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

JOHN GIOIA, *CHAIR,* 1ST DISTRICT
CANDACE ANDERSEN, *VICE CHAIR,* 2ND DISTRICT
MARY N. PIEPHO, 3RD DISTRICT
KAREN MITCHOFF, 4TH 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, WILL BE LIMITED TO THREE (3) MINUTES.

The Board Chair may reduce the amount of time allotted per speaker at the beginning of each item or public comment period depending on the number of speakers and the business of the day.
Your patience is appreciated.

A lunch break or closed session may be called at the discretion of the Board Chair.

AGENDA
March 3, 2015

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

Inspirational Thought- "Be the change that you wish to see in the world." ~ Mahatma Gandhi

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.101 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 March 2015 as Prescription Drug Awareness Month. (Supervisor Andersen)

PR.2 PRESENTATION recognizing March 2015 as National Social Workers' Month in Contra Costa County. (Kathy Gallagher, Employment and Human Services Director and William Walker, Health Services Director)

DISCUSSION ITEMS

D. 1 CONSIDER Consent Items previously removed.

D. 2 PUBLIC COMMENT (3 Minutes/Speaker)

D. 3 CONSIDER introducing Ordinance No 2015-05 (Version A or Version B) to authorize a seven percent salary increase for members of the Board of Supervisors, effective June 1, 2015, and determine whether the ordinance should tie Board members' salaries to 56.5% of California Superior Court judges salaries now and into the future; WAIVE reading; and FIX March 10, 2015 for adoption. (David Twa, County Administrator)

D. 4 CONSIDER adoption of Resolution No. 2015/67 to establish the Ad Hoc Committee on Board of Supervisors Compensation and directing the County Administrator to report the Ad Hoc Committee's findings and recommendations to the Board of Supervisors on July 7, 2015. (David Twa, County Administrator)

9:30 A.M.

D. 5 HEARING to consider a proposed increase to the existing water service charge imposed on real property within County Service Area M-28, as recommended by the Public Works Director, Bethel Island area. (100% County Service Area M-28 funds) (Jason Chen, Public Works Department)

D. 6 HEARING on the appeal of the Notice and Order to abate a public nuisance on the real property located at 1986 Mohawk Dr., Pleasant Hill, CA, (Gabriel Perez, Owner), (Jason Crapo, Department of Conservation and Development)

D. 7 RECEIVE update from the County's Stormwater Manager regarding efforts and costs to comply with the mandated 70% reduction in trash entering the storm drain network by 2017; and ADVISE staff regarding the next set of actions to take, as recommended by the Public Works Director, Countywide. (100% Stormwater Utility Assessment District 17 Funds) (Cece Sellgren, Public Works Department)

D. 8 Continued HEARING to consider approval of new and modified conditions of approval for the Keller Canyon Landfill land use permit, MAKE related California Environmental Quality Act findings, and DIRECT Department of Conservation and Development staff to schedule the next permit review before the County Planning Commission in one year. (Deidra Dingman, Principal Planner)

D. 9 CONSIDER accepting the Industrial Safety Ordinance Annual Report submitted by Health Services Department.(Randy Sawyer, Chief Environmental Health)

D.10 HEARING on proposed implementation of the property tax cost recovery provisions of Revenue and Taxation Code 95.3; CONSIDER adopting report from the Auditor-Controller filed on January 20, 2015, of the 2013/14 fiscal year property tax-related costs, including the proposed charges against each local jurisdiction excepting school entities, and

CONSIDER adopting Resolution No. 2015/36 regarding implementation of Revenue and Taxation Code 95.3 for fiscal year 2014/15. (Lisa Driscoll, County Administrator's Office)

D. 11 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, Local1021; 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--EXISTING LITIGATION (Gov. Code, § 54956.9(d)(1))

1. Hossein Tabrizi v. Deputy Gray, County of Contra Costa, et al; U.S. District Court, Northern District of California, Case No. C14-01457 JSW

2. Judith Royce v. Contra Costa County Regional Health Center, et al.; Contra Costa Superior Court, Case No. C14-01358

3. Retiree Support Group of Contra Costa County v. Contra Costa County, U.S. District Court, Northern District of California, Case No. C12-00944 JST

ADJOURN in memory of Christopher Gonzalez, a Concord resident and Oak Grove Middle School student.

CONSENT ITEMS

Road and Transportation

C. 1 AUTHORIZE the Public Works Director, or designee, to advertise for the 2015 On-Call Trucking Services Contract for Aggregate Stockpiling and Transportation for the stockpiling and transportation of chip seal aggregate that will be used for the Public Works Department's 2015 chip seal program, Countywide. (100% Local Road Funds)

C. 2 ADOPT Resolution No. 2015/64 accepting as complete the contracted work performed by Granite Rock Company for the San Pablo Avenue at Rodeo Creek Bridge Replacement Project, as recommended by the Public Works Director, Rodeo area. (89% Federal Highway Bridge Program Funds, 11% Local Road Funds)

Engineering Services

C. 3 ADOPT Resolution No. 2015/62 approving the third extension of the Subdivision Agreement for subdivision SD04-08820, for a project being developed by Geoghegan Homes, Inc., as recommended by the Public Works Director, El Sobrante area. (No fiscal impact)

C. 4 ADOPT Resolution No. 2015/59 accepting an Offer of Dedication for Roadway Purposes for road acceptance RA12-01249, for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (No fiscal impact)

C. 5 ADOPT Resolution No. 2015/60 accepting an Offer of Dedication for Roadway Purposes for road acceptance RA12-01250, for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (No fiscal impact)

C. 6 ADOPT Resolution No. 2015/61 accepting an Offer of Dedication for Drainage Purposes for road acceptance RA12-01250, for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (No fiscal impact)

Special Districts & County Airports

C. 7 APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Tom Howell for a T-hangar at Buchanan Field Airport effective January 14, 2015 in the monthly amount of $383.74. (100% Airport Enterprise Fund)

C. 8 ADOPT Resolution No. 2015/65 accepting as complete the contracted work performed by Goodfellow Top Grade Construction, LLC, for the Upper Sand Creek Basin Project, as recommended by the Chief Engineer, Antioch area. (100% Drainage Area 130 Funds)

C. 9 ADOPT Resolution No. 2015/66 establishing a rate of $30 per Equivalent Runoff Unit for Stormwater Utility Area 17 (Unincorporated County) for Fiscal Year 2015/2016 and requesting that the Contra Costa County Flood Control & Water Conservation District adopt annual parcel assessments for drainage maintenance and the National Pollutant Discharge Elimination System Program, as recommended by the Public Works Director, Countywide. (100% Stormwater Utility Area 17 Funds)

C. 10 AUTHORIZE the Public Works Director, or designee, to ADVERTISE Buchanan Field Airport East Ramp Hangar Taxi Lane Reconstruction Project. (100% Airport Enterprise Fund)

Claims, Collections & Litigation

C. 11 RECEIVE public report of litigation settlement agreements that became final during the period of December 16, 2014 through January 31, 2015, as recommended by the County Counsel.

C. 12 RECEIVE report concerning the final settlement of Sandra Lopez vs. Contra Costa County; and AUTHORIZE payment from the Medical Malpractice Internal Service Fund in an amount not to exceed $375,000, as recommended by the Risk Manager. (100% Medical Malpractice Internal Service Fund)

C. 13 ADOPT Resolution No. 2015/68 to establish a policy for distribution of excess proceeds from the sale of tax-defaulted property and AUTHORIZE the Treasurer-Tax Collector to implement the policy in accordance with Revenue and Taxation Code section 4675, as recommended by the Treasurer-Tax Collector.

C. 14 DENY claims filed by Kevin Crane, Marc Croke, Cuberto, Eduardo, Elizabeth, Omar and Edgar Ruiz, and Mona Tom. DENY late claim filed by Michael Littman.

Statutory Actions

C. 15 ACCEPT Board Members Reports for the month of January 2015.

Honors & Proclamations

C. 16 ADOPT Resolution No. 2015/33 recognizing March 2015 as National Social Workers' Month, as recommended by the Employment and Human Services Director and Health Services Director.

C. 17 ADOPT Resolution No. 2015/57 recognizing March 2015 as Prescription Drug Awareness Month in Contra Costa County, as recommended by Supervisor Andersen.

Appointments & Resignations

C. 18 REAPPOINT Brett Morris to the District IV seat on the Fish and Wildlife Committee, as recommended by Supervisor Mitchoff.

C. 19 ACCEPT the immediate resignation of Gary Kingsbury; DECLARE the vacancy on the Alcohol and Other Drugs Advisory Board of Contra Costa County; and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Andersen.

C. 20 REAPPOINT Nancy Flood to the Alamo-Lafayette Cemetery District Board of Directors, as recommended by Supervisor Andersen.

C. 21 APPOINT Paul Mikolaj as the Danville/Alamo Local Committee Representative on the Advisory Council on Aging, as recommended by the Danville Town Council and the Employment and Human Services Director.

C. 22 REAPPOINT Daniel Pellegrini to the District V seat on the Fish & Wildlife Committee, as recommended by Supervisor Glover.

C. 23 APPOINT Rachel Etherington to the Youth Representative seat on the Alamo Municipal Advisory Council, as recommended by Supervisor Andersen.

C. 24 REAPPOINT Alicia Coleman-Clark to the Family and Children's Trust Committee, as recommended by Supervisor Glover.

C. 25 APPOINT Nolan Armstrong to the Member of the Bar seat on the Law Library Board of Trustees, as recommended by the Internal Operations Committee.

C. 26 APPOINT Paul Seffrood to the Business #1 Alternate seat and RE-APPOINT Henry Alcaraz to the Labor #1 seat on the Hazardous Materials Commission, as recommended by the Internal Operations Committee.

C. 27 REAPPOINT Irene Alonzo-Perez to the County #1 seat on the Affordable Housing Finance Committee to a new three-year term expiring on June 30, 2017, as recommended by the Internal Operations Committee.

C. 28 APPOINT Ronald Maria to the Crockett-Carquinez Fire Protection District V Alternate Seat Fire Advisory Commission, as recommended by Supervisor Glover.

C. 29 REAPPOINT Deborah Campbell and William Sugiyama to the County's Emergency Medical Care Committee, as recommended by Supervisor Glover.

C. 30 REAPPOINT Eric Brown to the East County City 1 seat on the Affordable Housing Finance Committee, as recommended by the Conservation and Development Director.

C. 31 APPOINT Vinod Maharaj to the Low-Income No. 2 seat on the Economic Opportunity Council, as recommended by the Employment and Human Services Director.

Intergovernmental Relations

C. 32 AUTHORIZE staff to support the efforts of the California State Association of Counties-led coalition to provide funding for stormwater services, as recommended by the Legislation Committee.

Personnel Actions

C. 33 ADOPT Position Adjustment Resolution No. 21596 to cancel one part time (20/40) Library Assistant-Journey Level (represented) position and increase the hours of one Library Assistant-Journey Level (represented) position from 20/40 to full time in the Library Department. (Cost savings to the Library Fund)

C. 34 ADOPT Position Adjustment Resolution No. 21601 to cancel one Executive Secretary-Exempt (unrepresented) position and add one Community Library Manager (represented) position in the Library Department. (Cost savings to the Library Fund)

C. 35 ADOPT Position Adjustment Resolution No. 21613 to cancel one Senior Community Library Manager (represented) position and add one Departmental Community and Media Relations Coordinator (unrepresented) position in the Library Department. (Cost savings to Library Fund)

C. 36 ADOPT Position Adjustment Resolution No. 21604 to reclassify one Network Technician II (represented) position and incumbent to Network Administrator I (represented) in the Department of Information Technology. (Department user fees)

C. 37 ADOPT Position Adjustment Resolution No. 21607 to decrease the hours of one Public Defender Investigator II (represented) position from part-time (32/40) to part-time (20/40) in the Office of the Public Defender. (Cost savings)

C. 38 ADOPT Position Adjustment Resolution No.21610 to reclassify one Public Health Program Specialist I position (represented) and the incumbent to Public Health Program Specialist II (represented) in the Health Services Department. (100% Service Fees)

C. 39 ADOPT Position Adjustment Resolution No. 21620 to add three Health Services Systems Analyst II positions (represented) in the Information Technology division of the Health Services Department. (100% Enterprise Fund I)

C. 40 ADOPT Position Adjustment Resolution No. 21617 to add two Public Health Program Specialist I positions (represented) and cancel two part time Home Economist positions (represented), one part time Public Health Nutritionist position (represented) and one Information System Assistant II position (represented) in the Health Services Department. (Cost savings)

C. 41 ADOPT Position Adjustment Resolution No.21619 to add one Automated Call Distribution Coordinator II position (represented) and cancel one Department Personal Computer Coordinator position (represented) in the Information Technology division of the Health Services Department. (100% Enterprise Fund I)

C. 42 ADOPT Position Adjustment Resolution No. 21618 to add one Utilization Review Manager position (represented) and cancel one Utilization Review Coordinator (represented) in the Contra Costa Health Plan division of the Health Services Department. (100% CCHP Enterprise Fund III)

C. 43 ADOPT Position Adjustment Resolution No. 21616 to increase the hours of four part time Licensed Vocational Nurse (represented) positions in the Health Services Department. (100% FQHC revenue)

C. 44 ADOPT Position Adjustment Resolution No. 21614 to add one part-time (20/40) Deputy Public Defender III (represented) position in the Office of the Public Defender. (100% Federal)

Leases

C. 45 APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a sub-sublease with Concord Jet Service Incorporated, in an amount not to exceed $350,000 to provide aircraft hangar, office space and helicopter fuel for the period May 1, 2015 through April 30, 2017. (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. 46 APPROVE and AUTHORIZE the District Attorney, or designee, to apply for and accept the Federal Department of Justice "Swift, Certain and Fair" grant in an amount up to $400,000 to replicate the concepts behind Hawaii's Opportunity Probation with Enforcement (HOPE) program for the period October 1, 2015 through September 30, 2017. (100% Federal)

C. 47 ADOPT Resolution No. 2015/53 accepting Grant Deed of Development Rights on a portion of the Gester Subdivision (County File #MS12-0005), as recommended by the Conservation and Development Director, Alamo area. (100% Applicant fees)

C. 48 APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract with the City of San Pablo for inspection and plan check services provided by the County to the City's Engineering and Environmental Divisions for the period February 1, 2015 through June 30, 2017. (100% City of San Pablo funding)

C. 49 APPROVE and AUTHORIZE the County Librarian, or designee, to apply for and accept a grant in the amount of $600 from Asian/Pacific American Librarians Association to provide materials and services at the Hercules Library for the period April 1 through November 30, 2015. (No Library Fund match)

C. 50 APPROVE and AUTHORIZE the Health Services Director, or designee, to accept a grant award with the National Association of County and City Health Officials, to pay the County an amount not to exceed $3,500, for the Contra Costa Medical Reserve Corps Non-Competitive Capacity Building Grant Project, for the period January 7 through July 31, 2015. (No County match)

C. 51 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with the City of San Pablo, effective December 9, 2014, to decrease the amount payable to the County by $5,695, to a new total of $34,190, for continuation of the County's Public Health, Community Wellness and Prevention Program, Rumrill Boulevard/13th Street Corridor Mobility Plan Project, with no change in the original term of May 1, 2014 through June 30, 2015. (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. 52 APPROVE and AUTHORIZE the Director of Child Support Services, or designee, to execute a contract amendment with Calserve, Inc., to increase the payment limit by $4,000 to a new payment limit of $103,000 to provide legal process services with no change in the term of January 1 through December 31, 2014. (66% Federal, 34% State)

C. 53 APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Public Works Director, a purchase order amendment with McCain Traffic Supply to increase the payment limit by $130,000 to a new payment limit of $225,000 and extend the term from April 30, 2015 to April 30, 2016 for traffic signal parts and equipment, Countywide. (100% Local Road Funds)

C. 54 APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order with Churchill Navigation in an amount not to exceed $123,000 for the purchase of a helicopter moving map system for the Office of the Sheriff Emergency Services Division. (100% State Homeland Security Grant Program funding)

C. 55 APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Public Works Director, a purchase order amendment with Royal Wholesale Electric Co., to increase the payment limit by $130,000 to a new payment limit of $420,000 and extend the term from April 30, 2015 to April 30, 2016 for electrical system parts and equipment, Countywide. (100% General Fund)

C. 56 APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Public Works Director, a purchase order amendment with Lehr Auto Electric, Inc., to increase the payment limit by $500,000 to a new payment limit of $1,000,000 and extend the term from January 31, 2015 to January 31, 2016 for emergency vehicle parts, equipment and accessories, Countywide. (100% Internal Service Fund - Fleet)

C. 57 APPROVE and AUTHORIZE the District Attorney, or designee, to execute an Employment Addendum Agreement with University of Santa Clara, including mutual indemnification between the parties, in an amount not to exceed $4,000 per student for stipends for students participating in the District Attorney's office summer training program for the period July 1, 2014 through August 31, 2014. (100% General Fund)

C. 58 APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract amendment with SHELTER, Inc., to increase the payment limit by $115,000 to a new payment limit of $615,000 to provide additional transitional housing services for the AB 109 population, for the period July 1, 2014 through June 30, 2015. (100% State Public Safety Realignment)

C. 59 APPROVE and AUTHORIZE the Clerk Recorder, or designee, to execute a contract amendment with K & H Printing-Lithographers, Inc., to increase the payment limit by $1,000,000 to a new payment limit of $2,200,000 for additional printing, inserting and mailing of ballot materials, with no change in the original term of March 1, 2014 through December 31, 2015. (100% General Fund, partially offset by participating agency election fees)

C. 60 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Jenan Al-Mufti, M.D., in an amount not to exceed $145,600 to provide psychiatric services to adults in the Adult Mental Health Clinics for the period April 1, 2015 through March 31, 2016. (100% Mental Health Realignment)

C. 61 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract novation and amendment with Entrix, Inc. (dba Cardno Entrix) and Cardno, Inc., effective February 28, 2015, to change the Contractor's name from Entrix, Inc. (dba Cardno Entrix) to Cardno, Inc., and extend the term from February 28, 2015 to October 31, 2015, with no change in the original payment limit of $500,000 for on-call environmental services, Countywide. (48% Flood Control District Funds, 48% Local Road and Transportation Funds, 4% Airport Project Funds)

C. 62 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with ICF Jones & Stokes, Inc., effective February 28, 2015, to extend the term from February 28, 2015 to August 31, 2016 with no change in the original payment limit of $500,000, for on-call environmental services, Countywide. (48% Flood Control District Funds, 48% Local Road and Transportation Funds, 4% Airport Project Funds)

C. 63 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with LTP CarePro, Inc., (dba Pleasant Hill Manor) in an amount not to exceed $252,000 to provide augmented board and care services for County-referred mentally disordered clients, for the period February 1, 2015 through January 31, 2016. (64% Mental Health Realignment, 36% MHSA Housing funds)

C. 64 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Michael Gynn, M.D., in an amount not to exceed $1,830,000 to provide general surgery services for patients at Contra Costa Regional Medical and Health Centers, for the period January 1, 2015 through December 31, 2017. (100% Enterprise Fund I)

C. 65 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Neighborhood House of North Richmond in an amount not to exceed $364,512 to provide substance abuse residential treatment and detoxification services, for the period July 1, 2014 through June 30, 2015. (82% Federal Substance Abuse Prevention, and Treatment Block Grant; 13% 2nd Chance Act AB1; 5% SAMHSA Grant)

C. 66 APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract with Montague DeRose & Associates, LLC, in an amount not to exceed $85,000 for Independent Registered Municipal Financial Advisor services for the period March 1, 2015 through June 30, 2016. (Bond Transaction Proceeds and Redevelopment Property Tax Trust Funds)

C. 67 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Diablo Valley Perinatal Associates, Inc., in an amount not to exceed $410,000 to provide perinatology services (care of fetus and high-risk pregnancies) for Contra Costa Health Plan (CCHP) members, for the period January 1, 2015 through December 31, 2016. (100% CCHP Enterprise Fund III)

C. 68 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Fitch & Associates, LLC, effective June 30, 2015, to extend the term from June 30 through December 31, 2015, with no change in the payment limit of $540,000, to provide additional services in the independent study and evaluation to County's Emergency Medical Fire Services funding. (6% General Funds, 94% Measure H Funds)

C. 69 APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Department, a purchase order with AT&T in the amount of $155,000, to procure network equipment and installation for Contra Costa Regional Medical Center and Health Centers, for the period January 15, 2015 through January 14, 2016. (100% Enterprise Fund I)

C. 70 APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to execute a purchase order with McKesson Health Solutions, LLC, in an amount not to exceed $180,000 for InterQual software maintenance for the Contra Costa Health Plan and Contra Costa Regional Medical Center, for the period from September 1, 2014 through January 21, 2016. (100% Enterprise Fund I)

C. 71 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the Regents of the University of California, on behalf of the University of California, San Francisco, including modified indemnification language, in an amount not to exceed $25,000 to provide endocrinology services for patients at Contra Costa Regional Medical and Health Centers, for the period January 1 through December 31, 2015. (100% Enterprise Fund I)

C. 72 APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Department, a purchase order with AGFA Healthcare Corp., in an amount not to exceed $151,000 for a hardware and software upgrade to the Heartlab system, for the period February 14, 2015 through February 13, 2016. (100% Enterprise Fund I)

C. 73 APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Department, a purchase order with Cleansource, Inc., in the amount of $1,500,000 to procure janitorial supplies at Contra Costa Regional Medical and Health Centers, for the period February 1, 2015 through January 31, 2016. (100% Enterprise Fund I)

C. 74 APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Department, a purchase order amendment with UHS Surgical Services, Inc., to increase the payment limit by $15,000 to a new payment limit of $265,000 for laser equipment and VTI Instatrak guides to be used in the operating room at the Contra Costa Regional Medical Center, with no change in the original term of April 1, 2012 through March 31, 2015. (100% Enterprise Fund I)

C. 75 APPROVE and AUTHORIZE the Health Services Director, or designee, to apply for and execute contracts to accept funding in amount up to $30,000 each year for two years from the City of Concord Community Development Block Grant (CDBG), for the operation of the Adult Interim Housing Program, for the period July 1, 2014 through June 30, 2016. (No County match)

C. 76 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Yu-Ming Chang, M.D., effective February 1, 2015, to modify the service plan and payment provisions to provide an additional level of service to include administrative duties, with no increase to the payment limit of $450,000 and no change in the original term of August 1, 2014 through July 31, 2015. (100% Enterprise Fund I)

C. 77 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Ronald L. Leon, M.D. in an amount not to exceed $174,720 to provide outpatient psychiatric services for mentally ill adults in East County, for the period April 1, 2015 through March 31, 2016. (100% Mental Health Realignment)

C. 78 APPROVE and AUTHORIZE the Health Services Director, or designee, to apply for and accept funding from the California Department of Resources Recycling and Recovery, to pay the County an amount not to exceed $450,000 to administer the Environmental Health Waste Tire Enforcement Program, for the period June 29, 2015 through September 30, 2016. (No County match)

C. 79 APPROVE and AUTHORIZE the Health Services Director, or designee, to apply for and execute contracts to accept Community Development Block Grant funding from the City of Pittsburg in the amount up to $10,000 per year for the operation of the Adult Interim Housing Program, for the period July 1, 2014 through June 30, 2016. (No County match)

C. 80 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Jackson & Coker LocumTenens, LLC, in an amount not to exceed $774,400 to provide temporary psychiatric services for the Mental Health Outpatient Clinics for the period January 1 through December 31, 2015. (100% Mental Health Realignment Funds)

C. 81 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Danny Wu, M.D., in an amount not to exceed $150,000 to provide gastroenterology services at Contra Costa Regional Medical and Health Centers, for the period January 1, 2015 through December 31, 2017. (100% Enterprise Fund I)

C. 82 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract cancellation agreement with Aspira Technologies, Inc., for their existing contract, effective at close of business on November 30, 2014; and to execute a new contract in an amount not to exceed $408,500 to provide consultation and technical assistance on information technology analytics to the Department's Information Systems Unit, for the period December 1, 2014 through June 30, 2016. (100% Enterprise Fund I)

C. 83 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Rubicon Programs, Inc., in an amount not to exceed $176,000, to provide money management services to eligible permanent supportive housing participants including support to adults with chronic homelessness and a mental health diagnosis, for the period from July 1, 2014 through June 30, 2015. (100% Housing Authority of Contra Costa County)

C. 84 APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute a purchase order on behalf of the Sheriff-Coroner with Buchanan Food Service in the amount of $165,000 to provide bread loaves, rolls and all related bakery items as needed for the West County, Martinez and Marsh Creek detention facilities for the period January 1 through December 31, 2015. (100% General Fund)

C. 85 APPROVE and AUTHORIZE the Chief Information Officer, Department of Information Technology, or designee, to execute a contract amendment with E-3 Systems to extend the term from May 31, 2015 through May 31, 2016 and increase the payment limit by $700,000 to a new payment limit of $1,200,000 to continue to provide, on an as-needed basis, installation and maintenance of telecommunications cabling. (100% Department User fees)

Other Actions

C. 86 APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to issue a Request for Proposals, for prevention and intervention services to abused and neglected children and children at risk of abuse or neglect and their families in an amount up to $675,000 for the period July 1, 2015 through June 30, 2016. (50% State, 30% Birth Certificate, 20% Ann Adler trust)

C. 87 RECEIVE the 2014 Annual Report submitted by the Pacheco Municipal Advisory Council, as recommended by Supervisor Glover.

C. 88 RECEIVE the 2014 Annual Report submitted by the Bay Point Municipal Advisory Council, as recommended by Supervisor Glover.

C. 89 ACCEPT the Fiscal Year 2014/15 Community Facilities District Administration Report on County of Contra Costa Community Facilities District No. 2001-1 (Norris Canyon), as recommended by the County Auditor-Controller.

C. 90 ACCEPT the January 2015 update on the operations of the Employment and Human Services Department, Community Services Bureau, as recommended by the Employment and Human Services Department Director.

C. 91 APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay Arielle Hermann a stipend in the amount of $150 for expenses related to representing Contra Costa County at the Statewide Poetry Out Loud competition in Sacramento, as recommended by County Administrator. (100% State)

C. 92 APPROVE the conveyance of real property consisting of five fire station sites from Contra Costa County to the East Contra Costa Fire Protection District, as recommended by the Public Works Director, Bethel Island, Brentwood, Byron, Knightsen and Discovery Bay areas. (No fiscal impact)

C. 93 APPROVE the list of providers recommended by the Contra Costa Health Plan's Peer Review and Credentialing Committee on December 18, 2014 and January 13, 2015, 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. 94 ACCEPT Alcohol and Other Drugs Advisory Board 2014 Annual Report as recommended by the Health Services Director.

C. 95 ACCEPT report on the Auditor-Controller's audit activities for 2014 and APPROVE the proposed schedule of financial audits for 2015, as recommended by the Internal Operations Committee.

C. 96 ADOPT Resolution No. 2015/70 to consent to a change in the boundaries of the Walnut Creek Tourism Business Improvement District to include unincorporated territory, as recommended by Supervisor Mitchoff.

C. 97 ACCEPT the 2014 Advisory Body Annual Report for the Affordable Housing Finance Committee, as recommended by the Conservation and Development Director. (No fiscal impact)

C. 98 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. 99 ACCEPT year-end productivity report from the 2014 Public Protection Committee and APPROVE recommended disposition of referrals, as recommended by the 2014 Public Protection Committee. (No fiscal impact)

C.100 APPROVE the 2015-16 Head Start Recruitment and Enrollment Plan and the Community Services Bureau Admissions Priority Criteria for the early care and education programs of the Employment & Human Services Department, Community Services Bureau as recommended by the Employment & Human Services Director.

C.101 AUTHORIZE relief of cash shortage in the Health Services Department, Public Health Divisions' Petty Cash Fund, in the amount of $415, as recommended by the Auditor-Controller. (100% General Fund)

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 (Karen Mitchoff and Supervisor Mary N. Piepho) meets quarterly on the second Monday of the month at 10:30 a.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 10:30 a.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 first 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 D. Glover and Karen Mitchoff) meets on the first Thursday of the month at 1:00 p.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The Internal Operations Committee (Supervisors Karen Mitchoff and John Gioia) meets on the second Monday of the month at 2:30 p.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

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

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

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

Airports Committee	March 9, 2015	10:30 a.m.	See above
Family & Human Services Committee	March 9, 2015	10:30 a.m.	See above
Finance Committee	April 6, 2015	10:30 a.m.	See above
Hiring Outreach Oversight Committee	March 5, 2015	1:00 p.m.	See above
Internal Operations Committee	March 9, 2015	2:30 p.m.	See above
Legislation Committee	March 5, 2015 Canceled	10:30 a.m.	See above
Public Protection Committee	March 9, 2015	1:00 p.m.	See above
Transportation, Water & Infrastructure Committee	April 6, 2015	1:00 p.m.	See above

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

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

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

AB Assembly Bill
ABAG Association of Bay Area Governments
ACA Assembly Constitutional Amendment
ADA Americans with Disabilities Act of 1990
AFSCME American Federation of State County and Municipal Employees
AICP American Institute of Certified Planners
AIDS Acquired Immunodeficiency Syndrome
ALUC Airport Land Use Commission

AOD Alcohol and Other Drugs
ARRA American Recovery & Reinvestment Act of 2009
BAAQMD Bay Area Air Quality Management District
BART Bay Area Rapid Transit District
BayRICS Bay Area Regional Interoperable Communications System
BCDC Bay Conservation & Development Commission
BGO Better Government Ordinance
BOS Board of Supervisors
CALTRANS California Department of Transportation
CalWIN California Works Information Network
CalWORKS California Work Opportunity and Responsibility to Kids
CAER Community Awareness Emergency Response
CAO County Administrative Officer or Office
CCCPFD (ConFire) Contra Costa County Fire Protection District
CCHP Contra Costa Health Plan
CCTA Contra Costa Transportation Authority
CCRMC Contra Costa Regional Medical Center
CCWD Contra Costa Water District
CDBG Community Development Block Grant
CFDA Catalog of Federal Domestic Assistance
CEQA California Environmental Quality Act
CIO Chief Information Officer
COLA Cost of living adjustment
ConFire (CCCFPD) Contra Costa County Fire Protection District
CPA Certified Public Accountant
CPI Consumer Price Index
CSA County Service Area
CSAC California State Association of Counties
CTC California Transportation Commission
dba doing business as
DSRIP Delivery System Reform Incentive Program
EBMUD East Bay Municipal Utility District
ECCFPD East Contra Costa Fire Protection District
EIR Environmental Impact Report
EIS Environmental Impact Statement
EMCC Emergency Medical Care Committee
EMS Emergency Medical Services
EPSDT Early State Periodic Screening, Diagnosis and Treatment Program (Mental Health)
et al. et alii (and others)
FAA Federal Aviation Administration
FEMA Federal Emergency Management Agency
F&HS Family and Human Services Committee
First 5 First Five Children and Families Commission (Proposition 10)
FTE Full Time Equivalent
FY Fiscal Year
GHAD Geologic Hazard Abatement District
GIS Geographic Information System
HCD (State Dept of) Housing & Community Development

HHS (State Dept of) Health and Human Services
HIPAA Health Insurance Portability and Accountability Act
HIV Human Immunodeficiency Syndrome
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: Kathy Gallagher, Employment & Human Services Director

Date: March 3, 2015

Subject: Presentation Proclaiming March 2015 as National Child Welfare Social Workers' Month

RECOMMENDATION(S):
PRESENTATION recognizing March 2015 as National Child Welfare Social Workers' Month in Contra Costa County. (Presenter: Kathy Gallagher and William Walker).

FISCAL IMPACT:
None

BACKGROUND:
Child Welfare Workers' provide a valuable services to children, families, elderly, and disabled residents of Contra Costa County. This Board Order recognizes the services Child Welfare Workers provide.

CONSEQUENCE OF NEGATIVE ACTION:
Child Welfare Workers' will not be recognized by the Board of Supervisors

CHILDREN'S IMPACT STATEMENT:
None

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Earl Maciel
3-1648

cc:

Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 3, 2015

Subject: ORDINANCE NO. 2015-05 TO ADJUST BOARD OF SUPERVISORS MEMBER SALARY

RECOMMENDATION(S):
INTRODUCE EITHER Ordinance No. 2015-05, Version A, providing for a 7% salary increase, effective June 1, 2015, for members of the Board of Supervisors OR Ordinance No. 2015-05, Version B, providing for the same initial salary increase, but equated to 56.5% of the salary of California Superior Court judges, now and into the future; WAIVE reading; and FIX March 10, 2015 for adoption.

FISCAL IMPACT:
Source: 100% County General Fund. The estimated annual cost of the proposed 7% increase for all five Board members is $50,900, of which $13,125 is pension cost. The estimated annual cost for all five Board members of any 1% salary increase thereafter is $7,790.

BACKGROUND:
On February 10, 2015, the Board of Supervisors considered several options for setting Board member salaries, as well as the possible salary level. Following its deliberations, the Board directed the County Counsel to prepare two ordinances for possible introduction on March 3: one authorizing a 7% increase to the Board of Supervisors member salaries to the level of $104,307, and an alternate ordinance that additionally links the Board's salary level to that of 56.5% of a Superior Court Judge's salary. The 7% increase was based on a 4% general COLA (Cost of Living Adjustment) granted to employees on July 1, 2014 plus a 3% COLA that employees will receive on July 1, 2015.

As directed by the Board, attached are two versions of Ordinance 2015-05. Version A would provide for a 7% salary increase effective June 1, 2015. Version B would increase Supervisors' salaries to an annual amount equivalent to

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

Contact: David Twa
925-335-1080

cc:

BACKGROUND: (CONT'D)

56.5% of Superior Court judges' salaries, effective June 1, 2015 and provide that, prospectively, Supervisors' salaries would be increased at the same time and in the same percentage necessary to maintain a base salary equivalent to 56.5% of judges' salaries. This ordinance would amend Code section 24-26.006, Supervisors.

The Board, on February 10, 2015, also directed the County Administrator to convene an ad hoc committee to study the Board of Supervisors compensation. The action to create this committee is transmitted to the Board today in a separate item.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to introduce either ordinance would maintain the *status quo.*

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Ordinance 2015-05_Version A_7% Increase

Ordinance 2015-05_Version B_7% Increase + Sup Ct Judge Tie

Version A

ORDINANCE NO. 2015- 05
(Salary for Elected County Officers)

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 Section 24-26.006 of the County Ordinance Code to modify salary provisions for members of the Board of Supervisors.

SECTION II. Section 24-26.006 of the County Ordinance Code is amended to read:

24-26.006 Supervisors. (a) Each supervisor, for service as such, shall receive a base monthly salary at the following monthly rate as specified in the Contra Costa County pay series schedule:

(1) From and after *June 1, 2015, a monthly salary of $8,692.27.*

(b) Additionally, each supervisor shall receive reimbursement for reasonable expenses necessarily incurred in the conduct of such office; such other benefits as are provided other classified or exempt management employees; eligibility for an eighty-five dollar monthly county contribution to the county's deferred compensation plan in the same manner as other management employees; and an automobile allowance of six hundred dollars per month, plus all mileage, at the rate per mile allowed by the Internal Revenue Services as a deductible expense. Receipt of the automobile allowance requires that a private automobile be furnished for county business. (Ords. 2014-10, § 2, 2006-70 § 2, 99-57 § 1, 98-15, 94-10, 93-38, 92-48, 92-17, 89-77, 87-101, 85-63, 84-55, 84-34, 81-68, 81-5, 79-52, 79-35 § 3, 78-47 § 2, 77-68 §§ 1 & 2, 76-59, 75-36, 74-49; prior code, § 2431.2; Ord. 70-68; Const. XI § 1(b), Gov. Code, § 25123.5.)

SECTION III. EFFECTIVE DATE. This ordinance becomes effective 60 days after passage, and within 15 days of passage shall be published once with the names of the supervisors voting

for and against it in the _____, a newspaper published in this County.

PASSED ON_____ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

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

_____
Board Chair

By_____
Deputy

[SEAL]

mam\am

H:\BOS\salary ord\ord No 2015-05A final.wpd

Version B

ORDINANCE NO. 2015- 05
(Salary for Elected County Officers)

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 Section 24-26.006 of the County Ordinance Code to modify salary provisions for members of the Board of Supervisors.

SECTION II. Section 24-26.006 of the County Ordinance Code is amended to read:

24-26.006 Supervisors. (a) Each supervisor, for service as such, shall receive a base monthly salary at the following monthly rates as specified in the Contra Costa County pay series schedule:

(1) Effective June 1, 2015, a monthly salary of $ 8,692.27, which is equivalent to fifty-six and one-half percent (56.5%) of the monthly salary prescribed by State law for California Superior Court judges. Thereafter, the base salary of each supervisor shall be increased at such times and in such percentages as increases granted by law to California Superior Court judges, to maintain a base salary equivalent to fifty-six and one-half percent (56.5%) of the judges' salary.

(b) Additionally, each supervisor shall receive reimbursement for reasonable expenses necessarily incurred in the conduct of such office; such other benefits as are provided other classified or exempt management employees; eligibility for an eighty-five dollar monthly county contribution to the county's deferred compensation plan in the same manner as other management employees; and an automobile allowance of six hundred dollars per month, plus all mileage, at the rate per mile allowed by the Internal Revenue Services as a deductible expense. Receipt of the automobile allowance requires that a private automobile be furnished for county business. (Ords. 2014-10, § 2, 2006-70 § 2, 99-57 § 1, 98-15, 94-10, 93-38, 92-48, 92-17, 89-77, 87-101, 85-63, 84-55, 84-34, 81-68, 81-5, 79-52, 79-35 § 3, 78-47 § 2, 77-68 §§ 1 & 2, 76-59, 75-36, 74-49; prior code, § 2431.2; Ord. 70-68; Const. XI § 1(b), Gov. Code, § 25123.5.)

<u>SECTION III</u>. <u>EFFECTIVE DATE</u>. This ordinance becomes effective 60 days after passage, and within 15 days of passage shall be published once with the names of the supervisors voting for and against it in the _____, a newspaper published in this County.

PASSED ON_____ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

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

_____
Board Chair

By_____
Deputy

[SEAL]

mam\am

H:\BOS\salary ord\ord No 2015-05B.wpd

Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 3, 2015

Subject: AD HOC COMMITTEE ON BOARD OF SUPERVISORS COMPENSATION

RECOMMENDATION(S):

1. ADOPT Resolution No. 2015/67 to establish the Ad Hoc Committee on Board of Supervisors Compensation.

2. DIRECT the County Administrator to facilitate and provide staff support for the Ad Hoc Committee meetings and to report the Ad Hoc Committee's recommendations to the Board of Supervisors on July 7, 2015.

FISCAL IMPACT:

Costs to staff and facilitate Committee meetings are estimated not to exceed $28,800. Meeting stipends and mileage reimbursement are estimated not to exceed $3,000 in total.

BACKGROUND:

On February 10, 2015, the Board of Supervisors considered several options for setting Board member salaries, as well as the possible salary level. Following its deliberations, the Board directed the County Counsel to prepare two ordinances for possible introduction on March 3: one authorizing a 7% increase[1] to the Board of Supervisors member salaries to the annual level of $104,307.28, and an alternate ordinance that additionally links the Board's salary level to that of 56.5% of a Superior Court Judge's salary. The salary increase would be effective on June 1, 2015. The requested ordinances are transmitted to the Board today in a separate item.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

Contact: David Twa
925-335-1080

cc:

BACKGROUND: (CONT'D)

> The Board, on February 10, 2015, also directed the County Administrator to convene an *ad hoc* committee to study the compensation of the Board of Supervisors members. The Board specifically defined the composition and charge of the committee as recommended in the attached Resolution No. 2015/67. The County Administrator's Office is prepared to provide meeting facilitation and staff support to the Ad Hoc Committee. In light of the significant amount of research and discussions that are anticipated for the committee's work, we are recommending a small meeting stipend and reimbursement for mileage expense incurred by the committee members to attend the Ad Hoc Committee meetings, commensurate with the stipend authorized for civil grand jurors, who prepare similar studies and reports.

1. The 7% increase was based on a 4% general COLA granted to employees on July 1, 2014 plus a 3% COLA that employees will receive on July 1, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

Should the Board of Supervisors elect not to approve the recommendations, a process to study Board of Supervisors compensation would remain undefined and, lacking other direction, would not proceed.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Resolution No. 2015/67

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/03/2015 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2015/67

IN THE MATTER OF ESTABLISHING THE AD HOC COMMITTEE ON BOARD OF SUPERVISORS COMPENSATION

BE IT BY THE BOARD OF SUPERVISORS RESOLVED THAT:

1. The Ad Hoc Committee on Board of Supervisors compensation is hereby created and shall be composed of five individuals, one selected by each of the following organizations:

a. Contra Costa County Civil Grand Jury
b. Contra Costa County Taxpayers Association
c. East Bay Leadership Council (formerly the Contra Costa Council)
d. Contra Costa County Central Labor Council
e. Contra Costa County Human Service Alliance;

2. The charge of the Committee is to:

a. Review the compensation of the Board of Supervisors
b. Recommend any adjustment to the compensation
c. Recommend a methodology and process by which any future increases would occur
d. Prepare recommendations in time for consideration by the Board of Supervisors at its July 7, 2015 meeting

3. The Ad Hoc Committee's meetings shall be open and accessible to the public and noticed in accordance with the Ralph M. Brown Act and Better Government Ordinance and its agenda, minutes, and recommendations shall be posted on the County's website.

4. Each Ad Hoc Committee member shall be paid fifteen dollars for attending each meeting of the Ad Hoc Committee, but not more than one fifteen dollar *per diem* in any one twenty-four-hour period from six a.m. to six a.m. the following day; and each Ad Hoc Committee member shall be reimbursed for mileage to attend meetings at the same rate as for county commissions.

5. The Ad Hoc Committee shall dissolve effective 30 days after acceptance by the Board of Supervisors of the Committee's final report, unless the Board takes formal action to extend the term of the Committee.

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: March 3, 2015

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

Contact: David Twa 925-335-1080

cc:

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: HEARING to consider increasing the water service charge within County Service Area M-28, Bethel Island area.

RECOMMENDATION(S):

OPEN the public hearing on the proposed increase to the annual water service charge imposed on property within County Service Area M-28 (CSA M-28) beginning in Fiscal Year 2015-2016; CONSIDER all public comments and protests; RECEIVE all signed, written protests against the proposed increase to the CSA M-28 annual water service charge; and CLOSE the public hearing.

DIRECT the Public Works Director, or her designee, to: count and tabulate all signed, written protests against the proposed increase to the CSA M-28 annual water service charge that are received before the close of the public hearing, in accordance with Resolution No. 2014/456, and report to the Board on whether protests were received from owners of a majority of parcels that would be subject to the increased CSA M-28 annual water service charge.

DETERMINE either: (a) that there exists a majority protest against the increased CSA M-28 annual water service charge because a signed, written protest against the increased charge was received by the owner of the single parcel that would be subject to the increased charge; or (b) that a majority protest does not exist. If a majority protest exists, take no further action. If no majority protest exists, ADOPT Resolution No. 2015/63.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

Contact: Jason Chen, 925-313-2299

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

By: , Deputy

cc: W. Lai, Division Manager, Engineering Services, S. Cohen, Special Districts Manager, Public Works, J. Chen, Special Districts/Engineering Services

FISCAL IMPACT:

The increase of the water service charge from $91,937.40 to $335,939 will provide revenues for continued operation and maintenance of a water supply system as well as provide funds necessary to construct the capital improvement projects in CSA M-28 (100% CSA M-28 Funds).

BACKGROUND:

On December 10, 1991, the Contra Costa County Board of Supervisors adopted County Resolution No. 91/807, which formed County Service Area M-28 (CSA M-28). CSA M-28 was formed pursuant to the County Service Area Law to provide treated water service to a single parcel of real property within CSA M-28, identified as Assessor's Parcel No. 029-020-004 (the "Parcel"). The County provides treated water service to the Parcel owner's connection, and the Parcel owner is responsible for distributing the water to the individual units of the Willows at Bethel Island Mobile Home Park located on the Parcel. The County imposes an annual service charge on the Parcel to fund the operation, maintenance, and servicing of the water system.

The current CSA M-28 system is over 20 years old, and, as an aging system, the operational costs have increased over the years. The current service charge automatically adjusts each year based on the rate of the change in the consumer price index. However, even with these increases, revenue from the current service charge has been insufficient to fund the operation, maintenance, and servicing of the CSA M-28 water system. The County relies on General Fund monies to fund CSA M-28 expenses that exceed revenue from the current CSA M-28 annual service charge.

In the current fiscal year, Fiscal Year 2014-2015, the annual service charge is $91,937.40. During the same fiscal year, County staff estimates that it will cost $104,395.40 to operate, maintain, and service the CSA M-28 water system and provide treated water service to the Parcel. In addition, a consultant retained by the Public Works Department has determined that the aging CSA M-28 water system will require approximately $1,231,000, adjusted for inflation, in improvements and repairs to remain operational. A copy of the consultant's report is attached hereto as Attachment A.

To recover the County's actual costs to operate, maintain, and service the CSA M-28 water system, County staff recommends increasing the CSA M-28 annual service charge to $335,939, beginning in Fiscal Year 2015-2016. Public Works Department staff calculated the amount of the increased service charge, as follows:

*Estimated Operation Expenditures - $111,000

This is the estimated cost to operate, maintain, and service the CSA M-28 system. Operational expenses include: communications, utilities, chemicals and parts, publications and legal notices, membership, operator, lab testing, tax and assessment fees, National Pollutant Discharge Elimination System (NPDES) permit, County Environmental Health permit, and other County staff costs. The budget for Fiscal Year 2014-2015 is $104,395.40. The proposed budget for Fiscal Year 2015-2016 is $111,000. The majority of the increase is due to an increase in the operator line item. (See Table 1 in Attachment B.)

*Estimated Loan Payment – $151,368

As explained above, the aging CSA M-28 water system requires significant repairs to remain operational. The estimated cost of those repairs (in 2014 dollars) is $1,231,000. In addition, the County needs to obtain a National Pollutant Discharge Elimination System (NPDES) permit for the CSA M-28 water system, which is estimated to cost $60,000. To fund these repairs and the costs to obtain a NPDES permit, a revolving fund will need to be established. CSA M-28 would borrow from this fund for CSA M-28 capital repairs and replacements, and to pay costs related to obtaining a NPDES permit. Those funds would need to be repaid over a period of up to 10 years with an estimated interest at the rate of 3% per year until the revolving fund is fully repaid. This will require an annual payment of $151,368 to the revolving fund, until the revolving fund is fully repaid.

Because the amount required to repay the revolving fund will be fixed for the duration of the repayment term, this component of the increased service charge will not be subject to inflationary increases in Fiscal Year 2016-2017,

or in any fiscal year thereafter (see below). After the revolving fund is fully repaid at the end of the repayment term, this repayment component of the increased service charge will be eliminated, resulting in a reduction in the then-current increased service charge.

*Estimated Capital Replacement Reserve – $73,571

In the past, a capital replacement reserve was not set aside for future capital replacement projects. County staff proposes a capital replacement reserve to fund future capital repairs and improvements. The improvement proposed by the consultant replaced many components of the CSA M-28's system but not all. Regardless, if CSA M-28 utilizes an existing component or a new component is constructed, each of these components will need to be replaced in the future. Major components of the CSA M-28's system were analyzed with their useful lives, their remaining useful lives, and their estimated replacement costs. The remaining useful life of these components ranges from 0 to 53 years. Dividing the current replacement cost by the remaining useful life in years gives the amount that should be placed into reserve each year so that the asset can be replaced when it fails.

As indicated above, the revenue from the increased service charge for Fiscal Year 2015-2016 – $335,939 – will be equal to the County's actual costs to operate, maintain, and service the CSA M-28 treated water system. Therefore, revenue from the increased service charge will not exceed the County's costs to provide treated water service within CSA M-28. Revenue from the increased service charge will be used only for the purposes of operating, maintaining, and servicing the CSA M-28 water system, as described above. The treated water service provided to the Parcel is actually used by the Parcel. The Parcel is the only parcel of real property within CSA M-28 that receives CSA M-28 treated water service. Therefore, the increased service charge will not exceed the proportional cost to provide treated water service that is attributable to the Parcel.

If approved, the increased service charge for Fiscal Year 2015-2016 will be $335,939. In fiscal year 2016-2017, and in each subsequent fiscal year, the increased service charge will increase based on the change in the Consumer Price Index for the San Francisco Bay Area All Urban Consumers for the twelve-month period ending January 30 prior to the fiscal year in which the service charge will be levied.

CONSEQUENCE OF NEGATIVE ACTION:

The County would not be able to increase CSA M-28's annual service charge to $335,939 beginning in Fiscal Year 2015-2016. The County would continue to charge its existing service charge, which increases annually based on the change in the Consumer Price Index for the San Francisco Bay Area All Urban Consumers. However, because the amount of this service charge is lower than the County's actual costs to operate, maintain, and service the CSA M-28 treated water system, the County would need to continue to rely on General Fund revenue transfers to pay costs to operate, maintain, and service the CSA M-28 water system. Alternatively, the County could take steps to reduce the level of water treatment currently provided within CSA M-28, thereby reducing the County's costs to operate CSA M-28.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Resolution No. 2015/63

Attachment A

Attachment B

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/03/2015 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2015/63

IN THE MATTER OF increasing the existing water service charge imposed on real property within County Service Area M-28, Bethel Island area (District III);

WHEREAS, County Service Area M-28 (CSA M-28) provides treated water service to a single parcel of real property, identified as Assessor's Parcel No. 029-020-004 (the "Parcel"), on Bethel Island. An annual service charge is imposed on the Parcel to recover the annual costs to operate and maintain the treated water system and provide treated water service to the Parcel.

WHEREAS, revenue from the annual service charge is insufficient and does not recover the costs to operate and maintain the treated water system. The treated water system also needs substantial capital improvements to remain operational. To fund those improvements, CSA M-28 will need to borrow $1,231,000 from a revolving fund to be established by the County.

WHEREAS, to pay for the treated water system's annual operation and maintenance costs, and repay the revolving fund loan that will pay for required capital improvements, Public Works Department staff have recommended that the Board of Supervisors increase the CSA M-28 annual service charge to $335,939, beginning in Fiscal Year 2015-2016, with annual increases thereafter based on the change in the consumer price index. It is estimated that $151,368 of that annual service charge (the "Loan Repayment Component") will be used to repay the revolving fund loan.

WHEREAS, the owner of the Parcel was provided written notice of the proposed increase to the CSA M-28 annual service charge and of the date, time, and location of the Board's hearing on the proposed increase, in accordance with Article XIIID, Section 6 of the California Constitution.

WHEREAS, the Board of Supervisors held a hearing to consider the proposed increase to the CSA M-28 annual service charge. The owner of the Parcel did not submit a signed written protest against the proposed increase before the close of the hearing.

WHEREAS, the board order in support of this resolution establishes: (1) revenue from the increased annual service charge will not exceed the funds required to provide treated water service within CSA M-28; (2) revenue derived from the increased annual service charge will not be used for any purpose other than that for which the service charge will be imposed; (3) the amount of the increased annual service charge will not exceed the proportional cost of providing treated water service to the Parcel; (4) CSA M-28 treated water service is actually used by the Parcel; and (5) the increased service charge will not be imposed for a general governmental service.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board of Supervisors finds that there is not a majority protest against the proposed increase to the CSA M-28 annual service charge.

2. Beginning in Fiscal Year 2015-2016, the CSA M-28 annual service charge is $335,939.

3. In Fiscal Year 2016-2017, and in each fiscal year thereafter, the amount of the CSA M-28 annual service charge, minus the Loan Repayment Component, shall automatically increase based on the change in the Consumer Price Index for the San Francisco Bay Area All Urban Consumers for the 12-month period ending January 30 prior to the fiscal year in which the service charge will be levied.

4. The CSA M-28 annual service charge will be imposed on the Parcel in accordance with the County Service Area Law (Government Code sections 25210 through 25217.4) and Division 1012 of the County Ordinance Code.

5. Beginning in the fiscal year immediately following the fiscal year in which the revolving fund loan is repaid, the CSA M-28

annual service charge shall not include the Loan Repayment Component. The owner of the Parcel will be refunded any portion of the Loan Repayment Component of the CSA M-28 annual service charge that is collected but not used to repay the revolving fund loan for capital improvements.

Contact: Jason Chen, 925-313-2299

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: March 3, 2015

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

By: , Deputy

cc: W. Lai, Division Manager, Engineering Services, S. Cohen, Special Districts Manager, Public Works, J. Chen, Special Districts/Engineering Services

Attachment A

CDM

100 Pringle Avenue, Suite 300
Walnut Creek, California 94596
tel: 925 933-2900
fax: 925 933-4174

August 7, 2008

Mr. Mike Yeraka, General Manager
Diablo Water District
P.O. Box 127
Oakley, CA 94561-3798

Subject: *M-28 Willows Mobile Home Park*
Reverse Osmosis System - Draft CIP Budget

Dear Mr. Yeraka:

As requested, CDM has revisited the 2006 recommended improvements to the M-28 reverse osmosis (RO) facility at the Willows Mobile Home Park, which were described in CDM's letter to the District dated June 22, 2006. The 2006 recommendations were an update of CDM's 1995 work described in a February 23, 1995 letter to the District.

For this 2008 update, CDM visited the facility and reviewed the 2006 information recommendations prior to updating the cost estimates and recommendations. In addition, CDM and the District met on June 10, 2008 to discuss the improvements and approach for updating the costs.

Purpose of Letter

This letter provides an updated list of revised recommendations with higher priority items listed before lower priority ones, based on health and safety issues. A summary of all the recommended improvements and estimated costs is provided first. This is followed by more detailed discussions of each item, including descriptions and key assumptions.

Summary

Table 1 summarizes the recommended improvements at the M-28 RO Facility, and their estimated planning-level costs in current dollars. Two options are shown that are dependent on the selected approach for the Item 1 Building Replacement:

- Option 1 is to replace the existing building with new pre-engineered buildings to house the existing treatment process equipment.
- Option 2 is to utilize a containerized RO treatment facility, which would replace both the existing building and the existing treatment process equipment, i.e., a new plant.

The selection of Option 1 or Option 2 for implementation in Item 1 impacts some of the other items, as indicated in the cost summary and as described for the individual items.

Table 1 *Summary of Recommended Improvements for M-28 Reverse Osmosis Facility*		
Items	*Estimated Planning-Level Estimated Construction Costs (2008 $)* [1]	
	Option 1 - Replace Buildings, Keep Existing Treatment Equipment	**Option 2 - New Containerized RO WTP Facility**
No.1 - Replace Building	$347,000	$622,000
No.2 - Seismic Restraints/Pipe Supports	$37,000	$34,000
No.3 - Reservoir Stabilization	$70,000	$70,000
No.4 - Backup Distribution Pump	$36,000	Included in Item 1
No.5 - Blending/Acid Elimination (RO Bypass Line)	$15,000	Not required with new WTP
No.6 - Exterior Tank/Piping Coatings	Deleted	Deleted
No.7 - Seal Abandoned Well	$16,000	$16,000
No.8 - Misc. Plant Repairs/Modifications	$78,000	$5,000
No.9 - Instrumentation (Conductivity Meter, Chlorine Analyzer)	$13,000	Included in Item 1
No.10 - Emergency Power	Deleted	Deleted
No.11 - Remote Monitoring (Telemetry)	$51,000	$51,000
No.12 - Pipe Labels	Deleted	Deleted
No.13 - Fencing Repairs	$17,600	$17,600
Total Construction Cost including 25% contingency	*$680,600*	*$815,600*
Implementation Allowance estimated at 35% of Total Construction Costs [2]	*$238,000*	*$285,000*
Total Estimated Cost (rounded)	*$919,000*	*$1,101,000*

[1] The planning level construction cost estimates include a 25% contingency.

[2] Implementation allowance, estimated at 35% of total construction cost, includes engineering design and construction support, and District construction management and inspection.

All the items are important to ensuring the long term reliability of the facility. However, they are prioritized with regard to health and safety, with the highest priority items being at the top of the list. Items No. 6, 10 and 12 have been deleted as requested by the District/County.

The planning level cost estimates include:

- Construction costs estimated by CDM Constructors Inc (CCI), which include materials, labor, installation, overhead and profit. A 25% contingency is included at this conceptual planning stage. This Opinion of Probable Cost of Construction represents CCI judgment as a professional and is supplied for general guidance.

- Implementation allowance of 35% for engineering design and construction support of the recommended improvements, and for District construction management and inspection.

The estimated costs assume that all the improvements will be completed as part of one general improvement project, rather than individual small projects. Breaking it into several bid/construction packages would increase costs. Implementation of the selected Item 1 Building option will facilitate implementation of many other work items and help minimize the overall upgrading costs.

The cost estimates assume that either Diablo Water District or Contra Costa County will be responsible for soliciting the necessary quotations for construction work. It is assumed that the technical specifications and drawings can be attached to a set of standard terms and conditions prepared by Diablo Water District or Contra Costa County. Costs for Diablo Water District construction management and inspection are included as part of the implementation allowance. Costs for Contra Costa County staff time have not been included in the cost estimate.

Description of Items

1. Replace Building

The existing RO equipment location and plywood shed does not meet Occupational Safety & Health Administration (OSHA) standards and the National Fire Protection Association (NFPA) Life Safety Code. It also does not allow reasonable access to the equipment for maintenance and protect the equipment from vandalism and environmental elements. It is recommended that the existing plywood shed around the RO system and the old RO frame building be demolished and one of the following two options be implemented.

Option 1 - Two New Pre-engineered Metal Buildings (25 ft x 8 ft and 25 ft x 20 ft)

With Option 1, two new pre-engineered metal buildings will be constructed to replace the existing buildings. Some of the existing treatment equipment will be re-located as necessary. This option is similar to that described in the 1995 and 2006 letters; except that two buildings are now recommended instead of one, in order to stay within the existing site boundary.

The anticipated sequence of construction is described below:

1. Demolish all of the existing unsafe buildings.

2. Pour additional concrete slab around the existing RO skid area to expand the width of the concrete slab for the new location of the chemical tanks.

3. Install a new 25-foot x 20-foot concrete slab for the new location of the re-located RO skid and ancillary equipment at existing plywood shed area.

4. Relocate the existing RO skid and ancillary equipment to existing plywood shed area; relocate existing chemical tanks to existing RO skid area.

5. Erect the new buildings. The new buildings will include: insulation for noise and temperature control, double wide access doors or coiling overhead door at new RO skid area and new chemical tanks area, lighting, ventilation, skylight, electric unit heater, counter, sample sink, toilet, wash sink and relocation of existing emergency eyewash/shower unit.

All the existing equipment would be protected in place during the construction period. This option will require coordination with Pacific Gas & Electric (PG&E) and a plant shut down for a few days while relocating equipment.

The engineering tasks for Option 1 are anticipated to include:

- Site plan;
- New construction site plan and mechanical equipment/piping layout details;
- Building sections and foundation/slab details;
- Specifications describing sequence of work, piping, electrical, and pre-engineered building requirements;
- General notes and details;
- Geotechnical samples will need to be taken and analyzed (2-20 ft bore holes and sample analysis).

The estimated cost of Option 1 for replacing the existing structure with new buildings includes new concrete slab, pre-engineered buildings, HVAC, electrical power distribution equipment, lighting, plumbing, and equipment relocation.

Option 2 - New Containerized RO Water Treatment Plant

With Option 2, a new containerized RO Water Treatment Plant (WTP) will be constructed to replace the existing building and treatment facilities. This will essentially provide a new plant, although will continue to use the existing filters.

The anticipated sequence of constructing the Containerized RO WTP is described below:

1. Set the new pre-fabricated and pre-assembled Containerized RO WTP unit at a temporary location with temporary piping system from existing raw water system through existing filters and new RO Containerized WTP unit to existing Hydropneumatic tank and existing reservoir to continue to provide the water to users during the construction period. This operation will require coordination with PG & E and a shut down for couple days to make tie-ins.

2. Demolish all the existing unsafe buildings, RO skid, and chemical systems.

3. Relocate the existing filters.

4. Pour additional concrete slab around the existing RO area for the new containerized RO WTP unit.

5. Re-arrange and re-use, where possible, the ductile iron fittings with new PVC piping system in the yard.

6. Relocate the new Containerized RO WTP to the permanent location and connect it to the existing system. This operation will require coordination with PG & E and a shut down for couple days to make the tie-in.

The recommended new containerized RO WTP unit features include: insulation for noise and temperature control, double wide access doors or coiling overhead door at RO skid area, electrical power distribution equipment, lighting, ventilation, skylight, electric unit heater, counter, sample sink, toilet, wash sink and relocate of existing emergency eyewash/shower.

The engineering tasks for a new Containerized RO WTP are anticipated to include:

- Site plan and temporary equipment locations;
- New construction site plan and mechanical equipment/piping layout details;
- Building sections and foundation/slab details;
- Specifications describing sequence of work, piping, electrical, and Containerized RO WTP requirements; and
- General notes and details.
- Geotechnical samples will need to be taken and analyzed (2-20 ft bore holes and sample analysis).

The estimated cost of Option 2 for the new Containerized RO WTP includes new RO skid system, backup distribution pumps, chemical systems, concrete slab, building, HVAC, electrical power distribution equipment, lighting, plumbing, and equipment relocation.

2. Seismic Restraints/Pipe Supports

The RO skid is not seismically restrained and some plant piping is not adequately supported and seismically restrained. In the event of an earthquake, significant damage may occur, resulting in an extended plant outage during repairs. It is recommended that anchor clips be added to secure the RO skid, lateral bracing be installed to the pipe supports, and additional pipe supports be installed. In addition, flexible couplings between unit processes should also be installed. These improvements should be incorporated whether the RO skid is relocated or left in place.

The engineering tasks for the seismic restraints are anticipated to include:

- Estimating overturning forces and the selection of anchor bolts;
- Details of anchor clips and lateral bracing.

The estimated cost for the installation of seismic restraints and additional pipe supports includes welding, anchor bolts, and pipe supports.

3. Reservoir Stabilization

There is a concern that the existing foundation for the 20,000 gallon reservoir is inadequate to resist overturning in the event of an earthquake. A detailed analysis of the soils and mat foundation are required before final recommendations are made. An examination of the site indicated that a new larger diameter steel tank, with a lower overturning force, could not be easily installed due to space constraints. Therefore, the cost estimates include grout stabilization of the soil under the tank slab to increase soil resistance, concrete anchors to provide additional over-turning resistance to the slab, and additional anchor clips on the tank to prevent existing bolt pullout. If the resulting degree of overturning resistance is less than desired, it would be more cost effective to replace the existing tank with a new tank of a different configuration that would fit in the space, than to provide more stabilization. This would also be appropriate if it is determined that the existing tank walls will buckle during the design earthquake.

The engineering tasks for the reservoir seismic improvements are anticipated to include:

- Grout stabilization specification and plan drawing;
- Soil anchor and tank bolt details; and
- Geotechnical analysis performed as part of Item No. 1.

The estimated cost for reservoir stabilization includes the injection of cement grout below the concrete pad and the installation of deep soil anchors with tank clips. It is assumed the reservoir stays in operation during the stabilization work.

4. Backup Distribution Pump

Failure of the single existing booster pump will result in loss of water supply and basic fire protection to the residents. Installation of a backup pump and motor is recommended. The pump pressure controls would be set to start the pump automatically if a low system pressure occurs. The engineering and construction costs assume that there is adequate capacity in the existing electrical service for the added connected load. The unused blower on the old decarbonator and other unused equipment can also be disconnected to reduce the total connected electrical loads.

The engineering tasks for the spare pump are anticipated to include:

- Pump specification
- Piping details
- Electrical service and controls

With Option 1, the estimated cost includes installation of a backup pump, electrical power supply, flow control valve and meter, and sound attenuation device.

With Option 2, there is no additional cost, since two new Backup Distribution Pumps are part of the new Containerized RO WTP system.

5. Blending/Acid Elimination (RO Bypass Line)

The RO system bypass line for stabilizing RO permeate with well water was not installed as part of the original construction of the facility, although it was shown on the initial system drawings. Blending the RO permeate with filtered raw well water will increase overall system production and reduce the amount of caustic being injected into the product water. The RO bypass line will require the installation of a pipe to divert filtered well water around the RO. This bypass line should be placed downstream of the pressure filter discharge, prior to the addition of antiscalant, and be reconnected to the system downstream of the RO permeate discharge, prior to pH probe and caustic injection point.

Developments in antiscalant formulations have allowed RO systems, with similar feed water characteristics, to operate without acid injection at recovery rates above 85%. Since this RO system is only operating between 60% - 70% recovery, the elimination of acid is feasible. Elimination of acid will also reduce the amount of caustic being used to stabilize the product water.

The RO bypass line was shown on the initial system drawings, so it is assumed that an amendment to the operating permit will not be required.

This improvement will provide the District with an economic benefit by reducing chemical consumption and supplying more water per kilowatt (kW).

The engineering tasks for the bypass pipe are anticipated to include:

- Memorandum discussing operation of the bypass blending system
- Pipe installation details
- Instrumentation calibration and control modifications

With Option 1, the estimated cost for the installation of a RO bypass blend line includes: pipe; isolation, and check throttling valves; check valve; and a flow meter.

With Option 2, this item is not needed and there is no additional cost. A new RO system is part of the new Containerized RO WTP system.

6. Exterior Tank/Piping Coatings - Deleted as Requested

This improvement has been deleted as requested.

