference in people's lives. They often have come from a place of frustration and anger with how they and their loved ones were not afforded the care that could have avoided unnecessary pain and suffering. They have instead chosen to model the kindness and care needed, while continually working as a team member to seek and implement better and more effective treatment programs and practices. For these individuals, we thank you, and feel privileged to be a part of your team.

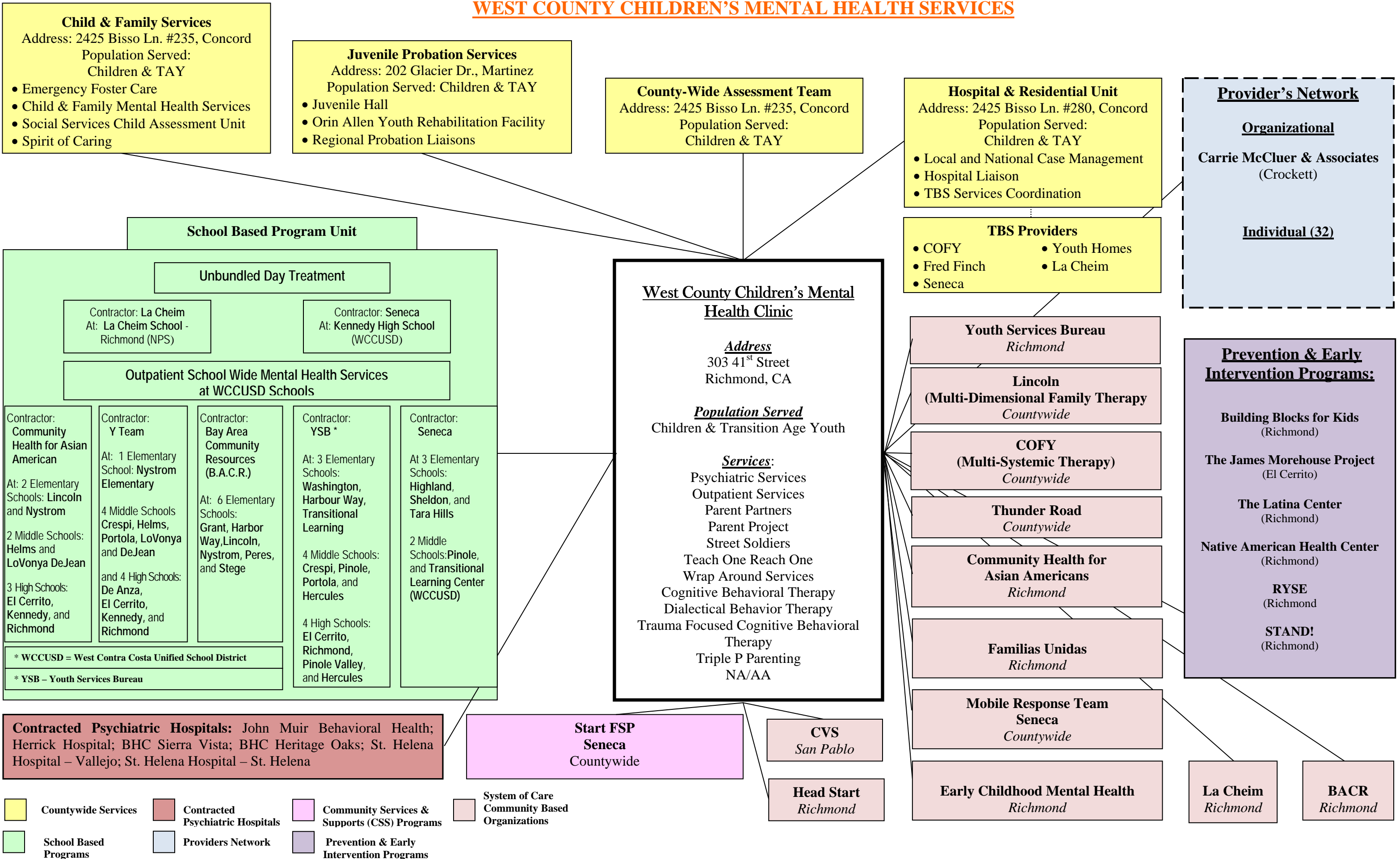
The MHSA Staff

Mental Health Service Maps

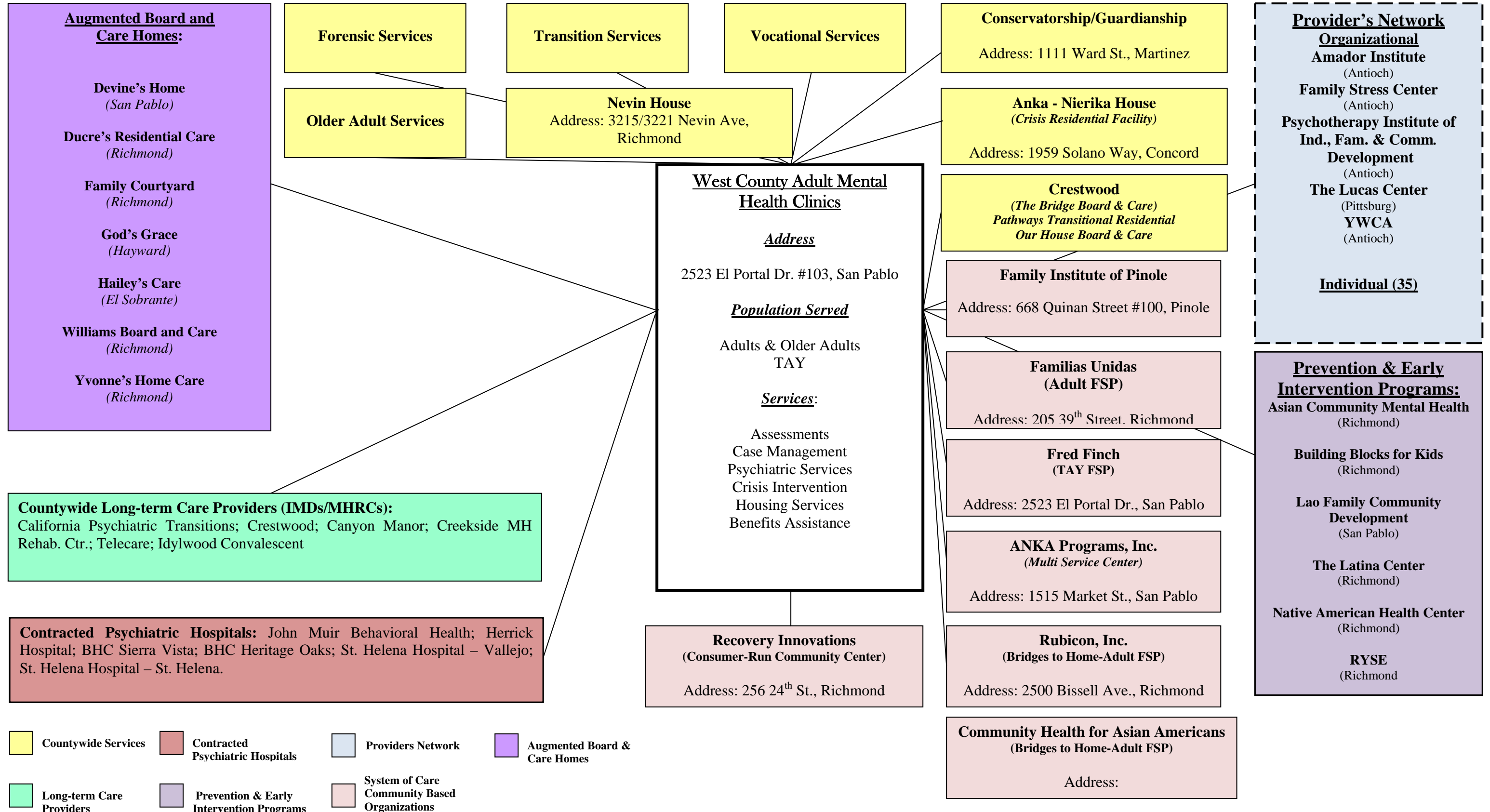
Mental Health Services Act funded programs and plan elements are only a portion of the total funding that supports public mental health services provided by Contra Costa County employees and staff employed by contractors. The backbone of the CCMH system of care is its three county operated Children's and three county operated Adult clinics that serve the Western, Central and Eastern regions of the county.

The following six service maps provide a visual picture, or architecture, of the constellation of types of Contra Costa Mental Health's programs, and thus enable the viewer to see the inclusion of MHSA funded services as part of the entire system of care.

WEST COUNTY CHILDREN'S MENTAL HEALTH SERVICES



WEST COUNTY ADULT MENTAL HEALTH SERVICES



CENTRAL COUNTY CHILDREN'S MENTAL HEALTH SERVICES

Child & Family Services
 Address: 2425 Bisso Ln. #235, Concord
 Population Served:
 Children & TAY

- Emergency Foster Care
- Child & Family Mental Health Services
- Social Services Child Assessment Unit
- Spirit of Caring

Juvenile Probation Services
 Address: 202 Glacier Dr., Martinez
 Population served:

- Juvenile Hall
- Orin Allen Youth Rehabilitation Facility
- Regional Probation Liaisons

County-Wide Assessment Team
 Address: 2425 Bisso Ln. #235, Concord
 Population Served:
 Children & TAY

Hospital & Residential Unit
 Address: 2425 Bisso Ln. #280, Concord
 Population Served:
 Children & TAY

- Local and National Case Management
- Hospital Liaison
- TBS Services Coordination

TBS Providers

- COFY
- Fred Finch
- Seneca
- Youth Homes
- La Cheim

Provider's Network

Organizational

- Hiawatha Harris-Pathways to Wellness (Pleasanton)
- Jewish Family Stress (Walnut Creek)
- Touchstone Counseling Services (Pleasant Hill)
- YWCA (Antioch)

Individual (70)

School Based Program Unit

Unbundled Day Treatment

Contractor: La Cheim At: La Cheim School - Antioch (NPS)	Contractor: Families First At: Mount Diablo High School (MDUSD)	Contractor: Seneca At: Olivera High School
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Mental Health Enhanced Classroom(s)

At: Campolindo High School (AUHSD)	At: Marchus School Middle School Class (CCCOE)	3 Classrooms Contractor: Seneca At: Pleasant Hill Middle School (MDUSD)	Contractor: Fred Finch At: Mt. Diablo High School
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Outpatient School Wide Mental Health Services

At: Marchus School - Elementary Grades (CCCOE)	At: Belair JH (MDUSD) El Dorado JH (MDUSD)	At: Mt.Diablo/Olympic/Alliance High Schools (MDUSD) Sunrise Elmtry (MDUSD)
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MDUSD = Mount Diablo Unified School District
 CCCOE = Contra Costa County Office of Education
 NPS = Non Public School; AUHSD = Acalanes Union High School District

Contracted Psychiatric Hospitals: John Muir Behavioral Health; Herrick Hospital; BHC Sierra Vista; BHC Heritage Oaks; St. Helena Hospital – Vallejo; St. Helena Hospital – St. Helena

Central County Children's Mental Health Clinic

Address
 2425 Bisso, Ste. 200
 Concord, CA 94520

Population Served
 Children & Transition Age Youth

Services:
 Head Start Program
 Psychiatric Services
 Outpatient Services
 Parent Partners
 Parent Project
 PIP Program
 Wrap Around Services
 Cognitive Behavioral Therapy
 Dialectical Behavior Therapy
 Trauma Focused Cognitive Behavioral Therapy
 Triple P Parenting

Youth Services Bureau
Concord

Lincoln (Multi-Dimensional Family Therapy)
Countywide

COFY (Multi-Systemic Therapy)
Countywide

Thunder Road
Countywide

Community Health for Asian Americans
Antioch

La Clinica de la Raza
Oakley

Seneca Mobile Response Team
Countywide

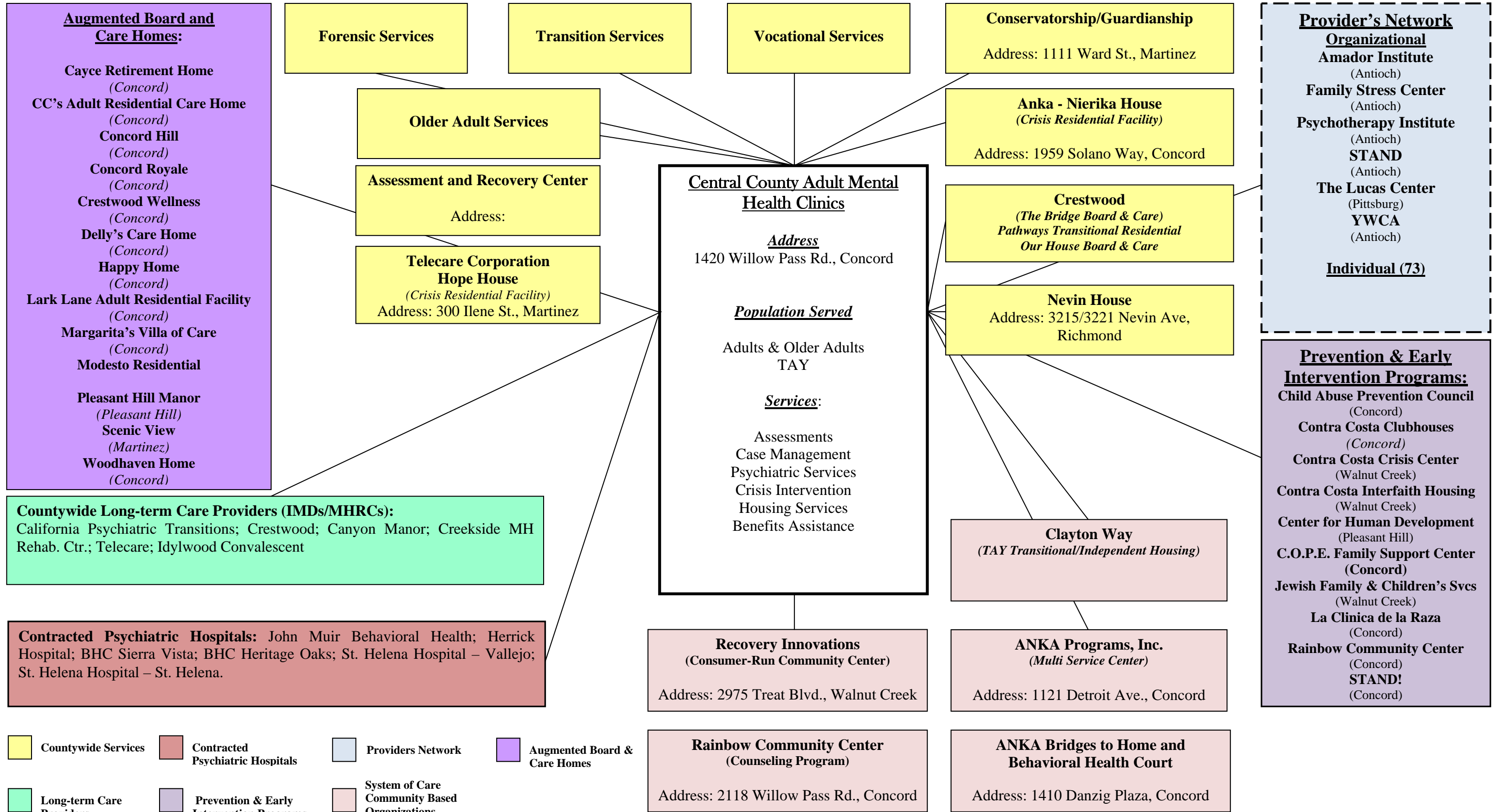
Start FSP Seneca
 Countywide
 Population: Children

Prevention & Early Intervention Programs:

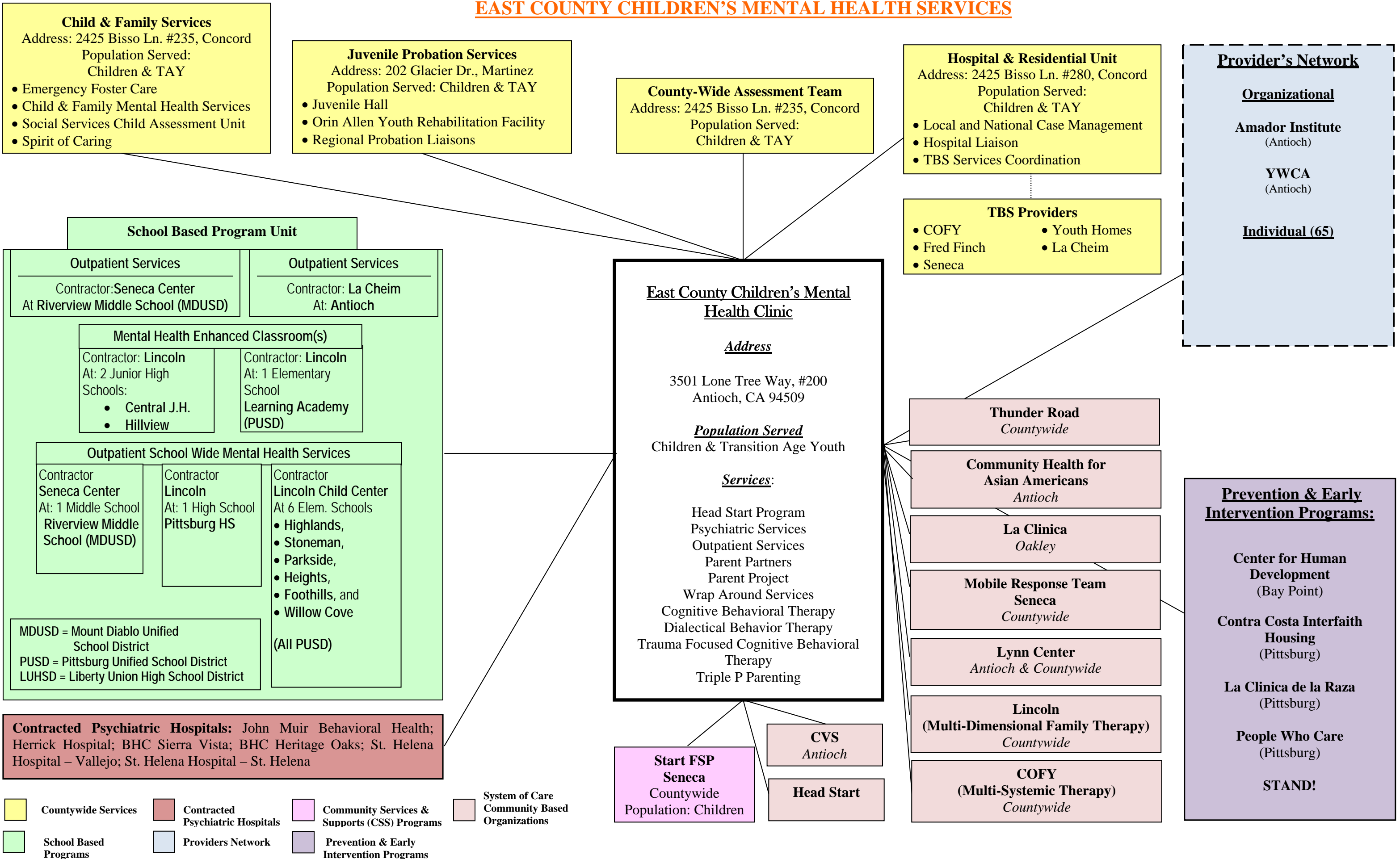
- Child Abuse Prevention Council (Concord)
- Contra Costa Crisis Center (Walnut Creek)
- Contra Costa Interfaith Housing (Walnut Creek)
- Center for Human Development (Pleasant Hill)
- C.O.P.E. Family Support Center
- La Clinica de la Raza (Concord)
- New Leaf (Martinez)
- Rainbow Community Center (Concord)
- STAND! (Concord)

 Countywide Services	 Contracted Psychiatric Hospitals	 Community Services & Supports (CSS) Programs	 System of Care Community Based Organizations
 School Based Programs	 Providers Network	 Prevention & Early Intervention Programs	

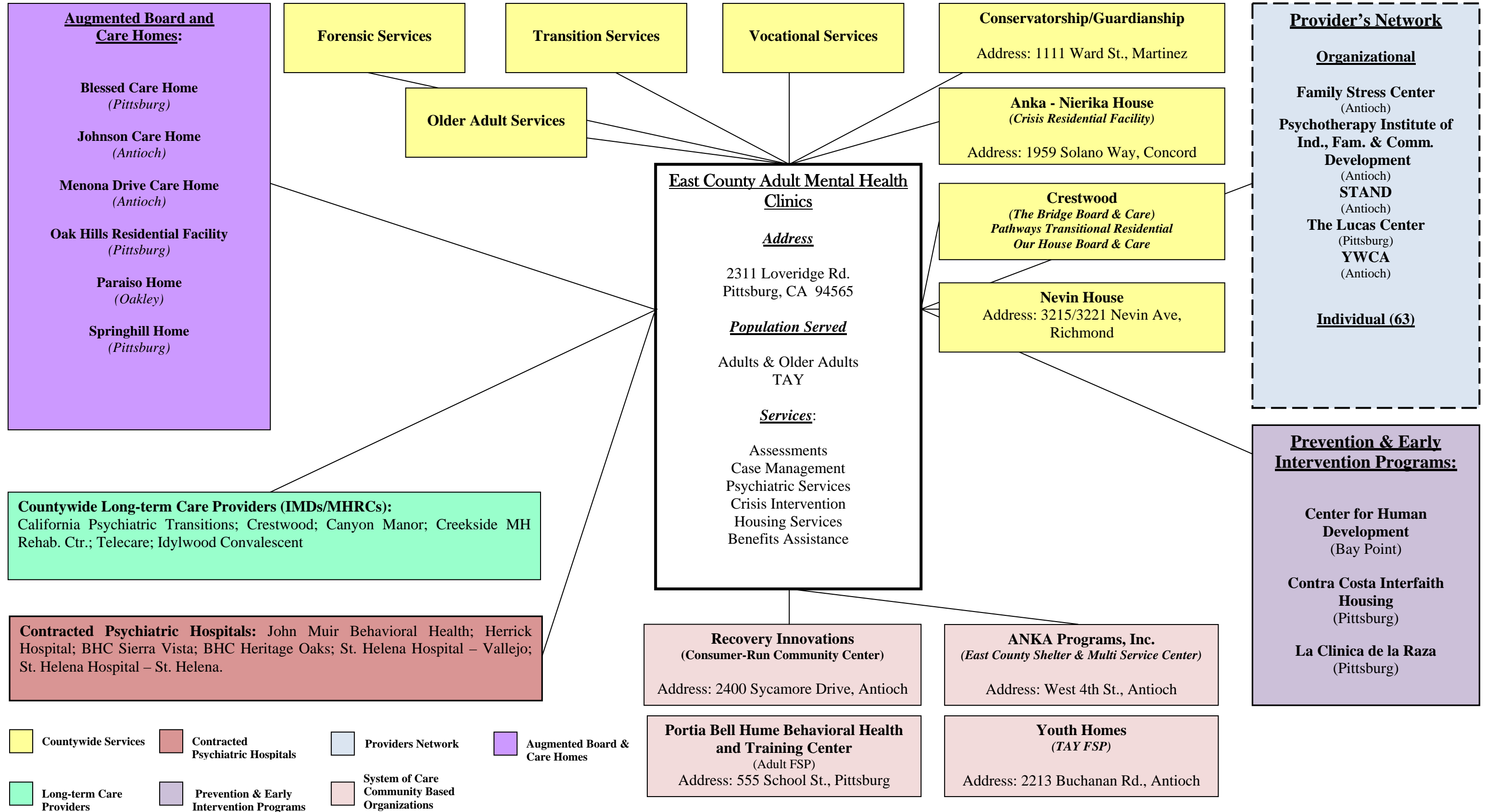
CENTRAL COUNTY ADULT MENTAL HEALTH SERVICES



EAST COUNTY CHILDREN'S MENTAL HEALTH SERVICES



EAST COUNTY ADULT MENTAL HEALTH SERVICES



Program and Plan Element Profiles

Anka Behavioral Health, Inc.

Point of Contact: Chris Withrow, Chief Executive Officer.

Contact Information: 1850 Gateway Boulevard, Suite #900, Concord CA 94520, (925)-825-4700, cwithrow@ankabhi.org

1. General Description of the Organization

Anka's mission is to eliminate the impact of behavioral health problems for all people. Anka serves more than 15,000 individuals annually and employ nearly 1,000 professional, specialized staff members. Anka's philosophy is to treat the whole person by fully integrating care of both mind and body, always using clinically-proven, psycho-social models designed to promote health and wellness while containing costs.

2. Program: Adult Full Service Partnership - CSS

The Adult Full Service Partnership (FSP) joins the resources of Anka Behavioral Healthcare and Costa County Mental Health Services, and utilize the assertive community treatment model.

Anka's FSP program also includes the Behavioral Health Court Program, which collaborates with Contra Costa Superior Court, Contra Costa Sheriff's Department, Contra Costa Health Services Division, Contra Costa Adult Mental Health, Contra Costa District Attorney's Office, Contra Costa Public Defenders Office, Contra Costa Probation Department and Anka Behavioral Health, Inc. It also includes collaborative services with the Contra Costa Adult Forensic Team to case manage consumers who are on Contra Costa County Probation. The program serves adults who reside in Contra Costa County, who have been charged with non-violent felonies or misdemeanors, and who experience a serious mental illness/serious emotional disturbance.

- a. Scope of Services: Services use an integrated multi-disciplinary team approach, based on a modified Assertive Community Treatment (ACT) model of care. Services include outreach and engagement, case management, outpatient mental health services, including services for individuals with co-occurring mental health and alcohol and other drug problems, crisis intervention, medication support, housing support, flexible funds, vocational services, educational services, and recreational and social activities. Anka staff are available to consumers on a 24/7 basis.
- b. Target Population: Adults over the age of 18 in West and Central County who are diagnosed with a serious mental illness, are at or below 300% of the federally defined poverty level, and are uninsured or receive Medi-Cal benefits.
- c. Payment Limit: \$768,690

- d. Number served: In FY12/13 Anka was part of the Bridges to Home (BTH), a collaborative made up of two programs, BTH West and BTH Central. Together, BTH West and Central served 185 Individuals (target 155 individuals). BTH Central served 78 individuals.
- e. Outcomes: Below are the FY 12/13 outcomes for Bridges to Home Central.
 - Reduction in incidence of psychiatric crisis*
 - Reduction of the incidence of restriction*

Pre- and post-enrollment utilization rates for 87 Bridges to Home Central County participants enrolled in the FSP program during FY 12-13.

	No. pre-enrollment	No. post-enrollment	Rate pre-enrollment	Rate post-enrollment	% change
PES episodes	338	331	0.455	0.390	- 14.3
Inpatient episodes	64	35	0.076	0.050	- 34.2
Inpatient days	458	272	0.524	0.372	-29.0

** Data on service utilization were collected from the county's internal billing system, PSP. To assess the effect of FSP enrollment on PES presentations and inpatient episodes, this methodology compares clients' monthly rates of service utilization pre-enrollment to clients' post-enrollment service utilization rates. Using PES usage as an example, the calculations used to assess pre- and post-enrollment utilization rates can be expressed as:*

(No.of PES episodes during pre- enrollment period)/(No.of months in pre-enrollment period) =Pre-enrollment monthly PES utilization rate

(No.of PES episodes during post-enrollment period)/(No.of months in post-enrollment period) =Post-enrollment monthly PES utilization rate

Asian Community Mental Health Services (ACMHS)

Point of Contact: Pysay Phinith

Contact Information: Asian Family Resource Center (AFRC), 12240 San Pablo Ave,
Richmond, Ca. (510) 604-6200

Pysayp@acmhs.org

1. General Description of the Organization

ACMHS provides multicultural and multilingual services, empowering the most vulnerable members of our community to lead healthy, productive and contributing lives.

2. Program: Building Connections (Asian Family Resource Center) - PEI

- a. Scope of Services: Asian Family Resource Center (AFRC) in Richmond provides comprehensive, culturally-sensitive and appropriate education and access to Mental Health Services to Asian and Pacific Islanders immigrant and refugee communities, especially the Southeast Asian and Chinese population of Contra Costa County. AFRC employs multilingual and multidisciplinary staff from the communities which they serve, including bilingual/bicultural peer navigators for mental health outreach, engagement, system navigation, and stigma reduction. Staff provides the following Prevention and Early Intervention activities: community outreach, home visits to senior housing sites, medication compliance education, community integration skills, older adult care giving skills, basic financial management, survival English communication skills, travel training, health and safety education and computer education, mental health workshops, structured group activities on topics such as, coping with adolescents, housing issues, aid cut-off, domestic violence, criminal justice issues, health care and disability services, and health and mental health system navigation. Services are aimed at assisting consumers in actively managing their own recovery process.
- b. Target Population: Asian and Pacific Islanders immigrants and refugees (especially Chinese and Southeast Asian population) in Contra Costa County
- c. Payment Limit: \$130,000
- d. Number served: For FY 12/13: 67. To be served: 50 high risk and underserved community members.
- e. Outcomes:
 - All of the 67 program participants received system navigation support for mental health treatment, Medi-Cal benefits, and other essential benefits.
 - 72% of program participants increased their knowledge of mental health resources and benefits available.
 - 83% of program participants reported that system navigation support was very helpful.
 - 88% improved level of self-care.

Building Blocks for Kids (BBK)

Point of Contact: Jennifer Lyle.

Contact Information: 310 9th Street, Richmond, Ca 94804, (510) 232-5812

jlyle@bbk-richmond.org

1. General Description of the Organization

Building Blocks for Kids Richmond Collaborative is a place-based initiative with the mission of supporting the healthy development and education of all children, and the self-sufficiency of all families, living in the BBK Collaborative zone located in downtown Richmond, California. The Collaborative consists of member residents, member organizations, and working groups that work toward community change in the area of wellness and health, education, and community engagement.