7. Seal Abandoned Well

The abandoned well at the site is not sealed and cemented, as required by law, which may result in movement of water between aquifers. As a minimum, the County will require that the well be filled to 50 feet below the surface with gravel and the upper 50 feet of casing be perforated and cemented. The uppermost 5 feet of casing must be removed and the area backfilled. The County inspector may require that the entire well depth be perforated and cemented which will result in an additional day of crew time and County inspector time.

The engineering tasks for the well abandonment are anticipated to include:

- Development of abandonment description and procedures.

The estimated cost for this Item is the same for both Options 1 and 2. The estimated cost assumes that the full well depth must be perforated and cemented.

8. Miscellaneous Plant Repairs and Modifications

There are several items in need of repair and several modifications that are recommended to improve safety. The seal on the RO high pressure pump and several pressure gauges should be replaced. Several couplings on the stainless steel pipe are corroding, which is causing corrosion on the pipe, and should be prepped and repainted. The well water feed line into the plant should either be raised or lowered to allow access through the plant. All chemical tubing should be secondary contained in rigid pipe.

It is anticipated that an itemized list of repairs and modifications would be developed by the District or County.

With Option 1, the estimated cost to perform the miscellaneous plant repairs and modifications to existing facilities is significantly higher than with Option 2. The cost

includes replacing the seal of the existing RO pressure pump, replacing some of the existing pressure gauges; repairing corroding couplings or pipe; secondary containment for existing chemical tubing, repainting existing pipe, and removing and replacing the existing chemical tank and metering pumps.

With Option 2, the estimated cost of this item is greatly reduced since a new RO system is part of the new Containerized WTP and most of the miscellaneous repairs and modifications are eliminated.

9. Instrumentation (Conductivity Meter, Chlorine Analyzer)

Replace the RO permeate conductivity meter and the chlorine analyzer.

The engineering tasks for the instrumentation improvements are anticipated to include:

- Develop instrumentation specification;
- Develop installation details; and
- Electrical service and controls.

With Option 1, the estimated cost to replace the existing conductivity meter and chlorine analyzer includes instruments and connections to electrical service and PLC.

With Option 2, there is no additional cost; as new conductivity meter and chlorine analyzer are included in the Item 1 New Containerized RO WTP System.

10. Emergency Power - Deleted as Requested

This improvement has been deleted as requested.

11. Remote Monitoring (Telemetry)

Currently it is not possible to remotely monitor the operation of the Willows Mobile Home Park facilities. Assuming all the instruments are capable of being monitored, basic treatment plant telemetry can be installed so maintenance personnel can remotely monitor the operations of the plant. The recommended basic monitoring data includes critical and advisory discrete signals and critical analog signals.

Discrete (Critical)

- Well pump "Fail"
- RO pump "Fail"
- Distribution pump "Fail"
- Hypochlorite pump "Fail"
- Caustic pump "Fail"
- Anti-scalant pump "Fail"
- Emergency eyewash/shower "Start"

- Main Power "Fail"
- Emergency generator "Run"

Analog (Critical)

- RO feed pH
- Plant product water pH
- Plant product water conductivity

Discrete (Advisory)

- RO System "Run"
- Hydro tank level "High"
- Storage tank level "High"
- Storage tank level "Low"

The engineering tasks associated with installation of the telemetry system are anticipated to include:

- Identify existing output availability and power requirements;
- Design a PLC panel for M-28 site and DWD radio telemetry interface;
- Develop ladder logic for alarms, on/off control, database screens, and historical files; and
- Review shop drawings and provide startup and commissioning support.

The estimated cost for this Item is the same for both Options 1 and 2. The estimated cost includes the PLC equipment, interface panel, and modems.

12. Pipe Labels - Deleted as Requested

This improvement has been deleted as requested.

13. Fencing Repairs

The existing fencing has several locations where it can be scaled without much difficulty. The installation of new tension wires, barbed wire stands and replacement (as needed) of fence panels will be needed in several locations to fit the new site layout. The fence repairs would be completed as part of the modifications required for implementation of Item 1.

The estimated cost for this Item is the same for both Options 1 and 2.

If you have any questions or require additional information, please contact us at 925-933-2900.

Very truly yours,

Lisa House

Lisa House
Project Manager
Camp Dresser & McKee Inc.

cc: Ker-Sing Yang
Jeff Sellberg

Attachment B

Table 1

CSA M-28 Bethel Island Willow Park **Fund 247300 Org 7473**	**FY15-16** **Proposed**
Communications	$200
Utilities	$17,000
Chemical and Parts	$17,000
Publications and Legal Notices	$300
Membership	$200
Operators	$40,000
Lab Testing	$2,000
Tax and Assessment Fees	$300
NPDES Permit	$6,000
CCEHS	$2,500
County Counsel	$5,000
DOIT Phone Exchange	$500
Reimbursements – Gov/Gov (County Staff)	$20,000
Total	**$111,000**

Contra Costa County

To: Board of Supervisors

From: Jason Crapo, County Building Official

Date: March 3, 2015

Subject: Hearing on Appeal of the Notice and Order to Abate for property located at 1986 Mohawk Dr., Pleasant Hill, CA

RECOMMENDATION(S):

1. OPEN the hearing on the appeal of the Notice and Order to Abate a public nuisance on the real property located at 1986 Mohawk Drive, Pleasant Hill, CA, in Contra Costa County; APN: 166-320-006;

2. RECEIVE and CONSIDER oral and written testimony and other evidence from the county abatement officer, the property owners, and other persons; and CLOSE the hearing.

3. FIND that the facts set forth below are true.

4. AFFIRM the county abatement officer's determination in the Notice and Order to Abate by finding that a tent, accessory buildings, and unpermitted retaining walls have been erected at the front of this parcel. The tent and accessory structures are being used to store household goods, personal items, and other property. The conditions on the parcel are a public nuisance in violation of Contra Costa County Ordinance Code sections 720-6.402 and 720-6.404.

5. ORDER the property owner to abate the public nuisance by removing the tent, accessory buildings, unpermitted retaining walls, stored household goods, personal items and other property from the parcel within 30 days of the mailing of the Board decision.

6. DIRECT the county abatement officer to remove the tent, accessory buildings, unpermitted retaining walls, and household goods, personal items, and other property from the parcel and charge the cost

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Jason Crapo
925-674-7722

cc:

RECOMMENDATION(S): (CONT'D)

of the work and all administrative costs to the property owner, if the property owner does not comply with the Board's order to abate the public nuisance.

7. DIRECT the county abatement officer to send the Board's decision by first class mail to the property owner and to each party appearing at this hearing, and to file the Board's decision with the Clerk of the Board of Supervisor.

FISCAL IMPACT:

If the county abatement officer performs the work of abatement, the property owner will be charged for the cost of the abatement. If the property owner does not pay, the actual costs of the work and all administrative costs may be imposed as a lien on the property after notice and a hearing, and may be collected as an assessment against the property.

BACKGROUND:

The real property located at 1986 Mohawk Drive, Pleasant Hill, CA, in Contra Costa County; APN: 166-320-006 is owned by Gabriel Perez. The above referenced property is a vacant, .43 acre unimproved lot located in an R-15 zoning district in unincorporated Pleasant Hill, CA.

Contra Costa County Ordinance Code section Title 7, Chapter 720.6: Regulation of Vacant Property, section 720-6.402 - Duty of property owner, states, "Every owner shall maintain property in accordance with the provisions of this chapter and correct all violations of the standards listed in this chapter, and is liable for violations of this chapter regardless of any contract or agreement with any third party concerning the property".

Section 720-6.404 - Duty to maintain property, states, "(a) No owner shall maintain or allow the maintenance of vacant property in such a manner that any nuisance condition exists on the vacant property. (b)If a notice and order to abate has been transmitted to an owner, the vacant property must remain secured in accordance with Article 720-6.6."

Section 720-6.208, references the following: Definitions, and states, "For purposes of this chapter, the following words and phrases have the following meanings: (a) "County Building Official" means the director of the building inspection department or his or her designated representative who is authorized and directed to enforce this chapter. (b) "Nuisance condition" is one or more of the following conditions occurring on a vacant property: (1)Substantial amounts of trash, debris, rubbish, or garbage;(2)Discarded vehicles or boats, discarded trailers, vehicle or boat parts, vehicle or boat hulks, or other articles of personal property that are abandoned or left in a state of partial construction or repair;(3)Attractive nuisances dangerous to children, such as abandoned, broken or neglected equipment, machinery, refrigerators or freezers, or unsafe pools, ponds or excavations;(4)Shopping carts, discarded household equipment, or broken or discarded furniture;(5)Weeds over eighteen inches in height;(6)Any other similar nuisance condition.(c)"Owner" means a person, persons, corporation, partnership, limited liability company, or any other entity holding fee title to the subject real property. If more than one person or entity owns the subject real property, "owner" refers to each entity holding any portion of the fee interest in the property, and the owners' obligations in this chapter are joint and several as to each owner.(d)"Vacant Property" means any property that is unimproved and includes unimproved tracts, lots, easements, or parcels of land.

The county abatement officer made an initial inspection of the above–referenced property in September, 2013. The county abatement officer observed a tent, unpermitted retaining walls, and accessory structures used to store household goods, personal items and other property. The conditions on the property violate the County Ordinance Code and constitute a public nuisance. A Notice to Comply was sent to the property owner on February 28, 2014.

Re-inspection of the property on April 10, 2014, September 10, 2014, October 6, 2014 and December 10, 2014 showed that the property continued to be in violation of Contra Costa County Ordinance Code sections 720-6.402 and 720-6.404.

The Notice and Order to Abate was served on the property owner and all known to be in possession of the property by certified mail on December 10, 2014, and posted the above referenced property on December 10,

2014.

The Property owner filed an appeal of the Notice and Order to Abate on December 15, 2014. Notice of this appeal hearing was sent to the property owner by the Clerk of the Board.

CONSEQUENCE OF NEGATIVE ACTION:

The consequence of a negative action would allow violations to continue and impose unsightly conditions on residents resulting in potential loss of property values.

CHILDREN'S IMPACT STATEMENT:

None

ATTACHMENTS

Appeal Letter

Photos

Contra Costa Co.
Clerk of the Board of Supervisors
651 Pine St. 1st. floor
Martinez, Ca. 94553

December 12, 2014

RECEIVED
DEC 1 5 2014
CLERK BOARD OF SUPERVISORS
CONTRA COSTA CO.

Gabriel Perez
1986 Mohawk Dr.
Pleasant Hill, Ca. 94523

cadco2012@yahoo.com

With this letter I am requesting and appeal, to clarify the Contra Costa County act of discrimination, abuse of power, negligent and personal harassment, I have been requesting a grading permit for more than 10 years, you have denied this request without any reason, as soon as I ask any of Contra Costa County inspectors, If I can use the retaining wall systems located in the crossing of Pleasant Hill blvd. and Rancho View Dr. all of them ignore my question and never answer why I can not use these retaining wall systems, this is a clear act of discrimination by the Contra Costa County allowing big corporations and cities in Contra Costa County to simply ignore the building code they pretend to enforce only to individuals.

I have submit 5 different sets of plans, I have spend almost $15,000.00 and Contra Costa County just denied my permit requests without any reason why, Mr. Wixom also lie in his report saying we met in September 2013 to talk about my property, but if fact we met in December 2013, as I explain to him I just lost my job and my house so right now I am living in my Property at 1986 Mohawk Dr. Pleasant Hill If Contra Costa County trespass into my home without a court order and cause damages, I will file a court case against Contra Costa County, this is my primary and only residence, I have submitted many formal complaints, with out any answers from Contra Costa County last one back in September 16 2014.

Sincerely

Gabriel Perez

Gabriel Perez

OWNER: GABRIEL JIMINEZ PEREZ

NOTICE AND ORDER TO ABATE

CONTRA COSTA COUNTY ORDINANCE CODE 14-6.410

NOTICE IS HEREBY GIVEN that a plastic impregnated canvas (or other similar material) cover/enclosure/tent has been erected at the front of this parcel, partially enclosed by an unpermitted fence/retaining wall structure. The tent is being used to store household goods, personal items and property, construction materials, boxes and containers, landscape materials, tools, and automotive parts. The tent also covers small accessory structures and storage buildings used to store materials and personal property. The nuisance condition exists on the property located at 1986 Mohawk Drive in an unincorporated area of Pleasant Hill, California. The Assessor's Parcel Number is 166-320-006. This condition is a public nuisance in violation of Contra Costa County Ordinance Code section 720-6.402 and 720-6.404.

YOU ARE HEREBY ORDERED TO ABATE SAID PUBLIC NUISANCE.

You must abate the nuisance by removing the plastic impregnated canvas (or other similar material) cover/enclosure/tent, household goods, personal items and property, construction materials, boxes and containers, landscape materials, tools, automotive parts, and accessory structures and storage buildings from the property **within fifteen (15) days of the issuance date of this Notice and Order to Abate.** The issuance date is specified below.

If you do not abate the public nuisance, the County will remove the plastic impregnated canvas (or other similar material) cover/enclosure/tent, household goods, personal items and property, construction materials, boxes and containers, landscape materials, tools, automotive parts, and accessory structures and storage buildings from the property. The abatement will be by public employees, private contractor or other means. The cost of said abatement, if not paid, may be levied and assessed against the property as a special assessment lien and may be collected at the same time and in the same manner as ordinary county taxes are collected, subject to the same penalties, procedures and sales in case of delinquency.

YOU MAY APPEAL FROM THIS ORDER OF ABATEMENT, but any such appeal must be brought prior to the expiration of the number of days specified above for completion of abatement. The appeal must be in writing; specify the reasons for the appeal; contain your name, address and telephone number; be accompanied by an appeal fee of **ONE HUNDRED TWENTY FIVE** dollars **($125.00)**; and be submitted to the **Clerk of the Board of Supervisors** at the following address:

CLERK OF THE BOARD OF SUPERVISORS, COUNTY OF CONTRA COSTA
651 PINE STREET, 1ST FLOOR, MARTINEZ, CA 94553

One who is legally indigent may obtain a waiver of the appeal fee. Upon timely receipt of the appeal and accompanying fee, or waiver, the Clerk of the Board will cause the matter to be set for hearing before the Board of Supervisors and notify you of the date and location of the hearing. If you have any questions regarding this matter, you may direct them to the county officer issuing this notice at the address or telephone number listed below.

ISSUANCE DATE: December 10, 2014
REFERENCE #: BIRF14-00009

Greg Wixom
Principal Building Inspector
Code Enforcement Supervisor
(925) 674-7210

Gabriel Perez
1986 Mohawk Dr.
Pleasant Hill, Ca 94523

OAKLAND CA 945

12 DEC 2014 PM 4 L

RECEIVED
DEC 1 5 2014
CLERK BOARD OF SUPERVISORS
CONTRA COSTA CO.

CONTRA COSTA COUNTY
CLERK OF THE BOARD OF SUPERVISORS
651 PINE ST. 1ST FLOOR
MARTINEZ CA. 94553

94553129399

GABRIEL PEREZ
3649 GRANZOTTO DR.
CONCORD, CA 94519-1305

90-7691/3211

557

DATE 12-12-14

PAY TO THE ORDER OF CONTRA COSTA COUNTY $ 125.00

ONE HUNDRED TWENTY FIVE 00/100 DOLLARS

Security Features Included Details on Back

Pacific Postal CREDIT UNION
800.696.6009 • www.ppcu.org

EZ Shield℠

MEMO APEAL FEE

Gabriel Perez

⑆321176914⑆ 7340000041512 0⑈0557

© DELUXE WALLET OR DUPLICATE

SPECIALTY BLUE

1986 Mohawk Dr., Pleasant Hill

PM12:45 DEC/10/2014

PM12:41 DEC/10/2014

PM12:45 DEC/10/2014

PM12:45 DEC/10/2014

PM12:46 DEC/10/2014

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: Long-Term Trash Reduction Plan, Countywide. (100% Stormwater Utility Assessment District 17 Funds) Project No. 7517-6W7078

RECOMMENDATION(S):

RECEIVE update from the County's Stormwater Manager regarding efforts and costs to comply with the mandated 70% reduction in trash entering the storm drain network by 2017; and

ADVISE staff regarding next set of actions to take.

FISCAL IMPACT:

Current costs to reduce litter throughout the unincorporated County exceed $500,000 per year. These costs are expected to rise in order to achieve 70% reduction in 2017. County contractors will need to expand on-land cleanups and County staff will need to spend additional time to develop volunteer litter abatement programs. Once volunteer cleanup programs become established, costs will begin to drop as volunteer activities replace contractor conducted on-land cleanups. After volunteer programs are fully implemented, base costs for overall trash reduction activities, will be difficult to estimate, but will likely be at least $250,000 per year to coordinate volunteer efforts, assess effectiveness of trash reduction strategies, and conduct other trash related activities.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Cece Sellgren (925) 313-2296

cc: C. Sellgren, Flood Control, C. Windham, Flood Control

BACKGROUND:

In 2009, the San Francisco Water Quality Control Board (Waterboard) issued a Bay Area wide NPDES (National Pollutant Discharge Elimination System) stormwater permit, called the Municipal Regional Permit (MRP), to Alameda, Contra Costa, San Mateo, Santa Clara Countywide Stormwater Programs, as well as the cities of Fairfield, Suisun, and Vallejo in Solano County. In 2010, the Central Valley Waterboard issued a nearly identical permit for the eastern portion of Contra Costa County. Within both permits was a new requirement to reduce the amount of litter and trash from entering local streams, the Delta, and the Bay by 40% by 2014, 70% by 2017, and 100% by 2022.

Contra Costa County prepared a Short-Term Trash Reduction Plan in 2012 and a Long-Term Trash Reduction Plan in February 2014. Although the plan met the requirements of the Regional Boards, the County Watershed Program is revising the plan to obtain community input and better cost estimates to implement. This revised plan will be submitted to the Transportation, Water and Infrastructure Committee and the Board of Supervisors later this year for approval.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to implement the trash reduction plan will result in violations of the County's NPDES Permits, potential fines from the Regional Waterboards, and possible third party lawsuits for failure to comply with the Clean Water Act and the Porter Cologne Water Quality Act.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

BOS Trash Update

Contra Costa County Trash Reduction Plan: 40% and Beyond

March 3, 2015

Cece Sellgren
Stormwater Manager

Contra Costa County
Public Works
Department

Presentation Outline

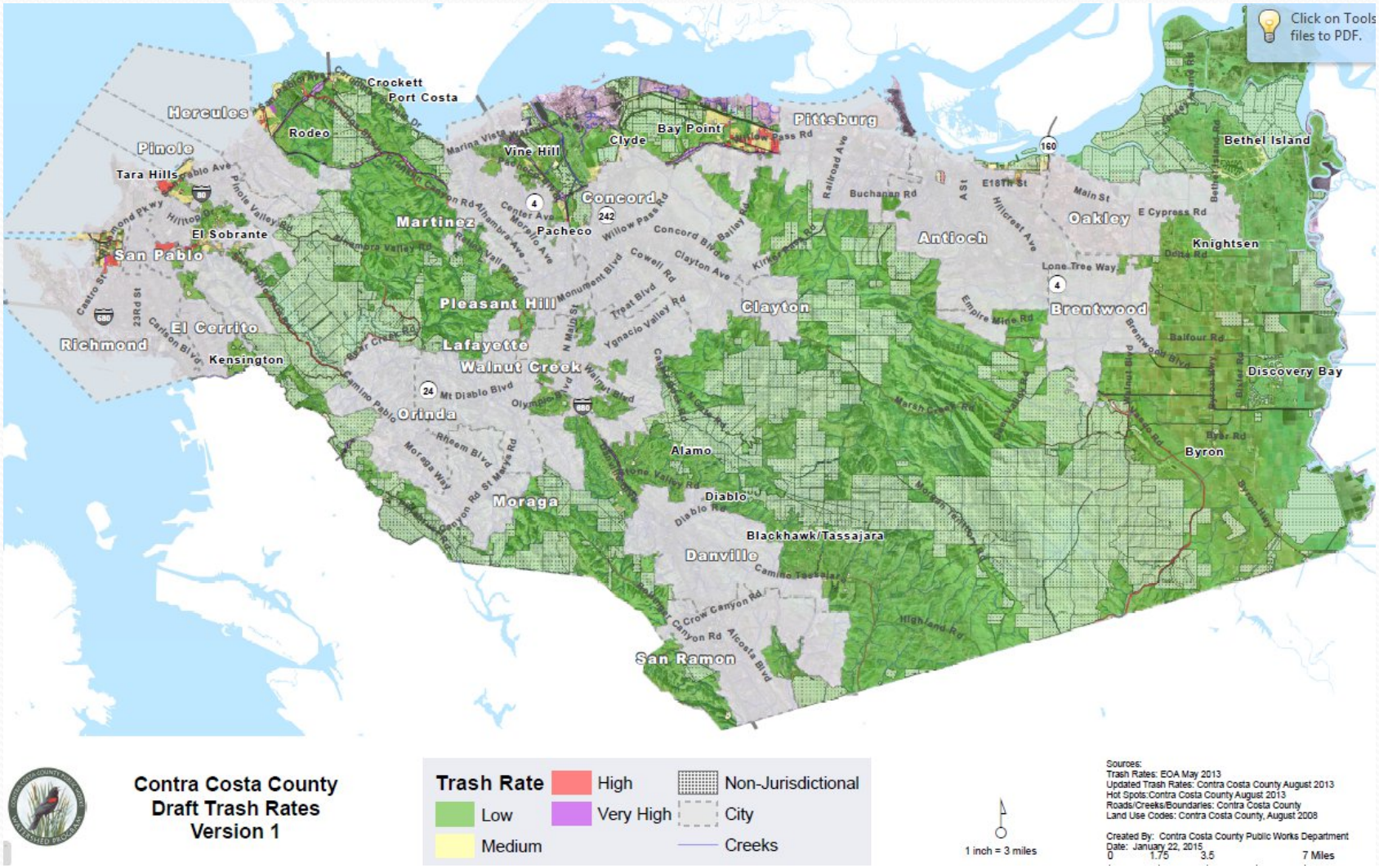
- Review trash as a water pollutant
- Review achievement of 40% trash reduction & response by SF Waterboard
- Review costs to implement trash reduction strategies
- Look forward to next steps

Trash as a water pollutant

- Great garbage patches in every ocean
- Regulated as by US EPA and State Waterboards
- Must achieve
  - 40 % by 2014
  - 70% by 2017
  - 100% by 2022
- Failure can lead to
  - Fines - $10,000/day + $25/gallon of polluted water
  - Third party lawsuits

Trash Sources and Pathways to Urban Creeks
Santa Clara Valley Urban Runoff Pollution Prevention Program
VEHICLES
Litter from moving vehicles
Dispersal of trash from uncovered vehicles
Downstream transport
Litter from parked vehicles
INADEQUATE WASTE CONTAINER MANAGEMENT
Overflowing or uncovered receptacles and dumpsters
Dispersal of household trash and recycling materials before, during and after collection
Convenience Mart
Café
Street fair
ILLEGAL DUMPING
In-creek disposal
Illegal dumping of trash and debris on land or in creek
Illegal encampments
Wind
Special events with high volumes of people
High traffic areas near businesses
PEDESTRIAN LITTER
Transition areas where food/drinks are not permitted
Storm drains
www.scvurppp.org

Long Term Trash Reduction Plan



Bay Point

Contra Costa County
Full Trash Capture for the
Community of
Bay Point

Trash Rate
- Low
- Medium
- High
- Very High
- Non-Jurisdictional
- Parcels
- Full Trash Capture
- Creeks
- Trash Hot Spots
- City

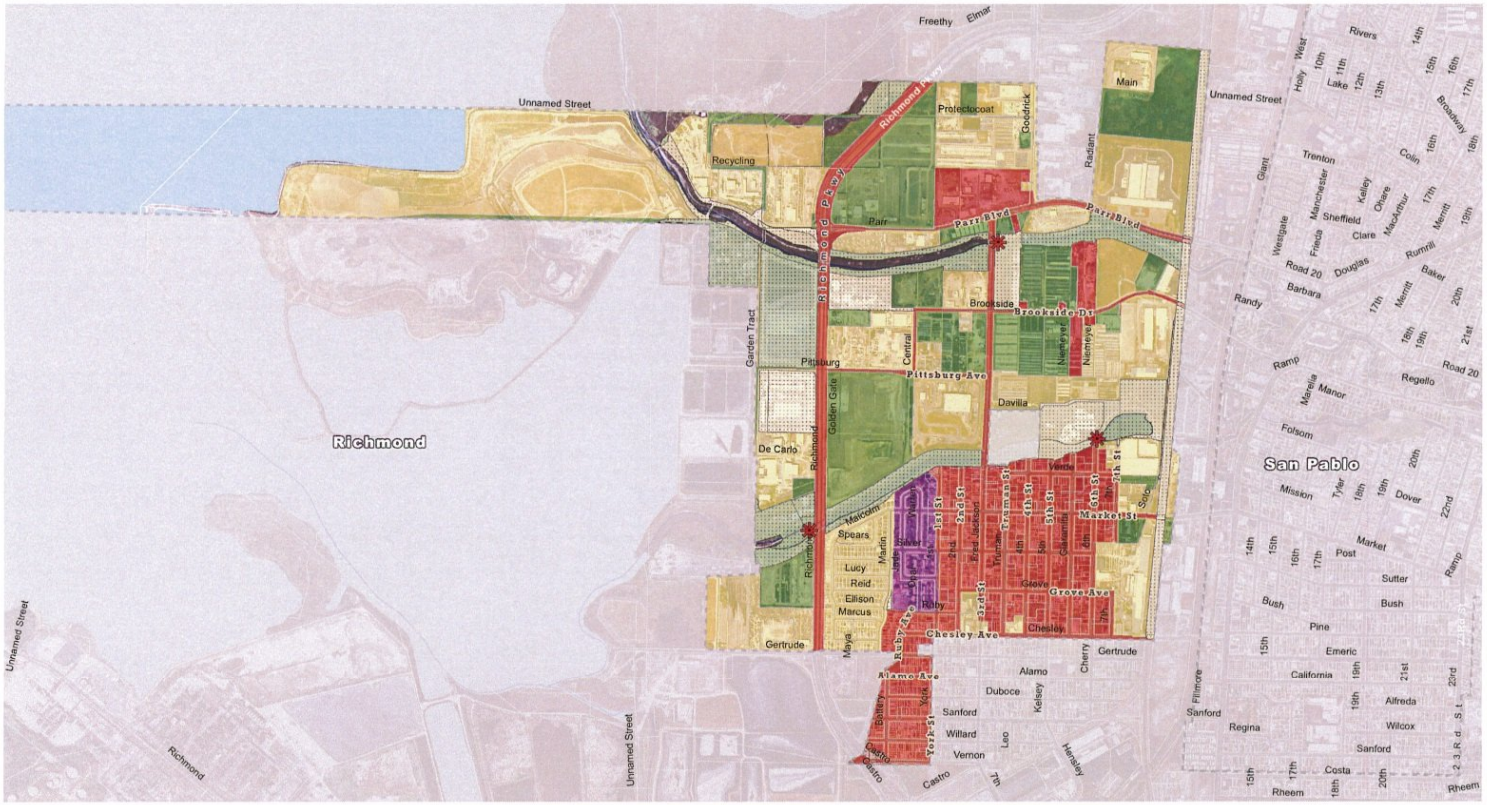
1 inch = 2,000 feet

Sources:
Trash Rates: EOA May 2013
Updated Trash Rates: Contra Costa County August 2013
Hot Spots:Contra Costa County August 2013
Roads/Creeks/Boundaries: Contra Costa County
Land Use Codes: Contra Costa County, August 2008

Created By: Contra Costa County Watershed Program
Date: February 13, 2014

0 0.225 0.45 0.9 Miles

North Richmond



Contra Costa County Trash Rates for the Community of North Richmond

Trash Rates

- Low
- Medium
- High
- Very High
- Non-Jurisdictional
- Parcels
- City
- Creeks
- Trash Hot Spots

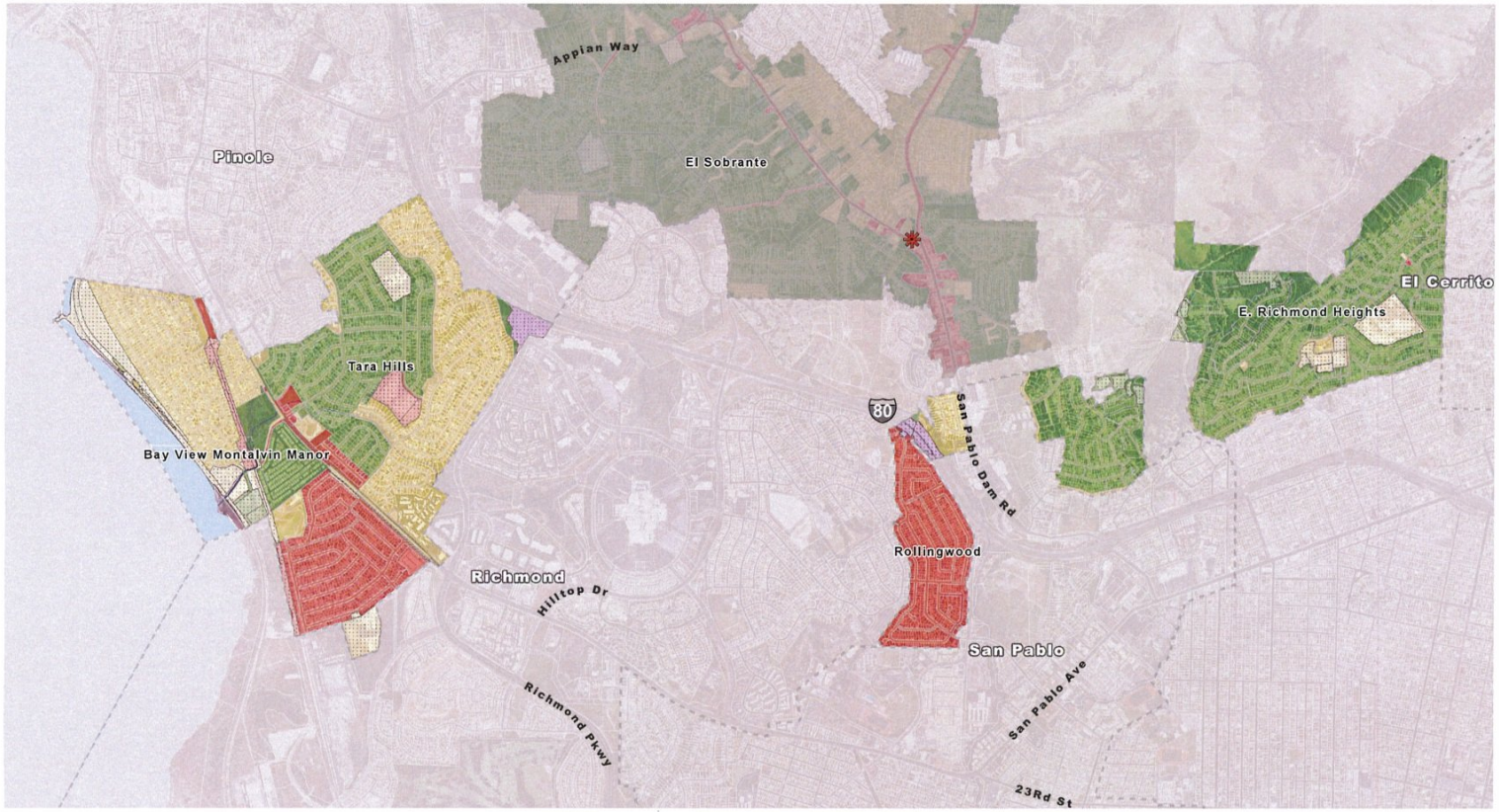
1 inch = 1,055 feet

Sources:
Trash Rates: EQA May 2013
Updated Trash Rates: Contra Costa County August 2013
Hot Spots:Contra Costa County August 2013
Roads/Creeks/Boundaries: Contra Costa County
Land Use Codes: Contra Costa County, August 2008

Created By: Contra Costa County Watershed Program
Date: February 13, 2014

0 0.1 0.2 0.4 Miles

Unincorporated Richmond



Contra Costa County Trash Rates for the Unincorporated Richmond Pocket Neighborhoods

Trash Rates
- High
- Low
- Very High
- Medium
- Non-Jurisdictional
- Parcels
- City
- Creeks
- Trash Hot Spots

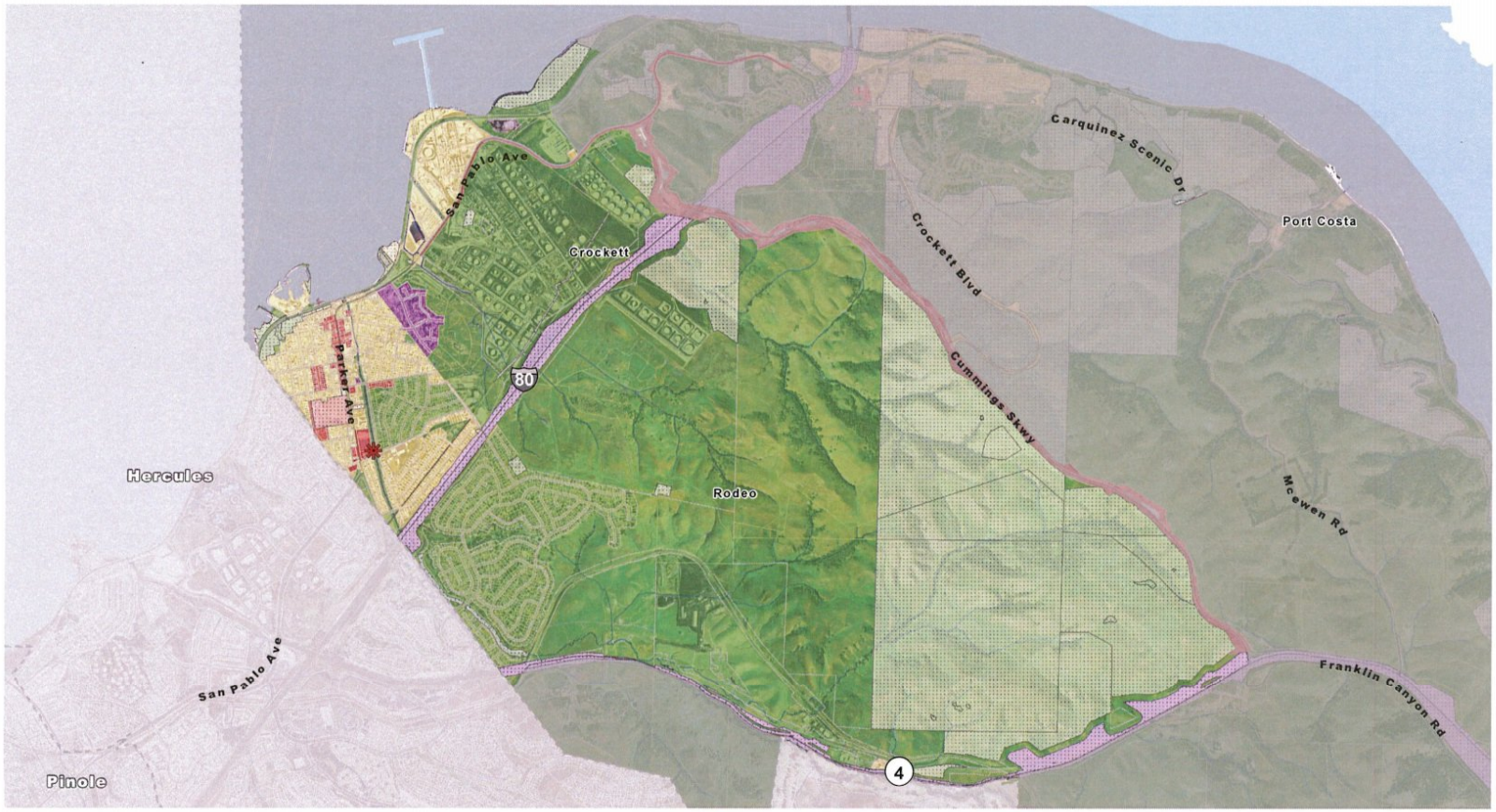
1 inch = 1,750 feet

Sources:
Trash Rates: EOA May 2013
Updated Trash Rates: Contra Costa County August 2013
Hot Spots:Contra Costa County August 2013
Roads/Creeks/Boundaries: Contra Costa County
Land Use Codes: Contra Costa County, August 2008

Created By: Contra Costa County Watershed Program
Date: February 13, 2014

0 0.2 0.4 0.8 Miles

Rodeo



Contra Costa County Trash Rates for the Community of Rodeo

Trash Rates
- Low
- Medium
- High
- Very High
- Non-Jurisdictional
- Parcels
- City
- Creeks
- Trash Hot Spots

1 inch = 2,200 feet

Sources:
Trash Rates: EOA May 2013
Updated Trash Rates: Contra Costa County August 2013
Hot Spots:Contra Costa County August 2013
Roads/Creeks/Boundaries: Contra Costa County
Land Use Codes: Contra Costa County, August 2008

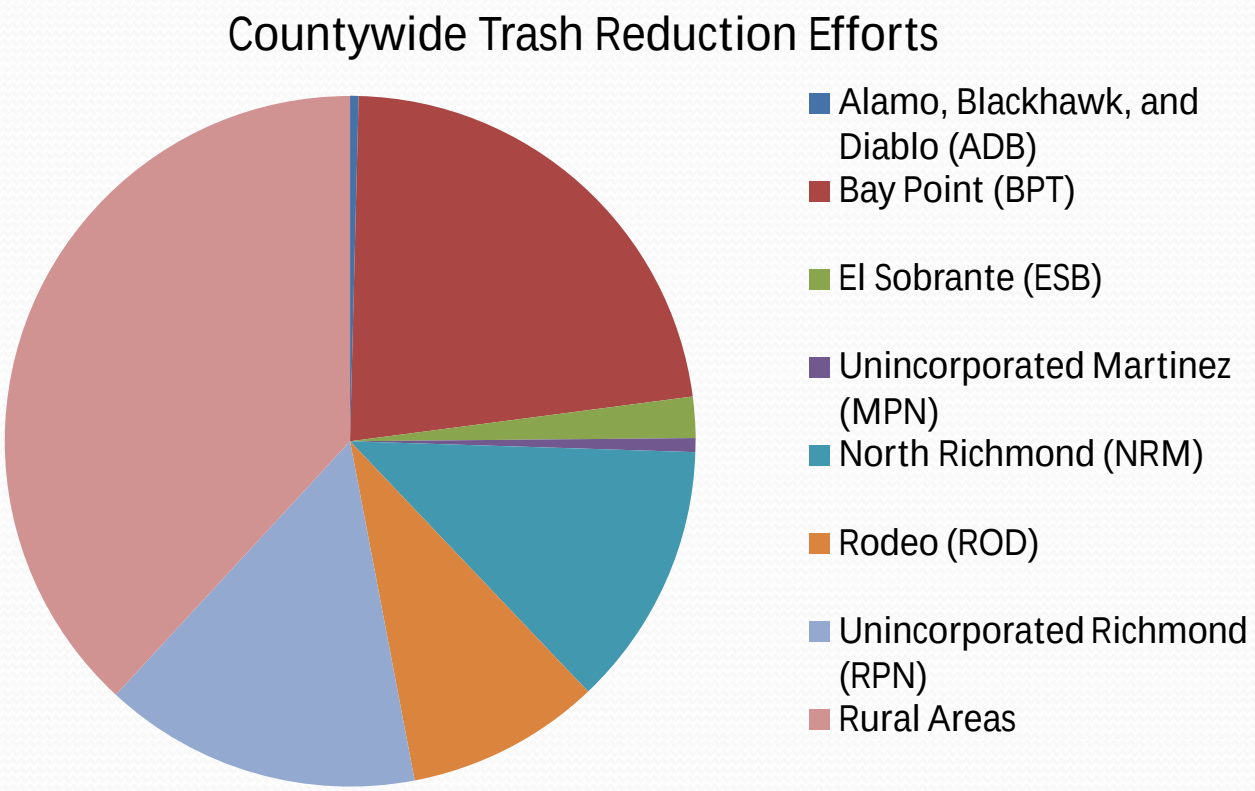
Created By: Contra Costa County Watershed Program
Date: February 13, 2014

0 0.25 0.5 1 Miles

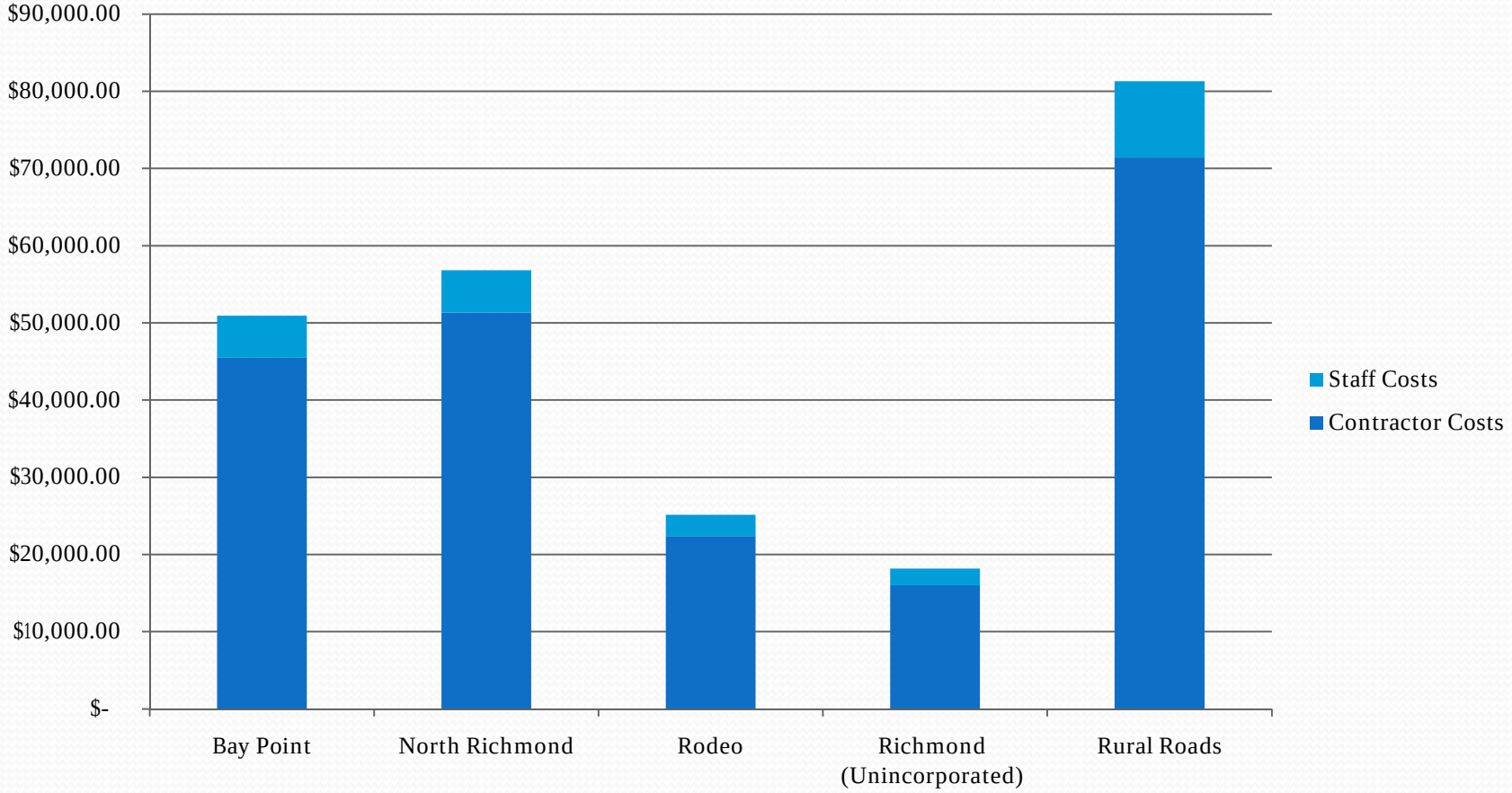
County Achieves 42% Trash Reduction!

- 27 % through on-land clean-ups
  - Adopt a Road volunteers
  - Contract with firm for 2x/week trash pick-ups
- 9 % through in stream- clean-ups
  - Volunteer clean-ups
  - Homeless abatement in Flood Control District stream facilities in unincorporated County
- 4 % through full trash capture devices
- 2 % for outreach and education efforts

FY 13-14 Trash Reduction Relative Contributions by Community



Cost of on-land Clean-up for 6 month period (3-14 to 9-14)



Annual costs of on-land clean-up if we maintain litter pick-up frequency

Community	# of Clean-ups per year	Amount
Bay Point	20	$ 91,000.00
North Richmond	20	$ 103,000.00
Rodeo	10	$ 45,000.00
Richmond (Unincorporated)	10	$ 40,000.00
Rural Roads	36	$ 143,000.00
Staff time (planning & assessments)		$ 15,000.00
	Annual Cost	$ 437,000.00

SF Waterboard Dissatisfied

- Ignored most volunteer efforts
- Didn't count trash reduction that failed to change trash load category
- Ignored <u>all</u> in-stream cleanups
- Ignored most outreach & education efforts

- County discounted to 30% Trash Reduction
  - "Mitigated Non-Compliance"
  - Threat of Notice of Violation

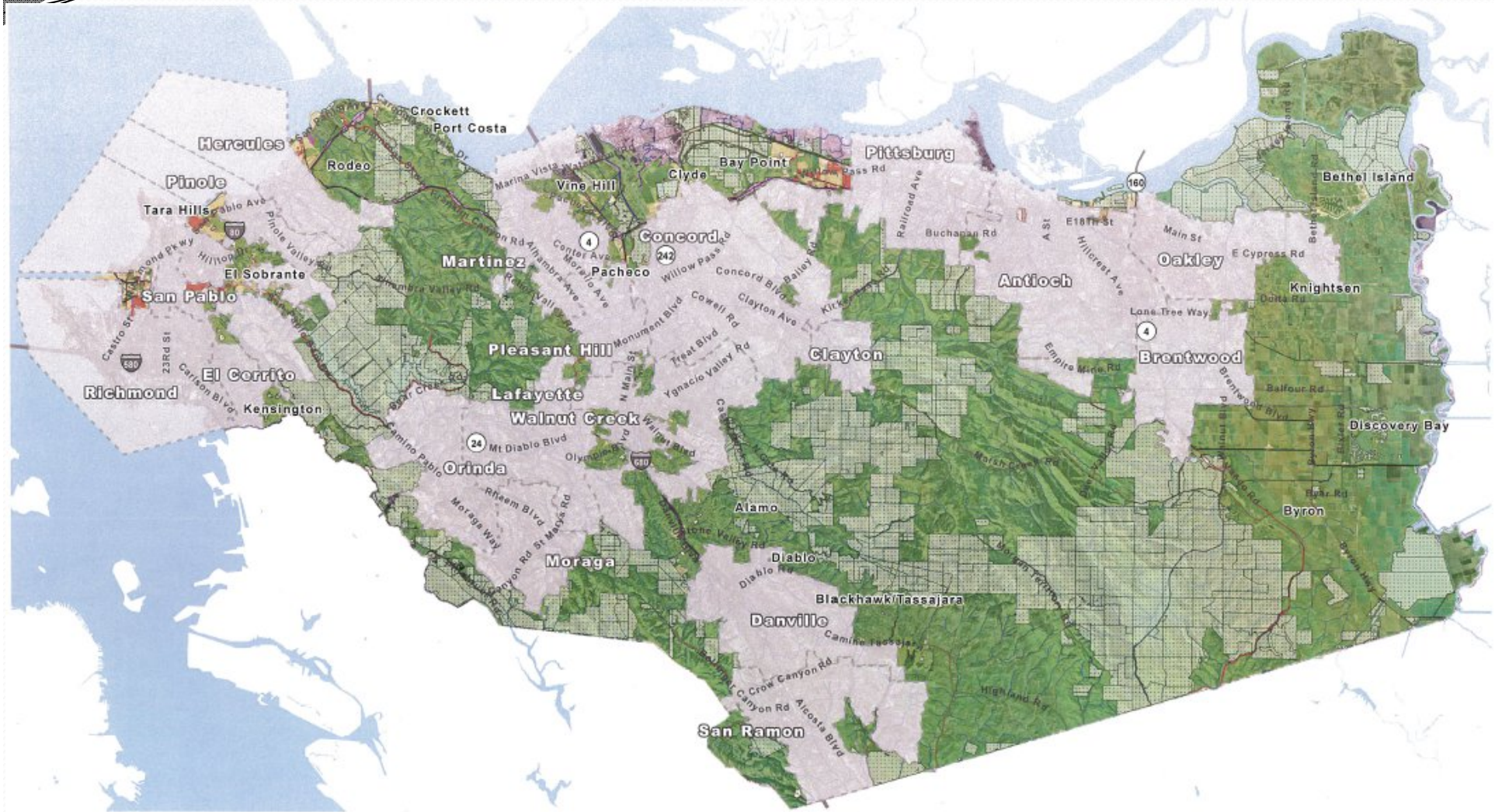
Coordination between County Departments

- PWD
  - County Watershed Program
  - Maintenance Division
- DCD
  - Solid Waste Division
  - Building Inspection Division
- Health Services -Environmental Health Division
- Sheriff Department – Quality of Life Police Units

Important Issues to Address

- Rural vs Urban Areas
- Shifting from “maid service” to “self service” to “no need for service”
  - Challenges of hiring local youth
- More Trash Capture Devices?
  - North Richmond
  - Rodeo
- Double Street Sweeping in Commercial Zones
  - In High & Medium trash areas
- Meaningful Community Outreach
  - With measurable results

Initial Trash Rates for Unincorporated County



Contra Costa County
Draft Trash Rates
Version 1

Trash Rate
- Low
- Medium
- High
- Very High
- Non-Jurisdictional
- City
- Creeks

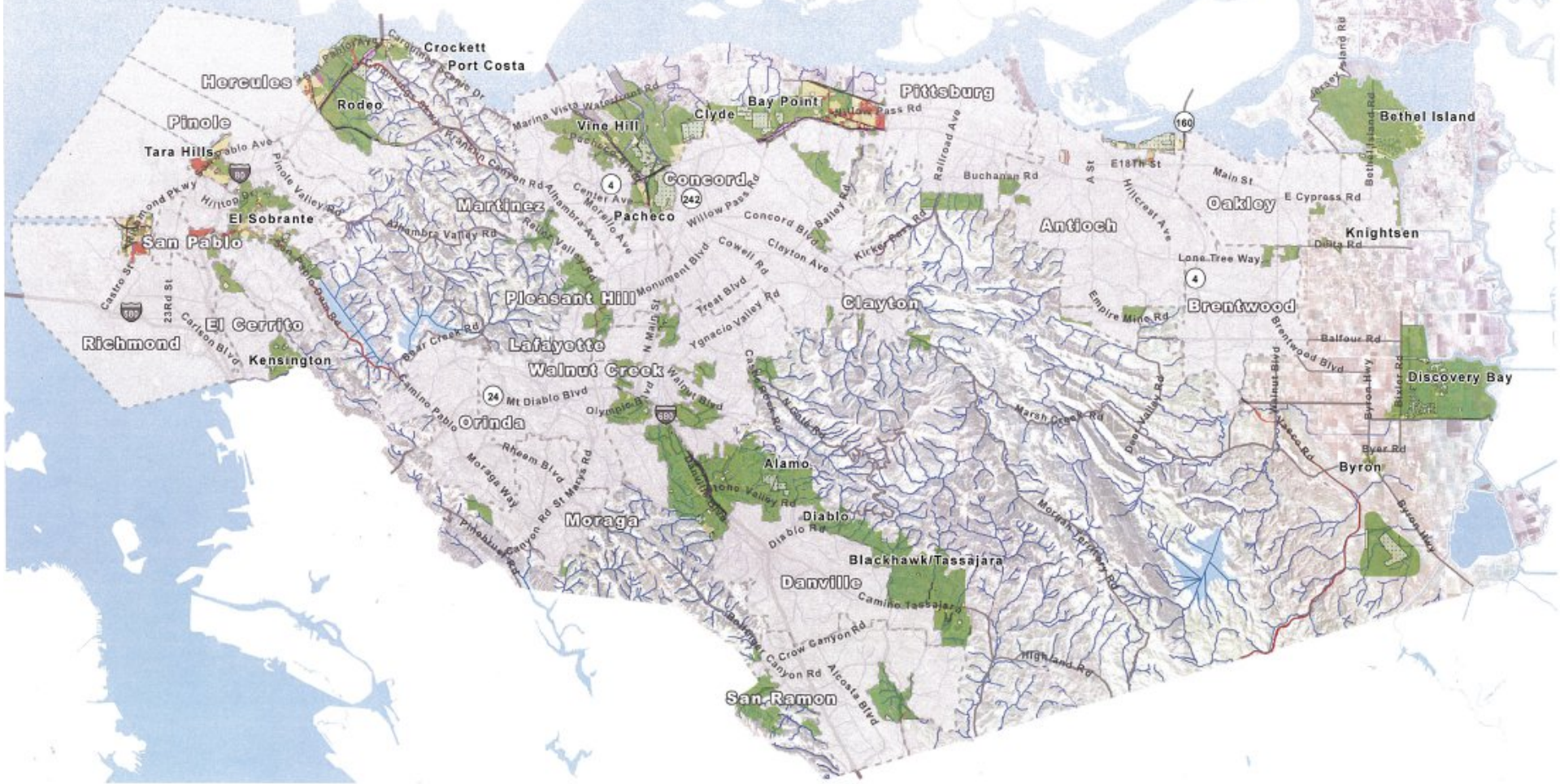
1 inch = 3 miles

Sources:
Trash Rates: EOA May 2013
Updated Trash Rates: Contra Costa County August 2013
Hot Spots:Contra Costa County August 2013
Roads/Creeks/Boundaries: Contra Costa County
Land Use Codes: Contra Costa County, August 2008

Created By: Contra Costa County Public Works Department
Date: January 22, 2015

0 1.75 3.5 7 Miles

Proposed New Trash Rates



Contra Costa County
Draft Trash Rates
Version 2

Trash Rate
- Low
- Medium
- High
- Very High
- Non-Jurisdictional
- City
- Creeks

1 inch = 3 miles

Sources:
Trash Rates: EOA May 2013
Updated Trash Rates: Contra Costa County August 2013
Hot Spots:Contra Costa County August 2013
Roads/Creeks/Boundaries: Contra Costa County
Land Use Codes: Contra Costa County, August 2008

Created By: Contra Costa County Public Works Department
Date: January 22, 2015

0 1.75 3.5 7 Miles

Questions???

Cece Sellgren
Stormwater Manager
925-313-2296
csell@pw.cccounty.us

Contra Costa County

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: March 3, 2015

Subject: Permit review to consider new and modified conditions of approval for Keller Canyon Landfill's Land Use Permit

RECOMMENDATION(S):

1. RECEIVE additional testimony on proposed new and modified conditions of approval for the Keller Canyon Landfill land use permit, and CLOSE the public hearing.
2. ACCEPT the resolution on the Permit Review hearing conducted by the County Planning Commission, presented in Exhibit A.
3. CONSIDER and SELECT Option A or B as the Selected Version of the new and modified conditions of approval for the Keller Canyon Landfill land use permit;
   - **Option A:** proposed conditions that were originally presented to the Board of Supervisors on December 16, 2014, as recommended by the County Planning Commission (Exhibit B), OR
   - **Option B**: proposed conditions that allow limited direct haul subject to on-site material recovery requirements (Exhibit C).
4. FIND that the Selected Version of the proposed new and modified land use permit conditions are exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3), as the new and modified permit conditions will not have any significant effects on the environment, and DIRECT Department of Conservation and Development (DCD) staff to file a Notice of Exemption.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: David Brockbank, (925) 674-7794

cc:

RECOMMENDATION(S): (CONT'D)
>

5. APPROVE the Selected Version of the new and modified conditions of approval for the Keller Canyon Landfill land use permit, County File #LP89-2020.

6. DIRECT Department of Conservation and Development staff to schedule the next Keller Canyon Landfill permit review hearing before the County Planning Commission in one year.

FISCAL IMPACT:
The Land Use Permit (LUP) review has no impact to the County General Fund. Keller Canyon Landfill (KCL) Company is responsible for providing reimbursement for the County's staff costs associated with the Permit Review process. The fiscal impact of the new and modified conditions is discussed in the response to Directive 3.

BACKGROUND:
At the last KCL Permit Review hearing on December 16, 2014, the County Board of Supervisors (Board) unanimously approved modified conditions of approval numbers 20.3, 25.4, and 31.5. These conditions were modified from the original land use permit, County File #LP89-2020, and pertained to material used for daily cover at the landfill. Staff has prepared an alternative version of the proposed new and modified conditions, referred to as Option B, for consideration by the Board as explained near the end of this report following the response on Directive 5. The Board was not prepared to make a decision on the remaining recommendations without considering additional information. Therefore, the Permit Review was continued to March 3, 2015 as an open public hearing and staff was directed to research and report back regarding the following five items.

Directive 1. Provide a list of local cities that do not have Construction and Demolition (C&D) ordinances.

Staff primarily relied on city websites or staff to verify current ordinance status, however in one case information was obtained from the applicable solid waste authority. The following alphabetic lists identify the thirteen Contra Costa County cities that have adopted a local C&D ordinance and the six cities that have not. It is worthwhile to note that local C&D ordinances have become less significant in recent years and in some cases even inconsequential due to the expanded statewide requirements that took effect in 2014. All jurisdictions (city or unincorporated county) within California are subject to the C&D debris recovery requirements contained within the State's 2013 California Green Building Standards Code (CalGreen), unless they already have a local ordinance with more stringent requirements. Agencies currently enforcing building codes for the applicable building occupancy types are also responsible for applicable enforcement of CalGreen requirements.

The County's C&D ordinance which had applied to covered projects (over 5,000 square feet) in the unincorporated area is generally less stringent and has in effect been preempted by the statewide standards in CalGreen. Most of the C&D ordinances adopted by local cities are triggered if projects either exceed a specified size (square feet) or cost (dollar value), rather than the type of building as is the case with CalGreen.

Adopted local C & D ordinance	No local C&D ordinance adopted
Antioch	El Cerrito
Brentwood	Hercules
Clayton	Pinole
Concord	Pittsburg
Danville	Richmond
Lafayette	San Pablo
Martinez	
Moraga	
Oakley	
Orinda	
Pleasant Hill	
San Ramon	
Walnut Creek	

CalGreen requires that at least 50% by weight of debris from applicable construction or demolition project job sites be recycled, reused, or otherwise diverted from landfill disposal. This requirement applies to demolition projects and new occupiable buildings being constructed, including additions or alterations of buildings where the changes increase the building's conditioned (habitable) area, volume or size. CalGreen requires submission of plans and verifiable post-project documentation to demonstrate that at least 50% of the nonhazardous C&D debris generated on the job site are salvaged for reuse, recycled, or otherwise diverted.

Directive 2. Assess a potential change to the Local Enforcement Agency proposed by the City of Pittsburg.

In response to the Board of Supervisors' request, the Pittsburg City Manager submitted a letter on January 9, 2015 (Exhibit D). The City of Pittsburg proposed that the Pittsburg Local Enforcement Agency (Pittsburg LEA) assume responsibility for solid waste inspection and enforcement at Keller Canyon Landfill. Under the City's proposal, there would be a transitional period where the Pittsburg would work with the County LEA on matters related to the landfill.

Contra Costa Environmental Health (CCEH) reviewed the proposal and applicable legal requirements. The laws and regulations that govern the designation and certification of local enforcement agencies do not authorize Pittsburg's LEA to take on these duties because the landfill is located in an unincorporated area.

Under the Public Resources Code (PRC), only the Board of Supervisors may designate an enforcement agency to enforce solid waste laws in unincorporated areas. In a city, only the city council may designate an enforcement agency to enforce solid waste laws in that city (PRC §§ 43202 & 43203). Under the California Code of Regulations (CCR), the Board of Supervisors may designate one local agency to be the County's enforcement agency. After the designated agency has been certified by the California Department of Resources Recycling and Recovery (CalRecycle), then that certified agency is the only LEA in the unincorporated area of the County. Similarly, a city may designate one local agency to be its enforcement agency (CCR Title 14, §§ 18050 & 18070).

Based on these laws, only one enforcement agency can be designated within the unincorporated area of Contra Costa County. Under these laws, the Pittsburg LEA cannot be designated by the City of Pittsburg as the enforcement agency for the Keller Canyon Landfill because the landfill is located in an unincorporated area which is the County's jurisdiction.

Contra Costa Environmental Health (CCEH) has served as the LEA in the unincorporated area since 1992. In addition, 18 of the County's cities have designated CCEH as their LEA.

CCEH staff has reviewed the proposal submitted by the City of Pittsburg. In its capacity as the County LEA, CCEH has indicated it is opposed to Pittsburg's proposal and remains committed to fulfilling its solid waste enforcement duties in Contra Costa County.

Directive 3. Amount of waste currently being direct hauled to Keller Canyon that could be recovered and would therefore have to go through a transfer station as a result of the new / modified conditions of approval and possible decrease in associated fees paid to the County.

This Directive is only relevant to changing the Land Use Permit (LUP) conditions as proposed in Option A. Staff has collected and analyzed all available data to offer our best estimates which were derived from a combination of variables, some of which had to be based on assumptions. Staff did not have to rely on assumptions for three of these variables because this data is included in reports submitted by the operator: actual tons of material hauled directly to KCL, actual jurisdiction of origin for each load of material, and actual material types. All of the following variables rely on assumptions which have the potential to significantly alter the outcome depending on what is assumed:

1. Question: Where would the C & D material go if not hauled directly to KCL?
   Assumption: Total amount originating in each jurisdiction within Contra Costa County would go to the nearest in-County transfer station. Loads from other counties would probably not go to an in-County

transfer station, but if so it would end up at the nearest in-County transfer station.

2. Question: How much C & D material would be diverted at in-County transfer stations?
   Assumption: Average of 91% diversion for the Recycling Center & Transfer Station in Pittsburg, according to letters from the facility operator and an average of 50% diversion for both the Contra Costa Transfer & Recovery Station in the Martinez area and the Golden Bear Transfer Station in North Richmond, according to the certified facility list published by the Central Contra Costa Solid Waste Authority.
3. Question: What gate rate would be paid by customers for C & D loads?
   Assumption: All tons would be subject to the current standard C&D gate rate of $83.00 per ton. Actual rates paid vary significantly (and are mainly lower), but no data is available relating tons of disposal to specific rates, as further explained below.

Tonnage amounts fluctuate seasonally and from year to year based on a wide range of factors, such as the economy which seems to have a direct impact on waste generation (more disposal when the economy is doing well). Therefore, staff is providing estimated annual average tonnage or dollar amounts calculated using actual reported tonnage by origin for the applicable waste types over a 4.75 year period starting in 2010.

Some of the County fees are paid based on tonnage amounts, however the highest fee paid to the County is the Surcharge required in the Landfill Franchise Agreement which is based on gate revenue (varies based on actual rates paid by customers during any given period). The Landfill sets its own rates which can vary based on waste type and customer. Since DCD staff does not know the actual rates charged for each load, we estimated fee impact using a flat gate rate since the Landfill operator indicated that most customers pay KCL's standard C&D gate rate. It is worth noting that this conservative assumption potentially over-estimates the potential fee impact noted as the Franchise Surcharge since it is based on a gate rate that in some cases may be substantially higher than the actual rate paid by some customers.

The majority of loads hauled directly to KCL for disposal contain contaminated soils, wastewater biosolids/byproducts, street sweepings and various other special wastes. These special wastes are legally classified as Class II because they are contaminated but fall below the hazardous waste thresholds. These Class II wastes are not suited for handling at transfer stations. Therefore, the restrictions on direct haul are focused on C&D loads which can be readily identified as being potentially recyclable at local transfer stations.

<u>POTENTIAL INCREASE IN DIVERSION:</u> Staff's estimates are summarized below. Most of the direct-hauled C & D has generally come from jurisdictions within Contra Costa County, however 23.2% originated outside the County. See the table in Exhibit I for more details about the waste diversion estimates summarized below.

OPTION A - Staff's estimates do not assume any of the C & D originating outside the county would be diverted because the amount of speculation required makes any diversion assumptions quite arbitrary. The worst case scenario assumption would be that all of the loads of C & D material previously direct hauled to KCL would bypass in-County transfer stations and instead be disposed of at out-of-county landfills (0% diversion). If only those loads originating within Contra Costa County ended up going to the local transfer stations nearest each jurisdiction (63% diversion) and the out-of-county loads were disposed of in other landfills (0% diversion), it would result in a total combined diversion rate of 48.5%. If all C & D loads instead went to one of the three in-County transfer stations, staff estimates that approximately 60% of the C & D material would be diverted.

OPTION B - If C & D loads continued being direct hauled to KCL and the proposed on-site material recovery operation were to be established on-site in compliance with the recommended conditions, the landfill operator would need to achieve and maintain an average diversion rate of 50% for direct hauled C & D materials.

<u>POTENTIAL REDUCTION IN COUNTY FEES:</u> Potential estimated reductions in County fees paid at KCL vary quite a bit depending on where the previously direct hauled C & D loads end up. See the table in Exhibit I for additional context related to the potential fee reduction estimates summarized below.

OPTION A - Some of the C & D loads would end up in one of the in-County transfer stations, so staff developed the estimates reflected in the tables below based on the amount of in-County disposal expected to result from the in-County transfer station utilization used for the two diversion scenarios discussed above.