2. Program: One Family at a Time (PEI)

a. Scope of Services

- Community Building: Community Engagement and Advocacy Teams (CEAT)
 - Training of 30 resident leaders in advocacy work who in turn will provide coaching for other residents. Consists of four intensive sessions plus monthly follow ups
 - Identify and build advocacy for community needs with emphasis on health, mental health, and education issues
 - Help families create the change that they want to see in the community
- System Navigation Support
 - Support groups for English and Spanish speaking mothers
 - Facilitate relationships with providers, increase capacity for culturally competent service provision
 - Provide training to create trauma informed supportive support services
- Parent Partners in Elementary Schools. Parent Partners work with families of children that are referred by teachers, school administrators, and collaborative member organizations.

b. Target Population: Children and Families in the Iron Triangle, Richmond

c. Payment Limit: \$198,057

d. Number served: For FY 12/13: 1015 Individuals (includes outreach and education events). To be served: 300 families

e. Outcomes:

- 20 families received intensive support from Community Engagement and Advocacy Team (CEAT) around identifying and advocating for children's mental health needs and accessing services.
- 90% of surveyed parents (140) reported an increased understanding of mental health related topics and increased comfort discussing these topics.
- The CEAT membership increased by 38 over the fiscal year of 12/13
- A core of 43 residents attended at least 75% of all public events.

Center for Human Development (CHD)

Point of Contact: Elaine Prendergast

Contact Information: 901 Sunvalley Blvd., Suite 220, Concord, Ca 94520 (925) 687-8844

elaine@chd-prevention.org

1. General Description of the Organization

Center for Human Development (CHD) is a community-based organization that offers a spectrum of services for at-risk youth, individuals, families, and communities in the Bay Area. Since 1972 CHD has provided wellness programs and support aimed at empowering people and promoting positive growth. Volunteers work side-by-side with staff to deliver quality programs in schools, clinics, and community sites throughout Contra Costa as well as nearby counties. CHD is known for innovative programs and is committed to improving the quality of life in the communities it serves.

2. Program: African American Wellness Program and Youth Empowerment Program, PEI

a. Scope of Services:

- **Wellness Program.** Provide mental health outreach and engagement, as well as system navigation support to a minimum of 150 individuals in Bay Point, Pittsburg, and surrounding communities. Increase client emotional wellness, reduce client stress and isolation, and link clients to community resources in a culturally competent manner. Key activities include culturally appropriate education on mental health topics through mind, body, and soul support groups and community health education workshops, outreach at community events, and navigation assistance for culturally appropriate mental health referrals.
 - **Youth Empowerment Program.** Provide strength-based educational support services that build on youths' assets and foster their resiliency to a minimum of 80 unduplicated LGBTQ youth and their allies in Antioch, Pittsburg, and surrounding East County communities. Key activities include, a) two weekly educational support groups that promote emotional health and well-being, increase positive identity and self-esteem, and reduce isolation through development of concrete life skills, b) a leadership group that meets a minimum of twice a month to foster community involvement, and c) referrals to culturally appropriate mental health services.
- b. **Target Population:** Wellness Program: African American residents (East County) at risk of developing serious mental illness. Youth Empowerment Program: LGBTQ youth in East County
- c. **Payment Limit:** \$133,000
- d. **Number served:** For FY 12/13: 248 served in Wellness Program. Numbers not available for Youth Empowerment Program.

e. Outcomes:

Wellness Program.

- 94% of program participants reported that they were more comfortable to address mental health related issues.
- 94% of participants were able to point to at least one stress management tool they use.
- 94% of participants reported that they are now able to access mental health support when needed.
- 100% of participants reported that they were able to apply information learned to help others.

Child Abuse Prevention Council (CAPC)

Point of Contact: Carol Carillo

Contact Information: 2120 Diamond Blvd #120, Concord, Ca 94520

capccarol@sbcglobal.net

1. General Description of the Organization

The Child Abuse Prevention Council has worked for many years to prevent the maltreatment of children. Through providing education programs and support services, linking families to community resources, mentoring, and steering County-wide collaborative initiatives, CAPC has led Contra Costa County's efforts to protect children. It continually evaluates its programs in order to provide the best possible support to the families of Contra Costa County.

2. Program: The Nurturing Parenting Program, PEI

a. Scope of Services:

The Child Abuse Prevention Council of Contra Costa provides an evidence-based curriculum of cultural, linguistic, and developmentally appropriate parent education classes to Spanish speaking families in East County and Central County's Monument Corridor. CAPC provides four classes for 15 parents each session and approximately 15 children each session who are 0-12 years of age. The 22 week curriculum will immerse parents in ongoing training designed to build new skills and alter old behavioral patterns intended to strengthen families and support the healthy development of their children in their own neighborhoods.

b. Target Population: Latino children and their families in Central and East County.

c. Payment Limit: \$118,828

d. Number served: For FY 12-13: 126

e. Outcomes:

1. Four 22 week classes in Central and East County serving 70 children/youth and 56 parents.
2. All parent participants completed pre- and post-tests. All parents improved their scores on five parenting measures (appropriate expectations, empathy, discipline, self-awareness, empowerment).

Community Health for Asian Americans.

Point of Contact: Kenneth Kim and Sean Kirkpatrick, Co-Interim Executive Directors.
Contact Information: 207 37th Street, Richmond, CA 94805, (510)-233-7555,
Kenneth.Kim@chaaweb.org , Sean.Kirkpatrick@chaaweb.org

1. General Description of the Organization

Community Health for Asian Americans (CHAA) is a non-profit organization committed to improving the quality of life for marginalized communities with special focus on Asian and Pacific Islander (API) communities in the Bay Area. CHAA's mission is to provide community-driven behavioral health services, family support, youth development and advocacy for the historically underserved API communities in the Bay Area.

2. Program: Adult Full Service Partnership (FSP) - CSS

The Adult Full Service Partnership is a collaborative program that joins the resources of Community Health for Asian Americans (CHAA) and Contra Costa County Behavioral Health Services.

a. Scope of Services

- Services will be provided using an integrated team approach, based on a modified Assertive Community Treatment (ACT) model of care. Services include:
 - Outreach and engagement
 - Case management
 - Outpatient Mental Health Services, including services for individuals with co-occurring mental health & alcohol and other drug problems
 - Crisis Intervention
 - Collateral
 - Medication support (may be provided by County Physician)
 - Housing support
 - Flexible funds
 - Vocational Services
 - Educational Services
 - Recreational and Social Activities
 - Transitional Employment Program
 - Contractor must be available to consumer on 24/7 basis

b. Target Population: Adults over the age of 18 in West and Central County who are diagnosed with a serious mental illness, are at or below 300% of the federally defined poverty level, and are uninsured or receive Medi-Cal benefits.

c. Payment Limit: \$123,422

d. Number served: In FY12/13 CHAA was part of the Bridges to Home (BTH) collaborative. Bridges to Home served 185 Individuals.

e. Outcomes:

- Reduction in incidence of psychiatric crisis*
- Reduction of the incidence of restriction*

Table 1. Pre- and post-enrollment utilization rates for 77 Bridges to Home West County participants enrolled in the FSP program during FY 12-13.

	No. pre-enrollment	No. post-enrollment	Rate pre-enrollment	Rate post-enrollment	% change
PES episodes	160	151	0.271	0.223	- 17.7
Inpatient episodes	29	26	0.039	0.036	- 7.7
Inpatient days	253	218	0.334	0.282	- 15.6

** Data on service utilization were collected from the county's internal billing system, PSP. To assess the effect of FSP enrollment on PES presentations and inpatient episodes, this methodology compares clients' monthly rates of service utilization pre-enrollment to clients' post-enrollment service utilization rates. Using PES usage as an example, the calculations used to assess pre- and post-enrollment utilization rates can be expressed as:*

(No.of PES episodes during pre- enrollment period)/(No.of months in pre-enrollment period) =Pre-enrollment monthly PES utilization rate

(No.of PES episodes during post-enrollment period)/(No.of months in post-enrollment period) =Post-enrollment monthly PES utilization rate

Community Options for Families and Youth, Inc.

Point of Contact: Julie Sievenpiper, Program Manager

Contact Information: 1910 Olympic Boulevard, Suite 200, Walnut Creek, CA 94596, (925)-943-1794, j.sievenpiper@cofy.org

1. General Description of the Organization

Community Options for Families and Youth (COFY) is a multi-disciplinary provider of mental health services. COFY's mission is to work with youth whose high-intensity behaviors place them at risk of hospitalization or residential treatment. Their mental health clinicians work collaboratively with caregivers, educators and social service professionals to help exasperated families restore empathic relationships and maintain placement for their children.

2. Program: Multisystemic Therapy (MST) – Full Service Partnership (FSP) - CSS

Multisystemic Therapy (MST) is an intensive family and community based treatment that addresses the multiple determinants of serious anti-social behavior. The MST approach views individuals as being surrounded by a network of interconnected systems that encompasses individual, family, and extra familial (peers, school, community) factors. Intervention may be necessary in any one or a combination of these systems, and using the strengths of each system to facilitate positive change. The intervention strives to promote behavioral change in the youth's natural environment. Family sessions are provided over a three to five month period. These sessions are based on nationally recognized evidence based practices designed to decrease rates of anti-social behavior, improve school performance and interpersonal skills, and reduce out-of-home placements. The ultimate goal is to empower families to build a healthier environment through the mobilization of existing child, family and community resources.

- a. Scope of Services: Services include but are not limited to outreach and engagement, case management, outpatient mental health services, crisis intervention, collateral services, flexible funds. COFY staff must be available to consumer on a 24/7 basis.
- b. Target Population: Children 12 to 17 who have a serious emotional disturbance or serious mental illness, and have been identified as a juvenile offender or are at risk of involvement with Probation due to delinquent behavior. Services are county-wide.
- c. Payment Limit: \$650,000
- d. Number served: Program began in FY 13/14. Number to be served: 66.
- e. Outcomes: Because the program began in FY 13/14, there are no outcomes to report at this time. COFY will report on reduction in incidence of restriction, arrests, incarceration.

Community Violence Solutions

Point of Contact: Cynthia Peterson, Director of the Rape Crisis Center.

Contact Information: 2101 Van Ness Street, San Pablo, CA 94806, (510)-307-4121, cpeterson@cvsolutions.org

1. General Description of the Organization

Community Violence Solutions (CVS) is dedicated to working in partnership with the community to end sexual assault and family violence through prevention, crisis services, and treatment. Formerly called Rape Crisis Center, CVS was founded by the Greater Richmond Interfaith Program in 1974. Since then, CVS has expanded its services to all of Contra Costa and Marin Counties.

2. Program: Reluctant to Rescue (Innovation)

The intent of this project is to “increase the quality of services, including better outcomes”. Community Violence Solutions (CVS) named the project “Reluctant to Rescue” because it recognized the highly complex dynamic situations that often prevent the “rescue” of youth victimized by sexual exploitation. Through this project, CVS is exploring the effectiveness of various service modalities by addressing two of its operating assumptions. First, commercially sexually exploited (CSEC) youth are nearly always traumatized sexual assault victims; yet, exploited youth do not always see themselves as victims and, as a result, often do not respond to the same approaches as other sexual assault victims. Interventions might be more effective if they: a) assisted youth in recognizing the physical risks and health problems associated with the sex trade and b) addressed the youth’s ability to earn a living through paid job training. Addressing trauma and other psychosocial issues may need to occur later in the intervention. Second, the ways and reasons youth enter a situation of exploitation are often not same reasons they remain in this “work”. Therefore, interventions should address these changes. Staff adapt their outreach to engage youth where they are located, providing safe, accessible drop-in centers, and providing mental health and support services. This project is developing promising practices to identify exploited and at-risk youth, coordinate with and educate public entities, such as law enforcement, and mobilize resources to assist youth leave exploited situations.

- a. Scope of Services: The project recognizes youth as experts in their own experiences and relies on their feedback and expressions of need to inform the development of services and multiple service routes. Accordingly, the project initially approaches the issue of sex for pay with respectful inquiry instead of specific ideas of intervention and service. Youth share information through guided interviews and focus groups. The proposed project seeks to gain detailed information directly from the youth in order to help develop interventions that address complex motivations for entering and continuing in sexual exploitation.

CVS utilizes the youth-generated information to inform curriculum development and intensive training with a core group of CSEC parents, guardians, and foster parents who are open to increasing their skills and willing to care for these challenging and challenged youth. CVS coordinates all aspects of the project and, as appropriate, brings community partners in to deliver specific services requested by youth. Two drop-in centers are staffed and respond to needs of youth expressed in the qualitative data collected during Phase I of the project. CVS contracts with specific individuals and/or other agency providers to serve identified needs.

- b. Target Population: Sexually exploited youth (ages 16 to 25 years) and youth at risk of sexual exploitation.
- c. Annual Payment Limit: \$159,390
- d. Number served: For FY 12/13: 62 youth
- e. Outcomes:
 - Reduction in incidence of incarceration
 - Reduction in depression symptoms

To determine if the program may have resulted in changes in the above outcomes, data for these outcomes will be tracked annually using the Children and Adolescent Needs and Strengths Assessment (CANS). Baseline measurements were taken during Fiscal Year 2012/2013. At baseline, the CANS indicated that 100% of the youth participating in the program reported having experienced incarceration. At baseline, the CANS also indicated that 91% of the youth participating in this program showed evidence of depression, with 73% presenting with moderate to severe symptoms.

Contra Costa County Behavioral Health – County-Operated Mental Health Services Act Housing Services

Point of Contact: Sandy Rose, Mental Health Housing Services Coordinator
Contact Information: 1340 Arnold Drive, Suite 200, Martinez CA 94553. (925)-957-5143. Sandy.Rose@hsd.cccounty.us

1. General Description of the Organization

The Behavioral Health Services Division of Contra Costa Health Services combines Mental Health, Alcohol & Other Drugs and Homeless Program into a single system of care. The County-operated MHSA Housing Services operates within Contra Costa Mental Health's Adult System of Care, and partners closely with the Homeless Program.

2. Program: Homeless Programs -- Temporary Shelter Beds

The County's Homeless Services Division operates a number of temporary bed facilities in West and Central County for transitional age youth and adults. In 2010, CCMH entered into a Memorandum of Understanding with the Homeless Services Division that provides additional funding to enable up to 109 individuals with a serious mental illness per year to receive temporary emergency housing for up to four months.

- a. Target Population: Individuals who are severely and persistently mentally ill or seriously emotionally disturbed, and are homeless.
- b. Total MHSA Portion of Budget: \$1,672,000
- c. Number Served in FY 12/13: 109 beds fully utilized for 365 days in the year.

Program: Permanent Housing

Having participated in a specially legislated MHSA Housing Program through the California Housing Finance Agency the County, in collaboration with many community partners, the County completed a number of one-time capitalization projects to create 50 permanent housing units for individuals with serious mental illness. These individuals receive their mental health support from Contra Costa Mental Health contract and county service providers. The sites include Villa Vasconcellos in Walnut Creek, Lillie Mae Jones Plaza in North Richmond, The Virginia Street Apartments in Richmond, Tabora Gardens in Antioch, Robin Lane apartments in Concord, Ohlone Garden apartments in El Cerrito, Third Avenue Apartments in Walnut Creek, Garden Park apartments in Concord, and scattered units throughout the County operated by Anka Behavioral Health.

- a. Target Population: Individuals who are severely and persistently mentally ill or seriously emotionally disturbed and are homeless or at risk of homelessness.
- b. Total MHSA Portion of Budget: One Time Funding Allocated
- c. Number Served in FY 12/13: 50 units.

Program: Coordination Team

Mental Health Housing Services Coordinator and staff work closely with County's Homeless Services Division staff to coordinate referrals and placements, facilitate linkages with other Contra Costa mental health programs and services, and provide contract monitoring and quality control.

- a. Target Population: Individuals who are severely and persistently mentally ill or seriously emotionally disturbed and are homeless or at risk of homelessness.
- b. Total FTE: 4.0 FTE
- c. Total MHSA Portion of Budget: \$457,958
- d. Number Served in FY 12/13: Support to MHSA Housing Services and the Homeless Program.

Contra Costa County Behavioral Health – Forensics Services

Point of Contact: David Seidner, Adult Mental Health Supervisor

Contact Information: 1330 Arnold Drive, Suite 143, Martinez CA 94553. (925)-957-5138. David.Seidner@hsd.cccounty.us

1. General Description of the Organization

The Behavioral Health Services Division of Contra Costa Health Services combines Mental Health, Alcohol & Other Drugs and Homeless Program into a single system of care. The Forensic Services team operates within Contra Costa Mental Health's Adult System of Care, and works closely with Adult Probation.

2. Program: Forensic Services

The Forensics Services team is a multidisciplinary team comprised of mental health clinical specialists, registered nurses, alcohol and other drugs specialists, homeless benefits specialists, and community support workers. The purpose of the team is to engage and offer voluntary services to participants who are seriously and persistently mentally ill and are involved in the criminal justice system. Forensic Services hosts office hours at the three regional probation offices to enhance the opportunity for screening and service participation. The co-located model allows for increased collaboration among the participants, service providers, and Deputy Probation Officers.

- b. Scope of Services. Authorized for Fiscal Year 2011-12 four clinical specialists were funded by MHSA to join Forensics Services Team. These clinicians provide services to individuals who were determined to be high users of psychiatric emergency services and other public resources, but very low users of the level and type of care needed. This team works very closely with the criminal justice system to assess referrals for serious mental illness, provide rapid access to a treatment plan, and work as a team to provide the appropriate mental health, substance abuse and housing services needed.
- c. Target Population: Individuals who are seriously and persistently mentally ill who are on probation and at risk of re-offending and incarceration.
- d. Budget: \$493,973
- e. MHSA-Funded Staff: 4.0 Full-time equivalent
- f. Number Served in FY 12/13: 138 cases were opened. Future MHSA Plans will report on number screened as well as number of cases opened.
- g. Outcomes: The Forensics Team will report on the following outcomes in future MHSA Plans:
 - Percentage of clients screened who are opened by the Forensics Team
 - Percentage of clients who are opened by the Forensics Team who receive a first appointment at the mental health clinic

Contra Costa County Mental Health – Assessment and Recovery Center

Point of Contact: To Be Determined

Contact Information: 25 Allen Street, Martinez CA 94553.

1. General Description of the Organization

The Behavioral Health Services Division of Contra Costa Health Services combines Mental Health, Alcohol & Other Drugs and Homeless Program into a single system of care. The Assessment and Recovery Center operates within Contra Costa Mental Health, and is jointly operated by the Children's and Adult System of Care.

2. Program: Assessment and Recovery Center

The Assessment and Recovery Center (ARC) is meant to serve several purposes in Contra Costa Behavioral Health Services' system of care, including diverting children and adults from Psychiatric Emergency Services (PES). Through a close relationship with PES, the goal will also be to allow children and adults who are evaluated at PES to quickly step-down to the ARC if they do not need hospital level of care. The ARC will offer urgent same-day appointments for individuals who are not open to the Contra Costa Mental Health System, or who have disconnected from care after previously being seen. The County has recently completed construction on a separate building near the Contra Costa Regional Medical Center that will house the Assessment and Recovery Center. This county operated mental health treatment program for both children and adults will be co-located with a primary care site. The ARC is scheduled to be operational in the Summer of 2014.

- a. Target Population: Children and adults who are being diverted from PES or who require urgent same day appointments.
- b. Total Budget: \$2,750,000
- c. Staff: To Be Determined
- d. Number Served: To Be Determined
- e. Outcomes: To Be Determined

Contra Costa County Mental Health – Central County Adult Mental Health Clinic

Point of Contact: Guillermo Cuadra, Mental Health Program Manager

Contact Information: 1420 Willow Pass Rd., Ste. 200, Concord, CA 94520, (925)-646-5480, Guillermo.Cuadra@hsd.cccounty.us

1. General Description of the Organization

The Behavioral Health Services Division of Contra Costa Health Services combines Mental Health, Alcohol & Other Drugs and Homeless Program into a single system of care. The Central Adult Mental Health Clinic operates within Contra Costa Mental Health's Adult System of Care, and provides assessments, case management, psychiatric services, crisis intervention, housing services and benefits assistance. Within the Adult Mental Health Clinic are the following MHSa funded programs and plan elements:

2. Plan Element: Adult Full Service Partnership Support - CSS

Contra Costa Mental Health has dedicated clinicians staff at each of the three adult mental health clinics to provide support, coordination and rapid access for full service partners to health and mental health clinic services as needed and appropriate.

Plan Element: Clinic Support - CSS

General Systems Development strategies are programs or strategies that improve the larger mental health system of care. These programs and strategies expand and enhance the existing service structure to 1) assist consumers in obtaining benefits they entitled to, educate consumers on how to maximize use of those benefits and manage resources, and 2) provide transportation support for consumers and families.

- a. Clinic Target Population: Adults aged 18 years and older who live in Central County, are diagnosed with a serious mental illness and are uninsured or receive Medi-Cal benefits.
- b. Total Number served by clinic: For FY 12-13: Approximately 3,610 Individuals.

Program: Suicide Prevention Pilot - PEI

A Mental Health Clinical Specialist provides routine follow up care and linkage services for Central County clients who access Psychiatric Emergency Services and are at risk for suicide. In addition, the clinician provides comprehensive assessment as well as group and individual therapy for suicidal patients at Concord Adult Mental Health.

- a. Target Population: Clients at risk of suicide.
- b. Total Budget: \$123,493
- c. Staff: 1 Full time equivalent
- d. Number Served: 41
- e. Outcomes:
 - Decrease in Suicide Rate (among clients open to Concord Adult Mental Health)
 - Increase in Cognitive Behavioral Therapy Participation

Program: Women Embracing Life and Learning (WELL) - INN

WELL is a collaboration between Contra Costa Mental Health Services, Public Health Nursing and the Women Infant and Child (WIC) project. It is integrating perinatal/postpartum depression services into the services currently provided at the Central County WIC office. The target population consists of mothers who receive services from the Central County WIC office who screen positive for perinatal and/or post-partum depression. The goals of the project are to learn: 1) which elements of the collaboration are most/least effective and why; 2) if the collaboration leads to an increase in awareness about mental health services and a decrease in the mothers' perception of stigma associated with depression; and 3) improved health outcomes for the women participating in the collaboration.

- a. Target Population: Low income mothers with perinatal/postpartum depression.
- b. Total Budget: \$194,652
- c. Staff: 2.62 Full time equivalent
- d. Number Served: Program began in FY 12/13.
- e. Outcomes: The WELL Project strives to accomplish the following outcomes:

- A decrease in psychiatric symptoms
- A decrease in mental health stigma

To determine if the program may have resulted in changes in the above outcomes, data for these outcomes will be compared before and after program participation. The baseline data will be derived from participants at enrollment, and the post data will be derived from participants at graduation or upon dropping out from the program. Data related to psychiatric symptoms will be obtained from the PHQ-9 and the Edinburgh Postnatal Depression Scale. Data related to mental health stigma will be obtained from a measurement tool that will be determined.

Program: Trauma Recovery Project - INN

The Trauma Recovery Project is piloting the use of a Trauma Recovery Group with consumers diagnosed with co-occurring Post-Traumatic Stress Disorder (PTSD) and schizophrenia, schizoaffective disorder, bipolar disorder and/or cluster B personality disorders who receive mental health services at the county-operated adult mental health clinics. The goals of the project are to determine: 1) if offering this group to consumers will improve mental health outcomes and promote recovery; 2) how peer providers can support the group; and 3) if the group is effective among various cultural populations, particularly Spanish-speaking populations and transition age youth.

- a. Target Population: Consumers diagnosed with co-occurring Post-Traumatic Stress Disorder (PTSD) and schizophrenia, schizoaffective disorder, bipolar disorder and/or cluster B personality disorders.
- b. Budget: \$123,493

- c. Staff: 1.5 Full-time equivalent
- d. Number Served: 30
- e. Outcomes: The Trauma Recovery Project aims to achieve the following outcomes:
 - A decrease in the rate of psychiatric emergency admissions
 - A decrease in the rate of acute psychiatric admissions and hospitalization days

To determine if the group may have resulted in changes in the above outcomes, data for these outcomes was compared before and after group participation. The baseline data was derived from participants one year before enrollment, and the post data was derived from participants enrolled in the group during FY 2012-2013.

Table 1. Pre- and post-enrollment utilization rates for 30 Trauma Recovery Group participants enrolled in FY 2012-2013.

	No. pre-enrollment	No. post-enrollment	Rate pre-enrollment	Rate post-enrollment	% change
PES admissions	11	8	0.0306	0.0222	-27.45%
Hospitalizations	5	3	0.0139	0.0083	-40.29%
Hospitalization days	36	20	0.1000	0.0556	-44.40%

Note. Pre-enrollment data is from the calendar year before each participant's enrollment in the group. Post-enrollment data is from FY 2012-2013.

Contra Costa Mental Health – Central County Children’s Mental Health Clinic

Point of Contact: Jan Cobaleda-Kegler, Mental Health Program Manager

Contact Information: 2425 Bisso, Ste. 200, Concord, CA 94520, (925)-521-5707,

Jan.Cobaleda-Kegler@hsd.cccounty.us

1. General Description of the Organization

The Behavioral Health Services Division of Contra Costa Health Services combines Mental Health, Alcohol & Other Drugs and Homeless Program into a single system of care. The Central Children’s Mental Health Clinic operates within Contra Costa Mental Health’s Children’s System of Care, and provides psychiatric and outpatient services, family partners, and wraparound services. Within the Adult Mental Health Clinic are the following MHSa funded plan elements:

2. Plan Element: Clinic Support - CSS

General Systems Development strategies are programs or strategies that improve the larger mental health system of care. These programs and strategies expand and enhance the existing service structure to assist consumers in the following areas:

- Family Partners and Wraparound Facilitation. The family partners assist families with advocacy, transportation assistance, navigation of the service system, and offer support in the home, community, and county service sites. Family partners support families with children of all ages who are receiving services in the children. Family partners are located in each of the regional clinics for children and adult services, and often participate on wraparound teams following the evidence-based model.
 - A Clinical Specialist in each regional clinic who provides technical assistance and oversight of evidence-based practices in the clinic.
 - Support for full service partners.
- a. Target Population: Children aged 17 years and younger, who live in Central County, are diagnosed with a serious emotional disturbance or serious mental illness, and are uninsured or receive Medi-Cal benefits.
 - b. Number served by clinic: For FY 12/13: Approximately 810 Individuals.

Contra Costa County Mental Health – East County Adult Mental Health Clinic

Point of Contact: Beverly, Fuhrman, Mental Health Program Manager

Contact Information: 2311 Loveridge Rd., Pittsburg, CA 94565, (925)-431-2621,

Beverly.Fuhrman@hsd.cccounty.us

1. General Description of the Organization

The Behavioral Health Services Division of Contra Costa Health Services combines Mental Health, Alcohol & Other Drugs and Homeless Program into a single system of care. The East Adult Mental Health Clinic operates within Contra Costa Mental Health's Adult System of Care, and provides assessments, case management, psychiatric services, crisis intervention, housing services and benefits assistance. Within the Adult Mental Health Clinic are the following MHSa funded programs and plan elements:

2. Plan Element: Adult Full Service Partnership Support - CSS

Contra Costa Mental Health has dedicated clinicians at each of the three adult mental health clinics to provide support, coordination and rapid access for full service partners to health and mental health clinic services as needed and appropriate.

Plan Element: Clinic Support - CSS

General Systems Development strategies are programs or strategies that improve the larger mental health system of care. These programs and strategies expand and enhance the existing service structure to assist consumers in 1) obtaining benefits they entitled to, educate consumers on how to maximize use of those benefits and manage resources, and 2) provide transportation support for consumers and families.

- a. Clinic Target Population: Adults aged 18 years and older who live in Central County, are diagnosed with a serious mental illness and are uninsured or receive Medi-Cal benefits.
- b. Total Number served by clinic: For FY 12-13: Approximately 2,960 Individuals.

Contra Costa Mental Health – East County Children’s Mental Health Clinic

Point of Contact: Eileen Brooks, Mental Health Program Manager

Contact Information: 3501 Lone Tree Way, #200, Antioch, CA 94509, (925)-427-8545, Eileen.Brooks@hsd.cccounty.us

1. General Description of the Organization

The Behavioral Health Services Division of Contra Costa Health Services combines Mental Health, Alcohol & Other Drugs and Homeless Program into a single system of care. The Central Children’s Mental Health Clinic operates within Contra Costa Mental Health’s Children’s System of Care, and provides psychiatric and outpatient services, family partners, and wraparound services. Within the Adult Mental Health Clinic are the following MHSAs funded plan elements:

2. Plan Element: Clinic Support - CSS

General Systems Development strategies are programs or strategies that improve the larger mental health system of care. These programs and strategies expand and enhance the existing service structure to assist consumers in the following areas:

- Family Partners and Wraparound Facilitation. The family partners assist families with advocacy, transportation assistance, navigation of the service system, and offer support in the home, community, and county service sites. Family partners support families with children of all ages who are receiving services in the children. Family partners are located in each of the regional clinics for children and adult services, and often participate on wraparound teams following the evidence-based model.
 - A Clinical Specialist in each regional clinic who provides technical assistance and oversight of evidence-based practices in the clinic.
 - Support for full service partners.
- a. Target Population: Children aged 17 years and younger, who live in Central County, are diagnosed with a serious emotional disturbance or serious mental illness, and are uninsured or receive Medi-Cal benefits.
 - b. Number served by clinic: For FY 12/13: Approximately 890 Individuals.

Contra Costa County Mental Health – West County Adult Mental Health Clinic

Point of Contact: Matthew Luu, Mental Health Program Manager

Contact Information: 2523 El Portal Drive, San Pablo, CA 94806, (510)-215-3700,

Matthew.Luu@hsd.cccounty.us

1. General Description of the Organization

The Behavioral Health Services Division of Contra Costa Health Services combines Mental Health, Alcohol & Other Drugs and Homeless Program into a single system of care. The East Adult Mental Health Clinic operates within Contra Costa Mental Health's Adult System of Care, and provides assessments, case management, psychiatric services, crisis intervention, housing services and benefits assistance. Within the Adult Mental Health Clinic are the following MHSa funded programs and plan elements:

2. Plan Element: Adult Full Service Partnership Support - CSS

Contra Costa Mental Health has dedicated clinicians at each of the three adult mental health clinics to provide support, coordination and rapid access for full service partners to health and mental health clinic services as needed and appropriate.

Plan Element: Clinic Support - CSS

General Systems Development strategies are programs or strategies that improve the larger mental health system of care. These programs and strategies expand and enhance the existing service structure to 1) assist consumers in obtaining benefits they entitled to, educate consumers on how to maximize use of those benefits and manage resources, and 2) provide transportation support for consumers and families.

- a. Clinic Target Population: Adults aged 18 years and older who live in Central County, are diagnosed with a serious mental illness and are uninsured or receive Medi-Cal benefits.
- b. Total Number served by clinic: For FY 12-13: Approximately 2,720 Individuals.

Contra Costa County Mental Health – West County Children’s Mental Health Clinic

Point of Contact: Chad Pierce, Mental Health Program Manager

Contact Information: 303 41st St Richmond, CA 94805, (510)-374-7208,

Chad.Pierce@hsd.cccounty.us

1. General Description of the Organization

The Behavioral Health Services Division of Contra Costa Health Services combines Mental Health, Alcohol & Other Drugs and Homeless Program into a single system of care. The Central Children’s Mental Health Clinic operates within Contra Costa Mental Health’s Children’s System of Care, and provides psychiatric and outpatient services, family partners, and wraparound services. Within the Adult Mental Health Clinic are the following MHSa funded plan elements:

2. Plan Element: Clinic Support - CSS

General Systems Development strategies are programs or strategies that improve the larger mental health system of care. These programs and strategies expand and enhance the existing service structure to assist consumers in the following areas:

- Family Partners and Wraparound Facilitation. The family partners assist families with advocacy, transportation assistance, navigation of the service system, and offer support in the home, community, and county service sites. Family partners support families with children of all ages who are receiving services in the children. Family partners are located in each of the regional clinics for children and adult services, and often participate on wraparound teams following the evidence-based model.
 - A Clinical Specialist in each regional clinic who provides technical assistance and oversight of evidence-based practices in the clinic.
 - Support for full service partners.
- a. Target Population: Children aged 17 years and younger, who live in Central County, are diagnosed with a serious emotional disturbance or serious mental illness, and are uninsured or receive Medi-Cal benefits.
 - b. Number served by clinic: For FY 12/13: Approximately 1,492 Individuals.

Contra Costa Crisis Center

Point of Contact: Rhonda James

Contact Information: P.O. Box 3364 Walnut Creek, Ca 94598

RhondaJ@crisis-center.org

1. General Description of the Organization

The mission of the Contra Costa Crisis Center is to keep people alive and safe, help them through crises, and connect them with culturally relevant resources in the community

2. Program: Suicide Prevention Crisis Line

a. Scope of Services:

Contra Costa Crisis Center provides services to prevent suicides throughout Contra Costa County by operating a nationally certified 24-hour suicide prevention hotline. The hotline lowers the risk of suicide at a time when people are most vulnerable, enhances safety and connectedness for suicidal individuals, and builds a bridge to community resources for at-risk persons. Key activities include: answering local calls to toll-free suicide hotlines, including a Spanish-language hotline; assisting callers whose primary language isn't English or Spanish through use of a tele-interpreter service; conducting a lethality assessment on each call consistent with national standards; making follow-up calls to persons (with their consent) who are at medium to high risk of suicide; and training all crisis line staff and volunteers in ASIST (Applied Suicide Intervention Skills Training). As a result of these service activities: 95 percent or more of people who call the crisis line and are assessed to be at medium to high risk of suicide will still be alive one month later; the Crisis Center will continuously recruit and train crisis line volunteers to a minimum pool of 25 multilingual/culturally competent individuals within the contract year, and the number of hours that a minimum of one Spanish-speaking counselor is on duty will be 80 per week. In partnership with County Mental Health, Contra Costa Crisis Center co-chairs the Suicide Prevention Committee.

b. Target Population: Contra Costa County residents in crisis.

c. Payment Limit: \$292,850

d. Number served: 30,582

e. Outcomes:

- Calls were answered in both English and Spanish 16 hours each day and in English with Spanish tele-interpreter back up during late night/early morning hours 8 hours per day.
- Average response time was 6.6 seconds and call abandonment rate was 1.9 (losing less than half of industry standard number of calls).
- Lethality assessments were provided for 100% of callers rated mid to high level risk. 828 follow-up phone calls were provided to 230 callers.
 - 41 new volunteers were trained and added to the line.

Contra Costa Interfaith Housing (CCIH)

Point of Contact: Louise Bourassa

Contact Information: 3164 Putnam Blvd. Ste C, Walnut Creek, CA 94597 (925) 944-2244

Louise@ccinterfaithhousing.org

1. General Description of the Organization

Contra Costa Interfaith Housing strives to provide permanent, affordable housing and vital support services to homeless and at-risk families and individuals in Contra Costa County. CCIH believes that every family in Contra Costa County should have secure housing and the dignity of self-sufficiency. CCIH helps provide living conditions for children that support their development into productive and healthy members of the community.

2. Program: Strengthening Vulnerable Families

a. Scope of Services:

Contra Costa Interfaith Housing provides on-site, on-demand, and culturally appropriate delivery of an evidence-based Strengthening Families Program to help formerly homeless families, all with special needs, at the Garden Park Apartments in Pleasant Hill to improve parenting skills, child and adult life skills, and family communication skills. This program is designed to help families stabilize, parents achieve the highest level of self-sufficiency possible, and provide early intervention for the youth in these families who are at risk for ongoing problems due to mental illness, domestic violence, substance addiction, poverty and inadequate life skills. Key activities include: family support, support for sobriety, academic 4-day-per-week homework club, support for families of children aged birth to 5, teen support group, and community building events. Further, CCIH provides an Afterschool Program and mental health and case management services at two sites in East Contra Costa County: Bella Monte Apartments in Bay Point and Los Medanos Village in Pittsburg, and at one site in Concord: Lakeside Apartments. These complexes offer permanent affordable housing to low-income families.

b. Target Population: Formerly homeless families

c. Payment Limit: \$65,526

d. Number served: 238

e. Outcomes:

- At Garden Park Apartments
 - 85% of youth attended 75% of afterschool programming or more.
 - 93% of participants improved in at least two academic goals.
 - 74% of families improved at least in one area of self-sufficiency.
 - 77% of families achieved progress on self-created goals.
- At Los Medanos and Bella Monte Apartments:

- 96% of 30 families engaged in case management services were able to resolve the issues for which they sought help.
- 81% of afterschool program participants improved in four or more benchmarks.

Counseling Options Parent Education (C.O.P.E.)

Point of Contact: Cathy Botello

Contact Information: 2280 Diamond Blvd #460, Concord, Ca 94520. (925) 689-5811

cathy.botello@copefamilysupport.org

1. General Description of the Organization

C.O.P.E.S.'s mission is to prevent child abuse, provide comprehensive services in order to strengthen family relationships and bonds, empower parents, encourage healthy relationships, and cultivate nurturing family units to encourage an optimal environment for the healthy growth and development of parents and children through parent education.

2. Programs: Triple P Positive Parenting Education and Support (PEI)

a. Scope of Services:

In partnership with community based organizations and County Mental Health, C.O.P.E. delivers Positive Parenting Program classes for parents of children age 6 – 17 and (partnering with First Five) for parents of children age 0 – 5 .

Parenting classes include classes for parents with special needs children, parents with anger in parenting, parents coping with stress and marital conflict. All classes are available in Spanish and/or English as needed. C.O.P.E. provides management briefings and orientation meetings to partner agencies, organizes trainings to build and maintain a pool of practitioners, provides pre-accreditation training to trainees, and provides clinical and peer support for practitioners.

b. Target Population: Contra Costa County parents of children and youth with identified special needs.

c. Payment Limit: \$225,000 (6 – 17), through First Five: \$75,000 (0 – 5).

d. Number served: For FY 12/13: 327 (6 – 17) and 243 (0 – 5).

e. Outcomes:

- Completed 21 parent education classes for parents of children age 6 – 17
- Completed 17 parent education classes for parent of children age 0 – 5
- Pre and Post Test show improvements in measures of parenting style (laxness, over-reactivity, and hostility), decrease of depression/anxiety measures, and decrease in frequency of child problem behavior, improvement in child adjustment behavior and caregivers level of stress about these behaviors.
- In partnership with First Five, C.O.P.E. organized trainings for 19 new practitioners in two levels of Triple P (Group and Teen trainings).
- Provided seven weeks of pre-accreditation training and one Learning Community retreat.
- Added eight new community agencies and staff trained in Triple P Positive Parenting.

Crestwood Behavioral Health, Inc.

Point of Contact: Sylvia Ward, Program Director for The Pathway.

Contact Information: 550 Patterson Boulevard, Pleasant Hill, CA 94523. (925) 938-8050.

1. General Description of the Organization

The mission at Crestwood Healing Center is to partner with Contra Costa County clients, employees, families, business associates, and the broader community in serving individuals affected by mental health issues. Together, they enhance quality of life, social interaction, community involvement and empowerment of mental health clients toward the goal of creating a fulfilling life. Clients are assisted and encouraged to develop life skills, participate in community based activities, repair or enhance primary relationships, and enjoy leisure activities. Being supportive, compassionate and inclusive increases motivation and commitment.

2. Program: The Pathway Program (Mental Health Housing Services - CSS)

The Pathway Program provides psychosocial rehabilitation for 16 clients who have had little, if any, previous mental health treatment. The program provides intensive skills training to promote independent living. Many clients complete their high school requirements, enroll in college or are participating in competitive employment by the end of treatment.

a. Scope of Services

- Case management.
- Mental health services.
- Medication management.
- Crisis intervention.
- Adult residential.

c. Target Population: Adults aged 18 years and older who live in Central County, are diagnosed with a serious mental illness and are uninsured or receive Medi-Cal benefits.

b. Annual MHSA Payment Limit: \$ 411,653

c. Number served: For FY 12/13: 16 beds available.

d. Outcomes: To be determined.

Desarrollo Familiar, Inc.

Point of Contact: Lorena Huerta, Executive Director.

Contact Information: 205 39th Street, Richmond, CA 94805, (510)–412–5930,

LHuerta@Familias-Unidas.org .

1. General Description of the Organization

Familias Unidas exists to improve wellness and self-sufficiency in Latino and other communities. The agency accomplishes this by delivering quality mental health counseling, service advocacy, and information/referral services. Familias Unidas programs include: mental health, education and prevention, youth development, and wrap-around services.

2. Program: Familias Unidas – Full Service Partnership - CSS

Familias Unidas provides a comprehensive range of services and supports in Contra Costa County to adults with serious emotional disturbance/serious mental illness who are homeless or at serious risk of homelessness. Services are based in West Contra Costa County.

a. Scope of Services

- Services are provided using an integrated team approach, based on a modified Assertive Community Treatment (ACT) model of care. Services include:
 - Outreach and engagement
 - Case management
 - Outpatient Mental Health Services, including services for individuals with co-occurring mental health & alcohol and other drug problems
 - Crisis Intervention
 - Collateral services
 - Medication support (may be provided by County Physician)
 - Housing support
 - Flexible funds
 - Contractor must be available to the consumer on a 24/7 basis

b. Target Population: Adults between the ages of 26 and 59 in West County who are diagnosed with a serious mental illness, are homeless or at imminent risk of homelessness, are at or below 300% of the federally defined poverty level, and are uninsured or receive Medi-Cal benefits.

c. Payment Limit: \$ 207,096 (this includes Federal Financial Participation, FFP)

d. Number served: For FY 12/13: 37 Individuals .

e. Outcomes: For FY 12/13:

- Reduction in incidence of psychiatric crisis
- Reduction of the incidence of restriction

Table 1. Pre- and post-enrollment utilization rates for 55 Familias Unidas participants enrolled in the FSP program during FY 12-13.

	No. pre-enrollment	No. post-enrollment	Rate pre-enrollment	Rate post-enrollment	% change
PES episodes	33	28	0.073	0.042	- 42.5
Inpatient episodes	10	2	0.020	0.005	- 75.0
Inpatient days	49	13	0.094	0.035	- 62.8

** Data on service utilization were collected from the county's internal billing system, PSP. To assess the effect of FSP enrollment on PES presentations and inpatient episodes, this methodology compares clients' monthly rates of service utilization pre-enrollment to clients' post-enrollment service utilization rates. Using PES usage as an example, the calculations used to assess pre- and post-enrollment utilization rates can be expressed as:*

(No.of PES episodes during pre- enrollment period)/(No.of months in pre-enrollment period) =Pre-enrollment monthly PES utilization rate

(No.of PES episodes during post-enrollment period)/(No.of months in post-enrollment period) =Post-enrollment monthly PES utilization rate

Divines Home

Point of Contact: Maria Riformo.

Contact Information: 2430 Bancroft Lane, San Pablo, CA 94806.

1. Program: Augmented Board and Cares – MHSA Housing Services - CSS

The County contracts with Divines Homes, a licensed board and care provider, to provide additional staff care to enable those with serious mental illness to avoid institutionalization and enable them to live in the community.

a. Scope of Services

- Augmented residential services.

d. Target Population: Adults aged 18 years and older who live in Central County, are diagnosed with a serious mental illness and are uninsured or receive Medi-Cal benefits.

b. Annual MHSA Payment Limit: \$ 7,200

c. Number served: For FY 12/13: 6 beds available.

d. Outcomes: To be determined.

First Five Contra Costa

Point of Contact: Wanda Davis

Contact Information: 1486 Civic Ct, Concord Ca 94520. (925) 771-7300

wdavis@firstfiveecc.org

1. General Description of the Organization

The mission of First 5 Contra Costa is to foster the optimal development of children, prenatal to five years of age. In partnership with parents, caregivers, communities, public and private organizations, advocates, and county government, First Five supports a comprehensive, integrated set of sustainable programs, services, and activities designed to improve the health and well-being of young children, advance their potential to succeed in school, and strengthen the ability of their families and caregivers to provide for their physical, mental, and emotional growth.

2. Programs: Triple P Positive Parenting Program - (PEI)

a. Scope of Services:

First Five Contra Costa and Contra Costa Behavioral Health jointly fund the Triple P Positive Parenting Program that is provided to parents of 0 to 5 children, as well as the Triple P training necessary to maintain a network of Triple P practitioners in the County. Among other duties, First Five Contra Costa provides classes, helps identify 0-5 Triple P trainees, provides support for trainees to develop their skills, and provides technical assistance and support to sub-contractors to identify sites for classes and gather data.

b. Target Population: Contra Costa County parents of at risk 0 – 5 children.

c. Payment Limit: \$75,000

d. Number served: For FY 12/13: 243 Parents (included in C.O.P.E. numbers)

e. Outcomes:

- 17 classes throughout the County for 243 parents with parent satisfaction rate of 99%.
- Improvement of parenting skills and reduction in perceived problem behaviors
- Triple P training for new instructors
- Learning community for Triple P instructors.

First Hope – Contra Costa County Mental Health

Point of Contact: Phyllis Mace, Mental Health Program Supervisor

Contact Information: 1034 Oak Grove Rd, Concord, CA 94518 (925) 681-4450

Phyllis.Mace@hsd.cccounty.us

1. General Description of the Organization

The Behavioral Health Services Division of Contra Costa Health Services combines Mental Health, Alcohol & Other Drugs and Homeless Program into a single system of care. The First Hope program operates within Contra Costa Mental Health's Adult System of Care.

2. Program: First Hope: Early Identification and Intervention in Psychosis - PEI

a. Service Plan

The mission of the First Hope program is to reduce the incidence and associated disability of psychotic illnesses in Contra Costa County through:

1) Early Identification of young people between ages 12 and 25 who are showing very early signs of psychosis and determined to be at risk for developing a serious mental illness.

2) Engaging and rapidly treating those identified as "at risk", while maintaining progress in school, work and social relationships.

1) Outreach and community education with the goal of identifying all young people in Contra Costa County who would benefit from early intervention services.

Program components include assessment, family-aided assertive community treatment, psycho-education and multi-family groups, medication management, and supported education and employment services.

b. Target Population: 12-25 year old transition age youth and their families

c. Total Budget: \$1,685,607

d. Staff: 13.5 Full time equivalent multi-disciplinary staff

e. Number served: For calendar year 2013:

- Outreach Education: 2,640, plus presence at 4 Health Fairs, Conferences
- Screenings: 253
- Assessments: 98
- Clients enrolled: 40

f. Outcomes:

- Help clients manage prodromal symptoms
- Help clients maintain progress in school, work, relationships
- Prevent development of psychotic illnesses
- Reduce necessity to access psychiatric emergency services/ inpatient care

Long Term Public Health Outcomes:

- Reduce conversion rate from prodromal symptoms to schizophrenia
- Reduce incidence of psychotic illnesses in Contra Costa County.

Fred Finch Youth Center

Point of Contact: Fanshen Thompson, LCSW, Program Director

Contact Information: 2523 El Portal Drive, Suite 201, San Pablo, CA 94806, (510)–439–3130, ext. 111, fanshenthompson@fredfinch.org

1. General Description of the Organization

Fred Finch Youth Center (FFYC) seeks to provide innovative, effective, caring mental health and social services to children, young adults, and their families that allows them to build on their strengths, overcome challenges, and live healthy and productive lives. FFYC serves children, adolescents, young adults, and families facing complex life challenges. Many have experienced trauma and abuse; live at or below the poverty line; have been institutionalized or incarcerated; have a family member that has been involved in the criminal justice system; have a history of substance abuse; or have experienced discrimination or stigma.

2. Program: Contra Costa Transition Age Youth Full Service Partnership - CSS

Fred Finch Youth Center is the lead agency that joins resources with the Contra Costa Youth Continuum of Services, The Latina Center and Contra Costa Mental Health to provide a full service partnership program for transition age youth.

a. Scope of Services

- Services will be provided using an integrated team approach, based on a modified Assertive Community Treatment (ACT) model of care. The team includes a personal service coordinator working in concert with a multi-disciplinary team of staff, including peer and family mentors, a psychiatric nurse practitioner, staff with various clinical specialties, to include co-occurring substance disorder and bi-lingual capacity. Services include:
 - Outreach and engagement
 - Case management
 - Outpatient Mental Health Services, including services for individuals with co-occurring mental health & alcohol and other drug problems
 - Crisis Intervention
 - Collateral
 - Medication support (may be provided by County Physician)
 - Housing support
 - Flexible funds
 - Money Management
 - Vocational Services
 - Contractor must be available to consumer on 24/7 basis

- #### **b. Target Population**: Young adults ages 16 to 25 years with serious mental illness or serious emotional disturbance. These young adults exhibit key risk factors of homelessness, limited English proficiency, co-occurring substance abuse, exposure to trauma, repeated school failure, multiple foster-care or family-

caregiver placements, and experience with the juvenile justice system and/or Psychiatric Emergency Services. FFYC serves Central and West County.

c. Payment Limit: \$1,400,642

d. Number served: For FY 12/13: 90 Individuals.

e. Outcomes: For FY 12/13:

- Reduction in incidence of psychiatric crisis: participants will experience a net reduction in their Psychiatric Emergency Services utilization rate of at least 40% when the annual utilization rate for clients' most recent 12 months of service, or total number of months if a client has been enrolled for less than 12 months, is compared to the pre-enrollment rate. *

Seventy-seven Fred Finch TAY FSP participants were included in this analysis. Clients were excluded if they did not have sufficient pre-enrollment data or if they transferred to a different FSP program during the fiscal year. The pre-enrollment rate for PES utilization for these 77 clients was 0.110 visits per person, per month. During the post-enrollment time period, this rate decreased by 41% to 0.065 visits per person, per month.

- Reduction of the incidence of restriction: participants will experience a net reduction in their inpatient utilization rate of at least 60% when the annual utilization rate for clients' most recent 12 months of service, or total number of months if a client has been enrolled for less than 12 months, is compared to the pre-enrollment rate.*

Seventy-seven Fred Finch TAY FSP participants were included in this analysis. Clients were excluded if they did not have sufficient pre-enrollment data or if they transferred to a different FSP program during the fiscal year. The pre-enrollment rate for inpatient utilization for these 77 clients was 0.056 episodes per person, per month. During the post-enrollment time period, this rate decreased by 71% to 0.016 episodes per person, per month.

** Data on service utilization were collected from the county's internal billing system, PSP. To assess the effect of FSP enrollment on PES presentations and inpatient episodes, this methodology compares clients' monthly rates of service utilization pre-enrollment to clients' post-enrollment service utilization rates. Using PES usage as an example, the calculations used to assess pre- and post-enrollment utilization rates can be expressed as:*

(No.of PES episodes during pre- enrollment period)/(No.of months in pre-enrollment period) =Pre-enrollment monthly PES utilization rate

(No.of PES episodes during post-enrollment period)/(No.of months in post-enrollment period) =Post-enrollment monthly PES utilization rate

James Morehouse Project at El Cerrito High, YMCA East Bay

Point of Contact: Jennifer Rader

Contact Information: 540 Ashbury Ave, El Cerrito, Ca 94530 (510) 231-1437

jenn@jmhops.org

1. General Description of the Organization

The James Morehouse Project works to create positive changes in the El Cerrito High School community through health services, counseling, academic support and the arts. Founded in 1999, the James Morehouse Project assumes youth have the skills, values and commitments to make positive change happen in their own lives and the life of the school community. The James Morehouse Project partners with community and government agencies, local providers and universities.

Program: James Morehouse Project (JMP) - PEI

a. Scope of Services:

The James Morehouse Project, the school health center at El Cerrito High School, provides services that increase access to mental health/health services and a wide range of innovative youth development programs for 300 multicultural youth in West Contra Costa County. JMP provides a wide range of innovative youth development programs through an on-campus collaborative of community-based agencies, local universities and County programs. Key activities designed to improve students' well-being and success in school include: Alcohol and Other Drug Use/Abuse Prevention; JMP Leadership Class(anger and violence); Arts/Spoken Word (students at risk of school failure); Bereavement Groups (loss of a loved one); Skittles (queer youth of color); Discovering the Realities of Our Communities (DROC – environmental and societal factors that contribute to substance abuse); Peer Conflict Mediation; Immigrants Acculturation; Social Skills Group for youth on autism spectrum.

b. Target Population: At-risk students at El Cerrito High School

c. Payment Limit: \$94,200

d. Number served: For FY 12/13: 355

e. Outcomes:

- 19% of 300 youth participating in youth development programs cross-participated in substance abuse prevention programs and/or clinical mental health services in 2012-2013.
- 37 students referred for violent/disruptive behavior were enrolled in youth development programs in 2012-2013.
- 79% of participating students increased their scores across a range of resiliency factors.
- 74% of 300 participating students reported an increase in well-being after participation in JMP programs in 2012-2013

Jewish Family and Children's Services(JFCS)

Point of Contact: Razia Iqbal

Contact Information: 1855 Olympic Blvd. #200, Walnut Creek, Ca 94596 (925) 927-2000 riqbal@jfcs-eastbay.org

1. General Description of the Organization

Jewish Family and Children's Services is one of the oldest and largest family service institutions in the United States. Today, JFCS serves 76,000 people annually with the research based social services designed to strengthen individuals, families, and the community. As a problem-solving center for residents of several Bay Area counties, JFCS strives to be a lifeline for children, families, and older adults facing life transitions and personal crises.

2. Program: Community Bridges.

a. Scope of Services:

JFCS provides culturally grounded, community-directed mental health education and navigation services to 350-400 refugees and immigrants of all ages in the Latino, Afghan, Bosnian, Iranian, Iraqi, and Russian communities of central and East Contra Costa County. Prevention and early intervention-oriented program components include culturally and linguistically accessible mental health education, early assessment and intervention for individuals and families, and health and mental health system navigation assistance. Services are provided in the context of group settings and community cultural events, as well as with individuals and families, using a variety of convenient non-office settings, such as schools, senior centers, and client homes. In addition, the program includes mental health training for frontline staff from JFCS/East Bay and other community agencies working with diverse cultural populations, especially those who are refugees and immigrants.

b. Target Population: Immigrant and refugee families of Contra Costa County at risk for developing a serious mental illness.

c. Payment Limit: \$159,699

d. Number served: For FY 12/13: 475

e. Outcomes:

- 268 clients received individual counseling and system navigation support.
- 42 Mental Health Education Groups (attendance ranging between 8 and 72), covering a wide range of topics including parenting, cultural adjustment of immigrants, hoarding, early signs of mental illness.
- Cross cultural mental health training series aimed at helping service providers (20 to 41 per training) understand importance of cross cultural issues.

Juvenile Justice System – Supporting Youth (Contra Costa Mental Health)

Point of Contact: Daniel Batiuchok

Contact Information: 202 Glacier Drive, Martinez, Ca 94553 (925) 957-2739

Daniel.Batiuchok@hsd.cccounty.us

1. General Description of the Organization

The Behavioral Health Services Division of Contra Costa Health Services combines Mental Health, Alcohol & Other Drugs and Homeless Program into a single system of care. The staff working to support youth in the juvenile justice system operate within Contra Costa Mental Health's Children's System of Care.

2. Program: Mental Health Probation Liaisons and Orin Allen Youth Ranch Clinicians - PEI

County mental health clinicians strive to help youth experiencing the juvenile justice system become emotionally mature and law abiding members of their communities. Services include screening and assessment, consultation, therapy, and case management for inmates of the Juvenile Detention Facility and juveniles on probation, who are at risk of developing or struggle with mental illness or severe emotional disturbance.

a. Scope of Services

- Mental Health Probations Liaisons engage youths on probation and at risk of getting on probation, many of them transitioning out of juvenile detention. The liaisons provide mental health screenings, short term therapy, as well as warm hand offs to service providers within the community or County Mental Health. Liaisons also conduct court ordered assessments of mental status, risk and protective factors, and treatment needs, and contribute to placement recommendations. The liaisons also provide much needed linkages between the juvenile justice system, the educational system, and the community, by consulting to Student Absence Review Boards, educational staff, and community gatekeepers regarding at risk youth. In addition, liaisons provide parenting education support to parents of juveniles.
- Clinicians at the Orin Allen Youth Ranch, a non-locked sentencing facility, assess youth for need of mental health services and provide these if needed. Services include crisis support, individual and family counseling, anger management training, help with developing effective communication skills, trauma –focused cognitive behavioral therapy, support with overcoming gang involvement, and parenting education support for parents of residents of the Ranch. Youth receive warm hand-offs to community resources upon discharge.

b. Target Population: Youth in the juvenile justice system in need of mental health support

c. Total Budget: \$500,000

- d. Staff: 5 Mental Health Clinical Specialists: 3 probation liaisons, 2 clinicians at the Ranch
- e. Number served: For calendar year 2013: 302
- f. Outcomes:
 - Help youth address mental health and substance abuse issues that may underlie problems with delinquency
 - Increased access to mental health services and other community resources for at risk youth
 - Decrease of symptoms of mental health disturbance
 - Increase of help seeking behavior; decrease stigma associated with mental illness.

La Clinica de la Raza

Point of Contact: Leslie Preston and Nancy Facher

Contact Information: La Clinica Monument, 2000 Sierra Rd, Concord, 94518. (510) 535-6200 nfacher@laclinica.org

1. **General Description of the Organization**

With 31 sites spread across Alameda, Contra Costa and Solano Counties, La Clínica delivers culturally and linguistically appropriate health care services to address the needs of the diverse populations it serves. La Clínica is one of the largest community health centers in California.

2. **Program: Vias de Salud and Familias Fuertes (PEI)**

a. Scope of Services:

- *Vías de Salud* (Pathways to Health) serves Latinos residing in Central and East County with: a) 3,000 screenings for mental health risk factors; and b) 1,000 assessment and early intervention services provided by a Behavioral Health Specialist to identify risk of mental illness or emotional disturbance; and c) psycho-educational groups facilitated by a social worker for 68 adults to address isolation, stress, communication and cultural adjustment.
- La Clinica implements *Familias Fuertes* (Strong Families), to educate and support Latino parents and caregivers living in Central and East County in the healthy development of their children and youth. Project activities include: 1) Screening for risk factors in youth ages 0-18 (1,000 screenings), 2) 250 assessment and/or parent coaching sessions provided to parents/caretakers of children ages 0-18; and 3) 48 parents/caretakers participating in parent education and support groups. The group utilizes the evidence based and culturally relevant curriculum entitled Los Niños Bien Educados.

b. Target Population: Contra Costa County Latino residents at risk for developing a serious mental illness.

c. Payment Limit: Vias de Salud: \$144,139. Familias Fuertes: \$112,611.

d. Number served: For FY 12/13 Vias de Salud provided 4,425 screenings, 1,217 behavioral health consultations, 83 clients participated in groups. To be served: 3000 screenings, 1000 BH consultations, 68 clients to participate in groups. Familias Fuertes: 1109 screenings, 279 BH consultations, 157 parent group participants. To be served: 1,000 screenings, 250 BH consultations, 48 parent group participants.

e. Outcomes: Vias de Salud - 100% of Participants of support groups reported reduction in isolation, 100% of Participants of support groups reported decrease in anxiety and/or depression. Familias Fuertes - 100% of parents reported increased knowledge about positive family communication, 96% of parents reported improved skills, behavior, and family relationships.

LAO Family Community Development

Point of Contact: Kathy Chao Rothberg

Contact Information: 1865 Rumrill Blvd. Suite #B, San Pablo, Ca 94806, (510) 215-1220 KRothberg@lfcd.org

1. General Description of the Organization

Lao Family Community Development, Inc. (LFCD) assists diverse refugee, immigrant, limited English, and low-income U.S. born community members in achieving long-term financial and social self-sufficiency. Lao Family delivers linguistically and culturally appropriate services using an integrated service model that addresses the needs of the entire family unit, with the goal of achieving self-sufficiency in one generation.

2. Program: Health and Well-Being for Asian Families - PEI

- a. Scope of Services: Lao Family Community Development, Inc. provides a comprehensive and culturally sensitive Integrated service system approach for Asian and South East Asian adults. The program activities includes comprehensive case management and educational workshops and support groups. LFCD provides outreach, education, and support to develop problem solving skills, and increase families emotional well-being and stability. When necessary LFCD staff provides support in accessing needed health and mental health services. The staff provides a client centered, family focused, strength based case management and planning process, to include home visits, brief counseling, parenting classes, advocacy and referral to other in-house services such as employment services, financial education, and housing services. These services are provided in client homes and other community based settings as well as the offices of Lao Family Community Development in San Pablo.
- b. Target Population: South Asian and South East Asian Families at risk for developing serious mental illness.
- c. Payment Limit: \$169,926
- d. Number served: For FY 12/13: 126, To be served: 120 Individuals
- e. Outcomes:
 - 100% of program participants created a mental health related personal goal.
 - 95% of program participants achieved at least one of their stated goal.
 - 100% of program enrollees participated in at least one peer support group.
 - Overall decrease of social isolation among program participants.

Lifelong Medical Care

Point of Contact: Kathryn Stambaugh

Contact Information: 2344 6th Street, Berkeley, Ca 94710 (510) 981-4156

kstambaugh@lifelongmedical.org

1. General Description of the Organization

Lifelong Medical Care provides health and social services to underserved people of all ages by creating models of care for the elderly, people with disabilities and families. It advocates for continuous improvements in the health of communities.