OPTION B - If C & D loads continued being direct hauled to KCL and the proposed on-site material recovery operation were to be established on-site, the landfill operator would continue paying all County fees on total C & D tonnage. Since County fees would be paid on tons disposed and diverted, there would be no projected reduction in County fees. Based on the current standard C & D gate rate charged at Keller and the average annual tons in recent years, the estimated average annual County fee revenue that would be generated if these C& D loads continued going directly to KCL would be $305,854.

ESTIMATED ANNUAL REDUCTION IN COUNTY FEES FROM KCL IF OPTION A IS APPROVED

Surcharge/Fee Type	Purpose	If all C&D direct haul loads went to Closest in-County Transfer Station	If only in-County C&D direct haul loads went to Closest in-County Transfer Station
Franchise Surcharge *(varies based on gate rates)*	General Fund	$159,614	$190,094
Mitigation Fee *($1.75/ton)*	Host Community	$17,634	$21,002
Mitigation Fee *($1.25/ton)*	City	$12,596	$15,001
LEA Fee *($1.25/ton)*	Monitoring & Enforcement	$12,596	$15,001
AB939 Fee $1,800 *($0.15/ton)*	Countywide Recycling Hotline & Reporting	$1,511	$1,800
Bailey Road Improvement Disposal Surcharge *($0.32/ton)*	Reimbursement for Road Improvements	$3,225	$3,840
Bailey Road Maintenance Disposal Surcharge *($0.68/ton)*	Future Road Maintenance (County/City)	$6,852	$8,161
Total Potential Reduction in Annual County Fees		**$214,028**	**$254,899**

ESTIMATED ANNUAL INCREASE IN COUNTY FEES FROM TRANSFER STATIONS IF OPTION A IS APPROVED

County Fees Payable at in-County Transfer Stations for C & D Materials to be Disposed	Purpose	If all C&D direct haul loads went to Closest in-County Transfer Station	If only in-County C&D direct haul loads went to Closest in-County Transfer Station
Franchise Surcharge - Contra Costa Transfer & Recovery Station, Martinez Area *(varies based on gate rate)*	General Fund	$38,129	$31,385
LEA Fee - Contra Costa Transfer & Recovery Station, Martinez Area *($1.25/ton)*	Monitoring & Enforcement	$10,098	$8,312
AB939 Fee - Contra Costa Transfer & Recovery Station, Martinez Area *($0.15/ton)*	Countywide Recycling Hotline & Reporting	$1,212	$997
Joint City/County Mitigation Fee - Golden Bear Transfer Station, North Richmond *($3.57/ton)*	Host Community	$16,184	$7,491
LEA Fee - Golden Bear Transfer Station, North Richmond *($1.25/ton)*	Monitoring & Enforcement	$5,667	$2,623
AB939 Fee - Golden Bear Transfer Station, North Richmond *($0.15/ton)*	Countywide Recycling Hotline & Reporting	$680	$315
Total Potential Increase in Annual County Fees		**$71,969**	**$51,123**

Directive 4. Obtain the information needed from Republic in order to estimate the time frame necessary to complete permitting and the CEQA processes that would allow on-site processing of C & D at Keller Canyon.

The landfill operator provided DCD staff with an outline (Exhibit E) describing key characteristics of the on-site C & D processing operation initially proposed in the letter dated December 16, 2014 and submitted to the Board by Scott Gordon, attorney for KCL (Exhibit F). The site and operational changes proposed to recover some of the C & D materials that would otherwise be disposed of in the landfill are relatively minor in nature. The proposal does not include any new buildings or stationary sorting or grinding equipment. The landfill operator has indicated that the proposed changes could be implemented within three to six months of securing the required approvals. Changes proposed at KCL in order to implement on-site recovery of C & D materials include:

- an all-weather pad would be installed to facilitate off-loading and sorting of certain materials contained within incoming loads of C&D debris direct hauled to the landfill;
- mixed C&D loads would be stored temporarily on the all-weather pad until a sufficient quantity of material is stockpiled to warrant sorting;
- C&D would be sorted manually with the aid of existing equipment (e.g. excavator, backhoe, etc.) when needed in order to pull out certain types of material;
- recovered C & D materials would be segregated by type and consolidated into designated storage bunkers (walled off areas on the pad) or bins (large containers that can be readily transported) awaiting removal for beneficial use on-site or transport off-site; and
- most recovered materials would remain in storage bunkers/bins until they needed to be removed and utilized on-site for beneficial reuse purposes, however recovered wood would be stored in bunkers/bins until needing to be transported off-site for use at biomass facility(ies).

These proposed changes would not require an LUP amendment. These can all be reviewed and approved by DCD administratively if submitted in the form of a revised Material Recovery Program pursuant to LUP Condition 31.4. The existing condition language requires the landfill operator to “prepare and implement a program for recovering recyclable materials from refuse loads brought directly to the landfill.” CEQA does not require environmental review for proposed activities which are allowed within the parameters of existing permit conditions. Land owners are entitled to establish and operate a project once approved in a manner consistent with any applicable permit requirements imposed by the approving authority after considering the project's potential environmental impacts identified as a result of any applicable CEQA review. No further CEQA review is required in order to authorize implementation of this type of proposed on-site recovery operation under KCL's LUP because such had already been contemplated within the existing conditions approved when the project's original Environmental Impact Report (EIR) was approved in 1990. Therefore, the only process necessary prior to initiating the proposed on-site recovery activity in order to satisfy requirements of the LUP will be the administrative review and approval of a detailed project description.

However, the proposed on-site recovery activity can only be implemented if approved through the permitting process administered by CCEH in conjunction with CalRecycle. CCEH provided the attached overview summarizing the process for revising KCL's Solid Waste Facility Permit (SWFP), including the length of time for each step to be taken upon receipt of a completed permit application (Exhibit G).

Exhibit G shows that the maximum time to meet mandated deadlines to revise a SWFP is 150 days (five months), once a formal permit application is submitted to CCEH, in its capacity as the Local Enforcement Agency (LEA). Operators often submit a draft application to CCEH for an informal review. The length of time this informal process takes depends on the complexity of the project, completeness of the draft package, how much time the applicant takes to make any requested changes, and the nature of the feedback from CalRecycle. If CCEH determines that additional CEQA review is needed, then this may add to the length of the informal review period. Staff believes the maximum time for revising the SWFP and completing any additional CEQA review if necessary, and obtaining the concurrence of CalRecycle to a revised SWFP is 10-13 months.

Directive 5. Identify CEQA implications associated with approving staff's recommended new and modified Conditions.

There are two separate scenarios that need to be addressed in order to adequately respond to this directive from the Board. The first is the question about CEQA implications that need to be identified pertaining to the original set of new and modified conditions reviewed and recommended for approval by the County Planning Commission (CPC), referred to as Option A. Second, is the question of CEQA implications resulting from the landfill operator's proposal to establish on-site processing to recover direct hauled materials, involving further edits to the new and modified conditions of approval, referred to as Option B. The additional edits proposed by staff were prompted in part by the landfill operator's proposed modifications to the Eligible Vehicles and Direct Haul Procedures conditions (conditions 8.1 and 8.6), which was presented in a letter to the Board at the December 16, 2014 meeting (see Exhibit F).

Staff maintains that approval of the first set of new and modified conditions presented to the Board on December 16, 2014 (Option A) is exempt from CEQA as recommended previously. The vast majority of conditions proposed for modification provided more clarification language and would not have additional impacts on the environment. Having re-examined the proposed new conditions related to Direct Haul procedures, staff continues to be of the opinion that this would not create a new project or have new adverse impacts on the environment.

Since a new version of new and modified conditions has since been developed containing revisions prompted by the requested changes submitted by the landfill operator (Option B), staff has also identified the CEQA implications related to that option to be fully responsive to this Board directive. In Option B, staff revised the two conditions noted above (8.1 and 8.6) as well as conditions related to Direct Haul (8.5), the Notification Program (11.4), Material Recovery (31.4) and Wood Chipping (31.6). In reviewing the original, certified EIR for the landfill, staff closely examined the original project assumptions to better assess the potential impacts these new and modified conditions might have on the environment. KCL's existing LUP states that C&D hauling trucks are eligible as long as they contain materials originating within the County (this geographic restriction was in effect nullified in the 1990s as a result of court decisions). The original EIR addressed impacts for daily truck trips up to a maximum of 340 which is well above the current number of truck trips reported at the landfill. KCL's SWFP includes a limitation on daily truck trips which also ensures that operations stay within the parameters established in the EIR. The EIR identifies C&D trucks and material among the types of vehicles and waste that could go directly to KCL, which helps explain the basis for that truck type being included in the Eligible Vehicles condition (8.1). Additionally, actions taken by the Board in 1992-93 identified certain waste load characteristics that warranted direct haul including heavy or powdery materials which would apply to certain C&D waste loads. This helps explain staff's earlier determination that the proposed materials recovery program complies with condition of approval 31.4 and additional CEQA review is not necessary (see above).

Therefore, the revised new and modified conditions for the Eligible Vehicles and Direct Haul procedures would not require additional CEQA analysis or create a new project with significant environmental impacts. The language added to the Notification Program condition is a slightly modified version of wording that had previously been recommended as part of the revised Materials Recovery condition. The added language requires KCL to periodically remind its customers about eligible wastes for direct haul to the landfill.

As currently proposed, neither version of the new and modified conditions (Exhibits B & C) would require further CEQA analysis, or have potentially significant impacts on the environment in accordance with CEQA Guidelines. This final determination is reflected in staff's recommendation # 4 that the Board of Supervisors find this permit review process and the Selected Version of the conditions of approval exempt from CEQA.

TWO VERSIONS OF PROPOSED NEW AND MODIFIED LUP CONDITIONS OF APPROVAL - OPTIONS A & B

There are two separate sets of new and modified conditions of approval that staff has presented as options for Board consideration. The second recommendation provides for the Board decision to select either Option A or Option B as the preferred set of conditions (Selected Version). The primary differences expected to result from the approving Option A or B involve the amount of C & D material potentially disposed vs. diverted, amount of fees paid to the County and the amount of trips coming and going to/from KCL and other local transfer stations as explained below. Notwithstanding the below, neither option is expected to have a significant impact on the environment because the net number of truck trips that will occur under either option will not exceed what was addressed in the original EIR. This limitation has been imposed as a requirement within KCL's SWFP.

Option A is the same set of conditions presented on December 16, 2014 which is the version reviewed and recommended for approval by the CPC. Approval of this option would require that KCL stop accepting loads of C & D currently being direct hauled to the landfill since they contain various materials types that would be diverted if first processed at a local transfer station. Roughly 23% of the C & D direct hauled to KCL originates in other counties. It is extremely unlikely that all of the out-of-county C & D currently being direct hauled to KCL would end up at one of the in-County transfer stations. Selecting this option is likely to provide for a higher level of waste diversion in comparison to Option B, however staff is unable to estimate the degree of difference for the most likely scenario since it would require too much speculation about the potential out-of-county diversion. However, staff has provided some potential diversion estimates for a few different scenarios under Directive 3 above. That section also contains estimated potential reductions in County fees paid at Keller and associated increases in County fees paid at local transfer stations that would result from those same diversion scenarios. Staff suggests that the Board authorize that enforcement of this new requirement be delayed if approving Option A in order to allow adequate time to raise customer awareness in advance of the change taking effect to avoid negative unintended consequences, including illegal dumping. Staff and the operator will also need a little time to prepare, review and approve the documentation needed to implement the Direct Haul screening procedures. Selecting Option A is expected to reduce the number of direct haul truck trips going to KCL, however it would also increase the amount of incoming transfer truck trips at Keller as well as added truck trips going to and from local transfer stations and out-of-county facilities. The increased truck trips coming from local transfer stations would include waste to be disposed of as well as possibly some of the recovered materials that Keller can use beneficially on-site. Increases in truck trips does not necessarily result in increased emissions because it depends on the distances involved (more trips would result in less emissions if traveling shorter distances which together add up to less total miles traveled). Additional details regarding direct haul C & D received at KCL can be found in Exhibit I.

Option B contains revised versions of six conditions (Conditions 8.1, 8.5, 8.6, 11.4, 31.4 and 31.6) and the remainder of the conditions mirror what is presented in Option A. Changes to these six conditions were prompted by KCL's proposal to establish on-site material recovery at KCL. Changes include revisions intended to serve as alternatives to the landfill operator's requested edits presented to the Board on December 16, 2014. Approval of this option would allow KCL to continue accepting the same direct haul loads without requiring that they first go through a transfer station as long as the landfill operator moves forward with the on-site material recovery permitting and implementation within the time frame prescribed in the revised conditions. KCL would be allowed to continue disposing of all mixed C & D loads direct hauled to Keller until March 16, 2016. Thereafter, rather than continuing to dispose of all loads of mixed C & D material, the landfill operator would have to begin diverting at least 50% of incoming C & D materials on-site (unless delayed by third party legal challenge) consistent with a revised Material Recovery Program to be approved by DCD. If the required on-site material recovery is not in place by March 16, 2016, KCL would have to cease acceptance of direct haul C & D loads (similar to Option A) until such time as on-site materials recovery has been permitted and put into operation at KCL. Selecting this option provides for payment of all existing County fees whether or not the material is diverted as a result of on-site material recovery, thereby avoiding any anticipated decrease in County fees associated with Option A (the estimated reduction in fees is speculative as explained previously under Directive 3). Selecting Option B is not expected to increase the number of incoming truck trips currently going to KCL or local transfer stations, however the number of outgoing truck trips are projected to increase slightly (4-10 per month) due to transport of C & D materials recovered that would not be used on-site compared to existing

conditions. Option B is expected to generate a smaller increase in outgoing truck trips at KCL than would be the case for outgoing truck trips leaving the transfer stations as a result of approving Option A since transfer stations would not retain any of the recovered materials on-site for beneficial reuse. Additional details regarding direct haul C & D received at KCL can be found in Exhibit I.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve either of the recommended new and modified conditions of approval for the Keller Canyon Landfill Land Use Permit, the existing conditions of approval would remain in effect and continue to govern the use of the landfill site.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.

ATTACHMENTS

Exhibit A: County Planning Resolution

Exhibit B: Option A - New and Modified Conditions of Approval

Exhibit C: Option B - New and Modified Conditions of Approval

Exhibit D: January 9, 2015 Letter from City of Pittsburg

Exhibit E: Draft C&D Processing Proposal

Exhibit F: December 16, 2014 Letter from Scott Gordon

Exhibit G: January 28, 2015 Letter from Environmental Health

Exhibit H: Condition of Approval Compliance Table (Revised after Permit Review before CPC)

Exhibit I: Direct Haul C & D Statistics and Assumptions

EXHIBIT A

RESOLUTION NO. 14-2014

RESOLUTION OF THE COUNTY PLANNING COMMISSION OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, PERMIT REVIEW HEARING RECOMMENDING ADDITIONS AND MODIFICATIONS TO THE CONDITIONS OF APPROVAL FOR THE KELLER CANYON LANDFILL LAND USE PERMIT, COUNTY FILE #LP89-2020 AS AMENDED, IN THE PITTSBURG AREA OF SAID COUNTY.

WHEREAS, in 1990, the Board of Supervisors approved County File #LP89-2020 to allow the construction and operation of Keller Canyon Landfill, which included condition of approval #11.1 that allows for the addition or modification of the conditions through permit review hearings; and

WHEREAS, in 1995, the Board of Supervisors approved a Board Order that outlined the criteria to add or modify the conditions of approval that would improve public health, safety, and welfare. Additional modifications to the conditions of approval may also be recommended to address inconsistencies resulting from court decisions or regulatory changes made since the permit was approved in July 1990; and

WHEREAS, on February 25, 2014, the Contra Costa County Board of Supervisors directed the Department of Conservation and Development ("DCD") staff to initiate the permit review process in accordance with the conditions of approval for County File #LP89-2020 as amended; and

WHEREAS, after notice was lawfully given, a public hearing was scheduled before the County Planning Commission ("Commission") on October 28, 2014, whereat all persons interested therein might appear and be heard; and

WHEREAS, on October 28, 2014, the County Planning Commission opened the public hearing and continued this matter to November 18, 2014, to allow staff to address the additional correspondence received after the Better Government Ordinance deadline; and

WHEREAS, on Tuesday, November 18, 2014, the County Planning Commission having fully reviewed, considered, and evaluated all the testimony and evidence submitted in this matter closed the public hearing.

NOW, THEREFORE BE IT RESOLVED, that the County Planning Commission takes the following actions:

1) CONSIDER the information presented in the October 28, 2014 and November 18, 2014, staff reports and the associated Exhibits as adequate to satisfy the 1995 Permit Review Criteria for KCL's Land Use Permit, County File #LP98-2020; and

2) RECOMMEND the Board of Supervisors approve the proposed new and modified conditions of approval for Keller Canyon Landfill's land use permit (see Attachment B), and;

3) RECOMMEND the Board of Supervisors direct DCD staff to schedule the next permit review hearing in one-year.

These actions were the subject of a motion approved by the County Planning Commission on Tuesday, November 18, 2014, by the following vote:

AYES:	Commissioners –	Steele, Terrell, Stewart, Swenson, Wright and Snyder
NOES:	Commissioners –	None
ABSENT:	Commissioners –	Clark
ABSTAIN:	Commissioners –	None

BE IT FURTHER RESOLVED that the Secretary of the County Planning Commission shall respectively sign and attest the certified copy of this resolution and deliver the same to the Board of Supervisors all in accordance with the Planning Laws of the State of California.

Don Snyder,
Chair of the County Planning Commission,
County of Contra Costa, State of California

ATTEST:

Aruna Bhat

Aruna Bhat, Secretary
County Planning Commission
County of Contra Costa
State of California

EXHIBIT B

OPTION A

PROPOSED NEW OR MODIFIED CONDITIONS FOR 2014 PERMIT REVIEW

LAND USE PERMIT 2020-89

CONDITIONS OF APPROVAL

KELLER CANYON LANDFILL

*This document only contains the Conditions of Approval proposed to be either added or modified. **

NEW Conditions are shown in **shaded text** for ease of identification.

MODIFIED Conditions are shown in underline/strikeout formatting to discern what changes are being proposed.

Underline = Language proposed to be added
~~Strikeout~~ = Language proposed to be eliminated.

* ***GLOBAL TEXT EDITS*** to the all Conditions of Approval to update and correct regulatory references and public agency names, like those noted below, are proposed to be applied to all applicable Conditions if approved as recommended.

- Community Development (CDD) → Conservation and Development (DCD)
- Riverview Fire Protection District → applicable Fire Protection District
- Health Services Department → Contra Costa Environmental Health [except those Conditions intended to refer to the Hazardous Materials Division]

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2.3 Assignment of Responsibility.

(a) The Board may assign the responsibility of administering specific Conditions of Approval or provisions of this LUP, such as State Minimum Standards, to County Departments or other units of government.

(b) The Board may suspend the implementation of conditions or provisions of this LUP where such conditions or provisions are inconsistent with the terms of a contract or agreement entered into between the Board and the operator or other units of government, or by the terms of a joint powers agreement where the County is a member of the joint powers agency. This would not alleviate the need to comply with the public approval process required when amending this LUP. Any Board approved suspension would automatically be nullified at such time as the contract or agreement no longer includes terms inconsistent with the specified condition.

(c) For the purposes of Condition 2.3(b), the Franchise Agreement between the County and the Landfill Owner as amended in November 1994, is an eligible contract.

(d) If no contract or agreement is in force, as referred to in Condition 2.3(b), the County retains authority to implement this LUP and all of its Conditions.

3.1 Compliance Objective. The Landfill developer and operator shall at all times comply with the requirements of laws and permits applicable to the facility. This condition is not intended to grant authority or assign responsibility to the County for the independent enforcement of regulatory and permitting requirements that fall within the primary jurisdiction of other agencies (see Condition 11.11).

3.3 State Minimum Standards. The operation and maintenance of this facility shall at all times comply with Minimum Standards for Solid Waste Handling and Disposal (California ~~Administrative~~ Code of Regulations, Title 14 and Title 27~~, Division 7, Chapter 3~~).

3.4 Land Use Permits. The Landfill developer and operator shall at all times comply with the provisions and requirements of this Land Use Permit. A violation of any of these conditions ~~is~~ may be cause for revocation of the Land Use Permit pursuant to County Code Section 418-4.020 following reasonable written notice. Alternatively, the County has the option of issuing

formal notices and assessing penalties pursuant to Section 4.19 of the Landfill Franchise Agreement or County Code Chapter 14-6, Civil Enforcement.

3.5 Solid Waste Facilities Permit. The Landfill operator shall conform with all provisions and requirements of the Landfill's Solid Waste Facilities Permit, and any related directives of ~~which is based on the guidelines of~~ the California Department of Resources Recycling and Recovery (CalRecycle) or Contra Costa Environmental Health, as the Local Enforcement Agency for CalRecycle~~Integrated Waste Management Board~~.

3.6 ~~Subchapter 15~~Class II Landfill Requirements. The Landfill operator shall at all times comply with the Class II waste disposal facility provisions and requirements of Article 3, ~~of~~ ~~Subc~~Chapter 15 ~~of Chapter 3~~ of Title 23 and Title 27 of the California ~~Administrative~~ Code of Regulations ~~("Subchapter 15") for a Class II waste disposal facility~~.

3.9 Notice Coordination. ~~Copies (or originals) of~~The Landfill operator shall notify the Department of Conservation and Development (DCD) in writing at the time any~~ll~~ report~~s~~ is submitted to other agencies concerning the design, operation, and maintenance of the Landfill ~~facility~~. ~~shall be sent by mail or hand-delivery,and c~~Copies shall be made available or mailed to DCD offices at 30 Muir Road in Martinez~~the Community Development Department~~ upon request~~, 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095~~.

5.1 Area of Origin. ~~The area of origin of all waste hauling vehicles admitted to the landfill, shall be Contra Costa County.~~ The Landfill operator shall not refuse to receive eligible wastes or cover materials which originate in Contra Costa County provided such wastes or materials are delivered to the facility in accordance with these Conditions of Approval and the landfill's Solid Waste Facilities Permit, and provided that ~~appropriate disposal~~the required governmental fees are paid. Rate setting requirements are specified in the Landfill Franchise Agreement and Section 12 of this Land Use Permit.

5.2 Out-of-County Wastes. *INVALIDATED BY LEGISLATURE*
~~The Landfill operator shall not receive wastes from outside Contra Costa County unless such imports of waste are specifically approved by the Board of Supervisors. This condition shall not apply to wastes which may be temporarily received under the Emergency Use provisions of Condition 6.5 or the Reciprocal Capacity Agreement of Condition 5.4.~~

5.5 Pre-Requisite Curbside Recycling Program. The Landfill shall not admit for disposal~~e of~~ waste loads from communities which do not have ~~in operation~~

an eligible curbside recycling~~,~~ or equivalent~~,~~ programs as determined by the Department of Conservation and Development. An eligible program shall recover a range of recyclable materials ~~approved by the Board of Supervisors. Board of Supervisors approval may be interpreted as a~~ consistent ~~cy~~ with a curbside recycling program operating pursuant to a Board of Supervisors-approved franchise agreement.. The Board of Supervisors has the discretion to identify additional factors to be considered when determining~~e~~ ~~the~~ eligibility. The Board retains the authority to approve ~~of a~~ community~~'s~~ programs previously deemed to be ineligible by the Department of Conservation and Development.

6.1 Eligible Wastes. The Landfill operator shall allow only wastes eligible for disposal in a Class II facility, as defined by the Regional Water Quality Control Board to be admitted to the landfill. The wastes admitted to the landfill shall also be consistent with the Solid Waste Facilities Permit (07-AA-0032), administered by ~~the~~ Contra Costa Environmental~~unty~~ Health ~~Services Department~~, and consistent with the 1990 Environmental Impact Report and Board of Supervisors' policies and approvals (including the Board of Supervisors conditional authorization in 1992-93 to accept special wastes and limited direct haul – see Conditions 8.5 through 8.7) and these conditions of approval. To the extent allowed by law, the Board of Supervisors may direct the Landfill operator not to accept wastes that do not meet State and County policies and regulations.

6.2 Designated Wastes. The Landfill operator shall allow only those designated wastes (as defined in~~by~~ Section 20210~~522 of Article 2 of Subchapter 15,~~ of Title ~~23~~27, of the California ~~Administrative~~ Code of Regulations and Section 13173 of the California Water Code) approved for this facility by the San Francisco Regional Water Quality Control Board, and shall be consistent with the ~~Solid Waste Facilities Permit to be admitted for disposal~~waste types allowed for disposal pursuant to Condition 6.1. The Board of Supervisors may designate special rates for this waste to the extent allowed pursuant to the terms of the Landfill Franchise Agreement.

6.5 Emergency Use. If the service area of the Landfill is determined to be a sub-area of the County, the County Department of Conservation and Dev~~l~~elopment or Contra Costa Environmental Health ~~Services Department~~ may allow legal waste originating in areas of Contra Costa County, other than those stipulated in Section 5, to have access to the landfill for periods up to 180 days on an emergency basis. The department(s) may grant one extension for no longer than 180 days. The Board of Supervisors may allow the emergency use of the landfill to continue for any time period deemed necessary~~up to two years~~.

6.6 Hazardous Waste Screening and Management. See Section 19.

6.7 Area of Origin Restrictions. See ~~Condition~~ Section 5.

7.2 Load Covering. The Landfill operator shall spot check all incoming waste-hauling vehicles for proper covering or containerization consistent with the requirements of Section 418-2.008(a) of the County Code. The operator shall ~~not admit~~identify any waste loads which are susceptible to littering or leakage because of the lack of covering, inadequate covering, or disrepair of screens, covers or containers. Customers delivering any such waste loads shall be required to provide evidence that corrective actions have been taken to effectively cover and contain waste loads (e.g. waste adequately secured with covers and containers in good repair) in order to be eligible to deliver waste loads in the future. Landfill operator shall track and report applicable details about the occurrences and corrective actions taken to the County Department of Conservation and Development annually.

8.1 Eligible Vehicles. The Landfill operator shall admit only the following refuse transport vehicles:

a) Transfer station trucks (vans) ~~from a transfer station located in Contra Costa County~~. Transfer stations shall have a Waste Management Program, which includes hazardous waste screening and resource recovery operations. Program may be subject to the approval~~ed~~ ~~by~~of the Board of Supervisors if deemed necessary for consistency with the Countywide Integrated Waste Management Plan.

b) Demolition and construction material trucks hauling debris that ~~is~~ would not be recycled or otherwise diverted from disposal if processed at a local Transfer Station ~~originating in Contra Costa County~~. There are ~~If the Board of Supervisors has established~~ waste reduction requirements ~~goals~~that apply to such wastes generated by~~for the~~ businesses and industries ~~generating such wastes~~, therefore the operator shall assist the County to help ensure ~~generators shall~~ compliance~~y~~ with such requirements or goals through implementation and compliance with Conditions 8.5 – 8.7.

c) Incinerated sewage sludge-hauling trucks originating at utilities ~~located in Contra Costa County, or other utilities serving Contra Costa County~~.

d) Sewage and water treatment plant sludge and other byproduct trucks ~~originating in Contra Costa County,~~ with loads complying with San Francisco Regional Water Quality Control Boards solids-to-liquid

requirements.

e) Trucks hauling Designated Wastes approved for this landfill by the Regional Water Quality Control Board. ~~The wastes shall originate in Contra Costa County.~~

f) Other specialized waste transport trucks, hauling wastes ~~originating in Contra Costa County and~~ identified in the Landfill's Solid Waste Facilities Permit which cannot be feasibly processed through a Transfer Station.

8.5 Direct Haul. Only wastes in the prescribed vehicles which would not be recycled or otherwise diverted from disposal if processed through a local transfer station may be considered for direct haul pursuant to the Procedures specified in Condition 8.6. Loads containing materials that will be used as cover or otherwise beneficially reused on-site and treated as diversion under the Integrated Waste Management Act may be direct hauled without going through a transfer station.

8.6 Direct Haul Procedures. Direct haul process and materials shall be consistent with the Solid Waste Facility Permit (No. 07-AA-0032), this LUP, and applicable policies adopted by the Board of Supervisors including those identified in 8.6(k) below. The operator shall ensure new customers receive information consistent with i) and j) prior to gaining access to the site. The operator shall conduct screening procedures specified in a) through h) prior to allowing customers to direct haul waste/material loads to the landfill. Operator shall provide written confirmation that eligibility has been demonstrated consistent with these procedures prior to loads being accepted for disposal. Operator shall summarize results of direct haul eligibility screening completed each quarter in the direct haul reports required under Condition 8.7.

a. Name of company and physical location at which the waste or material was generated.

b. Complete description of waste including chemical analysis and solids-to-liquid ratio when appropriate.

c. Description of originator's in-house waste inspection program(s) to ensure screening for hazardous and/or toxic materials or originator's written confirmation that their practices comply with uniform waste inspection program prepared by the Landfill operator.

d. Description of volume and expected frequency of waste to be hauled

and a description of the specialized waste transport vehicle(s) to be utilized.

e. Description of the waste originator's in-house waste reduction and recycling program(s) or originator's written confirmation that their practices comply with a uniform waste reduction and recycling plan to be prepared by Landfill operator and approved by the Department of Conservation and Development.

f. Originator's or transporter's affirmation to adhere to County imposed haul route and peak hour hauling restrictions.

g. Annual written confirmation by the Landfill operator, to be reviewed and approved by the Department of Conservation and Development that the waste(s) to be disposed is(are) not currently accepted for recycling (or otherwise diverted from disposal) at transfer stations within Contra Costa County, and

h. Written waste eligibility determination from Keller Canyon Landfill Company based on a) through g) above.

i. Requirements of Keller Canyon Landfill Company describing contract for landfill use, rules and regulations of the landfill (e.g. on-site speed limit), prescribed haul route, load inspection program, driver training program, and any other such information as required.

j. Requirements for proper load covering or containerization and consequences for non-compliance specified in Condition 7.2.

k. Any other information required by the Director of Conservation and Development, or by the actions of the Board on August 11, 1992 October 27, 1992, November 24, 1992, August 17, 1993 and December 14, 1993.

8.7 Direct Haul Reports. The Landfill operator shall submit quarterly direct haul reports to the Department of Conservation and Development. The quarterly reports shall contain details about all direct haul loads, including the date accepted, customer (company) name, waste type, tonnage, location and jurisdiction of waste/material origin (city and county) and end use (disposal, cover or other on-site beneficial reuse). Summarized results of all direct haul eligibility screening conducted during each period shall be submitted in conjunction with the quarterly waste origin reports. The quarterly reports shall also identify the total tonnage of municipal solid

waste (Class III waste) received that quarter, total tonnage of Class II wastes received that quarter, and the percentage of total waste received which is characterized as Class II. If determined necessary by DCD, additional reporting information or more frequent reporting may be required in the future.

8.8 Emergency Direct Haul. In the event that a natural disaster or other emergency prevents the timely processing of wastes through a transfer station before disposal at the landfill, such waste or loads may be considered for direct haul. The landfill operator shall submit a written request to the County Department of Conservation and Development when circumstances or conditions warrant, or may warrant, emergency direct haul to the landfill. The landfill operator shall not proceed with emergency direct haul until written approval has been provided by the Director of the Department of Conservation and Development. The landfill operator shall submit an incident report describing the basis for emergency direct haul and the contingency actions taken.

9.1 Hours of Operation. The Landfill operator shall not open the landfill to receive waste loads before 7:00 a.m. or after ~~7:30~~7:00 p.m. Refuse shall be covered by 7:30 p.m. at which time working lights shall be extinguished. Entry and security lights shall be dimmed at 7:30 p.m. Other hours of operation, within those parameters, may be specified by the County Health Services Department or in the Landfill's Solid Waste Facilities Permit. Special loads may be received at other times in accordance with procedures established by ~~the County~~ Contra Costa Environmental Health~~ Services Department~~ or the Department of Conservation & Development.

The Director of ~~Community~~ Conservation and Development may administratively shorten or extend the hours of operations prescribed above after consultation with the Landfill operator, ~~the County Health Services Department~~Contra Costa Environmental Health, and the ~~Local Advisory Committee~~City of Pittsburg, after holding a public hearing to obtain the comments of other interested parties. To shorten the hours of operation, the Director of ~~Community~~ Conservation and Development shall find that the changes are needed to mitigate substantial noise, traffic, or similar impacts arising from the operation of the Landfill which were not known when this Land Use Permit was adopted. To extend the hours of operation, the Director of ~~Community~~ Conservation and Development shall find that longer hours will not cause traffic, noise, glare, or similar impacts of Landfill operations to substantially increase in the vicinity of the Landfill. Exceptions to this limitation may be granted in response to natural disasters or other emergencies if deemed warranted by the Director of Conservation and

Development if required to address any applicable officially declared disaster.

9.2 Operating Days~~.:~~ The landfill shall remain open for operation six days a week except on Holidays. It shall close on Sundays. Exceptions to this limitation may be granted in response to natural disasters or other emergencies if deemed warranted by the Director of Conservation and Development.

9.3 Maximum Daily Tonnage. The landfill may accept for disposal a maximum of 3,500 tons of refuse per day~~ through the year 2005~~. The Board of Supervisors shall review and revise, if necessary, the maximum allowable tonnages per day~~, prior to the year 2005~~. If the Board establishes sub-County service areas, maximum tonnages for each landfill ~~shall~~ may be prorated to reflect their service areas. The Board may increase the maximum daily tonnages, if necessary, to reflect Reciprocal Capacity Agreements or emergency measures. Exceptions to this limitation may be granted in response to natural disasters or other emergencies if deemed warranted by the Director of Conservation and Development. The Landfill operator shall submit quarterly reports to the Department of Conservation and Development solely showing daily waste tonnage accepted for disposal.

10.1 Volume Estimation. The Landfill operator shall prepare reports annually estimating the remaining landfill site life (years) and capacity (cubic yards and tons). Reports shall be submitted to the Department of Conservation and Development by March 1st of each year.~~submit topographic maps of the landfill and a report of capacity absorption and fill rates to the Community Development Department every two years on the anniversary date of the landfill's opening.~~ The Landfill operator shall also submit an initial topographic map prior to receiving wastes.

10.3 Waste Characterization. The Landfill operator shall participate with transfer station operators serving the landfill in a tracking and reporting program to characterize incoming wastes by generator (customer) name, type, amount, and originating community and perform detailed load inspections on vehicles according to a program specified by the Department of ~~County Community~~ Conservation and Development~~ Department and County Health Services Department~~. Reports shall be submitted to the ~~County~~ Department of Conservation and Development on a quarterly basis on or before the landfill reporting deadlines specified in the Disposal Reporting regulations (Title 14).

11.1 Permit Review. The Landfill operator shall submit reports to the Department of Conservation and Development summarizing the compliance status for

these Land Use Permit Conditions of Approval annually unless otherwise specified by the Director of Conservation and Development. The Board of Supervisors will hold annual public hearings to review the Conditions of Approval for this Land Use Permit for three years beginning one year after the commencement of operations of the Landfill. The Board may refer proposed changes to the Land Use Permit to the County Planning Commission for processing. Thereafter, the County Planning Commission shall hold public hearings on the Land Use Permit at three-year intervals. As a result of a review and public hearing, the County Planning Commission may recommend to the Board of Supervisors new or modified conditions to improve the public health, safety, and welfare or in response to court decisions or regulatory changes. Nothing in this condition shall preclude the Landfill owner from applying for amendments to the Land Use Permit at any time or preclude the County from addressing emergency situations or new requirements imposed by State or Federal legislation or the courts.

11.2 Local Advisory Committee. The ~~Community~~ Department of Conservation and Development ~~Department~~ shall organize, and the Landfill developer shall participate in a local advisory committee, consisting of elected representatives of local residents and neighborhood associations, to comment and advise on the development of the landfill and its operations. The Board of Supervisors may sanction the Local Advisory Committee as an official County committee. The committee shall be established as soon as reasonably possible after the Board of Supervisors' approval of this Land Use Permit, if such approval is forthcoming. Meetings shall be initiated following the approval of a Land Use Permit and shall be held at least quarterly through the first two years of landfill operation. Subsequently, meetings may be held annually, but with the provision for meetings on call by the chair or the written request of 3 or more members unless otherwise specified by the County Board of Supervisors. The County Health Services Department shall be notified at least 10 days in advance of all meetings. Subjects for consideration at meetings will include, but shall not be limited to safety and emergency procedures, landfill fill-related traffic problems, screening of visual impacts and problems of litter, odor, and noise control. Meeting agenda also may include discussion of reports on the landfill construction, operation and maintenance. The Landfill operator shall provide reasonable access to the landfill arranged through the ~~Community~~ Conservation and Development Department. A surcharge on the tipping fee may be used to fund the advisory group's operations.

11.3 Insurance and/or Bonding. The applicant shall provide the insurance and bonds specified by the units of government having approval authority over the project. The applicant/operator is obligated to comply with additional

County specified insurance and bonding requirements pursuant to Article 12 of the First Amended Landfill Franchise Agreement. Subjects ~~will~~ may include, ~~but not be limited to,~~ continuity of landfill operation, non-compliance, emergency measures, construction performance, landscaping and closure.

11.4 Notification Program. The Landfill operator shall prepare and implement a program to notify potential users of the landfill of its opening and closing times, and the conditions of its use, including waste reduction and recycling requirements, load covering requirements, site access regulations, truck maintenance to conserve fuel and a detailed list of prohibited hazardous wastes and alternative disposal options. The program should be prepared in conjunction with the operator(s) of the transfer station(s) serving the landfill consistent with the Board of Supervisors' policies on direct haul (see Conditions 8.5 through 8.7). It shall be approved by the County Department of ~~Community~~ Conservation and Development ~~Department~~.

11.6 ~~Compliance~~ Implementation and Mitigation Monitoring Program. The Landfill operator shall ~~provide a~~ fund ~~to support~~the ~~-~~ County ~~staff~~ Department of Conservation and Development's program for monitoring of compliance with these Conditions of Approval and the Environmental Impact Report's mitigation monitoring program~~s, as designed and implemented by the County Community Development and Health Services Departments~~.

11.10 Conditions Requiring Franchise. Conditions of Approval ~~Nos.~~ 4.2, Operative Date, and 13.4, Franchise Agreement Requirement, require a franchise or agreement to be established by this County. All of ~~these Conditions of Approval~~the terms of said franchise or agreement shall be subordinate to ~~the terms of said franchise or agreement~~these Conditions of Approval, and these ~~terms of said franchise or agreement~~Conditions of Approval shall control in the case of any conflict unless otherwise provided for pursuant to Condition 2.3. There shall be no need to amend these Conditions of Approval or the franchise in the event of such a conflict.

11.11 Regulations Enforced by Other Agencies. Several of these Conditions of Approval relate, paraphrase or summarize laws and regulations which are imposed and enforced by other governmental agencies which have jurisdiction over particular aspects of this project. It is this Board's intent in adopting these Conditions of Approval to provide the applicant and the public with an overview of the scope of regulation applicable to this project and to provide this County with the authority to exercise enforcement power if deemed necessary in response to violations of such laws and regulations enforced by other agencies ~~are violated~~. Unless specifically stated in the Conditions of Approval, however, it is not this Board's intent to establish rules

or regulations which are stricter than the laws or regulations which are applied to this project by the other agencies with jurisdiction over aspects of this project. If another agency primarily responsible for some aspect of this project finds that any action or inaction is in compliance with, or violates, any such law or regulation, that finding shall be conclusive. If these Conditions of Approval require some approval by any other agency and that agency declines to approve or disapprove the subject matter, such approval shall be deemed to have been given for purposes of these Conditions of Approval.

11.12 Required Expenditures. This Board does not intend, by requiring the applicant to fund various measures, to make any decision regarding whether or not, or how, any expenditures incurred may be recovered through the rate structure or otherwise by the applicant. Any such decision by this Board shall be reserved for its consideration in the franchise or agreement. No inference regarding this issue is to be drawn from this Board's use of any particular terminology in these Conditions of Approval.

11.13 Designation of Authority. In any instance where a Condition of Approval provides that this Board will decide or act upon a certain matter, this Board may delegate the initial decision making or action with respect to that matter to the Director of ~~Community~~ Conservation and Development or such other designee as this Board determines to be appropriate, provided that there shall be a right of appeal to this Board from any decision to the Director of ~~Community~~ Conservation and Development or other designee.

12.1 Rate Approval.

a) The Board of Supervisors ~~shall~~ may at its discretion review and approve all rates charged by the landfill operator at the landfill to the extent allowed by the terms of the applicable Franchise Agreement. The rates established by the Board ~~will be not only~~shall be the maximum rates ~~but also minimum rates~~.

b) The landfill operator shall at all times maintain on file with the County, a current schedule of Base Rates and Gate Rates charged to each customer~~s~~ as required in Section 6.6 of the Landfill Franchise Agreement.

~~a)~~c) As provided for in Condition 2.3, where there is an inconsistency between the requirement(s) of this or any other rate setting Condition in Section 12 and the terms of the Landfill Franchise Agreement which granted the operator sole discretion over setting the base gate rate charged to customers, the terms of the Landfill Franchise Agreement shall supersede the applicable language in Condition 12.~~2~~1(a) and 12.2

- 12.6 until such inconsistency no longer exists pursuant to Condition 2.3(d).

12.2 Rate Review. ~~The~~ If the Board of Supervisors ~~shall~~ elects to review and approve rates, it should be done ~~—~~annually in accordance with ~~an approved~~the rate ~~application~~ review procedure established by the County. More frequent review of rates may occur if requested by the landfill operator and if the Board determines that changing circumstances warrant such review. The Board may also review rates more frequently if the Board determines that it is in the public interest to do so pursuant to the terms of the Franchise Agreement for the landfill.

12.3 Form and Content of Rate Review Application. The landfill operator shall submit its rate application in a form and content as specified by the County. The Landfill operator shall provide any relevant rate and cost information requested by the County. Such application may require the landfill operator to submit the application on forms and/or using computer software provided by or specified by the County. The County shall have the right to inspect and audit all records of the landfill operators which support its rate review application.

13.1 Franchise Compliance and Agreement. The ~~Permitee~~ Landfill operator shall be subject to the terms and conditions of any franchise or agreement established by the Board of Supervisors. A draft franchise or agreement shall be submitted with or before the Final Development and Improvements Plan.

13.2 Assignment. The landfill operator and the landfill owners shall not assign or subcontract the franchise or agreement, any part of the franchise or agreement or any obligation of the franchise or agreement without written prior consent of the Board of Supervisors. Unless otherwise specified in the franchise agreement, ~~The~~ the term "assignment" shall include any dissolution, merger, consolidation or reorganization of the landfill's ownership or the sale or other transfer of the controlling percentage of the owner's stock in the landfill or the sale of 51% of the value of the assets of the landfill's owners.

14.2 Regulatory Agency Approvals. Subsequent to the approval of this Land Use Permit, the Landfill Developer shall obtain approvals from the regulatory agencies having jurisdiction over the project, and obtain their detailed requirements for building, serving, and operating the Landfill. The approvals shall include, but are not limited to:

a) Waste Discharge Requirements from the Regional Water Quality

Control Board.

b) Authority to Construct (and Authority to Operate Requirements) from the Bay Area Air Quality Management District.

c) Wetland Modification Permit from the Army Corps of Engineers.

d) Streambed Alteration Agreement from the State Department of Fish and Game.

The Landfill developer shall notify the ~~Community Development~~ Department of Conservation and Development if proposed or adopted permit conditions or requirements of other regulatory agencies do not appear to be consistent with this Land Use Permit or the Landfill's Environmental Impact Report. The Landfill operator shall submit to the County copies of all new and modified permits or entitlements at the time each is issued or approved by the applicable regulatory agency.

16.2 Seismic Design. The Landfill, its drainage features and operating components (lifts, berms, liners, sediment pond, leachate and gas collection systems and major stockpiles) shall be designed to withstand ~~the Maximum Credible Earthquake (MCE) and a 0.65g acceleration rate~~earthquakes as specified in applicable regulations. The Landfill developer shall utilize a MCE (design earthquake) specified by the ~~County Community Development Department and the~~ San Francisco Regional Water Quality Control Board. The Landfill developer shall provide substantiation in the Final Development and Improvements Plan that the Landfill design will withstand the MCE.

16.4 Geotechnical Inspector. The Landfill operator shall ~~contract with the County, or through the County, for~~fund the costs of an independent geotechnical consultant, who shall be selected by and be responsible to the County. The ~~consultant~~ Inspector shall inspect ~~regularly~~ the installation and condition of liners, leachate control facilities and other installations, identified by the County, as they are installed and periodically thereafter as directed by the County. This provision shall remain in force over the life of the landfill.

16.6 Slope Monitoring. The Landfill operator shall install and maintain slope monitoring stakes on landslides and sensitive slopes which could affect an operating Landfill. The monitoring program shall be approved by the County ~~Community Development~~ Department of Conservation and Development.

16.8 ~~Post-Earthquake~~Emergency Landslide and Earthquake Program. The Landfill operator shall prepare and implement an emergency program for inspecting the Landfill facility, dealing with failures and providing for uninterrupted refuse handling for implementation following a ~~substantial~~

landslide and/or earthquake. The program shall be subject to the approval of the County ~~Community Development~~ Department of Conservation and Development, ~~and the County~~ Contra Costa Environmental Health ~~Services Department~~ and the Regional Water Quality Control Board.

17.6 Downstream Well Monitoring. The groundwater monitoring program shall include selected wells down gradient from the site. The wells shall be subject to approval by the San Francisco Regional Water Quality Control Board ~~and the County Health Services Department~~. The Landfill operator shall sample and analyze water from these wells ~~on a quarterly basis~~as required by the Regional Water Quality Control Board. The location of these wells shall be identified on the Development and Improvements Plan.

17.11 Water Balance Calculations. The Landfill operator shall provide water balance calculations, when requested by the ~~County Health Services Department~~Regional Water Quality Control Board or other applicable regulatory agency, to evaluate intermediate stages of Landfill operation to ensure the maintenance of a proper solids-to-liquid ratio.

17.17 Working Face. The Landfill operator shall maintain a maximum daily working face of 3 acres or less in order to minimize surface water infiltration to the refuse, as well as to control dust and erosion, prevent vector proliferation, and minimize visual impacts. Exceptions to this limitation may be granted in response to natural disasters or other emergencies if deemed to be warranted by the Director of Conservation and Development.

18.2 Surface Drainage System. The Landfill operator shall install and maintain a Landfill surface drainage system which shall be designed to meet State Class II standards. It shall accommodate a 1,000-year, 24-hour design storm, as specified by the County Public Works Department and the San Francisco Regional Water Quality Control Board (SFRWQCB). The drainage system shall convey surface water around the active fill area without contacting the working face or any solid waste. The surface drainage system shall be approved by the SFRWQCB and the County ~~Community Development~~ Department of Conservation and Development and included in the Development and Improvements Plan. Surface flow shall be evaluated further with groundwater levels and precipitation factors prior to construction, and findings incorporated into the final landfill design in order to lessen impacts to surface water flow. Flow rates and groundwater levels shall be monitored through the life of the landfill. If loss of surface flow is determined to have unforeseen impacts, a like amount of water shall be provided.

18.4 Surface Water Management and Sediment Control Plan. The Landfill

developer shall prepare and implement a ~~-~~Surface Water Management and Sediment Control Plan, which shall be subject to the approval of the County ~~Community Development~~ Department of Conservation and Development. The plan shall include a Stability Analysis of proposed cut and fill slopes, and shall prevent substantial erosion on slopes on the project site and reduce the amounts of water-borne materials from reaching surface waters. It shall include the components listed below, and it shall be included in the Final Improvements and Development Plan.

(a) Primary Grading. The Landfill developer shall perform primary grading for the project's fill modules, cover, roads, paved areas, building sites, and the construction of site slopes during the April through October low rainfall season.

(b) Temporary Flow Restriction. If grading must be done during rainy periods, or if erosion is occurring on previously graded areas, the Landfill developer shall take corrective actions, which may include the installation of ground cloth or the placement of hay bales.

(c) Ground Cover. The Landfill developer shall plant ground over on graded areas which are not to be developed within 90 days. The ground cover shall be consistent with the Landscaping Plan.

(d) Ditch/Swale Liners. The Landfill developer shall line any ditches and swales for conveying surface runoff across sanitary Landfill areas to limit water infiltration. Drainage-ways across other areas shall be lined or planted to limit erosion.

(e) Sedimentation Ponds. The Landfill developer shall install and maintain a sedimentation pond system prior to other landfill development to hold and process drainage from the Landfill property which shall be designed to withstand the 1,000-year, 24-hour design storm and Maximum Credible Earthquake event. The Landfill developer shall develop a program for monitoring storage volumes in the sedimentation ponds and releasing water depending on expected rainfall. Flow rates for downstream discharge shall not exceed the 25-year, 24-hour design storm. The program shall include a preventive maintenance program which shall include a program for clearing of sedimentation ponds and maintenance of perimeter ditches and vegetative cover. The owner shall submit documentation to the Department of Conservation and Development ~~documentation~~ to demonstrate that basin maintenance (e.g. dredging) has been completed as needed or required prior to the start of the rainy season (October 15th). The program shall be subject to approval from the County ~~Community~~ Department of Conservation and Development, Contra Costa Environmental Health ~~Services~~, ~~and~~ Public Works

Department~~s~~, and the San Francisco Regional Water Quality Control Board. The efficacy of the Landfill surface water control system in reducing downstream flooding shall be addressed in the annual and triennial reviews required by Condition 11.1.

f) Runoff Conveyance. Erosion to ditches or gullys used to convey runoff shall be corrected by use of appropriate measures such as energy dissipators or rip rap.

g) Equalization Basin. Water in contact with the working face area of the landfill shall be discharged into an equalization basin, monitored, and treated if necessary.

19.4 ~~Transfer Station~~Hazardous Waste Pre-screening. The ~~Household Hazardous Waste Program shall include pre-screening at transfer stations for identification and separation of hazardous materials. In addition,~~ landfill entrance load screening procedures and a manual load check program during unloading operations shall be included in the load screening program required under Condition 7.1. Landfill employees~~operators~~ shall be instructed to investigate suspicious containers for hazardous materials during bulldozing and other activities. Any hazardous materials found shall be set aside for proper collection and disposal.

19.5 Regulatory Agency Approvals. The collection and storage of toxic and hazardous wastes pursuant to this section shall be subject to County Health Services Department's Hazardous Materials Division, State Department of Health Services, and other regulatory agency approvals.

20.2 Odor Containment. The Landfill operator shall operate the Landfill in a manner that prevents odors from being detected off-site, pursuant to Regulations 7-101 and 7-102 of the Bay Area Air Quality Management District. If odors are reported to ~~the~~ Contra Costa Environmental~~unty~~ Health ~~Services Department~~, or reports are relayed from the Bay Area Air Quality Management District, the Department of Conservation and Developement or Contra Costa Environmental~~the~~ Health ~~Services Department~~ may require additional physical improvements or management practices as necessary to alleviate the problem. Contra Costa Environmental~~The~~ Health ~~Services Department~~ shall have the authority to cease disposal at a particular area of the Landfill, to control odors. A small daily working face (3 acres or less) shall be maintained. The leachate treatment system shall be enclosed and properly maintained to control odors from leachate. The landfill gas collection system and flare shall utilize BACT to reduce landfill gas as a source of toxics and odor.

The Landfill operator shall implement Best Management Practices of the industry to minimize odors from operations and emissions from equipment. If the operator is contacted about odors being~~are~~ detected off-site ~~in surrounding areas~~, the date, time and description of the odor complaint~~s~~ shall be logged and investigated promptly to expedite implementation of any necessary corrective action by ~~a~~ the landfill operator. The Landfill operator shall contact Contra Costa Environmental Health or the Bay Area Air Quality Management District at minimum of once per year to obtain any information possible about odor complaints received by each agency. Any~~ll~~ odor complaints received by the Landfill operator, Contra Costa Environmental Health or the Bay Area Air Quality Management District shall be included in the annual Activities Report required under the Landfill's Franchise Agreement unless otherwise specified by the Director of Conservation and Development. The landfill operator shall provide a means for receiving after hours odor complaints. Complaints shall be promptly investigated (after hours investigations required if/when multiple after hours complaints received on the same day or on multiple consecutive days) -to identify whether~~. T~~ the source of the odor is on the landfill site, in which case the problem should be corrected in a timely manner. A response to the person lodging the complaint shall be made within 48 hours and copied to the Department of Conservation and Development, detailing the problem and remedial action taken.

20.3 Cover Frequency. The Landfill operator shall cover newly disposed refuse with compacted soil or other cover material meeting ~~the~~state regulatory requirements enforced by Contra Costa Environmental Health ~~or~~and CalRecycle ~~of the State of California (currently, a minimum of 6 inches of daily cover)~~and approved in writing by the Department of Conservation and Development. All working faces of the Landfill shall be covered by the end of the working day. Intermediate cover, meeting the requirements of the State ~~(currently a minimum of 12 inches)~~ shall be applied over each layer of cells ("lift"). The type of cover material and frequency of cover shall be modified~~increase~~ in order to control odor, litter or birds, if necessary, or if required by the Director of Conservation and Development or the Landfill's Solid Waste Facilities Permit.

20.4 Odoriferous Loads. The Landfill operator shall identify potentially~~cover extremely~~ odoriferous loads prior to acceptance and make any arrangements needed to ensure that disposal of odoriferous loads is managed to avoid off-site detection, which may involve covering such incoming loads immediately.

20.7 Air Flow Monitoring. The Landfill operator shall monitor air flow on the site upon commencement of operations and shall provide background

meteorological conditions including wind direction, wind velocity, ~~on-site air flows,~~ and temperature. After the Landfill is in operation, data shall be used to correlate odor, dust, or litter management with meteorological conditions. Air flow monitoring reports shall be submitted or made available to the Contra Costa Environmental Health ~~unty Health Services~~ and the Department of Conservation and~~Community~~ Development~~ Departments~~ upon request.

20.8 Contingency Program. Prior to the start of filling operations, Landfill operator shall prepare a "bad days" contingency program for managing the Landfill during periods of unusual wind speeds or directions, rainfall or drought or other atypical situations. It shall apply specific site monitoring information. The Landfill operator shall consider the comments of the City of Pittsburg ~~local advisory committee~~ and consult with the Bay Area Air Quality Management District and the Regional Water Quality Control Board. The program shall be approved by the ~~County~~ Departmetnt of Conservation and Development and Contra Costa Environmental Health~~ Services Department~~, and it may be revised from time to time. See Condition 25.4.

20.9 Revegetation. The Landfill operator shall revegetate completed Landfill areas~~ immediately~~. Revegetation shall be in ~~be~~ accordance with the Development and Improvements Plan and shall be consistent with~~ the County policy on landscaping and~~ State and local water conservation landscaping requirements. Intermediate and final cover areas shall be reseeded with native grasses~~vegetated~~ immediately. Excavations shall be reseeded with native grasses~~vegetated~~ or filled immediately. Operating areas which will not be used for fill or construction for 90 days or longer shall be planted for dust and erosion control and for aesthetic purposes. Landfill operator shall provide the County Conservation and Development Department with written notice and documentation (e.g. photographs) of any inactive unvegetated areas of disturbance not being reseeded immediately whether due to on-site activity associated with the landfill (construction or operations) or naturally occurring (landslides, etc.). The Director of Conservation and Development may require that revegetation notices be submitted more frequently and/or on a fixed schedule.

20.17 Landfill Gas Testing. The Landfill operator shall test Landfill gas for its toxic composition and for toxic constituents. The testing program shall be subject to the approvals of the Bay Area Air Quality Management District~~ and~~, ~~the~~ Contra Costa Environmental Health~~unty Health Services~~ and the ~~Community~~ Department of Conservation and Development~~ Departments~~. The Landfill operator shall provide the results to the County ~~Community Development~~ Department of Conservation and Development and Contra

Costa Environmental Health ~~Services Departments~~ on a bi-annual ~~quarterly~~ basis unless a more frequent interval is specified in the Solid Waste Facilities Permit.

20.19 Cell Re-Opening. Previously-~~covered~~ closed cells shall not be reopened without permission from Contra Costa Environmental~~the County~~ Health ~~Services Department~~. The Department of Conservation and Development shall be notified of any occurrence that potentially necessitates that one or more cells be re-opened.

20.20 Fissure Repair. The Landfill operator shall inspect the Landfill daily. Surface cracks, fissures, eroded areas, or inadequately covered areas on the Landfill may require repairs within 24 hours. The Department of Conservation and Development shall be notified in writing at the time the operator identifies any substantial surface cracks or fissures requiring repairs beyond the placement and compaction of additional clean soil. Photo of the crack should accompany the written notice which describes he expected cause and corrective action plans and repair schedule. This activity shall be included in the employee training program.

20.23 Speed Limits. The Landfill operator shall enforce speed limits set by the Contra Costa Environmental Health~~unty Health Services Department~~ on internal site roads. The Landfill operator shall install appropriate signs and speed control devices. The maximum internal on-site speed limit shall be 20 mph unless otherwise specified by Contra Costa Environmental Health.

21.2 Noise Monitoring Program. The Landfill operator shall prepare and implement a noise monitoring and abatement program, which shall be approved by the County ~~Community Development~~ Department of Conservation and Development and Contra Costa Environmental Health ~~Services Departments~~. The program shall monitor noise levels at sensitive receptor locations, one West of Bailey Road and South of West Leland Road, one near Bailey north of West Leland, and another in the Jacqueline Drive area south of West Leland Road. The Director of ~~Community~~ Conservation and Development may specify other monitoring locations. Noise monitoring reports shall be submitted to the County Conservation and Development Department on a quarterly basis unless otherwise specified by the Director of Conservation and Development. If the monitoring noise levels at the Landfill boundary line or other monitored location exceed 60 dBA during daylight hours, or 50 dB~~bD~~A during the evening or at night, the County may require the operator to institute additional noise reduction measures to bring noise emanating from the Landfill to the forementioned levels or less.

22.2 Landscape Plan. The Landfill developer shall prepare and implement a site Landscaping Plan. The plan shall enhance the site's visual values as open space and its functional values as wildlife habitat. It shall minimize the visual impacts of the landfill operations and appurtenant facilities through revegetation and landscape screening. The plan shall show the plant species, size, and locations to be used to blend in with the existing natural vegetation. Natural, drought tolerant species shall be used, in accordance with State and local ~~County Policy on W~~water ~~C~~conservation ~~L~~landscaping requirements. A landscape maintenance program shall be part of the plan. A Weed Monitoring and Control Program shall be included, containing a listing of noxious weeds, a monitoring program, and abatement measure options. A Landscape Plan shall be included in the Development and Improvements Plan. The Landscape Plan shall assure no visual impact on the Cities of Concord and Clayton consistent with the Environmental Impact Report.

24.6 Mosquito Control. The Landfill operator shall grade areas within the Landfill property to prevent ponding of water which could harbor mosquitos (except for sedimentation ponds and riparian habitat areas). Sedimentation ponds shall be stocked with mosquito fish unless otherwise specified by the Mosquito & Vector Control District. If a mosquito problem persists, ~~the~~ Contra Costa Environmental ~~unty~~ Health ~~Services Department~~ may require the preparation and implementation of additional mosquito control measures, such as spraying of non-toxic larval suppressant.

25.1 Litter Control Objective. The Landfill operator shall manage the facility in a manner which confines litter to the working face of the Landfill, which prevents litter from accumulating on ~~an~~other parts of the site, and which prevents litter from being blown off the site.

25.2 Load Covering. The Landfill operator shall implement a program ~~to~~ requiring landfill users (customers) to securely containerize their load to avoid littering and exclude uncovered loads from arriving at the Landfill consistent with the requirements of Section 418-2.008 of the County Code. The program shall be subject to the approval of the County Department of Conservation and Development and Contra Costa Environmental Health ~~Services Department~~. See also Condition 7.2.

25.4 Contingency Litter Control. Under windy conditions, the Landfill operator shall cover the refuse with County approved cover materials ~~soil~~ as often as necessary to control blowing litter. Other options shall be considered as necessary, including the alignment of unloading areas away from the

prevailing wind direction, increasing the number of compactors, decreasing the active face size, and reducing the number of vehicles tipping at one time. The Contingency Litter Control measures shall be contained in the Litter Control and Prevention Program that is subject to review and approval of t~~T~~he Department of Conservation and Development and Contra Costa Environmental ~~County~~ Health~~ Services Department~~. Contra Costa Environmental Health shall have the authority to enforce this requirement. See Section 20.8.

25.7 On-Site Litter Policing. The Landfill operator shall remove litter from the litter fences and planting screens at least once each day. On-site roads, including 500 feet of Bailey Road south of the site entrance, shall be policed at least daily. ~~The~~ Contra Costa Environmental ~~unty~~ Health ~~Services Department~~ may require more frequent policing to control the accumulation of litter.

25.8 Off-Site Litter Policing. The Landfill operator shall provide weekly (or more frequent) litter clean-up along Bailey Road from ~~West Leland Road~~Highway 4 to at least 500 feet south of the site entrance~~ during the Landfill's first year of operations~~. Based on experience, the County Department of Conservation and Development or Contra Costa Environmental Health ~~Services Department~~ may modify frequency of clean-up and/or area of coverage. If wind-blown litter from the landfill reaches other properties, the Director of Environmental Health~~ Services~~ or the Director of Conservation and Development may require the Landfill operator to remove the litter and the Director(s) may require the operator to institute additional measures to prevent recurrence of the problem.

25.11 Public access. Public access to the landfill shall be prohibited unless such access is provided for special events, such as tours, open house functions or wetland field trips for local schools.

26.9 Gas Migration Monitoring. The Landfill operator shall prepare and implement a gas migration monitoring program to detect underground gas migration. Landfill buildings and paved areas within 1,000 feet of the Landfill disposal area shall be monitored unless otherwise specified in state regulations. The monitoring program shall be approved by Contra Costa Environmental Health~~the County Health Services Department~~.

27.3 Security Staffing. The Landfill operator shall staff the Landfill 24 hours per day. Private security services may be retained when the site is not open to patrol and/or aid with investigating after hours odor complaints (see Condition 20.2) as needed.

29.2 Access Route. Access to the landfill facility shall be via State Highway 4, and Bailey Road unless alternate routes are approved by the County Department of Conservation and Development on an interim basis. No waste-hauling traffic shall be allowed entrance to the landfill from Bailey Road south of the site. The Landfill operator shall specify use of the prescribed route in all user contracts and shall notify non-contract users of the requirement. At the request of the Board of Supervisors, the Landfill Operator shall reimburse the County for the cost of enforcement of this Condition on the access route. The Board of Supervisors may also request the Landfill operator to reimburse the City of Concord for an access control police inspection stop on Bailey Road should it become necessary to enforce this access route condition.

29.9 Peak Period Traffic Management. The Landfill operator shall prepare a study, in conjunction with the local transfer station(s) serving the landfill, for managing transfer vehicle traffic to reduce peak period conflicts with traffic on Highway 4. The study shall address the restricted departure periods from the Landfill identified in the Environmental Impact Report (6:30 - 8:30 a.m. and 3:30 - 6:30 p.m.) and shall identify any changes to the conditions of approval needed to implement a peak-period traffic reduction program. The study shall be approved by the County Public Works and Conservation and~~Community~~ Development Departments and shall be provided ~~to the County Community Development Department~~ with the Development and Improvements Plan. The Director of ~~Community~~ Conservation and Development has imposed the ~~shall specify~~ peak period traffic restrictions identified in a) and b) below. The Director of Conservation and Development may specify any additional peak period traffic restrictions deemed to be warranted. The Landfill operator shall comply with such restrictions, and shall require compliance in contracts with Landfill users.

a) The A.M. peak period departure from the landfill shall commence at 7:10 a.m.

b) A three minute interval shall be maintained between waste hauling vehicles en route to Highway 4 westbound during the period of 7:10 a.m. and 8:30 a.m.

c) Waste hauling vehicles en route to eastbound Highway 4 (the uncongested “reverse commute” direction) may be released without restriction

30.0 Site Services and Utilities Objective. The Landfill developer shall design, develop and manage the facility in such a manner that services and utilities

adequately meet the landfills requirements, while ensuring the protection of site employees, area residents, and the surrounding environment.

31.4 Materials Recovery. The Landfill operator shall prepare and implement a program establishing waste acceptance criteria and associated customer education to limit the Landfill's acceptance of refuse loads containing recyclable materials to those which are beneficially reused on-site (diversion under the Integrated Waste Management Act). Customers shall be notified and periodically reminded of waste acceptance criteria so that refuse loads containing~~for recovering~~ recyclable materials (e.g. construction and demolition debris) are not being ~~from refuse loads~~ brought directly to the landfill but instead redirected to transfer station(s) or other locations offering to recover said materials. The operator shall coordinate the material recovery program with the operator(s) of ~~a~~ local transfer station(s)~~ serving the Landfill~~ to maintain an up-to-date understanding of the wastes accepted and material recovery opportunities at local transfer stations to ensure that customers only deliver those loads to the Landfill which will not be recycled or otherwise diverted from disposal if processed at transfer stations in Contra Costa County. The program shall be consistent with the Countywide Integrated Waste Management Plan and shall be subject to the approval of the County ~~Community Development~~ Department of Conservation and Development.

31.5 Composting Program~~ject~~. The Landfill operator shall develop and implement a ~~pilot~~ program for composting organic material~~ at the landfill site~~. The program may occur at the landfill site,~~ or~~ off-site or in coordination with third party(ies), and shall be approved by ~~the County Health Services~~ Contra Costa Environmental Health and the ~~Community Development~~ Department of Conservation and Development. The compost shall be used for landfill landscaping, cover material or other approved on-site uses; alternatively, compost can be made available or sold off-site. The purpose of the composting program~~purpose of the pilot project~~ shall be to ~~determine~~ implement a cost effective and feasible means of providing adequate local~~l~~ organics diversion capacity through ~~ility of~~ large-scale ~~on-site~~ composting. The composting operations shall be subject to regulatory and permitting requirements enforced by Contra Costa Environmental Health, the Air District and the Water Board~~ meet the State Department of Health Services' regulations on land application, if applicable~~. No later than January 1, 2016, ~~T~~the Landfill operator shall submit substantiation that they have applied for the required regulatory approvals (permits) processes necessary to conduct large-scale composting or demonstrate that arrangements are underway to implement an equivalent off-site program. The Landfill operator shall make all feasible efforts to assist the County in ensuring that there will be adequate

composting capacity available to readily divert the organics waste stream generated in Contra Costa County which is currently used as Alternative Daily Cover (ADC) prior to the sunset of the ADC diversion credit on January 1, 2020. ~~pilot project shall be in operation within six months of the opening of the Landfill. Its results shall be considered at the second Land Use Permit review.~~

31.6 Wood Chipping. The Landfill operator shall establish a program to encourage landscape services and construction/demolition ~~material~~ debris haulers to segregate wood material for chipping and diversion from landfill disposal. ~~-~~The program may occur off-site, however unless and until there is on-site recovery (landfill diversion pursuant to the Integrated Waste Management Act) the Landfill operator shall direct these customers to deliver loads of landscaping and construction/demolition debris to facility(ies) that recover and chip wood material. The program shall be submitted for review and approval~~ed~~ by the County ~~Community Development~~ Department of Conservation and Development and implemented on an ongoing basis following approval. ~~and~~ ~~shall be placed in operation within six months of the landfill's opening.~~

31.9 County Resource Recovery Management Program.

a) When directed by the County, the Landfill operator shall impose a tonnage surcharge adequate to support a County Resource Recovery Management Program ~~consisting of the Office of Resource Recovery Management and its program~~. The cost of the program to be supported by the surcharge shall not exceed $100,000 at 1987 levels. If other solid waste disposal facilities are subject to this or a similar condition, the County may pro-rate the cost of the program among them according to a formula approved by the Board of Supervisors.

b) As provided for in Condition 2.3, where there is an inconsistency between this condition and the terms of the Landfill Franchise Agreement which effectively suspended the collection of this Resource Recovery Management Program Fee, the terms of the Landfill Franchise Agreement shall supersede Condition 31.9 (a) until such inconsistency no longer exists pursuant to Condition 2.3(d).

32.2 Exemption. The Landfill developer may request, in writing, and the Director of ~~Community~~ Conservation and Development may grant, exemptions to Condition 32.1 for specific times for cause. An example is the placing of concrete.

32.6 Dust Suppression. The developer shall sprinkle or chemically treat graded areas, borrow sites, stock piles, and temporary pavements to control dust, as determined necessary by Contra Costa Environmental Health ~~the County Health Services Department~~ and the Bay Area Air Quality Management District.

33.2 Funding of Closure and Postclosure Maintenance Plan. The Landfill operator shall submit to the Board of Supervisors or~~and~~ California Department of Resources Recycling and Recovery (CalRecycle)~~Integrated Waste Management Board~~ evidence of financial ability to provide for the cost of closure and postclosure maintenance in an amount not less than the estimated cost of closure and 15 years of postclosure maintenance as contained in the submitted closure and postclosure maintenance plan unless otherwise required by the State. Evidence of financial ability shall be in the form of a trust fund approved by the Board of Supervisors in which funds will be deposited on an annual basis in amounts sufficient to meet closure and postclosure costs when needed unless~~or~~ an equivalent financial arrangement is identified as acceptable to the Board of Supervisors. The Board of Supervisors determined that the State required financial guarantees approved and periodically reviewed by ~~and the California Integrated Waste Management Board~~CalRecycle are equivalent and therefore adequate to satisfy this condition. The Landfill operator shall maintain a trust fund balance that equals or exceeds the requirements of state law or regulation notwithstanding, however, the trust fund balance shall be at least equal to the then current closure and postclosure cost estimate at such time the landfill has reached one-half of its permitted capacity. The Trust Fund balance requirement shall be appropriately adjusted if the landfill is closed in stages under Condition 33.4.

35.4 Resource Recovery Program Fee.

a) The Landfill developer or operator shall pay to the County of Contra Costa a resource recovery program fee of $200,000 annually, beginning July 1, 1990. The developer or operator shall deposit the monies in a segregated account established by the County. The extent of the fee shall be subject to reconsideration when a franchise or agreement is established for the Landfill. The resource recovery program fee from its inception shall be a pass-through business cost for the purpose of rate setting. The fee shall be adjusted annually to reflect the current Consumer Price Index.

~~a)~~b) As provided for under Condition 2.3, where there is an inconsistency

between this condition and the terms of the Landfill Franchise Agreement which effectively suspended this Resource Recovery Program Fee, the terms of the Landfill Franchise Agreement shall supersede Condition 35.4 (a) until such inconsistency no longer exists pursuant to Condition 2.3(d).

35.5 Violation of Prescribed Haul Route. Upon a receiving a written determination fromof the County that a user of the Landfill has violated Condition of Approval Section 29.2 by using a prohibited access route, and upon a written direction by the County, the Landfill operator shall impose on that user the sanction that is directed by the County. Such sanction may include a surcharge on the tipping fee, prohibition against accepting waste from that user for a designated period of time, revocation of County refuse-hauling license, or other sanction directed by the County. A system for reporting alleged violation and for monitoring enforcement data shall be established by the County and implemented by the Landfill operator.

History of Revisions

7/23/1990 – Original Land Use Permit Approval
11/1/1994 – Amendment 1 Approval (added COA 35.8)
6/25/2002 – Amendment 2 Approval (added Section 36 "Landfill Gas Power Plant" – LP012115)
11/18/2014 – Proposed New and Modified Conditions for 2014 Permit Review

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EXHIBIT C

OPTION B

PROPOSED NEW OR MODIFIED CONDITIONS FOR 2014 PERMIT REVIEW

LAND USE PERMIT 2020-89
CONDITIONS OF APPROVAL
KELLER CANYON LANDFILL

*This document only contains the Conditions of Approval proposed to be either added or modified. **

NEW Conditions are shown in **shaded text** for ease of identification.

MODIFIED Conditions are shown in underline/strikeout formatting to discern what changes are being proposed.

Underline = Language proposed to be added
~~Strikeout~~ = Language proposed to be eliminated.

* ***GLOBAL TEXT EDITS*** to the all Conditions of Approval to update and correct regulatory references and public agency names, like those noted below, are proposed to be applied to all applicable Conditions if approved as recommended.

- Community Development (CDD) → Conservation and Development (DCD)
- Riverview Fire Protection District → applicable Fire Protection District
- Health Services Department → Contra Costa Environmental Health [except those Conditions intended to refer to the Hazardous Materials Division]

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2.3 Assignment of Responsibility.

(a) The Board may assign the responsibility of administering specific Conditions of Approval or provisions of this LUP, such as State Minimum Standards, to County Departments or other units of government.

(b) The Board may suspend the implementation of conditions or provisions of this LUP where such conditions or provisions are inconsistent with the terms of a contract or agreement entered into between the Board and the operator or other units of government, or by the terms of a joint powers agreement where the County is a member of the joint powers agency. This would not alleviate the need to comply with the public approval process required when amending this LUP. Any Board approved suspension would automatically be nullified at such time as the contract or agreement no longer includes terms inconsistent with the specified condition.

(c) For the purposes of Condition 2.3(b), the Franchise Agreement between the County and the Landfill Owner as amended in November 1994, is an eligible contract.

(d) If no contract or agreement is in force, as referred to in Condition 2.3(b), the County retains authority to implement this LUP and all of its Conditions.

3.1 Compliance Objective. The Landfill developer and operator shall at all times comply with the requirements of laws and permits applicable to the facility. This condition is not intended to grant authority or assign responsibility to the County for the independent enforcement of regulatory and permitting requirements that fall within the primary jurisdiction of other agencies (see Condition 11.11).

3.3 State Minimum Standards. The operation and maintenance of this facility shall at all times comply with Minimum Standards for Solid Waste Handling and Disposal (California ~~Administrative~~ Code of Regulations, Title 14 and Title 27~~, Division 7, Chapter 3~~).

3.4 Land Use Permits. The Landfill developer and operator shall at all times comply with the provisions and requirements of this Land Use Permit. A violation of any of these conditions ~~is~~ may be cause for revocation of the Land Use Permit pursuant to County Code Section 418-4.020 following reasonable written notice. Alternatively, the County has the option of issuing formal notices and assessing penalties pursuant to Section 4.19 of the

Landfill Franchise Agreement or County Code Chapter 14-6, Civil Enforcement.

3.5 Solid Waste Facilities Permit. The Landfill operator shall conform with all provisions and requirements of the Landfill's Solid Waste Facilities Permit, and any related directives of ~~which is based on the guidelines of~~ the California Department of Resources Recycling and Recovery (CalRecycle) or Contra Costa Environmental Health, as the Local Enforcement Agency for CalRecycle~~Integrated Waste Management Board~~.

3.6 ~~Subchapter 15~~Class II Landfill Requirements. The Landfill operator shall at all times comply with the Class II waste disposal facility provisions and requirements of Article 3, ~~of Subc~~Chapter 15 ~~of Chapter 3~~ of Title 23 and Title 27 of the California ~~Administrative~~ Code of Regulations ~~("Subchapter 15") for a Class II waste disposal facility~~.

3.9 Notice Coordination. ~~Copies (or originals) of~~The Landfill operator shall notify the Department of Conservation and Development (DCD) in writing at the time any~~ll~~ report~~s~~ is submitted to other agencies concerning the design, operation, and maintenance of the Landfill ~~facility~~. ~~shall be sent by mail or hand-delivery, and c~~Copies shall be made available or mailed to DCD offices at 30 Muir Road in Martinez~~the Community Development Department~~ upon request~~, 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095~~.

5.1 Area of Origin. ~~The area of origin of all waste hauling vehicles admitted to the landfill, shall be Contra Costa County.~~ The Landfill operator shall not refuse to receive eligible wastes or cover materials which originate in Contra Costa County provided such wastes or materials are delivered to the facility in accordance with these Conditions of Approval and the landfill's Solid Waste Facilities Permit, and provided that ~~appropriate disposal~~the required governmental fees are paid. Rate setting requirements are specified in the Landfill Franchise Agreement and Section 12 of this Land Use Permit.

5.2 Out-of-County Wastes. *INVALIDATED BY LEGISLATURE*
~~The Landfill operator shall not receive wastes from outside Contra Costa County unless such imports of waste are specifically approved by the Board of Supervisors. This condition shall not apply to wastes which may be temporarily received under the Emergency Use provisions of Condition 6.5 or the Reciprocal Capacity Agreement of Condition 5.4.~~

5.5 Pre-Requisite Curbside Recycling Program. The Landfill shall not admit for disposal~~e of~~ waste loads from communities which do not have ~~in operation~~ an eligible curbside recycling~~,~~ or equivalent~~,~~ programs as determined by the

Department of Conservation and Development. An eligible program shall recover a range of recyclable materials ~~approved by the Board of Supervisors. Board of Supervisors approval may be interpreted as a~~ consistent ~~cy~~ with a curbside recycling program operating pursuant to a Board of Supervisors-approved franchise agreement.. The Board of Supervisors has the discretion to identify additional factors to be considered when determining~~e~~ ~~the~~ eligibility. The Board retains the authority to approve ~~of a~~ community~~'s~~ programs previously deemed to be ineligible by the Department of Conservation and Development.

6.1 Eligible Wastes. The Landfill operator shall allow only wastes eligible for disposal in a Class II facility, as defined by the Regional Water Quality Control Board to be admitted to the landfill. The wastes admitted to the landfill shall also be consistent with the Solid Waste Facilities Permit (07-AA-0032), administered by ~~the~~ Contra Costa Environmental~~unty~~ Health ~~Services Department~~, and consistent with the 1990 Environmental Impact Report and Board of Supervisors' policies and approvals (including the Board of Supervisors conditional authorization in 1992-93 to accept special wastes and limited direct haul – see Conditions 8.5 through 8.7) and these conditions of approval. To the extent allowed by law, the Board of Supervisors may direct the Landfill operator not to accept wastes that do not meet State and County policies and regulations.

6.2 Designated Wastes. The Landfill operator shall allow only those designated wastes (as defined in~~by~~ Section 20210~~522 of Article 2 of Subchapter 15,~~ of Title ~~23~~27, of the California ~~Administrative~~ Code of Regulations and Section 13173 of the California Water Code) approved for this facility by the San Francisco Regional Water Quality Control Board, and shall be consistent with the ~~Solid Waste Facilities Permit to be admitted for disposal~~waste types allowed for disposal pursuant to Condition 6.1. The Board of Supervisors may designate special rates for this waste to the extent allowed pursuant to the terms of the Landfill Franchise Agreement.

6.5 Emergency Use. If the service area of the Landfill is determined to be a sub-area of the County, the County Department of Conservation and Dev~~l~~elopment or Contra Costa Environmental Health ~~Services Department~~ may allow legal waste originating in areas of Contra Costa County, other than those stipulated in Section 5, to have access to the landfill for periods up to 180 days on an emergency basis. The department(s) may grant one extension for no longer than 180 days. The Board of Supervisors may allow the emergency use of the landfill to continue for any time period deemed necessary~~up to two years~~.

6.6 Hazardous Waste Screening and Management. See Section 19.

6.7 Area of Origin Restrictions. See ~~Condition~~ Section 5.

7.2 Load Covering. The Landfill operator shall spot check all incoming waste-hauling vehicles for proper covering or containerization consistent with the requirements of Section 418-2.008(a) of the County Code. The operator shall ~~not admit~~identify any waste loads which are susceptible to littering or leakage because of the lack of covering, inadequate covering, or disrepair of screens, covers or containers. Customers delivering any such waste loads shall be required to provide evidence that corrective actions have been taken to effectively cover and contain waste loads (e.g. waste adequately secured with covers and containers in good repair) in order to be eligible to deliver waste loads in the future. Landfill operator shall track and report applicable details about the occurrences and corrective actions taken to the County Department of Conservation and Development annually.

8.1 Eligible Vehicles. The Landfill operator shall admit only the following refuse transport vehicles:

a) Transfer station trucks (vans) ~~from a transfer station located in Contra Costa County~~. Transfer stations shall have a Waste Management Program, which includes hazardous waste screening and resource recovery operations. Program may be subject to the approval~~ed~~ ~~by~~of the Board of Supervisors if deemed necessary for consistency with the Countywide Integrated Waste Management Plan.

b) Demolition and construction material trucks hauling debris that ~~is~~ would not be recycled or otherwise diverted from disposal if processed at a local Transfer Station or on-site consistent with the approved Materials Recovery Program (Condition 31.4) ~~originating in Contra Costa County~~. There are ~~If the Board of Supervisors has established~~ waste reduction requirements ~~goals~~that apply to such wastes generated by~~for~~ ~~the~~ businesses and industries ~~generating such wastes~~, therefore the operator shall assist the County to help ensure ~~generators shall~~ compliance~~y~~ with such requirements or goals through implementation and compliance with Conditions 8.5 – 8.7.

c) Incinerated sewage sludge-hauling trucks originating at utilities ~~located in Contra Costa County, or other utilities serving Contra Costa County~~.

d) Sewage and water treatment plant sludge and other byproduct trucks ~~originating in Contra Costa County,~~ with loads complying with San Francisco Regional Water Quality Control Boards solids-to-liquid requirements.

e) Trucks hauling Designated Wastes approved for this landfill by the Regional Water Quality Control Board. ~~The wastes shall originate in Contra Costa County.~~

f) Other specialized waste transport trucks, hauling wastes ~~originating in Contra Costa County and~~ identified in the Landfill~~'~~'s Solid Waste Facilities Permit which cannot be feasibly processed to increase diversion through a Transfer Station.

g) The provisions set forth in subsections (b) and (f) above shall become effective on March 16, 2016 or upon the commencement of on-site sorting to recover materials from mixed waste loads as provided for in Condition 31.4, whichever is sooner ("Implementation Date"). In order to continue accepting direct haul loads in specified vehicle types prior to and until the Implementation Date, the Landfill operator shall submit a revised Material Recovery Program (Condition 31.4) and a completed permit application to County Environmental Health for on-site sorting and recovery no later than April 1, 2015. The forgoing notwithstanding, in the event of a legal challenge to the County's approval of this modified Condition 8.1 and/or to the approval of a Material Recovery Program, the Implementation Date shall be the later of date of the resolution of the legal challenges including exhaustion of all appeals to final judgment, or March 16, 2016.

8.5 Direct Haul. Only wastes in the prescribed vehicles which would not be recycled or otherwise diverted from disposal if processed through a local transfer station may be considered for direct haul pursuant to the Procedures specified in Condition 8.6. At least once per year, the Landfill operator shall submit an updated list of waste and material types recovered prior to transfer for disposal at the landfill if contained in loads delivered to any of the local transfer stations open to the public. The annual list shall be subject to the review and approval of the Department of Conservation and Development and is intended to be used when screening direct haul eligibility pursuant to Condition 8.6(g). Loads containing materials that will be used as cover or otherwise beneficially reused on-site and treated as diversion under the Integrated Waste Management Act may be direct hauled without going through a transfer station.

8.6 Direct Haul Procedures. Direct haul process and materials shall be consistent with the Solid Waste Facility Permit (No. 07-AA-0032), this LUP, and applicable policies adopted by the Board of Supervisors including those identified in 8.6(k) below. The operator shall ensure new customers receive information consistent with i) and j) prior to gaining

access to the site. The operator shall conduct screening procedures specified in a) through h) prior to allowing customers to direct haul waste/material loads to the landfill. Operator shall provide written confirmation that eligibility has been demonstrated consistent with these procedures prior to loads being accepted for disposal. Operator shall summarize results of direct haul eligibility screening completed each quarter in the direct haul reports required under Condition 8.7.

a. Name of company and physical location at which the waste or material was generated.

b. Complete description of waste including chemical analysis and solids-to-liquid ratio when appropriate.

c. Description of originator's in-house waste inspection program(s) to ensure screening for hazardous and/or toxic materials or originator's written confirmation that their practices comply with uniform waste inspection program prepared by the Landfill operator.

d. Description of volume and expected frequency of waste to be hauled and a description of the specialized waste transport vehicle(s) to be utilized.

e. Description of the waste originator's in-house waste reduction and recycling program(s) or originator's written confirmation that their practices comply with a uniform waste reduction and recycling plan to be prepared by Landfill operator and approved by the Department of Conservation and Development.

f. Originator's or transporter's affirmation to adhere to County imposed haul route and peak hour hauling restrictions.

g. ~~Annual written confirmation by the Landfill operator, to be reviewed and approved by the Department of Conservation and Development that the waste(s) to be disposed is(are) not currently accepted for recycling (or otherwise diverted from disposal) at transfer stations within Contra Costa County~~ Effective on March 16, 2016 or upon the commencement of on-site sorting to recover materials from mixed waste loads as provided for in Condition 31.4, whichever is sooner ("Implementation Date"), the Landfill operator shall prior to acceptance verify that Class III waste loads do not contain recyclable materials on the approved annual listing described in Condition 8.5 unless being accepted for on-site diversion or recovery pursuant to the Material Recovery Program (Condition 31.4). The forgoing notwithstanding, in

the event of a legal challenge to the County's approval of this modified Condition 8.6 and/or to the approval of a Material Recovery Program, the Implementation Date shall be the later of date of the resolution of the legal challenges including exhaustion of all appeals to final judgment, or March 16, 2016.

h. Written waste eligibility determination from Keller Canyon Landfill Company based on a) through g) above.

i. Requirements of Keller Canyon Landfill Company describing contract for landfill use, rules and regulations of the landfill (e.g. on-site speed limit), prescribed haul route, load inspection program, driver training program, and any other such information as required.

j. Requirements for proper load covering or containerization and consequences for non-compliance specified in Condition 7.2.

k. Any other information required by the Director of Conservation and Development, or by the actions of the Board on August 11, 1992 October 27, 1992, November 24, 1992, August 17, 1993 and December 14, 1993.

8.7 Direct Haul Reports. The Landfill operator shall submit quarterly direct haul reports to the Department of Conservation and Development. The quarterly reports shall contain details about all direct haul loads, including the date accepted, customer (company) name, waste type, tonnage, location and jurisdiction of waste/material origin (city and county) and end use (disposal, cover or other on-site beneficial reuse). Summarized results of all direct haul eligibility screening conducted during each period shall be submitted in conjunction with the quarterly waste origin reports. The quarterly reports shall also identify the total tonnage of municipal solid waste (Class III waste) received that quarter, total tonnage of Class II wastes received that quarter, and the percentage of total waste received which is characterized as Class II. If determined necessary by DCD, additional reporting information or more frequent reporting may be required in the future.

8.8 Emergency Direct Haul. In the event that a natural disaster or other emergency prevents the timely processing of wastes through a transfer station before disposal at the landfill, such waste or loads may be considered for direct haul. The landfill operator shall submit a written request to the County Department of Conservation and Development when circumstances or conditions warrant, or may warrant, emergency direct haul to the landfill. The landfill operator shall not proceed with emergency direct

haul until written approval has been provided by the Director of the Department of Conservation and Development. The landfill operator shall submit an incident report describing the basis for emergency direct haul and the contingency actions taken.

9.1 Hours of Operation. The Landfill operator shall not open the landfill to receive waste loads before 7:00 a.m. or after ~~7:30~~7:00 p.m. Refuse shall be covered by 7:30 p.m. at which time working lights shall be extinguished. Entry and security lights shall be dimmed at 7:30 p.m. Other hours of operation, within those parameters, may be specified by the County Health Services Department or in the Landfill's Solid Waste Facilities Permit. Special loads may be received at other times in accordance with procedures established by ~~the County~~ Contra Costa Environmental Health~~ Services Department~~ or the Department of Conservation & Development.

The Director of ~~Community~~ Conservation and Development may administratively shorten or extend the hours of operations prescribed above after consultation with the Landfill operator, ~~the County Health Services Department~~Contra Costa Environmental Health, and the ~~Local Advisory Committee~~City of Pittsburg, after holding a public hearing to obtain the comments of other interested parties. To shorten the hours of operation, the Director of ~~Community~~ Conservation and Development shall find that the changes are needed to mitigate substantial noise, traffic, or similar impacts arising from the operation of the Landfill which were not known when this Land Use Permit was adopted. To extend the hours of operation, the Director of ~~Community~~ Conservation and Development shall find that longer hours will not cause traffic, noise, glare, or similar impacts of Landfill operations to substantially increase in the vicinity of the Landfill. Exceptions to this limitation may be granted in response to natural disasters or other emergencies if deemed warranted by the Director of Conservation and Development if required to address any applicable officially declared disaster.

9.2 Operating Days.~~:~~ The landfill shall remain open for operation six days a week except on Holidays. It shall close on Sundays. Exceptions to this limitation may be granted in response to natural disasters or other emergencies if deemed warranted by the Director of Conservation and Development.

9.3 Maximum Daily Tonnage. The landfill may accept for disposal a maximum of 3,500 tons of refuse per day~~ through the year 2005~~. The Board of Supervisors shall review and revise, if necessary, the maximum allowable tonnages per day~~, prior to the year 2005~~. If the Board establishes sub-County service areas, maximum tonnages for each landfill ~~shall~~ may be

prorated to reflect their service areas. The Board may increase the maximum daily tonnages, if necessary, to reflect Reciprocal Capacity Agreements or emergency measures. Exceptions to this limitation may be granted in response to natural disasters or other emergencies if deemed warranted by the Director of Conservation and Development. The Landfill operator shall submit quarterly reports to the Department of Conservation and Development solely showing daily waste tonnage accepted for disposal.

10.1 Volume Estimation. The Landfill operator shall prepare reports annually estimating the remaining landfill site life (years) and capacity (cubic yards and tons). Reports shall be submitted to the Department of Conservation and Development by March 1st of each year.~~submit topographic maps of the landfill and a report of capacity absorption and fill rates to the Community Development Department every two years on the anniversary date of the landfill's opening.~~ The Landfill operator shall also submit an initial topographic map prior to receiving wastes.

10.3 Waste Characterization. The Landfill operator shall participate with transfer station operators serving the landfill in a tracking and reporting program to characterize incoming wastes by generator (customer) name, type, amount, and originating community and perform detailed load inspections on vehicles according to a program specified by the Department of ~~County Community~~ Conservation and Development~~ Department and County Health Services Department~~. Reports shall be submitted to the ~~County~~ Department of Conservation and Development on a quarterly basis on or before the landfill reporting deadlines specified in the Disposal Reporting regulations (Title 14).

11.1 Permit Review. The Landfill operator shall submit reports to the Department of Conservation and Development summarizing the compliance status for these Land Use Permit Conditions of Approval annually unless otherwise specified by the Director of Conservation and Development. The Board of Supervisors will hold annual public hearings to review the Conditions of Approval for this Land Use Permit for three years beginning one year after the commencement of operations of the Landfill. The Board may refer proposed changes to the Land Use Permit to the County Planning Commission for processing. Thereafter, the County Planning Commission shall hold public hearings on the Land Use Permit at three-year intervals. As a result of a review and public hearing, the County Planning Commission may recommend to the Board of Supervisors new or modified conditions to improve the public health, safety, and welfare or in response to court decisions or regulatory changes. Nothing in this condition shall preclude the Landfill owner from applying for amendments to the Land Use Permit at any time or preclude the County from addressing emergency situations or new requirements imposed by State or Federal legislation or the courts.

11.2 Local Advisory Committee. The ~~Community~~ Department of Conservation and Development ~~Department~~ shall organize, and the Landfill developer shall participate in a local advisory committee, consisting of elected representatives of local residents and neighborhood associations, to comment and advise on the development of the landfill and its operations. The Board of Supervisors may sanction the Local Advisory Committee as an official County committee. The committee shall be established as soon as reasonably possible after the Board of Supervisors' approval of this Land Use Permit, if such approval is forthcoming. Meetings shall be initiated following the approval of a Land Use Permit and shall be held at least quarterly through the first two years of landfill operation. Subsequently, meetings may be held annually, but with the provision for meetings on call by the chair or the written request of 3 or more members unless otherwise specified by the County Board of Supervisors. The County Health Services Department shall be notified at least 10 days in advance of all meetings. Subjects for consideration at meetings will include, but shall not be limited to safety and emergency procedures, landfill fill-related traffic problems, screening of visual impacts and problems of litter, odor, and noise control. Meeting agenda also may include discussion of reports on the landfill construction, operation and maintenance. The Landfill operator shall provide reasonable access to the landfill arranged through the ~~Community~~ Conservation and Development Department. A surcharge on the tipping fee may be used to fund the advisory group's operations.

11.3 Insurance and/or Bonding. The applicant shall provide the insurance and bonds specified by the units of government having approval authority over the project. The applicant/operator is obligated to comply with additional County specified insurance and bonding requirements pursuant to Article 12 of the First Amended Landfill Franchise Agreement. Subjects ~~will~~ may include, ~~but not be limited to,~~ continuity of landfill operation, non-compliance, emergency measures, construction performance, landscaping and closure.

11.4 Notification Program. The Landfill operator shall prepare and implement a program to notify potential ~~users of the landfill~~customers and periodically remind existing customers of the Landfill's ~~its~~ opening and closing times, and the conditions of its use, including waste reduction and recycling requirements, load covering requirements, site access regulations, truck maintenance to conserve fuel and a detailed list of prohibited hazardous wastes and alternative disposal options. Customers shall also be notified and periodically reminded of waste acceptance eligibility criteria so that refuse loads containing materials on the list approved annually pursuant to Condition 8.5 are not being brought directly to the landfill. The program should be prepared in conjunction with the operator(s) of the transfer

station(s) serving the landfill consistent with the Board of Supervisors' policies on direct haul (see Conditions 8.5 through 8.7). It shall be approved by the County Department of ~~Community~~ Conservation and Development ~~Department~~.

11.6 ~~Compliance~~ Implementation and Mitigation Monitoring Program. The Landfill operator shall ~~provide a~~ fund ~~to support~~the County ~~staff~~ Department of Conservation and Development's program for monitoring of compliance with these Conditions of Approval and the Environmental Impact Report's mitigation monitoring program~~s, as designed and implemented by the County Community Development and Health Services Departments~~.

11.10 Conditions Requiring Franchise. Conditions of Approval ~~Nos.~~ 4.2, Operative Date, and 13.4, Franchise Agreement Requirement, require a franchise or agreement to be established by this County. All of ~~these Conditions of Approval~~the terms of said franchise or agreement shall be subordinate to ~~the terms of said franchise or agreement~~these Conditions of Approval, and these ~~terms of said franchise or agreement~~Conditions of Approval shall control in the case of any conflict unless otherwise provided for pursuant to Condition 2.3. There shall be no need to amend these Conditions of Approval or the franchise in the event of such a conflict.

11.11 Regulations Enforced by Other Agencies. Several of these Conditions of Approval relate, paraphrase or summarize laws and regulations which are imposed and enforced by other governmental agencies which have jurisdiction over particular aspects of this project. It is this Board's intent in adopting these Conditions of Approval to provide the applicant and the public with an overview of the scope of regulation applicable to this project and to provide this County with the authority to exercise enforcement power if deemed necessary in response to violations of such laws and regulations enforced by other agencies ~~are violated~~. Unless specifically stated in the Conditions of Approval, however, it is not this Board's intent to establish rules or regulations which are stricter than the laws or regulations which are applied to this project by the other agencies with jurisdiction over aspects of this project. If another agency primarily responsible for some aspect of this project finds that any action or inaction is in compliance with, or violates, any such law or regulation, that finding shall be conclusive. If these Conditions of Approval require some approval by any other agency and that agency declines to approve or disapprove the subject matter, such approval shall be deemed to have been given for purposes of these Conditions of Approval.

11.12 Required Expenditures. This Board does not intend, by requiring the applicant to fund various measures, to make any decision regarding whether or not, or how, any expenditures incurred may be recovered through the rate

structure or otherwise by the applicant. Any such decision by this Board shall be reserved for its consideration in the franchise or agreement. No inference regarding this issue is to be drawn from this Board's use of any particular terminology in these Conditions of Approval.

11.13 Designation of Authority. In any instance where a Condition of Approval provides that this Board will decide or act upon a certain matter, this Board may delegate the initial decision making or action with respect to that matter to the Director of ~~Community~~ Conservation and Development or such other designee as this Board determines to be appropriate, provided that there shall be a right of appeal to this Board from any decision to the Director of ~~Community~~ Conservation and Development or other designee.

12.1 Rate Approval.

a) The Board of Supervisors ~~shall~~ may at its discretion review and approve all rates charged by the landfill operator at the landfill to the extent allowed by the terms of the applicable Franchise Agreement. The rates established by the Board ~~will be not only~~shall be the maximum rates ~~but also minimum rates~~.

b) The landfill operator shall at all times maintain on file with the County, a current schedule of Base Rates and Gate Rates charged to each customer~~s~~ as required in Section 6.6 of the Landfill Franchise Agreement.

~~a)~~c) As provided for in Condition 2.3, where there is an inconsistency between the requirement(s) of this or any other rate setting Condition in Section 12 and the terms of the Landfill Franchise Agreement which granted the operator sole discretion over setting the base gate rate charged to customers, the terms of the Landfill Franchise Agreement shall supersede the applicable language in Condition 12.~~2~~1(a) and 12.2 - 12.6 until such inconsistency no longer exists pursuant to Condition 2.3(d).

12.2 Rate Review. ~~The~~ If the Board of Supervisors ~~shall~~ elects to review and approve rates, it should be done ~~—~~annually in accordance with ~~an approved~~the rate ~~application~~ review procedure established by the County. More frequent review of rates may occur if requested by the landfill operator and if the Board determines that changing circumstances warrant such review. The Board may also review rates more frequently if the Board determines that it is in the public interest to do so pursuant to the terms of the Franchise Agreement for the landfill.

12.3 Form and Content of Rate Review Application. The landfill operator shall

submit its rate application in a form and content as specified by the County. The Landfill operator shall provide any relevant rate and cost information requested by the County. Such application may require the landfill operator to submit the application on forms and/or using computer software provided by or specified by the County. The County shall have the right to inspect and audit all records of the landfill operators which support its rate review application.

13.1 Franchise Compliance and Agreement. The ~~Permitee~~ Landfill operator shall be subject to the terms and conditions of any franchise or agreement established by the Board of Supervisors. A draft franchise or agreement shall be submitted with or before the Final Development and Improvements Plan.

13.2 Assignment. The landfill operator and the landfill owners shall not assign or subcontract the franchise or agreement, any part of the franchise or agreement or any obligation of the franchise or agreement without written prior consent of the Board of Supervisors. Unless otherwise specified in the franchise agreement, ~~The~~ the term "assignment" shall include any dissolution, merger, consolidation or reorganization of the landfill's ownership or the sale or other transfer of the controlling percentage of the owner's stock in the landfill or the sale of 51% of the value of the assets of the landfill's owners.

14.2 Regulatory Agency Approvals. Subsequent to the approval of this Land Use Permit, the Landfill Developer shall obtain approvals from the regulatory agencies having jurisdiction over the project, and obtain their detailed requirements for building, serving, and operating the Landfill. The approvals shall include, but are not limited to:

a) Waste Discharge Requirements from the Regional Water Quality Control Board.

b) Authority to Construct (and Authority to Operate Requirements) from the Bay Area Air Quality Management District.

c) Wetland Modification Permit from the Army Corps of Engineers.

d) Streambed Alteration Agreement from the State Department of Fish and Game.

The Landfill developer shall notify the ~~Community Development~~ Department of Conservation and Development if proposed or adopted permit conditions or requirements of other regulatory agencies do not appear to be consistent with this Land Use Permit or the Landfill's Environmental Impact Report. The Landfill operator shall submit to the County copies of all new and modified permits or entitlements at the time each is issued or approved by the

applicable regulatory agency.

16.2 Seismic Design. The Landfill, its drainage features and operating components (lifts, berms, liners, sediment pond, leachate and gas collection systems and major stockpiles) shall be designed to withstand ~~the Maximum Credible Earthquake (MCE) and a 0.65g acceleration rate~~earthquakes as specified in applicable regulations. The Landfill developer shall utilize a MCE (design earthquake) specified by the ~~County Community Development Department and the~~ San Francisco Regional Water Quality Control Board. The Landfill developer shall provide substantiation in the Final Development and Improvements Plan that the Landfill design will withstand the MCE.

16.4 Geotechnical Inspector. The Landfill operator shall ~~contract with the County, or through the County, for~~fund the costs of an independent geotechnical consultant, who shall be selected by and be responsible to the County. The ~~consultant~~ Inspector shall inspect ~~regularly~~ the installation and condition of liners, leachate control facilities and other installations, identified by the County, as they are installed and periodically thereafter as directed by the County. This provision shall remain in force over the life of the landfill.

16.6 Slope Monitoring. The Landfill operator shall install and maintain slope monitoring stakes on landslides and sensitive slopes which could affect an operating Landfill. The monitoring program shall be approved by the County ~~Community Development~~ Department of Conservation and Development.

16.8 ~~Post-Earthquake~~Emergency Landslide and Earthquake Program. The Landfill operator shall prepare and implement an emergency program for inspecting the Landfill facility, dealing with failures and providing for uninterrupted refuse handling for implementation following a ~~substantial~~ landslide and/or earthquake. The program shall be subject to the approval of the County ~~Community Development~~ Department of Conservation and Development, ~~and the County~~ Contra Costa Environmental Health ~~Services Department~~ and the Regional Water Quality Control Board.

17.6 Downstream Well Monitoring. The groundwater monitoring program shall include selected wells down gradient from the site. The wells shall be subject to approval by the San Francisco Regional Water Quality Control Board ~~and the County Health Services Department~~. The Landfill operator shall sample and analyze water from these wells ~~on a quarterly basis~~as required by the Regional Water Quality Control Board. The location of these wells shall be identified on the Development and Improvements Plan.

17.11 Water Balance Calculations. The Landfill operator shall provide water balance calculations, when requested by the ~~County Health Services~~

~~Department~~Regional Water Quality Control Board or other applicable regulatory agency, to evaluate intermediate stages of Landfill operation to ensure the maintenance of a proper solids-to-liquid ratio.

17.17 Working Face. The Landfill operator shall maintain a maximum daily working face of 3 acres or less in order to minimize surface water infiltration to the refuse, as well as to control dust and erosion, prevent vector proliferation, and minimize visual impacts. Exceptions to this limitation may be granted in response to natural disasters or other emergencies if deemed to be warranted by the Director of Conservation and Development.

18.2 Surface Drainage System. The Landfill operator shall install and maintain a Landfill surface drainage system which shall be designed to meet State Class II standards. It shall accommodate a 1,000-year, 24-hour design storm, as specified by the County Public Works Department and the San Francisco Regional Water Quality Control Board (SFRWQCB). The drainage system shall convey surface water around the active fill area without contacting the working face or any solid waste. The surface drainage system shall be approved by the SFRWQCB and the County ~~Community Development~~ Department of Conservation and Development and included in the Development and Improvements Plan. Surface flow shall be evaluated further with groundwater levels and precipitation factors prior to construction, and findings incorporated into the final landfill design in order to lessen impacts to surface water flow. Flow rates and groundwater levels shall be monitored through the life of the landfill. If loss of surface flow is determined to have unforeseen impacts, a like amount of water shall be provided.

18.4 Surface Water Management and Sediment Control Plan. The Landfill developer shall prepare and implement a Surface Water Management and Sediment Control Plan, which shall be subject to the approval of the County ~~Community Development~~ Department of Conservation and Development. The plan shall include a Stability Analysis of proposed cut and fill slopes, and shall prevent substantial erosion on slopes on the project site and reduce the amounts of water-borne materials from reaching surface waters. It shall include the components listed below, and it shall be included in the Final Improvements and Development Plan.

(a) Primary Grading. The Landfill developer shall perform primary grading for the project's fill modules, cover, roads, paved areas, building sites, and the construction of site slopes during the April through October low rainfall season.

(b) Temporary Flow Restriction. If grading must be done during rainy periods, or if erosion is occurring on previously graded areas, the

Landfill developer shall take corrective actions, which may include the installation of ground cloth or the placement of hay bales.

(c) Ground Cover. The Landfill developer shall plant ground over on graded areas which are not to be developed within 90 days. The ground cover shall be consistent with the Landscaping Plan.

(d) Ditch/Swale Liners. The Landfill developer shall line any ditches and swales for conveying surface runoff across sanitary Landfill areas to limit water infiltration. Drainage-ways across other areas shall be lined or planted to limit erosion.

(e) Sedimentation Ponds. The Landfill developer shall install and maintain a sedimentation pond system prior to other landfill development to hold and process drainage from the Landfill property which shall be designed to withstand the 1,000-year, 24-hour design storm and Maximum Credible Earthquake event. The Landfill developer shall develop a program for monitoring storage volumes in the sedimentation ponds and releasing water depending on expected rainfall. Flow rates for downstream discharge shall not exceed the 25-year, 24-hour design storm. The program shall include a preventive maintenance program which shall include a program for clearing of sedimentation ponds and maintenance of perimeter ditches and vegetative cover. The owner shall submit documentation to the Department of Conservation and Development ~~documentation~~ to demonstrate that basin maintenance (e.g. dredging) has been completed as needed or required prior to the start of the rainy season (October 15th). The program shall be subject to approval from the County ~~Community~~ Department of Conservation and Development, Contra Costa Environmental Health ~~Services~~, ~~and~~ Public Works Department~~s~~, and the San Francisco Regional Water Quality Control Board. The efficacy of the Landfill surface water control system in reducing downstream flooding shall be addressed in the annual and triennial reviews required by Condition 11.1.

f) Runoff Conveyance. Erosion to ditches or gullys used to convey runoff shall be corrected by use of appropriate measures such as energy dissipators or rip rap.

g) Equalization Basin. Water in contact with the working face area of the landfill shall be discharged into an equalization basin, monitored, and treated if necessary.

19.4 ~~Transfer Station~~Hazardous Waste Pre-screening. The ~~Household Hazardous Waste Program shall include pre-screening at transfer stations for identification and separation of hazardous materials. In addition,~~ landfill

entrance load screening procedures and a manual load check program during unloading operations shall be included in the load screening program required under Condition 7.1. Landfill employees~~operators~~ shall be instructed to investigate suspicious containers for hazardous materials during bulldozing and other activities. Any hazardous materials found shall be set aside for proper collection and disposal.

19.5 Regulatory Agency Approvals. The collection and storage of toxic and hazardous wastes pursuant to this section shall be subject to County Health Services Department's Hazardous Materials Division, State Department of Health Services, and other regulatory agency approvals.

20.2 Odor Containment. The Landfill operator shall operate the Landfill in a manner that prevents odors from being detected off-site, pursuant to Regulations 7-101 and 7-102 of the Bay Area Air Quality Management District. If odors are reported to ~~the~~ Contra Costa Environmental~~unty~~ Health~~ Services Department~~, or reports are relayed from the Bay Area Air Quality Management District, the Department of Conservation and Developement or Contra Costa Environmental~~the~~ Health ~~Services Department~~ may require additional physical improvements or management practices as necessary to alleviate the problem. Contra Costa Environmental~~The~~ Health ~~Services Department~~ shall have the authority to cease disposal at a particular area of the Landfill, to control odors. A small daily working face (3 acres or less) shall be maintained. The leachate treatment system shall be enclosed and properly maintained to control odors from leachate. The landfill gas collection system and flare shall utilize BACT to reduce landfill gas as a source of toxics and odor.

The Landfill operator shall implement Best Management Practices of the industry to minimize odors from operations and emissions from equipment. If the operator is contacted about odors being~~are~~ detected off-site~~ in surrounding areas~~, the date, time and description of the odor complaint~~s~~ shall be logged and investigated promptly to expedite implementation of any necessary corrective action by ~~a~~ the landfill operator. The Landfill operator shall contact Contra Costa Environmental Health or the Bay Area Air Quality Management District at minimum of once per year to obtain any information possible about odor complaints received by each agency. Any~~ll~~ odor complaints received by the Landfill operator, Contra Costa Environmental Health or the Bay Area Air Quality Management District shall be included in the annual Activities Report required under the Landfill's Franchise Agreement unless otherwise specified by the Director of Conservation and Development. The landfill operator shall provide a means for receiving after hours odor complaints. Complaints shall be promptly investigated (after hours investigations

required if/when multiple after hours complaints received on the same day or on multiple consecutive days) -to identify whether~~. T~~ the source of the odor is on the landfill site, in which case the problem should be corrected in a timely manner. A response to the person lodging the complaint shall be made within 48 hours and copied to the Department of Conservation and Development, detailing the problem and remedial action taken.

20.3 Cover Frequency. The Landfill operator shall cover newly disposed refuse with compacted soil or other cover material meeting ~~the~~state regulatory requirements enforced by Contra Costa Environmental Health ~~or~~and CalRecycle ~~of the State of California (currently, a minimum of 6 inches of daily cover)~~and approved in writing by the Department of Conservation and Development. All working faces of the Landfill shall be covered by the end of the working day. Intermediate cover, meeting the requirements of the State ~~(currently a minimum of 12 inches)~~ shall be applied over each layer of cells ("lift"). The type of cover material and frequency of cover shall be modified~~increase~~ in order to control odor, litter or birds, if necessary, or if required by the Director of Conservation and Development or the Landfill's Solid Waste Facilities Permit.

20.4 Odoriferous Loads. The Landfill operator shall identify potentially~~cover extremely~~ odoriferous loads prior to acceptance and make any arrangements needed to ensure that disposal of odoriferous loads is managed to avoid off-site detection, which may involve covering such incoming loads immediately.

20.7 Air Flow Monitoring. The Landfill operator shall monitor air flow on the site upon commencement of operations and shall provide background meteorological conditions including wind direction, wind velocity, ~~on-site air flows,~~ and temperature. After the Landfill is in operation, data shall be used to correlate odor, dust, or litter management with meteorological conditions. Air flow monitoring reports shall be submitted or made available to the Contra Costa Environmental Health ~~unty Health Services~~ and the Department of Conservation and~~Community~~ Development~~ Departments~~ upon request.

20.8 Contingency Program. Prior to the start of filling operations, Landfill operator shall prepare a "bad days" contingency program for managing the Landfill during periods of unusual wind speeds or directions, rainfall or drought or other atypical situations. It shall apply specific site monitoring information. The Landfill operator shall consider the comments of the City of Pittsburg ~~local advisory committee~~ and consult with the Bay Area Air Quality Management District and the Regional Water Quality Control Board. The program shall be approved by the ~~County~~ Department of Conservation and

Development and Contra Costa Environmental Health ~~Services Department~~, and it may be revised from time to time. See Condition 25.4.

20.9 Revegetation. The Landfill operator shall revegetate completed Landfill areas ~~immediately~~. Revegetation shall be in ~~be~~ accordance with the Development and Improvements Plan and shall be consistent with ~~the County policy on landscaping and~~ State and local water conservation landscaping requirements. Intermediate and final cover areas shall be reseeded with native grasses~~vegetated~~ immediately. Excavations shall be reseeded with native grasses~~vegetated~~ or filled immediately. Operating areas which will not be used for fill or construction for 90 days or longer shall be planted for dust and erosion control and for aesthetic purposes. Landfill operator shall provide the County Conservation and Development Department with written notice and documentation (e.g. photographs) of any inactive unvegetated areas of disturbance not being reseeded immediately whether due to on-site activity associated with the landfill (construction or operations) or naturally occurring (landslides, etc.). The Director of Conservation and Development may require that revegetation notices be submitted more frequently and/or on a fixed schedule.

20.17 Landfill Gas Testing. The Landfill operator shall test Landfill gas for its toxic composition and for toxic constituents. The testing program shall be subject to the approvals of the Bay Area Air Quality Management District ~~and~~, ~~the~~ Contra Costa Environmental Health~~unty Health Services~~ and the ~~Community~~ Department of Conservation and Development ~~Departments~~. The Landfill operator shall provide the results to the County ~~Community Development~~ Department of Conservation and Development and Contra Costa Environmental Health ~~Services Departments~~ on a bi-annual ~~quarterly~~ basis unless a more frequent interval is specified in the Solid Waste Facilities Permit.

20.19 Cell Re-Opening. Previously-~~covered~~ closed cells shall not be reopened without permission from Contra Costa Environmental~~the County~~ Health ~~Services Department~~. The Department of Conservation and Development shall be notified of any occurrence that potentially necessitates that one or more cells be re-opened.

20.20 Fissure Repair. The Landfill operator shall inspect the Landfill daily. Surface cracks, fissures, eroded areas, or inadequately covered areas on the Landfill may require repairs within 24 hours. The Department of Conservation and Development shall be notified in writing at the time the operator identifies any substantial surface cracks or fissures requiring repairs beyond the placement and compaction of additional clean soil. Photo of the crack should accompany the written notice which describes he

expected cause and corrective action plans and repair schedule. This activity shall be included in the employee training program.

20.23 Speed Limits. The Landfill operator shall enforce speed limits set by the Contra Costa Environmental Health~~unty Health Services Department~~ on internal site roads. The Landfill operator shall install appropriate signs and speed control devices. The maximum internal on-site speed limit shall be 20 mph unless otherwise specified by Contra Costa Environmental Health.

21.2 Noise Monitoring Program. The Landfill operator shall prepare and implement a noise monitoring and abatement program, which shall be approved by the County ~~Community Development~~ Department of Conservation and Development and Contra Costa Environmental Health ~~Services Departments~~. The program shall monitor noise levels at sensitive receptor locations, one West of Bailey Road and South of West Leland Road, one near Bailey north of West Leland, and another in the Jacqueline Drive area south of West Leland Road. The Director of ~~Community~~ Conservation and Development may specify other monitoring locations. Noise monitoring reports shall be submitted to the County Conservation and Development Department on a quarterly basis unless otherwise specified by the Director of Conservation and Development. If the monitoring noise levels at the Landfill boundary line or other monitored location exceed 60 dBA during daylight hours, or 50 dB~~bD~~A during the evening or at night, the County may require the operator to institute additional noise reduction measures to bring noise emanating from the Landfill to the forementioned levels or less.

22.2 Landscape Plan. The Landfill developer shall prepare and implement a site Landscaping Plan. The plan shall enhance the site's visual values as open space and its functional values as wildlife habitat. It shall minimize the visual impacts of the landfill operations and appurtenant facilities through revegetation and landscape screening. The plan shall show the plant species, size, and locations to be used to blend in with the existing natural vegetation. Natural, drought tolerant species shall be used, in accordance with State and local ~~County Policy on W~~water ~~C~~conservation ~~L~~landscaping requirements. A landscape maintenance program shall be part of the plan. A Weed Monitoring and Control Program shall be included, containing a listing of noxious weeds, a monitoring program, and abatement measure options. A Landscape Plan shall be included in the Development and Improvements Plan. The Landscape Plan shall assure no visual impact on the Cities of Concord and Clayton consistent with the Environmental Impact Report.

24.6 Mosquito Control. The Landfill operator shall grade areas within the Landfill

property to prevent ponding of water which could harbor mosquitos (except for sedimentation ponds and riparian habitat areas). Sedimentation ponds shall be stocked with mosquito fish unless otherwise specified by the Mosquito & Vector Control District. If a mosquito problem persists, ~~the~~ Contra Costa Environmental ~~unty~~ Health ~~Services Department~~ may require the preparation and implementation of additional mosquito control measures, such as spraying of non-toxic larval suppressant.

25.1 Litter Control Objective. The Landfill operator shall manage the facility in a manner which confines litter to the working face of the Landfill, which prevents litter from accumulating on ~~an~~other parts of the site, and which prevents litter from being blown off the site.

25.2 Load Covering. The Landfill operator shall implement a program ~~to~~ requiring landfill users (customers) to securely containerize their load to avoid littering and exclude uncovered loads from arriving at the Landfill consistent with the requirements of Section 418-2.008 of the County Code. The program shall be subject to the approval of the County Department of Conservation and Development and Contra Costa Environmental Health ~~Services Department~~. See also Condition 7.2.

25.4 Contingency Litter Control. Under windy conditions, the Landfill operator shall cover the refuse with County approved cover materials ~~soil~~ as often as necessary to control blowing litter. Other options shall be considered as necessary, including the alignment of unloading areas away from the prevailing wind direction, increasing the number of compactors, decreasing the active face size, and reducing the number of vehicles tipping at one time. The Contingency Litter Control measures shall be contained in the Litter Control and Prevention Program that is subject to review and approval of t~~T~~he Department of Conservation and Development and Contra Costa Environmental ~~County~~ Health ~~Services Department~~. Contra Costa Environmental Health shall have the authority to enforce this requirement. See Section 20.8.

25.7 On-Site Litter Policing. The Landfill operator shall remove litter from the litter fences and planting screens at least once each day. On-site roads, including 500 feet of Bailey Road south of the site entrance, shall be policed at least daily. ~~The~~ Contra Costa Environmental ~~unty~~ Health ~~Services Department~~ may require more frequent policing to control the accumulation of litter.

25.8 Off-Site Litter Policing. The Landfill operator shall provide weekly (or more frequent) litter clean-up along Bailey Road from ~~West Leland Road~~Highway 4 to at least 500 feet south of the site entrance ~~during the Landfill's first year~~

~~of operations~~. Based on experience, the County Department of Conservation and Development or Contra Costa Environmental Health ~~Services Department~~ may modify frequency of clean-up and/or area of coverage. If wind-blown litter from the landfill reaches other properties, the Director of Environmental Health ~~Services~~ or the Director of Conservation and Development may require the Landfill operator to remove the litter and the Director(s) may require the operator to institute additional measures to prevent recurrence of the problem.

25.11 Public access. Public access to the landfill shall be prohibited unless such access is provided for special events, such as tours, open house functions or wetland field trips for local schools.

26.9 Gas Migration Monitoring. The Landfill operator shall prepare and implement a gas migration monitoring program to detect underground gas migration. Landfill buildings and paved areas within 1,000 feet of the Landfill disposal area shall be monitored unless otherwise specified in state regulations. The monitoring program shall be approved by Contra Costa Environmental Health~~the County Health Services Department~~.

27.3 Security Staffing. The Landfill operator shall staff the Landfill 24 hours per day. Private security services may be retained when the site is not open to patrol and/or aid with investigating after hours odor complaints (see Condition 20.2) as needed.

29.2 Access Route. Access to the landfill facility shall be via State Highway 4, and Bailey Road unless alternate routes are approved by the County Department of Conservation and Development on an interim basis. No waste-hauling traffic shall be allowed entrance to the landfill from Bailey Road south of the site. The Landfill operator shall specify use of the prescribed route in all user contracts and shall notify non-contract users of the requirement. At the request of the Board of Supervisors, the Landfill Operator shall reimburse the County for the cost of enforcement of this Condition on the access route. The Board of Supervisors may also request the Landfill operator to reimburse the City of Concord for an access control police inspection stop on Bailey Road should it become necessary to enforce this access route condition.

29.9 Peak Period Traffic Management. The Landfill operator shall prepare a study, in conjunction with the local transfer station(s) serving the landfill, for managing transfer vehicle traffic to reduce peak period conflicts with traffic on Highway 4. The study shall address the restricted departure periods from the Landfill identified in the Environmental Impact Report (6:30 - 8:30 a.m. and 3:30 - 6:30 p.m.) and shall identify any changes to the conditions of

approval needed to implement a peak-period traffic reduction program. The study shall be approved by the County Public Works and Conservation and~~Community~~ Development Departments and shall be provided ~~to the County Community Development Department~~ with the Development and Improvements Plan. The Director of ~~Community~~ Conservation and Development has imposed the ~~shall specify~~ peak period traffic restrictions identified in a) and b) below. The Director of Conservation and Development may specify any additional peak period traffic restrictions deemed to be warranted. The Landfill operator shall comply with such restrictions, and shall require compliance in contracts with Landfill users.

a) The A.M. peak period departure from the landfill shall commence at 7:10 a.m.

b) A three minute interval shall be maintained between waste hauling vehicles en route to Highway 4 westbound during the period of 7:10 a.m. and 8:30 a.m.

c) Waste hauling vehicles en route to eastbound Highway 4 (the uncongested "reverse commute" direction) may be released without restriction

30.0 Site Services and Utilities Objective. The Landfill developer shall design, develop and manage the facility in such a manner that services and utilities adequately meet the landfills requirements, while ensuring the protection of site employees, area residents, and the surrounding environment.

31.4 Materials Recovery. The Landfill operator shall prepare and implement a Materials Recovery ~~p~~Program for recovering recyclable materials from refuse loads brought directly to the landfill. The Program shall describe in detail all existing and proposed on-site recovery activities and the associated percent of waste diversion for each, including materials diverted for use as cover, on-site beneficial reuse as well as transported off-site (e.g. biomass facilities). The Program shall include proposed on-site recovery activities intended to handle source separated loads and comingled loads to be sorted on-site to increase diversion. On-site recovery activities for direct haul loads of Class III waste loads containing recyclables shall be designed and operated to ensure that diversion levels are not less than 50%. The Landfill operator shall pay all County fees and surcharges on materials recovered on-site in the same manner as if material was disposed.~~The operator shall coordinate the material recovery program with the operator(s) of a transfer station(s) serving the Landfill~~. The ~~p~~Program shall be consistent with Conditions 8.5 and 8.6 ~~the~~ and shall only include on-site direct haul recovery activities that will divert no less than an average of 50% for consistency with the Countywide Integrated Waste Management Plan. The Program ~~and~~

shall be subject to the approval of the County ~~Community Development~~ Department of Conservation and Development.

31.5 Composting Program~~ject~~. The Landfill operator shall develop and implement a ~~pilot~~ program for composting organic material ~~at the landfill site~~. The program may occur at the landfill site, off-site or in coordination with third party(ies), and shall be approved by ~~the County Health Services~~ Contra Costa Environmental Health and the ~~Community Development~~ Department of Conservation and Development. The compost shall be used for landfill landscaping, cover material or other approved on-site uses; alternatively, compost can be made available or sold off-site. The purpose of the composting program~~purpose of the pilot project~~ shall be to ~~determine~~ implement a cost effective and feasible means of providing adequate local~~l~~ organics diversion capacity through ~~ility of~~ large-scale ~~on-site~~ composting. The composting operations shall be subject to regulatory and permitting requirements enforced by Contra Costa Environmental Health, the Air District and the Water Board ~~meet the State Department of Health Services' regulations on land application, if applicable~~. No later than January 1, 2016, ~~T~~the Landfill operator shall submit substantiation that they have applied for the required regulatory approvals (permits) processes necessary to conduct large-scale composting or demonstrate that arrangements are underway to implement an equivalent off-site program. The Landfill operator shall make all feasible efforts to assist the County in ensuring that there will be adequate composting capacity available to readily divert the organics waste stream generated in Contra Costa County which is currently used as Alternative Daily Cover (ADC) prior to the sunset of the ADC diversion credit on January 1, 2020. ~~pilot project shall be in operation within six months of the opening of the Landfill. Its results shall be considered at the second Land Use Permit review.~~

31.6 Wood Chipping. The Landfill operator shall establish a program to encourage landscape services and construction/demolition ~~material~~ debris haulers to segregate wood material for chipping and diversion from landfill disposal. ~~-~~The program may occur off-site, however unless and until there is on-site recovery (waste diversion as defined in the Integrated Waste Management Act) the Landfill operator shall direct these customers to deliver loads of landscaping and construction/demolition debris to facility(ies) that recover and chip wood material. The program shall be submitted for review and approval~~ed~~ by the County ~~Community Development~~ Department of Conservation and Development and implemented on an ongoing basis following approval. ~~and~~ ~~shall be placed in operation within six months of the landfill's opening.~~

31.9 County Resource Recovery Management Program.

a) When directed by the County, the Landfill operator shall impose a tonnage surcharge adequate to support a County Resource Recovery Management Program~~ consisting of the Office of Resource Recovery Management and its program~~. The cost of the program to be supported by the surcharge shall not exceed $100,000 at 1987 levels. If other solid waste disposal facilities are subject to this or a similar condition, the County may pro-rate the cost of the program among them according to a formula approved by the Board of Supervisors.

b) As provided for in Condition 2.3, where there is an inconsistency between this condition and the terms of the Landfill Franchise Agreement which effectively suspended the collection of this Resource Recovery Management Program Fee, the terms of the Landfill Franchise Agreement shall supersede Condition 31.9 (a) until such inconsistency no longer exists pursuant to Condition 2.3(d).

32.2 Exemption. The Landfill developer may request, in writing, and the Director of ~~Community~~ Conservation and Development may grant, exemptions to Condition 32.1 for specific times for cause. An example is the placing of concrete.

32.6 Dust Suppression. The developer shall sprinkle or chemically treat graded areas, borrow sites, stock piles, and temporary pavements to control dust, as determined necessary by Contra Costa Environmental Health ~~the County Health Services Department~~ and the Bay Area Air Quality Management District.

33.2 Funding of Closure and Postclosure Maintenance Plan. The Landfill operator shall submit to the Board of Supervisors or~~and~~ California Department of Resources Recycling and Recovery (CalRecycle)~~Integrated Waste Management Board~~ evidence of financial ability to provide for the cost of closure and postclosure maintenance in an amount not less than the estimated cost of closure and 15 years of postclosure maintenance as contained in the submitted closure and postclosure maintenance plan unless otherwise required by the State. Evidence of financial ability shall be in the form of a trust fund approved by the Board of Supervisors in which funds will be deposited on an annual basis in amounts sufficient to meet closure and postclosure costs when needed unless~~or~~ an equivalent financial arrangement is identified as acceptable to the Board of Supervisors. The Board of Supervisors determined that the State required financial guarantees approved and periodically reviewed by ~~and the California Integrated Waste Management Board~~CalRecycle are equivalent and therefore adequate to

satisfy this condition. The Landfill operator shall maintain a trust fund balance that equals or exceeds the requirements of state law or regulation notwithstanding, however, the trust fund balance shall be at least equal to the then current closure and postclosure cost estimate at such time the landfill has reached one-half of its permitted capacity. The Trust Fund balance requirement shall be appropriately adjusted if the landfill is closed in stages under Condition 33.4.

35.4 Resource Recovery Program Fee.

a) The Landfill developer or operator shall pay to the County of Contra Costa a resource recovery program fee of $200,000 annually, beginning July 1, 1990. The developer or operator shall deposit the monies in a segregated account established by the County. The extent of the fee shall be subject to reconsideration when a franchise or agreement is established for the Landfill. The resource recovery program fee from its inception shall be a pass-through business cost for the purpose of rate setting. The fee shall be adjusted annually to reflect the current Consumer Price Index.

~~a)~~b) As provided for under Condition 2.3, where there is an inconsistency between this condition and the terms of the Landfill Franchise Agreement which effectively suspended this Resource Recovery Program Fee, the terms of the Landfill Franchise Agreement shall supersede Condition 35.4 (a) until such inconsistency no longer exists pursuant to Condition 2.3(d).

35.5 Violation of Prescribed Haul Route. Upon a receiving a written determination from~~of~~ the County that a user of the Landfill has violated Condition ~~of Approval Section~~ 29.2 by using a prohibited access route, ~~and upon a written direction by the County,~~ the Landfill operator shall impose on that user the sanction that is directed by the County. Such sanction may include a surcharge on the tipping fee, prohibition against accepting waste from that user for a designated period of time, revocation of County refuse-hauling license, or other sanction directed by the County. A system for reporting alleged violation and for monitoring enforcement data shall be established by the County and implemented by the Landfill operator.

History of Revisions

7/23/1990 – Original Land Use Permit Approval
11/1/1994 – Amendment 1 Approval (added COA 35.8)
6/25/2002 – Amendment 2 Approval (added Section 36 "Landfill Gas Power Plant" – LP012115)
2/18/2015 – Proposed New and Modified Conditions for 2014 Permit Review

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City of Pittsburg
65 Civic Avenue • Pittsburg, California 94565

January 9, 2015

The Honorable John Gioia, Chair
Contra Costa County
Board of Supervisors
651 Pine Street
Martinez, CA 94553

Subject: Proposal for City of Pittsburg as Local Enforcement Agency Designation for Keller Canyon Landfill

Chair Gioia and Board of Supervisors:

Pursuant to the Board of Supervisor's request on December 16, 2014, the City of Pittsburg is providing a proposal for solid waste inspections and enforcement for Keller Canyon Landfill. The proposal will provide a brief background of the Pittsburg Local Enforcement Agency (Pittsburg LEA), reasoning for the designation of the Pittsburg LEA for Keller Canyon Landfill, and potential resource savings for the County.

The City of Pittsburg was formally designated a Local Enforcement Agency by the California Integrated Waste Management Board (presently known as CalRecycle) on December 15, 1993. The City has all the proper certifications by CalRecycle to inspect Keller Canyon Landfill and is in good standing with the State with commendable evaluations. In addition, Pittsburg currently employs three qualified staff members with a combined 85 years of experience.

The Pittsburg LEA is typically the first agency approached in the local community when issues arise concerning Keller Canyon Landfill. Designation of the Pittsburg LEA over Keller Canyon Landfill would eliminate the additional step by residents contacting the County LEA. Being in closer proximity to the Keller Canyon Landfill will enable a more efficient handling of community issues. The designation will also provide a local contact in the community that is the most impacted due to the landfill residing in Pittsburg's sphere of influence. The Keller Canyon Landfill will have a long legacy for Pittsburg and local oversight will ensure its short-term and long-term influences are safe for the local community most impacted.

The Pittsburg LEA has experienced staff available immediately to begin solid waste inspections and enforcement. Enforcement activities will comply with State regulations and permit requirements. This proposal will allow for a transitional period of three years from the County LEA to the Pittsburg LEA and will be reflected in a resource friendly package to the County. During the transitional period, joint inspections by the Pittsburg LEA and County LEA will occur to ensure a smooth transition for Keller Canyon Landfill as well as to provide transparency during the process. Throughout the term of Pittsburg acting as Keller Canyon's LEA, Pittsburg will submit an annual report to the County.

Based on all present conditions, the following fees would apply from the present Keller Canyon generated LEA fees for the designation of the Pittsburg LEA for the Keller Canyon Landfill:

Year	Fees
1st year	$ 2,200.00 per month
2nd year	$ 2,350.00 per month
3rd year	$ 2,500.00 per month
4th year and beyond	To be determined.

Additional services will be billed on a time and material basis.

In recognition of the expenses the City will invest to take on the additional duties and responsibilities of the LEA designation, if Contra Costa County retracts the Pittsburg LEA designation during the transitional period, the Pittsburg LEA will be paid a "wind-down fee" equivalent to fifty percent of the Keller Canyon generated LEA fees collected for that three-year period. This payment would offset investment costs incurred by the City during the start-up, management, wind-down period, and afterward, including but not limited to expenses for outreach to the community, staff transition, equipment, and implementation of necessary organizational changes.

This proposal will require approval by the Contra Costa County Board of Supervisors, the City of Pittsburg City Council, and CalRecycle before it can proceed. We anticipate that the proposal will be incorporated into a negotiated Memorandum of Understanding that is fair and reasonable to all parties.

The Pittsburg LEA appreciates the opportunity to provide this proposal and looks forward to future discussions. Please feel free to call me at (925) 252-4850 if you have questions on the above information.