2. Program: Senior Network and Activity Program (SNAP) and Elderly Learning Community (ELC) - PEI

a. Scope of Services:

Lifelong Medical Care provides isolated older adults in West Contra Costa County with opportunities for social engagement and linkage to mental health and social services. A variety of group and one-on-one approaches are employed to provide opportunities for socialization that appeal to different groups of seniors, and reach out to those most reluctant to participate in social activities. The Senior Network and Activity Program (SNAP) is provided in three housing developments that lack on-site services. These activities include regular on-site socials (three per month for residents of each site), quarterly outings, and outreach to invite participation in group activities that develop rapport with residents. Services include screening for depression and isolation and information and referral services. The Elders Learning Community provides engagement, learning and social activity services to at least ten frail seniors. The expected impact of these services includes 1) reducing isolation and promoting feelings of wellness and self-efficacy, 2) increasing trust and reducing reluctance to revealing unmet needs or accepting support services, and 3) improving the quality of life by reducing loneliness and promoting friendships and connections with others.

b. Target Population: Seniors in low income housing projects at risk for developing serious mental illness..

c. Payment Limit: \$118,970

d. Number served: For FY 12/13: 147

e. Outcomes:

- 52% of SNAP participants and 100% of ELC participants completed at least one long-term project.
- On average, in course of program involvement, SNAP participants improved scores on assessment tool. (less depressed, more motivated); 92% of ELC improved their morale while attending program.
- 100% of SNAP and ELC participants reported decrease of isolation.
- 96% of SNAP and 100% of ELC participants reported being either very satisfied or satisfied with their experiences in SNAP and ELC.

Lincoln Child Center.

Point of Contact: Christine Stoner-Mertz, CEO

Contact Information: 1266 14th St, Oakland CA 94607, (510) 273-4700

chrisstoner@lincolnchildcenter.org

1. General Description of the Organization

Lincoln Child Center was founded in 1883 as the region's first volunteer-run, non-sectarian, and fully integrated orphanage. As times and community needs evolved, Lincoln's commitment to vulnerable children remained strong. In 1951, Lincoln began serving abused, neglected and emotionally challenged children. Today, as a highly respected provider of children's services, Lincoln has a continuum of programs to serve challenged children and families throughout the Bay Area. Their community based services include early intervention programs in the Oakland and Pittsburg School Districts aimed at stopping the cycle of violence, abuse and mental health problems for at-risk children and families.

2. Program: Multi-Dimensional Family Therapy (MDFT) – Full Service Partnership CSS

Multidimensional Family Therapy (MDFT), an evidence-based practice, is a comprehensive and multi-systemic family-based outpatient program for youth and adolescents with co-occurring substance use and mental health disorders who may be at high risk for continued substance abuse and other problem behaviors, such as conduct disorder and delinquency. Working with the youth and their families, MDFT helps youth develop more effective coping and problem solving skills for better decision making, and helps the family improve interpersonal functioning as a protective factor against substance abuse and related problems. Services are delivered over 4 to 6 months, with weekly or twice-weekly, face-to-face contact, either in the home, the community or in the clinic.

a. Scope of Services

- Services include but are not limited to:
 - Outreach and engagement
 - Case management
 - Outpatient Mental Health Services
 - Crisis Intervention
 - Collateral Services
 - Group Rehab
 - Flexible funds
 - Contractor must be available to consumer on 24/7 basis

b. Target Population: Children ages 11 to 19 years in West, Central and East County experiencing co-occurring serious mental health and substance abuse disorders. Youth and their families can be served by this program.

c. Payment Limit: \$874,417

- d. Number served: Program began in FY 13/14, with 60 to be served.
- e. Outcomes: Because the program began in FY 13/14, there are no outcomes to report at this time. Lincoln Child Center will report on the outcomes listed below in the upcoming MHSA Plans.
- Reduction in severity of psychiatric symptoms: of youth who completed the program with a history of or current substance use issues at intake, at least 70% at discharge will have reduced drug use or maintained abstinence per drug screens and GAIN Q3 as compared to intake data.
 - Consumer Satisfaction: of the youth who completed the program, 90% or greater of clients and caregivers will report satisfaction with services on the Consumer Satisfaction Surveys at discharge.

LTP CarePro, Inc (Pleasant Hill Manor).

Point of Contact: Tony Perez.

Contact Information: 40 Boyd Road, Pleasant Hill CA, 94523.

1. Program: Augmented Board and Cares – MHSA Housing Services - CSS

The County contracts with LTP CarePro, Inc., a licensed board and care provider, to provide additional staff care to enable those with serious mental illness to avoid institutionalization and enable them to live in the community.

a. Scope of Services

- Augmented residential services.

b. Target Population: Adults aged 18 years and older who live in Central County, are diagnosed with a serious mental illness and are uninsured or receive Medi-Cal benefits.

c. Annual MHSA Payment Limit: \$ 30,000

d. Number served: For FY 12/13: 16 beds available.

e. Outcomes: To be determined.

Modesto Residential Living Center, LLC.

Point of Contact: Dennis Monterosso.

Contact Information: 1932 Evergreen Avenue, Modesto CA, 95350. (209)530-9300.
info@modestoRLC.com

1. Program: Augmented Board and Cares – MHSA Housing Services - CSS

The County contracts with Modesto Residential Living Center, a licensed board and care provider, to provide additional staff care to enable those with serious mental illness to avoid institutionalization and enable them to live in the community.

a. Scope of Services

- Augmented residential services.

b. Target Population: Adults aged 18 years and older who lived in Contra Costa County, are diagnosed with a serious mental illness and are uninsured or receive Medi-Cal benefits, and accepted augmented board and care at Modesto Residential Living Center.

c. Annual MHSA Payment Limit: \$ 120,000

d. Number served: For FY 12/13: Capacity of 7 beds, average of 2 beds filled each month.

e. Outcomes: To be determined.

Native American Health Center (NAHC)

Point of Contact: Michael Dyer

Contact Information: 2566 MacDonald Ave, Richmond, 94804 (510) 232-7020

MichaelD@nativehealth.org

1. General Description of the Organization

The Native American Health Center serves the California Bay Area Native Population and other under-served populations. NAHC has worked at local, state, and federal levels to deliver resources and services for the urban Native American community, to include medical, dental, behavioral health, diabetes, obesity, substance abuse prevention, HIV/HCV care coordination and prevention services.

2. Program: Native American Wellness Center - PEI

a. Scope of Services:

NAHC provides weekly group sessions and quarterly community events for youth, adults, and elders to develop partnerships that bring consumers, families, community members and mental health professionals together and build a community that reflects the history and values of Native American people in Contra Costa County. Activities include elders support groups, youth wellness groups (including suicide prevention and violence prevention activities), traditional arts groups (beading, quilting, arts & crafts), and quarterly cultural events. Family communication activities include weekly Positive Indian Parenting sessions, talking circles that improve communications skills and address domestic violence, trauma and historical trauma, and Gathering of Native Americans to build a sense of belonging and cohesive community. Family members who need supplemental treatment for mental health and substance abuse problems will be referred to appropriate agencies. Mental Health Education/System Navigator Support will include quarterly cultural competency trainings for public officials and other agency personnel, referrals to appropriate services with follow-up, and educational sessions about Contra Costa County's service system.

b. Target Population: Native American residents of Contra Costa County (mainly west region) who are at risk for developing a serious mental illness.

c. Payment Limit: \$213,422

d. Number served: For FY 12/13: 126

e. Outcomes:

- a. 57% of program participants increased social connectedness within a twelve month period.
- b. 64% of program participants increased family communications.
- c. 100% of participants that engaged in referrals and leadership training increased their ability to navigate the mental health/health/education systems.

New Leaf Program – Vicente High School - Martinez Unified School District

Point of Contact: Carol Adams

Contact Information: 614 F Street Martinez, Ca 94553

CAAdams@martinezusd.net

1. General Description of the Organization

The New Leaf Leadership Academy strives to educate students in a holistic manner by providing high school students in grades 9-12 an educational experience that supports their academic, social, and emotional growth through place-based and classroom learning.

2. Program: New Leaf Leadership Academy at Vicente High School - PEI

a. Scope of Services:

The New Leaf Leadership is an alternative high school program that provides "career academies" which include individualized learning plans, place-based learning projects, career mentorships and internships for at-risk high school students in Martinez of all cultural backgrounds. Key activities include: service-learning projects, career preparation and internships where students, school staff, parents and community partners work together on projects, all derived from California standards-based curricula. Goals include achieving a high school diploma, transferable career skills and certification, acceptance into a college or post-high school training program, strong leadership skills and the development of the assets necessary for holistic, sustainable living. All students at New Leaf receive focused education about mental health concepts that decreases stigma attached to mental illness and help seeking. All students enrolled in Vicente High School and Briones School have access to a licensed psychotherapist for individual and group counseling as well as an internship coordinator who provides support for obtaining paid as well as intern opportunities. Staff at New Leaf are developing a curriculum aimed at implementing New Leaf practices in other High Schools in Contra Costa.

b. Target Population: At-risk high school students in Central County

c. Payment Limit: \$220,079

d. Number served: For FY 12/13 : 51 New Leaf

e. Outcomes:

- 87 students at Vicente High School received psychological services.
- 76% of test participants improved score on Developmental Asset Profile.
- 81% of students achieved 4 out of 6 goals of Individual Success Plan.
- 73% of identified students improved on discipline referrals (goal: 70%).
- 59% of identified students improved their attendance rates.
- 69.23% of students earned required amount of credits (goal: 70%).

Oak Hills Residential Facility.

Point of Contact: Rebecca Lapasa.

Contact Information: 141 Green Meadow Circle, Pittsburg, CA 94565.

1. Program: Augmented Board and Cares – MHSA Housing Services - CSS

The County contracts with Oak Hills Residential Living Center, a licensed board and care provider, to provide additional staff care to enable those with serious mental illness to avoid institutionalization and enable them to live in the community.

a. Scope of Services

- Augmented residential services.

b. Target Population: Adults aged 18 years and older who live in Eastern Contra Costa County, are diagnosed with a serious mental illness and are uninsured or receive Medi-Cal benefits.

c. Annual MHSA Payment Limit: \$ 21,120

d. Number served: For FY 12/13: 8 beds.

e. Outcomes: To be determined.

Office for Consumer Empowerment (Contra Costa Mental Health)

Point of Contact: Susan Medlin

Contact Information: 1340 Arnold Drive #200, Martinez, Ca 94553 (925) 957-5104

Susan.Medlin@hsd.cccounty.us

1. General Description of the Organization

The Office for Consumer Empowerment is a County operated program that supports the entire Behavioral Health System, and offers an range of trainings and supports by and for individuals who have experience receiving mental health services. The goals are to increase access to wellness and empowerment knowledge for consumers of the Behavioral Health System.

2. Program: Reducing Stigma and Discrimination – PEI

a. Scope of Services

- The Mental Health Service Provider Individualized Recovery Intensive Training (SPIRIT) is a recovery-oriented, peer led classroom and experientially based college accredited program that prepares individuals to become providers of service. Certification from this program is a requirement for many Community Support Worker positions in Contra Costa Mental Health. Staff provide instruction and administrative support, and provide ongoing support to graduates who are employed by the County.
- The Wellness Recovery Education for Acceptance, Choice and Hope (WREACH) Speaker's Bureau develops individuals with lived mental health and co-occurring experiences to effectively present their recovery and resiliency stories in various formats to a wide range of audiences, such as health providers, schools, law enforcement, and other community groups.
- Staff lead and support the Committee for Social Inclusion. This is an alliance of community members and organizations that meet regularly to promote social inclusion of persons who use behavioral health services. The committee guides projects and initiatives designed to reduce stigma and discrimination, and increase inclusion and acceptance in the community.
- Staff provides outreach and support to consumers and family members to enable them to actively participate in various committees and sub – committees throughout the system. These include the Mental Health Commission, the Consolidated Planning and Advisory Workgroup and sub-committees, and Behavioral Health Integration planning efforts. Staff provides mentoring and instruction to consumers who wish to learn how to participate in community planning processes or to give public comments to advisory bodies.
- Staff partner with NAMI Contra Costa certified facilitators to offer self-help groups for people diagnosed with mental illness who want to get support and share experiences in a safe environment.

- b. Target Population: Consumers of public mental health services and their families; the general public.
- c. Total MHSA Funding: \$692,988
- d. Staff: 6.5 full-time equivalent staff positions.
- e. Outcomes:
 - Increased access to wellness and empowerment knowledge and skills by consumers of mental health services.
 - Decrease stigma and discrimination associated with mental illness.
 - Increased acceptance and inclusion of mental health consumers in all domains of the community.

Older Adult Mental Health (Contra Costa Mental Health)

Point of Contact: Heather Sweeten-Healy, Mental Health Program Manager
Contact Information: 2425 Bisso Lane, Suite 100, Concord, CA 94520, (925)-521-5655, Heather.Sweeten-Healy@hsd.cccounty.us

1. General Description of the Organization

The Older Adult Mental Health Clinic is in the Adult System of Care and provides mental health services to Contra Costa's senior citizens, ranging from preventive care and outreach to under-served at risk communities, problems solving short term therapy, to intensive care management for severely mentally ill individuals.

2. Program: Intensive Care Management Teams - CSS

The Intensive Care Management Teams (ICMT) provide mental health services to older adults in their homes, in the community and within a clinical setting. Services are provided to Contra Costa County residents with serious psychiatric impairments who are 60 years of age or older. The program provides services to those who are insured through MediCal, dually covered under MediCal and MediCare, or uninsured. The primary goal of these teams is to support aging in place as well as to improve consumers' mental health, physical health, and overall quality of life. Additionally, the teams provide services to those who are homeless, living in shelters, or in residential care facilities. There are three multi-disciplinary Intensive Care Management Teams, one for each region of the county.

Program: Improving Mood Providing Access to Collaborative Treatment (IMPACT) - CSS

IMPACT is an evidence-based practice which provides depression treatment to individuals over age 60 in a primary care setting. The IMPACT model prescribes short-term (8 to 12 visits) Problem Solving Therapy and medication support with up to one year of follow-up as necessary. Services are provided by a treatment team consisting of licensed clinicians, psychiatrists, and primary care physicians in a primary care setting. The target population for the IMPACT Program is adults age 60 years and older who are at 300% or below of the Federal Poverty Level, are insured by MediCal, MediCal and MediCare, or are uninsured. The program focuses on treating older adults with late-life depression and co-occurring physical health impairment, such as cardio-vascular disease, diabetes, or chronic pain.

Program: Senior Peer Counseling - PEI

This program reaches out to isolated and depressed older adults in their home environments and links them to appropriate community resources in a culturally competent manner. In addition, both the Latino and Chinese Senior Peer Counseling Programs are recognized as a resource for these underserved populations. This program serves older adults age 55 and older who are experiencing aging issues such as grief and loss, multiple health problems,

loneliness and depression and isolation. Emphasis is on serving underserved cultural communities, especially Latino and Asian older adults.

- a. Target Population: Depending on program, Older Adults aged 55 or 60 years and older experiencing serious mental illness or at risk for developing a serious mental illness.
- b. Total Budget: Intensive Care Management - \$3,189,600; IMPACT - \$370,479; Senior Peer Counseling - \$370,479.
- c. Staff: 26 Full time equivalent multi-disciplinary staff.
- d. Number served: For FY 12/13: ICMT served 237 individuals; IMPACT served 138 Individuals; Senior Peer Counseling Program served 237 individuals.
- e. Outcomes: Changes in Level of Care Utilization System (LOCUS) scores, reductions in Psychiatric Emergency Service visits, reductions in hospitalizations, decreased Patient Health Questionnaire (PHQ-9) scores, reduced isolation.

People Who Care (PWC) Children Association

Point of Contact: Conny Russell

Contact Information: 2231 Railroad Ave, Pittsburg, 94565 Ph: (925) 427-5037

Pwc.cares@comcast.net

1. General Description of the Organization

People Who Care Children Association provides educational, vocational and employment training programs to children ages 12 through 21 years old. Many are at risk of dropping out of school and involved with, or highly at risk of entering, the criminal juvenile justice system. The mission of the organization is to empower children to become productive citizens by promoting educational and vocational opportunities, and by providing training, support and other tools needed to overcome challenging circumstances.

2. Program: PWC Afterschool Program (PEI)

- a. Scope of Services: Through its After-school Program, People Who Care (PWC) Children Association will provide work experience for 200 multicultural at risk youth residing in the Pittsburg/Bay Point and surrounding East Contra Costa County communities, as well as, programs aimed at increasing educational success among those who are either at-risk of dropping out of school, or committing a repeat offense. Key activities include job training and job readiness training, mental health counseling (screening for mental health problems, individual, group, and family therapy), as well as civic and community service activities.
- b. Target Population: At risk youth with special needs in East Contra Costa County
- c. Payment Limit: \$203,594
- d. Number served: For FY 12/13: 205
- e. Outcomes:
 - 54% of youth program participants showed improved youth resiliency factors (self- esteem, relationship, and engagement).
 - 74% of program participants reported that they have a caring relationship with an adult in the community or at school during their program participation.
 - 70% of program participants showed an increase in school attendance during their program participation.
 - 82% of participants did not re-offend during they participation in the program.
 - 94% of participants increased their 'green jobs' related knowledge and skills.

Portia Bell Hume Behavioral Health and Training Center.

Point of Contact: Chris Celio, Acting Department Manager.

Contact Information: 2555 School Street, Pittsburg, CA 94565, (925)–586–7811, ccelio@humecenter.org

1. General Description of the Organization

The Hume Center's mission is to provide high quality, culturally sensitive and comprehensive behavioral health care services and training. The agency strives to promote mental health, reduce disparities and psychological suffering, and strengthen communities and systems in collaboration with the people most involved in the lives of those served. The Hume Center is committed to training behavioral health professionals to the highest standards of practice, while working within a culture of support and mutual respect.

2. Program: Adult Full Service Partnership - CSS

The Adult Full Service Partnership is a collaborative program that joins the resources of The Hume Center and Contra Costa County Behavioral Health Services.

a. Scope of Services

- Services will be provided using an integrated team approach, based on a modified Assertive Community Treatment (ACT) model of care. Services include:
 - Outreach and engagement
 - Case management
 - Outpatient Mental Health Services, including services for individuals with co-occurring mental health & alcohol and other drug problems
 - Crisis Intervention
 - Collateral
 - Medication support (may be provided by County Physician)
 - Housing support
 - Flexible funds
 - Vocational Services
 - Educational Services
 - Recreational and Social Activities
 - Contractor must be available to consumer on 24/7 basis

b. Target Population: Adults over the age of 18 in East and Central County who are diagnosed with a serious mental illness, are at or below 300% of the federally defined poverty level, and are uninsured or receive Medi-Cal benefits.

c. Payment Limit: \$907,493

d. Number served: Services began FY 13/14.

- e. Outcomes: Because the program began in FY 13/14, there are no outcomes to report at this time. The Hume Center will report on the outcomes listed below in the upcoming MHSA Plans.
- Decrease incidence of restriction: decrease in hospital utilization.
 - Positive Client Satisfaction.

Putman Clubhouse

Point of Contact: Tamara Hunter, Clubhouse Director

Contact Information: 3024 Willow Pass Rd #230, Concord Ca 94519, (510) 926-0474 tamara@putnamclubhouse.org

1. General Description of the Organization

Putnam Clubhouse provides a safe and welcoming place where participants (called members) build on personal strengths instead of focusing on illness. Members learn and improve vocational and social skills, while working together to run all aspects of the Clubhouse, to include clerical, cooking, governance and fundraising.

2. Program: Preventing Relapse of Individuals in Recovery - PEI

- a. Scope of Services: The Putnam Clubhouse provides peer-based programming for adults throughout Contra Costa County in recovery from psychiatric disorders, helping them to develop the support networks, vocational skills, and self-confidence needed to sustain stable, productive, and more independent lives. Services include work-ordered day programming that helps members gain pre-vocational skills, social skills, healthy living skills, and help with access to career development options within the greater community. Assistance and support is provided with navigating the system of care and accessing services. Putnam Clubhouse helps members with goal setting (including educational and vocational goals), building advocacy and media skills, and provides recreational, and respite services for family members. In collaboration with the Office of Consumer Empowerment, Putnam Clubhouse hosts Career Corner, an online blog that focuses on all aspects of vocational rehabilitation for mental health consumers in Contra Costa County. Putnam Clubhouse increases family wellness by reducing stress related to care-giving, provides family member respite through Clubhouse programs for new and existing participants, and supports Clubhouse members in gaining independence through Clubhouse participation.
- b. Target Population: Contra Costa County residents with identified mental illness and their families.
- c. Payment Limit: \$468,440.
- d. Number served: For FY 12/13: 278 members.
- e. Outcomes:
 - 278 unduplicated members engaged in 44,762 program hours.
 - 90% of families (members and their families) completing annual survey reported an increase in personal mental, physical, and emotional well-being.
 - 100% of family members surveyed reported Clubhouse activities provided them with respite care, and that their family member showed increased independence.

- Program participants showed decrease of hospitalizations and out-of-home placements (in terms of number of episodes and days of hospitalization) since becoming members.
- 100% of members choosing employment as a goal in their career plans were referred to appropriate employment resources, applied for job, or had job interview within three months.
- 92% of members who used the Career Development Unit services reported that they were satisfied or very satisfied with services related to employment and educations.

Rainbow Community Center (RCC)

Point of Contact: Ben-David Barr

Contact Information: 2118 Willow Pass Rd, Concord, Ca 94520. (925) 692-0090

Ben@rainbowcc.org

- **General Description of the Organization**

The Rainbow Community Center of Contra Costa County (RCC) builds community and promotes well-being among Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning (LGBTQ) people and our allies.

- **Programs: 1. Outpatient Behavioral Health (INN), 2. Pride and Joy (PEI), 3. LGBTQ Youth Support (PEI), 4. Inclusive Schools (PEI)**

- a. Scope of Services:

- 1) Outpatient Services: RCC provides outpatient behavioral health services for the lesbian, gay, bisexual, transgender, and questioning (LGBTQ) communities. RCC works with consumers to develop a healthy and un-conflicted self-concept by providing individual, group, couples, and family counseling, as well as case management. Counseling and case management services are available in English, Spanish, and Vietnamese. Onsite support is available in Tagalog.

- 2) Pride and Joy: Three tiered support services (Tier One: outreach, isolation reduction and awareness building, Tier Two: support groups for clients with identified needs, Tier Three: individual counseling and system navigation support for clients with higher level of need) aimed at the LGBTQ community of Contra Costa County, particularly LGBTQ seniors, people living with HIV, and community members with unrecognized health and mental health disorders.

- 3) Youth Development: Three tiered services (see above) aimed at LGBTQ youth as a particularly vulnerable population. Services are provided both on-site as well as school based.

- 4) Inclusive Schools: Community outreach and organization involving school leaders, staff, and students to build acceptance of LGBTQ youth in Contra Costa County schools, families, and faith communities.

- b. Target Population: LGBTQ community of Contra Costa County (mainly Central and East) who are at risk of developing serious mental illness.

- c. Payment Limit: \$420,187 for Innovation program; \$220,507 for PEI programs.

- d. Number served: For FY 12/13: 1) Outpatient Services: 128; 2) PEI total served is 730 in-person participants with the following breakdowns: Pride and Joy: 558 in-person participants (includes 147 LGBTQ seniors and 150 HIV+ people); 3) Youth Development: 172 participants; 4) Inclusive Schools: This is a new PEI project for this fiscal year and the data will be available for FY13/14 in the year-end report. PEI outreach services also include 1,500 subscribers to online weekly newsletter and social media sites. Weekly newsletter promoted county services such as Access Line, Suicide Help lines, and RCC support services.

e. Outcomes:

Outpatient Clinic:

- 128 individuals received one on one services (counseling and case management).

Prevention and Early Intervention:

- 213 agency participants completed PHQ9 depression screenings and baseline data for LGBTQ assessment instrument being developed by the organization.
- 110 unduplicated youth attended onsite drop-in programming and 62 received school based and individual support services.
- 147 seniors participated in luncheons, support groups, and counseling. 95 seniors on agency call list received two wellness check-in calls per month.
- 558 individuals attended support groups and outreach events.
- Participants made over 9,000 visits to the agency in FY13. Youth visits = 2169; Senior visits = 868 ; all visits = 9433.

Recovery Innovations

Point of Contact: Hillary Bowers, Recovery Services Administrator

Contact Information: 2975 Treat Blvd., Suite C8, Concord, CA 94518, (925)–363–7290, Hiliary.Bowers@recoveryinnovations.org

1. General Description of the Organization

Founded by Eugene Johnson in 1990 as META Services, an Arizona non-profit corporation, Recovery Innovations developed and provided a range of traditional mental health and substance abuse services for adults with long term mental health and addiction challenges. In 1999, Recovery Innovations began pioneering an innovative initiative: the creation of the new discipline of Peer Support Specialist. Now, 13 years later, this experience has transformed the Recovery Innovations workforce to one in which Peer Support Specialists and professionals work together on integrated teams to deliver recovery-based services. The Recovery Innovations experiences had a global impact on the mental health field serving as a demonstration that recovery from mental illness and/or addiction is possible. Based on this transformation experience, Recovery Innovations operates recovery-based mental health services in 21 communities in five states and New Zealand and has provided recovery training and transformation consultation in 27 states and five countries abroad.

2. Program: Recovery Innovations Wellness and Recovery Centers - CSS

Recovery Innovations provides wellness and recovery centers situated in West, Central and East County to ensure the full spectrum of mental health services is available. Wellness and Recovery Centers are made up of individuals embarking on or expanding their recovery journey. Staff of well-trained peers who have experienced their own recovery success share what they have learned and walk alongside each person. The clients of Wellness and Recovery Centers learn to identify personal strengths and develop personalized wellness plans that incorporate their hopes and dreams for the future. Each participant partners with a Recovery Coach who understands the challenges and is standing alongside ready to offer support. These centers offer peer-led recovery-oriented, rehabilitation and self-help groups, which teach self-management and coping skills. The centers offer wellness recovery action plan (WRAP) groups, physical health and nutrition education, advocacy services and training, arts and crafts, and support groups.

a. Scope of Services:

- Peer and Family Support
- Personal Recovery Planning using the seven steps of Recovery Coaching
- Workshops, Education Classes and Community-Based Activities using the nine dimensions of wellness; physical, emotional, intellectual, social, spiritual, occupational, home/community living, financial, recreation/leisure
- Community Outreach and Collaboration

- Assist participants to coordinate medical, mental health, medication and other community services
 - Wellness Recovery Action Plan (WRAP) classes
 - Family Education and Support Programs
 - Breakfast/Lunch meals during weekdays for participants
- b. Target Population: Adult mental health participants in Contra Costa County. Recovery Innovations services will be delivered within each region of the county through Wellness and Recovery Centers located in Antioch, Concord and San Pablo.
- c. Payment Limit: \$875,000
- d. Number served: Program began in FY 13/14 with a 6 month contract. Number to be served yearly: 200.
- e. Outcomes: Because the program began in FY 13/14, there are no outcomes to report at this time. Recovery Innovations will report on the outcomes listed below in the upcoming MHSA Plans.
- Increase in meaningful activity: 90% participants with a Wellness plan.
 - Increase in quality of life: Recovery Assessment Scale scores

Rubicon Programs, Inc.

Point of Contact: Jane Fischberg, President and Executive Director.

Contact Information: 2500 Bissell Avenue, Richmond, CA 94804, (510)–231–3987,
jane@rubiconprograms.org

1. General Description of the Organization

Rubicon's mission is to prepare very low-income people to achieve financial independence and to partner with people with mental illness on their journey of recovery. Since 1973, Rubicon has provided employment, housing, mental health, and other supportive services to individuals who are very low-income, especially people who are homeless or have mental illness. Based in Richmond, California, Rubicon Programs offers services throughout Contra Costa and Alameda counties.

2. Program: Bridges to Home – Full Service Partnership - CSS

The Adult Full Service Partnership (FSP) Bridges To Home (BTH) is a collaborative program that joins the resources of Rubicon Programs and Contra Costa Mental Health.

a. Scope of Services

- Services will be provided using an integrated multi-disciplinary team approach, based on a modified Assertive Community Treatment (ACT) model of care. Services include:
 - Outreach and engagement
 - Case management
 - Outpatient Mental Health Services, including services for individuals with co-occurring mental health & alcohol and other drug problems
 - Crisis Intervention
 - Collateral
 - Medication support (may be provided by County Physician)
 - Housing support
 - Flexible funds
 - Vocational Services
 - Educational Services
 - Recreational and Social Activities
 - Contractor must be available to consumer on 24/7 basis
- b. Target Population: Adults over the age of 18 in West County who are diagnosed with a serious mental illness, are at or below 300% of the federally defined poverty level, and are uninsured or receive Medi-Cal benefits.
- c. Payment Limit: \$928,813
- d. Number served: For FY 12/13: In FY12/13 BTH was made up of two programs, BTH West and BTH Central. BTH West and Central served 185 Individuals combined.
- e. Outcomes: Below are the FY 12/13 outcomes for Bridges to Home.

- Reduction in Psychiatric Crisis
 - 2013 Bridges to Home participants experienced a 41% overall reduction in hospital days (comparing total time in program to the same length of time prior to program entry (1654 pre-program hospital days compared to 972 in-program hospital days)
 - 74% of 2013 Bridges to Home participants who experienced *any* pre-program hospital days experienced fewer hospital days while in program (50 of 68 participants)
- Reduction in Severity of Psychiatric Symptoms
 - 44% of 2013 Bridges to Home participants experienced reduced severity of psychiatric symptoms over the last year, as measured by change in LOCUS scores. The average change was 2.84 (on a point scale of 32).
 - 60% of 2013 Bridges to Home participants *maintained or reduced* severity of psychiatric symptoms over the last year as measured by change in LOCUS scores. The average change for this group was 2.08 (on a point scale of 32).
 - Average LOCUS score was 24 (with 32 representing highest severity of symptoms), confirming that this is an extremely high-need population (recommended for Residential Treatment/Full Service Partnerships).
- Improved Quality of Life
 - 81% of 2013 Bridges to Home participants who entered the program homeless have obtained stable housing (91 of 113 homeless participants). The average time to stabilize housing was 119 days.
 - 87% of all 2013 Bridges to Home participants currently maintain stable housing (158 of 181 participants; this includes participants who were homeless at entry and those who were already in supportive housing).

RYSE Center

Point of Contact: Kanwarpal Dhaliwal

Contact Information: 205 41st Street, Richmond. CA 94805 (925) 374-3401

Kanwarpal@rysecenter.org

1. General Description of the Organization

RYSE is a youth center in Richmond that offers a wide range of activities, programs, and classes for young people including media arts, health education, career and educational support, and youth leadership and advocacy. RYSE operates within a community mental health model and employs trauma informed and healing centered approaches in all areas of work, including one-on-one, group and larger community efforts.

2. Program: Supporting Youth - PEI.

a. Scope of Services:

1) Trauma Response and Resilience System: develop and implement trauma informed training series for key system partners, facilitate development of a community response to violence and trauma, evaluate impact of trauma informed practice, provide critical response and crisis relief for young people experiencing acute incidents of violence.

2) Health and Wellness: support young people (ages 13 to 21) from the diverse communities of West County to become better informed (health services) consumers and active agents of their own health and wellness, and foster healthy peer and youth-adult relationships. Activities include mental health counseling and referral, outreach to schools, workshops and 'edutainment' activities, youth assessment and implementation of partnership plans (Chat it Up Plans).

3) Inclusive Schools: Facilitate collaborative work with West Contra Costa schools and district aimed at making WCC schools an informed and accepting environment for LGBTQ students. Activities include assistance in provision of LGBTQ specific services, conducting organizational assessments, training for adults and students, engaging students in leadership activities, and providing support groups at target schools. etc.

b. Target Population: West County Youth at risk for developing serious mental illness.

c. Payment Limit: \$460,119

d. Unique Number served: For FY 12/13: 1): 458 2): at least 800 3): 300

e. Outcomes:

- 142 members completed wellness plans; an estimated 300 members participated in at least 2 program activities aimed at supporting healthy peer relationships, community engagement, and leadership; at least 519 unique members participated in one on site activity.

- At least 200 members participated in structured, multi-session on site programs.
- 97% of member survey participants feel “safer just as safe at RYSE than other places”; 54% of survey participants feel “a lot safer” at RYSE than other places.
- Survey members strongly endorsed sense of belonging and experience of success at RYSE.
- Survey participants strongly endorsed positive quality of relationships to peers and adults at RYSE.
- 74% of survey participants reported increased comfort with participation in programs that offer mental health support services.
- 66% of survey participants reported that they have a better understanding of LGBTQ identity.

Seneca Family of Agencies

Point of Contact: Jessica Donohue, Program Supervisor

Contact Information: 2351 Olivera Road, Concord, CA, 94520, (925)–808–8724,

jessica_donohue@senecacenter.org

1. General Description of the Organization

Seneca Center for Children and Families is a leading innovator in the field of community-based and family-based service options for emotionally troubled children and their families. With a continuum of care ranging from intensive residential treatment, to in-home wraparound services, to public school-based services, Seneca is one of the premier children's mental health agencies in Northern California.

2. Program: Short Term Assessment of Resources and Treatment (START) - Full Service Partnership - CSS

Seneca Family of Agencies (SFA) provides an integrated, coordinated service to youth who frequently utilize crisis services, and may be involved in the child welfare and/or juvenile justice system. START provides three to six months of short term intensive services to stabilize the youth in their community, and to connect them and their families with sustainable resources and supports. The goals of the program are to 1) reduce the need to utilize crisis services, and the necessity for out-of-home and emergency care for youth enrolled in the program, 2) maintain and stabilize the youth in the community by assessing the needs of the family system, identifying appropriate community resources and supports, and ensuring their connection with sustainable resources and supports, and 3) successfully link youth and family with formal services and informal supports in their neighborhood, school and community.

a. Scope of Services

- Services include:
 - Outreach and engagement
 - Linkage
 - Case management
 - Plan development
 - Crisis Intervention
 - Collateral
 - Flexible funds
 - Contractor must be available to consumer on 24/7 basis

b. Target Population: The target population for the program includes youth 18 years and under with a history of multiple psychiatric hospitalizations and crisis interventions, imminent risk of homelessness, who have a serious mental illness and/or are seriously emotionally disturbed, and are not being served, or are being underserved, by the current mental health system. Youth in the program can be Medi-Cal eligible or uninsured.

c. Payment Limit: \$ 562,915

- d. Number served: Contract began in 2013 and served 32 youth.
- e. Outcomes: Because the program began in FY 13/14, there are no outcomes to report at this time. Seneca will report on the outcomes listed below in the upcoming MHSA Plans.
- Increase meaningful activity: successful linkage to the services introduced by the START program.
 - Reduction in severity of psychiatric symptoms: changes in client Children and Adolescent Level of Care Utilization System (CALOCUS) scores.

Shelter, Inc.

Point of Contact: Timothy O'Keefe, Executive Director .

Contact Information: 1815 Arnold Dr. Martinez, CA, 94553, (925)-335-0698,

timo@shelterincofccc.org

1. General Description of the Organization

The mission of Shelter, Inc. is to prevent and end homelessness for low-income residents of Contra Costa County by providing resources that lead to self-sufficiency. Shelter, Inc. was founded in 1986 to alleviate the County's homeless crisis, and its work encompasses three main elements, 1) prevent the onset of homelessness, including rental assistance, case management, and housing counseling services, 2) ending the cycle of homelessness by providing 3 to 24 months of housing in combination with supportive services, such as job training, educational services, health care, and counseling, and 3) providing affordable housing for nearly 250 low-income households, including such special needs groups as transition-age youth, people with HIV/AIDS, and those with mental health disabilities.

2. Program: Supportive Housing - CSS

Shelter, Inc. provides a master leasing program, in which adults or children and their families are provided tenancy in apartments and houses throughout the County.

Through a combination of self-owned units and agreements with landlords Shelter, Inc. acts as the lessee to the owners and provides staff to support individuals and their families move in and maintain their homes independently. Housing and rental subsidy services are provided to residents of the County who are homeless and that have been certified by Contra Costa Mental Health as eligible. The objective program is to create housing opportunities that are affordable and safe and promote housing stability among MHSA consumers.

a. Scope of Services.

- Provide services in accordance with the State of California Mental Health Service Act Housing Program, the County Behavioral Health Mental Health Division's Work Plan, all State, Federal and Local Fair Housing Laws and Regulations, and the State of California's Landlord and Tenants Laws.
- Provide consultation and technical support to Contra Costa Mental Health with regard to services provided under the housing services and rental subsidy program.
- Utilize existing housing units already on the market to provide immediate housing to consumers through master leasing and tenant based services.
- Acquire and maintain not less than 109 master-leased housing units throughout Contra Costa County.
- Negotiate lease terms and ensure timely payment of rent to landlords.
- Leverage housing resources through working relationships with owners of low income housing within the community.

- Integrate innovative practices to attract and retain landlords and advocate on behalf of consumers.
 - Leverage other rental subsidy programs including, but not limited to, Shelter Plus Care and Section 8.
 - Reserve or set aside units of owned property dedicated for MHSA housing.
 - Ensure condition of leased units meet habitability standards by having Housing Quality Standard (HQS) trained staff conduct unit inspections prior to a unit being leased and annually as needed.
 - Establish maximum rent level to be subsidized with MHSA funding to be Fair Market Rent (FMR) as published by US Department of Housing and Urban Development (HUD) for Contra Costa County in the year that the unit is initially rented and for each year thereafter.
 - Provide quality property management services to Consumers living in master leased and owned properties.
 - Maintain property management systems to track leases, occupancy, and maintenance records.
 - Maintain an accounting system to track rent and security deposit charges and payments.
 - Conduct annual income re-certifications to ensure consumer rent does not exceed 30% of income minus utility allowance. The utility allowance used shall be in accordance with the utility allowances established by the prevailing Housing Authority for the jurisdiction that the housing unit is located in.
 - Provide and/or coordinate with outside contractors and Shelter, Inc. maintenance staff for routine maintenance and repair services and provide after-hours emergency maintenance services to consumers.
 - Ensure that landlords adhere to habitability standards and complete major maintenance and repairs.
 - Process and oversee evictions for non-payment of rent, criminal activities, harmful acts upon others, and severe and repeated lease violations.
 - Work collaboratively with full service partnerships around housing issues and provide referrals to alternative housing options.
 - Attend collaborative meetings, mediations and crisis interventions to support consumer housing retention.
 - Provide tenant education to consumers to support housing retention.
- b. Target Population: Consumers eligible for MHSA services. The priority is given to those who are homeless or imminently homeless and otherwise eligible for the full service partnership programs.
- c. Annual Payment Limit: \$1,663,668.
- d. Number served: For FY 12/13: Shelter, Inc. served 112 consumers . FY 14/15 Target: 128 consumers.

- e. Outcomes: Shelter, Inc. will report on the following outcomes in future MHSA Plans.
- Quality of life: housing stability.
 - 80% of MHSA Consumers residing in master leased housing shall remain stably housed for 24 months or longer.
 - 90% of MHSA Consumers residing in Shelter, Inc. owned property shall remain stably housed for 16 months or longer.

STAND! For Families Free of Violence

Point of Contact: Sharon Turner

Contact Information: 1410 Danzig Plaza #220, Concord, Ca 94520

SharonT@standffov.org

1. General Description of the Organization

STAND! For Families Free of Violence is a community based organization committed to promoting safe and strong families. STAND pursues a well-rounded and community-wide approach to eliminating family violence. In addition to providing a complete spectrum of prevention, intervention, and treatment programs, STAND! enlists the efforts of local residents, partners, and institutions, all of whom are striving to stop domestic violence and child abuse. STAND! is a founding member of the "Zero Tolerance for Domestic Violence Initiative", a cross-sector organization working for ten years to help solve domestic violence, sexual assault and children exposed to violence.

Program: "Expect Respect" and "You Never Win With Violence" - PEI.

a. Scope of Services:

STAND! provides services to address the effects of teen dating violence/domestic violence and help maintain healthy relationships of at-risk youth throughout Contra Costa County. STAND! uses two evidence-based, best-practice programs: "Expect Respect" and "You Never Win with Violence" to directly affect the behaviors of youth to prevent future violence and enhance positive mental health outcomes for students already experiencing teen dating violence. Primary prevention activities include educating middle and high school youth about teen dating through the 'You Never Win with Violence' curriculum, and providing school personnel, service providers and parents with knowledge and awareness of the scope and causes of dating violence. The program strives to increase knowledge and awareness of the tenets of a healthy dating relationship. Secondary prevention activities include supporting youths experiencing, or at-risk for, teen dating violence by conducting 20 gender-based, 15-week support groups. Each school site has a system for referring youth to the support groups. As a result of these service activities, youth experiencing, or youth who are at-risk for, teen dating violence will demonstrate an increased knowledge of 1) the difference between healthy and unhealthy teen dating relationships, 2) an increased sense of belonging to positive peer groups, 3) an enhanced understanding that violence does not have to be "normal", and 4) an increased knowledge of their rights and responsibilities in a dating relationship.

b. Target Population: Middle and high school students at risk of dating violence

c. Payment Limit: \$122,734

d. Number served: For FY 12/13 : 1326

e. Outcomes:

- You Never Win With Violence presentations: 691 students (46% of target)

- Expect Respect support groups: 522 students (209% of target)
- 81 Adults received educational presentations on effects of domestic violence on children and dynamics of teen dating violence.
- 32 new participants participated in the Youth Against Violence Leadership program.

Telecare Corporation

Point of Contact: Chris Roach, Program Director

Contact Information: 1080 Marina Village Parkway, Suite 100, Alameda, CA 94501,
(510) 337-7950

croach@telecarecorp.com

1. General Description of the Organization

Telecare Corporation was established in 1965 in the belief that persons with mental illness are best able to achieve recovery through individualized services provided in the least restrictive setting possible. Today, they operate over 70 programs staffed by more than 2,500 employees in California, Nebraska, North Carolina, Oregon, Texas, New Mexico, Pennsylvania and Washington, and provide a broad continuum of services and supports, including Inpatient Acute Care, Inpatient Non-Acute/Sub-Acute Care, Crisis Services, Residential Services, Assertive Community Treatment (ACT) services, Case Management and Prevention services.

2. Program: Hope House Crisis Residential Facility - CSS

Telecare Corporation operates Hope House, a voluntary, highly structured 16-bed Short-Term Crisis Residential Facility (CRF) for adults between the ages of 18 and 59. Hope House serves individuals who require crisis support to avoid hospitalization, or are discharging from the hospital or long-term locked facilities and need step-down care to transition back to community living. The focus is client-centered and recovery-focused, and underscores the concept of personal responsibility for the resident's illness and independence. The program supports a social rehabilitation model, which is designed to enhance an individual's social connection with family and community so that they can move back into the community and prevent an inpatient stay. Services are recovery based, and tailored to the unique strengths of each individual resident. The program offers an environment where residents have the power to make decisions and are supported as they look at their own life experiences, set their own paths toward recovery, and work towards the fulfillment of their hopes and dreams. Telecare's program is designed to enhance client motivation to actively participate in treatment, provide clients with intensive assistance in accessing community resources, and assist clients develop strategies to maintain independent living in the community and improve their overall quality of life. The program's service design draws on evidence-based practices such as Wellness Action and Recovery Planning (WRAP), motivational interviewing, and integrated treatment for co-occurring disorders.

a. Scope of Services

Services include:

- Individualized assessments, including, but not limited to, psychosocial skills, reported medical needs/health status, social supports, and current functional limitations within 72 hours of admission.
- Medical assessment within 24 hours of admission.

- Treatment plan development with 72 hours of admission.
 - Therapeutic individual and group counseling sessions on a daily basis to assist clients in developing skills that enable them to progress towards self-sufficiency and to reside in less intensive levels of care.
 - Crisis intervention and management services designed to enable the client to cope with the crisis at hand, maintaining functioning status in the community, and prevent further decompensation or hospitalization.
 - Medication support services, including provision of medications, as clinically appropriate, to all clients regardless of funding; individual and group education for consumers on the role of medication in their recovery plans, medication choices, risks, benefits, alternatives, side effects and how these can be managed; supervised self-administration of medication based on physician's order by licensed staff; medication follow-up visit by a psychiatrist at a frequency necessary to manage the acute symptoms to allow the client to safely stay at the Crisis Residential Program, and to prepare the client to transition to outpatient level of care upon discharge.
 - Co-occurring capable interventions for substance use following a harm reduction modality.
 - A comprehensive weekly calendar of activities, including physical, recreational, social, artistic, therapeutic, spiritual, dual recovery, skills development and outings.
 - Peer services, including development of WRAP plans.
 - Engagement of family in treatment, as appropriate.
 - Assessments for involuntary hospitalization, when necessary.
 - Discharge planning and assisting clients with successful linkage to community resources, such as outpatient mental health clinics, substance abuse treatment programs, housing, full service partnerships, physical health care, and benefits programs.
 - Follow-up with client and their mental health service provider following discharge to ensure that appropriate linkage has been successful.
 - Daily provision of meals and snacks for residents.
 - Transportation to services and activities provided in the community, as well as medical and court appointments.
- b. Target Population: Adults ages 18 to 59 who require crisis support to avoid psychiatric hospitalization, or are discharging from the hospital or long-term locked facilities and need step-down care to transition back to community living.
- c. Payment Limit: \$2,017,019.00
- d. Number served: Program began in FY 13/14. Number to be served yearly: 200.
- e. Outcomes: Because the program began in FY 13/14, there are no outcomes to report at this time. Telecare will report on the outcomes listed below:
- Reduction in severity of psychiatric symptoms: Discharge at least 90% of clients to a lower level of care.
 - Consumer Satisfaction: Maintain an overall client satisfaction score of at least 4.0 out of 5.0.

The Latina Center

Point of Contact: Esther Wong, 3701 Barrett Ave #12, Richmond, Ca 94805 (510) 233-8595

Contact Information: miriamrwong@gmail.com

1. General Description of the Organization

The Latina Center is an organization of and for Latinas that strive to develop emerging leaders in the San Francisco Bay Area through innovative training, support groups and leadership programs. The mission of The Latina Center is to improve the quality of life and health of the Latino Community by providing leadership and personal development opportunities for Latina women.

2. Program: Familias Fuertes - PEI

a. Scope of Services:

The Latina Center (TLC) provides culturally and linguistically specific parenting education and support to at least 300 Latino parents and caregivers in West Contra Costa County that 1) supports healthy emotional, social and educational development of children and youth ages 0-15, and 2) reduces verbal, physical and emotional abuse. The Latina Center enrolls primarily low- income, immigrant, monolingual/bilingual Latino parents and grandparent caregivers of high-risk families in a 12-week parenting class using the Systematic Training for Effective Parenting (STEP) curriculum or PECES in Spanish (Padres Eficaces con Entrenamiento Eficaz). Parent Advocates are trained to conduct parenting education classes, and Parent Partners are trained to offer mentoring, support and systems navigation. TLC provides family activity nights, creative learning circles, cultural celebrations, and community forums on parenting topics.

b. Target Population: Latino Families and their children in West County at risk for developing serious mental illness.

c. Payment Limit: \$102,080

d. Number served: 305

e. Outcomes:

- During impact survey 100% of parent participants were able to provide examples of increased parenting skills.
- Upon three months follow up, a sample of 80 parents reported increased confidence in their parenting skills (target: 30)
- 75 of parent participants were Latino Fathers (goal: 60)
- 271 of parent participants set personal goals for creating change in their parenting (goal: 240)
- 283 parents were able to identify 1 – 3 individuals for peer support.

United Family Care, LLC (Family Courtyard).

Point of Contact: Julian Taburaza.

Contact Information: 2840 Salesian Avenue, Richmond CA, 94804.

1. Program: Augmented Board and Care Housing Services - CSS

The County contracts with United Family Care, LLC , a licensed board and care provider, to provide additional staff care to enable those with serious mental illness to avoid institutionalization and enable them to live in the community.

a. Scope of Services

- Augmented residential services.

b. Target Population: Adults aged 18 years and older who live in Western Contra Costa County, are diagnosed with a serious mental illness and are uninsured or receive Medi-Cal benefits.

c. Annual MHSA Payment Limit: \$ 271,560.

d. Number served: For FY 12/13: 48 beds available.

e. Outcomes: To be determined.

Williams Board and Care Home.

Point of Contact: Frederick Williams.

Contact Information: 4229 Taft Street, Richmond, CA 94804.

1. Program: Augmented Board and Care - Housing Services - CSS

The County contracts with Williams Board and Care Home, a licensed board and care provider, to provide additional staff care to enable those with serious mental illness to avoid institutionalization and enable them to live in the community.

a. Scope of Services

- Augmented residential services.

b. Target Population: Consumers eligible for MHSA services.

c. Annual MHSA Payment Limit: \$ 30,000

d. Number served: For FY 12/13: 12 beds available.

e. Outcomes: To be determined.

Woodhaven.

Point of Contact: Milagros Quezon.

Contact Information: 3319 Woodhaven Lane, Concord, CA 94519.

2. Program: Augmented Board and Care - Housing Services - CSS

The County contracts with United Family Care, LLC , a licensed board and care provider, to provide additional staff care to enable those with serious mental illness to avoid institutionalization and enable them to live in the community.

f. Scope of Services

- Augmented residential services.

g. Target Population: Consumers eligible for MHSA services.

h. Annual MHSA Payment Limit: \$ 13,500

i. Number served: For FY 12/13: 5 beds available.

j. Outcomes: To be determined.

Youth Homes, Inc.

Point of Contact: Stuart McCullough, Executive Director

Contact Information: 2025 A Sherman Drive, Pleasant Hill, CA 94523, (925)–933–2627, stuartm@youthhomes.org

1. General Description of the Organization

Youth Homes, Inc. is committed to serving the needs of abused and neglected children and adolescents in California's San Francisco Bay Area. Youth Homes provides intensive residential treatment programs and community-based counseling services that promote the healing process for seriously emotionally abused and traumatized children and adolescents.

2. Program: Transition Age Youth Full Service Partnership - CSS

Youth Homes implements a full service partnership program using the Integrated Treatment for Co-Occurring Disorders model (also known as Integrated Dual Disorders Treatment – IDDT). This model is a recognized evidence based practice in which the Substance Abuse and Mental Health Services Administration (SAMHSA) has created a tool kit to support implementation. Integrated Treatment for Co-Occurring Disorders is an evidence-based practice for treating clients diagnosed with both mental health and a substance abuse disorders. Through Integrated Treatment for Co-Occurring Disorders, consumers receive mental health and substance abuse treatment from a single “integrated treatment specialist” so consumers do not get lost in the health care system, excluded from treatment, or confused by going back and forth between separate mental health and substance abuse programs. It is not expected that all full service partners will be experiencing a substance use issue; however, for those who have co-occurring issues, both disorders can be addressed by one single provider.

a. Scope of Services

- Services include:
 - Outreach and engagement
 - Case management
 - Outpatient Mental Health Services, including services for individuals with co-occurring mental health & alcohol and other drug problems
 - Crisis Intervention
 - Collateral
 - Medication support (may be provided by County Physician)
 - Housing support
 - Flexible funds
 - Money Management
 - Vocational Services
 - Contractor must be available to consumer on 24/7 basis

- b. Target Population: Young adults ages 16 to 25 years with serious emotional disturbance/serious mental illness, and who are likely to exhibit co-occurring disorders with severe life stressors and are from an underserved population. Services are based in East Contra Costa County as well as Central Contra Costa County.
- c. Payment Limit: \$665,000.
- d. Number served: Program began in FY 13/14. Number to be served 40.
- e. Outcomes: Because the program began in FY 13/14, there are no outcomes to report at this time. Youth Homes will report on the outcomes listed below in the upcoming MHSA Plans.
 - Increase in age appropriate meaningful activity.
 - Positive Client Satisfaction.

Glossary

Assembly Bill 1421. AB 1421, also known as **Laura's Law**, enacted in 2002, would create an assisted outpatient treatment program for any person who is suffering from a mental disorder and meets certain criteria. The program would operate in counties that choose to provide the services. Adoption of this law enables a court, upon a verified petition to the court, to order a person to obtain and participate in assisted outpatient treatment. The bill provides that if the person who is the subject of the petition fails to comply with outpatient treatment, despite efforts to solicit compliance, a licensed mental health treatment provider may request that the person be placed under a 72-hour hold, based on an involuntary commitment. The law would be operative in those counties in which the county board of supervisors, by resolution, authorized its application and made a finding that no voluntary mental health program serving adults, and no children's mental health program, would be reduced as a result of the implementation of the law.

Assertive Community Treatment (ACT). Assertive Community Treatment is an intensive and highly integrated approach for community mental health service delivery. It is an outpatient treatment for individuals whose symptoms of mental illness result in serious functioning difficulties in several major areas of life, often including work, social relationships, residential independence, money management, and physical health and wellness. Its mission to promote the participants' independence, rehabilitation, and recovery, and in so doing to prevent homelessness, unnecessary hospitalization, and other negative outcomes. It emphasizes out of the office interventions, a low participant to staff ratio, a coordinated team approach, and typically involves a psychiatrist, mental health clinician, nurse, peer provider, and other rehabilitation professionals.

Assisted Outpatient Treatment (AOT). Assisted Outpatient Treatment is the delivery of mobile, community-based care by multidisciplinary teams of highly trained mental health professionals with staff-to-client ratios of not more than one to ten, and additional services, as specified, for adults with the most persistent and severe mental illness. AOT involves a service and delivery process that has a clearly designated personal services coordinator who is responsible for providing or assuring needed services. These include complete assessment of the client's needs, development with the client of a personal services plan, outreach and consultation with the family and other significant persons, linkage with all appropriate community services, monitoring of the quality and follow through of services, and necessary advocacy to ensure each client receives those services which are agreed to in the personal services plan. AOT is cited as part of Assembly Bill 1421, or Laura's Law.

Augmented Board and Care. Board and care facilities licensed by the State also contract with Contra Costa Mental Health to receive additional funding to provide a therapeutic environment and assist residents gain their independence through recovery and wellness activities. Extra staff time is devoted to creating a home-like atmosphere,

often with shared housekeeping activities, and provide or coordinate a variety of therapeutic, educational, social and vocational activities. Persons who experience severe and persistent mental illness are eligible.

Behavioral Health System (BHS). This term refers to the grouping of Contra Costa Mental Health, Homeless Services, and Alcohol and Other Drug Services under one division of the Health Services Department.

Capital Facilities/Information Technology (CF/TN). Capital Facilities and Information Technology is the title of one of five components of the Mental Health Services Act. This component enables a county to utilize MHSA funds for one-time construction projects and/or installation or upgrading of electronic systems, such as mental health records systems.

Case Management. Case Management refers to a service in which a mental health clinician develops and implements a treatment plan with a consumer. This treatment plan contains a diagnosis, level of severity, agreed upon goals, and actions by the consumer, the case manager, and other service providers to reach those goals. The mental health clinician provides therapy and additionally takes responsibility for the delivery and/or coordination of both mental and rehabilitation services that assist the consumer reach his/her goals.

Clinical Specialist. Clinical Specialist, in the context of this document, refers to a licensed or registered intern in the specialties of social work, marriage and family therapy, psychology, psychiatric nurse practitioner, licensed professional clinical counselor, or psychiatrist. A Clinical Specialist is capable of signing a mental health consumer's treatment plan that can enable the County to bill Medi-Cal for part of the cost to deliver the service.

Clubhouse Model. The Clubhouse Model is a comprehensive program of support and opportunities for people with severe and persistent mental illness. In contrast to traditional day-treatment and other day program models, Clubhouse participants are called "members" (as opposed to "patients" or "clients") and restorative activities focus on their strengths and abilities, not their illness. The Clubhouse is unique in that it is not a clinical program, meaning there are no therapists or psychiatrists on staff. All participation in a clubhouse is strictly on a voluntary basis. Members and staff work side-by-side as partners to manage all the operations of the Clubhouse, providing an opportunity for members to contribute in significant and meaningful ways. A Clubhouse is a place where people can belong as contributing adults, rather than passing their time as patients who need to be treated. The Clubhouse Model seeks to demonstrate that people with mental illness can successfully live productive lives and work in the community, regardless of the nature or severity of their mental illness.

Community Forum. In this context a community forum is a planned group activity where consumers, family members, service providers, and representatives of community, cultural groups or other entities are invited to provide input on a topic or set of issues relevant to planning, implementing or evaluating public services.

Community Program Planning Process. This a term used in regulations pertaining to the Mental Health Services Act. It means the process to be used by the County to develop Three-Year Expenditure Plans, and updates in partnership with stakeholders to 1) identify community issues related to mental illness resulting from lack of community services and supports, including any issues identified during the implementation of the Mental Health Services Act, 2) Analyze the mental health needs in the community, and 3) identify and re-evaluate priorities and strategies to meet those mental health needs.

Community Services and Supports (CSS). Community Services and Supports is the title of one of five components funded by the Mental Health Services Act. It refers to mental health service delivery systems for children and youth, transition age youth, adults, and older adults. These services and supports are similar to those provided in the mental health system of care that is not funded by MHSA. Within community services and supports are the categories of full service partnerships, general system development, outreach and engagement, and project based housing programs.

Consolidated Planning Advisory Workgroup (CPAW). CPAW is an ongoing advisory body appointed by the Contra Costa Mental Health Director that provides advice and counsel in the planning and evaluation of services funded by MHSA. It is also comprised of several sub-committees that focus on specific areas, such as stigma reduction, homelessness, and services to the four age groups. It is comprised of individuals with consumer and family member experience, service providers from the County and community based organizations, and individuals representing allied public services, such as education and social services.

Consumers. In this context consumers refer to individuals and their families who receive behavioral health services from the County, contract partners, or private providers. Consumers can be also referred to as clients, participants or members.

Contra Costa Mental Health (CCMH). CCMH is one of 58 counties, the City of Berkeley, and the Tri-Cities area East of Los Angeles legislatively empowered to engage in a contract, or Mental Health Plan, with the state to perform public mental health services. This enables Contra Costa County to utilize federal, state, county and private funding for these mental health services. The Mental Health Services Act is one source of state funding. CCMH is divided into a Children's System of Care and an Adult and Older Adult System of Care.

Co-occurring Disorders. Co-occurring disorders refers to more than one behavioral and/or medical health disorder that an individual can experience and present for care and treatment. Common examples are an individual with a substance abuse disorder coupled with a mental health diagnosis, or a developmental disability, such as autism, coupled with a thought disorder.

Cultural Competence. Cultural competence means equal access to services of equal quality is provided, without disparities among racial/ethnic, cultural, and linguistic populations or communities.

Employment Services. Employment Services is a continuum of services and supports designed to enable individuals to get and keep a job. It includes 1) pre-vocational services, such as removing barriers to employment, 2) employment preparation, to include career counseling and education, training and volunteer activity support, 3) job placement, to include job seeking, placement assistance and on-the-job training, and 4) job retention, to include supported employment.

EPIC system. Epic is a nationwide computer software company that offers an integrated suite of health care software centered on a database. Their applications support functions related to patient care, including registration and scheduling; clinical systems for doctors, nurses, emergency personnel, and other care providers; systems for lab technicians, pharmacists, and radiologists; and billing systems for insurers.

Evidence Based Practices. This term refers to treatment practices that follow a prescribed method that has been shown to be effective by the best available evidence. This evidence is comprised of research findings derived from the systematic collection of data through observation and experiment, and the formulation of questions and testing of hypotheses.

Family Partners. Also referred to as Parent Partners, this professional brings lived experience as a family member of an individual with a serious mental illness to their provision of services. They often participate as a member of a multi-disciplinary team providing mental health treatment, and assist families understand, acquire and navigate the various services and resources needed.

Family-to-Family Training. Family-to-Family is an educational course for family, caregivers and friends of individuals living with mental illness. Taught by trained volunteer instructors from the National Alliance for the Mentally Ill it is a free of cost twelve week course that provides critical information and strategies related to caregiving, and assists in better collaboration with mental health treatment providers.

Federal Poverty Level. This is a total household income amount that the federal government provides an annual guideline that defines whether individuals are living above or below the poverty level. For example, a family of four is determined to live under the poverty level if their total income in 2014 is \$23,850.

Focus Groups. In this context focus groups are a means for a small group (usually 8-15) of individuals to provide input, advice and counsel on practices, policies or proposed rulemaking on matters that affect them. Often these individuals are grouped by similar demographics or characteristics in order to provide clarity on a particular perspective.

Forensic. In this context this is a term that is connected to individuals involved in the legal court system. Public mental health services utilizing this term identify individuals with mental health issues also involved in the court system.