Sincerely,

Joe Sbranti
City Manager

cc: Contra Costa County Board of Supervisors
City of Pittsburg City Council
David Twa, County Administrator
Garrett Evans, Assistant City Manager

C&D Processing at Keller Canyon Landfill – Preliminary Draft

1) Background and Introduction
   a) In compliance with Land Use Permit 2020-89, Condition 8.1b, construction and demolition (C&D) material has been coming into Keller Canyon Landfill (KCL) for over 20-years.
   b) The material is from a variety of sources including independent haulers using self-dumping trailers or rolloff trucks to contractors with end-dumps or debris boxes.
   c) The understanding is that the majority of this material has already undergone some form of generator or job location source separation and material specific source reduction prior to arriving at Keller. This understanding is supported by information obtained by market area representatives, and involves principally three concepts;
      i) Construction economics dictate that recoverable materials be removed prior to disposal because they either have monetary value (e.g. metal) or can be processed or managed at a much lower cost than what is associated with disposal (e.g. clean wood)
      ii) Many communities where generators are located (including the County) have mandatory C&D recycling ordinances or other recycling incentives
      iii) Visual observations made by trained landfill personnel on existing inbound materials

2) Purpose and Need
   a) As stated, customers have been bringing their C&D to KCL for over 20 years. It is a convenient, cost-effective location to manage this fraction of materials from jobsites/projects they are associated with and an important resource for local businesses.
   b) By adding on-site sorting and processing capabilities, KCL will increase diversion for the County and continue to provide a valuable service to the community.

3) Benefits/Impact on County TS processing Capacity
   a) If much of the material has already been presorted or segregated, there is little benefit to sending it through a transfer station. In fact, it unnecessarily adds costs, traffic, carbon footprint and greenhouse gas impacts.
   b) Since material has been coming to KCL for so long, additional processing and diversion at KCL will have little to no impact on the operation of local transfer stations. This

project will maintain the status quo, except for additional processing and diversion at KCL.

4) Timeframe/Schedule
   a) Once approved, the operation could be implemented fairly quickly; probably within 3 to 6-months, depending on final project parameters and seasonal weather conditions.

5) Processing Hours/Days
   a) Processing would be limited to normal business days (M-F) and hours (8 a.m. – 4 p.m.)
   b) Depending on volumes, processing would likely only be required 3-5 days per week for 4-6 hours per day
   c) Flexibility may be required in the event that additional processing capacity is needed for larger jobs, but in no case will it occur outside of normal business days and hours.

6) Waste Types and Volumes/day
   a) Waste types are expected to be similar to what is received now, which includes pre-processed and unprocessed C&D from a variety of sources including residential, commercial and industrial.
   b) Waste volumes are anticipated to be similar to what is received now; 400-1500 tons per month, depending on seasonality, economic conditions, and other market factors.

7) Operational Changes
   a) Processes
      i) C&D loads received that the site for processing will be directed to the Processing Area, as shown in Figure 1, where they will be offloaded onto an all-weather sorting pad.
      ii) The material will be stored until a sufficient quantity of material has been received to warrant sorting and segregation. Material will normally be sorted within 5 business-days of receipt, and in no case more than 15 business-days.
      iii) Sorting will occur using a ground sort method with both manual and equipment aided processes
         (1) Once the material has been received and offloaded onto the sorting pad, manual and equipment aided sorting will begin. Larger pieces will be removed and placed in nearby bunkers, bins or piles. Equipment and laborers will spread the material out as needed to facilitate further sorting.
      iv) Material placed in bunkers, bins or piles will be stored until sufficient quantities are accumulated:

(1) Materials such as clean wood and metal will be stored in open air piles until sufficient quantities are accumulated for outhaul.
    (a) Clean wood will be transported out by a third party to a biofuel location, similar to how it is currently handled at other RSG locations.
    (b) Metal will be sent to Sims or Schnitzer steel (or similar service provider) for further recycling.
(2) Other materials such as concrete, asphalt, dirt and related fines will be stockpiled and beneficially used on-site for pad, road construction and cover (daily or intermediate) as needed.

v) Residual materials not sorted for diversion will be transferred to the working face for disposal.

vi) All material movements will be tracked and recorded as appropriate.

b) Equipment

i) Much of the sorting will be done manually using on-site labor. Necessary equipment will be used as needed to safely move and manage the material and stockpiles.

ii) Existing equipment that may be used includes the following;
    (1) Excavator/backhoe/wheel loader/skid steer
    (2) Rolloff bins, trucks and an end-dump

c) Buildings/Site Improvements

i) No additional buildings will be needed.

ii) Site improvements include construction of an all-weather tipping and sorting pad as well as bunkers delineated by K-Rails or similar concrete blocks. Stockpiles will also be used to store bulk materials such as concrete and dirt that may be removed from the C&D loads. These piles will be similar to existing onsite piles of these types of materials.

iii) The operational area will be graded to optimize drainage. Signs will be placed as needed to direct the sorting, moving, transport and storage of material.

8) Diversion Methods

a) As described above, diversion will be largely accomplished through a combination of manual and equipment-aided sorting. Experience shows that significant diversion can be accomplished in this manner.

9) Diversion Percentage

a) A minimum 50% diversion is expected.

b) Tracking of aggregate amounts diverted during a given month will occur as materials are sorted and sent offsite, beneficially used on site or transported for disposal.

c) Diversion and disposal reporting will be performed in accordance with the LUP and SWFP conditions

10) Vehicle trips

a) No significant additional vehicle trips are anticipated, as the intent is to continue to service customers that already bring this material to KCL. Some additional outbound loads will be required to accommodate diverted material. This may amount to 10-40 loads per month (or an increase of less than 1% over existing permitted levels).

11) Personnel/Staffing Requirements

a) Sorting will be done on a part-time basis and staffed accordingly. Existing onsite workforce will be used and additional temporary recycling workers will be brought in as needed to facilitate the required sorting operations.
b) An onsite KCL operator and driver will also be used to run equipment and vehicles as needed.

12) Permitting and Compliance

a) Conditions will need to be addressed, modified or approved as needed in the following permits;
    i) LUP COA; County DCD
    ii) SWFP/RDSI; LEA & CalRecycle

13) Maps/Locations

a) Processing locations are under consideration, but will likely occur either up top on the top deck area or in the area adjacent to the landfill on the east side or south side of the fill placement area.

LAW OFFICES OF
SCOTT W. GORDON
A PROFESSIONAL CORPORATION
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215 W. 7TH STREET, NO. 509
LOS ANGELES, CALIFORNIA 90014

ENVIRONMENTAL, LAND USE
PUBLIC AGENCY PRACTICE

REPLY TO: WALNUT CREEK

925-295-3133
FAX: 925-295-3132

December 16, 2014

Via Hand Delivery December 16, 2014
The Hon. Karen Mitchoff, Chair
and Members of the Board
Contra Costa County Board of Supervisors
651 Pine Street
Martinez, CA 94553

Re: Agenda Item D. 7; Permit review to consider new and modified conditions of approval for Keller Canyon Landfill's Land Use Permit

Dear Chair Mitchoff and Members of the Board:

This undersigned serves as counsel for Keller Canyon Landfill Company, Inc. ("KCLC"), the permittee in the pending proceeding for County review and update of the Land Use Permit for the Keller Canyon Landfill. I am writing to address one of the suggested modifications forwarded to you by Mr. Kopchik, Interim Director of the Conservation & Development Department ("CDD") following the County Planning Commission's review completed on November 18, 2014.

Specifically, KCLC believes changes can and should be made to the proposed language for LUP conditions 8.1, 8.5 and 8.6 included in the CDD staff mark up of proposed permit conditions for Recommendation No. 3 in your Board Order, dealing with eligible vehicles and the guidelines for direct haul of materials to the landfill facility. KCLC's suggested text revisions are included as Attachment A to this letter, with suggested changes noted in the blue underlined and highlighted text.

The brief background and need for the modification is as follows. For the past 20 years of the landfill's operation pursuant to the LUP, the site has been receiving construction and demolition debris type waste loads directly brought to the landfill, in accordance with the direct haul guidelines. This is waste material that in the landfill's experience has largely been pre-processed by generators prior to delivery to the landfill. However, in the course of the CDD staff and Planning Commission review of the LUP as directed by the permit and your Board, certain

competitor companies – using lawyers, consultants and surrogate entities with names like the California Compost Coalition and Organics Waste Solutions, LLC -- have aggressively lobbied staff and the Planning Commission for changes to conditions 8.1, 8.5 and 8.6, urging the staff and Commission to adopt the revised condition language embodied in Recommendation No. 3, and even urging the Commission to have gone further in attempting to force waste materials that have been received at the landfill via direct haul to be diverted to other facilities, including of course facilities owned by competitors. The lawyers and businesses are strangers to the Keller permit who inappropriately seek to use this review proceeding to further their business interests at the expense of Keller Canyon Landfill and the County.

The KCLC language proposal before you is a slight modification to the current draft CDD permit update language that would allow the landfill site itself to undertake additional processing of this waste material, subject of course to compliance with environmental review requirements of CEQA[1] and the permitting process. The language stipulates that Keller Canyon will apply for permits by April 1, 2015 to perform additional processing at the landfill site for materials it currently receives and has taken over the past 20 years. This is not a new waste stream and would not change the inbound traffic into the facility. By doing supplemental on site processing, the landfill will be taking the extra step to capture excess materials suitable for diversion prior to disposal, while maintaining the status quo allowing the facility to continue operations without loss of these waste streams and materials to economically motivated competitors. The landfill would implement the new CDD language for conditions 8.1, 8.5 and 8.6 once permits were obtained to implement additional processing. Until then, the current practice, reflecting the status quo, would remain in place. This approach is in our judgment fair, given that implementing the CDD language could disrupt the inbound waste streams and result in a loss of facility revenues and franchise fees to the County as a result. It seems patently unfair and a brazen step that business competitors -- companies who have not made the kind of investment of the magnitude required to establish a state of the art solid waste management facility like Keller Canyon – should be able to use another facility's permit review process to implement what amounts to a flow control measure to take away business in order to reap economic benefits for their own businesses.

The Keller Canyon facility has been extensively regulated by the County and other agencies for the past 20 years, and the LUP permit requirements have been interpreted and administered by the County over the same period authorizing the direct haul of demolition and debris materials. The landfill pays franchise fees to the County for receipt of this material. Fairness in the administration of the LUP counsels in favor of our suggested approach. Everyone wins in this situation: traffic is not altered and redistributed to other facilities with unknown consequences; Keller Canyon rightfully retains business revenues it has earned in the marketplace; the facility achieves additional diversion; and the stability of revenues means that

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1 California Environmental Quality Act, Pub. Res. Code section 21000 *et seq.*

that County's franchise fees on the facility's receipt of this waste material continue, benefitting the County.

We respectfully request that the Board approve the proposed new and modified conditions of approval for the Keller Canyon Landfill Land Use Permit (LUP), County File #LP89-2020, reflected in Exhibit B, but substituting the specific modifications to conditions 8.1, 8.5 and 8.6 set forth in attachment A to this letter.

Thank you for your consideration of these matters.

Very truly yours,

Scott W. Gordon

Encls.
SWG:cg
cc: Mike Caprio, Northern California Area President
Rick King, KCLC General Manager
Tim Argenti, General Manager
Ms. Deidra Dingman, CCC Solid Waste Programs Manager

Attachment A to letter from Scott W. Gordon to Chair Mitchoff
and Members of the Board, December 16, 2014

Requested Changes in Highlighted and Underlined Blue Text:

8.1 Eligible Vehicles. The Landfill operator shall admit only the following refuse transport vehicles:

a) Transfer station trucks (vans). Transfer stations shall have a Waste Management Program, which includes hazardous waste screening and resource recovery operations, which may be subject to the approval of the Board of Supervisors if deemed necessary for consistency with the Countywide Integrated Waste Management Plan.

b) Demolition and construction material trucks hauling debris that would not be recycled or otherwise diverted from disposal and is not processed onsite or at a local Transfer Station. There are waste reduction requirements that apply to such wastes generated by businesses and industries, therefore the operator shall assist the County to help ensure compliance with such requirements or goals through implementation and compliance with Conditions 8.5 – 8.7.

c) Incinerated sewage sludge-hauling trucks originating at utilities.

d) Sewage and water treatment plant sludge and other byproduct trucks with loads complying with San Francisco Regional Water Quality Control Boards solids-to-liquid requirements.

e) Trucks hauling Designated Wastes approved for this landfill by the Regional Water Quality Control Board.

f) Other specialized waste transport trucks, hauling wastes identified in the Landfill's Solid Waste Facilities Permit which cannot be feasibly processed onsite or through a local Transfer Station.

g) The provisions set forth in subsections (b) and (f) above shall become effective on January 1, 2016 or upon Landfill Operator's receipt of all necessary permits and approvals for onsite processing of waste materials, whichever is later ("Implementation Date"). Consideration and issuance of permits and approvals is subject to compliance with CEQA and applicable laws. Prior to and until the Implementation Date, Landfill Operator's current practice and procedures for Eligible Vehicles shall remain in effect. Landfill Operator shall apply for such permits and approvals by April 1, 2015.

8.5 Direct Haul. Only wastes in the prescribed vehicles which is not recycled or otherwise diverted from disposal if processed onsite or through a local transfer station may be considered for direct haul pursuant to the Procedures specified in Condition 8.6. Loads containing materials that will be used as cover or otherwise beneficially reused on-site and treated as diversion under the Integrated Waste Management Act may be direct hauled without going through a transfer station.

8.6 Direct Haul Procedures. Direct haul process and materials shall be consistent with the Solid Waste Facility Permit (No. 07-AA-0032), this LUP, and applicable policies adopted by the Board of Supervisors including those identified in 8.6(k) below. The operator shall ensure new customers receive information consistent with i) and j) prior to gaining access to the site. The operator shall conduct screening procedures specified in a) through h) prior to allowing customers to direct haul waste/material loads for disposal at the landfill. Operator shall provide written confirmation that eligibility has been demonstrated consistent with these procedures prior to loads being accepted for disposal. Operator shall summarize results of direct haul eligibility screening completed each quarter in the direct haul reports required under Condition 8.7. These requirements shall not apply to loads being received for onsite processing. These provisions shall become effective on January 1, 2016 or upon Landfill Operator's receipt of all necessary permits and approvals for onsite processing of waste materials, whichever is later ("Implementation Date"). Consideration and issuance of permits and approvals is subject to compliance with CEQA and applicable laws. Prior to and until the Implementation Date, Landfill Operator's existing and past practice and procedures for Direct Haul waste materials shall remain in effect. Landfill Operator shall apply for such permits and approvals by April 1, 2015.

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CONTRA COSTA COUNTY
2015 FEB -2 P 4:51
DEPARTMENT OF CONSERVATION AND DEVELOPMENT

Date: January 28, 2015

To: Deidra Dingman, Department of Conservation and Development

From: Joe Doser

Subject: Process for Revising a Solid Waste Permit

To revise a solid waste permit an operator submits an application to the Local Enforcement Agency (LEA). Once a permit is submitted, both the LEA and CalRecycle are required to meet mandated deadlines as described below.

Due to the complexity of these projects, many operators submit a draft application package to the LEA who then shares this with CalRecycle. This informal review by both agencies helps the applicant provide a formal submittal that has the best chance of approval. The length of time this informal process takes will depend on the complexity of the project, motivation of the applicant, completeness of the draft package, and how much time the applicant takes to make any requested changes. During this informal process, CalRecycle also provides feedback.

The lead agency for CEQA is often the Department of Conservation and Development. The CEQA process is typically completed prior to the formal submission of a permit application to the LEA. During the CEQA process, the LEA will review and comment on the CEQA document with the goal that it can find the project in conformance with CEQA as described in the chart below.

Step 1
- Applicant submits application package to the LEA. The LEA has **30 days** to accept or reject the application.
- The LEA is required to make sure the proposal complies with the state minimum solid waste standards and is consistent with CEQA.

Step 2
- Once the LEA accepts the applicantion as complete and correct, it has **60 days** to submit the applicagtion package and the proposed revised permit to CalRecycle.

Step 3
- Once the LEA receives the formal application it has **60 days** to hold a publlic information meeting (but not before the application is found complete and correct). Step 3 occurs concurrently with Steps 1 and 2, so does not add to the total time .

Step 4
- Once received, CalRecycle has **60 days** to concur with or reject the revised permit.

The maximum time to complete Step 1 through Step 4 is 150 days. The informal review can reduce this time, since the agencies are already familiar with the project, done the bulk of the review, and the LEA has prepared the proposed revised permit.

JD:tf

cc: Marilyn C. Underwood, Ph.D., Director of Environmental Health
Eric Fung, Environmental Health Specialist II

Status Types

Completed	requirements were satisfied and no further action or monitoring expected. Brief remarks are provided in the adjoining Comments column.
Completed. On-Going	initial required action or submittal was completed and continuing landfill operations must be conducted in conformance with applicable submittal/requirements on an on-going basis.
Completed. Updated As Needed	submittal requirement was satisfied, but submittal addresses on-going or future activities and may be updated if/when warranted based on operating experience or requirements imposed by regulations or another permit/regulatory agency.
Further Review Required	compliance status has not yet been confirmed pending completion of further review and/or coordination with other regulatory agencies.
In Compliance. On-Going	compliance with general requirements of conditions involving facility design standards, daily operations, or scheduled monitoring.
Informational	primarily informational and does not require specific actions.
In-process	applicable compliance efforts are underway but not yet completed.
No Longer Applicable	determined to be unenforceable or infeasible subsequent to issuance of the KCL LUP in 1990. Examples include conditions superseded by regulations; conditions that no longer apply due to U.S. Supreme Court decisions. Explanation is provided in the adjoining Comments column.
Not in Compliance	further action is required by the operator to fully satisfy requirement(s), includes any that were only partially satisfied but not enough to be deemed substantially in compliance.
Not Yet Required	no action is required of the Landfill owner/operator until such time that circumstances or events occur that are specified in the condition of approval (e.g. upon request by the County). Explanation is provided in the adjoining Comments column.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
1.1	**Short Title.** The Keller Canyon Landfill project is henceforth referred to in this document as the Landfill.		Informational	Condition Acknowledged.
2.1	**Ultimate Responsibility.** The conditions of approval identify the Land-fill developer as the party responsible for implementing conditions involving construction and improvements, and the Landfill operator for implementing conditions involving maintenance and management. Regardless of these identifications, the Land-fill owner shall be responsible for complying with all conditions.		Informational	Condition Acknowledged.
2.2	**Transfer of Ownership.** The Land Use Permit for the Landfill shall run with the land; however, a new owner shall be responsible for notifying the County Community Development Department of any change in ownership. A change in ownership shall be interpreted to mean the acquisition of 5 percent or more of the value of the Landfill site covered by this Land Use Permit. (It is noted that other permits may not necessarily run with the land.)		Completed. On-Going	The First Amended Landfill Franchise Agreement contains assignment requirements pertinent to a change in ownership. The Keller Canyon Landfill Company (KCLC) was owned by Browning Ferris Industries (BFI) at the time the Landfill began operations in 1992. In 1999, BFI sold/transferred KCLC and other local assets to Allied Waste Industries. In 2008, Allied Waste Industries merged with Republic Services, Inc.
3.1	**Compliance Objective.** The Landfill developer and operator shall at all times comply with the requirements of laws and permits applicable to the facility.		In Compliance. On-Going	Operation has generally been conducted in compliance with all local, State, and federal laws and regulations. The Department of Conservation and Development (DCD) is not aware of any violations that were not corrected in a timely manner. The Landfill operator and any Vendors/operators subcontracted to work at KCL is required to comply with this LUP and all other permits with regulatory authority over landfill operations. See Condition 14.2 for a listing of approved permits.
3.2	**Design Standard.** The Landfill developer shall design the Landfill facility to meet the requirements of the San Francisco Regional Water Quality Control Board for a Class II waste disposal facility.		In Compliance. On-Going	KCL is a Class II waste disposal facility that has been classified by the Regional Water Quality Control Board (RWQCB) according to the provisions of Title 27, Environmental Protection--Division 2, Solid Waste Chapter 3. Criteria for All Waste Management Units, Facilities, and Disposal Sites . Keller Canyon Landfill's design, construction, and operation comply with all State Minimum Standards for solid waste handling and disposal specified in Title 27 of the California Code of Regulations (CCR). The design for each phase of the landfill is subject to RWQCB review and approval prior to construction being authorized by DCD.
3.3	**State Minimum Standards.** The operation and maintenance of this facility shall at all times comply with Minimum Standards for Solid Waste Handling and Disposal (California Administrative Code, Title 14, Division 7, Chapter 3).		In Compliance. On-Going	In 1997, California Code of Regulations (CCR) Title 14 and 23 for the Solid Waste Facilities Permit, were modified into CCR Title 27. KCL complies with all Minimum Standards for Solid Waste Handling and Disposal. The LEA has local enforcement authority over KCL and conducts monthly inspections of the landfill site to ensure compliance with the Minimum Standards for Solid Waste Handling and Disposal. See Condition 3.10.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
3.4	**Land Use Permits.** The Landfill developer and operator shall at all times comply with the provisions and requirements of this Land Use Permit. A violation of any of these conditions is cause for revocation of the Land Use Permit.		In Compliance. On-Going	Landfill owner/operator is in compliance with the vast majority of LUP conditions of approval currently in effect. This table reflects DCD staff's assessment of landfill operator's current status of compliance for each LUP Condition of Approval.
3.5	**Solid Waste Facilities Permit.** The Landfill operator shall conform with all provisions and requirements of the Landfill's Solid Waste Facilities Permit, which is based on the guidelines of the California Integrated Waste Management Board.		In Compliance. On-Going	The landfill operator submitted a Report of Disposal Site Information (RDSI) and formal application for a Solid Waste Facility Permit (SWFP) on 1/3/1992 (see letter from S. Gordon (KCLC) to C. Nicholson (HSD), dated 1/3/1992. SWFP 07-AA-0032 was issued April 29, 1992, and is reviewed every five years, The last revision was on December 14, 2009. The LEA conducts monthly inspections. The last violation noted in the inspection reports completed by the LEA was for "Reporting and Control of Excessive Gas Concentrations" in July 2011. Also see Condition 3.10.
3.6	**Subchapter 15.** The Landfill operator shall at all times comply with the provisions and requirements of Subchapter 15 of Chapter 3 of Title 23 of the California Administrative Code ("Subchapter 15") for a Class II waste disposal facility.		In Compliance. On-Going	In 1997, California Code of Regulations (CCR) Title 14 and 23 for the Solid Waste Facilities Permit, were modified into CCR Title 27. Title 27 allows for preparation of a *Joint Technical Document (JTD)* to include the Report of Disposal Site Information (RDSI), Report on Waste Discharge, Preliminary Closure Plan, and Postclosure Maintenance Plan. These documents formerly were submitted seperately.
3.7	**Other Regulatory Agencies' Requirements.** The Landfill operator shall at all times comply with the provisions and requirements of other regulatory agencies having jurisdiction over the facility.		In Compliance. On-Going	The landfill operator has generally been in compliance with all facility permits. There is no history or evidence of on-going non-compliance with other permits of other agencies with regulatory jurisdiction over landfill design and operations.
3.8	**Utilities, Service Districts, and Government Agencies' Requirements.** The Landfill developer or operator shall at all times comply with the regulations and requirements of utilities, districts, or agencies which have jurisdiction over the installation of improvements or provide services to the landfill.		In Compliance. On-Going	Operator is in compliance with all facility permits. There is no history or evidence of non-compliance with other permits of other agencies with regulatory jurisdiction over landfill design and operations.
3.9	**Notice Coordination.** Copies (or originals) of all reports to other agencies concerning the design, operation, and maintenance of the Landfill facility shall be sent by mail or hand-delivery, to the Community Development Department, 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095.		In Compliance. On-Going	Original compliance with this condition was approved by CDD on 10/15/1991. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991. Copies of all reports concerning landfill design, construction, operation, and maintenance that are submitted to other agencies are available upon request. Reports submitted to some agencies are available on-line (e.g. RWQCB – Geotracker). All of the reports submitted to agencies in 2013 have been sent to DCD at the following address: Contra Costa County- Department of Conservation & Development -30 Muir Road, Martinez, CA 94553

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
3.10	**Monitoring and Inspection.** All monitoring reports and results of inspection or analysis shall be made available to the County Health Services and Community Development Departments. Any indication of an emergency or other serious problem relating to public health and safety shall be reported at once.		In Compliance. On-Going	The landfill operator coordinates with both CCEH and DCD in reporting any potential problems relating to public health and safety. All monitoring and inspection reports are on-file at the Landfill owner/operator's office and available for review by interested agencies during normal business hours. Inspection reports produced by County Environmental Health and CalRecycle are posted and available on-line. Contra Costa Environmental Health operates as the solid waste Local Enforcement Agency (LEA) for the California Department of Resources Recycling and Recovery (CalRecycle) with the primary responsibility to ensure correct operation and closure of solid waste facilities in the State of California, including the proper storage and transportation of solid wastes. The LEA enforces SWFP #07-AA-0032 for Keller Canyon Landfill. Also see comments in condition of approval 14.2.
3.11	**Master Chart.** The Landfill operator will maintain for reference a master chart showing schedules and results of preparation, operation, monitoring and reporting in all major phases of the facility.		Completed. On-Going	An initial Master Chart was approved by CDD in 1991. An update of the original development plan for the landfill prepared in 1991 was necessitated by changes that occurred from landfill operations and site development. A Conceptual Master Plan for the landfill was submitted to CDD in July 2002. The Master Plan was comprehensive and addressed important aspects of landfill design and operation. The Master Plan also demonstrated that the original permitted air space volume of 75 million cubic yards was maintained after landslide repairs and other site development. Landfill development sequencing for the remaining lifespan of the landfill was prepared consisting of eight (8) groupings of phases. The phases within the first two groupings, collectively known as Phases 1 and 2 respectively, had all been completed by 2002. Currently Phase 3 is being implemented. A revised development plan for the remaining undeveloped portions of the landfill was presented in Figure 8 of the Master Plan. The revised plan accounts for mitigation of landslides, stability of containment systems and waste mass, and other design and operations parameters required to meet regulatory requirements. Over time, a Master Chart as described in this condition has been superseded by modern computerized project management systems. Similar information is already conveyed in periodic reports on landfill activities and site development that are submitted to the County or regional/state agencies (copies available for review during normal business hours). See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
4.1	**Validity Period.** The Landfill developer shall install pre-requisite improvements and open the Landfill for receiving refuse within three years of the final approval of the project's Solid Waste Facilities Permit. This validity period shall be tolled while any appeal filed by parties other than the Landfill developer is pending. The Landfill developer may request from the Director of Community Development one or more one-year extensions of the Land Use Permit. If the Land Use Permit is not implemented within the specified time, it shall become null and void. The Director of Community Development may allow each one-year extension if the Director finds that there are changed circumstances which warrant the consideration of changes to the Conditions of Approval.		Completed	The Contra Costa County Board of Supervisors approved LUP 2020-89 on July 24, 1990. The Solid Waste Facility Permit was issued on April 29, 1992. KCL became operational on May 7, 1992, within the specified time period of this condition.
4.2	**Operative Date.** This Land Use Permit is valid upon approval by the Board of Supervisors. However, it shall not become operative until and unless the permittee (landfill owner, etc.) first obtains and the Board of Supervisors grants a franchise to or approves an agreement with permittee (see Section 13, Franchise Agreements).		Completed	The original Franchise Agreement was issued on December 4, 1990. The Franchise Agreement was amended on September 13, 1994 as the First Amended Landfill Franchise Agreement. Amendment No. 1 to the First Amended Franchise Agreement was executed on November 1, 1994. Amendment No. 2 to the First Amended Franchise Agreement was executed on February 27, 1996.
5.1	**Area of origin.** The area of origin of all waste hauling vehicles admitted to the landfill, shall be Contra Costa County. The Landfill operator shall not refuse to receive eligible wastes which originate in Contra Costa County provided such wastes are delivered to the facility in accordance with these Conditions of Approval and the landfill's Solid Waste Facilities Permit, and provided that appropriate disposal fees are paid		No Longer Applicable	Judicial and legislative decisions have since overturned restrictions on disposal in local landfills to protect from too early filling. Waste origin restrictions were also nullified through the First Amended Franchise Agreement in 1994. The Board of Supervisors authorized KCL to accept certain special handling wastes (non-hazardous and non-toxic) originating outside of Contra Costa County pursuant to guidelines for directg haul originally approved by the Board on 10/27/1992. See report to the Board of Supervisors dated December 7, 1993 and approved on December 14, 1993.
5.2	**Out-of-County Wastes.** The Landfill operator shall not receive wastes from outside Contra Costa County unless such imports of waste are specifically approved by the Board of Supervisors. This condition shall not apply to wastes which may be temporarily received under the Emergency Use provisions of Condition 6.5 or the Reciprocal Capacity Agreement of Condition 5.4.		No Longer Applicable	The prohibition on import of waste from outside the County was rendered No Longer Applicable by U.S. Supreme Court decisions in June 1992 that reinforced that solid waste is a business commodity subject to federal commerce clause protection.[2]
5.3	**Sub-County Service Area.** If there is more than one Class II or Class III landfills operating in Contra Costa County, the Board of Supervisors may establish sub-County service areas for each on a temporary or long-term basis. If the Board has established a sub-County service area for the Landfill, the operator shall not accept waste for disposal from outside such area.		Not Yet Required	Sub-County service areas have not been established.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
5.4	**Reciprocal Capacity Agreement.** The Landfill operator shall receive waste from outside Contra Costa County if in accordance with the terms and conditions of a Reciprocal Capacity Agreement entered into by Contra Costa County with another county. Waste shall be received upon reasonable notice to the Landfill operator and the Board of Supervisors and direction by the Board to the Landfill operator as to the terms and conditions under which the waste will be received. The Board may specify disposal charges which are applicable only to the waste received under the Reciprocal Capacity Agreement.		Not Yet Required	Reciprocal Capacity Agreements with other jurisdictions have not been established..
5.5	**Pre-Requisite Curbside Recycling Program.** The Landfill shall not admit or dispose of waste loads from communities which do not have in operation a curbside recycling, or equivalent, program approved by the Board of Supervisors. Board of Supervisors approval may be interpreted as a consistency with a Board of Supervisors-approved Countywide Integrated Waste Management Plan. The Board of Supervisors may determine the eligibility of a community's program.		Further Review Required	The landfill operator accepts waste loads from communities that have commercial and curbside recycling programs certified by CalRecycle. A recent review by the landfill operator of waste accepted by origin in year 2013 revealed that of 22 jurisdictions, all except Trinity County (0.22 ton of waste) had certifications in the CalRecycle database for commercial recyclers and collection companies. Further research and review is required in order to document the adequacy of the recycling programs from out-of-county for all areas waste is currently being accepted from (2013 listing attached). Need to institute a pre-acceptance procedure to ensure verification of curbside recycling occurs prior to loads being accepted from new area
6.1	**Eligible Wastes.** The Landfill operator shall allow only wastes eligible for disposal in a Class II facility, as defined by the Regional Water Quality Control Board to be admitted to the land-fill. The wastes admitted to the landfill shall also be consistent with the Solid Waste Facilities Permit, administered by the County Health Services Department, and consistent with the Board of Supervisors' policies and these conditions of approval. To the extent allowed by law, the Board of Supervisors may direct the Landfill operator not to accept wastes that do not meet State and County policies and regulations.		In Compliance. On-Going	The Landfill operator has unknowingly disposed of ineligible wastes on a few occurrences due to misrepresentation by the applicable generators(see Condition 6.4). Signage is posted at the gate and scale house outlining all prohibited material. Any instances where ineligible wastes were identified after acceptance were addressed in a timely manner as required by the applicable regulatory authorities.
6.2	**Designated Wastes.** The Landfill operator shall allow only those designated wastes (as defined by Section 2522 of Article 2 of Subchapter 15, of Title 23, of the California Administrative Code) approved for this facility by the San Francisco Regional Water Quality Control Board, and shall be consistent with the Solid Waste Facilities Permit to be admitted for disposal. The Board of Supervisors may designate special rates for this waste.		In Compliance. On-Going	Facility is in compliance with regulations in Title 27 of the CCR and conditions related designated wastes. On December 14, 1993, the Board of Supervisors authorized KCL to accept certain designated wastes (special handling wastes, that are non-hazardous and non-toxic) originating outside of Contra Costa County, subject to specific conditions related to volume limitations, rates, waste inspection, and laboratory testing among others. See Recommendation from Val Alexeeff, GMEDA Director, to the Board of Supervisors dated December 7, 1993. The Board approved as recommended on December 14, 1993. Many of these designated wastes have since been incorporated into the SWFP as described in Condition 6.1 Eligible Wastes above.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
6.3	**Infectious Wastes.** The Landfill operator shall accept only those infectious wastes identified in, and disposed of in accordance with the Solid Waste Facilities Permit.		In Compliance. On-Going	All potentially infectious waste are disposed of in accordance with Section 14 Prohibitions of the SWFP.
6.4	**Ineligible Wastes.** The Landfill operator shall not allow the following wastes to be disposed at the landfill: a) Hazardous or toxic wastes. b) Radioactive wastes. c) Liquid wastes, other than utility sludges meeting Regional Water Quality Control Board requirements. d) Other ineligible wastes specified in the Solid Waste Facili-ties permit administered by the County Health Services Department.		In Compliance. On-Going	All incoming loads are routinely screened in accordance with the most recent Load Check Program (updated in September 2013) and Condition 17j (Hazardous Waste Screening) of the SWFP. See Condition 6.1 & 7.1. Three incidents of potential ineligible waste acceptance were recorded at Keller Canyon Landfill which are summarized below. In all three cases, regulatory agencies were contacted following idenification to bring them up to speed. 1) Air Products in 10/1997 - aluminum nickel oxide reformer catalyst, resulted in issuance of a Notice of Violation; 2) Ultramar, Inc. Refinery in 8/2001 - lead support rings, resulted from errors made by generator and landfill so Notice of Violation issued. Waste was excavated and taken to a Class I and subsequent testing found material was well below the federal limit; 3) Berkeley Unified School District in 8/2008 - contaiminated soil, due to errors made by generator, completed excavated and taken to Class I and subsequent testing proved the material was not hazardous.
6.5	**Emergency Use.** If the service area of the Landfill is determined to be a sub-area of the County, the County Health Services Department may allow legal waste originating in areas of Contra Costa County, other than those stipulated in Section 5, to have access to the landfill for periods up to 180 days on an emergency basis. The department may grant one extension for no longer than 180 days. The Board of Supervisors may allow the emergency use of the landfill to continue for a period up to two years.		Not yet required	Sub-County service areas have not been established.
6.6	**Hazardous Waste Screening and Management.** See Condition 19.		See Section 19	This condition cross-references to another LUP condition.
6.7	**Area of Origin Restrictions.** See Condition 5.		See Section 5	This condition cross-references to another LUP condition.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
7.1	**Eligible Vehicles and Loads.** The Landfill operator shall screen loads to limit to the extent practicable the intake of ineligible waste. Prior to receiving waste, the Landfill operator shall prepare in writing a program for identifying eligible vehicles and screening loads at the Landfill entrance, random sampling and inspection for ineligible wastes, and checking loads at the Land-fill disposal area. The Load Inspection program shall include inspection for hazardous wastes and procedures for their handling and off-site disposal consistent with the Contra Costa County Hazardous Waste Management Plan. The program shall be subject to the approval of the County Health Services Department and the County Community Development Department.	B-53	In Compliance. On-Going	The original Load Check Program was approved in 1992 by the Health Services Department and CIWMB as part of the RDSI pursuant to issuance of the SWFP. The current Load Check Program was updated in September 2013, [DCD has not reviewed/approved this version it needs to be submitted to DCD and LEA right away] and contains policies and procedures for screening and checking of all incoming loads. Condition 17j (Hazardous Waste Screening) of the SWFP specifies procedures for hazardous waste inspection. Landfill personnel are trained in the implementation of identifying non-eligible vehicles and ineligible waste. Ineligible hazardous waste materials are not accepted at the landfill per conditions in this LUP and the SWFP. The load checking program was developed to conform with the requirements of 27 CCR, Section 20870, and the WDRs [Wastes and Their Classification (Part 11)] for KCL. The load checking program is designed to identify and remove hazardous and prohibited wastes from the municipal waste stream coming to the landfill. Incoming wastes are identified based on visual inspection, questioning by staff, physical assessment, and waste characterization analysis. If an incoming load is suspected of containing ineligible waste, based on the visual inspection, the hauler will be questioned by staff about the contents of the load. If there is still a question about the acceptability of the waste, the hauler will not be permitted to unload the waste. See Health Services Department Memo from C. Nicholson to C. Zahn (CDD) dated 3/10/1992. See Condition 19.4.
7.2	**Load Covering.** The Landfill operator shall spot check all incoming waste-hauling vehicles for proper covering or containerization. The operator shall not admit waste loads which are susceptible to littering or leakage because of the lack of covering, inadequate covering, or disrepair of screens or containers.		In Compliance. On-Going	Every incoming load is inspected to ensure all waste-hauling vehicles are covered; waste loads are screened for excessive littering and inadequate covering. Transfer vehicles with inadequate screens or containers are repaired as they are identified. Republic's trucks should have phone number for others to call if litter is observed so corrective actions are taken in a timely manner (like "How's my driving") Also see Condition 25.3. On May 14, 1991, the Board of Supervisors amended County Ordinance Code 91-26 (Requirements for Vehicles Transporting Refuse) to require all waste-carrying vehicles transporting refuse to solid waste facilities in the County to have their loads covered. On September 9, 1991 the Board of Supervisors approved additional recommendations that included but was not limited to requiring CDD to include off-site litter policing in new permits for waste disposal and processing facilities; and directed County staff to work with the Sheriff's Department and California Highway Patrol to assure enforcement of covered load and anti-littering requirements.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
8.1	**Eligible Vehicles.** The Landfill operator shall admit only the following refuse transport vehicles: a) Transfer station trucks (vans) from a transfer station located in Contra Costa County. Transfer stations shall have a Waste Management Program, which includes hazardous waste screening and resource recovery operations, approved by the Board of Supervisors. b) Demolition and construction material trucks originating in Contra Costa County. If the Board of Supervisors has established waste reduction goals for the businesses and indusries generating such wastes, the generators shall comply with such goals. c) Incinerated sewage sludge-hauling trucks originating at utilities located in Contra Costa County, or other utilities serving Contra Costa County. d) Sewage and water treatment plant sludge trucks originating in Contra Costa County, with loads complying with San Francisco Regional Water Quality Control Boards solids-to-liquid requirements. e) Trucks hauling Designated Wastes approved for this landfill by the Regional Water Quality Control Board. The wastes shall originate in Contra Costa County. f) Other specialized waste transport trucks, hauling wastes originating in Contra Costa County and identified in the Landfill's Solid Waste Facilities Permit.	B-41	In Compliance. On-Going	Only eligible vehicles, as outlined in this condition and/or the operating permits, are allowed admittance into the Keller Canyon Landfill. In-county waste origin requirements of this condition are unenforceable as a result of U.S. Supreme Court decisions in June 1992 (see also the First Amended Franchise Agreement in 1994). See Condition 5.1.
8.2	**Service Area Restriction.** See Section 5.		See Section 5	This condition cross-references to another LUP condition.
8.3	**Emergency Exemption.** See Section 6.5.		See 6.5	This condition cross-references to another LUP condition.
8.4	**Reciprocal Use Exemption.** See Condition 5.4		See 5.4	This condition cross-references to another LUP condition.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
9.1	**Hours of Operation**. The Landfill operator shall not open the landfill to receive waste loads before 7:00 a.m. or after 7:30 p.m. Refuse shall be covered by 7:30 p.m. at which time working lights shall be extinguished. Entry and security lights shall be dimmed at 7:30 p.m. Other hours of operation, within those parameters, may be specified by the County Health Services Department in the Landfill's Solid Waste Facilities Permit. Special loads may be received at other times in accordance with procedures established by the County Health Services Department. The Director of Community Development may administratively shorten or extend the hours of operations prescribed above after consultation with the Landfill operator, the County Health Services Department, and the Local Advisory Committee, after holding a public hearing to obtain the comments of other interested parties. To shorten the hours of operation, the Director of Community Development shall find that the changes are needed to mitigate substantial noise, traffic, or similar impacts arising from the operation of the Landfill which were not known when this Land Use Permit was adopted. To extend the hours of operation, the Director of Community Development shall find that longer hours will not cause traffic, noise, glare, or similar impacts of Landfill operations to substantially increase in the vicinity of the Landfill.		In Compliance. On-Going	Hours of operation and control of on-site lighting are complied with as specified in this condition. There have been no shortening of hours due to unforeseen impacts arising after the LUP was issued. No waste is accepted after 7:00 P.M. The required daily cover is completed by 7:30 P.M. All stationary lights are extinguished by 7:30 P.M.
9.2	**Operating Days.** The landfill shall remain open for operation six days a week. It shall close on Sundays.		In Compliance. On-Going	The facility is open six days a week and closed on Sundays as specified in this LUP condition; Specification 5b. of the SWFP; and Condition #17309 part 1 of the Major Facility Review permit issued by the BAAQMD.
9.3	**Maximum Daily Tonnage.** The landfill may accept for disposal a maximum of 3,500 tons of refuse per day through the year 2005. The Board of Supervisors shall review and revise, if necessary, the maximum allowable tonnages per day, prior to the year 2005. If the Board establishes sub-County service areas, maximum tonnages for each landfill shall be prorated to reflect their service areas. The Board may increase the maximum daily tonnages, if necessary, to reflect Reciprocal Capacity Agreements or emergency measures.		In Compliance. On-Going	KCL is in compliance with the maximum daily tonnage limit of 3,500 specified in this LUP condition; Section 5c and Condition 17m of the SWFP; and Condition #17309 part 2(a) of the Major Facility Review permit issued by the BAAQMD. Tonnage records are submitted to County DCD and CCEH and are available for review. Sub-County services areas have not been established.
9.4	**Minimum Buffer Zone.** The Landfill developer shall reserve a minimum buffer of 2,000 feet from the closest place of permanent waste placement to the closest existing residence on Jacqueline Drive.		In Compliance. On-Going	The Minimum Buffer Zone of 2,000 feet was established and is maintained per this condition.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
9.5	**Special Buffer Area.** No residential housing shall be permitted at any time in the special buffer area. See Condition 23.2.		In Compliance. On-Going	The Special Buffer Area continues to be under Williamson Act contract (Contra Costa County, 2008) and is zoned A-4, Agricultural Preserve. No residential housing has been constructed in the Special Buffer Area. Application submitted for oil and gas well permit to drill a well in the Special Buffer Area (094-360-010) in June 2003.
9.6	**Dedication of Special Buffer Area.** At the time of the submission of the landfill's Development and Improvement Plan, pursuant to Government Code Section 7050, the landfill owner shall offer to dedicate the fee title of the land within the Special Buffer Area to the County of Contra Costa for recordation. The County may accept the fee title and complete the dedication subsequent to the opening of the landfill for the disposal of waste. In making the offer of dedication the Landfill owner may reserve the rights to carry out mitigation programs required by these Land Use Permit Conditions of Approval, and as may be further detailed in implementation plans required to be prepared by these Conditions within the Special Buffer Area. The Landfill operator may perform grading and make installations, such as drainage ditches within the Special Buffer Area related to the landfill facility, provided that the grading and installations are consistent with the approved final Development and Improvements Plan and do not impair the capability of the Area to accommodate agricultural grazing and provide habitat mitigation consistent with these Conditions of Approval. Similarly, the Landfill operator shall be allowed to carry out closure and post-closure activities related to the landfill or the Special Buffer Area provided that such activities are consistent with a County-approved closure plan and with the uses of the land allowed by these Conditions of Approval. The County may require the Landfill operator to maintain the Special Buffer Area, subsequent to dedication, at the operator's expense. Maintenance shall include security, weed control, erosion control and the provision of fire trails.		Completed	The landfill operator submitted a letter to the County Board of Supervisors with an Offer to Dedicate on October 23, 1991. The County Board of Supervisors formally accepted the dedication offer in the form of a Board Order "Acceptance of Development Rights for Special Buffer Area, Keller Canyon Landfill" recorded on November 19, 1996. No waste disposal has occurred in the Special Buffer Area. Limited site development has occurred consistent with Attachment B Dedication of Development Rights of the Board Order and Report of Disposal Site Information and Final Development and Improvements Plan. This site development has not impaired the Special Buffer Area's capability to accommodate grazing or habitat mitigation. The Dedication of the Special Buffer Area reserves the rights of the landfill owner to carry out mitigation programs required by LUP conditions and/or other permits. Offer letter substantiated by CDD on 10/23/1991. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
10.1	**Volume Estimation.** The Landfill operator shall submit topographic maps of the landfill and a report of capacity absorption and fill rates to the Community Development Department every two years on the anniversary date of the landfill's opening. The Landfill operator shall also submit an initial topographic map prior to receiving wastes.		In Compliance. On-Going	Topographic maps, color aerial photos, and capacity absorption are completed annually and are available for review by interested agencies during normal business hours. Aerial surveys are required under Condition 17r of the SWFP which is enforced LEA. DCD receives landfill capacity and estimated volume of waste in place on an annual basis which is used to satisfy an annual reporting requirement enforced by the State.

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10.2	**Scales.** The Landfill developer shall install certified scale(s) at the landfill to weigh incoming and outgoing trucks. A weighing program, subject to approval by the County Department of Health Services and Director of Weights and Measures, shall be implemented to monitor incoming wastes.		In Compliance. On-Going	Certified scales were installed prior to commencement of landfill operations See County Certificate of Inspection dated 4/23/1992. The weighing program was approved by the Health Services Department prior to perations (see Memo from C. Nicholson to C. Zahn, CDD dated 3/10/1992).
10.3	**Waste Characterization.** The Landfill operator shall participate with transfer station operators serving the landfill in a program to characterize incoming wastes by type, amount, and originating community and perform detailed load inspections on vehicles according to a program specified by the County Community Development Department and County Health Services Department. Reports shall be submitted to the County on a quarterly basis.		In Compliance. On-Going	The facility coordinates with transfer station operators on waste characterization as required by the County and the State's Disposal Reporting System regulations. Waste characterization reports are prepared quarterly and submitted to DCD as required under this condition. A new Condition 8.7 is proposed to be added which addresses reporting for waste not processed through transfer stations.
11.1	**Permit Review.** The Board of Supervisors will hold annual public hearings to review the Conditions of Approval for this Land Use Permit for three years beginning one year after the commencement of operations of the Landfill. The Board may refer proposed changes to the Land Use Permit to the County Planning Commission for processing. Thereafter, the County Planning Commission shall hold public hearings on the Land Use Permit at three-year intervals. As a result of a review and public hearing, the County Planning Commission may recommend to the Board of Supervisors new or modified conditions to improve the public health, safety, and welfare. Nothing in this condition shall preclude the Landfill owner from applying for amendments to the Land Use Permit at any time or preclude the County from addressing emergency situations or new requirements imposed by State or Federal legislation or the courts.		In process	In June 1995, the County Board of Supervisors approved Permit Review Criteria for Keller's Land Use Permit. Review of the County Land Use Permit LP89-2020 is currently underway and expected to be the subject of a hearing before the County Planning Commission in October 2014. under progress. Operator applied for LUP Amendment in 2008 which is in process. . DCD is currently reviewing the ubsequent EIR

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
11.2	**Local Advisory Committee**. The Community Development Department shall organize, and the Landfill developer shall participate in a local advisory committee, consisting of elected representatives of local residents and neighborhood associations, to comment and advise on the development of the landfill and its operations. The Board of Supervisors may sanction the Local Advisory Committee as an official County committee. The committee shall be established as soon as reasonably possible after the Board of Supervisors' approval of this Land Use Permit, if such approval is forthcoming. Meetings shall be initiated following the approval of a Land Use Permit and shall be held at least quarterly through the first two years of landfill operation. Subsequently, meetings may be held annually, but with the provision for meetings on call by the chair or the written request of 3 or more members. The County Health Services Department shall be notified at least 10 days in advance of all meetings. Subjects for consideration at meetings will include, but shall not be limited to safety and emergency procedures, landfill fill-related traffic problems, screening of visual impacts and problems of litter, odor, and noise control. Meeting agenda also may include discussion of reports on the landfill construction, operation and maintenance. The Landfill operator shall provide reasonable access to the landfill arranged through the Community Development Department. A surcharge on the tipping fee may be used to fund the advisory group's operations.		Completed	Currently inactive due to action taken by the County Board of Supervisors on 1/25/1995. The last meeting took place on February 28, 1995. Landfill personnel periodically conduct site tours of the facility for the local community and make presentations to the Bay Point Municipal Advisory Council upon request.
11.3	**Insurance and/or Bonding**. The applicant shall provide the insurance and bonds specified by the units of government having approval authority over the project. Subjects will include, but not be limited to, continuity of landfill operation, non-compliance, emergency measures, construction performance, landscaping and closure.		In Compliance. On-Going	The filing was substantiated by CDD on 10/25/1991. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991. Insurance requirements are specified in Article 12 of the First Amended Landfill Franchise Agreement approved by the County in 1994. See also Condition 25.10. The only agency that required a bond at project approval was the Regional Water Quality Control Board. A Mitigation Bond of $500,000 (Bond No. 98370) was filed by KCLC with the Regional Board. Landfill facility Insurances and bonds are updated annually according to inflation rates set by CalRecycle. Bonds are updated for closure, post-closure, and corrective action.

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11.4	**Notification Program**. The Landfill operator shall prepare and implement a program to notify potential users of the landfill of its opening and closing times, and the conditions of its use, including waste reduction and recycling requirements, site access regulations, and a detailed list of prohibited hazardous wastes and alternative disposal options. The program should be prepared in conjunction with the operator(s) of the transfer station(s) serving the landfill. It shall be approved by the County Community Development Department.		Completed. On-Going	Notification requirements of this condition are included in sales, customer service, and special waste service agreement business contracts with users and potential users of the landfill. Signage of operating hours and conditions, conditions of use, and other requirements are posted at the facility entrance. Additionally, the back of every ticket issued to customers at the gate specifies unacceptable waste, and the actions that can be taken by the landfill operator at its sole discretion in the event a customer attempts to deliver unacceptable waste. The applicable waste reduction and recycling requirements can be found in Condition 5.5 and proposed new Condition 8.6.
11.5	**Development Coordinator**. The Landfill owner shall provide a fund to support a County Landfill Development Coordinator, if the County establishes the position, through the period of construction and landfill operations. The Coordinator shall be a staff member or a consultant. The owner shall make quarterly advance payments. The Landfill developer and operator shall provide such information as the Development Coordinator may require to review plans and installations under the purview of the County, except that any requirements for additional studies shall be subject to the approval of the County's Director of Community Development.		In Compliance. On-Going	The Board of Supervisors approved initial consultant contract with Brown & Caldwell for Development Coordinator on September 3, 1992 for Phase 1B; & Geotechnical Coordinator (COA 16.4).The landfill operator reimburses the County for staff costs to review landfill plans, installations, and operations related to this LUP pursuant to Condition 11.6.
11.6	**Compliance and Mitigation Monitoring Program**. The Landfill operator shall provide a fund to support County staff monitoring of compliance with Conditions of Approval and mitigation monitoring programs, as designed and implemented by the County Community Development and Health Services Departments.		In Compliance. On-Going	Landfill owner provides funds to support County staff of the DCD and CCEH as required by this condition of approval.
11.7	**Pre-Annexation Notification**. If the Landfill owner decides to request annexation of the Landfill to a city, the owner shall notify the Board of Supervisors at least 180 days in advance of filing any application for such annexation. The Board may require the Landfill owner to consult with it or County staff to determine how solid waste management programs specified in these Conditions of Approval would be carried out subsequent to annexation. In no case shall the annexation relieve the Landfill operator of the financial responsibilities, including payment to the County of mitigation fees, specified in these Conditions.		Not Yet Required	Landfill owner has not requested annexation of the landfill property to a city.
11.8	**Fee and Surcharge Identification.** The Landfill operator (permittee) shall not identify the costs of public agency (County, etc.) fees, charges, or surcharges on bills and receipts issued to landfill users without first obtaining the specific written approval of the County.		In Compliance. On-Going	This Landfill owner is in compliance with this condition. No costs of public agency (County, etc.) fees are identified on customer invoices.

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11.9	**Interpretation of Conditions**. The Community Development Department Director is authorized to interpret these Conditions in the event that any clarification is needed.		Informational	Condition Acknowledged.
11.10	Conditions of Approval Nos. 4.2 and 13.4 require a franchise or agreement to be established by this County. All of these Conditions of Approval shall be subordinate to the terms of said franchise or agreement, and the terms of said franchise or agreement shall control in the case of any conflict. There shall be no need to amend these Conditions of Approval in the event of such a conflict.		Completed	Original Franchise Agreement was issued on December 4, 1990. The Franchise Agreement was amended on September 13,1994 as the First Amended Landfill Franchise Agreement. Amendment No. 1 to the First Amended Franchise Agreement was executed on November 1, 1994. Amendment No. 2 to the First Amended Franchise Agreement was executed on February 27, 1996.
11.11	Several of these Conditions of Approval relate, paraphrase or summarize laws and regulations which are imposed and enforced by other governmental agencies which have jurisdiction over particular aspects of this project. It is this Board's intent in adopting these Conditions of Approval to provide the applicant and the public with an overview of the scope of regulation applicable to this project and to provide this County with enforcement power if such laws and regulations enforced by other agencies are violated. Unless specifically stated in the Conditions of Approval, however, it is not this Board's intent to establish rules or regulations which are stricter than the laws or regulations which are applied to this project by the other agencies with jurisdiction over aspects of this project. If another agency primarily responsible for some aspect of this project finds that any action or inaction is in compliance with, or violates, any such law or regulation, that finding shall be conclusive. If these Conditions of Approval require some approval by any other agency and that agency declines to approve or disapprove the subject matter, such approval shall be deemed to have been given for purposes of these Conditions of Approval.		Informational	Condition Acknowledged. The Department of Conservation and Development is not aware of any approval Keller has sought which was denied by a regulatory agency.
11.12	This Board does not intend, by requiring the applicant to fund various measures, to make any decision regarding whether or not, or how, any expenditures incurred may be recovered through the rate structure or otherwise by the applicant. Any such decision by this Board shall be reserved for its consideration in the franchise or agreement. No inference regarding this issue is to be drawn from this Board's use of any particular terminology in these Conditions of Approval.		Informational	Condition Acknowledged.

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11.13	In any instance where a Condition of Approval provides that this Board will decide or act upon a certain matter, this Board may delegate the initial decision making or action with respect to that matter to the Director of Community Development or such other designee as this Board determines to be appropriate, provided that there shall be a right of appeal to this Board from any decision to the Director of Community Development or other designee.		Informational	Condition Acknowledged.
12.1	**Rate Approval.** The Board of Supervisors shall approve all rates charged by the landfill operator at the landfill. The rates established by the Board will be not only maximum rates but also minimum rates.		No Longer Applicable	Applicable conditions and provisions of rate review and approval are implemented through the Franchise Agreement. See Condition 11.10.
12.2	**Rate Review.** The Board of Supervisors shall review and approve rates annually in accordance with an approved rate application procedure. More frequent review of rates may occur if requested by the landfill operator and if the Board determines that changing circumstances warrant such review. The Board may also review rates more frequently if the Board determines that it is in the public interest to do so.		No Longer Applicable	Applicable conditions and provisions of rate review and approval are implemented through the Franchise Agreement. See Condition 11.10.
12.3	**Form and Content of Rate Review Application.** The landfill operator shall submit its rate application in a form and content as specified by the County. Such application may require the landfill operator to submit the application on forms and/or using computer software provided by or specified by the County. The County shall have the right to inspect and audit all records of the landfill operators which support its rate review application.		No Longer Applicable	Applicable conditions and provisions of rate review and approval are implemented through the Franchise Agreement. See Condition 11.10.
12.4	**Rate Application Guidelines.** The rate application shall be designed to ensure reconciliation of rates with audited company financial statements; detailed year-to-year cost comparisons; documented guidelines for allowable expense categories, accounting methodologies, allowable management costs and other cost elements; unit usage and unit cost data on major expense items; calculation and reporting of company productivity statistics by cost category; and full documentation of assumptions and source materials. The rate application process shall also provide for comparative rate surveys with other similar operations.		No Longer Applicable	Applicable conditions and provisions of rate review and approval are implemented through the Franchise Agreement. See Condition 11.10.

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12.5	**Financial Statement**. The landfill operator shall maintain full and complete accounting records in conformity with generally accepted accounting principals applied on a consistent basis. A financial statement for the proceeding fiscal year, in such form and providing such information as the Board may require, shall be submitted with each rate review application. The financial statement shall be prepared and certified by a Certified Public Accountant currently licensed to practice in the State of California. The County, through a Certified Public Accountant appointed by the County for that purpose, shall at all reasonable times have the right to inspect and audit the records of the landfill operator that supports the financial statements. The County reserves the right to determine which records are relevant.		No Longer Applicable	Applicable conditions and provisions of rate review and approval are implemented through the Franchise Agreement. See Condition 11.10.
12.6	**Scope of Rates**. The Board of Supervisors may require that the landfill operator include in its rates collection for purposes other than disposal including but not limited to, charges for funding of inspections, charges relating to origin of waste such as out-of-county waste, franchise or agreement fees, closure and postclosure maintenance of other landfills, solid waste management programs such as general litter pick-up, abandoned vehicle removal, solid waste planning, and any other conditions of approval.		No Longer Applicable	Applicable conditions and provisions of rate review and approval are implemented through the Franchise Agreement. See Condition 11.10.
13.1	**Franchise Compliance and Agreement**. The Permitee-Landfill operator shall be subject to the terms and conditions of any franchise or agreement established by the Board of Supervisors. A draft franchise or agreement shall be submitted with or before the Final Development and Improvements Plan.		Completed. On-Going	The original Franchise Agreement was issued on December 4, 1990. The Franchise Agreement was amended on September 13,1994 as the First Amended Landfill Franchise Agreement. Amendment No. 1 to the First Amended Franchise Agreement was executed on November 1, 1994. Amendment No. 2 to the First Amended Franchise Agreement was executed on February 27, 1996.
13.2	**Assignment**. The landfill operator and the landfill owners shall not assign or subcontract the franchise or agreement, any part of the franchise or agreement or any obligation of the franchise or agreement without written prior consent of the Board of Supervisors. The term "assignment" shall include any dissolution, merger, consolidation or reorganization of the landfill's ownership or the sale or other transfer of the controlling percentage of the owner's stock in the landfill or the sale of 51% of the value of the assets of the landfill's owners.		Completed. On-Going	Condition Acknowledged.
13.3	**Contents**. The franchise or agreement may contain such provisions as the Board deems necessary, including but not limited to complete indemnification of the County, liability insurance by type and amount, performance bond by type and amount, rights of the County to acquire ownership of the landfill, funding for mitigation and reimbursement of County costs, funding for closure or post-closure costs, franchise or agreement fee fees) rate review and approval procedure and determination of and consequences of breaches of the franchise.		Completed. On-Going	The original Franchise Agreement was issued on December 4, 1990. The Franchise Agreement was amended on September 13,1994 as the First Amended Landfill Franchise Agreement. Amendment No. 1 to the First Amended Franchise Agreement was executed on November 1, 1994. Amendment No. 2 to the First Amended Franchise Agreement was executed on February 27, 1996.

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13.4	**Requirement**. Permitee shall not establish, operate or carry on the business of a solid waste facility pursuant to this permit unless and until it has been first granted a franchise (or entered an agreement with the Board of Supervisors).		Completed. On-Going	The original Franchise Agreement was issued on December 4, 1990. The Franchise Agreement was amended on September 13,1994 as the First Amended Landfill Franchise Agreement. Amendment No. 1 to the First Amended Franchise Agreement was executed on November 1, 1994. Amendment No. 2 to the First Amended Franchise Agreement was executed on February 27, 1996.
13.5	**County Discretion**. Notwithstanding any other provision of this Permit, Permittee acknowledges that the County's discretion to grant or deny one or more said exclusive, non-exclusive or otherwise franchises or similar agreements is not limited or abridged in any manner by this Permit; and that this Permit does not require the approval of any such franchise or agreement. County reserves the right as part of the negotiation and entry of any such franchise or agreement to enter a public-private partnership with the Permitee for the project and/or to pursue the rights of the County to acquire ownership of the Landfill.		Completed. On-Going	Condition Acknowledged.
14.1	**Initial Development and Improvements Plan.** The Initial Development and Improvements Plan approved by this Land Use Permit, and modified by these Conditions of Approval, shall consist of the following schematic plans included in the applicant's January 31, 1989 entitlement application, the Keller Canyon Landfill Comprehensive Project Description (February 1989) and addendum (December 1989), and the 3-volume Site Characterization Report (September 1989). a) Grading/Excavation Plans with fill limits for each phase. b) Layout for Groundwater Collection System. c) Liner System Cross-section and Installation Sequence. d) Leachate Collection System Layout Plan. e) Gas Collection Layout Plans for each phase. f) Surface Water Drainage Plan. g) Facilities Site Plan for Operations and Maintenance. h) Leachate, Landfill, Gas and Water Storage Facility. i) Landfill Access Road Plans Profiles, Typical Section. j) Bailey Road Plan and Typical Section. k) Landscape Facilities Site Plan for Operations and Mainte-nance. l) Landscape Plan for Leachate, Landfill Gas and Water Storage Facilities. m) Landscape Plan.		Completed. On-Going	All plan elements outlined in this condition of approval for the Initial Development and Improvements Plan were submitted and subsequently completed in final form in the Final Development and Improvements Plan (FDIP).

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
14.2	**Regulatory Agency Approvals**. Subsequent to the approval of this Land Use Permit, the Landfill Developer shall obtain approvals from the regulatory agencies having jurisdiction over the project, and obtain their detailed requirements for building, serving, and operating the Landfill. The approvals shall include, but are not limited to: a) Waste Discharge Requirements from the Regional Water Quality Control Board. b) Authority to Construct (and Authority to Operate Requirements) from the Bay Area Air Quality Management District. c) Wetland Modification Permit from the Army Corps of Engineers. d) Streambed Alteration Agreement from the State Department of Fish and Game. The Landfill developer shall notify the Community Development Department if proposed or adopted conditions or requirements of regulatory agencies do not appear to be consistent with this Land Use Permit or the Landfill's Environmental Impact Report.		Completed. Updated As Needed	The permits and approvals involved compliance with prevailing State and federal regulations and design standards for a Class II sanitary landfill and represent implementation of many mitigation measures specified in the 1990 Final EIR. All other project approvals were obtained and updated as follows: * Solid Waste Facility Permit (SWFP) #07-AA-0032, issued April 29, 1992 by the County Health Services Department, with concurrence from the former California Integrated Waste Management Board, now the California Department of Resources Recycling and Recovery (CalRecycle). Last reviewed and modified in 2009; * Waste Discharge Requirements (WDRs) Orders No. 91-052, 97-060, 98-081, 00-091, 01-240, R2-2003-0063, R2-2004-0080, issued 3/20/91 by the California Regional Water Quality Control Board, San Francisco Bay Region (RWQCB). Last amended 2004; * Title V Permit Major Facility Review Plant No. A4618 last issued June 12, 2014 by the Bay Area Air Quality Management District (BAAQMD);* Authority to Construct/Permit to Operate Plant No. 4618 reviewed annually by the BAAQMD; * National Pollution Discharge Elimination System Permit #2-07S006887 issued September 17,1992 by the U.S. Environmental Protection Agency; * Nation-Wide Permit No. 26t, Section 404 of the Clean Water Act, issued June 14, 1991 by the U.S. Army Corps of Engineers; * Conditional Certification under the Clean Water Act, Section 401, issued October 3, 1991 by the California Regional Water Quality Control Board, San Francisco Bay Region;* Streambed Alteration Agreement No. 1461-90 by the California Department of Fish and Game was signed by the Warden on 8/4/1991 and executed by the Operator on October 18, 1991. Lawlor Creek (No. 1461-90); Sedimentation basin, drainages, culverts (No. 1462-90); and wetlands construction (No. 1463-90). * Industrial Waste Discharge Permit #292150-S last issued 2008 by the Delta-Diablo Sanitation District; * Cancellation of the Land Conservation Act (Williamson Act) Contract #6-71 on July 24, 1990 and amended on October 15, 1991 by Contra Costa County. * Report of Disposal Site Information (RDSI), 1992, pursuant to SWFP 07-AA-0032, as amended. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
14.3	**Improvements Requirements.** Subsequent to the approval of this Land Use Permit, the Landfill developer shall obtain approvals from the agencies, utilities, and parties having jurisdiction or control over the on-site and off-site improvements required by this Land Use Permit or by agencies having regulatory jurisdiction over the project. The Landfill developer shall notify the Community Development Department if proposed or adopted Conditions or requirements do not appear to be consistent with this Land Use Permit or the Landfill's Environmental Impact Report.		Completed. Updated As Needed	All approvals were obtained from jurisdictional agencies as described above in Condition 14.2. The Department of Conservation and Development has not received any notice from the Landfill stating that the land use conditions appear to be inconsistent with the LUP or Environmental Impact Report.
15.1	**Final Development and Improvements Plan**. Subsequent to the approval of the Land Use Permit but prior to the commencement of any construction, the Landfill developer shall submit a Development and Improvements Plan to the Community Development Department and obtain the approval of the Director of Community Development. The Development and Improvements Plan shall be consistent with the project approved by the Land Use Permit, but prepared to a level of detail appropriate for the review of the engineering and construction of the project's on-site and off-site improvements. It shall be internally consistent with the project's Environmental Impact Report findings, these Conditions of Approval, regulatory agencies and others having discretionary approvals over the project, and the Solid Waste Facilities Permit issued by the County Health Services Department. The Community Development Department will coordinate the review of the plan by the Health Services Department, the Public Works Department, and other appropriate units of government. The Landfill developer shall comply with all provisions of the final Developments and Improvements Plan. The Development and Improvements Plan shall include: a) Site Development Plan, as described in the following sections b) A Surface Water Management and Sediment Control Plan, (Section 18). c) An Agricultural and Habitat Enhancement Plan, (Section 23) d) A Waste Reduction and Resource Recovery Program, (Section 31) e) A Landscape (screening) Plan, (Section 22) f) A Landfill Gas Management/Air Quality Monitoring/Odor Control Plan, Section 20) g) A Leachate Management Plan, (Section 17) h) A Site Services and Utilities Plan (Section 30). i) A Traffic/Circulation Plan, (Section 29).		Completed. Updated As Needed	A copy of the FDIP is kept at the KCL and County DCD offices and is available for review during normal business hours. Some of the documents listed below have been updated by other permits in effect at KCL. The FDIP was formally submitted on July 23, 1991 to CDD. The FDIP served as the primary basis for facility review. CDD coordinated reviews of the FDIP with other County department. The landfill operator updated elements of the FDIP as directed by CDD. * Landfill (Site) Development Plan included in FDIP, Section 3 * Surface Water Management and Sediment Control Plan included in FDIP, Section 4 * Agricultural and Habitat Enhancement Plan included in FDIP, Section 5 * Waste Reduction and Resource Recovery Plan included in FDIP, Section 6 * Landscape (Screening) Plan included in FDIP, Section 7 * Landfill Gas Management/Air Quality Monitoring/Odor Control Plan included in FDIP, Section 8 * Leachate Management Plan included in FDIP, Section 9 * Site Services and Utilities Plan included in FDIP, Section 10 * Traffic and Circulation Plan included in FDIP, Section 11

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
15.2	In approving the Development and Improvements Plan, the Community Development Department Director may allow the Landfill developer to phase construction of landfill modules and other features, except where timing is specified in these conditions. The submittal of the Development and Improvements Plan components may reflect this phasing.		In Compliance. On-Going	The Community Development Department authorized initial phased construction of landfill facilities and modules in 1991. See Community Development Department Memo from C. Zahn to the Board of Supervisors dated 10/25/1991.
16.1	**Landfill Slopes Objective.** Landfill slopes shall be engineered to provide static and dynamic (seismic) stability under design criteria for Class II Landfills.		See Conditions 16.2 - 16.12	All engineering design related to landfill slopes meet design criteria for Class II landfills and are approved by the RWQCB. The facility is in compliance with measures incorporated into the WDRs (RWQCB Order 01-040) [(e.g. Specification B.8, (Maintenance of Disposal Area slopes), B.14 (Reports prepared by registered engineers and geologists). Letter of authorization from the RWQCB was substantiated by CDD on 10/23/1991.
16.2	**Seismic Design.** The Landfill, its drainage features and operating components (lifts, berms, liners, sediment pond, leachate and gas collection systems and major stockpiles) shall be designed to withstand the Maximum Credible Earthquake (MCE) and a 0.65g acceleration rate. The Landfill developer shall utilize a MCE (design earthquake) specified by the County Community Development Department and the San Francisco Regional Water Quality Control Board. The Landfill developer shall provide substantiation in the Final Development and Improvements Plan that the Landfill design will withstand the MCE.	B-7, 8, 15, 23	In Compliance. On-Going	The facility is in compliance with seismic design criteria and other measures incorporated into the WDRs (RWQCB Order 01-040) [(e.g. Specification B.5 (engineered structures to withstand maximum credible earthquake (MCE), Provision C.5 (submit proposal for slope and seismic analysis) and (slope and seismic analysis for new construction). WDRs are monitored by the RWQCB. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
16.3	**Landslide Study.** The Landfill developer shall employ a licensed geotechnical consultant to conduct a supplementary study of landslides and slope stability in areas of the site affected by Landfill and improvements grading. The study shall be performed by a licensed geotechnical professional. The study shall be subject to the approval of the County and the San Francisco Regional Water Quality Control Board. The Landfill developer shall incorporate the results of the study into the site grading program and the designs of overlying structures, which shall be included in the Development and Improvements Plan.	B-11, 12	Completed. On-Going	The original preliminary Landslide Study is included in the FDIP, Appendix G. The facility is in compliance with the WDRs Section 19.and Title 27 requirements, including Section 21750(f)(5)(A) requiring the discharger to provide slope stability analyses prior to constructing, ensuring the integrity of the waste management unit under both static and dynamic conditions throughout the unit's life. A certified study by a licensed geotechnical professional was substantiated by CDD on 10/25/1991. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
16.4	**Geotechnical Inspector.** The Landfill operator shall contract with the County, or through the County, for an independent geotechnical consultant, who shall be selected by and be responsible to the County. The consultant shall inspect regularly the installation and condition of liners, leachate control facilities and other installations, identified by the County, as they are installed. This provision shall remain in force over the life of the landfill.	B-11, 24	In Compliance. On-Going	Design reports for all phases of site development are submitted to the County for review and approval. The operator was asked to provide funding for the County to contract with a geotechnical consulting firm to assist with the review of design reports for at least the first five years of phased landfill construction. Professional geotechnical consultants are involved in all phases of site development as required by WDRs Specification B.14 (Reports prepared by registered engineers and geologists). Liner installation is routinely inspected during construction of each new landfill disposal phase in accordance with requirements of this LUP and the WDRs monitored and enforced by the RWQCB. The County may elect to retain geotechnical expertise in the future at the operator's expense pursuant to this Condition.
16.5	**Landfill Design Stability.** The Landfill developer shall provide a static and dynamic stability analysis of the final engineering design of the Landfill and its appurtenant improvements. The stability analysis method and the resulting analysis shall be approved by the County Community Development Department and the San Francisco Regional Water Quality Control Board and included in the Final Development and Improvements Plan.	B-23	Completed. On-Going	An early study of landfill design stability is included in FDIP, Section 3.3. In 2002, analyses were performed to evaluate the static and seismic stability of the proposed base grades, the final fill grades and the proposed cover system under five cases involving different locations proximate to landslides, and under different final fill grades and cover parameters. The presentation and discussion of these analyses is organized in an internal report by GeoSyntec, 2002. In general, stability was evaluated using industry standard methods of slope stability analysis. In areas of the site where insufficient data is available to utilize limit equilibrium methods, the results of kinematic evaluations previously performed at the site was used to evaluate stability. The analyses were based on historical data for the site and are for planning purposes only. In all cases, the analyses should be reviewed and revised, as applicable, during preparation of final design and construction documents. All KCL design documents must comply with the WDRs Section 19. Title 27 Requirements, which requires that any future developments must comply with Section 21750(f)(5)(A), requiring the discharger to provide slope stability analyses, ensuring the integrity of the waste management unit under both static and dynamic conditions throughout the unit's life. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
16.6	**Slope Monitoring.** The Landfill operator shall install slope monitoring stakes on landslides and sensitive slopes which could affect an operating Landfill. The monitoring program shall be approved by the County Community Development Department.	B-11, 12	Completed. On-Going	Included in the original Landslide Study in the FDIP, Appendix G. Slope monitoring is conducted consistently to identify potential problems. The facility is in compliance with measures incorporated into the WDRs (RWQCB Order 01-040) [(e.g. Specification B.8, (Maintenance of Disposal Area slopes), B.14 (Reports prepared by registered engineers and geologists), Provision C.5 See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991
16.7	**Settlement Program.** The Landfill developer shall implement a program to prevent fill settlement and an inspection program to detect and correct settlement problems. The developer shall compact the refuse and cover materials to maximum strength and design and maintain the necessary slope gradient to ensure proper surface water drainage. A network of settlement platforms shall be installed to monitor fill settlement at critical points. The station specifications and locations shall be included in the Improvements and Development Plan. The Settlement program shall be subject to the approval of the County Community Development Department and the San Francisco Regional Water Quality Control Board.		Completed. On-Going	Included in FDIP, Section 3.4. Landfill settlement is also addressed in the Draft JTD. Compaction of waste and cover is performed in compliance with State requirements and Condition 17k(c) of the SWFP. The facility is in compliance with seismic design criteria and other measures incorporated into the WDRs (RWQCB Order 01-040) [(e.g. Specification B.5 (engineered structures to withstand maximum credible earthquake (MCE), Provision C.5 (submit proposal for slope and seismic analysis) and (slope and seismic analysis for new construction). WDRs are monitored by the RWQCB. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
16.8	**Post-Earthquake Program.** The Landfill operator shall prepare and implement an emergency program for inspecting the Landfill facility, dealing with failures and providing refuse handling for implementation following a substantial earthquake. The program shall be subject to the approval of the County Community Development Department and the County Health Services Department		Completed. On-Going	A Post-Earthquake Program is included in RDSI, JTD, 1998, Appendix Z, and was submitted to the RWQCB in compliance with Provision C.3 of the WDRs in Order No. 91-052. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
16.9	**Settlement Pond Embankment Design.** The Landfill developer shall design the settlement pond to control foundation seepage through the means of a filter or other materials.	B-10	Completed	Settlement pond embankment was designed per requirements of the WDRs and approved by the RWQCB. Also see Community Development Department Letter from H. Bragdon to the Board of Supervisors dated 12/13/1991; and Building Inspection memo from S. Thung to C. Zahn dated 1/21/1992. The facility is in compliance with measures incorporated into the WDRs (RWQCB Order 01-040) [e.g. Prohibition A.5 (Detailed construction plans of containment structures), C.18 (Notification of containment facility failure). WDRs are monitored by the RWQCB.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
16.10	**Settlement Pond(s) Monitoring Program.** The Landfill operator shall prepare and implement a failure prevention and warning system, including daily monitoring and visual inspection, for the sedimentation ponds. The program shall be approved by the County Community Development Department and shall be included in the Development and Improvements Plan.	B-6, 9, 16	In Compliance. On-Going	Included in FDIP, Section 3.5. Sedimentation ponds and stormwater discharge points are inspected at a minimum on a weekly basis. Daily inspections have proved unnecessary due to the static nature of the facilities particularly during the non-rainy season. The facility is in compliance with measures incorporated into the WDRs (RWQCB Order 01-040) [e.g. Prohibition A.5 (Detailed construction plans of containment structures), C.18 (Notification of containment facility failure). WDRs are monitored by the RWQCB.
16.11	**Stockpile Stability.** Commencing with the onset of stockpiling, the Landfill operator shall continually analyze daily cover material stockpiles for stability to determine allowable heights and/or slopes. The results shall be available to the County Community Development Department and the County Health Services Department on demand.		In Compliance. On-Going	Stockpiled cover materials are analyzed daily for stability as standard operating procedure and Condition 17k(a) of the SWFP. Results of stockpile stability analyses are available to the Department of Conservation and Development and the LEA upon request.
16.12	**Unstable Areas.** Areas with landslide potential to affect land-fill operations shall be stabilized through excavation or other methods such as compacting or the construction of retaining walls. Grading operations shall be performed in a manner which shall not destabilize slopes.	B-12	In Compliance. On-Going	Potential landslide areas have been identified. Stabilization methods are to be determined in the field. Significant landslide events occurred at the landfill site in 1996 and 1998. All corrective actions were reviewed and approved by the RWQCB and are the subject of RWQCB Order 01-040 Title 27 Requirements Items 16, 17, and 18. Measures are incorporated into the facility's WDRs (RWQCB Order 01-040) [(e.g. Specification B.8, (Maintenance of Disposal Area slopes), B.14 (Reports prepared by registered engineers and geologists), Provision C.5
17.1	**Groundwater Protection Objective.** The Landfill shall not impair the beneficial uses of groundwater on the Landfill site or in its vicinity. The design and monitoring of the Landfill shall be based upon the assumption of the existence of high permeability interconnecting cracks and fissures in the underlying strata allowing the potential of groundwater transmission.		See Conditions 17.2 - 17.6	Implementation of conditions of approval in LUP Section 17. Groundwater Protection related to landfill site design and monitoring has maintained beneficial uses of groundwater at the landfill site or surrounding vicinity.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
17.2	**Landfill Liner.** The Landfill developer shall install a engineered liner system, including a clay liner and a high-density polyethylene liner, which meets State Class II Landfill standards. The liner shall be approved by the San Francisco Bay Regional Water Quality Control Board and its specifications and design shall be included in the Development and Improvements Plan. The liner shall be designed to withstand the Maximum Credible Earthquake as specified by the Regional Water quality Control Board. See Section 16.	B-27, 28, 51, 52	In Compliance. On-Going	Subtitle D requires operators of municipal solid waste landfills to conform to the design criteria under 40 CFR, Section 258.40. These criteria require the construction of a composite liner system (or engineered alternative) in new waste management units, lateral expansions, or areas that contain no refuse within a previously permitted waste management unit. The KCL base liner system is designed in accordance with 27 CCR, Section 20330 and WDR 01-040 Specification B.13 requirements for a Class II liner. The base liner components generally consist of (from bottom to top): Prepared subgrade; A 12-inch underdrain granular layer; A non-woven geotextile filter; A 24-inch thick low-permeability soil layer (maximum permeability of 1 x 10-7 cm/sec); A 80-mil high density polyethylene (HDPE) liner (double textured); A non-woven geotextile cushion layer; A 12-inch dendritic LCRS gravel layer; A non-woven geotextile filter; and A 12-inch thick operations (protective cover soil) layer. Upon approval by the RWQCB, the 12-inch underdrain granular layer may be deleted in those areas where such an underdrain is not necessary as an engineered alternative, pursuant to 27 CCR Section 20080(b), to the prescribed 5-foot separation between wastes and groundwater required by 27 CCR Section 2040(c). Also, upon approval of the RWQCB a synthetic drainage layer may be substituted as an engineered to the 1-foot thick dendritic LCRS layer. A system of swales and pipes collects leachate from the LCRS layer, and conveys it via gravity flow to the leachate storage tanks located northeast of the disposal area. The slope liner system consists of (from bottom to top): Prepared subgrade; A double-sided underdrain geocomposite (as needed, according to groundwater separation requirements); A 24-inch thick low permeability soil (maximum permeability of 1 x 10-7 cm/sec); A 80 mil HDPE liner (double textured);

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
17.3	**Leachate Collection System**. The Landfill developer shall install a leachate collection system which shall meet State Class II standards. The leachate collection system shall be approved by the San Francisco Bay Regional Water Quality Control Board, and its specifications and design shall be included in the Development and Improvements Plan. Leachate shall be contained by a double liner system consisting of a two-foot thick layer of clay overlain by a synthetic membrane liner. Enclosed storage tank design for leachate treatment shall meet hazardous waste storage requirements, which includes a double liner system with perimeter berms. An emergency connector shall be installed between the pre- and post-treatment tanks in the event of an overflow situation. A tanker truck shall be readily available for emergency purposes. Measures shall be taken to limit leachate formation, such as prompt covering of waste and provision of surface water drainage away from landfill areas.	B-27, 28, 51, 52	In Compliance. On-Going	The facility is in compliance with measures incorporated into the WDRs (RWQCB Order 01-040) [e.g. Prohibition A.9 (leachate discharges), Specification B.4 (LCRS design), B.17 (Leachate sump seismic design), Provisions C.1 (Compliance with Specifications and Provisions of Order), C.3 Groundwater monitoring. WDRs are monitored and enforced by the RWQCB. The Leachate Collection and Removal System (LCRS) was designed, constructed, and is operated in accordance with RWQCB requirements. The leachate collection system was designed to handle twice the maximum daily leachate generation rate from the facility. Leachate collected in the LCRS flows through the drainage layer to pipes and subsequently into two 66,000 gallon leachate storage tanks located adjacent to the landfill gas flare station. The storage tanks are located inside a reinforced concrete secondary containment area set below surrounding grades. The leachate is disposed by re-injection into the waste mass in accordance with RWQCB requirements. The level of leachate in the two tanks are observed and recorded daily. During dry months (April to October), leachate is withdrawn when the tank liquid level is observed at approximately 4-feet or 16,500-gallons. Due to the potential increase in the volume of leachate from winter rains, the tank levels are kept as low as feasible in the wet months. See WDRs Specifications 4,9,13, 17, and 18; and Provision 4. See Community Development Department letter from C. Zahn to B. Olney (KCLC) dated 3/12/1992, which authorized installation of leachate tanks.
17.4	**Surface Drainage System.** Water collected in the underdrain system beneath the landfill shall be monitored on a regular basis specified by the San Francisco Regional Water Quality Control Board. If contaminated, this water shall be treated as leachate. See Section 18.2.		In Compliance. On-Going	The surface drainage system is monitored in accordance with RWQCB WDR detection monitoring requirements (Monitoring Programs 36. Surface Water) and the facility Self-Monitoring Program Parts A and B. Annual monitoring reports are filed with the RWQCB and are available for review at the landfill office during normal business hours. The facility is in compliance with measures incorporated into the WDRs (RWQCB Order 01-040) [e.g. Specification B.3 (Surface Drainage)]. The most recent 2014 First Semi-Annual Report and 2013 Annual Water Quality Monitoring Report prepared by the Landfill operator provides results of underdrain monitoring. The presence of volatile organic compounds (VOCs) was originally investigated in a letter to the RWQCB dated May 6, 1999. The investigation revealed that contamination in the underdrain, and also in gas from the underdrain pipe, was characterized by chloroflurocarbon compounds (CFCs) that were different from VOCs detected in leachate or gas from the landfill. The study concluded that the source of the VOCs probably did not result from a release from the landfill. Since that investigation, KCLC continues to perform monthly sampling of the underdrain and indicate an apparent decrease in total VOC concentrations. Decreases may be related to the expansion and start up of the landfill gas collection system at the landfill.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
17.5	**Groundwater Monitoring.** The Landfill developer shall install a groundwater monitoring system and implement a monitoring program, as required by the San Francisco Bay Regional Water Quality Control Board. The monitoring stations' specifications, locations, and their frequency of monitoring shall be included in the Development and Improvements Plan. The proposed monitoring program shall be subject to review by the County Health Services Department and the County Community Development Department.	B-18, 26, 31	In Compliance. On-Going	The original groundwater monitoring program is included in FDIP, Section 9.3, and Appendix A. All monitoring of groundwater is performed in accordance with the RWQCB WDR requirements under Monitoring Programs 34. Groundwater and 35. Leachate. The facility is in compliance with measures for groundwater monitoring into the WDRs (RWQCB Order 01-040). Also see Section C, Provisions, and California Environmental Quality Act section of Order, Items 38 through 40). The groundwater monitoring network at the existing KCL has been designed to provide early detection of a release from wastes to groundwater. The monitoring systems currently installed were designed and certified by a registered (geologist or civil) engineer. The boring logs were prepared under the direction of a registered geologist or civil engineer and have been submitted to the RWQCB. At the KCL, the groundwater monitoring network currently includes 21 groundwater wells. The landfill's detection monitoring program includes sampling of 12 of those wells and the surface spring SFC-0 located downgradient from the landfill. KCL also performs semi-annual monitoring of the blanket drain underlying the toe berm, and monthly detection monitoring of the discharge from the underdrain underlying the entire landfill. In addition to the above, annual background monitoring is conducted at nine wells and one spring in areas upgradient or cross-gradient of the landfill; Monthly water level monitoring occurs at 15 wells to record the rate of recovery after sampling activities have been completed (the water levels in four deep wells in the toe berm area are also measured to monitor the upward gradient in this area); Monthly flow monitoring is conducted at three springs and at the drain discharge points; and water level monitoring in nine wells and eight piezometers is performed quarterly.
17.6	**Downstream Well Monitoring.** The groundwater monitoring program shall include selected wells down gradient from the site. The wells shall be subject to approval by the San Francisco Regional Water Quality Control Board and the County Health Services Department. The Landfill operator shall sample and analyze water from these wells on a quarterly basis. The location of these wells shall be identified on the Development and Improvements Plan.	B-28	In Compliance. On-Going	A downstream well monitoring program is included in FDIP, Section 9.4, and Appendix A. Also see WDRs Self-Monitoring Program. The locations and design of wells were approved by CCEH and the RWQCB. All monitoring of groundwater is performed in accordance with the RWQCB requirements and the WDRs. Facility is in compliance with measures for groundwater monitoring incorporated into the WDRs (RWQCB Order 01-040). See Section C, Provisions, and California Environmental Quality Act section of Order, Items 38 through 40). Also see Condition 17.5 above.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
17.7	**Baseline Water Characterization.** The Landfill developer shall conduct a groundwater characterization study for at least a one-year period following the approval of the Land Use Permit. The procedures for the study shall be specified by the San Francisco Bay Water Quality Control Board and the County Health Services Department.		Completed	Included in FDIP, Section 9.3, and FDIP Appendix A Waste Discharge Requirements and 401 Certification, Baseline characterization was performed in accordance with the WDRs Self-Monitoring Program Section 4C. Monitoring reports were filed with the RWQCB. There is no record of HSD approval of a baseline characterization report; however, in other conditions requiring RWQCB approval, HSD deferred to the RWQCB approval and took no further action.
17.8	**Liquid Waste Disposal.** The Landfill operator shall comply with the requirements of the Regional Water Quality Control Board for disposal of de-watered sewage and other utilities' sludges in the Landfill to prevent excess liquid concentrations. The Landfill operator shall not accept other liquid wastes.		In Compliance. On-Going	The landfill facility is in compliance with RWQCB and SWFP requirements for handling and disposal of sludge material. The discharge of liquid or semi-solid waste to the landfill (i.e. waste containing less than 50% solids by weight), other than dewatered sewage or water treatment sludge as described in Section 20220(c) of Title 27, is prohibited.
17.9	**Drainage Grading.** The Landfill developer shall grade completed fill areas to convey surface run-off to ditches at the fill perimeter to limit infiltration into the Landfill. The grading specifications shall be included in the Development and Improvements Plan.	B-13, 14	In Compliance. On-Going	All grading and fill operations are consistent with plans and specifications included in FDIP, Section 9.5. Facility is in compliance with measures incorporated into the WDRs (RWQCB Order 01-040) [e.g. Specification B.3 (Surface Drainage)].

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17.10	**Leachate Management.** The Landfill operator may reapply leachate removed from the leachate collection sumps to the Landfill for absorption by solid waste, or arrange for its transportation (pretreated if necessary) to an appropriate treatment and disposal facility. If leachate is returned to the fill area, it shall be injected under the Landfill's cover rather than applied over its surface. The return of leachate to the Landfill shall be subject to the solids-to-liquids ratio restrictions defined by the San Francisco Bay Regional Water Quality Control Board and the County Health Services Department. If leachate is transported to an off-site disposal/treatment facility, it shall be pretreated on-site to meet all requirements of such facility before transport. If leachate build up becomes a problem, the County Health Services Department may require additional remedial measures, such as the placement of more soil cover, or the installment of a low-permeabiity earthen or synthetic cover. The Leachate Management Program shall be included as part of the Site Design Plan.	B-54, 60	In Compliance. On-Going	The Leachate Management Plan is included in the FDIP, Sections 9.1 through 9.8. A Leachate Collection Tank Log records daily measured levels, gallons in tanks 1 and 2, truck loads and gallons out. Leachate is sampled and analyzed quarterly. Leachate is disposed by re-injection into the waste mass in accordance with RWQCB requirements. The level of leachate in two leachate storage tanks are observed and recorded daily. During dry months (April to October), leachate is withdrawn when the tank liquid level is observed at approximately 4-feet or 16,500-gallons. Due to the potential increase in the volume of leachate from winter rains, the tank levels are kept as low as feasible in the wet months. Leachate monitoring and sampling is completed at the existing KCL in compliance with WDR Order No. 01-040. Future phases at the KCL will be constructed with an integrated LCRS that will be monitored as part of the facility's existing WDRs. Quarterly and annual reports of the monitoring results are submitted to the LEA, DTSC, and RWQCB. Leachate samples obtained are analyzed for the constituents and parameters listed in the site's WDRs. The quantity of leachate removed is measured and reported to the RWQCB in gallons per month. Leachate quality also is monitored based on quarterly sampling and analysis for the parameters listed in Appendix II of 40 CFR Part 258. Leachate monitoring results are included in the semi-annual Self Monitoring Reports for the landfill. The LCRS is tested annually to demonstrate operation in conformance with the WDRs. The results of these tests are reported to the RWQCB and include comparison with earlier tests made under comparable conditions. The facility is in compliance with measures incorporated into the WDRs (RWQCB Order 01-040) [e.g. Prohibition A.9 (leachate discharges), Specification B.4 (LCRS design), B.17 (Leachate sump seismic design), Provisions C.1 (Compliance with Specifications and Provisions of Order), C.3 Groundwater monitoring. WDRs are monitored and enforced by the RWQCB.
17.11	**Water Balance Calculations.** The Landfill operator shall provide water balance calculations, when requested by the County Health Services Department, to evaluate intermediate stages of Landfill operation to ensure the maintenance of a proper solids-to-liquid ratio.		Not Yet Required	Water balance data will be provided upon request by DCD and/or CCEH.

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17.12	**Leachate Holding Tanks.** Holding tanks for leachate shall be tested to ensure chemical compatibility to prevent chemical degradation of said tanks. The Landfill developer shall submit test results to the Regional Water Quality Control Board and the County Health Services Department, prior to the submission of the Development and Improvements Plan.		In Compliance. On-Going	Tests completed July 22, 1991. The original design and manufacture of leachate holding tanks were in accordance with RWQCB requirements. In See Health Services Department memo from M. Schott to C. Zahn (CDD) dated 10/13/1991. Schott stated approval recommended from RWQCB and that HSD had no further action and deferred to the RWQCB approval. Landfill operator is in compliance with WDR Monitoring Program Item 35. Leachate is sampled and analyzed quarterly and reports are submitted to the RWQCB. See Conditions 17.5 and 17.10 above.
17.13	**On-Site Water Supply Wells**. The Landfill developer shall con-struct the proposed on-site water supply wells after a hydro-geologic investigation has determined flow direction and relationship between water bearing strata if any. Water supply wells shall utilize separate water bearing strata, and shall be sealed to prevent communication between shallow and deep ground water. The locations and characteristics of water supply wells shall be described in the Development and Improvements Plan, and shall be subject to County Health Services Department and San Francisco Regional Water Quality Control Board approval. Pump tests shall be provided for on-site wells located within 500 feet of any domestic well to evaluate interference between wells.		Completed. On-Going	An on-site water supply well was constructed in accordance with County CCEH and RWQCB requirements. Well design plan is included in FDIP, Section 10.2. Water for operations at the KCL is supplied by a well approximately 1,000 feet north of the maintenance shop and water storage tank. The well meets the pumping capacity requirements of this condition. Permits to Construct issued by HSD on December 12, 1992 and April 15, 1993.
17.14	**Off-Site Water Well Contamination**. If the water quality of nearby domestic water supplies is impaired by Landfill leachate, the Landfill operator shall take immediate remedial action that is acceptable to the County Health Services Department and the San Francisco Regional Water Quality Control Board. The source of contamination shall be identified and immediately repaired. Remedial measures shall include but are not limited to extraction wells and slurry walls. The Landfill operator may be required to replace the impaired water supply.		Not Yet Required	Condition Acknowledged. The locations of groundwater wells within a mile of the existing KCL have been mapped and available information for the wells has been collected. Nearby domestic water supplies have not been impaired by landfill leachate. No remedial action has been required of the Landfill owner/operator.
17.15	**Liner Installation Inspection**. See Condition 16.4.		See 16.4	This condition cross-references to another LUP condition.
17.16	**Secondary Containment**. The Landfill developer shall construct a secondary containment system capable of containing 1.5 times the volume of each leachate-holding tank.		Completed	The storage tanks are located inside a reinforced concrete secondary containment area set below surrounding grades. The containment area meets the requirements of this condition. See Community Development Department letter from C. Zahn to B. Olney (KCLC) dated 2/13/1992, which authorized construction of the leachate storage tank foundations for both leachate tanks (capacity of 64,000 gallons each) and a concrete secondary containment with a capacity of 100,000 gallons (150% of the primary leachate tank) under Building Permit MI 176258.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
17.17	**Working Face**. The Landfill operator shall maintain a maximum daily working face of 3 acres or less in order to minimize surface water infiltration to the refuse, as well as to control dust and erosion, prevent vector proliferation, and minimize visual impacts.		In Compliance. On-Going	Standard operating procedures limit the maximum daily working face to fewer than 3 acres as specified in this condition, and a maximum of 1 acre as specified in Condition 17h of the SWFP.
18.1	**Surface Water Protection Objective**. The Landfill shall not impair the beneficial uses of water bodies in the vicinity of the Landfill site.		See Conditions 18.2 - 18.5	The original Surface Water Management and Sediment Control Plan was included in FDIP, Sections 4.1 through 4.3. Requirements for surface water protection are also defined in the facility WDRs Prohibitions 8(a), and Specifications B.3, B.7, and B.9.
18.2	**Surface Drainage System.** The Landfill operator shall install a Landfill surface drainage system which shall be designed to meet State Class II standards. It shall accommodate a 1,000-year, 24-hour design storm, as specified by the County Public Works Department and the San Francisco Regional Water Quality Control Board (SFRWQCB). The drainage system shall convey surface water around the active fill area without contacting the working face or any solid waste. The surface drainage system shall be approved by the SFRWQCB and the County Community Development Department and included in the Development and Improvements Plan. Surface flow shall be evaluated further with groundwater levels and precipitation factors prior to construction, and findings incorporated into the final landfill design in order to lessen impacts to surface water flow. Flow rates and groundwater levels shall be monitored through the life of the landfill. If loss of surface flow is determined to have unforeseen impacts, a like amount of water shall be provided.	B-13, 14	In Compliance. On-Going	Included in FDIP, Section 4.1. Also see WDRs Finding 18, Spec 2-3, Drawings 29-31. The surface drainage system was designed, constructed, and is maintained in accordance with this condition and requirements of WDR Specification B.3, which requires that surface drainage from tributary areas, and internal site drainage from surface and subsurface sources, shall not contact or percolate through wastes during disposal operations or during the life of the site. Surface drainage from tributary areas, and on-site drainage from surface sources, are collected using surface drainage ditches, and/or other conveyance and collection methods. The design criteria for drainage control devices are based on 27 CCR, Section 20365. The various drainage control system features (e.g., ditches, oversize drains, inlets, earthfill berms, sedimentation basin, and storm drains) located at the KCL have been designed to control surface water run-off from a 1,000-year, 24-hour rain storm event. Facility is in compliance with measures incorporated into the WDRs (RWQCB Order 01-040) [e.g. Specification B.2 (Washout and Erosion of Wastes), and B.3 (Management of Surface Drainage), and Provision C.3 (Preparation of facilities prior to rainy season)]. Measures incorporated into NPDES Industrial Discharge permit. WDRs and NPDES are monitored by the RWQCB. Letter of authorization from the RWQCB was substantiated by CDD on 10/23/1991. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.See correspondence from CDD to the District II Supervisor dated 4/22/1992 explaining how landfill design would help control flows into the City's storm drain.
18.3	**Creek Protection**. The landfill shall be designed so leachate and other contaminated water does not flow into Lawlor Creek. See Section 23.3.		In Compliance. On-Going	Landfill site design in the FDIP, the original RWQCB for construction of a Class II landfill, and on-going design reviews by regulatory agencies ensure that neither leachate nor contaminated water flows into Lawlor Creek. The Extent of Waste Placement where waste is disposed is located hundreds of feet away from Lawlor Creek. See RWQCB letter from L. Kolb to B. Olney dated 10/23/1991.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
18.4	**Surface Water Management and Sediment Control Plan.** The Landfill developer shall prepare and implement a Surface Water Management and Sediment Control Plan, which shall be subject to the approval of the County Community Development Department. The plan shall include a Stability Analysis of proposed cut and fill slopes, and shall prevent substantial erosion on slopes on the project site and reduce the amounts of water-borne materials from reaching surface waters. It shall include the components listed below, and it shall be included in the Final Improvements and Development Plan. (a) Primary Grading. The Landfill developer shall perform primary grading for the project's fill modules, cover, roads, paved areas, building sites, and the construction of site slopes during the April through October low rainfall season. (b) Temporary Flow Restriction. If grading must be done during rainy periods, or if erosion is occurring on previously graded areas, the Landfill developer shall take corrective actions, which may include the installation of ground cloth or the placement of hay bales. (c) Ground Cover. The Landfill developer shall plant ground over on graded areas which are not to be developed within 90 days. The ground cover shall be consistent with the Landscaping Plan. (d) Ditch/Swale Liners. The Landfill developer shall line any ditches and swales for conveying surface runoff across sanitary Landfill areas to limit water infiltration. Drainageways across other areas shall be lined or planted to limit erosion.	B-15, 17, 20, 29	Completed. On-Going	The original Surface Water Management and Sediment Control Plan i included in FDIP, Section 4.2 and Appendix I, The RWQCB approved the design for Keller Canyon, (See RWQCB letter from L. Kolb to B. Olney dated 10/23/1991). Plan elements have been updated as needed to meet requirements of landfill construction and prevailing regulations. All requirements in this condition for design and construction of the landfill were met prior to, or if approved by the County, subsequent to landfill opening. Monitoring of surface water management and sediment control is performed in accordance with RWQCB requirements, and Condition 17k(b) of the SWFP. Facility is in compliance with measures incorporated into the WDRs (RWQCB Order 01-040) [e.g. Specification B.2 (Washout and Erosion of Wastes), and B.3 (Management of Surface Drainage), B.7 Final grading promoting lateral runoff and Provision C.3 (Preparation of facilities prior to rainy season). Measures are also incorporated into NPDES Industrial Discharge permit. WDRs and NPDES are monitored and enforced by the RWQCB. To minimize onsite erosion, on-going erosion control measures are used during landfill operations to minimize soil loss. Typical measures include, but are not e limited to, the use of drainage ditches, channels and culverts, temporary diversion dikes, straw bale barriers, temporary and permanent seeding, and sediment basins. A storm water pollution prevention plan (SWPPP) is implemented in accordance with NPDES requirements utilizing Best Management Practices (BMPs) outlined in the SWPPP. The SWPPP is available for review at KCL. Future SWPPPs will be updated to reflect changes to the BMPs as the site is developed.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
	(e) Sedimentation Ponds. The Landfill developer shall install a sedimentation pond system prior to other landfill development to hold and process drainage from the Landfill property which shall be designed to withstand the 1,000-year, 24-hour design storm and Maximum Credible Earthquake event. The Landfill developer shall develop a program for monitoring storage volumes in the sedimentation ponds and releasing water depending on expected rainfall. Flow rates for down-stream discharge shall not exceed the 25-year, 24-hour design storm. The program shall include a preventive maintenance program which shall include a program for clearing of sedimentation ponds and maintenance of perimeter ditches and vegetative cover. The program shall be subject to approval from the County Community Development, Health Services, and Public Works Departments, and the San Francisco Regional Water Quality Control Board. The efficacy of the Landfill surface water control system in reducing downstream flooding shall be addressed in the annual and triennial reviews required by Condition 11.1. (f) Runoff Conveyance. Erosion to ditches or gullys used to convey runoff shall be corrected by use of appropriate measures such as energy dissipators or rip rap. (g) Equalization Basin. Water in contact with the working face area of the landfill shall be discharged into an equaliza-tion basin, monitored, and treated if necessary.			KCL conducts regular inspection and maintenance of the erosion control systems to maintain functionality in compliance with requirements of 27 CCR, Section 20365(c)(3)(A) and (B). See Condition 18.2. After each major storm and annually, all on-site drainage facilities are inspected by landfill personnel. Required maintenance is performed so that the drainage channels and detention basins function as required by the WDRs. See Health Services Department Memo, C. Nicholson to C. Zahn (CDD), dated 10/24/1991. See also Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, as updated through 10/25/1991.
18.5	**Monitoring.** The Landfill developer shall prepare and implement a surface water monitoring program to check for possible contamination of off-site surface water drainage facilities. Baseline water quality shall be determined prior to project implementation. Sedimentation pond outflow shall be monitored. The monitoring program shall be subject to approval of the County Health Services Department, the County Community Development Department, and the Regional Water Quality Control Board.	B-30	Completed. On-Going	Included in FDIP, Section 4.3. Also see WDRs Self-Monitoring Program. No events of contamination of off-site surface water drainage facilities have occurred. Monitoring of surface water is performed in accordance with the WDRs Item 36. Surface Water. Stormwater discharges from the site are monitored at five locations, during two major storm events, as required by the State Board's General Permit for Stormwater Discharges Associated with Industrial Activities and the Discharge Monitoring Program in Order 01-040. The facility is in compliance with measures incorporated into the WDRs (RWQCB Order 01-040) [e.g. Specification B.2 (Washout and Erosion of Wastes), and B.3 (Management of Surface Drainage), B.7 Final grading promoting lateral runoff] and Provision C.3 (Preparation of facilities prior to rainy season)]. Measures are also incorporated into NPDES Industrial Discharge permit. WDRs and NPDES are monitored and enforced by the RWQCB. See Health Services Department Memo, C. Nicholson to C. Zahn (CDD), dated 10/24/1991, and Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
19.1	**Hazardous Waste Ineligible**. See Section 6.4.		See 6.4	This condition cross-references to another LUP condition.
19.2	**Load Inspection**. See Condition 7.1		See 7.1	This condition cross-references to another LUP condition.
19.3	**Household Hazardous Waste Program.** The Landfill operator shall develop a household hazardous waste collection and management program for the service area which is consistent with the County Hazardous Waste Management Plan and with the County Integrated Solid Waste Management Plan. The program shall be subject to the approval of the County Health Services and Community Development Department. The household hazardous waste shall be managed in accordance with the "Waste Minimization Hierarchy" identified in the County Hazardous Waste Management Plan. The operator is encouraged to develop the program in cooperation with other waste management facilities and collection services. The proposed program, along with a schedule of proposed costs and funding sources, shall be submitted to the County departments no later than 6 months prior to the opening of the landfill. The program shall include mechanisms for removing household hazardous waste from the waste stream which arrives at the facility. If the household hazardous waste program (or a version of it) is approved by the County Board of Supervisors, the Landfill operator shall implement it. The Landfill household hazardous waste program shall include a public information and education program approved by the County Health Services Department/County Hazardous Materials Commission for notifying facility users and households in its service area of what constitutes hazardous waste and how such wastes are to be disposed of. The household hazardous waste program shall be amended if required by the County Board of Supervisors in their review of the Land Use Permit.		Not Yet Required	This condition preceded the approval of the County's Household Hazardous Waste (HHW) Element of the Countywide Integrated Waste Management Plan. There was a substantial change in public policy with respect to management of this portion of the waste stream shortly after this LUP was approved. CDD advised the Board of Supervisors that this policy change effectively put this COA 19.3 "on hold." (see memo from H. Bragdon to the Board of Supervisors dated 4/28/1992). By early 1992, County HSD had taken the lead role in implementing a countywide mobile collection program. Several years later wastewater agencies developed and began operating permanent drop-off facilities for HHW to serve those living in Central (Central Contra Costa Sanitary District) and East County (Delta Diablo Sanitation District). Soon thereafter a permanent drop-off facility was built in North Richmond to serve West County. The countywide household hazardous waste program includes three permanent HHW facilities serving households in their respective areas to provide free and convenient option to properly manage HHW effectively removing it from the waste stream before it reaches the landfill. Since the installation of the sedimentation basin, there have been no occurrences of downstream flooding. The basin has been designed to withstand a 1000-year storm event. Additionally, the surface water management and sediment control systems function as designed. There have been no occurrences of system failure The Countywide Integrated Waste Management Plan approved in 1993 does not call for an HHW program at Keller Canyon Landfill, however such a program could be reactivated if conditions change.
19.4	**Transfer Station Pre-screening.** The Household Hazardous Waste Program shall include pre-screening at transfer stations for identification and separation of hazardous materials. In addition, landfill entrance load screening procedures and a manual check program during unloading operations shall be included. Landfill operators shall be instructed to investigate suspicious containers for hazardous materials during bulldozing and other activities. Any hazardous materials found shall be set aside for proper collection and disposal.		In Compliance. On-Going	A Load Check program and hazardous waste pre-screening are in effect at Contra Costa Transfer and Recovery Station and other transfer stations that dispose of waste at Keller Canyon Landfill. (See Condition 7.1) Condition Acknowledged. Procedures related to storage of toxic or hazardous waste are also addressed in SWFP 07-AA-0032, Section 17j.

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19.5	**Regulatory Agency Approvals.** The collection and storage of toxic and hazardous wastes pursuant to this section shall be subject to County Health Services Department, State Department of Health Services, and other regulatory agency approvals.		In Compliance. On-Going	Landfill owner/operator compliance with conditions of approval in LUP Section 20. The landfill facility is in compliance with all permits issued by the BAAQMD. Title V Permit Major Facility Review Plant No. A4618 last issued June 12, 2014; and the Authority to Construct/Permit to Operate Plant No. A4618. The Authority to Construct/Permit to Operate is reviewed annually by the BAAQMD.
20.1	**Prevention of Air Quality Deterioration.** The Landfill operator shall manage the facility in a manner that does not result in the significant deterioration of air quality in the vicinity of the site or in the Bay Area. The condition shall be interpreted as a requirement that the Landfill comply with terms of the Authority to Construct Permit to Operate permits issued by the Bay Area Air Quality Management District.		In Compliance. On-Going	The Landfill Gas Management/Air Quality Monitoring/Odor Control Plan is included in the FDIP, Sections 8.1 through 8.10. The original Authority to Construct is Appendix B of the FDIP. The landfill facility is in compliance with protocols for complaint logging and communications, and procedures for identifying, evaluating, and mitigating off-site odors when they are confirmed. Site personnel routinely patrol the area including local neighborhoods for any indication of odors. Findings and results from the surveys are documented daily.
20.2	**Odor Containment.** The Landfill operator shall operate the Land-fill in a manner that prevents odors from being detected off-site, pursuant to Regulations 7-101 and 7-102 of the Bay Area Air Quality Management District. If odors are reported to the County Health Services Department, or reports are relayed from the Bay Area Air Quality Management District, the Health Services Department may require additional physical improvements or management practices as necessary to alleviate the problem. The Health Services Department shall have the authority to cease disposal at a particular area of the Landfill, to control odors. A small daily working face (3 acres or less) shall be maintained. The leachate treatment system shall be enclosed to control odors from leachate. The landfill gas collection system and flare shall utilize BACT to reduce landfill gas as a source of toxics and odor. If odors are detected in surrounding areas, complaints shall be logged by a landfill operator. The source of the odor shall be identified and corrected. A response to the person lodging the complaint shall be made within 48 hours, detailing the problem and remedial action taken.	B-22, 32, 36, 37, 67	In Compliance. On-Going	Keller Canyon goes to great lengths to minimize odor impacts on the surrounding community, including use of Best Available LFG Control Technology, maintaining a small working face (typically less than 1 acre in size) and enclosing the leachate system among other. Moreover, Keller Canyon landfill staff investigates any odor complaints that come to their attention and keep a log of all such complaints. Site leadership makes their cell phone numbers available and encourage citizens to contact them with any concerns. To date, only one odor complaint was confirmed by the BAAQMD in the last six years (on October 31, 2011), although the odor was described by the BAAQMD inspector as “mild and faint”. No nuisance odor violations have been issued by the BAAQMD to Keller Canyon Landfill during the life of the site. An odor impact minimization plan (OIMP) is in effect. An Odor Complaint Program is also in effect per Condition 17k(g) of the SWFP. Odor complaints and associated responses/corrective actions are logged in the facility's Complaint Log. Standard forms record the date of the complaint, name of the individual filing the complaint (if available), weather conditions, name of the landfill complaint investigator, the alleged locations of odors, and the results of complaint verification by either landfill personnel or personnel from the LEA or BAAQMD. Incidents are also recorded in a Log of Special Occurrences pursuant to provisions of Title 27 CCR 20510 (c) per Condition 17o of the SWFP. Follow up actions by the landfill are also documented in the annual Activities Report. A gas collection and control system (GCCS) is in operation along with an extensive leachate management program. The working face is limited to 1 acre in size per Condition 17h of the SWFP. Also see Condition 20.11.

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20.3	**Cover Frequency.** The Landfill operator shall cover newly disposed refuse with compacted soil cover meeting the requirements of the State of California (currently, a minimum of 6 inches of daily cover). All working faces of the Landfill shall be covered by the end of the working day. Intermediate cover, meeting the requirements of the State (currently a minimum of 12 inches) shall be applied over each layer of cells ("lift"). The frequency of cover shall increase in order to control odor, litter or birds, if necessary, or if required by the Landfill's Solid Waste Facilities Permit.	B-25, 36	In Compliance. On-Going	All requirements for approved daily cover materials and practices are complied with as standard operating procedure. Soil cover frequency is in accordance with requirements of LUP Condition 20.3, procedures of the SWFP, and Condition #17309 part 3(a) through 3(d) of the Major Facility Review permit issued by the BAAQMD. The Working Face is limited to 1.0 acre under Condition 17h of the SWFP. Also see Condition 20.2, 24.4 Bird Control, and Section 25 Litter Control. CCEH issued approval for KCLC to conduct a one year demonstration project for use of Alternative Daily Cover (ADC) – See Contra Costa Environmental Health letter from A. Enriquez to N. Christensen (KCLC) dated 4/23/1999, Results of the 1999-2000 demonstration project were summarized in a report prepared by CCEH and transmitted to KCLC on 6/28/2000. CCEH issued a CEQA Notice of Exemption on 7/11/2002 and approved use of ADC using geosynthetic blankets and green material. ADC was incorporated into the facility RDSI. The landfill's use of ADC and beneficial reuse has provided a means to increase diversion on-site for green waste and certain construction and demolition(C & D) wastes. There has only been one violation issued related to the handling of green waste accepted for use as ADC. A violation was issued by CalRecycle in 2007. The violation was based on a misunderstanding about the green waste material CalRecycle staff observed on-site. Material in a stockpile was mistakenly characterized as ADC by CalRecycle staff. The County LEA has since resolved this issue.
20.4	**Odoriferous Loads.** The Landfill operator shall cover extremely odoriferous incoming loads immediately.		In Compliance. On-Going	Immediate covering of odoriferous loads is standard operating procedure in accordance with requirements of this LUP, the SWFP, and BAAQMD Major Facility Review permit Condition #16462 regulating the handling, use, and storage of yard and green waste stock piles. Air District requires that certain details about the green waste stockpiles be included in each semi-annual report (available on the BAAQMD website).
20.5	**Dust Suppressants.** The Landfill operator shall apply water or proven environmentally safe dust suppressants at least twice daily to working faces of the landfill, unpaved access roads, storage pile disturbances and construction areas as determined to be necessary by the County Health Services Department. The Health Services Department may require sprinklering more frequently for control of particulates.	B-34	In Compliance. On-Going	The facility is in compliance with dust suppression measures implemented per this LUP condition, Condition 17k(d) of the SWFP, and Condition #16462, parts 8(a) through 8(d), 9, 10, 13, 15, and 16(j) through 16(l) of the Major Facility Review permit issued by BAAQMD.
20.6	**Area of Operations.** See Conditions 17.17 and 22.10.	B-37	See 17.17 & 22.10	This condition cross-references to another LUP condition.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
20.7	**Air Flow Monitoring.** The Landfill operator shall monitor air flow on the site upon commencement of operations and shall provide background meteorological conditions including wind direction, wind velocity, on-site air flows, and temperature. After the Landfill is in operation, data shall be used to correlate odor, dust, or litter management with meteorological conditions. Air flow monitoring reports shall be submitted to the County Health Services and Community Development Departments.		In Compliance. On-Going	An expanded weather monitoring station was installed May 1997 that monitors and records all meteorological conditions specified in this LUP condition. The weather monitoring station was relocated from the sandstone bluffs north of the leachate tanks to a location at the scale house. The basis for relocation of the station was acknowledged in the letter from D. Dingman, CDD to E. Horton, KCLC dated 4/21/1997. Data are used to manage daily landfill operations. CCEH letter dated 12/8/1995 acknowledges that their office and DCD agreed that KCL would not be required to submit actual monitoring reports unless determined necessary in the future. Data is available for review by regulatory agencies upon request and periodically checked by HSD during their routine inspections. Air flow monitoring was conducted early in landfill operational life to optimize operations with meteorological conditions.
20.8	**Contingency Program.** Prior to the start of filling operations, Landfill operator shall prepare a "bad days" contingency program for managing the Landfill during periods of unusual wind speeds or directions, rainfall or drought or other atypical situations. It shall apply specific site monitoring information. The Land-fill operator shall consider the comments of the local advisory committee and consult with the Bay Area Air Quality Management District and the Regional Water Quality Control Board. The program shall be approved by the County Health Services Department, and it may be revised from time to time.	B-37	Completed. On-Going	The landfill operator has established procedures for dealing with inclement weather with the potential to hamper normal operations. Rain and/or high winds may require adjustment of on-site waste handling and disposal procedures. During prolonged heavy rains, operations are moved to a tipping area (wet weather area) which has been surfaced with asphalt grindings to provide all weather access to allow for continuous refuse disposal operations during inclement weather. Stockpiles of soil material are maintained near the designated wet weather alternative tipping area to provide an adequate supply of cover material. Normal traffic and vehicle access to the wet weather area is provided by paved and/or a combination of tightly compacted soil and asphalt grindings. For high wind conditions, the unloading area is typically reduced in size and, whenever possible, placed in a portion of the landing that affords protection from the wind. Additional equipment may be utilized to expedite the spreading and compacting of the refuse as soon as it is unloaded. Cover operations may also be implemented prior to the end of the working day to reduce the area of exposed refuse on the working face. In addition, portable litter fencing is in-place and is used downwind around the unloading areas.
20.9	**Revegetation.** The Landfill operator shall revegetate completed Landfill areas immediately. Revegetation shall in be accordance with the Development and Improvements Plan and shall be consistent with the County policy on landscaping and water conservation. Intermediate and final cover areas shall be revegetated immediately. Excavations shall be revegetated or filled immediately. Operating areas which will not be used for fill or construction for 90 days or longer shall be planted for dust and erosion control and for aesthetic purposes.	B-37	In Compliance. On-Going	Included in FDIP, Sections 7.1 and 8.1 and Appendix E. Revegetation measures of graded areas are in compliance with Condition #17309 Part 14 of the Major Facility Review permit issued by BAAQMD, and is standard operating procedure when such areas are not expected to be used for fill or construction within 90 days or longer.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
20.10	**Tree and Shrub Planting.** The Landfill developer shall plant trees and shrubs downwind of the Landfill to aid in trapping dust. The planting plan shall be included in the Landscaping plan component of the Development and Improvements Plan.	B-34	Completed	The tree and shrub planting plan is included in FDIP, Section 8.2, Landscape Plan drawings LP-1, LP-2, and LP-3. Tree and shrub planting species and locations were approved in the Landscaping Plan. See COA 22.2
20.11	**Gas Control and Collection.** The Landfill operator shall install a Landfill gas control collection system in accordance with the regulations of the Bay Area Air Quality Management District. The system shall have the capacity to operate in an active mode, using a mechanical vacuum, to withdraw gas from the Landfill. The system shall be operated in an active mode as soon as practical. The gas control and collection system shall be installed concurrently with the placement of wastes in the Landfill and shall be ready for operation when gas is produced. The gas collection and related recovery system shall utilize BACT and shall be subject to the approval of the Bay Air Quality Manage-ment District and County Community Development Department and it shall be included in the Development and Improvements Plan.	B-32, 49	Completed. On-Going	Included in FDIP, Section 8.3. Gas control and collection requirements are contained in BAAQMD Major Facility Review permit Condition #17309 Parts 18 through 30. Facility components for gas control and collection (Flares 1 and 2) are permitted abatement devices A-1 and A-2, and active gas collection is source S-1. The landfill gas control system did not have to become operational until one million cubic yards of refuse had been placed in the landfill. KCL manages a complex landfill gas (LFG) collection system consisting of vertical extraction wells, headers, and sub-headers. The LFG collection system is under vacuum which draws the landfill gas to a central point currently consisting of a flare station, a blower building, and a landfill gas-to-energy facility (LFGTE). The LFG collection system, including additional vertical collection wells and flares, will be expanded as the landfill is developed to provide ongoing control within the performance criteria established and mandated by the BAAQMD and State and federal regulations.
20.12	**Landfill Gas Processing.** The Landfill developer shall install a flaring mechanism, in accordance with Bay Area Air Quality Management District guidelines/regulations, to combust collected landfill gas. The flare shall be of the nonilluminous type. Best Available Control Technology (BACT) shall be used, as defined and approved by the Bay Area Air Quality Management District. The flare shall be installed with staged combustion, operated under fuel-rich conditions, and be designed with flue gas recirculation.	B-33	Completed. On-Going	The original design for the flare system was included in FDIP, Section 8.4 and Appendix D. See Community Development Department letter from C. Zahn (CDD) to S. Gordon, dated 10/24/1995. Two flares are in operation that are subject to performance standards and testing requirements in Condition #17309 Parts 20 through 30 of the Major Facility Review permit issued by the BAAQMD. There are two enclosed flares constructed in the Landfill Gas Management and Landfill Gas to Energy Facilities area. The first flare was installed at KCL in 1995. Flare #2 was installed in 2007 to act as both a backup unit and to provide additional capacity as LFG production increases at the site. Both flares are 40-ft. high insulated steel tubes equipped to control combustion of the LFG to destroy methane and other. Both flares are founded on a reinforced concrete slabs and are designed to withstand conservative seismic and wind loads. In 2007, a new control system was installed that integrates control of both flares to a single system, allowing either one or both flares to operate, depending on LFG destruction needs. This new control system also interfaces with the LFGTE plant to ensure that consistent LFG extraction and destruction is maintained. See Condition 20.13.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
20.13	**Methane Recovery.** The Landfill operator shall install a methane recovery system simultaneously with the construction of the gas collection system, preferably utilizing the Landfill gas to produce energy when the Landfill has developed enough gas to justify recovery. When required by the County Community Development Department, the Landfill operator shall conduct a study to determine how methane could be recovered from the gas and used for fuel or as a commodity.	B-32, 49	Completed. On-Going	An early plan for methane recovery was included in the FDIP, Section 8.5. A development application to permit a 3.8 mega-watt (MW) LFGTE power plant at KCL was filed by Energy Developments/Bio Energy in 2001. An Initial Study/Mitigated Negative Declaration was approved and LUP LP012115 ultimately was issued in June 2002. The plant was not constructed by Energy Developments/Bio Energy. In 2006, Ameresco, Inc. submitted a development proposal for a power plant (also with a capacity of up to 3.8 MW) to the County. The project was approved. The LFGTE power plant was dedicated in October 2009 under LUP 012115. The plant is owned and operated by Ameresco Keller Canyon L.L.C. See Section 36 of this LUP. The LFGTE plant was constructed adjacent to the existing flare station described in Condition 20.12 above. Ameresco has secured a power purchasing agreement to sell the power generated at KCL. See Section 36 Landfill Gas Power Plant of this LUP.
20.14	**Gas Monitoring.** The Landfill developer shall install gas migration detection probes and wells along the boundary of the Land-fill footprint, near on-site buildings, and in other locations specified by the Bay Area Air Quality Management District or the County Health Services Department to monitor for subsurface and surface gas migration. The gas monitoring stations shall be described in the Development and Improvements Plan approved by the County Community Development Department. If gas migration is found, the Landfill operator shall notify the County and take remedial actions. Training of employees for detection of gas migration shall be included in the employee training program.	B-32, 49	In Compliance. On-Going	Plans for the initial gas monitoring system are included in FDIP, Section 8.6. The monitoring and control of gas emissions via integrated and instantaneous surface emissions monitoring is conducted in accordance with the BAAQMD Rule 34 compliance plan requirements for the KCL. Perimeter probe results from collected monitoring data are compiled into a report. Gas monitoring data is submitted by KCL to the LEA and BAAQMD. As of September 20, 2007 regulations for Gas Monitoring and Control at Active and Closed Disposal Sites became effective. KCL submitted a Landfill Gas Monitoring Migration Monitoring Plan as required by the new regulations in September 2008. The Landfill Gas Migration Monitoring Plan was revised in response to LEA comments and subsequently approved by The LEA on August 3, 2009. Perimeter and surface landfill gas at KCL are monitored in accordance with CFR 258.23 (Subtitle D) and the BAAQMD Regulation 8, Rule 34. Perimeter and surface landfill gas monitoring are conducted on a quarterly basis. Perimeter landfill gas monitoring at the KCL have shown that there is no landfill gas migration off-site. The perimeter landfill gas monitoring probes were designed and spaced according to 27 CCR and BAAQMD requirements, and are in conformance with the criteria set forth in Subtitle D. On-site structures at are monitored monthly, in accordance with 27 CCR, Section 20931, for detection of potential landfill gas migrating into building structures. The upper detection limit is 1.25 percent methane by volume.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
20.15	**Lateral Gas Barriers.** The Landfill developer shall install a gas barrier or gas collection area on side slopes of the Landfill to prevent lateral gas migration through the sides of the Landfill. The barrier or gas collection area shall be approved by the Bay Area Air Quality Management District and shall be included in the Development and Improvements Plan.	B-32, 49	Completed. On-Going	KCL operates a gas collection on or near the slopes in general, and has installed horizontal collectors at the perimeter of the lining system when the perimeter probes are activated. This portion of the collection system is located only in the northeast corner of the lined area, approximately where the toe berm meets original ground just down hill from the east side liner area. "Barriers" as described in this condition are not in place at Keller. Barriers have not proven effective without significant collection infrastructure to ensure gas does not get diverted and causes a release in a different location. KCL has installed collection systems as needed to maintain compliance with CCR Title 27 (Subsurface) and BAAQMD/USEPA (Near-Surface) emissions requirements. Given the large buffer areas surrounding the landfill operations area, the best approach is to install and maintain a long-term collection system near a trouble area located within the waste mass, to "pull back" the gas.
20.16	**Settlement Protection.** The Landfill developer shall use flexible piping and lightweight backfill for the Landfill gas collection system to ensure that settlement of the fill will not affect operation of the system.		Completed. On-Going	All materials and construction techniques approved by the BAAQMD are utilized to minimize potential settlement of fill. KCL has installed collection systems as needed to maintain compliance with CCR Title 27 (Subsurface) and BAAQMD/USEPA (Near-Surface) emissions requirements. Annual source tests are performed per Condition #17309 parts 30 and 31 of the Major Facility Review permit. Reports are filed with the BAAQMD and are available to interested agencies. The LFGTE power plant source testing is contained in its separate permit with the BAAQMD.
20.17	**Landfill Gas Testing.** The Landfill operator shall test Landfill gas for its toxic composition and for toxic constituents. The testing program shall be subject to the approvals of the Bay Area Air Quality Management District and the County Health Services and Community Development Departments. The Landfill operator shall provide the results to the County Community Development Department and Health Services Departments on a quarterly basis unless a more frequent interval is specified in the Solid Waste Facilities Permit.	B-32, 49	In Compliance. On-Going	KCL conducts a source test at each flare once every year. Source test reports are submitted to the BAAQMD Compliance and Enforcement Division and the Source Test Section within 60 days of the test date. Each annual source test is required to determine specific parameters and constituents of landfill gas as specified in the Major Facility Review permit. KCL also conducts characterization of the landfill gas concurrent with the annual source test required by the above. Landfill gas sample(s) are analyzed for concentrations of carbon dioxide (CO2), nitrogen (N2), oxygen (O2), methane (CH4), and total non-methane organic compounds (NMOC) in addition to organic and sulfur compounds specified in Part 31 of the permit with BAAQMD. Test reports are submitted to the BAAQMD Compliance and Enforcement Division and the Source Test Section within 60 days of the test date.
20.18	**Leachate Disposal.** See Condition 17.10.		See 17.10	This condition cross-references to another LUP condition.
20.19	**Cell Re-Opening.** Previously covered cells shall not be reopened without permission from the County Health Services Department.		In Compliance. On-Going	The facility is in compliance with this condition. Re-opening of cells is reviewed on case-by-case basis and only on approval by CCEH.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
20.20	**Fissure Repair.** The Landfill operator shall inspect the Landfill daily. Surface cracks, fissures, eroded areas, or inadequately covered areas on the Landfill may require repairs within 24 hours. This activity shall be included in the employee training program.		In Compliance. On-Going	Employees are trained in inspections for fissures and approved repair measures. Staff routinely inspects the Landfill's surface for fissures. Fissures are repaired as they are discovered. When found, fissures are filled with soil and thoroughly compacted.
20.21	**Permanent Road Paving.** The Landfill developer shall pave and maintain permanent access roads to control dust. A road used for one year or longer shall be considered to be a permanent road. Road construction shall be described in the Development and Improvements Plan.	B-34	In Compliance. On-Going	Plans for permanent road paving are included in FDIP, Sections 8.8 and 8.9, Drawings 10 and 11. All roads designated for permanent paving have been completed and are maintained per this LUP and Condition #17309 Part 4 of the Major Facility Review permit issued by the BAAQMD.
20.22	**Temporary Road Paving.** The Landfill developer shall pave and maintain temporary road with gravel or crushed aggregate. Temporary roads shall be wetted or chemically treated when necessary to control dust. Road construction shall be described in the Development and Improvements Plan.	B-34	In Compliance. On-Going	Plans for temporary paving are included in the FDIP, Section 8.9. Major Facility Review permit Condition #17309 Part 5(a) through 5(d) identifies five temporary roadway segments comprising haul roads to the Working Face and a secondary fire access road. Temporary paving material consists of a minimum of 12 inches of compacted gravel or crushed asphalt. The facility is in compliance with dust control measures of Major Facility Review permit Condition #17309 Parts 8(a) through 8(d), Part 9, Part 10, and Part 13 pertaining to control measures to be implemented depending on type of road, landfill vehicle traffic, and weather.
20.23	**Speed Limits.** The Landfill operator shall enforce speed limits set by the County Health Services Department on internal site roads. The Landfill operator shall install appropriate signs and speed control devices. The maximum internal on-site speed limit shall be 20 mph.		In Compliance. On-Going	Posted speed limit for paved roads is 15 mph; speeds on unpaved roads and fire roads are limited to 10 mph and 25 mph, respectively, per Condition #17309 Part 6 of the Major Facility Review permit. Signs are installed and speed limits are enforced.
20.24	**Equipment Maintenance.** The Landfill operator shall maintain Landfill equipment in optimum working order to ensure that vehicle emissions are controlled and equipment shall be fitted with spark arrestors so potential for causing fires is minimized. Equipment shall not be left idling when not in use. Maintenance records shall be kept on all pieces of Landfill equipment. The records are subject to review by the County Health Services Department. Equipment shall be stored, serviced, and repaired in a maintenance area designated in the Development and Improvements Plan and approved by the County Community Development Department.	B-35, 64 (65)	In Compliance. On-Going	Equipment maintenance is performed according to manufacturer specifications and at required intervals. Maintenance records are maintained by the operator and available for review by County agencies. All equipment maintenance operations are completed at the landfill. The equipment maintenance facility includes a 6,000 sq. ft. building that contains all equipment spare parts and material storage units for the site equipment maintenance operations (e.g., storage bins and cabinets, waste oil tanks, fuel tanks, water tanks). A maintenance yard is used for scheduled maintenance of heavy equipment including daily routine, minor, and major repairs. All equipment (including stationary equipment) are maintained, tested, monitored, and inspected on a regular basis to ensure that they are functioning and readily available.
21.1	**Noise Control Objective.** The Landfill operator shall manage the facility in a manner that minimizes noise impacts to area residents.		See Conditions 21.2 - 21.8	Compliance with conditions of approval in LUP Section 21. Noise Control has minimized noise impacts to surrounding residential areas. DCD is not aware of any violations involving noise generated by the landfill.

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21.2	**Noise Monitoring Program.** The Landfill operator shall prepare and implement a noise monitoring and abatement program, which shall be approved by the County Community Development Department and Health Services Departments. The program shall monitor noise levels at sensitive receptor locations, one West of Bailey Road and South of West Leland Road, one near Bailey north of West Leland, and another in the Jacqueline Drive area south of West Leland Road. The Director of Community Development may specify other monitoring locations. If the monitoring noise levels at the Landfill boundary line or other monitored location exceed 60 dBA during daylight hours, or 50 bDA during the evening or at night, the County may require the operator to institute additional noise reduction measures to bring noise emanating from the Landfill to the forementioned levels or less.	B-67	In Compliance. On-Going	Noise monitoring is performed monthly and reports are prepared quarterly per the requirements of this condition. No off-site noise impacts have been consistently received since the landfill opened in 1992. Noise monitoring have demonstrated that ambient noise levels during periods the landfill is in operation are below the thresholds established in this condition at the landfill boundary line and other monitored locations. There is no history of consistent off-site noise complaints. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991. Also see Health Services Department Memo from C. Nicholson to C. Zahn (CDD) dated 3/10/1992.
21.3	**Toe Berm.** See Condition 22.3.		See 22.3	This condition cross-references to another LUP condition.
21.4	**Mitigation/Lift-Level Berms.** See Condition 22.4		See 22.4	This condition cross-references to another LUP condition.
21.5	**Construction Hours.** See Condition 32.1.		See 32.1	This condition cross-references to another LUP condition.