Full Service Partnership (FSP). Full service partnership is a term created by the Mental Health Services Act as a means to require funding from the Act to be used in a certain manner for individuals with serious mental illness. Required features of full service partnerships are that there be a written agreement, or individual services and supports plan, entered into with the client, and when appropriate, the client's family. This plan may include the full spectrum of community services necessary to attain mutually agreed upon goals. The full spectrum of community services consists of, but is not limited to, mental health treatment, peer support, supportive services to assist the client, and when appropriate the client's family, in obtaining and maintaining employment, housing, and/or education, wellness centers, culturally specific treatment approaches, crisis intervention/stabilization services, and family education services. Also included are non-mental health services and supports, to include food, clothing, housing, cost of health care and co-occurring disorder treatment, respite care, and wrap-around services to children. The County shall designate a personal service coordinator or case manager for each client to be the single point of responsibility for services and supports, and provide a qualified individual to be available to respond to the client/family 24 hours a day, seven days a week.

The Full Service Partnership category is part of the Community Services and Supports (CSS) component of the Mental Health Services Act. At least 50% of the funding for CSS is to go toward supporting the County's full service partnership category.

General System Development. This is a term created by the Mental Health Services Act, and refers to a category of services funded in the community services and supports component, and are similar to those services provided by community public mental health programs authorized in the Welfare and Institutions Code. MHSA funded services contained in the general system development category are designed to

improve and supplement the county mental health service delivery system for all clients and their families.

Greater Bay Area Regional Partnership. Regional partnership means a group of County approved individuals and/or organizations within geographic proximity that acts as an employment and education resource for the public mental health system. These individuals and/or organizations may be county staff, mental health service providers, clients, clients' family members, and any individuals and/or organizations that have an interest in developing and supporting the workforce of the public mental health system. The Greater Bay Area Regional Partnership refers to an ongoing effort of individuals and/or organizations from the twelve county greater California bay area region.

IMPACT (Improving Mood: Providing Access to Collaborative Treatment). This refers to an evidence based mental health treatment for depression utilized specifically for older adults, and is provided in a primary care setting where older adults are concurrently receiving medical care for physical health problems. Up to twelve sessions of problem solving therapy with a year follow up is provided by a licensed clinical therapist, with supervision and support from a psychiatrist who specializes in older adults. The psychiatrist assesses for and monitors medications as needed, and both the clinician and psychiatrist work in collaboration with the primary care physician.

Innovation (INN). Innovation is the component of the Mental Health Services Act that funds new or different patterns of service that contribute to informing the mental health system of care as to best or promising practices that can be subsequently added or incorporated into the system. These innovative programs accomplish one or more of the following objectives; i) increase access to underserved groups, ii) increase the quality of services, to include better outcomes, iii) promote interagency collaboration, and iv) increase access to services. All new Innovation programs shall be reviewed and approved by the Mental Health Services Oversight and Accountability Commission. The Act states that five per cent of a County's revenues shall go for Innovation.

Iron Triangle. This term refers to the central area of the city of Richmond that is bordered on three sides by railroad tracks. The communities within this area have a high number of households living below the poverty level, and have a high need for social services, to include public mental health.

Laura's Law. See **Assembly Bill 1421.**

Lesbian, Gay, Bi-sexual, Transgender, Questioning (LGBTQ). Persons in these groups express norms different than the heterosexism of mainstream society, and often experience stigmatism as a result. Lesbian refers to women whose primary emotional, romantic, sexual or affectional attractions are to other women. Gay refers to men whose primary emotional, romantic, sexual or affectional attractions are to other men.

Bi-sexual refers to men or women whose primary emotional, romantic, sexual, or affectional attractions are to both women and men. Transgender is a term that includes persons who cross-dress, are transsexual, and people who live substantial portions of their lives as other than their birth gender. People who are transgender can be straight, gay, lesbian or bi-sexual. Questioning refers to someone who is questioning their sexual and/or gender orientation.

Licensed Clinical Specialist. In this context the term licensed clinical specialist is a County civil service classification that denotes a person meeting minimum mental health provider qualifications, to include possessing a license to practice mental health treatment by the California Board of Behavioral Sciences (BBS). An intern registered by BBS also qualifies. A licensed clinical specialist or registered intern can sign mental health treatment plans that qualify for federal financial participation through the Medi-Cal program.

Medi-Cal. Medi-Cal is California's version of the federal Medi-Caid program, in which health and mental health care can be provided by public health and mental health entities to individuals who do not have the ability to pay the full cost of care, and who meet medical necessity requirements. The federal Medi-Caid program reimburses states approximately half of the cost, with the remainder of the cost provided by a variety of state and local funding streams, to include the MHSA.

Mental Health Career Pathway Program. Mental Health Career Pathway Programs are education, training and counseling programs designed to recruit and prepare individuals for entry into and advancement in jobs in the public mental health system. These programs are a category listed as part of the workforce education and training component of the Mental Health Services Act.

Mental Health Commission (MHC). The County's Mental Health Commission are individuals, often with lived experience as a consumer and/or family member of a consumer, who are appointed as representatives of the County's Board of Supervisors to provide 1) oversight and monitoring of the County's mental health system, 2) advocacy for persons with serious mental illness, and 3) advise the Board of Supervisors and the mental health director.

Mental Health Loan Assumption Program (MHLAP). This is a program that makes payments to an educational lending institution on behalf of an employee who has incurred debt while obtaining an education, provided the individual agrees to work in the public mental health system for a specified period of time and in a capacity that meets the employer's workforce needs. The MHLAP is funded by the Mental Health Services Act in the workforce education and training component.

Mental Health Services Act (MHSA). Also known as Proposition 63, the Mental Health Services Act was voted into law by Californians in November 2004. This program combines prevention services with a full range of integrated services to treat the whole person, with the goal of self-sufficiency for those who may have otherwise faced homelessness or dependence on the state for years to come. The MHSA has five components; community services and supports, prevention and early intervention, innovation, workforce education and training, and capital facilities and technology. An additional one percent of state income tax is collected on incomes exceeding one million dollars and deposited into a Mental Health Services Fund. These funds are provided to the County based upon an agreed upon fair share formula.

Mental Health Services Act (MHSA) Three Year Program and Expenditure Plan. Each County prepares and submits a three year plan, which shall be updated at least annually and approved by the County's Board of Supervisors. The plan will be developed with local stakeholders by means of a community program planning process, and will include programs and funding planned for each component, as well as providing for a prudent reserve. Each plan or update shall indicate the number of children, adults and seniors to be served, as well as reports on the achievement of performance outcomes for services provided.

Mental Health Services Oversight and Accountability Commission (MHSOAC). The Mental Health Services Oversight and Accountability Commission was established by the MHSA to provide state oversight of MHSA programs and expenditures, and is responsible for annually reviewing and approving each county mental health program for expenditures pursuant to the components of Innovation and Prevention and Early Intervention.

Mental Health Professional Shortage Designations. This is a term used by the federal Human Resource Services Administration to determine areas of the country where there is a verified shortage of mental health professionals. These geographical areas are then eligible to apply for a number of federal programs where financial incentives in recruiting and retention are applied to address the workforce shortage.

Money Management. This is a term that refers to services that can encompass all aspects of assisting an individual plan and manage financial benefits and resources. It can include counseling on the interplay of work and other sources of income on Medi-Cal, Medicare, Social Security Disability Income (SSDI), and Supplemental Security Income (SSI). It can include becoming a conservator of funds for an individual who has been deemed to be unable to manage their own funds.

Multi-dimensional Family Therapy (MDFT). MDFT is an evidence based comprehensive and multi-systemic family-based outpatient or partial hospitalization

program for substance-abusing adolescents, adolescents with co-occurring substance use and mental disorders, and those at high risk for continued substance abuse. Treatment is delivered in a series of 12 to 16 weekly or twice weekly 60 to 90 minute sessions. Treatment focuses on the social interaction areas of parents and peers, the parents' parenting practices, parent-adolescent interactions in therapy, and communications between family members and key social systems, such as school and child welfare.

Multi-systemic Therapy (MST). MST is an evidence based mental health service that is a community-based, family driven treatment for antisocial/delinquent behavior in youth. The focus is on empowering parents and caregivers to solve current and future problems, and actively involves the entire ecology of the youth; family, peers, school and the neighborhood.

National Alliance on Mental Illness (NAMI). NAMI is the National Alliance on Mental Illness, the nation's largest grassroots mental health organization dedicated to building better lives for the millions of Americans affected by mental illness. NAMI advocates for access to services, treatment, supports and research and is steadfast in its commitment to raise awareness and build a community for hope for all of those in need. NAMI is the foundation for hundreds of NAMI State Organizations, NAMI Affiliates and volunteer leaders who work in local communities across the country to raise awareness and provide essential and free education, advocacy and support group programs.

Needs Assessment. In this context needs assessment means that part of the community program planning process where the mental health services and supports needs of the community are identified and assessed. This includes identifying populations, age groups and communities that remain unserved, underserved or inappropriately served.

Office of Statewide Health Planning and Development (OSHPD). The Office of Statewide Health Planning and Development (OSHPD) is a state department that assists California improve the structure and function of its healthcare delivery systems and promote healthcare accessibility. OSHPD is the state entity responsible for the implementation of various MHSA state level funded workforce education and training programs, such as the mental health loan assumption program, psychiatric residency programs, and several graduate stipend and internship programs.

Outreach and Engagement. In this context outreach and engagement is a MHSA term that is a community services and support category, and a category in which prevention and early intervention services can be provided. Services are designed to reach out and engage individuals in mental health care who have a serious mental illness, or are

at risk of developing a serious mental illness. These are individuals who have not sought services in a traditional manner due to cultural or linguistic barriers.

Peer Provider. This is a term that refers to a professional who brings lived experience as a mental health consumer to their provision of services. They often participate as a member of a multi-disciplinary team providing mental health treatment, and assist consumers and their families understand, acquire and navigate the various services and resources needed.

Perinatal Depression. Perinatal depression is depression that occurs during pregnancy and up to twelve months after giving birth. It can be caused by changes in hormones during pregnancy and after having a baby. It can also be caused by the many stresses of being a new mother. Postpartum depression, or depression after delivery, is different from post-partum “blues,” which peak three to five days after delivery and usually end within two weeks after the baby’s birth. A woman with perinatal depression has symptoms that last two weeks or longer.

Personal Service Coordinators. Personal service coordinators, also known as case managers, refers to a mental health clinician who develops and implements an individual services and support plan with an individual diagnosed with a serious mental illness, and who is part of a full service partner program under the MHSA. This plan contains a diagnosis, level of severity, agreed upon goals, and actions by the consumer, the personal services coordinator, and other service providers to reach those goals. The personal service coordinator provides therapy, and additionally takes responsibility for the delivery and/or coordination of both mental health and rehabilitation services that assist the consumer reach his/her goals.

PhotoVoice Empowerment Program. The County sponsors classes designed to enable individuals to create artwork consisting of a photograph and a personally written story that speak to or represent the challenges of prejudice, discrimination and ignorance that people with behavioral health challenges face. These artworks are then displayed in the community to educate, raise awareness and reduce stigma.

Portland Identification and Early Referral (PIER) Model. This is an evidence based treatment developed by the PIERS Institute of Portland, Maine. It is an early intervention program for youth, ages 12-25 who are at risk for developing psychosis. It is a multi-disciplinary team approach consisting of a structured interview to assess risk for psychosis, multi-family group therapy, psychiatric care, family psycho-education, supported education and employment, and occupational therapy.

Positive Parenting Program. The Triple P Positive Parenting Program is an evidence based practice designed to increase parents’ sense of competence in their parenting

abilities. It is a multilevel system of family intervention that aims to prevent severe emotional and behavioral disturbances in children by promoting positive and nurturing relationships between parent and child. Improved family communication and reduced conflict reduces the risk that children will develop a variety of behavioral and emotional problems.

Post-traumatic Stress Disorder (PTSD). Post-traumatic stress disorder (PTSD) is an emotional illness that is classified as an anxiety disorder, and usually develops as a result of a terribly frightening, life-threatening, or otherwise highly unsafe experience. PTSD sufferers re-experience the traumatic event or events in some way, tend to avoid places, people, or other things that remind them of the event (avoidance), and are exquisitely sensitive to normal life experiences (hyper arousal).

Prevention and Early Intervention (PEI). Prevention and Early Intervention is a term created by the Mental Health Services Act, and refers to a component of funding in which services are designed to prevent mental illnesses from becoming severe and disabling. This means providing outreach and engagement to increase recognition of early signs of mental illness, and intervening early in the onset of a mental illness. Twenty percent of funds received by the Mental Health Services Act are to be spent for prevention and early intervention services.

Pre-vocational Employment Services. These are services that enable a person to actively engage in finding and keeping a job. Often the services remove barriers to employment services, such as counseling on how working affects benefits, stabilizing medications, obtaining a driver's license or general education diploma, and resolving immigration or other legal issues.

Prudent Reserve. This is a term created by the Mental Health Services Act, and refers to a County setting aside sufficient MHSA revenues in order to ensure that services do not have to be significantly reduced in years in which revenues are below the average of previous years.

Psychiatric Emergency Services (PES). The psychiatric emergency services unit of Contra Costa County is located next door to the Emergency Room of the Regional Medical Center in Martinez. It operated 24 hours a day, seven days a week, and consists of psychiatrists, nurses and mental health clinicians who are on call and available to respond to individuals who are brought in due to a psychiatric emergency. Persons who are seen are either treated and released, or admitted to the in-patient psychiatric hospital ward.

Psychiatric Residency. Physicians who specialize in psychiatry complete a four year residency program at one of several schools of psychiatry, such as that located at the University of California at San Francisco. This is essentially a paid work study

arrangement, where they practice under close supervision and concurrently take coursework. At the final residency year the psychiatrist can elect to work in a medical setting, teach, do research, or work in a community mental health setting.

Serious Mental Illness (SMI). Adults with a serious mental illness are persons eighteen years and older who, at any time during a given year, have a diagnosable mental, behavioral, or emotional disorder that meet the criteria of the Diagnostic and Statistical Manual, and the disorder has resulted in functional impairment which substantially interferes with or limits one or more major life activities.

Seriously Emotionally Disturbed (SED). Children from birth up to age eighteen with serious emotional disturbance are persons who currently or at any time during the past year have had a diagnosable mental, behavioral, or emotional disorder of sufficient duration to meet diagnostic criteria specified within the Diagnostic and Statistical Manual and results in functional impairment which substantially interferes with or limits the child's role or functioning in family, school, or community activities.

Service Provider Individualized Recovery Intensive Training (SPIRIT). SPIRIT is a recovery oriented, peer led classroom and experiential-based , college accredited educational program for individuals with lived experience as a consumer of mental health services. It is sponsored by Contra Costa Mental Health and Contra Costa Community College, and successful completion satisfies the minimum qualifications to be considered for employment by the County as a Community Support Worker.

Stakeholders. Stakeholders is a term defined in the California Code of Regulations to mean individuals or entities with an interest in mental health services, including but not limited to individuals with serious mental illness and/or serious emotional disturbance and/or their families, providers of mental health and/or related services such as physical health care and/or social services, educators and/or representatives of education, representatives of law enforcement, and any organization that represents the interests of individuals with serious mental illness and/or serious emotional disturbance and/or their families.

Stigma and Discrimination. In this context these terms refer to the negative thoughts and/or behaviors that form an inaccurate generalization or judgment, and adversely affects the recovery, wellness and resiliency of persons with mental health issues. These thoughts and behaviors can include any person who has an influence on a person's mental health well-being, to include the person experiencing the mental health issue.

Substance Use Disorder. A substance use disorder is a disorder in which the use of one or more substances leads to a clinically significant impairment or distress. Although

the term substance can refer to any physical matter, substance abuse refers to the overuse of, or dependence on, a drug leading to effects that are detrimental to the individual's physical and mental health, or the welfare of others. The disorder is characterized by a pattern of continued pathological use of a medication, non-medically indicated drug or toxin which results in repeated adverse social consequences related to drug use, such as failure to meet work, family, or school obligations, interpersonal conflicts, or legal problems.

Supported Employment. Supported employment is a federal vocational rehabilitation term that means competitive work for individuals with the most significant disabilities that occurs in integrated work settings, or settings in which individuals are working toward competitive work. Such work is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individuals. Supported employment usually means that a professional support person, or job coach, assists the individual in a competitive work setting until assistance is no longer needed.

Supportive Housing. Supportive housing is a combination of housing and services intended as a cost-effective way to help people live more stable, productive lives. Supportive housing is widely believed to work well for those who face the most complex challenges—individuals and families confronted with homelessness and who also have very low incomes and/or serious, persistent issues that may include substance abuse, addiction or alcoholism, mental illness, HIV/AIDS, or other serious challenges to a successful life. Supportive housing can be coupled with such social services as job training, life skills training, alcohol and drug abuse programs, community support services, such as child care and educational programs, and case management to populations in need of assistance. Supportive housing is intended to be a pragmatic solution that helps people have better lives while reducing, to the extent feasible, the overall cost of care.

Systematic Training for Effective Parenting (STEP). Systematic Training for Effective Parenting (STEP) is a parent education program published as a series of books developed and published by the psychologists Don Dinkmeyer Sr., Gary D. McKay and Don Dinkmeyer Jr. The publication was supplemented by an extensive concept for training and proliferation. STEP has reached more than four million parents and has been translated into several languages. It provides skills training for parents dealing with frequently encountered challenges with their children that often result from autocratic parenting styles. STEP is rooted in Adlerian psychology and promotes a more participatory family structure by fostering responsibility, independence, and competence in children; improving communication between parents and children; and helping children learn from the natural and logical consequences of their own choices.

Transition Age Youth (TAY). Transition Age Youth is a term meaning individuals who are between the age of 16 years and 25 years of age. Specific mental health programs that address this age group are in the adult system of care, and were designed to assist in the transition of services from the children's system of care, where individuals stop receiving services at 18.

Workforce Education and Training (WET). Workforce Education and Training is a term created by the Mental Health Services Act, and refers to the component of the MHSA that funds programs and service that assist in the recruitment and retention of a skilled and culturally competent mental health workforce.

Wellness Recovery Action Plan (WRAP). The Wellness Recovery Action Plan, or WRAP, is an evidence-based practice that is used by people who are dealing with mental health and other kinds of health challenges, and by people who want to attain the highest possible level of wellness. It was developed by a group of people who have a lived experience with mental health difficulties and who were searching for ways to resolve issues that had been troubling them for a long time. WRAP involves listing one's personal resources and wellness tools, and then using those resources to develop action plans to use in specific situations.

Wraparound Services. Wraparound services are an intensive, individualized care management process for children with serious emotional disturbances. During the wraparound process, a team of individuals who are relevant to the well-being of the child or youth, such as family members, other natural supports, service providers, and agency representatives collaboratively develop an individualized plan of care, implement this plan, and evaluate success over time. The wraparound plan typically includes formal services and interventions, together with community services and interpersonal support and assistance provided by friends and other people drawn from the family's social networks. The team convenes frequently to measure the plan's components against relevant indicators of success. Plan components and strategies are revised when outcomes are not being achieved.

Wellness Recovery Education for Acceptance, Choice and Hope (WREACH). The WREACH Speaker's Bureau is sponsored by Contra Costa Behavioral Health Services, and is designed to reduce the stigma that consumers and family members often face in the workplace, behavioral and physical health care systems, and in their communities. The WREACH program forms connections between people in the community and people with lived mental health and co-occurring disorders experiences by providing opportunities for sharing stories of recovery and resiliency, and sharing current information on health treatment and supports. Workshops are held to teach people and their families how to write and present their recovery and resilience stories. These

individuals are then connected with audiences that include behavioral health providers, high school and college staff and students, law enforcement, physical health providers and the general community.

MHSA COUNTY FISCAL ACCOUNTABILITY CERTIFICATION¹

County/City: Contra Costa

- Three-Year Program and Expenditure Plan
 Annual Update
 Annual Revenue and Expenditure Report

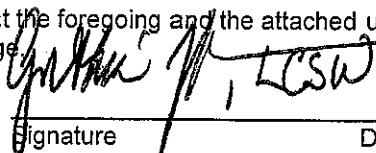
Local Mental Health Director	County Auditor-Controller / City Financial Officer
Name: Cynthia Belon, LCSW	Name: Robert R. Campbell
Telephone Number: (925) 957-5202	Telephone Number: (925) 646-2181
E-mail: Cynthia.Belon@hsd.cccounty.us	E-mail: Bob.Campbell@ac.cccounty.us
Local Mental Health Mailing Address: Contra Costa mental Health Administration 1340 Arnold Dr. #200 Martinez, CA 94553	

I hereby certify that the Three-Year Program and Expenditure Plan, Annual Update or Annual Revenue and Expenditure Report is true and correct and that the County has complied with all fiscal accountability requirements as required by law or as directed by the State Department of Health Care Services and the Mental Health Services Oversight and Accountability Commission, and that all expenditures are consistent with the requirements of the Mental Health Services Act (MHSA), including Welfare and Institutions Code (WIC) sections 5813.5, 5830, 5840, 5847, 5891, and 5892; and Title 9 of the California Code of Regulations sections 3400 and 3410. I further certify that all expenditures are consistent with an approved plan or update and that MHSA funds will only be used for programs specified in the Mental Health Services Act. Other than funds placed in a reserve in accordance with an approved plan, any funds allocated to a county which are not spent for their authorized purpose within the time period specified in WIC section 5892(h), shall revert to the state to be deposited into the fund and available for counties in future years.

I declare under penalty of perjury under the laws of this state that the foregoing and the attached update/revenue and expenditure report is true and correct to the best of my knowledge.

Cynthia Belon, LCSW

Local Mental Health Director (PRINT)

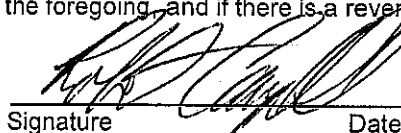
 LCSW
 Signature Date 6/18/14

I hereby certify that for the fiscal year ended June 30, 2013, the County/City has maintained an interest-bearing local Mental Health Services (MHS) Fund (WIC 5892(f)); and that the County's/City's financial statements are audited annually by an independent auditor and the most recent audit report is dated 12/18/13 for the fiscal year ended June 30, 2013. I further certify that for the fiscal year ended June 30, 2013, the State MHSA distributions were recorded as revenues in the local MHS Fund; that County/City MHSA expenditures and transfers out were appropriated by the Board of Supervisors and recorded in compliance with such appropriations; and that the County/City has complied with WIC section 5891(a), in that local MHS funds may not be loaned to a county general fund or any other county fund.

I declare under penalty of perjury under the laws of this state that the foregoing, and if there is a revenue and expenditure report attached, is true and correct to the best of my knowledge.

Robert R. Campbell

County Auditor Controller / City Financial Officer (PRINT)


 Signature Date 6/19/14

¹ Welfare and Institutions Code Sections 5847(b)(9) and 5899(a)
 Three-Year Program and Expenditure Plan, Annual Update, and RER Certification (07/22/2013)

MHSA COUNTY COMPLIANCE CERTIFICATION

County/City: _____

- Three-Year Program and Expenditure Plan
 Annual Update

Local Mental Health Director	Program Lead
Name:	Name:
Telephone Number:	Telephone Number:
E-mail:	E-mail:
Local Mental Health Mailing Address:	

I hereby certify that I am the official responsible for the administration of county/city mental health services in and for said county/city and that the County/City has complied with all pertinent regulations and guidelines, laws and statutes of the Mental Health Services Act in preparing and submitting this Three-Year Program and Expenditure Plan or Annual Update, including stakeholder participation and nonsupplantation requirements.

This Three-Year Program and Expenditure Plan or Annual Update has been developed with the participation of stakeholders, in accordance with Welfare and Institutions Code Section 5848 and Title 9 of the California Code of Regulations section 3300, Community Planning Process. The draft Three-Year Program and Expenditure Plan or Annual Update was circulated to representatives of stakeholder interests and any interested party for 30 days for review and comment and a public hearing was held by the local mental health board. All input has been considered with adjustments made, as appropriate. The annual update and expenditure plan, attached hereto, was adopted by the County Board of Supervisors on _____.

Mental Health Services Act funds are and will be used in compliance with Welfare and Institutions Code section 5891 and Title 9 of the California Code of Regulations section 3410, Non-Supplant.

All documents in the attached annual update are true and correct.

Local Mental Health Director (PRINT)

Signature

Date

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Funding Summary**

County: Contra Costa

Date: April 17, 2014

	MHSa Funding					
	A	B	C	D	E	F
	Community Services and Supports	Prevention and Early Intervention	Innovation	Workforce Education and Training	Capital Facilities and Technological Needs	Prudent Reserve
A. Estimated FY 2014/15 Funding						
1. Estimated Unspent Funds from Prior Fiscal Years	16,250,578	10,572,630	3,314,376	2,043,384	4,054,864	
2. Estimated New FY2014/15 Funding	28,060,615	7,015,154	1,846,093			
3. Transfer in FY2014/15 ^{a/}	0					
4. Access Local Prudent Reserve in FY2014/15						0
5. Estimated Available Funding for FY2014/15	44,311,193	17,587,784	5,160,469	2,043,384	4,054,864	
B. Estimated FY2014/15 MHSa Expenditures	30,068,631	8,037,813	2,019,495	638,871	849,936	
C. Estimated FY2015/16 Funding						
1. Estimated Unspent Funds from Prior Fiscal Years	14,242,562	9,549,971	3,140,974	1,404,513	3,204,928	
2. Estimated New FY2015/16 Funding	24,219,250	6,054,813	1,593,372			
3. Transfer in FY2015/16 ^{a/}	0					
4. Access Local Prudent Reserve in FY2015/16						0
5. Estimated Available Funding for FY2015/16	38,461,812	15,604,784	4,734,346	1,404,513	3,204,928	
D. Estimated FY2015/16 Expenditures	31,568,631	8,037,813	2,019,495	638,871	849,936	
E. Estimated FY2016/17 Funding						
1. Estimated Unspent Funds from Prior Fiscal Years	6,893,181	7,566,971	2,714,851	765,642	2,354,992	
2. Estimated New FY2016/17 Funding	24,758,147	6,189,537	1,628,825			
3. Transfer in FY2016/17 ^{a/}	0					
4. Access Local Prudent Reserve in FY2016/17						0
5. Estimated Available Funding for FY2016/17	31,651,328	13,756,507	4,343,677	765,642	2,354,992	
F. Estimated FY2016/17 Expenditures	31,568,631	8,037,813	2,019,495	638,871	849,936	
G. Estimated FY2016/17 Unspent Fund Balance	82,697	5,718,694	2,324,182	126,771	1,505,056	

H. Estimated Local Prudent Reserve Balance	
1. Estimated Local Prudent Reserve Balance on June 30, 2014	7,125,250
2. Contributions to the Local Prudent Reserve in FY 2014/15	0
3. Distributions from the Local Prudent Reserve in FY 2014/15	0
4. Estimated Local Prudent Reserve Balance on June 30, 2015	7,125,250
5. Contributions to the Local Prudent Reserve in FY 2015/16	0
6. Distributions from the Local Prudent Reserve in FY 2015/16	0
7. Estimated Local Prudent Reserve Balance on June 30, 2016	7,125,250
8. Contributions to the Local Prudent Reserve in FY 2016/17	0
9. Distributions from the Local Prudent Reserve in FY 2016/17	0
10. Estimated Local Prudent Reserve Balance on June 30, 2017	7,125,250

a/ Pursuant to Welfare and Institutions Code Section 5892(b), Counties may use a portion of their CSS funds for WET, CFTN, and the Local Prudent Reserve. The total amount of CSS funding used for this purpose shall not exceed 20% of the total average amount of funds allocated to that County for the previous five years.

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Community Services and Supports (CSS) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2014/15					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated CSS Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
FSP Programs						
1. Children	2,885,820	2,885,820				
2. Transition Age Youth	2,065,642	2,065,642				
3. Adult	2,935,514	2,935,514				
4. Adult Mental Health Clinic Support	1,794,059	1,794,059				
5. Wellness and Recovery Centers	875,000	875,000				
6. Crisis Residential	2,017,019	2,017,019				
7. MHSA Housing Services	4,886,309	4,886,309				
8.	0					
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
Non-FSP Programs						
1. Older Adult Mental Health Program	3,560,079	3,560,079				
2. Children's Wraparound Support	2,161,974	2,161,974				
3. Assessment and Recovery Center	1,250,000	1,250,000				
4. Liaison Staff	513,693	513,693				
5. Clinic Support	1,201,637	1,201,637				
6. Forensic Team	493,973	493,973				
7. Quality Assurance and Administrative Support	1,176,673	1,176,673				
8. Administrative Support	2,251,239	2,251,239				
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
CSS Administration	0					
CSS MHSA Housing Program Assigned Funds	0					
Total CSS Program Estimated Expenditures	30,068,631	30,068,631	0	0	0	0
FSP Programs as Percent of Total	58.1%					

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Community Services and Supports (CSS) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2015/16					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated CSS Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
FSP Programs						
1. Children	2,885,820	2,885,820				
2. Transition Age Youth	2,065,642	2,065,642				
3. Adult	2,935,514	2,935,514				
4. Adult Mental Health Clinic Support	1,794,059	1,794,059				
5. Wellness and Recovery Centers	875,000	875,000				
6. Crisis Residential	2,017,019	2,017,019				
7. MHSA Housing Services	4,886,309	4,886,309				
8.	0					
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
Non-FSP Programs						
1. Older Adult Mental Health Program	3,560,079	3,560,079				
2. Children's Wraparound Support	2,161,974	2,161,974				
3. Assessment and Recovery Center	2,750,000	2,750,000				
4. Liaison Staff	513,693	513,693				
5. Clinic Support	1,201,637	1,201,637				
6. Forensic Team	493,973	493,973				
7. Quality Assurance and Administrative Support	1,176,673	1,176,673				
8. Administrative Support	2,251,239	2,251,239				
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
CSS Administration	0					
CSS MHSA Housing Program Assigned Funds	0					
Total CSS Program Estimated Expenditures	31,568,631	31,568,631	0	0	0	0
FSP Programs as Percent of Total	55.3%					

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Community Services and Supports (CSS) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2016/17					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated CSS Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
FSP Programs						
1. Children	2,885,820	2,885,820				
2. Transition Age Youth	2,065,642	2,065,642				
3. Adult	2,935,514	2,935,514				
4. Adult Mental Health Clinic Support	1,794,059	1,794,059				
5. Wellness and Recovery Centers	875,000	875,000				
6. Crisis Residential	2,017,019	2,017,019				
7. MHSA Housing Services	4,886,309	4,886,309				
8.	0					
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
Non-FSP Programs						
1. Older Adult Mental Health Program	3,560,079	3,560,079				
2. Children's Wraparound Support	2,161,974	2,161,974				
3. Assessment and Recovery Center	2,750,000	2,750,000				
4. Liaison Staff	513,693	513,693				
5. Clinic Support	1,201,637	1,201,637				
6. Forensic Team	493,973	493,973				
7. Quality Assurance and Administrative Support	1,176,673	1,176,673				
8. Administrative Support	2,251,239	2,251,239				
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
CSS Administration	0					
CSS MHSA Housing Program Assigned Funds	0					
Total CSS Program Estimated Expenditures	31,568,631	31,568,631	0	0	0	0
FSP Programs as Percent of Total	55.3%					

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Prevention and Early Intervention (PEI) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2014/15					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated PEI Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
PEI Programs - Prevention						
1. Underserved Communities	1,481,361	1,481,361				
2. Supporting Youth	1,600,726	1,600,726				
3. Supporting Families	585,434	585,434				
4. Supporting Adults	246,986	246,986				
5. Supporting Older Adults	489,449	489,449				
6. Preventing Relapse	468,440	468,440				
7. Stigma Reduction	692,988	692,988				
8. Suicide Prevention	416,343	416,343				
9. Administrative support /Planning/Evaluation	370,479	370,479				
10.	0					
PEI Programs - Early Intervention						
11. First Hope	1,685,607	1,685,607				
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
PEI Administration	0					
PEI Assigned Funds	0					
Total PEI Program Estimated Expenditures	8,037,813	8,037,813	0	0	0	0

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Prevention and Early Intervention (PEI) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2015/16					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated PEI Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
PEI Programs - Prevention						
1. Underserved Communities	1,481,361	1,481,361				
2. Supporting Youth	1,600,726	1,600,726				
3. Supporting Families	585,434	585,434				
4. Supporting Adults	246,986	246,986				
5. Supporting Older Adults	489,449	489,449				
6. Preventing Relapse	468,440	468,440				
7. Stigma Reduction	692,988	692,988				
8. Suicide Prevention	416,343	416,343				
9. Administrative support /Planning/Evaluation	370,479	370,479				
10.	0					
PEI Programs - Early Intervention						
11. First Hope	1,685,607	1,685,607				
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
PEI Administration	0					
PEI Assigned Funds	0					
Total PEI Program Estimated Expenditures	8,037,813	8,037,813	0	0	0	0

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Prevention and Early Intervention (PEI) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2016/17					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated PEI Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
PEI Programs - Prevention						
1. Underserved Communities	1,481,361	1,481,361				
2. Supporting Youth	1,600,726	1,600,726				
3. Supporting Families	585,434	585,434				
4. Supporting Adults	246,986	246,986				
5. Supporting Older Adults	489,449	489,449				
6. Preventing Relapse	468,440	468,440				
7. Stigma Reduction	692,988	692,988				
8. Suicide Prevention	416,343	416,343				
9. Administrative support /Planning/Evaluation	370,479	370,479				
10.	0					
PEI Programs - Early Intervention						
11. First Hope	1,685,607	1,685,607				
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
PEI Administration	0					
PEI Assigned Funds	0					
Total PEI Program Estimated Expenditures	8,037,813	8,037,813	0	0	0	0

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Innovations (INN) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2014/15					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated INN Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
INN Programs						
1. Supporting LGBTQ Youth	420,187	420,187				
2. Perinatal Depression Treatment	194,652	194,652				
3. Trauma Recovery Project	123,493	123,493				
4. Reluctant to Rescue	159,390	159,390				
5. Administrative Support	121,773	121,773				
6. Emerging programs	1,000,000	1,000,000				
7.	0					
8.	0					
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
INN Administration	0					
Total INN Program Estimated Expenditures	2,019,495	2,019,495	0	0	0	0

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Innovations (INN) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2015/16					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated INN Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
INN Programs						
1. Supporting LGBTQ Youth	420,187	420,187				
2. Perinatal Depression Treatment	194,652	194,652				
3. Trauma Recovery Project	123,493	123,493				
4. Reluctant to Rescue	159,390	159,390				
5. Administrative Support	121,773	121,773				
6. Emerging programs	1,000,000	1,000,000				
7.	0					
8.	0					
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
INN Administration	0					
Total INN Program Estimated Expenditures	2,019,495	2,019,495	0	0	0	0

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Innovations (INN) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2016/17					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated INN Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
INN Programs						
1. Supporting LGBTQ Youth	420,187	420,187				
2. Perinatal Depression Treatment	194,652	194,652				
3. Trauma Recovery Project	123,493	123,493				
4. Reluctant to Rescue	159,390	159,390				
5. Administrative Support	121,773	121,773				
6. Emerging programs	1,000,000	1,000,000				
7.	0					
8.	0					
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
INN Administration	0					
Total INN Program Estimated Expenditures	2,019,495	2,019,495	0	0	0	0

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Workforce, Education and Training (WET) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2014/15					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated WET Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
WET Programs						
1. Administrative Support	184,426	184,426				
2. Staff Training	84,000	84,000				
3. SPIRIT	11,000	11,000				
4. Family to Family	20,000	20,000				
5. Law Enforcement	5,000	5,000				
6. High School Academy	14,500	14,500				
7. Graduate Level Internships	269,945	269,945				
8. Bachelor/Master Degree Scholarships	50,000	50,000				
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
WET Administration	0					
Total WET Program Estimated Expenditures	638,871	638,871	0	0	0	0

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Workforce, Education and Training (WET) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2015/16					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated WET Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
WET Programs						
1. Administrative Support	184,426	184,426				
2. Staff Training	84,000	84,000				
3. SPIRIT	11,000	11,000				
4. Family to Family	20,000	20,000				
5. Law Enforcement	5,000	5,000				
6. High School Academy	14,500	14,500				
7. Graduate Level Internships	269,945	269,945				
8. Bachelor/Master Degree Scholarships	50,000	50,000				
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
WET Administration	0					
Total WET Program Estimated Expenditures	638,871	638,871	0	0	0	0

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Workforce, Education and Training (WET) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2016/17					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated WET Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
WET Programs						
1. Administrative Support	184,426	184,426				
2. Staff Training	84,000	84,000				
3. SPIRIT	11,000	11,000				
4. Family to Family	20,000	20,000				
5. Law Enforcement	5,000	5,000				
6. High School Academy	14,500	14,500				
7. Graduate Level Internships	269,945	269,945				
8. Bachelor/Master Degree Scholarships	50,000	50,000				
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
WET Administration	0					
Total WET Program Estimated Expenditures	638,871	638,871	0	0	0	0

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Capital Facilities/Technological Needs (CFTN) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2014/15					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated CFTN Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
CFTN Programs - Capital Facilities Projects						
1.	0					
2.	0					
3.	0					
4.	0					
5.	0					
6.	0					
7.	0					
8.	0					
9.	0					
10.	0					
CFTN Programs - Technological Needs Projects						
11. Electronic Health Records System - Administ	849,936	849,936				
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
CFTN Administration	0					
Total CFTN Program Estimated Expenditures	849,936	849,936	0	0	0	0

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Capital Facilities/Technological Needs (CFTN) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2015/16					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated CFTN Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
CFTN Programs - Capital Facilities Projects						
1.	0					
2.	0					
3.	0					
4.	0					
5.	0					
6.	0					
7.	0					
8.	0					
9.	0					
10.	0					
CFTN Programs - Technological Needs Projects						
11. Electronic Health Records System - Administ	849,936	849,936				
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
CFTN Administration	0					
Total CFTN Program Estimated Expenditures	849,936	849,936	0	0	0	0

**FY 2014-15 Through FY 2016-17 Three-Year Mental Health Services Act Expenditure Plan
Capital Facilities/Technological Needs (CFTN) Component Worksheet**

County: Contra Costa

Date: April 17, 2014

	Fiscal Year 2016/17					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated CFTN Funding	Estimated Medi- Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
CFTN Programs - Capital Facilities Projects						
1.	0					
2.	0					
3.	0					
4.	0					
5.	0					
6.	0					
7.	0					
8.	0					
9.	0					
10.	0					
CFTN Programs - Technological Needs Projects						
11. Electronic Health Records System - Administ	849,936	849,936				
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
CFTN Administration	0					
Total CFTN Program Estimated Expenditures	849,936	849,936	0	0	0	0



**PUBLIC COMMENT
PUBLIC HEARING
MHSA Three Year
Program and Expenditure Plan
Fiscal Years 2014-17**

Mental Health Services Act (MHSA) in Contra Costa County

In November 2004, Proposition 63 was passed and became the Mental Health Services Act (MHSA). The MHSA is intended to transform the public mental health system into a more effective, culturally competent, consumer/family driven system, with a focus on recovery and choice.

Resources

- MHSA Annual Plan Updates to the Three-Year Program and Expenditure Plan
 - 2013/2014: [English](#)
 - 2012/2013: [English](#) | [Spanish](#)
 - 2011/2012: [English](#) | [Spanish](#) | [Vietnamese](#)
 - 2010/2011: [English](#) | [Spanish](#) | [Vietnamese](#)
 - 2009/2010: [English](#) | [Spanish](#) | [Vietnamese](#)

Latest Information:

- Contra Costa Mental Health has posted the Mental Health Services Act Three Year Program and Expenditure Plan [2014-2017](#) | [Spanish](#) for 30 day public comment. Please use the forms found here to make any [public comments](#) | [Spanish](#). The public comment period begins on Monday, May 12, 2014 and ends Thursday, June 12, 2014. A public hearing will be held on Thursday, June 12, 2014 at 6:00 p.m. A public hearing will be held on Thursday, June 12, 2014 at 6:00 p.m. in room #101 at 651 Pine St. In Martinez.
- [Mental Health Services Act Assessment of Need](#)
- [The Consolidated Report on MHSA Community Engagement Activities](#)

Links:

- Find Mental Health Services in [West County](#), [East County](#) and [Central County](#)
- [Consolidated Planning Advisory Workgroup \(CPAW\)](#)
- [Department of Mental Health \(DMH\) presentation, 'Informational Legislative Briefing'](#)

- California Mental Health Directors Association (CMHDA) presentation, 'MHSAs Legislative Informational Briefing'
- California Mental Health Directors Association (CMHDA) Talking Points - 'Governor's 2010-11 May Revision for Community Mental Health'

MHSA Programs:

- Capital Facilities & Information Technology
- Community Services & Supports Plan
- MHSA Housing
- Innovation Component
- Prevention & Early Intervention
- Wellness & Education
- Workforce Education & Training

[[help with PDF files](#)]



Contra Costa County's Mental Health Commission Hosts a **PUBLIC HEARING**

**On the Fiscal Years 2014-2017
Mental Health Services Act Three Year
Program and Expenditure Plan
Thursday, June 12, 2014 ♦ 6:15 – 7:45 p.m.
County Administration Building
651 Pine Street, Room 101, Martinez**

The Commission will provide reasonable accommodations for persons with disabilities planning to participate in Commission meetings. Contact the Executive Assistant at 925-957-5140 at least 48 hours prior to the meeting.

AGENDA

- I. 6:15 Call to Order / Introductions**
- II. 6:20 Opening Comments by the Mental Health Commission (MHC) Chair**
 - A. Review of authority for Public Hearing [Welfare & Institutions Code 5848(a)(b)]. A draft plan and update shall be prepared and circulated for review and comment for at least 30 days to representatives of stakeholder interests and any interested party who has requested a copy of the draft plans. The Mental Health Commission shall conduct a public hearing on the draft plan and annual updates at the close of the 30-day comment period. The Mental Health Commission shall review the adopted plan or update and make recommendations to the county mental health department for revisions.
 - B. Review of Public Hearing purpose
To confirm and complete the process.
- III. 6:30 Fiscal Years 2014-2017 Mental Health Services Act (MHSA) Three Year Program and Expenditure Plan – Warren Hayes, MHSA Program Manager**

The Plan is available for review at: cchealth.org/mentalhealth/pdf/2014-mhsa-3-year-plan.pdf
- IV. 6:45 Public Comment On Plan**

Members of the public may comment on any item of public interest within the jurisdiction of the Mental Health Commission. **Public Comment cards are available on the table at the back of the room. Please turn them in to the Mental Health Commission's Executive Assistant.** In the interest of time and

equal opportunity, speakers are requested to observe a 3-minute maximum time limit (subject to change at the discretion of the Chair). In accordance with the Brown Act, if a member of the public addresses an item not on the Agenda, no response, discussion, or action on the item may occur except for the purpose of clarification.

V. 7:10 Commissioner Comments

Members of the Commission may comment on any item of public interest within the jurisdiction of the Mental Health Commission. **Commissioner Comment cards are available at your seat. Please turn them in to the Mental Health Commission's Executive Assistant.** In the interest of time and equal opportunity, speakers are requested to observe a 3-minute maximum time limit (subject to change at the discretion of the Chair). In accordance with the Brown Act, if a member of the public addresses an item not on the Agenda, no response, discussion, or action on the item may occur except for the purpose of clarification.

VI. 7:15 Develop List of Comments and Recommendations to the County Mental Health Administration (MHA) and to the Board of Supervisors (BOS).

Action Item

VII. 7:45 Adjourn Public Hearing

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the staff to a majority of the members of the Mental Health Commission less than 96 hours to that meeting are available for public inspection at 1340 Arnold Drive, Ste. 200, Martinez during normal business hours.

MENTAL HEALTH COMMISSION
MHSA 2014-2017 PUBLIC HEARING
6.12.2014 MINUTES – 1st Draft

Agenda Item	Discussion	Action/ Follow-up
I. Call to Order and Introductions	<p>Mental Health Chairperson Sam Yoshioka called the meeting to order at 6:25 p.m.</p> <p><u>Commissioners Present:</u> Louis Buckingham, District III Jerome Crichton, District III Jack Feldman, District V Dave Kahler, District IV (Left at 7:00) Peggy Kennedy, District II Carole McKindley-Alvarez, District I Colette O’Keeffe, District IV Teresa Pasquini, District I Lauren Rettagliata, District II Gina Swirsding, District I (4:55) Sam Yoshioka, District IV</p> <p><u>Commissioners Absent:</u> Peggy Black, District V Evelyn Centeno, District V Karen Mitchoff, BOS Repr.</p> <p><u>Non-Commissioners Present:</u> Stan Baraghin, Consumer Hillary Bowers, Recovery Innovations Lia Bristol, Supv. Mitchoff’s Office Lisa Bruce, OCE Yolana Cruz, OCE Doug Dunn, NAMI Warren Hayes, MHSA Program Manager Gerogette Howington, Family member Kimberly Krisch, OCE Gerold Loenicker, MHA Erin McCarty, MHA Susan Medlin, OCE Joe Partansky, Guest Roberto Roman, OCE Karen Shuler, MHC Executive Assistant Interpreters for sign language, Spanish and Vietnamese</p>	
II. Opening Comments by the	A. Review of authority for Public Hearing [Welfare & Institutions Code 5848(a)(b)]. A draft plan and update shall be prepared and circulated for review	

<p>MHC Chair</p>	<p>and comment for at least 30 days to representatives of stakeholder interests and any interested party who has requested a copy of the draft plans.</p> <p>The Mental Health Commission shall conduct a public hearing on the draft plan and annual updates at the close of the 30-day comment period. The Mental Health Commission shall review the adopted plan or update and make recommendations to the county mental health department for revisions.</p> <p>B. Review of Public Hearing purpose To confirm and complete the process.</p> <p>Sam commented that he questioned the W&I Code statute that was referred to above as being the authority for the Public Hearing process and the Mental Health Commission’s involvement in that process. But after reading the portion cited, he found it was accurate as stated above. He then turned the meeting over to MHSA Program Manager Warren Hayes for the introduction to the Public Comments..</p>	
<p>III. Fiscal Years 2014-2017 Mental Health Services Act (MHSA) Three Year Program and Expenditure Plan – Warren Hayes, MHSA Program Manager</p>	<p>The Plan is available for review at: cchealth.org/mentalhealth/pdf/2014-mhsa-3-year-plan.pdf</p> <p>Warren stated that Contra Costa Mental Health is pleased to present the draft Mental Health Services Act (MHSA) Three Year Program and Expenditure Plan for fiscal years 2014 through 2017. We welcome your input this evening.</p> <p>This Three Year Plan proposes to set aside \$41.6 million annually to fund over 80 programs and plan elements. No new programs are proposed. Yearly projected expenditures includes \$30 million for Community Services and Supports, \$8 million for Prevention and Early Intervention, \$2 million for Innovation, \$600,000 for Workforce Education and Training, and \$850,000 for Capital Facilities and Information Technology.</p> <p>The budget analysis indicates that expenditures will exceed revenues for the next three years, and predicts that sufficient unspent funds from previous years are available in each component to sustain this level of programming for this three year period. That is, assuming that there are no significant new funding commitments.</p> <p>The Plan proposes to evaluate all programs and plan</p>	

	<p>elements during the next three year period in order to determine whether each MHSA funded program or plan element meets the letter and intent of MHSA, supports the prioritized needs identified in our recently completed community program planning process, meets the agreed upon outcomes, and is cost effective. The Plan also proposes to establish a monthly MHSA financial report in the format provided in this Three Year Plan in order to enable better fiscal accountability, transparency and communication.</p> <p>Finally, this Three Year Plan format and narrative style has been changed from previous years. It contains a Mental Health Director’s vision that is linked to our community program planning process, crosswalks our stakeholder’s prioritized needs to relevant parts of the Plan, provides mental health service maps, program and plan element profiles, and a glossary of terms used in the Plan. Significant events leading up to today include:</p> <ul style="list-style-type: none"> • <u>April 18</u> - posting the needs assessment and community engagement process reports. • <u>April 21</u> - sending the first draft of the Plan to the Mental Health Commission, Consolidated Planning and Advisory Workgroup, and other interested parties. • <u>May 1</u> and <u>May 8</u> - meeting with the Consolidated Planning and Advisory Workgroup and the Mental Health Commission for discussion of the Plan. • <u>May 12</u> - posting the second draft of the Plan for the 30 day Public Comment period. • <u>June 5</u> - responding to input received on the first draft. <p>Tomorrow we will respond to the input received during the public comment period, as well as input received this evening. This written response will be included in the Plan that is sent to the Board of Supervisors for consideration.</p>	
<p>IV. Public Comment on Plan</p>	<p>1) Joe Partansky re: Council on Mentally Ill Offenders. There was discussion as to whether or not he could distribute a flyer he had brought. The Executive Assistant will send out the flyer to attendees tomorrow. (See attached flyer.) He said he hopes that the MHSA Plan allows for efforts at reducing the number of mentally ill juveniles and adults in the court system.</p> <p>2) Douglas Dunn re: Laura’s Law. (See attached</p>	<p>Scan and e-mail flyer Friday to Commissioners and all attendees.</p>

	<p>notes.) He asked that the \$2.5-\$2.75 million in identified CSS funding for a full 45 person Laura’s Law program be included in the 2014-2017 MHSA Plan that the Board of Supervisors finally approve. Until then, he said he personally and the NAMI-CC Board of Directors cannot recommend approval of the 2014-2017 MHSA Plan.</p> <p><i>Note: The Chair allowed Doug’s comments to go beyond the 3-minutes time limit. Peggy reminded the Chair that anyone else commenting needed to be allowed the same time (8 minutes). The Chair said time was not a problem.</i></p> <p>3) Stan Baraghin re: his experiences being 5150’d. He said he objects to Laura’s Law.</p> <p>4) Yolanda Cruz re: Laura’s Law and Behavior Health Court. She spoke about her experience being 5150’d and taken to jail instead of a hospital when she had a mental break. She said the Behavior Health Court has helped her. These programs help and they do need to get funded. She said she is for Laura’s Law because you can get the help you need.</p>	
<p>V. Commissioner Comments</p>	<p>1) Gina responded to the Public Comment Doug made about Laura’s Law despite being told response was not allowed during Public Comment except for purpose of clarification. The Chair allowed her to continue her comments about her opinion of Laura’s Law.</p> <p>2) Jerome said he wants to find out about how MHSA can make more funds available for the Behavior Health Court. If the Plan increases BHC from 18 to 30 clients per year, it would necessitate additional staff. Especially on the cusp of Laura’s Law, can the provision be made to expand and adequately staff it?</p> <p>3) Carole had questions regarding specifics in Plan to raise client levels from 18 to 30. Warren said he visited the BHC and spoke to clients and the judge. The BHC is mandated and only accepts individuals who violate the law. The mandated part is they are given the option of staying in jail or participating in treatment. MHSA only funds the portion where the court system and County staff, the clinicians, who are not funded by MHSA but are really active – the case managers. When an individual needs services from one of our contractors – in this case it is ANKA – he asks</p>	

	<p>questions about how many people ANKA currently gets involved with and right now it's miniscule. But he left the 30 in the Plan. This was done before cuts started being made. He added there isn't a lot of specificity around ANKA and the behavioral Health Court mainly because it isn't very active.</p> <p>4) Teresa explained that the Commission had voted to get additional information on behalf of the Criminal Justice Committee and discuss it at the next MHC meeting. She said she's concerned about specifics about the funds being requested and the number of clients being served. She is confused about how we can have a Plan where the program doesn't have to provide specifics. How are we accepting that the costs given are what it actually costs?</p> <p>5) Jerome said there are currently 15 clients and 1 Mental Health Clinical Specialist. What does that represent? How is this being thought out? Who and in what way is putting this together? What forethought has been given to the connection between funding and the staffing? Warren spoke about the contractual process. The benchmark for the staff-client ratio for FSP is 1 to 12-15. Part of the impetus for MHSA doing an in depth evaluation is asking if they delivered what was originally negotiated and is it right right now? We did a comprehensive review of ANKA.</p> <p>6) Carole asked if there was a way for more information in the Plan. Warren: We can't come up with what we haven't been provided. Is there a means in the Plan to get you the information?</p> <p>7) Peggy: In the next round, next time there should be an evaluation attached to each of the programs – an outcomes report evaluation adapted to each program.</p> <p>8) Gina: Find out how much money is left over they still have floating around. Warren: Method to determine projections needed. How is program actually trending?</p> <p>9) Lauren: Innovation pp. 42-43. Didn't see timeframe in Plan. Partnership/Collaboration component is also missing. Explanation of funds allocated for emerging programs.</p> <p>10) Carole: Innovation programs have not been well</p>	
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	<p>thought out. The Plan needs to be well-thought-out. Warren: Timeframe for Innovation Program has not been set.</p> <p>11) Lauren said we need to know what the timeframes are for the Innovative Programs. Warren said they are being proposed to be funded for the next 3 years.</p> <p>12) Carole asked how are Innovation Programs audited or reviewed. Warren: They will be included with all the others and get the same treatment – actually get a lot more scrutiny from the Innovation Committee.</p> <p>13) Teresa: Have concerns, heard anecdotal information about Crestwood, and wonders about outcomes (Crestwood). She questions what \$850,000 for IT is going to be spent on. Says Warren is a hero for his efforts. She said she is still not able to support this Plan. There are too many loose ends. The ARC budget needs to be explained. Is MHSA paying for staffing? There needs to be clarity. Cannot support it because there is no accommodation for Laura’s Law. Warren:</p> <ul style="list-style-type: none"> • Regarding Crestwood, this Plan is an Augmented Board and Care – outcomes is how many beds they provide, but it needs to be outcomes relating to funds that are augmenting the board and care. As part of our evaluation process, we will need to have outcomes that will satisfy our need to know what they are doing with their funds. • The money for IT was a number given to him by Finance and represents the County operated staff that has been in place to provide the planning for the contract this is being negotiated. He feels the figure will be lower. They have not agreed on a contract yet to do this. • When he got here, in order to get Board approval for the staffing pattern at the ARC, they had to point to a funding source and it was MHSA. A number of clinical specialties can be eligible for federal funding, so how much MHSA funds depends on the staffing pattern. • He is not part of the Laura’s Law process. It is still ongoing. If Laura’s Law is approved and MHSA funds are an issue, an update can be 	
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	provided. He asked that they not be lumped together because it's not known how the Laura's Law discussion is going to go.	
VI. Develop list of comments and recommendations to the County Mental Health Administration and to the Board of Supervisors	<p>1) If the Plan increases BHC from 18 to 30 clients per year, it would necessitate additional staff. Especially on the cusp of Laura's Law, can the provision be made to expand and adequately staff it?</p> <p>2) Is there a way for more specifics to be included in the Plan (like ANKA and the BHC)? Without deliverables, how can we vote?</p> <p>3) In the next round, next time there should be an evaluation attached to each of the programs – an outcomes report evaluation adapted to each program.</p> <p>4) Find out how much money is left over they still have floating around.</p> <p>5) Innovation pp. 42-43. Didn't see timeframe in Plan. Partnership/Collaboration component is also missing. Explanation of funds allocated for emerging programs.</p> <p>6) Innovation programs have not been well thought out. The Plan needs to be well-thought-out.</p> <p>7) Questions about what \$850,000 for IT is going to be spent on. The ARC budget needs to be explained. Is MHSA paying for staffing? There needs to be clarity.</p> <p>Sam called for a motion to be made to send all the questions and comments and recommendations made during this Public Hearing to the Mental Health Administration and to the Board of Supervisors.</p> <p>➤ Jerome made the motion and Carole seconded. There was no further discussion. By a vote of 9-0-1, the motion passed.</p>	<p>Motion to forward list of comments and recommendations to MHA and BOS, Passed 9-0-1. <u>Yes (9):</u> Louis Jerome Jack Peggy K. Carole Colette Teresa Lauren Sam <u>No (0)</u> <u>Abstain (1):</u> Gina <u>Absent (4)</u> Evelyn Dave Peggy B. Supv. Mitchoff</p>
VII. Adjourn Public Hearing	The meeting adjourned at 7:45 p.m.	

Respectfully Submitted,
Karen Shuler, Executive Assistant
Contra Costa County Mental Health Commission

**Contra Costa Mental Health Administration Responses to Public Comments,
Public Hearing and Mental Health Commission Comments/Recommendations**

PUBLIC COMMENT

- a. Comment. Page 4 - Though an acronym index is provided in the second paragraph, CCMH is used without it being defined. To make the Plan reader friendly, the first time an acronym is used please spell it out.
Response. The Contra Costa Mental Health (CCMH) administration agrees that the first time an acronym is used that it should be spelled out, and acknowledges that CCMH was first used without it being spelled out. Contra Costa Mental Health is first spelled out on page 1 – Introduction. The acronym “CCMH” will be inserted on page 1 to inform the reader that this stands for Contra Costa Mental Health.
- b. Comment. On Pages 8 & 9 Laura's Law is mentioned. At least, persons with a serious mental illness that keeps them from treatment do make the pages of the Plan. I will count this a good first step.
Response. As stated in the Three Year Plan, the County is studying the feasibility of implementing or adapting Assembly Bill 1421, or Laura’s Law.
- c. Comment. Housing and Homeless Services. There are new studies out that show that it is less expensive to house someone with a serious mental illness than it is to leave them homeless. So instead of the sentence that begins "Unfortunately . . ." Maybe calling our county to a more forward thinking position at providing housing is needed.
Response. The sentence reads, “Unfortunately sufficient affordable housing for all consumers of CCMH is beyond the financial means of the County’s Behavioral Health Services budget.” This statement is within the scope of this document, and provides context for subsequent statements that identify plans for better coordinating staff and resources in order to improve and maximize the impact of the number of beds and housing units available. Advocacy for more funding for additional affordable housing is beyond the scope of this document. However, it is not outside the scope of individuals who are dedicated to advocating for this issue.
- d. Comment. Children Wraparound Support - page 25. Do any of these funds qualify for federal reimbursement?
Response. These MHSA funds pay for staff participating in the Children’s Wraparound Program, such as family partners, who are not qualified to sign treatment plans that generate federal reimbursement funds. All staff who are able to generate revenue, such as licensed clinicians, are funded by a combination of non-MHSA, non-federal funds, such as realignment dollars, and federal financial participation.

- e. Comment. Assessment and Recovery Center and Liaison Staff - page 25-26. Do any of these positions qualify for funds for federal reimbursement?
Response. For the Assessment and Recovery Center - the potential for part of the mental health service costs to be offset by other funding sources is being determined, such as federal financial participation through Medi-Cal, and cost offsets on selected mental health positions due to the Center being certified as a federally qualified health center. Each potential funding source and its rules for reimbursement will materially affect the potential program and staffing pattern utilized at the center. Any realized cost offsets will affect the total amount of MHSA funds needed, and subsequently affect the projected MHSA funds budgeted for the Center.

For the Liaison Staff – these positions either do not qualify for cost offsets, such as Medi-Cal reimbursement (Community Support Workers), or are performing duties that do not qualify for cost offsets (Mental Health Clinical Specialists).

- f. Comment. Can the Forensic Team positions qualify for AB 109 Funds?
Response. No, the MHSA funded positions that are part of the Forensic Team do not qualify for AB 109 funds.
- g. Comment. Pages 28-29 are hard to track. There is a Family Service Coordinator, but what about the three positions that are at each of the Clinics, East, West and Central?
Response. The Family Service Coordinator position resides at CCMH headquarters, and performs a county wide role that provides non-direct service functions that are administrative in nature. Any direct service positions housed in clinics are part of the respective clinics' staff and would not be included on the administrative support list.
- h. Comment. Page 33, New Leaf Program Martinez Unified School District. Since each of the at-risk youths is under an individualized education plan (IEP) as noted on page 33, would not the cost of this program be the responsibility of the state and federal government?
Response. The program as designed does not fit within the parameters of funding responsibility for either the state or federal educational systems.
- i. Comment. Page 36 & 37, the Concord Health Center. Would not the two mental health clinicians be paid for through reimbursement of Medi-Cal and federal funds. Would this be a federally qualified health center?
Response. The Concord Health Center referenced in the draft should be more correctly entitled the Concord Health Center II, and this change will be made in the final Plan. This clinic has been certified as a federally qualified health center. However, MHSA funds these two positions because they do not qualify for cost offsets, as the positions are filled by Licensed Marriage and Family Therapists. However, the two mental health clinicians could potentially generate federal

financial participation through Medi-Cal reimbursement.

- j. Comment. Since County personnel is very familiar with how the Plan is implemented, they do not need to keep flipping back and forth to the section labeled Plan on page 16, and the Program and Plan Element Profiles on page B-1. But the average stakeholder and citizen does. Has it ever been considered to put all of the Adult FSP Profiles together under the Plan portion that deals with that, and all the Prevention and Early Intervention Profiles under that part of the Plan that they deal with? I don't know if I am clearly getting my point across here, but it seems disjointed the way it is now laid out. It also makes it easier for one to follow the funding if the detail given in the Profile of the agency is under each Plan element.