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21.6	**Truck Noise Suppression.** The Landfill operator shall require transfer trucks and other waste hauling vehicles using the facility to be equipped with factory approved noise suppression equipment, including engine compartment insulation. The Landfill operator shall request the California Highway Patrol actively enforce muffler and vehicle noise standards as required in the California Vehicle Code if, for any reason, noise from heavy trucks becomes a source of complaints in the project area, whether project-related or not. Transfer trucks and other waste hauling vehicles with faulty mufflers shall be denied access to the landfill after one warning by a landfill operator at the landfill entrance.		In Compliance. On-Going	Waste-hauling trucks to KCL are equipped with noise suppression features that are standard to the industry. The landfill operator's transfer trucks are subject to inspection and maintenance as part of the operator's equipment maintenance program. Maintenance is performed according to manufacturer specifications and at required intervals. Faulty mufflers would be replaced as they are identified. No truck noise complaints have been consistently received at the landfill office since the late 1990s. In response to concerns about noise resulting from trucks traveling over speed bumps near the landfill entrance, the landfill operator voluntarily removed the speed bumps. Since that time no complaints of truck noise have been received at the landfill office. The CHP periodically sets up a mobile inspection station outside of the landfill entrance to ensure compliance with vehicle safety and equipment requirements. The landfill operator has not had cause to request enforcement by the CHP. New procedures have been put in place at the Landfill if a truck is determined to have a faulty muffler (or mufflers) by landfill staff at the scale house or working face, the landfill staff shall record the truck tractor license number and date of determination. The operator of the subject truck may be issued a warning to repair the muffler (or mufflers) at the discretion of landfill staff, depending to the degree that muffler performance is believed to be degraded. The truck operator shall be allowed up to 21 days from the date of determination to effect repairs The truck operator shall be required to provide documentation of repair to the landfill scale house operator to avoid being denied future access to the landfill.
21.7	**Landfill Vehicles.** The Landfill operator shall provide Landfill equipment with the best available noise suppressing equipment to minimize sound generation.	B-56	In Compliance. On-Going	Landfill equipment are equipped with best available noise suppressing equipment as supplied by the manufacturer.
21.8	**Gas Flare Muffling.** If flaring is used to dispose of Landfill gas, the flares shall be contained in noise and glare-reducing housing. The housing shall be subject to the approval of the County Health Services and Community Development Departments and the Bay Area Air Quality Management District.	B-56	Completed. On-Going	Design of the gas flares was approved by the BAAQMD prior to operation, and are operated in accordance with BAAQMD Title V requirements.
22.1	**Visual Quality Objective.** The Landfill developer shall construct and operate the facility in such a manner that the high visual value of the surrounding area is maintained.		See Conditions 22.2 - 22.14	Compliance with conditions of approval in LUP Section 22. Visual Quality has maintained the high visual value of the surrounding area. Landfill site development occurs only in approved areas as defined in the Report of Disposal Site Information, the FDIP, and landfill phase design and construction documents approved by the RWQCB.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
22.2	**Landscape Plan.** The Landfill developer shall prepare and imple-ment a site Landscaping Plan. The plan shall enhance the site's visual values as open space and its functional values as wildlife habitat. It shall minimize the visual impacts of the landfill operations and appurtenant facilities through revegetation and landscape screening. The plan shall show the plant species, size, and locations to be used to blend in with the existing natural vegetation. Natural, drought tolerant species shall be used, in accordance with County Policy on Water Conservation Landscaping. A landscape maintenance program shall be part of the plan. A Weed Monitoring and Control Program shall be included, containing a listing of noxious weeds, a monitoring program, and abatement measure options. A Landscape Plan shall be included in the Development and Improvements Plan. The Landscape Plan shall assure no visual impact on the Cities of Concord and Clayton consistent with the Environmental Impact Report.	A-1	Completed. On-Going	The Landscape (Screening) Plan that included all required elements of this condition is included in the FDIP, Sections 7.1 through 7.3 and Drawings LP-1, LP-2, and LP-3. The Landscape Plan was endorsed by the LAC. Installation of landscaping was phased. The Weed Monitoring and Control Program was included in the Range Management Plan in Condition 23.2 of this LUP. Also see Weed Control Program in Condition 23.5. See County Letter of acceptance dated 11/2/1992. Also see Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
22.3	**Toe Berm.** The Landfill developer shall install the first phase of the toe berm prior to other landfill construction and development of the Landfill. Other sections of the toe berm shall be installed in stages (see condition 32.4). The toe berm shall be contoured to blend with existing topography. It shall be designed to screen the landfill access road. It shall be revegetated immediately with native grasses and other vegetation to blend in with the surrounding area.	A-1, A-5	Completed	Toe berm design is included in FDIP, Sections 3.1 and Drawings 14 & 23. See Community Development Department letter from C. Zahn to T. Cox (KCLC) which authorized construction of the toe berm. Also see Community Development Department letter from C. Zahn to T. Cox (KCLC) dated 12/30/1992 which authorized contouring of the toe berm. Also see Community Development Department memo from H. Bragdon to the Board of Supervisors dated 3/5/1992 which confirmed that the toe berm was constructed properly and keyed to the sub-surface. The toe berm slope stability analyses approval from the RWQCB and revegetation plan were substantiated by CDD on 10/23/1991. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
22.4	**Mitigation Berms.** The Landfill developer shall install landscaped mitigation berms (lift-level peripheral berms) at the face of each lift in areas visible off the Landfill site, before beginning refuse disposal on the lift. The berms shall be landscaped to blend with existing terrain. Specific heights for the initial toe berm and each of its phases shall be established in the Final Development and Improvements Plan (Condition 15.1).	A-3	Completed. On-Going	The initial toe berm was constructed prior to other landfill construction. Design reports for all phases of site development take into consideration the potential for visual impacts, and are submitted to the County and the RWQCB for review and approval. Lift-level peripheral berms that may be visible from off-site are revegetated accordingly.
22.5	**Lawlor Creek Corridor Plan.** See Condition 23.3		See 23.3	This condition cross-references to another LUP condition.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
22.6	**Entrance Screening.** The Landfill developer shall install landscaping at the entrance of the landfill to screen the entrance facilities from Bailey Road users. Olive trees shall not be included as part of the entrance landscape plan.		Completed	Design approved by the County subsequent to initial FDIP approval in 1991. All landscaping at the landfill entrance was installed. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991. Also see Community Development Department letter from C. Zahn to T. Cox (KCLC) dated 11/2/1992 which authorized installation of entry streetscape landscaping.
22.7	**Jacqueline Drive Terminus.** The north terminus of Jacqueline Drive shall be landscaped, with native species, to shield near-views of the toe berm. Planting of the terminus area shall begin as soon as practicable. The outside access road berm shall be a minimum of 15 feet high to shield transfer truck traffic and noise from nearby residences.	A-4, B-47	Completed	Completed at the "south" terminus of Jacqueline Drive. Included in landscape design plans approved by the County in 1993 and 1994 after initial FDIP approval in 1991. The landfill operator submitted a revised landscape plan for the Jacqueline Drive terminus on 8/30/1993 to account for a lack of water service previously requested from the City of Pittsburg and subsequently revised the plan in coordination with the County. See Plan B Landscaping Plan dated 12/28/1993. See Community Development Department letter from C. Zahn to T. Cox (KCLC) dated May 6, 1994 which authorized installation of Plan B landscaping.
22.8	**Auxiliary Facilities Screening.** The landscaping plan shall provide for the screening of auxiliary areas, such as the administrative buildings, parking lots, maintenance facilities, and screening of facilities shall occur during the first year of development. Enhancement of Lawlor Creek shall occur during the first year, to aid in screening facilities from Bailey Road users.		Completed	Design approved by the County subsequent to initial FDIP approval in 1991. All required landscape screening of facilities has been installed and is regularly maintained. See Community Development Department letters from C. Zahn to T. Cox (KCLC) dated 7/30/1992 and 9/23/1992 which authorized installation of landscaping at the administration building, and scale house and maintenance building, respectively. Lawlor Creek corridor was improved in 1998 as part of the Lawlor Creek Restoration Plan.
22.9	**Architectural Treatment.** Plans for buildings and other structures shall include architectural sections showing design and materials to be used. Buildings shall be designed to blend into the rural agricultural setting.		Completed	Architectural plans for buildings and other structures were included in the FDIP, Section 7.2. See Community Development Department letter dated 2/21/1992 from C. Zahn to B. Olney (KCLC) which authorized construction of auxiliary facilities as follows: -- Administration building: Building Permit CO 175997 -- Maintenance building: Building Permit IN 175909 -- Scale House: Building Permit MI 175450 & MI 175970
22.10	**Area of Operations.** Except during construction of modules and other major installations, the Landfill operator shall limit unvegetated working areas of the landfill, including the daily working face, to 25 acres for appearance and to control dust and erosion. The restriction shall not apply to grading for foundations, cover, site roads, berms and other construction, providing these are carried out expeditiously.		In Compliance. On-Going	Limiting unvegetated working areas to the greatest extent possible is standard operating procedure.
22.11	**Interim Revegetation.** Interim revegetation shall be required on all areas that will be inactive for more than 90 days. Revegetation shall include native grasses, shrubs and trees to lend more variety and natural appearance to the finished landfill.		In Compliance. On-Going	Interim revegetation of areas that will be inactive for more than 90 days is standard operating procedure. Also see Condition 20.9.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
22.12	**Water Tank Screening.** The Landfill developer shall provide landscaping to screen the facility's water tanks. Where possible, the landscaping shall be installed prior to the installation of the tank. Consideration shall be given to subsurface or partially buried tanks, and to painting the structures with earthtone colors.		Completed	The water tank location was selected because it is not visible from off-site locations. Landscape screening of the water tank was not required due to natural topography and camouflage paint.
22.13	**Final Cover.** Final cover shall be contoured and landscaped to blend with existing topography.		Not Yet Required	Final cover has not yet been implemented and will be performed in accordance with this LUP condition, and the approved Preliminary Closure and Post-Closure Maintenance Plan.
22.14	**Lighting.** The Landfill developer shall design and locate the lighting system to reduce glare and reduce impact to area residents. Focused directional security and operational lighting shall be installed. Operation lighting on the working face shall be turned off by 7:30 p.m. Security and entrance lighting shall be dimmed at 7:30 p.m.		Completed	All on-site and security lighting has been installed and is directed to avoid glare. Operation of lighting systems is performed per this condition. Also see LUP Condition 9.1.
23.1	**Biotics Protection Objectives**. a) The Landfill developer shall construct and operate the facility in such a manner that ensures, through protection and enhancement measures, that there is no net loss of significant habitat, wetland, woodland, or agricultural production. b) The Landfill developer shall provide at least twice the amount of mitigation wetland for significant wetland lost to the project (2-to-1 mitigation). A minimum of six acres of mitigation wetland shall be provided. Wetland loss shall be mitigated through the enhancement of stock ponds and sedimentation basins, or the creation of new wetlands.	B-57	In Compliance. On-Going	Four mitigation wetlands were created in 1992 in accordance with federal and state resource agencies. Total wetlands area of 8.57 acres, exceeded the 6.0-acre minimum for this Condition (USACOE permit minimum = 7.21 acres). A Biological Condition Compliance Review was conducted in 2003 which concluded that the 8.29 of mitigation wetlands in place at Keller did not warrant any wetland remdiation (0.28 acres no longer met USACOE jurisdictional wetlands criteria). An additional 6.0 acres of Lawlor Corridor were enhanced through plantings of California native species and other riparian enhancements. These wetlands and enhanced areas continue to function as designed. See Community Development Department letter from C. Zahn to B. Olney (KCLC) dated 2/5/1992, which authorized construction of mitigation wetlands in the east Special Buffer Area in compliance with COA 23.1 and USACE Section 404 Nation-wide Permit No. 26. Streambed Alteration Agreement No. 1463-90 for wetlands construction was issued by the California Department of Fish and Game on 10/18/1991. The Final Wetland Mitigation and Monitoring Plan was substantiated by CDD on 10/23/1991.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
23.2	**Range Management Plan**. The Landfill operator shall design and develop a Range Management Plan in order to provide for continued grazing on portions of the site. The Special Buffer Area shall remain as Agricultural Preserve, and development rights shall be conveyed to the County. The buffer area and other site range-lands of the Primary Project Area not exempted for habitat protection and not in active landfill use shall be enhanced as grassland/oak woodland, and shall provide grazing for at least 270 head of cattle, approximately the same number of cattle which presently graze on the site. Stock watering ponds shall be enhanced through planting of trees and shrubs. Grazing shall be restricted for a 1 to 2 year period in order for grasses to get reestablished. It shall provide for adequate grazing range, and for native tree species such as oaks to be planted for animal protection and to replace trees removed during landfill construction, while controlling soil erosion. The plan shall be prepared in consultation with the Contra Costa County Resource Conservation District and the Agricultural Extension Service. It shall be coordinated with the Landscape Plan, the Habitat Preservation Plan, and the Erosion and Sediment Control Plan developed for the landfill facility. It shall be subject to the approval of the County Community Development Department and it shall be included in the Improvements and Development Plan.	B-3, 57	In Compliance. On-Going	Included in FDIP, Section 5.1 Range Management Plan and Drawing RM-1, approved by the Community Development Department. The buffer area is maintained within the guidelines of this condition for grazing, habitat preservation and fire protection. The Special Buffer Area continues to be under Williamson Act contract (Contra Costa County, 2008) and is zoned A-4, Agricultural Preserve.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
23.3	**Lawlor Creek Corridor Restoration Plan.** Enhancement of this riparian area shall replace habitat lost by the rerouting and covering of a portion of the unnamed drainageway within the waste placement area. This plan shall provide replacement for habitat lost to landfill construction. The Corridor Plan shall also provide screening of the landfill entrance and service facilities from Bailey Road. Livestock fencing shall be constructed around the perimeter of approximately 35 acres to exclude cattle from the riparian and oak woodland areas. Litter shall be removed from the creek and corridor, and fencing shall be established along Bailey Road to prevent unlawful disposal of trash. Riparian species of trees such as Willows, Fremont cottonwood, sycamore and other oak species, California Bay Laurel and shrubs shall be planted. The access road crossing of Lawlor Creek shall be designed and constructed in a manner that would be compatible with the aesthetics of the corridor and habitat enhancement. Installation of horizontal drainage pipes into hillsides may be provided to tap groundwater sources to improve creek flow conditions. A monitoring and maintenance program shall be established to insure wildlife habitat values are protected. Rock dams, overhangs, splash pools and erosion control structures shall be included in the corridor plan design. The detailed restoration plan shall be developed for Lawlor Creek in coordination with the County, the California Department of Fish and Game, U.S. Fish and Wildlife Service, local Audubon and California Native Plant Society representatives and other environmental organizations. A streambed alteration agreement shall be obtained if determined to be necessary by the CDF&G. A wetland modification permit shall be obtained from the Army Corps of Engineers if necessary. Implementation of the Restoration Plan shall take place during the initial development phase of the Landfill.	B-58	Completed	Streambed Alteration Agreement No. 1461-90 for Lawlor Creek was issued by the California Department of Fish and Game on 10/18/1991. A Restoration and Enhancement Plan was prepared in accordance with requirements of the County, U.S. Army Corps of Engineers, and California Department of Fish and Game, and implemented in 1997 and 1998. General plans are included in FDIP, Section 5.2, Drawing LC-1 and Appendix C, approved by the Community Development Department. Final Section 404 Monitoring Report Submitted August 26, 1998. Also See LUP conditions 22.8 and 23.1.
23.4	**Sandstone Outcrop Area.** Livestock fencing shall be constructed around the perimeter of the 72-acre sandstone area at the front of the Landfill to exclude cattle and preserve upland habitat area. Landfill personnel and construction operators shall be alerted regarding the protected area. Native trees such as Oak and California Buckeye shall be planted along the perimeter of this area. The adjoining equalization basin and toe berm shall be constructed to avoid damage to the protected area.		Completed	Sandstone outcroppings in this area have been protected by exclusionary livestock fencing. Siting and construction of landfill facilities in adjoining areas were implemented without damage to the sandstone outcrop area.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
23.5	**Weed Control Program.** The landfill operator shall submit a weed control program to control introduced weedy species on the Land-fill property as part of the Range Management Plan. The program is subject to approval by the County Community Development Department. The weed control program shall include a list of noxious weeds, periodic monitoring of these species, and a weed control and removal program.	B-57	In Compliance. On-Going	Weed control is performed in accordance with this condition, the Range Management Plan, and County Weed Abatement.
23.6	**Phased Construction.** The Landfill operator shall construct and operate the Landfill in phases in order to reduce the acute impact to vegetation and wildlife habitat. Mature trees should be removed only as needed, not more than one year in advance of module development. Black walnut and other heritage tree cuttings shall be taken with the direction of a research organization such as the University of California's botanical garden.		In Compliance. On-Going	Phased construction has been implemented since the landfill opening in 1992. No Black Walnut or heritage trees or high quality wildlife habitat exist within the approved area of disturbance for landfill facilities or operations.
23.7	**Vegetation Protection.** The Landfill developer shall employ dust suppression measures to prevent damage from dust loading on vegetation. Periodic watering of vegetation adjacent to the fill working area shall be developed as part of the Range Management Plan.		In Compliance. On-Going	Dust suppression measures are implemented in accordance with this LUP condition, Condition 17k(d) of the SWFP, and requirements of Condition #17309 in the Major Facility Review permit issued by BAAQMD. Also see Condition 20.5.
23.8	**Wildlife Exclusion and Vector Control.** The Landfill operator shall construct fences around the working area of the site, limit the size of the working face, and cover refuse at least daily in order to exclude wildlife and control vectors at the working area of the site.		In Compliance. On-Going	Wildlife exclusion and vector control are implemented per the requirements of this condition and the SWFP regulating landfill operation. Fences in the working area for wildlife exclusion have not proven necessary as determined by the LEA. The working face size is limited to less than 3 acres by Condition 17.17 of this LUP, and 1 acre by Condition 17h in the SWFP.

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23.9	**Supplemental Wildlife Surveys.** The Landfill developer shall conduct additional surveys to establish the presence or indicate the absence of the following species at the landfill site. a) San Joaquin Pocket Mouse. The survey shall be conducted according to USFWS recommendations. If found, the developer shall follow USFWS guidelines regarding appropriate mitigation procedures. b) The California Tiger Salamander and the Alameda Whipsnake. The salamander study shall take place during the rainy season. If salamanders are found to exist in the unnamed creek, they shall be trapped and released to the Lawlor Creek area. If the Alameda Whipsnake is encountered, then facilities such as the equalization basin, and the access road shall be relocated further from the outcrop area. The outcrop reserve shall be expanded to include the easternmost outcrops. Consideration shall be taken in siting facilities and any activities north of access road. Lighting shall be shielded and shall illuminate only paved areas in this vicinity.	B-62, 63	Completed. Updated As Needed	Supplemental wildlife surveys were conducted in 2003. No special status wildlife species were observed in the primary project area of the landfill during site visits. Based on exisitng habitat conditions, there is a moderate to high potential of occurrence for theree special status wildlife species to occur on or adjacent to the primary project area: 1) San Joaquin pocket mouse, 2) California horned lark, and 3) loggerhead shrike. Two additoinal species, the California tiger salamander and the California red-legged frog, occur in adjacent areas and could disperse through the project area. Habitat assessments for these species were conduced in accorrdance with state and federal guidelines. The habitat assessments concluded that surveys were not warranted based on the probability the species may occur in the primary project area of the landfill, as follows: California red-legged frog = low probability, California tiger salamander = low probability, Earlier supplemental survey data submitted to the U.S. Fish and Wildlife Service were substantiated by CDD on 10/15/1991. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
24.1	**Bird and Vector Control Objective.** The Landfill operator shall manage the facility in such a manner that prevents and controls the attraction and/or generation of birds and vectors at the site.		See Conditions 24.2 - 24.7	Compliance with these conditions of approval in LUP Section 24. Bird and Vector Control prevents and controls attraction and/or generation of birds and vectors at the landfill operations area.
24.2	**Soil Cover Frequency.** See Condition 20.3.		See 20.3	This condition cross-references to another LUP condition.
24.3	**Working Face.** See Condition 17.17		See 17.17	This condition cross-references to another LUP condition.
24.4	**Bird Control.** If birds become a problem at the Landfill in the judgement of the County Health Services Department, the Landfill operator shall institute a contingency bird control program. Such a program may consist of monofilament or wire lines suspended in the air at appropriate intervals over and around the active disposal area. The Landfill operator shall retain a biologist during the initial period of operation to (1) assess the effectiveness of the monofilament line for bird control and (2) assess the effect of the line on avian predator species. If necessary, additional corrective measures shall be taken at that time. Such measures may include a reduction in the size of the working face of the landfill, the use of nets over the working face, or the use of a habitat manipulation and modification program.	B-50, 59	In Compliance. On-Going	Implementation of LUP COA 24.4 and 24.5 is routinely coordinated with the SWFP Section 17k(f). The Bird Control Plan for Keller Canyon Landfill was updated on January 14, 2014. The plan includes elements on bird species identification, bird control methods, and specific bird control measures. The control program involves dispersal in conjunction with whistlers, crackershells, and distress calls played over a loudspeaker attached to a vehicle. Monthly on-site inspections by the LEA have not indicated problems with control of birds and vectors.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
24.5	**Rodent Control.** If waste compaction does not eliminate live rodents from the Landfill footprint, or if rodents (other than small numbers of field mice, etc.) occupy facility landscaping or agricultural areas, the operator shall work with the local enforcement agency to identify the reasons for the presence of rodents and make appropriate changes in operational procedures. If an eradication program is necessary, the use of alternative rodent control programs such as sustained live trapping using nonpoisonous baits, and natural biological control shall be considered. Anti-coagulants shall be administered by a pest management professional in a manner which minimizes exposure to avian predators. Class 1 pesticides shall not be used.	B-50	In Compliance. On-Going	See 24.4 above.
24.6	**Mosquito Control.** The Landfill operator shall grade areas within the Landfill property to prevent ponding of water which could harbor mosquitos (except for sedimentation ponds and riparian habitat areas). Sedimentation ponds shall be stocked with mosquito fish. If a mosquito problem persists, the County Health Services Department may require the preparation and implementation of additional mosquito control measures, such as spraying of nontoxic larval suppressant.	B-50	In Compliance. On-Going	See 24.4 above. The landfill operator works closely with the County Mosquito Abatement District to ensure approved controls and methods are used to control mosquitos. If required, stocking of sedimentation ponds with mosquito fish would be implemented as directed by the County Mosquito Abatement District. Typically there is insufficient standing water in the sedimentation basin to support mosquito fish.
24.7	**Fly Control.** The Landfill operator shall limit the size of the working face and shall cover refuse daily in order to prevent fly proliferation. If an eradication program is necessary, the use of a pest-control specialist shall be considered and a plan implemented pursuant to approval by the County Health Services Department.	B-50	In Compliance. On-Going	Fly control is achieved by limiting the size of the working face per LUP Condition 17.17 and Condition 17h of the SWFP. Cover practices and materials are in accordance with requirements of both permits. Also see Condition 24.4.
25.1	**Litter Control Objective.** The Landfill operator shall manage the facility in a manner which confines litter to the working face of the Landfill, which prevents litter from accumulating another parts of the site, and which prevents litter from being blown off the site.		See Conditions 25.2 - 25,11	The site is in compliance. Litter control is conducted during all hours of operation as specified in Section 25 of this LUP and condition 17k(e) of the SWFP.
25.2	**Load Covering.** The Landfill operator shall implement a program to exclude uncovered loads from arriving at the Landfill. The program shall be subject to the approval of the County Health Services Department.	B-39	In Compliance. On-Going	See Conditions 7.1 and 7.2 for load covering requirements.
25.3	**Load Cover Enforcement.** If routine enforcement of load cover requirements is not effective, the Landfill operator shall offer to contract with the Sheriff's Department to enforce regulations requiring the covering of trucks and trailers.		Not Yet Required	Every incoming load is inspected to ensure all waste-hauling vehicles are covered. Waste loads are screened for excessive littering and inadequate covering. All transfer trucks are required to have tarps covering their loads. In addition, all transfer trucks owned by the landfill operator have stickers on the trailer containing an (800) number that allows citizens to contact the operator if litter is observed falling from transfer trucks. The Landfill owner/operator has had no cause to request load cover enforcement from the County Sheriff's Department.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
25.4	**Contingency Litter Control.** Under windy conditions, the Landfill operator shall cover the refuse with soil as often as necessary to control blowing litter. Other options shall be considered as necessary, including the alignment of unloading areas away from the prevailing wind direction, increasing the number of compactors, decreasing the active face size, and reducing the number of vehicles tipping at one time. The County Health Services Department shall have the authority to enforce this requirement. See Section 20.8..		In Compliance. On-Going	Portable litter fences are provided as necessary around the unloading and receiving areas to prevent litter from migrating off-site. A permanent litter fence has been constructed at the east edge of the landfill operations area. In the event that litter is generated by extremely high winds, the Landfill owner/operator deploys emergency crews to collect on and off-site litter blown beyond the normal containment areas. Contingency litter control was implemented on two signficant litter problems that occurred in June 1997 and April 2009: 1. June 1997: A Notice of Violation from the LEA was issued for a significant off-site litter in June 1997. The problem occurred due to high winds in combination wih the location of the working face. Litter (plastic supermarket bags) became airborne and were carried to areas beyond the landfill property boundary. The landfill operator updated the facility Litter Control and Prevention Plan (LCCP) as a result of the incident. The LCCP was approved by the LEA in April 1998 with concurrence from CDD. 2. April 27 and 28, 2009: A significant litter problem occurred due to a change in wind patterns and gusts in excess of 45 mph during unloading operations. Through the course of April 27th, litter accumulation exceeded the available workforce's rate of removal. Attempts to secure additional clean up crew were unsuccessful and litter was carried to areas beyond the landfill property boundary. On and off-site clean up operations were implemented on April 28th and completed by April 30th. In both cases, the landfill operator worked with DCD and the LEA in implementation of corrective actions. As a result of the litter problem, the landfill operator submitted a refined Litter Incident and Response Plan to the LEA (see KCLC letter from R. King to E. Fung (CCEH) dated 5/14/2009. Litter incidents are recorded by DCD and also in the Log of Special Occurrences maintained by KCL. Also see Condition 20.2. The Department of Conservation and Development is not aware of any complaints related to litter that have not been addressed in a timely manner by the landfill operator.
25.5	**Portable Litter Fences.** The Landfill operator shall install portable fencing near the working face of the Landfill to inter-cept windblown debris.	B-39	In Compliance. On-Going	Portable litter fences were initially approved as submitted in the Solid Waste Facility Permit, subject to continued inspection by the County HSD (see memo from C. Nicholson, HSD to C. Zahn, CDD dated 3/10/1992). Portable litter fences are provided as necessary around the unloading and receiving areas to prevent litter from migrating off-site per this LUP condition and condition 17k(e) of the SWFP.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
25.6	**Permanent Litter Fence.** The Landfill operator shall install a permanent fence of wire around the current fill area of the Landfill. The location shall be subject to the approval of the County Health Services Department.	B-39	Completed. On-Going	The permanent litter fence was initially approved as submitted in the SWFP, subject to continued inspection by the County HSD (see memo from C. Nicholson, HSD to C. Zahn, CDD dated 3/10/1992). The permanent litter fence was installed prior to commencement of landfill operations in 1992.
25.7	**On-Site Litter Policing.** The Landfill operator shall remove litter from the litter fences and planting screens at least once each day. On-site roads shall be policed at least daily. The County Health Services Department may require more frequent policing to control the accumulation of litter.	B-39	In Compliance. On-Going	Keller Canyon Landfill has an extensive litter control program in place. The landfill operator enforces the covered load program at the scale house by reminding any untarped customers (which are rare) of the requirement. Daily on-site litter removal is performed in accordance with this LUP condition, the Litter Management Plan, and the SWFP Condition 17k(e). Monthly inspections by the LEA have indicated an acceptable level of litter control. Extensive onsite controls are in place to ensure litter is controlled within the site boundaries.
25.8	**Off-Site Litter Policing.** The Landfill operator shall provide weekly (or more frequent) litter clean-up from West Leland Road to at least 500 feet south of the site entrance during the Landfill's first year of operations. Based on experience, the County Health Services Department may modify frequency of clean-up and/or area of coverage. If windblown litter from the landfill reaches other properties, the Director of Health Services may require the Landfill operator to remove the litter and the Director may require the operator to institute additional measures to prevent recurrence of the problem.	B-39	In Compliance. On-Going	Off-site litter removal is performed from West Leland Road to at least 500 feet south of the landfill entrance in accordance with this LUP condition and the facility Litter Control and Prevention Plan. In addition, Keller Canyon Landfill's litter control program includes voluntary pick up of litter in areas between Highway 4 and W. Leland Road. Landfill personnel regularly pick up litter in the vacant lot by the bus stop across from the shopping center on Bailey Road. In addition, the landfill operator participates in the Adopt-a-Highway program for the area from the San Marco exit to Bailey Road, including the off-ramp at Bailey Road. This program was previously suspended at the direction of CalTrans during Hwy 4 construction, but was recently re-instated at the request of Keller Canyon Landfill. The landfill operator also enforces the covered load program at the scale house by reminding customers with untarped loads (which are rare) of the requirement.
25.9	**Littering Signs.** The Landfill operator shall post signs, as determined necessary by the County Public Works Department, along access roads to the Landfill noting littering and illegal dumping laws. The Landfill operator shall post signs at the Landfill entrance noting the hours when the Landfill is open. The operator should periodically publish these laws and operating hours in mailings to Landfill clientele.	B-39	Not Yet Required	A sign specifying landfill operating hours is posted at the site entrance. Off-site signage was deemed unnecessary by the County Public Works Department (PWD) . (See memo from J. Causey, PWD to C. Zahn, CDD dated 2/26/1992.) The County staffs and maintains a countywide illegal dumping hotline and the phone number is: 1-800-NO-DUMPING or (1-800-663-8674) With over 22 years of continuous operation in which public self-haul is prohibited, landfill clientele are familiar with facility operating hours as opposed to potential conflicts that may occur from self-haul customers who arrive at the facility after hours. There have been no instances of illegal dumping for example, resulting from a customer who arrived at the facility after hours.
25.10	**Clean-Up Bond.** The Landfill developer shall deposit a surety bond for $10,000 payable to the County to use for clean-up in the event of emergency or disputed littering or spills.		In Compliance. On-Going	The initial Performance Bond (# 571-10-31) in the amount of $10,000 went into effect on 5/7/1992. It was issued by Safeco Insurance as a surety for Contra Costa County in the event it was needed to clean-up litter or spills not remedied by the Operator. The initial Bond listed BFI which was the parent company that owned the landfill at the time. Since that time the parent company has changed more than once and the Bond had also been renewed. The landfill operator secured a new bond in the name of Republic Services, the current parent company which is on file with County DCD.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
25.11	**Public access.** Public access to the landfill shall be prohibited.		In Compliance. On-Going	Signage prohibiting public access to the landfill is posted at the landfill entrance and enforced on-site.
26.1	**Safety Objective.** The Landfill operator shall manage the facility in a manner which does not impair the safety of persons living in its vicinity, Landfill users, or Landfill employees.		See Conditions 26.2 - 26.11	Implementation of conditions of approval in this LUP Section 26. Public Safety has maintained a high degree of safety for landfill users, employees, and the surrounding area.
26.2	**Emergency Plan.** The Landfill operator shall prepare an emergency plan specified by the Solid Waste Facilities Permit and approved by the County Health Services Department. The emergency plan shall include the following: (a) A fire and explosion component. (b) A seismic component. (c) A hazardous waste spills and contamination containment component. (d) An evacuation component.		Completed. On-Going	The Emergency Plan was originally approved by County HSD as submitted in the RDSI in 1992 (See memo from C. Nicholson, HSD to C. Zahn, CDD dated 3/10/1992).The current Emergency Plan is contained in the updated RDSI which was approved in conjunction with the Solid Waste Facility Permit by HSD and CalRecycle.
26.3	**Employee Safety Equipment.** The Landfill operator shall provide or require employees to provide safety equipment, such as safety glasses, hard hats, safety shoes, gloves, coveralls, and noise reducers as required by state and federal safety agencies and the County Health Services Department.		In Compliance. On-Going	Safety equipment is provided to landfill personnel as necessary in compliance with 27 CCR, 21600(b)(5)(F). Equipment includes: boots, hard hats, reflective vests, ear and eye protection, filtration masks and self-contained breathing apparatuses. All personal protective equipment (PPE) used by KCL employees in the course of their work must be used and maintained in a sanitary and reliable condition, whenever it is required, based on hazard assessments of district job/tasks. A hazard assessment using the PPE matrix included in the Personal Protective Equipment Program included in Appendix E must be performed for each distinct job/task to determine if hazards are present which require use of PPE. In Fire extinguishers are located in onsite buildings, operating equipment and maintenance and support vehicles.
26.4	**Employee Training.** The Landfill operator shall develop and implement training and subsequent refresher training programs covering accident prevention, safety, emergencies and contingencies ("bad-day" scenarios), gas detection, identification of hazardous materials and ground fissures, first aid, and instrucion in the use of equipment. The programs shall be subject to the approval of the County Health Services Department.		In Compliance. On-Going	The training program was originally approved by County HSD as submitted in the RDSI in 1992 (see memo from C. Nicholson, HSD to C. Zahn, CDD dated 3/10/1992). All employee safety training is performed in accordance with this LUP condition and State requirements. Training for operations personnel is provided in health and safety, hazardous waste identification, handling and storage procedures, environmental control systems management and proper waste handling and disposal procedures. Training provides site personnel with a thorough understanding of operator responsibilities to ensure that landfill operations are conducted under safe working conditions to minimize potential public health and safety problems, and to maintain a high degree of compliance with all applicable solid waste handling and disposal regulations.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
26.5	**First Aid Equipment.** The Landfill operator shall provide and maintain supplies located in easily accessible areas. The first aid supplies shall be consistent with the Occupational Safety and Health Administration requirements and subject to the approval of the County Health Services Department.		In Compliance. On-Going	All employee first aid equipment is provided in accordance with this LUP condition, and State and federal requirements, and subject to monthly inspections by the LEA.
26.6	**Emergency Communications.** The Landfill operator shall provide radio phones or telephones for employee use to call for medical and other emergency assistance. Phone numbers to use for outside emergency assistance shall be clearly posted on the Landfill and in other work areas. The communications system shall be subject to the approval of the County Health Services Department.		In Compliance. On-Going	The emergency communications system was originally approved by County HSD as submitted in the 1992 RDSI (see memo from C. Nicholson, HSD to C. Zahn, CDD dated 3/10/1992). All emergency communications equipment and phone numbers are in accordance with this LUP condition and State requirements, and subject to monthly inspections by the LEA.. In accordance with 27 CCR, Section 20615, the LEA, local health agency have been notified in writing of the names, address, and telephone number of the operator. A list of names of the site personnel for KCL to contact in the event of an emergency, along with the emergency procedures, are posted in the site office and operations trailer.
26.7	**Emergency Eye Baths and Showers.** The Landfill operator shall provide facilities for emergency eye baths and emergency showers. The facilities shall be subject to the approval of the County Health Services Department.		In Compliance. On-Going	All emergency eye baths and showers are in accordance with this LUP condition and State requirements, and subject to monthly inspections by the LEA.
26.8	**Equipment Maintenance.** The Landfill operator shall prepare and implement an equipment maintenance program which shall be approved by the County Health Services Department prior to the commencement of operations. The program shall address transfer vehicles and other refuse-conveying vehicles stored on the site as well as the station's refuse-moving vehicles and mechanical equipment. Vehicles and equipment shall be regularly cleaned to reduce the risk of fires.		In Compliance. On-Going	The equipment maintenance program was originally approved by County HSD as submitted in the 1992 RDSI (see memo from C. Nicholson, HSD to C. Zahn, CDD dated 3/10/1992). Equipment maintenance is performed according to manufacturer specifications and at required intervals. Maintenance records are maintained by the operator and available for review by County agencies. See Health Services Department Memo from C. Nicholson to C. Zahn (CDD) dated 3/10/1992.
26.9	**Gas Migration Monitoring.** The Landfill operator shall prepare and implement a gas migration monitoring program to detect underground gas migration. Landfill buildings and paved areas within 1,000 feet of the Landfill shall be monitored. The monitoring program shall be approved by the County Health Services Department.		Completed. On-Going	The gas migration monitoring program was originally approved by County HSD as submitted in the 1992 RDSI, subject to continued inspection (see memo from C. Nicholson, HSD to C. Zahn, CDD dated 3/10/1992). Landfill Gas Migration Monitoring is performed per this condition and requirements of permits with the BAAQMD
26.10	**Refuse Cover.** See Condition 20.3.		See 20.3	This condition cross-references to another LUP condition.
26.11	**Load Inspection.** See Condition 7.1.		See 7.1	This condition cross-references to another LUP condition.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
27.1	**Security Objective.** The Landfill operator shall manage the facility in a manner which prevents unauthorized persons from having access to the working areas of the Landfill both during and after operating hours.		See Conditions 27.2 - 27.4	Site security at the site includes: a locked entrance gate, fencing along the entire property boundary and the manned fee booth/scale area. Access to the site is monitored by the Fee Station Attendants at the scale house when the facility is open for business. A fence around the entire facility controls unauthorized access to the site. The LFGTE facility and flare station are fenced off and locked during non-business hours while the sedimentation basin is also fenced off along the edge of the perimeter or access road. At all other times, the entrance gate is securely locked. Security lighting is provided at the entrance gate, the administrative building, the scale house area, the maintenance facilities, and the utilities areas. KCL can provide additional site security measures, as deemed necessary.
27.2	**Security Fencing.** The Landfill developer shall install a security fence around the perimeter of the site with lockable gated entrances and exits. The fence shall be located to minimize its visual impacts. It shall be included in the Development and Improvements Plan.		Completed	The Security Fencing plan is included in FDIP Section 10.10. Approved by the Riverview Fire Protection District on 10/22/1991. County HSD deferred to the Fire District's approval (see memo from C. Nicholson, HSD to C. Zahn, CDD, dated 10/24/1991. See memo from V. Conklin, CDD to C. Zahn, CDD dated 10/15/1991, and as updated through 10/25/1991. Security fencing was installed prior to the landfill opening. The initial portion of fencing was authorized in a Community Development Department letter from C. Zahn to B. Olney (KCLC) dated 2/6/1992; installation of the remainder of perimeter fencing was authorized by CDD in a letter from C. Zahn to B. Olney, KCLC dated 7/24/1992. Fencing is maintained or repaired as the need arises.
27.3	**Security Staffing.** The Landfill operator shall staff the Land-fill 24 hours per day. Private security services may be retained when the site is not open.		In Compliance. On-Going	Private security services patrol the site when the landfill is not open, from landfill closure until 6:00 A.M. and all day on Sunday. The level of security is managed to ensure landfill assets are protected. On-site patrols include all landfill buildings, facilities such as the scalehouse, flare system, water tank, and leachate tanks, and major equipment. Security breaches have been very rare at the site. No buildings or facilities have experienced forced entry or burglaries. The last incident involved vandalized windows on a piece of earthmoving equipment in 2008.
27.4	**Security Lighting.** The Landfill developer shall install and operate adequate lights at the entrance area to the Landfill. The lighting shall be provided in a manner which minimizes glare to nearby residents and road users. The security lighting shall be covered in the Development and Improvements Plan.		In Compliance. On-Going	The Security lighting plan is included in the FDIP, Section 10.11. Lighting was installed and is maintained per the requirements of this condition and the FDIP. Security lighting is operated in compliance with LUP Condition 9.1.
28.1	**Cultural Resource Preservation Objective.** The Landfill developer shall construct the facility in such a manner that preserves important archaeological or historic sites.		See Conditions 28.2 - 28.3	Implementation of conditions in LUP Section 28. Cultural Resources has preserved known cultural resources.
28.2	**Employee Access.** Employee access to the buffer area, the Lawlor Creek area, or the sandstone outcrop area shall be limited to duties associated with landfill maintenance. Artifact collection or vandalism in these areas shall be strictly prohibited.		In Compliance. On-Going	There are no regular landfill disposal operations in the Special Buffer Area or Lawlor Creek corridor. Public access is prohibited. Employee access to these areas is limited.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
28.3	**Archaeology.** The Landfill operator shall cease work in the immediate area if buried human remains or archaeological features (e.g., petroglyphs) are uncovered during construction or operation. Work in the immediate area shall cease until a qualified archaeologist is consulted and approves resumption of work. Should human remains which may be of Native American origin be encountered during the project, the County Coroner's Office shall be contracted pursuant to the procedures set forth in the Health and Safety Code. The County Community Development Department shall also be notified.		In Compliance. On-Going	To-date, no buried human remains or archaeological resources have been discovered during site development or landfill operations.
29.1	**Traffic Objective.** The Landfill operator shall manage the facility in such a manner that provides safe, efficient transport of solid waste, while minimizing impacts to County residents.		See Conditions 29.2 - 29.10	Implementation of conditions of approval in LUP Section 29. Transportation and Circulation is meeting the objectives of safety, efficient transport, and minimizing traffic impacts to area residents. The Traffic and Circulation Plan is included in the FDIP, Sections 11.1 through 11.7.
29.2	**Access Route.** Access to the landfill facility shall be via State Highway 4, and Bailey Road. No waste-hauling traffic shall be allowed entrance to the landfill from Bailey Road south of the site. The Landfill operator shall specify use of the prescribed route in all user contracts and shall notify non-contract users of the requirement. At the request of the Board of Supervisors, the Landfill Operator shall reimburse the County for the cost of enforcement of this Condition on the access route. The Board of Supervisors may also request the Landfill operator to reimburse the City of Concord for an access control police inspection stop on Bailey Road should it become necessary to enforce this access route condition.	B-47	In Compliance. On-Going	The vehicle access route to/from the landfill is strictly enforced by the Landfill operator. The prescribed route is specified in all user contracts. Non-contract users are informed of the prescribed access route. No additional enforcement from City of Pittsburg or City of Concord law enforcement has been required.
29.3	**Landfill Access Road.** The Landfill developer shall install a paved, two-lane access road between Bailey Road and the edge of the current working lift of the landfill. A facility parking lot, a bridge across Lawlor Creek, a 12-foot turn-around lane, and parking/turn-off lanes shall be provided. the traffic lanes shall be built to a suitable Traffic Index (between 10.0 and 10.5). The roadway shall be constructed of all-weather driving surfaces of not less than 20 feet of unobstructed width, and not less than 13'-6" of vertical clearance, to all landfill areas within the site. The road shall not exceed 20% grade, shall have a minimum centerline turning radius of 30 feet, and must be capable of supporting the imposed loads of fire apparatus (20 tons). The access road shall be operational when the landfill opens. All costs shall be borne by the Landfill developer. The design and specifications of the roadway shall be approved by the County Public Works and Community Development Department in consultation with the Riverview Fire Protection District.	B-43, 44	Completed	Landfill Access Road design information is included in the FDIP, Section 11.1, Drawings 8-13. Approval for completion of on-site roads was issued by CDD in a letter from H. Bragdon to B. Olney, KCLC dated 12/13/1991. A memo from C. Nicholson, HSD to C. Zahn, CDD dated 12/12/1991 concurred that all paved roads met design specifications and requirements Title 14 CCR. Authorization to construct Bailey Road improvements; and landfill entrance and intersection design was issued by CDD in a letter from C. Zahn to B. Olney, KCLC dated 12/20/1991. Final Construction Quality Assurance (CQA) for Phase 1A completed July 29, 1992. The landfill access road was designed and constructed in accordance with standards of the County Department of Public Works.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
29.4	**Landfill Entrance.** The Landfill developer shall construct the Bailey Road entrance to the site in a manner that provides safe access into the landfill. This improvement shall include the following for proper sight distance and intersection design: a separate left turn lane at least 150 feet in length and an acceleration lane, at least 1200 feet in length, leading north on Bailey Road, away from the site. The landfill developer shall also become responsible for a traffic signal at a later date, if warranted. The County Public Works Department shall approve the design of the entrance and estimate its cost. All costs shall be borne by the Landfill developer.	B-43	Completed	Landfill Entrance design is included in FDIP, Section 11.2. The landfill entrance was designed and constructed in accordance with standards of the County Department of Public Works.
29.5	**Bailey Road, Pittsburg city limits to the Landfill Entrance.** The Landfill developer shall reconstruct the sections of Bailey Road between the city limits and the landfill entrance. The reconstructed roadway shall provide the sight distance, and roadway geometrics (including shoulder widening) specified by the County Public Works Department for truck use. This shall include two twelve-foot lanes with eight-foot shoulders. These improvements shall be in place prior to commencement of landfill operations. The Landfill developer shall upgrade the pavement capacity to reflect a 20-year life (an estimated Traffic Index of 10.0 - 10.5) along Bailey Road between the Pittsburg city limits and the landfill entrance. The County Public Works Department shall approve the design of the roadway and pavement reconstruction and estimate its cost. All costs shall be borne by the Landfill developer.	B-43	Completed	Design plans for reconstruction of Bailey Road is included in FDIP, Section 11.3, Drawings 4 through 7. The section of Bailey Road as defined in this condition was designed and constructed in accordance with standards of the County Public Works Department. On 10/20/1992 the Board of Supervisors authorized a Joint Exercise of Powers Agreement (JEPA) between the County and the City of Pittsburg for the purpose of constructing certain road improvements to Bailey Road within the City's jurisdictional boundaries from just south of West Leland Road to just north of Maylard Street. The JEPA became effective on 3/18/1993. The County Public Works Department had oversight over the project designs, construction, and conducted final inspections in consultation with the City. A Memorandum of Understanding (MOU) was also established on 10/1/1992 between the County and the Keller Canyon Landfill Company. By order of the Board of Supervisors dated 10/20/1992, the County approved the Keller Canyon Landfill Company and the disbursement of monies from the Transportation System Impact Fee account in an amount not to exceed $300,000.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
29.6	**Bailey Road Pavement Study.** The Landfill developer shall conduct a study of the Bailey Road roadway from the Pittsburg city limits to the Highway 4 interchange to determine the improvements necessary to reconstruct the right hand (outside) traffic lanes of the road to a 20-year pavement standard to be an estimated Traffic Index of 10.0 to 10.5. The County Public Works Department, in consultation with the City of Pittsburg, shall estimate the costs of the improvements, estimate the longevity of the existing roadway under increased traffic conditions, and determine a per-ton refuse disposal surcharge adequate to fund the improvements when reconstruction is necessary. The Landfill operator shall impose the surcharge and pay it quarterly into a segregated account established by the County. The design of the improvements, their costs, the surcharge and its disbursement shall be approved by the Board of Supervisors.	B-42	Completed	The initial pavement study is included in the FDIP, Section 11.4 and Appendix F. A subsequent comprehensive pavement study was completed by the County Department of Public Works in 2009 prior to the rehabilitation of Bailey Road between the Highway 4 interchange and West Leland Road.
29.7	**Road Maintenance**. Subsequent to the funding of the above traffic lane upgrading improvements, the landfill operator shall impose a surcharge for the maintenance of Bailey Road between the Highway 4 interchange and the Landfill intersection. The surcharge shall be estimated by the County Public Works Department in consultation with the City of Pittsburg and shall be based on the landfill's proportionate share of traffic on the road corridor adjusted for vehicle weight and number of axles. The fees shall be paid quarterly into a segregated account established by the County. The design of the improvement, its cost, the surcharge and disbursements from the segregated account shall be approved by the Board of Supervisors.	B-42	In Compliance. On-Going	On July 7, 2010, the County Board of Supervisors approved the establishment of a $0.32 per ton fee ("Bailey Road Improvement Disposal Surcharge"), pursuant to Condition of Approval 29.6, of the Keller Canyon Landfill Land Use Permit 2020-89. On the same day the Board approved a $0.68 per ton fee for Bailey Road Maintenance Disposal Surcharge, pursuant to Condition 29.7. This fee will be in effect between January 1, 2011 and December 31, 2015 and will be reduced to $0.27 on January 1, 2016.
29.8	**Highway 4/Bailey Road interchange.** The Landfill developer shall participate in an improvements district, benefit area, or other cooperative arrangement with the County, the City of Pittsburg, and Caltrans which may be created to improve the Highway 4/Bailey Road Interchange. The developer shall be required to pay an amount for the improvements and maintenance proportionate to the traffic generated by the landfill, adjusted for truck use. If necessary, the developer shall advance the money for the inter-change design and improvements. The County Public Works Department shall approve the design of the interchange and estimate its cost. The fees shall be paid quarterly into a segregated account established by the County. The design of the improvements, their costs, the surcharge, and disbursements from the segregated account shall be approved by the Board of Supervisors.	B-45	Completed	Originally included in FDIP, Section 11.5. An improvement district, benefit area, or other cooperative arrangement requiring the landfill developer participation was not established for the improvement of the Highway 4/Bailey Road Interchange. CalTrans constructed the Highway 4/Bailey Road interchange improvements in September 1992, which included the section of Bailey Road from the Highway 4 interchange south to Maylard Street.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
29.9	**Peak Period Traffic Management.** The Landfill operator shall prepare a study, in conjunction with the transfer station serving the landfill, for managing transfer vehicle traffic to reduce peak period conflicts with traffic on Highway 4. The study shall address the restricted departure periods from the Landfill identified in the Environmental Impact Report (6:30 - 8:30 a.m. and 3:30 - 6:30 p.m.) and shall identify any changes to the conditions of approval needed to implement a peak-period traffic reduction program. The study shall be approved by the County Public Works and Community Development Department and shall be provided to the County Community Development Department with the Development and Improvements Plan. The Director of Community Development shall specify peak period traffic restrictions. The Landfill operator shall comply with such restrictions, and shall require compliance in contracts with Landfill users.	B-21, 40, 48	Completed	Included in FDIP, Section 11.6 and Appendix H. The peak period traffic management plan has been modified over time to reflect local traffic conditions. Conditional approval was issued in August 1996 to modify A.M. and P.M. peak period departure times (see Community Development Department letter from C. Zahn to S. Gordon (KCLC) dated 8/14/1996). A five (5) minute interval for departing trucks was approved for the periods of 7:30 A.M. to 8:30 P.M. and 3:30 P.M. to 6:30 P.M. Departure restrictions between 6:30 A.M. and 7:30 A.M. remained in effect. The revised intervals were subject to modification if dictated by traffic flow or a 25% increase in daily tonnage. Conditional Approval was issued by CDD in March 2000 to adjust departure time from 7:30 A.M. to 7:10 A.M.; and in April 2000 to reduce the interval of departing trucks in the A.M. peak period from 5 minutes to 3 minutes. See Community Development Department letter from D. Dingman to N. Christensen (KCLC) dated 4/27/2000. Modification of departure patterns improved efficiency of peak period truck traffic.
29.10	**Bicycle and Pedestrian Improvements.** The Landfill developer shall incorporate into the Transportation and Circulation Plan a bicycle and pedestrian path system along Bailey Road in the vicinity of the landfill.	B-5, 46	Not Yet Required	Plans for bicycle and pedestrian improvements are included in FDIP, Section 11.7, Figure 11-1. Staff reported to the Board of Supervisors on April 28, 1992 indicating that installation bike and pedestrian path between the City limits and the landfill entrance was determined to have limited functionality.
30	**Objective.** The Landfill developer shall design, develop and manage the facility in such a manner that services and utilities adequately meet the landfills requirements, while ensuring the protection of site employees, area residents, and the surrounding environment.		See Conditions 30.1 - 30.21	Implementation of conditions of approval in LUP Section 30. Site Services & Utilities is expected to address the objectives of safety, efficient transport, and minimizing traffic impacts to area residents. The Site Services & Utilities Plan is included in the FDIP, Sections 10.1 - 10.11.
30.1	**Final Site Services and Utilities Plan.** The landfill developer shall prepare and submit a final Site Services and Utilities Plan, and obtain the approval of the County Community Development Department prior to beginning construction. The Site Services and Utilities Plan shall be included in the Development and Improvements Plan. The final Site Services and Utilities Plan shall include: a) A water service component. (see Condition 30.2) b) A fire protection component. (see Condition 30.5)		See Conditions 30.2 - 30.21	Implementation of conditions of approval in LUP Section 30. Site Utilities Plan meets landfill requirements and protects the surrounding environment. The Site Services and Utilities Plan is included in the FDIP, Sections 10.1 through 10.11, approved by the Community Development Department on 10/23/1991. Also RFPD letter from K. McCarthy to V. Conklin (CDD) dated 10/22/1991 in which RFPD approved compliance with Section 30 of the LUP.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
30.2	**Water Service Component.** The Landfill developer shall prepare and implement a Water Service Component, covering available water resources, estimated total water needs and supplies, landfill construction and operation, landscaping, fire protection, employee hygiene, and human consumption water needs, and water supply sources. Potable water shall be provided for hygiene and consumption. Potable water may be trucked onto the Landfill.		Completed	Included in FDIP, Section 10.1. Additonal research and negotiations occurred following initial submittal in the FDIP in July 2014, documentation including numerous letters between the operator and City of Pittsburg are on file.
30.3	**On-site Water Wells.** The Landfill operator shall install wells for water supply with a minimum pumping capacity of 1,000 gallons per minute, or must have on-site storage which produces this capacity. The County Community Development Department and the County Department of Health Services shall be furnished pumping test information which shall be submitted with the Development and Improvement Plan.		Completed	Also see Health Services Department Memo from C. Nicholson to C. Zahn (CDD) dated 3/10/1992, and Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
30.4	**Public Water Supply Option.** The Landfill operator may substitute water service from a public water supply system for the use of wells, if arrangements can be made with the Contra Costa Water District and, where applicable with the cities of Concord or Pittsburg. The water supply may be potable or non-potable. Annexation to the Contra Costa Water District probably would be required, as well as an approval for annexation from the Local Agency Formation Commission, and would have to be obtained prior to the submission of the Water Service Plan as part of the Final Development and Improvements Plan. The size and placement at the water supply line shall be included in the Water Service Plan and shall be subject to the approval of the County Health Services and Community Development Departments.		Not Yet Required	The option of a public water supply was not employed. The landfill Operator investigated the feasiblility of this option in coordination with County agencies. A public water supply option was not feasible at the time of landfill construction due to design and infrastructure constraints. All on-site water needs are currently met with groundwater supplies. The Condition should be retained to allow for evaluation of future public water supply alternatives if necessary.
30.5	**Fire Protection Component.** The Landfill operator shall develop and implement a Fire Protection Component meeting the requirements of the Riverview Fire Protection District to contain and extinguish fires originating on the landfill property and off-site fires caused by Landfill operations. It shall include training for all employees. The program shall be subject to the approval of the County Health Services Department.		Completed. Updated As Needed	The Fire Protection Component is included in FDIP, Section 10.3. The Riverview Fire Protection District (RFPD) indicated that the fire protection component had been adequately addressed and therefore authorized preliminary construction in a letter dated 10/21/1991. The Site Plan and Fire Protection Component were approved by RFPD. See RFPD letter from K. McCarthy to C. Nicholson (HSD) and C. Zahn (CDD) dated 3/4/1992. Final inspection of the entire fire protection system determined all requirements were met. Last inspection was on January 31, 2014. See Health Services Department Memo, C. Nicholson to C. Zahn (CDD), dated 10/24/1991 and Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
30.6	**Fire District Programs.** The Landfill developer shall participate in the Riverview Fire Protection Districts Benefit Assessment Program and the New Development Fees program.		In Compliance. On-going	The landfill operator participated in the New Development Fees program when applicable fees are assessed and paid at the time Building Permits were issued. A review of recent Property Tax Bills confirmed that the Fire District's Benefit Assessment program has yet to be established,
30.7	**Construction Timing.** Access roads and water supply systems shall be installed and in service prior to any combustible construction and/or related landfill activity. No construction, excavation, or grading work shall be started on this landfill facility until a plan for water supply system has been submitted to and approved by the County Health Services Department and the County Community Development Department. Water may be transported onto the site during construction activities, but trucked water shall not be used for ongoing landfill activities.		Completed	Plans for access roads and water supply systems were approved prior to landfill operations. On-site water was to be supplied by wells. See Condition 30.3. Trucked water is used on paved and unpaved roads in accordance with dust suppression requirements of this LUP and in accordance with requirements of the BAAQMD Permit to Operate. See Condition 20.5. See Health Services Department Memo, C. Nicholson to C. Zahn (CDD), dated 10/24/1991 and Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
30.8	**On-Site Water Storage.** The Landfill developer shall provide an adequate and reliable water supply for fire protection which shall include on-site storage. The storage tank(s) shall have a useable capacity of not less than 240,000 gallons of water and shall be capable of delivering a continuous flow of 1,000 gallons per minute.		Completed	Plans used for conservation were dated 1/16/1992. Storage capacity is approximately 366,000 gallons and is capable of delivering a continuous flow of 1,000 gallons per minute in accordance with this LUP condition. See Department of Community Development letter from C. Zahn to B. Olney dated 3/12/1992 which authorized installation of the water tank (Building Permit BP MI 176099); and letter dated 3/24/1992 which authorized installation of the pump house (Building Permit MI 176416). See Health Services Department Memo, C. Nicholson to C. Zahn (CDD), dated 10/24/1991, and Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
30.9	**Fire Fighting Water Main.** If the Landfill developer exercises the alternative of utilizing public water supply, an above-ground main of sufficient size and quantity shall be provided, which when connected to the respective storage tank, shall be capable of supplying the required portable monitor (see Condition 30.11) with a minimum fire flow of 1,000 GPM delivered to the working face of any open cell in the landfill operation.		Completed	The alternative of utilizing a public water supply was not implemented. The existing fire fighting system meets the minimum fire flow requirements of 1,000 GPM and was approved by County Riverview Fire Protection District.
30.1	**Fire Cover.** The Landfill operator shall store a supply of soil nearby the working face to be used for fire suppressant. The adequacy of the cover stockpile shall be determined by the County Health Services Department in cooperation with the Riverview Fire Protection District.		Completed	Storage of soil near the working face for potential use as a fire suppressant is standard operating procedure.
30.11	**Fire Fighting Appliance.** The Landfill operator shall provide a minimum of one (1) approved portable master-stream firefighting appliance (monitor) located within fifty (50) feet of each work-ing face of any open cell in the landfill.		In Compliance. On-Going	A portable master-stream firefighting appliance is located near the working face as standard operating procedure in accordance with this LUP condition.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
30.12	**Fire Breaks.** The Landfill developer shall provide and maintain firebreaks as follows: a) A minimum 100-foot firebreak around the perimeter of each landfill disposal area, b) A minimum 60--foot firebreak around the perimeter of the entire site and around any buildings or similar structures. The firebreaks shall be placed to minimize any adverse visual effects. Their locations shall be subject to the approval of the Riverview Fire Protection District. The firebreaks shall be included in the Development and Improvements Plan.		In Compliance. On-Going	Fire breaks are maintained on a seasonal basis as standard operating procedure in accordance with requirements of the Riverview Fire Protection District. See Health Services Department Memo, C. Nicholson to C. Zahn (CDD), dated 10/24/1991, and Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
30.13	**Fire Extinguishers.** The Landfill operator shall provide landfill equipment with fire extinguishers large enough to fight small fires on the equipment or on the landfill. The extinguishers and their distribution shall be subject to the approval of the County Health Services Department and the Riverview Fire Protection District.		In Compliance. On-Going	Fire extinguishers are located in onsite buildings, operating equipment and maintenance and support vehicles. See Condition 30.5. See Health Services Department Memo, C. Nicholson to C. Zahn (CDD), dated 10/24/1991, and Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
30.14	**Use of Reclaimed Water for Landscaping.** The Landfill Developer shall make every effort to use treated waste water from a district sewage treatment plant for landscape maintenance. The Landfill Developer shall report on this matter to the Community Development Department.		In Compliance. On-Going	Use of treated wastewater for landscaping was determined in December 1992 to be infeasible. In a letter from the landfill operator dated 9/24/1992, information was requested on availability and feasibility of treated waste water to meet an annual demand of approximately 1,050,000 gallons per year. Letters were sent to the Delta Diablo Sanitation District (DDSD) and Central Contra Costa Sanitary District (CCCSD). In December 1992, the landfill operator submitted a status report to the Community Development Department stating the annual water demand would have to be trucked from either DDSD or CCCSD for use at the landfill site. Neither the transportation/distribution system nor transport capacity existed to deliver the annual demand for water. The landfill operator stated that construction of a pipeline from DDSD to KCL would cost in the millions of dollars for development of a system, exclusive of right-of-way acquisition costs. The system would require necessary governmental and private approvals that were beyond the scope of the condition of approval. The landfill operator expressed a willingness to explore the option for use of reclaimed waste water should a pipeline delivery system become operational sometime in the future. See KCLC letter T. Cox (KCLC) to V. Conklin (CDD) dated 12/1/1992.
30.15	**Equipment and Cleaning.** See Condition 20.24.		See 20.24	This condition cross-references another LUP condition.
30.16	**Smoldering Loads.** The Landfill operator shall check incoming loads and direct vehicles hauling smoking or burning trash to a designated place apart from the current fill area. The loads shall be dumped immediately and the fire extinguished before the waste is incorporated into the fill.		In Compliance. On-Going	The Load Check Program requires checking of all incoming vehicles hauling smoldering loads. Gate operator would notify site foreman at the working face of the need for special handling per this condition. Also see LUP Condition 7.1.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
30.17	**Emergency Equipment Access.** The Landfill operator shall designate access points for local fire protection agency access to all parts of the landfill and routes. The access points shall be included in the Development and Improvements Plan and shall be subject to the approval of the Riverview Fire Protection Dis-trict.		In Compliance. On-Going	Designated emergency access points have been approved by RFPD. Approval by RFPD substantiated by CDD on 10/23/1991. See Health Services Department Memo, C. Nicholson to C. Zahn (CDD), dated 10/24/1991, and Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
30.18	**Smoking Prohibitions.** The Landfill operator shall prohibit smoking on the landfill except in designated areas. In no event shall smoking be allowed near the working face of the landfill and the fuel storage area. Signs shall be clearly posted and enforced.		In Compliance. On-Going	On-site signage is installed that prohibits smoking in all landfill operations areas.
30.19	**Toilets.** The Landfill operator shall provide portable chemical toilets near the active disposal area for use of workers and drivers. Their placement and maintenance shall be subject to the approval of the County Health Services Department.		In Compliance. On-Going	Included in FDIP, Section 10.9. Placement of chemical toilets in safe and convenient locations is standard operating procedure within the disposal operations area and ancillary facilities. Sanitary facilities are provided for employees and visitors at the landfill administrative building. Locker, rest room, and shower facilities are provided for employees in the maintenance building. Bottled drinking water is provided at the administrative building and maintenance building.
30.20	**On-site Septic System.** Septic systems shall be designed to County Department of Health Service Standards, and State Health and Safety Code requirements. The Landfill developer shall pay for any treatment plant fees.		In compliance. On-Going	Septic systems were designed, approved, and constructed per County and State standards.
30.21	**Sewer Line.** In the event that the Landfill developer elects to connect to a sewer line, the developer shall pay for any capacity studies required, and any resultant equipment and/or facilities.		Completed	Landfill developer elected to construct an on-site septic system. Connection to a sewer line has not been determined to be necessary.
31.1	**Waste Reduction and Resource Recovery Objective.** The Landfill operator shall manage the facility in such a manner that complies with the State's waste management hierarchy of source reduction, recycling and composting, and environmentally safe transformation and land disposal; and that is consistent with the Countywide Integrated Waste Management Plan.		See Conditions 31.2 - 31.10	The Landfill operator manages the facility consistent with prevailing requirements of CalRecycle, the Countywide Integrated Waste Management Plan, and other permits. The Waste Reduction and Resource Recovery Program is included in the FDIP, Sections 6.1 through 6.5. Condition 17i (Waste Reduction and Resource Recovery) of the SWFP further requires that wastes transported by transfer vehicles should originate from transfer stations where waste reduction and recovery activities take place.
31.2	**1990-1995 Resource Recovery Program.** The Landfill Operator shall participate with the transfer station(s) operators(s), route collection companies and direct haulers in designing and implementing a resource recovery and recycling program for the service area which is consistent with the goal of diverting 25 percent of all solid waste generated in the County from landfill facilities by January 1, 1995.		Completed	The Resource Recovery Program for 1990-1995 is included in FDIP, Section 6.1. No substantive resource recovery activiteis were conducted at Keller.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
31.3	**1996-2000 Resource Recovery Program.** Prior to 1995, the Landfill operator shall prepare and submit for review and approval by the County Community Development Department a resource recovery and recycling program for the service area covering the period from 1996-2000. This shall be consistent with the County-wide Integrated Waste Management Plan's goal of diverting a total of 50 percent of all solid waste generated in the County from landfill facilities by January 1, 2000.		Completed	The Resource Recovery Program for 1996-2000 is included in FDIP, Section 6.2. Initiated on-site resource recovery activities authorized by regulatory changes allowing waste derived cover materials and beneficial reuse materials to be treated as diversion.
31.4	**Materials Recovery.** The Landfill operator shall prepare and implement a program for recovering recyclable materials from refuse loads brought directly to the landfill. The operator shall coordinate the material recovery program with the operator(s) of a transfer station(s) serving the Landfill. The program shall be consistent with the Countywide Integrated Waste Management Plan and shall be subject to the approval of the County Community Development Department.		Not In Compliance	The initial Materials Recovery program was included in FDIP, Section 6.3. However, the Countywide Integrated Waste Management Plan was not approved by the State until 1993. Updated program submitted to County DCD in October 2014 which is currently under review to determine consistency with current Countywide goals and requirements.
31.5	**Composting Project.** The Landfill operator shall develop and implement a pilot program for composting organic material at the landfill site. The program may occur off-site, and shall be approved by the County Health Services and Community Development Department. The compost shall be used for landfill landscaping, cover material or other approved uses. The purpose of the pilot project shall be to determine the feasibility of large-scale on--site composting. The composting operations shall meet the State Department of Health Services' regulations on land application, if applicable. The pilot project shall be in operation within six months of the opening of the Landfill. Its results shall be considered at the second Land Use Permit review.		Not In Compliance	A concept for a composting operation is included in FDIP, Section 6.4. The Pilot project was not implemented within 6 months of the landfill opening due to lack of market feasibility at the time of landfill construction and additional permitting requirements. Some compostable green waste has been diverted as Alternative Daily Cover since authorized to do so by CCEH starting with their 12-month Demonstration Project in April 1999. The majority of wood waste and material for composting is processed at the Contra Costa Transfer and Recovery station, where regular wood chipping occurs and greenwaste is transloaded for approved off-site uses. An off-site program has been formally proposed to County DCD in October 2014 involving use of the composting facility in operation at Republic Services' site in west Contra Costa County and the City of Richmond (Bulk Material Processing Center approved under County LUP 2054-92, and in accordance with the Standardized Composting Permit under that facility's SWFP 07-AA-0044).