Response. Yes, it was considered to group the program profiles with the Plan. This format has been used in previous years. Feedback from stakeholders indicated that this was cumbersome as well, as they had to navigate through extensive verbiage and sort out current with proposed information. Once the Plan is adopted by the Board of Supervisors the electronic copy of the Plan will contain hyperlinks that will enable the reader to toggle back and forth between the Plan and Program Profiles where and when they feel the need. The adopted hard copy will contain labeled tabs to assist the reader easily navigate this version as well. We apologize for the current inconvenience.

- k. Comment. Some Programs such as Crestwood & Modesto LLC do not have outcomes. These are not new programs. How can they still be receiving funds if they do not have outcomes?

Response. Currently the outcomes for Crestwood and Modesto LLC have been the number of beds available for consumers experiencing a serious mental illness who are or have been receiving services from CCMH. Contra Costa Mental Health agrees that board and care facilities that receive additional, or augmented, funding should have mutually agreed upon outcomes that account for the additional funds received. The Evaluating the Plan section of the Three Year Plan outlines a methodology to determine if the program achieves the outcomes that have been agreed upon. Additional outcomes for augmented board and care facilities will be determined with these programs as they undergo a program and fiscal review, and these outcomes will be incorporated in their contract as well as reflected in future Plan Updates.

PUBLIC HEARING

- a. Comment. I hope that the Plan allows for efforts at reducing the number of mentally ill juveniles and adults in the court system.

Response. The Three Year Plan funds a number of programs and plan elements that provide mental health services to this population in order to reduce the number of mentally ill juveniles and adults in the court system. Specifically, multi-systemic therapy for juvenile offenders, clinicians out-stationed at juvenile probation offices, clinicians working with the Oren Allen Youth Ranch, the

Behavioral Health Court, and the forensic team, who work with individuals with serious mental illness who are on probation and at risk of re-offending and incarceration.

- b. Comment. I am a family member whose family has suffered because no program like Laura's Law was in place. Enacting Laura's Law would prevent individuals who are seriously mentally ill from being placed in locked facilities. The cost savings would reverse the trend of more and more of the County's mental health budget going to paying for locked facility costs. This would ease the pressure for MHSA funds to pay for out-patient mental health costs. As a representative of NAMI we cannot support the MHSA Three Year Plan without it including funding for Laura's Law.
- c. Comment. I am a consumer who has been arrested, locked up and mistreated by the law many times. I have handcuff scars to prove it. I am against Laura's Law because it violates my rights.
- d. Comment. I am a consumer who was in jail for six months before being given the opportunity to participate in Behavioral Health Court as an alternative to jail. I received excellent mental health treatment, meet monthly with the judge, and my life has turned around. I didn't know I had a mental illness until I got treatment. I am for Laura's Law if it is run like the County's Behavioral Health Court.

Response. The implementation of Laura's Law has not yet been decided by the County. Should the County wish to proceed in this direction, program and funding issues need to be resolved, such as program design, court, public defender, and law enforcement participation, size of population to be served, budget and funding sources needed for sustainability, and any cost savings to the County. For use of MHSA funds for financing the mental health treatment portion of the implementation, a determination will need to be made whether the proposed program design meets the General Standards (CCR 9 CA ADC Section 3320) for use of MHSA funds, and whether a finding is made that no voluntary mental health program serving adults and no children's mental health program will be reduced as a result of the implementation of this article (WIC 5 Section 5349). Page 8 and 9 of the Three Year Plan describes the introduction of potential implementation of Laura's Law, and the process for achieving resolution. Additional language would be premature, given the status of community input and planning efforts. Should the Board of Supervisors recommend that MHSA funds be utilized to implement Laura's Law, this new program will be added to the Three Year Plan, or will be included as a Plan Update, should this Three Year Plan be in place. A community program planning process will be required prior to use of MHSA funds for implementing Laura's Law (CCR 9 CA ADC Section 3300), and Board of Supervisor approval is required.

MENTAL HEALTH COMMISSION COMMENTS/RECOMMENDATIONS

- a. Comment. I am opposing Laura's Law on the grounds that it violates consumers' civil rights. The whole police and court experience is demeaning, overwhelming, and exposing for persons with mental illness. Assisted out-patient treatment is good, however, and should be funded. I am upset that the discussions and work groups so far are dominated by those people who are for Laura's Law, and different perspectives are not allowed to be voiced.

Response. See above response.

- b. Comment. The Three Year Plan calls for Anka to serve 30 consumers a year as a Full Service Partner provider for those consumers who are participating in the Behavioral Health Court. The Behavioral Health Court is an excellent program. Can this number be increased to 40, and adequate funding provided?

Response. The Behavioral Health Court is part of the criminal justice system, where the County provides most of the funding outside Contra Costa Mental Health and MHSA funding. As the lead funder, the County determines the total population capacity to be served. Presently the Behavioral Health Court has approximately 15 active participants who participate for up to two years. Given this scope of service, it would be difficult for Anka to provide full service partner services to more than 30 individuals a year who are participating in the Behavioral Health Court. As stated in the plan, every MHSA program and plan element will undergo a comprehensive program and fiscal review during the Three year Plan. This annual projected number will be examined during Anka's review and adjusted, if appropriate.

- c. Comment. I support the Three Year Plan's section on conducting a program and fiscal review of each MHSA program and plan element. I would recommend that in the next Three year Plan the results of these reviews be included as part of describing the performance and outcomes of these programs and plan elements.

Response. CCMH Administration agrees, and will incorporate this recommendation in the next Three year Plan.

- d. Comment. We need to know how much money is left over after expenditures are made.

Response. The Evaluating the Plan section states that a monthly MHSA Financial Report will be generated that will depict funds budgeted versus spent

for each program and plan element included in this Plan. This will provide ongoing information, and enable sound planning for unspent funds.

e. Comment. The Innovation section of the Plan should be better thought out. Specifically,

- In the Innovation section of the Plan it does not say how long the listed Innovation Projects will last.

Response. All of the listed Innovation Projects will last for the duration of the Three Year Plan. This will be clarified in the final version of the Three Year Plan forwarded to the Board of Supervisors. The Mental Health Services Oversight and Accountability Commission (MHSOAC) has approval authority for all Innovation Projects, and, until very recently, has remained silent on duration of Innovation Projects. The MHSOAC recently published the first draft of state regulations pertaining to the Innovation component, and are proposing a limit of four years, with the potential of extending a project an additional year.

- The MHSOAC web site states that how the project addresses partnership and collaboration should be articulated.

Response. This particular web site lists the topics that an Innovation Project proposal should contain as part of its submittal process to the MHSOAC for approval. All approved CCMH Innovation project proposals as described in the Plan have completed this multi-page detailed checklist of requirements, to include addressing partnership and collaboration. The proposals were fully vetted by the Innovation Committee of the Consolidated Planning and Advisory Workgroup (CPAW). Including the full proposals in the Plan was not considered appropriate, instead the Plan provides a summary of the concept, with a program profile in Appendix B. Innovation project proposals are available upon request.

- How are Innovation projects monitored and evaluated?

Response. Innovation projects are closely monitored by the Innovation sub-committee of the Consolidated Planning and Advisory Workgroup. Innovation projects will be evaluated utilizing the same methodology for evaluating all programs and plan elements as outlined in the Three Year Plan.

- Explain the funds allocated for emerging programs.

Response. The Mental Health Services Act requires that five percent of funds go for Innovation. For Contra Costa County this is approximately \$2 million, which is the yearly budgeted amount for the Plan. \$1,019,495 is committed to existing approved projects. The remaining \$1 million is set aside for the four Innovation project concepts that have been vetted and recommended by the Innovation sub-committee and CPAW, and approved and included in previous Plan Updates. These concepts have yet to be developed into full proposals with detailed budgets for MHSOAC consideration. It would be premature to provide specificity for these concepts, as they have yet to be developed.

f. Comment. I cannot support the Three Year Plan again this year because there are too many loose ends; specifically,

- There are no realistic numbers for persons served or outcomes (deliverables) for some programs, such as Anka and Crestwood. Can we get more specifics to be included in the Plan?

Response. Appendix B of the Three Year Plan provides a program profile of every MHSO funded program that is included for funding in the Plan. Each program profile contains a scope of services, target population, current year payment limit, number to be served, and a listing of fiscal year 2012-13 outcomes. CCMH contract monitors are responsible for determining this information with the program, and ensuring compliance. Anka provides this specificity of deliverables. Crestwood is an augmented board and care operator where outcomes are currently defined as number of beds available for consumers experiencing a serious mental illness who are or have been receiving services from CCMH. Contra Costa Mental Health agrees that board and care facilities that receive additional, or augmented, funding should have mutually agreed upon outcomes that account for the additional funds received. The Evaluating the Plan section of the Three Year Plan outlines a methodology to determine if the program achieves the outcomes, or deliverables, that have been agreed upon. Additional outcomes for augmented board and care facilities will be determined with these programs as they undergo a program and fiscal review, and these outcomes will be incorporated in their contract as well as reflected in future Plan Updates.

- What is the yearly \$850,000 for Information Technology used for?

Response. In the Capital Facilities/Information Technology section, the Electronic Health Records System is explained, as is its current status. The County is currently in negotiations with a vendor to develop and implement a new system specifically for Behavioral Health Services. This as yet determined cost will be funded by a one-time allocation to this component that was enacted in a previous year community program planning process. The \$849,936 yearly cost

budgeted in this Plan is to pay for county operated staff to provide administrative support for this project. The vendor contract cost will be shared as it becomes available.

- The mental health staffing budget and MHSA's share of this cost for the George Miller Wellness Center has not been determined.

Response. The not to exceed \$2.75 million in total ongoing costs for the Center was proposed to the County and accepted, as MHSA funding was determined to be available at the time. From project approval to the recent opening of the primary care element, the potential for part of the mental health service costs to be offset by other funding sources is being determined, such as federal financial participation through Medi-Cal, and cost offsets on selected mental health positions due to the Center being certified as a federally qualified health center. Each potential funding source and its rules for reimbursement materially affects the potential program and staffing pattern utilized at the Center. Resolving these mental health program and staffing issues will provide specificity on program detail and amount needed from the MHSA fund.

- Laura's Law needs to be approved and funded.

Response. See above responses to potential Laura's Law implementation.

The Board of Supervisors

County Administration Building
651 Pine Street, Room 106
Martinez, California 94553-1293

John Gioia, 1st District
Candace Andersen, 2nd District
Mary N. Piepho, 3rd District
Karen Mitchoff, 4th District
Federal D. Glover, 5th District

Contra Costa County



David Twa
Clerk of the Board
and
County Administrator
(925) 335-1900

July 8, 2014

Mental Health Services Oversight and Accountability Commission
1300 17th St., Suite 1000
Sacramento, CA 95811
E-mail: mhsoac@mhsoac.ca.gov

Dear Mental Health Services Oversight and Accountability Commission:

Enclosed you will find the Mental Health Services Act (MHSA) Three Year Program and Expenditure Plan for Fiscal Years (FY) 2014/2015 through 2016/2017 as required. The Draft MHSA Three Year Program and Expenditure Plan for FYs 2014/2015 through 2016/2017 was posted for the required 30 day public review and comment period from May 12, 2014 through June 12, 2014. The MHSA Three Year Program and Expenditure Plan for FYs 2014/2015 through 2016/2017 was adopted by the Contra Costa County Board of Supervisors on July 8, 2014.

Please note that we are not currently seeking Mental Health Services Oversight and Accountability Commission (MHSOAC) approval for the new Innovation projects listed in the Plan but intend to do so at a later date. The descriptions contained therein are meant to inform our stakeholders in regards to our intentions for the three-year period and are not intended to receive approval from the MHSOAC at this time.

As required, we have enclosed one hard copy with original signature, and one electronic copy that is a single document in PDF format, for submission.

If you have any questions on this request, please contact: Cynthia Belon, LCSW, Behavioral Health Services Director, 925-957-5201, or Cynthia.Belon@hsd.cccounty.us.

Thank you.

Sincerely,

Karen Mitchoff, District IV
Chair of the Contra Costa County Board of Supervisors

Enclosure: [Contra Costa County Adopted MHSA Three Year Program and Expenditure Plan for FYs 2014/2015 through 2016/2017](#)



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Approve New and Recredentialing Providers and Recredentialing Organizational Providers in Contra Costa Health Plan's Community Provider Network

RECOMMENDATION(S):

Approve the list of providers recommended by the Contra Costa Health Plan's Peer Review and Credentialing Committee on June 10, 2014, and by the Health Services Director, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services.

FISCAL IMPACT:

None.

BACKGROUND:

The National Committee on Quality Assurance (NCQA) has requested evidence of Board of Supervisors approval for each CCHP provider be contained within the provider's credentials file.

The recommendations were made by CCHP's Peer Review and Credentialing Committee.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, Contra Costa Health Plan's Providers would not be appropriately credentialed and not be in compliance with the NCQA.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Patricia Tanquary,
313-6004

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

By: , Deputy

cc: T Scott, C Rucker, L Maria Perez

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Attachment

Contra Costa Health Plan
Providers Approved by Peer Review and Credentialing Committee
June 10, 2014

CREDENTIALING PROVIDERS JUNE 2014	
Name	Specialty
Bharadwaj, Amitabh, M.D.	Ophthalmology
Carrasco, Byron, DPM	Podiatry
Carson, Sarah, LCSW	Mental Health Services
Chance, Robert, D.C.	Chiropractic Medicine
Ford, Lloyd, M.D.	Head/Neck/Surgery
Haug, Sara, M.D.	Ophthalmology
Kang, Eugenia, M.D.	Surgery – General
McNeil, Sarah, M.D.	Family Planning
Nagi, Jasdeepa, M.D.	Hematology/ Medical Oncology
Narron, Matthew, Psy.D.	Mental Health Services
Richardson, Beverly, N.P.	Mid-Level OB/GYN
Sekhon, Roobal, D.O.	Psychiatry
Taft, Wesley, M.D.	Primary Care Pediatrician

RE-CREDENTIALING PROVIDERS JUNE 2014	
Name	Specialty
Bernhoft, Jerome, M.D.	Surgery - Orthopaedic
Brand, David, PA	Mid-level Orthopaedic Surgery Assistant
Castro, Laura, PsyD	Mental Health Services
Cook, David, M.D.	Allergy & Immunology
Coufal, Christopher, M.D.	Surgery - Orthopaedic
Fang, Ming, M.D.	Gastroenterology
Hill, Toby, HAD	Hearing Aid Dispensing
Johnson, Sara, M.D.	OB/GYN
Karpel, Barbara, M.D.	Allergy & Immunology
Kou, Joseph, M.D.	Surgery – Foot & Ankle
Lange, Douglas, M.D.	Surgery - Orthopaedic
Lodewick, Matthew, M.D.	Allergy & Immunology
Moorthy, Murali, M.D.	Surgery – Foot & Ankle
Prasad, Gautam, M.D.	Radiation Oncology
Pryde, Julie, PA	Mid-level Orthopaedic Surgery Assistant
Qureshi, Abid A., M.D.	Surgery - Orthopaedic

RECREREDENTIALING PROVIDERS JUNE 2014	
Name	Specialty
Richmond, Leon, M.D.	Perinatology
Runyon, Theresa, N.P.	Mid-Level Nephrology
Sheppard, Barry, M.D.	Surgery – Thoracic Cardiovascular
Teicher, Stacey, N.P.	Mid-Level Medical Oncology Assistant
Wiseman, Craig, M.D.	Surgery - Orthopaedic
Wyzykowski, Richard, M.D.	Surgery – Orthopaedic Hand and Upper Extremity

RECREREDENTIALING ORGANIZATIONAL PROVIDERS JUNE 2014		
Provider Name	Provide the Following Services	Location
Bay Area Laser Surgery A Medical Corporation dba: Bay Area Laser Surgery Center	Outpatient Surgery	Pinole
Pankaj K. Patel, DMD & Shailesh K. Patel, DDS A Professional Corporation dba: Salida Surgery Center	Outpatient Surgery (Dental)	Salida
Premier Healthcare Services, LLC dba: Premier Healthcare Services	Home Health	Sacramento



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Discharge from Accountability for Certain Health Services Accounts Receivable

RECOMMENDATION(S):

AUTHORIZE the discharge from accountability for certain Health Services accounts which are not collectible due to one or more of the following reasons: the accounts are being discharged in bankruptcy; debtors are deceased, the statute of limitations for pursuing recovery of the debt has expired; the cost of recovery is excessive; and/or the debtor no longer resides in the state.

FISCAL IMPACT:

The charges of the accounts to be discharged total \$12,200,917.78. These accounts cover multiple years. No Net Impact on the Enterprise Fund or General Fund. Reserves for these accounts were established during the year of service delivery.

BACKGROUND:

The Health Services Department has received confirmation from Rash Curtis & Associates (collection service) that these accounts in the collection system are not recoverable due to one or more of the following reasons: the accounts are being discharged in bankruptcy; debtors are deceased; the statute of limitations for pursuing recovery of the debt has expired; the cost of recovery is excessive; or the debtor no longer resides in the state. Based on the stated facts, the Health Services Department should write off these accounts as "Charity Care" pursuant to Contra Costa Health Services Compliance Charity Care Program Policy #708-C.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Pat Godley,
957-5405

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

By: , Deputy

cc: T Scott, C Rucker, Regina Bauzon

CONSEQUENCE OF NEGATIVE ACTION:

Approval of the recommended action will allow Rash Curtis & Associates to purge these files from their computer system thereby creating an accurate inventory of recoverable accounts, a more manageable case count for the collection staff, elimination of redundant research by the accounting staff, and a better work distribution to staff.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Rash Curtis Letter



Contra Costa County Health Services Department
50 Douglas Dr. Ste 310
Martinez, CA 94553
925-957-5452

RE: Accounts written off May 01, 2014.

Please be advised that the accounts canceled and referred back to Contra Costa County Health Services totaling \$12,200,917.78 on 5/01/2014 were deemed either uncollectable, statute of limitations had expired.

Please feel free to contact me at the number listed below if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Paff". The signature is written over a horizontal line.

Chris Paff
Executive Vice President of Collections and Operations
190 S. Orchard Avenue, Suite A-200
Vacaville, CA 95688
Chris.paffrashcurtis.com
Direct 707-454-2004
Fax 707-454-2001



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: July 8, 2014

Subject: Discharge from Accountability for certain Public Works accounts

RECOMMENDATION(S):

AUTHORIZE the discharge from accountability for certain Indemnity and Land Development accounts which are not collectible due to one or more of the following reasons: the accounts are being discharged in Bankruptcy; debtors are deceased; the statute of limitations for pursuing recovery of the debt has expired; the cost of recovery is excessive; and/or the debtor no longer resides in the State.

FISCAL IMPACT:

The value of the accounts to be discharged total \$72,880.21 (5% Road Funds and 95% Land Development Funds)

BACKGROUND:

The Public Works Department has received confirmation that these accounts in the system are not recoverable due to one or more of the following reasons: the accounts are being discharged in Bankruptcy; debtors are deceased; the statute of limitations for pursuing recovery of the debt has expired; the cost of recovery is excessive; and/or debtor no longer resides in the State. Based on the stated facts, the Public Works Department should write off these accounts as uncollectible.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Lori Brown,
925-313-2237

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

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Approval of the recommended action will allow Public Works to purge these files from our computer system thereby creating: 1. An accurate inventory of recoverable accounts 2. A more manageable case count for the staff 3. Elimination of redundant research by the accounting staff 4. A better work distribution to staff.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Write off

Write-off request Land Development

<u>BA#</u>	<u>Name</u>	<u>Permits</u>	<u>Coding</u>	<u>Amount</u>	<u>Reason</u>
32553	Landmark Missionary Baptist	SD06-09107	WL0033	\$ 379.33	uncollectible
35511	Delta Ventures, LLC	EL07-22874	WL081F	\$ 1,091.56	uncollectible
35511	Delta Ventures, LLC	EL07-22874	WL082D	\$ 125.24	uncollectible
31019	LHJ And Associates	SD05-09048	WL0040	\$ 140.97	uncollectible
9980	Oliver Nalley	MS00-00005	WL0078	\$ 768.72	uncollectible
13927	Cathryn Rickard	MS02-00007	WL0073	\$ 6,020.54	uncollectible due to bankruptcy
9969	Ponderosa Homes	SD99-08382	WL082B	\$ 137.50	uncollectible
25717	Cantwell Real Estate	MS03-00032	WL0034	\$ 103.78	uncollectible
14564	Sid Afshar	SD01-08533	WL0072	\$ 44,035.46	uncollectible / previous settlement agreement Faulty EIR
32568	Island Mainland Partners	MS07-00022	WL0034	\$ 4,833.59	uncollectible/ Client not found
27349	Appian Construction	MS05-00046	WL0078	\$ 12,736.20	uncollectible due to bankruptcy
			total	\$ 70,372.89	AUTHORIZED

[Handwritten Signature]



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: July 8, 2014

Subject: Amendment #28-343-1 with West Contra Costa Unified School District

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #28-343-1 with West Contra Costa Unified School District, a political subdivision of the State of California, effective April 25, 2014, to amend Interagency Agreement #28-343 to modify the Service Plan to include additional health services at DeAnza High School, with no change in the original term of September 1, 2010 through August 31, 2015.

FISCAL IMPACT:

This amendment is a non-financial agreement.

BACKGROUND:

On July 26, 2011, the Board of Supervisors approved Interagency Agreement #28-343 with West Contra Costa Unified School District for the provision of school-based mobile clinic services including comprehensive physical exams, immunizations, TB testing, sports physicals, and well-child care to low income and disadvantaged school children at Kennedy High School, DeAnza High School, and Pinole Valley High School, for the period from September 2010 through August 31, 2015. In February 2014, the District opened a new health center on the DeAnza High School campus. This

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Wendel Brunner, M.D.,
925-313-6712

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

By: , Deputy

cc: K Cyr, C Rucker

BACKGROUND: (CONT'D)

on-site center will be occupied by Contra Costa County to provide existing health care services including dental and mental health services to disadvantaged and low income school children. Approval of Contract Amendment Agreement #28-343-1 will allow the County to provide health services, including dental and mental health services at DeAnza High School Health Center.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, low income and disadvantaged children will not receive additional health services including dental and mental health services at the new on-site DeAnza High School Health Center.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready for Succeeding in School" and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in the number of healthy children within the District.



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: Implementing Penal Code Section 853.7(a) and Vehicle Code Section 40508.5 in Contra Costa County

RECOMMENDATION(S):

Adopt Resolution No. 2014/237 to increase the assessment upon every person who violates his or her written promise to appear in a Contra Costa County court, pursuant to Penal Code section 853.7(a) and Vehicle Code section 40508.5, from \$7 to \$15, and to authorize the Contra Costa County Superior Court to impose the increased assessment to modernize and maintain the County's Automated Warrant System.

FISCAL IMPACT:

Budgeted; no additional fiscal impact. This action should increase the receipt of revenue to support the County's automated warrant system.

BACKGROUND:

Chapter 151, Statutes of 1986, authorized a county's board of supervisors to require, by resolution, the courts of the county to impose, in addition to any other fees authorized by law, an assessment of \$7 on any person who violates a promise to appear for a driving offense or any other matter or for failure to pay a fine lawfully imposed by a court for a violation of the Vehicle Code, as specified. On June 28, 1988, the Board of Supervisors adopted Resolution No. 88/400 implementing the \$7 assessment and directing the Auditor-Controller to establish a special fund into which the proceeds could be deposited for the development and operation of an automated warrant system, pursuant to State statute. The County has operated an automated warrant system for the benefit of all local law enforcement agencies since the late 1980s, funded substantially by this assessment.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

**VOTE OF
SUPERVISORS**

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: July 8, 2014

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

Contact: Julie Enea

By: , Deputy

cc:

BACKGROUND: (CONT'D)

In 2003, State statute was amended, permitting counties to increase the assessment from \$7 to \$15 and, in August 2009, the County increased the assessment to \$15 (Resolution No. 2009/404).

In 2010, the Superior Court reinterpreted the statute and began imposing the assessment only for a Failure to Appear violation and not for a Failure to Pay violation, resulting in a decrease to County revenue to support the automated warrant system. The County asked the Superior Court to reconsider the interpretation and the Court has agreed to the broader interpretation allowed by the statute. The attached resolution clarifies how the Court will impose the assessment henceforth.

CONSEQUENCE OF NEGATIVE ACTION:

If the resolution is not adopted, the Superior Court will not have the direction it requires to implement the assessment that funds the County's automated warrant system, a tool utilized daily by all local law enforcement agencies.

CHILDREN'S IMPACT STATEMENT:

ATTACHMENTS

Resolution No. 2014/237

Resolution No. 2009/404

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

Adopted this Resolution on 07/08/2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2014/237

In the Matter of Implementing Penal Code Section 853.7(a) and Vehicle Code Section 40508.5 in Contra Costa County

NOW, THEREFORE, IT IS BY THE BOARD RESOLVED THAT the Contra Costa County Superior Court is authorized to impose an assessment of fifteen dollars (\$15) under Penal Code section 853.7(a), and under Vehicle Code section 40508.5, whether or not a fine is imposed; and

BE IT FURTHER RESOLVED THAT this resolution supersedes and replaces Resolution No. 2009/404, which was adopted on August 11, 2009.

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:

ATTESTED: July 8, 2014

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

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

Adopted this Resolution on 07/08/2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2014/237

In the Matter of Implementing Penal Code Section 853.71 and Vehicle Code Section 40508.5 in Contra Costa County

NOW, THEREFORE, IT IS BY THE BOARD RESOLVED THAT the Contra Costa County Superior Court is authorized to impose an assessment of fifteen dollars (\$15) under Penal Code section 853.7, and under Vehicle Code section 40508, whether or not a fine is imposed; and

BE IT FURTHER RESOLVED THAT this resolution supersedes and replaces Resolution No. 2009/404, which was adopted on August 11, 2009.

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:

ATTESTED: July 8, 2014

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 8, 2014

Subject: EMPLOYEE RETIREMENT PLAN CONTRIBUTION RATES FOR FISCAL YEAR 2014/2015 FOR
RODEO-HERCULES FIRE PROTECTION DISTRICT

RECOMMENDATION(S):

ADOPT Resolution No. 2014/240 as approved by the Retirement Board, which establishes the Rodeo-Hercules Fire Protection District retirement plan contribution rates effective July 1, 2014 through June 30, 2015.

FISCAL IMPACT:

None. The action restates the UAAL contribution requirement for the 2014/15 fiscal year for Safety members as a monthly dollar amount rather than a rate of payroll.

BACKGROUND:

Each year, the Retirement Board establishes contribution rates for employee retirement plans based on an annual actuarial valuation study. At its June 25, 2014 meeting, the Retirement Board granted the District's request to restate its UAAL contribution requirement for the upcoming fiscal year for its Safety members as a monthly dollar amount rather than a rate of payroll. The Board also reviewed and accepted the actuary's calculation of the contribution requirement, which will become effective on July 1, 2014. A copy of the Board memorandum is available from CCCERA upon request. Exhibit A lists rates to be used effective July 1, 2014 through June 30, 2015.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/08/2014** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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: July 8, 2014

Contact: Lisa Driscoll, County Finance
Director 335-1023

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

By: , Deputy

cc: Robert Campbell, Auditor-Controller, Kurt Schneider, Deputy Chief Executive Officer

BACKGROUND: (CONT'D)

Please note that the rates listed in Exhibit A are effective July 1, 2014 through June 30, 2015; are before any employer subvention of the employee contribution; are the employer required rates without taking into consideration any employer subvention of employee contributions; and are before any increase in employee rate to pay a portion of the employer contribution. If an employee's rate needs to be increased to pay a portion of the employer contribution, both employee and employer rates would need to be adjusted accordingly.

CONSEQUENCE OF NEGATIVE ACTION:

Rates will not reflect those adopted by the Contra Costa County Employees Retirement Board.

ATTACHMENTS

Resolution No. 2014/240

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 07/08/2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2014/240

Subject: Approving Contribution Rates to be charged for members by the Contra Costa County Employees' Retirement Association

Pursuant to Government Code Section 31454 and on recommendation of the Board of the Costa Costa County Employees' Retirement Association, **BE IT RESOLVED** that the following employer contribution requirements (Exhibit A) are approved to be effective for the period July 1, 2014 through June 30, 2015 for Rodeo-Hercules Fire Protection District:

- I. Basic Retirement Benefit Normal Cost Component(payable as a % of compensation)
- II. Cost of Living (COL) Program Normal Cost Component (payable as a % of compensation)
- III. Non-refundability Discount Factors
- IV. Monthly Contribution Towards Unfunded Actuarial Accrued Liability

For each of the following tiers:

- I. Safety Tier A Members With Membership Dates before January 1, 2011
- II. Safety Tier A Members With Membership Dates on or after January 1, 2011
- III. Safety PEPRA Tier D Members

Contact: Lisa Driscoll, County Finance Director
335-1023

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: July 8, 2014

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

By: , Deputy

cc: Robert Campbell, Auditor-Controller, Kurt Schneider, Deputy Chief Executive Officer

Exhibit A

**CONTRA COSTA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION
 RODEO-HERCULES FIRE PROTECTION DISTRICT SAFETY TIERS A and D
 EMPLOYER CONTRIBUTION REQUIREMENTS EFFECTIVE FOR JULY 1, 2014 THROUGH JUNE 30, 2015**

	Cost Group #12 Rodeo-Hercules Fire Protection District
<u>BASIC Contribution Rates (Normal Cost Portion Only)</u>	
Legacy Members with Membership Date before January 1, 2011* (Tier A Non-enhanced: 2% @ 50)	20.19%
Legacy Members with Membership Date on or after January 1, 2011* (Tier A Non-enhanced: 2% @ 50)	17.78%
PEPRA Members** (Tier D: 2.7% @ 57)	11.88%
<u>COLA Contribution Rates (Normal Cost Portion Only)</u>	
Legacy Members with Membership Date before January 1, 2011* (Tier A Non-enhanced: 2% @ 50)	6.60%
Legacy Members with Membership Date on or after January 1, 2011* (Tier A Non-enhanced: 2% @ 50)	6.07%
PEPRA Members** (Tier D: 2.7% @ 57)	5.21%
<i>Non-Refundability Factor</i>	0.9860
<u>Monthly Contribution Towards Unfunded Actuarial Accrued Liability</u>	
Basic	\$77,106
COLA	\$47,628

* The rate should be applied to all compensation up to the IRC 401(a)(17) compensation limit.

** The rate should be applied to all compensation up to the applicable annual GC 7522.10(c) compensation limit.