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
31.6	**Wood Chipping.** The Landfill operator shall establish a program to encourage landscape services and construction/demolition material haulers to segregate wood material for chipping. The program shall be approved by the County Community Development Department and shall be placed in operation within six months of the landfill's opening.		Not in compliance	A wood chipping concept is included in the FDIP, Section 6.5. A wood chipping program was not placed in operation within six months of the landfill's opening. DCD issued Conditional Approval for implementation of a wood chipping operationon August 21, 2003 based on consistency with the LUP 2020-89 Condition of Approval 31.6 Waste Reduction and Resource Recovery – Wood Chipping. The wood chipping operation was never implemented on-site. The majority of wood waste is processed at the Contra Costa Transfer and Recovery station, where regular wood chipping occurs. The operator submitted a revised program proposal to the County DCD in October 2014 which is currently under review.
31.7	**Methane Recovery.** The Landfill operator shall explore the use of methane in landfill gas collected for air pollution reduction as a fuel commodity. The operator shall report findings to the Community Development Department at the time of the landfill's periodic reviews. If there is an economic use found for recovered methane, and if the County subsequently includes the use in its Integrated Waste Management Plan, the Landfill operator shall implement a methane recovery program.		Completed	A landfill gas power plant was determined by the landfill operator to be feasible in August 1998. The LFGTE power plant became operational in 2009 and is addressed in Section 36. Landfill Gas Plant of this LUP. See Condition 20.13.
31.8	**Equipment Maintenance.** The Landfill operator shall maintain motorized landfill equipment to assure maximum fuel efficiency.		In Compliance. On-Going	Equipment maintenance is performed according to manufacturer specifications and at required intervals. Maintenance records are maintained by the operator and available for review by County agencies. See LUP Condition 20.24
31.9	**County Resource Recovery Management Program.** When directed by the County, the Landfill operator shall impose a tonnage sur-charge adequate to support a County Resource Recovery Management Program consisting of the Office of Resource Recovery Management and its program. The cost of the program to be supported by the surcharge shall not exceed $100,000 at 1987 levels. If other solid waste disposal facilities are subject to this or a similar condition, the County may pro-rate the cost of the program among them according to a formula approved by the Board of Supervisors.		In Compliance. On-Going	In 1994, the Board of Supervisors approved the First Amended Landfill Franchise Agreement which included a provision specifying that the Franchise Surcharge to be paid by the operator would cover the cost of all current County programs (required or authorized by the Use Permit or the Agreement) except the LEA and AB939 Fees.
31.10	**Fund Recovery.** The Landfill owner may recover funds provided to the County in advance of the opening of the Landfill through subsequent rate adjustments or surcharges approved by the County. The County may pro-rate the cost of the program among other waste disposal facilities it approves which are subject to similar conditions.		No Longer Applicable	Condition Acknowledged.

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32.1	**Hours of Construction.** The Landfill developer shall restrict outdoor construction activities to the period from 8:00 a.m. to 6:00 p.m. Monday through Saturday.		In Compliance. On-Going	Outdoor construction activities are restricted to the hours and days specified in this LUP condition and Section 5b of the SWFP.
32.2	**Exemption.** The Landfill developer may request, in writing, and the Director of Community Development may grant, exemptions to Condition 32.1 for specific times for cause. An example is the placing of concrete.		In Compliance. On-Going	During certain phases of the landfill's development, the developer has been granted exemptions pursuant to this Condition when circumstances warranted in response to written requests that were received by County DCD.
32.3	**Access Roads**. Before commencing landfilling operations, the Landfill developer shall install and pave the site access road from Bailey Road to the Phase I excavation area (see Initial Facilities Site Plan drawing of the Initial Development and Improvements Plan, Condition 16.1). This installation shall include the new bridge over Lawlor Creek and the turnaround lane. An area which can be used by the California Highway Patrol for vehicle inspection/weighing shall also be constructed.		Completed	Included in FDIP, Section 11.1, Drawings 8-13, approved by the Community Development Department on 10/25/1991.
32.4	**Phasing Plan.** The Landfill developer shall design a Phasing Plan setting forth a schedule of construction activities and projects, with detailed information provided on sensitive installations such as the landfill liner and the leachate collection and gas management systems. Sensitive installation projects shall be subject to inspection by the Geotechnical Inspector (Condition 23.6). The necessary installations of the Surface Drainage System (Condition 18.2) and Soil Erosion and Control Plan (Condition 18.4) shall be in place before major excavations commence in order to ensure controlled surface water runoff. Sediment in the sedimentation pond shall be monitored to control quality of runoff. Construction activities shall be timed to coincide with the dry season and low surface water flows.		Completed	Included in FDIP, Section 3.1 (Drawings 25-38) The Phasing Plan was approved by CDD on 10/25/1991. See Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
32.5	**Unstable areas.** Areas determined to be unstable by the Stability Analysis performed for the landfill (condition 18.4) shall be excavated or retaining walls installed under the supervision of a Certified Engineering Geologist or a Registered Geotechnical Engineer.		Completed. Updated As Needed	Evaluation of unstable areas is an on-going activity at KCL. Each design phase considers use of buttresses and other practices required for cell stability. All design and construction quality assurance documents are submitted to and approved by the RWQCB. Also see LUP Condition 16.12.
32.6	**Dust Suppression.** The developer shall sprinkle or chemically treat graded areas, borrow sites, stock piles, and temporary pavements to control dust, as determined necessary by the County Health Services Department.	B-34	In Compliance. On-Going	Dust suppression is performed in accordance with this LUP condition and LUP Condition 20.5, Condition 17k(d) of the SWFP, and requirements of Condition #17309 of the Major Facility Review permit issued by BAAQMD. See Health Services Department Memo from C. Nicholson to C. Zahn (CDD) dated 3/10/1992.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
33.1	**Submittal of Plan.** The Landfill operator shall submit to the San Francisco Regional Water Quality Control Board, the Integrated Waste Management Board, and the County Health Services Department a plan for the closure and the postclosure maintenance of the landfill as required by State law, but no later than upon appli-cation for a Solid Waste Facilities Permit. A copy of the closure and postclosure maintenance plan shall be submitted to the County Community Development Department.		In Compliance. On-Going	Initial plans submitted September 30, 1994; Approved by RWQCB on November 28, 1994 (See RWQCB Letter from R. McMurtry to S. Mann (CIWMB) dated 11/28/1994). A Preliminary Closure and Post-Closure Maintenance Plan have been submitted pursuant to Title 27 CCR 21780. See Health Services Department Memo from C. Nicholson to C. Zahn (CDD) dated 3/10/1992.
33.2	**Funding of Closure and Postclosure Maintenance Plan.** The Land-fill operator shall submit to the Board of Supervisors and California Integrated Waste Management Board evidence of financial ability to provide for the cost of closure and postclosure maintenance in an amount not less than the estimated cost of closure and 15 years of postclosure maintenance as contained in the submitted closure and postclosure maintenance plan. Evidence of financial ability shall be in the form of a trust fund approved by the Board of Supervisors in which funds will be deposited on an annual basis in amounts sufficient to meet closure and postclosure costs when needed or an equivalent financial arrangement acceptable to the Board of Supervisors and the California Integrated Waste Management Board. The Landfill operator shall maintain a trust fund balance that equals or exceeds the requirements of state law or regulation notwithstanding, however, the trust fund balance shall be at least equal to the then current closure and postclosure cost estimate at such time the landfill has reached one-half of its permitted capacity. The Trust Fund balance requirement shall be appropriately adjusted if the land-fill is closed in stages under Condition 33.4.		Completed. Updated As Needed	KCLC provided evidence of financial ability to SFRWQCB & HSD in a letter and supporting documentation dated October 24, 1991. Landfill facility bonds for closure, post-closure, and corrective action are updated annually according to inflation rates set by CalRecycle. CalRecycle issues letters after reviewing bonds submitted to confirm if they adequately satisfy regulatory requirements. These details are noted in the annual Activities Reports now regularly being submitted by the operator, along with copies of the surety bonds submittted to CalRecycle.. See Health Services Department Memo, C. Nicholson to C. Zahn (CDD), dated 10/24/1991, and Community Development Department Memo, V. Conklin to C. Zahn, dated 10/15/1991, and as updated through 10/25/1991.
33.3	**Revision to Plan and Cost Estimates.** Should State law or regulation regarding the closure and postclosures maintenance plan or funding of the plan change at any time, the owner of the landfill shall submit any required changes to the closure and postclosure maintenance plan and/or evidence of financial ability to the Board at the same time as submittal to the applicable state or regional agency.		Completed. Updated As Needed	CCR Title 27 now requires that landfill operators update financial assurances (bonds) for closure and post-closure annually, according to inflation rates set by CalRecycle. Copies are included as attachments to the annual Activities Report submitted to the County.
33.4	**Staged Closure of the Landfill.** The landfill owner or operator shall close the landfill in stages if compatible with the filling sequence and the overall closure plan.		Not Yet Required	Condition acknowledged.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
33.5	**Use of Landfill Following Closure.** After active landfill operations have ceased, the site shall be utilized for grazing purposes. The Board may require the owner of the landfill to deed all develop-ment rights for the landfill site to the County to ensure fulfillment of this condition.		Not Yet Required	Landfill lifespan is projected to continue for an additional 30 to 35 years or more depending on operating assumptions.
33.6	**Postclosure Maintenance.** The Landfill operator shall institute a postclosure maintenance program to ensure that containment and monitoring facilities retain their integrity. If damaged areas are found, the operator shall notify the County and take remedial actions to prevent odor and landfill gas problems.	B-1	Not Yet Required	The Preliminary Closure and Post-Closure Maintenance Plans are presented in Draft JTD, Volume 1, and were prepared in accordance with 27 CCR, Sections 21769(b) and 21790.
34.1	**Storage Requirement.** The Landfill operator shall provide a minimum 10-acre area on the landfill site for the storage of abandoned vehicles awaiting salvaging, if required by the Board of Supervisors. The storage site operator shall accept only vehicles directed to the site by a law enforcement agency operating in Contra Costa County, which shall be responsible for the vehicle until its title is conveyed to a salvager. The site would provide storage only; operations of disposing, salvaging, and security of abandoned vehicles shall not be the responsibili-ty of the operator. The site may be subject to further planning and development approvals, and would be subject to the California Environmental Quality Act. The storage of abandoned vehicles shall be subject to conditions set by the County Health Services Department, and may be subject to the approvals of regulatory agencies having jurisdiction.		Not Yet Required	Implementation of this condition is not yet required due to a lack of demand. The County Sheriff's Department coordinates storage of abandoned vehicles at other facilities prior to final demolition and transport. Operator does not propose to store abandoned vehicles at the landfill without authorization from the County.
34.2	**Off-site Storage Option.** The Landfill operator may establish the abandoned vehicle storage area at another location, which shall be subject to the approval of the County Community Development Department.		Not Yet Required	Implementation of this condition is not yet required. No requests have been received from the County Sheriff's Department for the Operator to establish an off-site abandoned vehicle storage area.
35.1	**Transportation System Impact Fee:** The Landfill operator shall pay to the County of Contra Costa a Transportation Impact Fee of $2.00 per ton of waste received at the Landfill to mitigate the general impacts of the Landfill-generated traffic on the County's road system. The operator shall deposit the fee monies quarterly in a segregated account established by the County. The fee shall be considered to be a pass-through business cost for the purposes of rate setting. The fee shall be adjusted annually to reflect the current Consumer Price Index.		See 35.8	The Board of Supervisors approved Amendment 1 to Land Use Permit 2020-89 on November 1, 1994 which stayed the operation of this Condition as long as the new Condition 35.8 remains in full force and operation. Mitigation fees have been paid to the County since the landfill opened on May 7, 1992.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
35.2	**Open Space and Agricultural Preservation Fee.** The Landfill operator shall pay to the County of Contra Costa an Open Space and Agricultural Preservation Fee of $2.00 per ton on solid wastes received at the Landfill to mitigate the general impacts of the Landfill on open space, existing and proposed recreational facilities, and agriculture. The operator shall deposit the fee monies quarterly in a segregated account established by the County. The fee shall be considered to be a pass-through business cost for the purposes of rate setting. The fee shall be adjusted annually to reflect the current Consumer Price Index.		See 35.8	The Board of Supervisors approved Amendment 1 to Land Use Permit 2020-89 on November 1, 1994 which stayed the operation of this Condition as long as the new Condition 35.8 remains in full force and operation. Mitigation fees have been paid to the County since the landfill opened on May 7, 1992.
35.3	**Property Value Compensation Program.** The Landfill operator shall provide funding for the preparation of a property value compensation program study when requested by the County of Contra Costa. The study will address the means of determining the extent of property value losses or reductions attributable to Landfill impacts, such as aesthetics, noise, traffic, or pollution, and the means of compensating property owners for said losses or reductions. When a compensation program is adopted by the Board of Supervisors, the Landfill developer shall fund it in the manner specified by the Board. If the Board of Supervisors determines that progress on the implementation of a compensation program is not proceeding in a timely manner, the Board may require the use of a facilitator and/or an arbitrator. The fee shall be considered to be a pass-through business cost for the purposes of rate setting.	B-67	Completed	The County issued payments totaling approximately $476,400 to property owners near the Keller Canyon Landfill as part of the Keller Canyon Landfill Property Valuation Mitigation Claim Process adopted by the Board of Supervisors. The Board approved the program in 1997 after several studies and multiple hearings related to LUP condition of approval 35.3.
35.4	**Resource Recovery Program Fee.** The Landfill developer or operator shall pay to the County of Contra Costa a resource recovery program fee of $200,000 annually, beginning July 1, 1990. The developer or operator shall deposit the monies in a segregated account established by the County. The extent of the fee shall be subject to reconsideration when a franchise or agreement is established for the Landfill. The resource recovery program fee from its inception shall be a pass-through business cost for the purpose of rate setting. The fee shall be adjusted annually to reflect the current Consumer Price Index.		No Longer Applicable	In 1994, the Board of Supervisors approved the First Amended Landfill Franchise Agreement which included a provision specifying that the Franchise Surcharge to be paid by the operator would cover the cost of all current County programs (required or authorized by the Use Permit or the Agreement) except the LEA and AB939 Fees.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
35.5	**Violation of Prescribed Haul Route.** Upon a determination of the County that a user of the Landfill has violated Condition of Approval Section 29 by using a prohibited access route, and upon a written direction by the County, the Landfill operator shall impose on that user the sanction that is directed by the County. Such sanction may include a surcharge on the tipping fee, prohibition against accepting waste from that user for a designated period of time, revocation of County refuse-hauling license, or other sanction directed by the County. A system for reporting alleged violation and for monitoring enforcement data shall be established by the County and Landfill operator.		In Compliance. On-Going	The facility is in compliance with this condition. No sanctions have been imposed for violation of the prescribed haul route.
35.6	**Direct Property Acquisition Study.** The Landfill operator shall study the appropriateness of direct acquisition of properties immediately adjacent to the project, and shall fund any acquisition program ordered by the Board of Supervisors. The study shall be consistent with the Environmental Impact Report and shall be completed prior to the issuance of a franchise agreement.		Not Yet Required	Condition Acknowledged. No acquisition program has been ordered by the Board of Supervisors.
35.7	**Adjoining Sites.** This permit authorizes the use of the Keller Canyon Landfill site only for its specified waste disposal uses as set forth in these Conditions of Approval, and for no other uses. In particular, during the effective and operative periods of this Permit, the Keller Canyon site covered by this Permit shall not be used to provide access to, or to accommodate in any way the use of, any adjoining property for landfill purposes, unless the County has approved the use of such adjoining property for landfill purposes.		Informational	Condition Acknowledged. KCL site has not been proposed or used to provide access to or accommodate use of adjoining property for landfill purposes.
35.8	**Mitigation Fee.** The Landfill operator shall pay to the County of Contra Costa a fee, the amount of which may be set by the Board of Supervisors by a Board Order from time to time, which amount shall not be less than $3.00 per ton and shall not be more than $4.00 per ton, on solid waste received at the Landfill. The fee shall be used as directed by the Board in its sole discretion: 1) to mitigate general impacts of the Landfill-generated traffic on the County's road system, 2) to mitigate the general impacts of the Landfill on open space, existing and proposed recreational facilities, and agriculture, or 3) to mitigate any general impacts of the Landfill upon the surrounding community.Conditions 35.1 and 35.2 of Land Use Permit 2020-89 are hereby stayed in their operation as long as Condition 35.8 remains in full force and operation. Should Condition 35.8 (or any portion of it) for any reason be set aside or stayed in its operation, then Conditions 35.1 and 35.2 shall be in full force and operation.		In Compliance. On-Going	This Condition was added by Amendment 1 to Land Use Permit 2020-89 which the Board of Supervisors approved on November 1, 1994. A fee of $3.00 per ton has been collected since landfill operning, of which $1.75 per ton is allocated to the County, and $1.25 per ton is allocated to the City of Pittsburg. The County Board of Supervisors awards grants from the Keller Canyon Landfill Mitigation Fund to County agencies and community-based organizations in the Bay Point and Pittsburg communities. Grants totaling $1,292, 081 were awarded in the 2013-2014 fiscal year.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
36.1	**Power Plant Design.** The design of the Landfill Gas Power Plant project as approved is generally shown on the plans submitted to the Community Development Department on October 16, 2001.		Informational	Condition Acknowledged.
36.2	**Ultimate Responsibility**. These conditions of approval identify the Landfill Gas Power Plant operator as the party primarily responsible for implementing conditions involving the design, construction, improvements, maintenance and management of the power plant. However, ultimate responsibility for compliance with these conditions lies with the owner of the landfill.		Informational	Condition Acknowledged. Landfill Gas Power Plant (building and equipment) is owned and operated by Ameresco Keller Canyon L.L.C.
36.3	**Keller Canyon Landfill Land Use Permit.** The construction and operation of the Landfill Gas Power Plant is also subject to all other conditions in Land Use Permit 2020-89 for the Keller Canyon Landfill, as appropriate.		Informational	Condition Acknowledged.
36.4	**Violation/Revocation.** The Landfill Gas Power Plant owner and operator shall at all times comply with the provisions and requirements of these Conditions of Approval. A repeated violation of any of these Conditions as a result of the construction or operation of the Power Plant is cause for revocation of the Land Use Permit for the power plant.		In Compliance. On-Going	There have been no violations of conditions of approval in Section 36. Landfill Gas Power Plant
36.5	**System Safety.** Risk of fire (from gas, oil, or electrical sources) shall be controlled through the use of flame sensors, ultraviolet (UV) radiation and methane detectors, and fire extinguishers. These components shall be installed at a minimum, in the power modules, exhaust and cooling packages, and other locations as required by Code.		In Compliance. On-Going	Facility Safety System was designed and installed in accordance with this LUP condition and other requirements of the County Building Inspection Department and Riverview Fire Protection District.
36.6	**Equipment and System Monitoring.** Instrumentation shall be provided for all power plant equipment and systems which provide for a fully automated monitoring and warning system. This will include an automated switch to combustion flare if necessary. Additionally, routine monitoring of the gas extraction system and power plant facility shall be performed during normal business hours by at least one on-site operator.		Completed. On-Going	Equipment and System Monitoring was designed and installed in accordance with this LUP condition and other requirements of the County Building Inspection Department and County Fire Protection District.
36.7	**Engines.** Power plant facilities shall use lean burn internal combustion engines to meet BAAQMD regulations for oxides of nitrogen (NOx), carbon monoxide (CO) and volatile organic compounds (VOC).		Completed. On-Going	Engines meeting the requirements of this condition were installed in accordance with requirements of the BAAQMD.
36.8	**Hazardous Materials.** Landfill Gas Power Plant operator shall prepare and submit a Hazardous Materials Business Plan for the Power Plant in compliance with requirements of the Hazardous Materials Division of Contra Costa County's Health Services Department.		Completed. On-Going	Ameresco Keller Canyon LLC submitted the Hazardous Materials Business Plan to the County DCD and HSD-Hazardous Materials Division in October 2009.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
36.9	**Emergency Response**. Landfill Gas Power Plant operator shall submit a facility specific Emergency Response Plan and then implement and update as needed, said Plan.		Completed. On-Going	Ameresco Keller Canyon LLC submitted the Emergency Response Plan to the County DCD and Contra Costa Environmental Health in October 2009.
36.10	**Notification of Plant Upset or Accidental Release.** Landfill Gas Power Plant operator shall notify the Community Development Department immediately of any plant upset or accidental leakage or release of landfill gas. A written report of the cause of any plant upset and the corrective measures taken by the facility operator, shall be provided to the Community Development Department within 72 hours after resolving an emergency.		Not Yet Required	Condition Acknowledged. To date there have been no incidents of plant upset or accidental leakage or release of landfill gas.
36.11	**Stormwater Pollution Prevention Plan (SWPPP).** Landfill Gas Power Plant operator shall implement the Keller Canyon SWPPP (prepared in 1996 and as may be amended from time to time), for water resources protection measures in case of spill of coolant, oil, or other lubricant.		In Compliance. On-Going	The landfill operator complies with the current SWPPP for the site. Any stormwater from the landfill gas power plant is included in the site drainage system in accordance with the WDRs and SWPPP. The landfill gas power plant processes do not use or discharge water, and a SWPPP specifically for the landfill gas power plant does not exist. For addressing potential spills of operating fluids, the landfill gas power plant operator submits annual plans and reports to Contra Costa Health Services in compliance with the California Environmental Reporting System (CERS). The plant's CERS ID for CCEH's California Accidental Release Prevention Program (CUPA) is 10479961. See AMERESCO (Keller Canyon, LLC) Industrial Storm Water Pollution Prevention Plan dated October 2009.
36.12	**Facility Design.** Power Plant facilities shall be painted Bronze Olive or other suitable color as approved by the Community Development Department. Power Plant operator shall install a perimeter security fence to enclose the power plant.		Completed	Building color was approved by the County and a perimeter fence was constructed.
36.13	**Power Plant Landscape Plan.** A Landscape Plan for the Power Plant site shall be submitted subject to the approval of the Community Development Department. The location and types of landscaping proposed along the security fence shall be specified.		Further Review Required	Landscaping Plan initially submitted in 2006 and again along with other plans/drawings submitted in order to have the Building Permit(s) issued in 2007. The view of the proposed power plant and the other landfill environmental management facilities from neighboring residences is obstructed by topography.
36.14	**Construction.** Upon completion of construction, all construction materials, including packaging materials, worker facilities, and debris will be removed from the site. Additionally during construction all excess materials shall be removed periodically, as needed.		Completed	Construction materials were removed from the site upon completion of construction per this condition.
36.15	**Material Recycling.** Whenever feasible, all oils, lubricants, and coolant shall be recycled rather than disposed. Prior to issuance of a building permit, the applicant shall submit a Debris Recovery Plan. Upon completion of construction, the applicant shall submit a Debris Recovery Report.		Completed	A Debris Recovery Plan was submitted to the Community Development Department on January 11, 2007 and approved by the department on January 12, 2007 (CDD Letter from L. Thompson to Ameresco). All oils, lubricants, and coolants are recycled. Final inspection hold was released at the time the Debris Recovery Report was submitted, however staff has been unable to locate hardcopy documentation.

Condition	Condition Description	Implements 1990 FEIR Mitigation Measure	Compliance Status	Comments
36.16	**Implementation & Compliance Monitoring.** The operator shall provide payment for costs associated with the Community Development Department's monitoring of implementation and compliance with these Conditions of Approval.		In Compliance. On-Going	Landfill gas power plant operator has issued any payments required for DCD monitoring costs.
36.17	**Surcharge.** A surcharge, if established by the County Board of Supervisors, shall be paid to the County, by the operator, related to the sale of landfill gas or the sale of electricity produced by burning said gas.		In Compliance. On-Going	The County Board of Supervisors established a 1.5% surcharge at the time the Landfill Gas Power Plant was approved which began operation in 2009. This 1.5% surcharge of gross revenue is for the period of year one through ten of the project operations and raised to two percent 2% of gross revenue during year eleven through the life of the project. Landfill gas power plant operator has routinely issued payment as required by this condition.

Exhibit I - Direct Haul C & D Statistics and Assumptions

Construction & Demolition Materials Currently Direct Hauled to KCL

Origin of actual incoming loads since 2010	Tons		Incoming Loads (Truck Trips)	
	#	%	#	%
In-County	**61,072**	**77%**	**14,395**	**79%**
West County	9,967	13%	1,372	8%
Central County	31,843	40%	7,909	44%
East County	19,262	24%	5,114	28%
Out-of County	**18,573**	**23%**	**3,732**	**21%**
Alameda County	8,937	11%	1,434	8%
Solano County	6,157	8%	1,745	10%
San Joaquin County	70	0.09%	16	0.09%
Non-adjoining Counties	3,409	4%	537	3%
Totals	**79,645**	**100%**	**18,127**	**100%**

Incoming Trucks/Loads Per Day (2013)

Type of Trucks/Loads	Average Daily Truck Trips	
Disposal - Transfer	94	55%
Disposal - Direct Haul Other	19	11%
Disposal - Direct Haul C & D	10	6%
Cover - ADC	25	14%
Beneficial Reuse	3	2%
Cover - Soil	21	12%
Average Trips per Day	**172**	

In-County Transfer Station Scenarios for C & D Currently Direct Hauled to KCL

Public In-County Transfer Stations	Incoming Tons		Incoming Loads		Diversion (Outgoing)		Disposal to KCL	
	#	%	#	%	Tons	% of Incoming	Tons	Transfer Trips
In-County	**61,072**	**77%**	**13,833**	**76%**	**38,542**	**63%**	**22,530**	**1,073**
Richmond TS	9,967	13%	1,370	8%	4,984	50%	4,984	237
Martinez TS	31,584	40%	7,838	43%	15,795	50%	15,789	752
Pittsburg TS	19,520	25%	4,625	26%	17,764	91%	1,757	84
Out-of County	**18,573**	**23%**	**4,293**	**24%**	**9,381**	**51%**	**9,192**	**438**
Richmond TS	11,674	15%	1,824	10%	5,839	50%	5,835	278
Martinez TS	6,675	8%	1,855	10%	3,338	50%	3,336	159
Pittsburg TS	225	0.28%	614	3%	205	91%	20	1
Totals	**79,645**	**100%**	**18,126**	**100%**	**47,924**	**60%**	**31,722**	**1,511**

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Annual Industrial Safety Ordinance Report

RECOMMENDATION(S):
Accept the Industrial Safety Ordinance Annual Report submitted by Health Services Department.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
Chapter 450-8 of the County Ordinance Code known as the Industrial Safety Ordinance Risk Management Chapter requires Health Services to submit annual reports to the Board of Supervisors. The ordinance outlines what is to be included in this report. Attached is a copy of this report.

CONSEQUENCE OF NEGATIVE ACTION:
If this Board Order is not approved, no report would be available for the public that summarizes 2014 Industrial Safety Ordinance activities.

CHILDREN'S IMPACT STATEMENT:
Not applicable.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Cho Nai Cheung, 335-3212

cc: Tasha Scott, C Rucker, R Sawyer, Cho Nai Cheung

ATTACHMENTS

Report

ANNUAL PERFORMANCE REVIEW & EVALUATION

2014

INDUSTRIAL SAFETY ORDINANCE

ISO REPORT

CONTRA COSTA
HEALTH SERVICES
www.cchealth.org/hazmat

December 9, 2014

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Executive Summary

On December 15, 1998, the Contra Costa County Board of Supervisors adopted a landmark Industrial Safety Ordinance requiring regulated facilities in the County to implement a multitude of safety programs aimed to prevent chemical accidents that could have detrimental impacts to the surrounding communities. The requirements of the Industrial Safety Ordinance (ISO) are some of the most stringent in the United States, if not the world. Additionally, the Industrial Safety Ordinance is mandated to include participation from all stakeholders, including industries, agencies, elected officials and the public at large.

The ISO now covers seven stationary sources in Contra Costa County, including several oil refineries. The ordinance is administered by Contra Costa Hazardous Materials Programs (CCHMP), a division of Contra Costa Health Services, the county health department. CCHMP also administers the City of Richmond's Industrial Safety Ordinance (RISO), which covers the Chevron Refinery and Chemtrade Richmond Works. RISO activities are covered in more detail later in this report.
As part of the ISO's requirements, CCHMP produces and a regular performance review and evaluation report and submits it to the Board of Supervisors.

Over a 15-year period, there has been a trend of fewer and less severe Major Chemical Accidents or Releases (MCAR) incidents in the County since the adoption of the Ordinance and no MCAR incidents at an Industrial Safety Ordinance facility this year. There were several Community Warning System (CWS) Level II and CWS Level III incidents in 2012 and, to a lesser extent, in 2010 that caused some concern. However, CCHMP believes that this is not directly reflective of the effectiveness of the Industrial Safety Ordinance requirements, but serves as a reminder that we all have to stay vigilant in ensuring safe facility operations and that implementation of mature prevention programs are challenging.

The Accidental Release Prevention Program engineers in CCHMP have oversight of the ISO and are continuing to explore ways to improve the overall implementation of the ISO and the prevention program elements. CCHMP staff continues to work with other agencies such as the U.S. Environmental Protection Agency, the California Occupational Safety and Health Administration and other local program agencies for sharing of regulatory interpretations and inspection results. CCHMP staff also cooperated with the U.S. Chemical Safety and Hazard Investigation Board's (CSB) investigation of the No. 4 Crude Unit fire at Chevron that occurred August 6, 2012. The Board of Supervisors has adopted amendments to the ISO as recommended by CSB. CCHMP is also working closely with Department of Industrial Relations and California Environmental Protection Agency to implement the revised regulations for the California Accidental Release Prevention Program, which will further improve safety programs at all California petroleum refineries.

Public Participation

Contra Costa Hazardous Materials Programs has an established public outreach process and is continually looking at ways to improve. The following community-engagement efforts took place this year on behalf of the county ISO and Richmond ISO:

- Public outreach information booths at existing venues
  - Air Products' and Shell Martinez Refinery's Safety Audits were shared at the John Muir Birthday/Earth Day celebration at the John Muir National Historic Site in Martinez on April 20, 2013
  - Phillips 66 Refinery's Safety Plan and Audit and Air Liquide Large Industries' Safety Plan were shared at the Sugartown Festival & Street Fair in Crockett on July 21, 2013 and also at the Rodeo-Hercules Fire District Open House on October 5, 2013
  - West County Emergency Preparedness Fair at San Pablo Towne Center Parking Lot on Saturday, October 5, 2013, from 10 a.m. to 2 p.m. for the review of the Chevron Refinery Safety Plan and the General Chemical Richmond Audit Findings.
- Presentations to Interested Groups
  - Phillips 66's audit results and general ISO information to Phillips 66's Community Advisory Panels members in January 2013.
- Attend public meetings after major incidents:
  - There were no major incidents during this reporting period
- Most recent audit findings summarized in an easily read format in English and Spanish
- Information on regulated businesses in an easily read format in English and Spanish
- Industrial Safety Ordinance Information Sheet in English and Spanish

The Board of Supervisors also requested that staff provides copies of the Annual Report to communities through the Community Advisory Panels (CAP). CCHMP provided copies of the 2010, 2011 and 2012 ISO Annual Reports to CAP representatives for distribution for Phillips 66, General Chemical Bay Point Works, General Chemical Richmond, Shell Martinez Refinery and Tesoro Golden Eagle Refinery. This 2014 Annual Report is available on our website and will be sent to CAP representatives for distribution.

Audits

Audits of the regulated businesses are required at least once every three years to ensure that the facilities have the required programs in place and are implementing the programs. We completed four County ISO and two Richmond ISO audits since the last annual report:

- Air Liquide–June 2013
- Chemtrade Bay Point Works–August 2013
- Chevron Richmond Refinery–October 2013
- Tesoro Golden Eagle Refinery–January 2014
- Phillips-66–May 2014
- Chemtrade Richmond Works–September 2014

Major Chemical Accidents or Releases

There have been no Major Chemical Accidents or Releases (MCAR) for the County Industrial Safety Ordinance facilities in this reporting period.

Conclusion

The severity of the Major Chemical Accidents or Releases in Contra Costa County have been in a general declining trend since the implementation of Industrial Safety Ordinance with a few exceptions in 2010 and 2012. The implementation of the Industrial Safety Ordinance has improved safety programs and operations at the facilities that are regulated. Additionally, CCHMP has sought assistance from stakeholders, including the regulated facilities, workers and community members and included additional measures as recommended by the U.S. Chemical Safety and Hazard Investigation Board that will further reduce likelihood of chemical accidents at these industrial facilities.

Introduction

[1]The Contra Costa County Board of Supervisors passed the Industrial Safety Ordinance due to accidents that occurred at oil refineries and chemical plants in Contra Costa County. The effective date of the Industrial Safety Ordinance was January 15, 1999. The ordinance applies to oil refineries and chemical plants with specified North American Industry Classification System (NAICS) codes that were required to submit a Risk Management Plan to the U.S. EPA and are program level 3 stationary sources as defined by the California Accidental Release Prevention (CalARP) Program. The ordinance specifies the following:

- Stationary sources had one year to submit a Safety Plan to Contra Costa Hazardous Materials Programs stating how the stationary source is complying with the ordinance, except the Human Factors portion (completed January 15, 2000)
- Contra Costa Hazardous Materials Programs develop a Human Factors Guidance Document (completed January 15, 2000)

1

- Stationary sources had one year to comply with the requirements of the Human Factor Guidance Document that was developed by Contra Costa Hazardous Materials Programs (completed January 15, 2001)
- For Major Chemical Accidents or Releases, the stationary sources are required to perform a root cause analysis as part of their incident investigations (ongoing)
- Contra Costa Hazardous Materials Programs may perform its own incident investigation, including a root cause analysis (ongoing)
- All of the processes at the stationary source are covered as program level 3 processes as defined by the California Accidental Release Prevention Program
- The stationary sources are required to consider Inherently Safer Systems for new processes or facilities or for mitigations resulting from a process hazard analysis
- Contra Costa Hazardous Materials Programs will review all of the submitted Safety Plans and audit/inspect all of the stationary sources' Safety Programs within one year of the receipt of the Safety Plan (completed January 15, 2001) and every three years after the initial audit/inspection (ongoing)
- Contra Costa Hazardous Materials Programs will give an annual performance review and evaluation report to the County Board of Supervisors

The 2006 amendments to the Industrial Safety Ordinance require or expand the following:

1. Expand the Human Factors Program to include Maintenance
2. Expand the Management of Organizational Change to include Maintenance and all of Health and Safety positions
3. Require the stationary sources to perform Safety Culture Assessments one year after the Hazardous Materials Programs develop guidance on performing a Safety Culture Assessment (November 2009)
4. Perform Security Vulnerability Analysis

The seven stationary sources now covered by the county's Industrial Safety Ordinance are:

1. Air Products at the Shell Martinez Refining Company
2. Air Products at the Tesoro Golden Eagle Refinery
3. Shell Martinez Refining Company
4. Chemtrade West in Bay Point
5. Phillips 66 Rodeo Refinery
6. Tesoro Golden Eagle Refinery
7. Air Liquide Rodeo Hydrogen Plant

The Board of Supervisors approved an amendment to the Industrial Safety Ordinance in June 2014 to address recommendations by CSB set forth in the Chevron refinery fire interim investigation report (August 2012) which broadens the goals of the regulation by requiring the following:

1. Use of process safety performance indicators in the evaluation of the performance of process safety systems and to provide required contents in the annual performance review and evaluation report that is provided to the board of supervisors
2. Expand the implementation of inherently safer systems to be implemented to the greatest extent feasible and as soon as administratively practicable. Stationary source is now required to evaluate and document inherently safer system analysis :

a. Every five years for existing covered processes,
b. In the development and analysis of recommended action items identified in a process hazard analysis,
c. As part of a management of change review, whenever a major change is proposed at a facility that could reasonably result in a major chemical accident or release,
d. When an incident investigation report recommends a major change that could reasonably result in a major chemical accident or release,
e. When a root cause analysis report recommends a major change that could reasonably result in a major chemical accident or release, and
f. During the design of new processes, process units and facilities.

3. Conduct, document and complete a safeguard protection analysis for all processes by June 30, 2019, and every five years thereafter.

The Air Liquide Rodeo Hydrogen Plant began operation in July 2009 and is located adjacent to the Phillips 66 Rodeo Refinery. The facility produces purified hydrogen for Phillips 66 Refinery and other industrial customers, and also produces steam and electricity for the Phillips 66 Refinery.

Contra Costa Hazardous Materials Programs completed and issued the first Contra Costa County Safety Program Guidance Document on January 15, 2000. The stationary sources were required to comply with the Human Factors section of this guidance document by January 15, 2001. Hazardous Materials Programs staff has worked with the stationary sources to develop a Safety Culture Assessment Guidance Document, which was finalized and issued November 10, 2009. Staff began reviewing these Safety Culture Assessments in December 2010. Additionally, staff issued a revised Safety Program Guidance Document to reflect the ISO amendments, and clarifications based on the audit findings in July 2011.

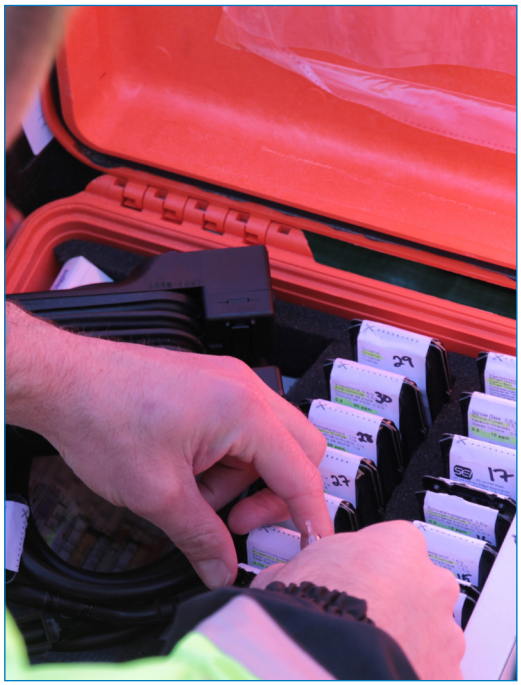
Contra Costa Hazardous Materials Programs reviewed all submitted Safety Plans and started the sixth round of audits of the stationary sources during this report period, as required by the ordinance. In addition, Contra Costa Hazardous Materials Programs performed a specialized audit for all the stationary sources for their Human Factors programs and for Inherently Safer Systems in 2002. The status of the reviews and all audits are discussed in Table I within the report.

Annual Performance Review and Evaluation Report

The Industrial Safety Ordinance specifies that the contents of the annual performance review and evaluation report contain the following:

- A brief description of how CCHMP is meeting the requirements of the ordinance as follows:
  - The program's effectiveness in getting regulated businesses to comply with the ordinance
  - Effectiveness of the procedures for records management
  - Number and type of audits and inspections conducted by Hazardous Materials Programs as required by the ordinance
  - Number of root cause analyses and/or incident investigations conducted by Hazardous Materials Programs
  - Hazardous Materials Programs' process for public participation
  - Effectiveness of the Public Information Bank

  - Effectiveness of the Hazardous Materials Ombudsperson
  - Other required program elements necessary to implement and manage the ordinance
- A listing of stationary sources covered by the ordinance, including for each:
  - The status of the stationary source's Safety Plan and Program
  - A summary of the stationary source's Safety Plan updates and a listing of where the Safety Plans are publicly available
  - The annual accident history report submitted by the regulated stationary sources and required by the ordinance
  - A summary, including the status, of any root cause analyses and incident investigations conducted or being conducted by the stationary sources and required by the ordinance, including the status of implementation of recommendations
  - A summary, including the status, of any audits, inspections, root cause analyses and/or incident investigations conducted by Hazardous Materials Programs, including the status for implementing the recommendations
  - Description of Inherently Safer Systems implemented by the regulated stationary source
  - Legal enforcement actions initiated by Hazardous Materials Programs, including administrative, civil and criminal actions
- Total penalties assessed as a result of enforcement of the ordinance
- Total fees, service charges and other assessments collected specifically for the support of the ordinance
- Total personnel and personnel years used by the jurisdiction to directly implement or administer the ordinance
- Comments that raise public safety issues from interested parties regarding the effectiveness of the local program
- The impact of the ordinance in improving industrial safety



Effectiveness of Contra Costa Hazardous Materials Programs' Implementation of the Industrial Safety Ordinance

Contra Costa Hazardous Materials Programs has developed policies, procedures, protocols and questionnaires to implement the California Accidental Release Prevention Program and the Industrial Safety Ordinance. The policies, procedures, protocols and questionnaires for these programs are listed below:

- Audits/Inspections Policy
- Conducting the Risk Management Plan/Safety Plan Completeness Review Protocol
- Risk Management Plan Completeness Review Questionnaires
- Safety Plan Completeness Review Questionnaires
- Conducting Audits/Inspections Protocol
- Safe Work Practices Questionnaires

- CalARP Program Audit Questionnaires
- Safety Program Audit Questionnaires
- Conducting Employee Interviews Protocol
- Employee Interview Questionnaires
- Public Participation Policy
- Dispute Resolution Policy
- Reclassification Policy
- Covered Process Modification Policy
- CalARP Internal Performance Audit Policy
- Conducting the Internal Performance Audit
- CalARP Internal Audit Performance Audit Submission
- Fee Policy
- Notification Policy
- Unannounced Inspection Policy
- Risk Management Plan Public Review Policy

Hazardous Materials Programs has developed the Contra Costa County CalARP Program Guidance Document and the Contra Costa County Safety Program Guidance Document including the Safety Culture Assessment. An updated Contra Costa County Safety Program Guidance Document, which incorporated updates from the 2006 ISO amendments and additional clarifications from all the audits, was issued July 22, 2011, to the regulated facilities. These documents give guidance to the stationary sources for complying with the Industrial Safety Ordinance. The policies, procedures, protocols and questionnaires are available through Hazardous Materials Programs. The guidance documents can be downloaded through Health Services' website:
http://www.cchealth.org/groups/hazmat/california_accidental_release_prevention_guidance_document.php and *http://www.cchealth.org/groups/hazmat/industrial_safety_ordinance_guidance.php*

Effectiveness of the Procedures for Records Management

Hazardous Materials Program has set up hard copy and digital files for each stationary source. The files include the following folders:

1. Annual status reports
2. Audits & Inspections
3. Communications
4. Completeness Review
5. Emergency Response
6. Incident Investigation
7. Trade Secret Information

Hard copy files for the stationary sources are kept in a central location. Digital copies of the files are stored on the Hazardous Materials Programs network and are accessible to the Accidental Release Prevention Programs Engineers, Supervisor and the Environmental Health and Hazardous Materials Chief. Portable document format (PDF) versions of these files are also available at the Hazardous Materials Programs office for public access and viewing. The Accidental Release Prevention Program files contain regulations, policies, information from the U.S. EPA, the Governor's

Office of Emergency Services, the U.S. Chemical Safety and Hazards Investigation Board, and other information pertinent to the engineers. The risk management and safety plans received are kept at the Hazardous Materials Programs office.

Number and Type of Audits and Inspections Conducted

The Hazardous Materials Programs staff was required to audit and inspect all seven stationary sources regulated under the Industrial Safety Ordinance within one year after the initial submittal of their Safety Plans. Hazardous Materials Programs reviewed all of the Safety Plans and audited/inspected all of the stationary sources' Safety Programs within that year (2000). Hazardous Materials Programs performed focused audits of the stationary sources for their Human Factors Programs (this was not included in the original audit/inspection since the stationary sources were not required to have their Human Factors Program in place until January 2001) and Inherently Safer Systems in 2001 and 2002. Additional focused audits were performed to look at how two stationary sources would manage organizational change in case there was a strike and non-striking personnel were used instead of the striking personnel (2002). Hazardous Materials Programs completed the second round of audits for all of the Industrial Safety Ordinance stationary sources in 2003 and 2004 and began a third round of audits in the autumn of 2005, which were completed in the spring of 2007. The fourth round of audits was completed in August 2009. Air Liquide submitted a Risk Management Plan and Safety Plan to Hazardous Materials Program in July 2009 and was audited for the first time in June 2010. CCHMP began the fifth round of audits of ISO facilities in spring of 2011 and completed these audits in spring of 2012. CCHMP began the sixth round of audits of ISO facilities in 2013 and will complete these audits in summer of 2015.
When Hazardous Materials Programs staff reviews a Safety Plan, a Notice of Deficiencies is produced that documents what changes to a Safety Plan the stationary source is required to make before the Safety Plan is determined to be complete. The stationary source has 60 to 90 days to respond to the Notice of Deficiencies. When the stationary source has responded to this Notice of Deficiencies, the Hazardous Materials Programs staff will review the response. Hazardous Materials Programs will either determine that the Safety Plan is complete or will work with the stationary source until the Safety Plan contains the required information for it to be considered complete. When the Safety Plan is deemed complete, Hazardous Materials Programs will open a public comment period on the Safety Plan and will make available the plan in a public meeting or venue. The Hazardous Materials Programs staff will respond to all written comments in writing and, when appropriate, use the comments in the audit/inspection of the regulated stationary sources.

The Hazardous Materials Programs staff will issue Preliminary Audit Findings after an audit/inspection is complete. The stationary source will have 90 days to respond to these findings. Hazardous Materials Programs will review the response from the stationary source on the Preliminary Audit Findings. When the stationary source has developed an action plan to come into compliance with the regulations, the Hazardous Materials Programs staff will issue the Preliminary Audit Findings for public comment and will make available the findings in a public meeting or venue. The Hazardous Materials Programs staff will consider any public comments that were received during the public comment period and if appropriate will revise the Preliminary Audit Findings. When this is complete, the Hazardous Materials Programs staff will issue the Final Audit Findings and will respond in writing to any written public comments received. Table I lists the status of the Hazardous

Materials Programs staff review of each stationary source's Safety Plan, and audit and inspections of their Safety Programs.

Number of Root Cause Analyses and/or Incident Investigations Conducted by Hazardous Materials Program

The Hazardous Materials Programs staff has not performed any root cause analyses or incident investigations since the last annual report. The Hazardous Materials Programs staff did work closely with the U.S. Chemical Safety and Hazard Investigation Board, Cal/OSHA, US EPA, and the Bay Area Air Quality Management District during their investigations and follow-up audits and inspections. A historical listing of Major Chemical Accidents or Releases starting in 1992 is on the Health Services website at *cchealth.org/groups/hazmat/accident_history.php*. This list includes major accidents that occurred prior to the adoption of the Industrial Safety Ordinance.

Hazardous Materials Programs' Process for Public Participation

Hazardous Materials Programs in 2005 worked with the community and developed materials that would describe the Industrial Safety Ordinance using a number of different approaches. The community representatives suggested that the Hazardous Materials Programs staff look at existing venues that are attended by the public that the Hazardous Materials Programs staff can share and receive comments on Preliminary Audit Findings and the stationary source's Safety Plans. Additionally, based on Board recommendation in 2012, CCHMP are making presentations and distributing audit reports to Community Advisory Panel members.

Effectiveness of the Public Information Bank

The Hazardous Materials Programs section of Health Services website *cchealth.org/groups/hazmat/* includes the following information:

- Industrial Safety Ordinance
  - Description of covered facilities
  - Risk Management Chapter discussion
    - » Copy of the ordinance
  - Land Use Permit Chapter discussion
    - » Copy of the ordinance
  - Safety Program Guidance Document
  - Frequently Asked Questions
  - Public Outreach strategies
- California Accidental Release Prevention (CalARP) Program
  - Contra Costa County's California Accidental Release Prevention Program Guidance Document
  - Program Level description
  - Discussion on Public Participation for both CalARP Program and the Industrial Safety Ordinance
  - A map locating the facilities that are subject to the CalARP Program and are required to submit a Risk Management Plan to Hazardous Materials Program. The map links to a description of each of the facilities and the regulated substances handled.
- Hazardous Materials Inventories and Emergency Response Program
  - Descriptions
  - Forms
- Underground Storage Tanks
  - Description of the program
  - Copies of the Underground Storage Tanks Health & Safety Code sections
  - Underground Storage Tanks forms
- Green Business Program
  - Description of the Green Business Program with a link to the Association of Bay Area Government's website on the Green Business Program
- Hazardous Materials Incident Response Team
  - Including information of the Major Chemical Accidents or Releases that have occurred
  - The County's Hazardous Materials Incident Notification Policy
- A link to the Phillips 66 Fenceline Monitors
- A link to the Chevron Richmond Refinery

Fenceline Monitors

- Unannounced Inspection Program
  - Lists the facilities that are subject to unannounced inspections under the Unannounced Inspection Program
- Incident Response
  - Accident history that lists summaries of major accidents from industrial facilities in Contra Costa County from most recent to 1992
  - Additional resource links for more information
- Incidents
  - Information on the June 15, 2012 Phillips 66 incident, including the follow-up reports and the public meetings
  - Information on the August 6, 2012 Chevron Crude Unit fire, including the follow-up reports and the public meetings

Table I
Industrial Safety Ordinance Stationary Source Status

NAME	Safety Plan (SP) Received	Notice of Deficiencies (NOD) Issued-SP	Safety Plan Complete	SP Public Meeting Date	Audit/ Inspection	Audit Public Meeting
Air Liquide Rodeo Hydrogen Plant	7/10/09 7/14/2010	12/13/2012	3/1/2013	7/21/2013	6/1/2010 5/28/2013	10/8/11 10/5/2013
Air Products – Shell & Tesoro	1/14/00 1/16/01 (HF update) 6/26/03 7/14/05 12/01/06 6/20/2008 6/30/2010 6/27/2013	6/15/00 5/10/01 (HF update) 8/24/07 3/14/2011	8/30/00 6/19/01 (HF update) 9/14/07 7/1/2008	9/13/00 5/8/03 9/23/07 6/19/2010 4/21/2012	11/22/00 5/3/02 (HF) 2/27/04 1/22/07 7/20/09 4/16/2012	5/8/03 9/24/06 9/23/07 6/19/2010 4/20/2013
Chemtrade BPW (formerly General Chemical/Bay Pt. Works)	1/14/00 1/15/01 (HF update) 12/10/03 10/9/07 10/24/2011 6/13/2014	6/12/00 7/23/01 (HF update) 7/28/2008 9/10/2012	12/20/00 11/16/01 (HF update) 3/17/04 12/13/08 9/20/2012	1/2/01 5/1/03 11/16/05 1/31/06 11/04/08 10/2/2012	8/11/00 5/20/02 (HF) 6/20/03 8/29/05 1/7/08 3/21/11 8/7/2013	1/2/01 5/1/03 11/16/05 1/31/06 11/8/06 1/2/07 11/04/08 10/2/2012
Phillips 66 (formerly ConocoPhillips) – Rodeo	1/15/00 1/12/01 (HF update) 8/10/05 8/7/09 8/7/2012	3/14/00 9/10/01 (HF update) 3/28/06 11/22/2010	5/30/00 3/18/02 (HF update) 8/9/02 11/5/07 1/27/2011 7/3/2013	6/15/00 5/9/02 10/7,13/07 10/8/2011 10/5/2013 7/21/2013	6/30/00 11/5/01 (HF) 8/1/03 8/15/06 10/6/08 8/1/11 4/28/2014	4/9/02 6/22/04 7/8/04 10/7,13/07 7/18/10, 10/9/10 10/8/11 7/21/2013 10/5/2013
Shell Martinez Refinery	1/14/00 1/16/01 (HF update)7/22/02 1/11/06 9/3/2010 9/3/2013	7/19/00 11/9/01 (HF update) 3/21/03 8/15/06 10/25/2011	4/9/01 1/3/02 (HF update) 9/15/03 11/2/06 3/27/2012	5/8/03 9/24/06 9/23/07 4/21/2012	10/31/00 4/29/02 (HF) 11/26/04 10/23/06 4/30/09 2/13/2012	5/8/03 9/24/2006 9/23/07 6/19/2010 4/20/2013
Tesoro Golden Eagle Refinery	1/14/00 1/12/01 (HF update) 6/21/02 6/22/07 12/11/09 6/1/2012	8/16/00 9/18/01 (HF update) 7/30/07 8/6/2012	1/31/01 12/14/01 (HF update) 6/21/03 11/5/07 6/4/10 8/27/2012	5/6/03 9/23/07 6/10/10 9/6/2012	9/15/00 12/3/01 (HF) 9/8/03 11/07/05 8/18/08 4/18/2011 1/6/2014	5/6/03 9/24/06 9/23/07 6/10/2010 9/6/2012

Effectiveness of the Hazardous Materials Ombudsperson

The County Board of Supervisors created the Hazardous Materials Ombudsperson position in 1997. This position was filled in April 1998. The Board believed that the ombudsperson would be a conduit for the public to express their concerns about how Hazardous Materials Programs personnel are performing their duties. Attachment A is a report from the Hazardous Materials Ombudsperson on the effectiveness of the position for this reporting period.

Other Required Program Elements Necessary to Implement and Manage the Industrial Safety Ordinance

The California Accidental Release Prevention (CalARP) Program is administered in Contra Costa County by CCHMP. The Industrial Safety Ordinance expands on this program. Stationary sources are required to submit a Risk Management Plan that is similar to the Safety Plans that are submitted. Hazardous Materials Programs reviews these Risk Management Plans and performs the CalARP Program audit simultaneously with the Industrial Safety Ordinance audit.

Hazardous Materials Programs performs unannounced inspections of stationary sources that are part of the CalARP Program and are also required to submit a Risk Management Plan to the U.S. EPA. These inspections look at a focused portion of the CalARP Program or Industrial Safety Ordinance requirements, as well as elements from the other Hazardous Materials Programs.

Regulated Stationary Sources Listing

The Status of the Regulated Stationary Sources' Safety Plans and Programs

All of the stationary sources regulated by the Industrial Safety Ordinance were required to submit their Safety Plans to CCHMP by January 15, 2000 and to have their Safety Programs completed and implemented. The stationary sources were also required to have a Human Factors Program in place that follows the County's Safety Program Guidance Document by January 15, 2001. The status of each of the regulated stationary sources is given in Table I and includes the following:

- When the latest updated Safety Plan was submitted
- When the Notice of Deficiencies was issued
- When the plan was determined to be complete by Hazardous Materials Programs
- When the public meeting was held on the Safety Plan
- When the audits were complete
- When the public meetings were held on the preliminary audit findings

- When the Human Factors to the Safety Plan were revised
- When the Notice of Deficiencies was issued for the Human Factors revised Safety Plan
- When the Human Factors Safety Plan was determined to be complete
- When the Audit/Inspection was completed
- When the Human Factors Audit preliminary findings public meeting was held

Locations of the Regulated Stationary Sources Safety Plans

Each of the regulated stationary sources was required to submit a Safety Plan to Hazardous Materials Program on January 15, 2000 and an updated Safety Plan that includes the implementation of the stationary source's Human Factors Program by January 15, 2001. The regulated stationary sources are required to update their Safety Plan at least once every three years. These plans are available for public review at the Hazardous Materials Programs Offices at 4585 Pacheco Blvd., Suite 100, Martinez. When Hazardous Materials Programs determines that the Safety Plan is complete, and prior to going out for a 45-day public comment period, Hazardous Materials Programs will place the plan in the library(ies) closest to the regulated stationary source. Table II lists the regulated stationary sources with the location of each Safety Plan.

Annual Accident History Report and Inherently Safer Systems Implemented as Submitted by the Regulated Stationary Sources

The Industrial Safety Ordinance requires the stationary sources to update the information on their accident history in their Safety Plans and include how they have used inherently safer processes within the last year. Table III lists some of the Inherently Safer Systems that have been implemented by the different stationary sources during the same period. Attachment B includes the individual reports from the stationary sources.

Table II
Location of Safety Plans—Libraries

Regulated Stationary Source	Location 1	Location 2	Location 3
Air Liquide Large Industries	Hazardous Materials Programs Office	Rodeo Public Library	Crockett Public Library
Air Products at Shell	Hazardous Materials Programs Office	Martinez Public Library	
Air Products at Tesoro	Hazardous Materials Programs Office	Martinez Public Library	
Shell Refining-Martinez	Hazardous Materials Programs Office	Martinez Public Library	
General Chemical West Bay Point Works	Hazardous Materials Programs Office	Bay Point Public Library	
Phillips 66 (formerly ConocoPhillips) Rodeo Refinery	Hazardous Materials Programs Office	Rodeo Public Library	Crockett Public Library
Tesoro Golden Eagle Refinery	Hazardous Materials Programs Office	Martinez Public Library	

Table III
Inherently Safer Systems

Regulated Stationary Source	Inherently Safer System Implemented	Design Strategy	Category
Air Liquide Large Industries	No new inherently safer systems have been implemented (in this period)		
Air Products at Shell Martinez Refinery	No new inherently safer systems have been implemented (in this period)		
Air Products at Tesoro	No new inherently safer systems have been implemented (in this period)		
General Chemical West Bay Point Works	No new inherently safer systems have been implemented (in this period) though the facility aims to use smaller sample sizes		
Phillips 66 (formerly ConocoPhillips)—Rodeo Refinery	Reduced inventory by combining or removing equipment from the process (1 times)	Inherent	Minimization
	Simplified unit design and chemical inventory by changing/ re-routing equipment (9 times)	Inherent	Simplify
	Changed equipment design to reduce potential of a hazard (1 time)	Inherent	Substitute
	Reduced the potential of a hazard by relocation and equipment design (3 times)	Passive	Moderate
	Reduced the potential of a hazard by changing equipment design (2 times)	Passive	Simplify
	Reduced potential of exposure by changing equipment metallurgy or design (16 times)	Passive	Substitute
Shell Martinez Refinery	Reduction of inventory by removing dead-leg piping (2 times)	Inherent	Minimization
	Eliminated exposure potential by changing chemical and equipment design (3 times)	Inherent	Substitute
	Reduced the potential of a hazard by changing operating conditions (3 times)	Inherent	Moderate
	Reduced potential of exposure by changing equipment metallurgy or design (9 times)	Passive	Moderate
	Change equipment configuration or design to reduce potential of a hazard (3 times)	Passive	Simplify
	Reduced potential of exposure by changing equipment layout or design (2 times)	Passive	Minimization
	Reduced the potential of a hazard by adding equipment, or controls (9 times)	Active	Moderate
Tesoro Golden Eagle Refinery	Eliminated hazardous material release points from equipment modification or removal (1 time)	Inherent	Minimization
	Reduced potential of the hazardous condition by equipment design features. (6 times)	Passive	Moderate
	Reduced potential of the hazardous condition by reducing inventory (2 Times)	Passive	Minimization

Status of the Incident Investigations, Including the Root Cause Analyses Conducted by the Regulated Stationary Sources

The Industrial Safety Ordinance requires the regulated stationary sources to do an incident investigation with a root cause analysis for each of the major chemical accidents or releases as defined by the following: "Major Chemical Accident or Release means an incident that meets the definition of a Level 3 or Level 2 incident in the Community Warning System incident level classification system defined in the Hazardous Materials Incident Notification Policy, as determined by Contra Costa Health Services; or results in the release of a regulated substance and meets one or more of the following criteria:

- Results in one or more fatalities
- Results in greater than 24 hours of hospital treatment of three or more persons
- Causes on- and/or off-site property damage (including cleanup and restoration activities) initially estimated at $500,000 or more. On-site estimates shall be performed by the regulated stationary source. Off-site estimates shall be performed by appropriate agencies and compiled by Health Services
- Results in a vapor cloud of flammables and/or combustibles that is more than 5,000 pounds"

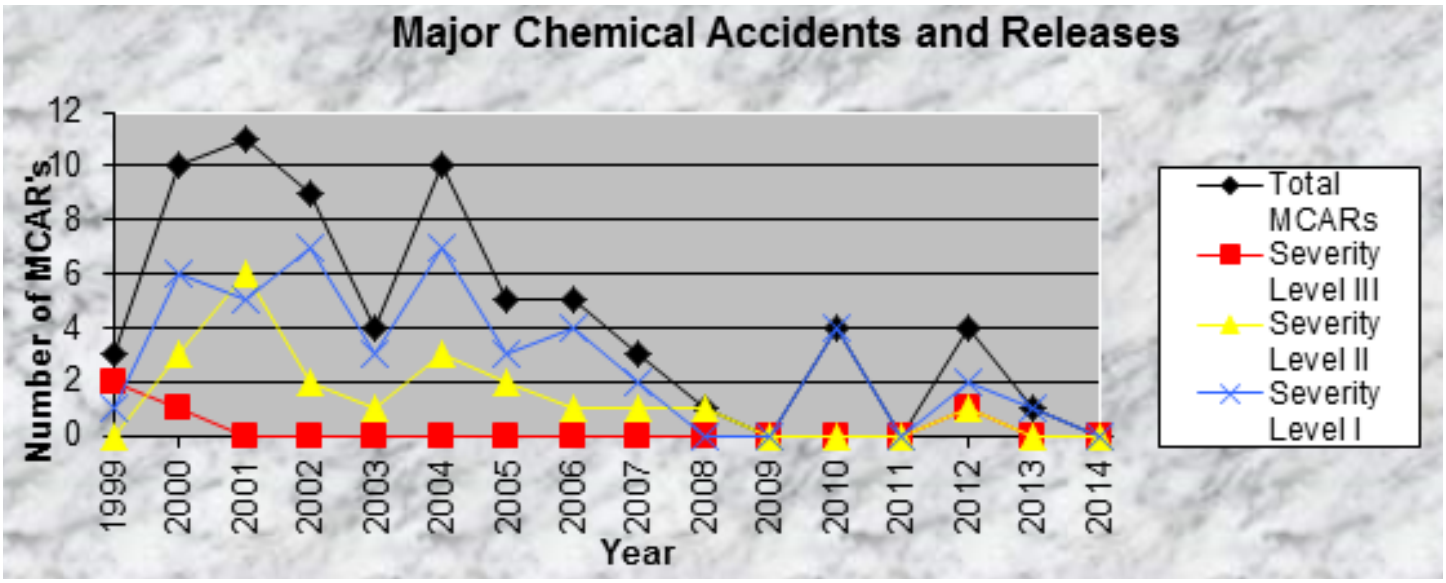
The regulated stationary source is required to submit a report to Hazardous Materials Programs 30 days after the root cause analysis is complete. There were no Major Chemical Accidents or Releases that occurred since the last annual report in Contra Costa County at the ISO facilities. However, there was a level 2 incident at K2 Pure that lasted 6 minutes. The 72-hour report related to the K2 incident and the final RCA reports for previous MCAR incident reports are available at the Hazardous Materials Programs office and website.

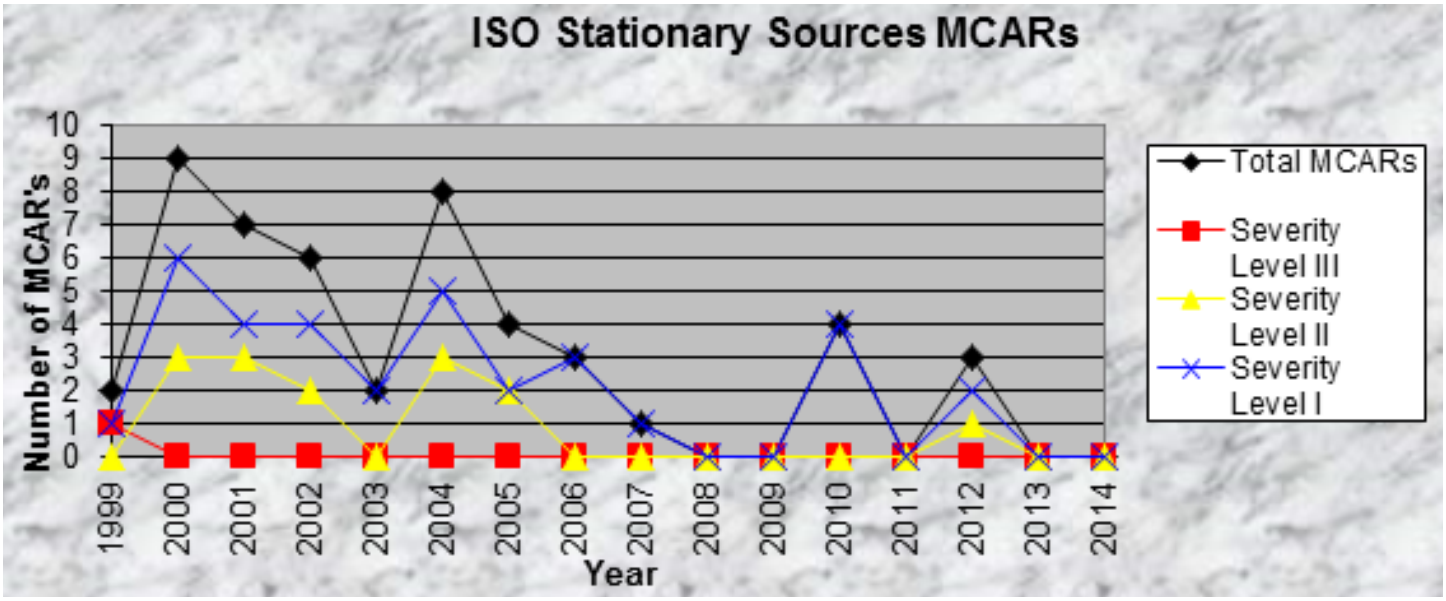
Major Chemical Accidents or Releases

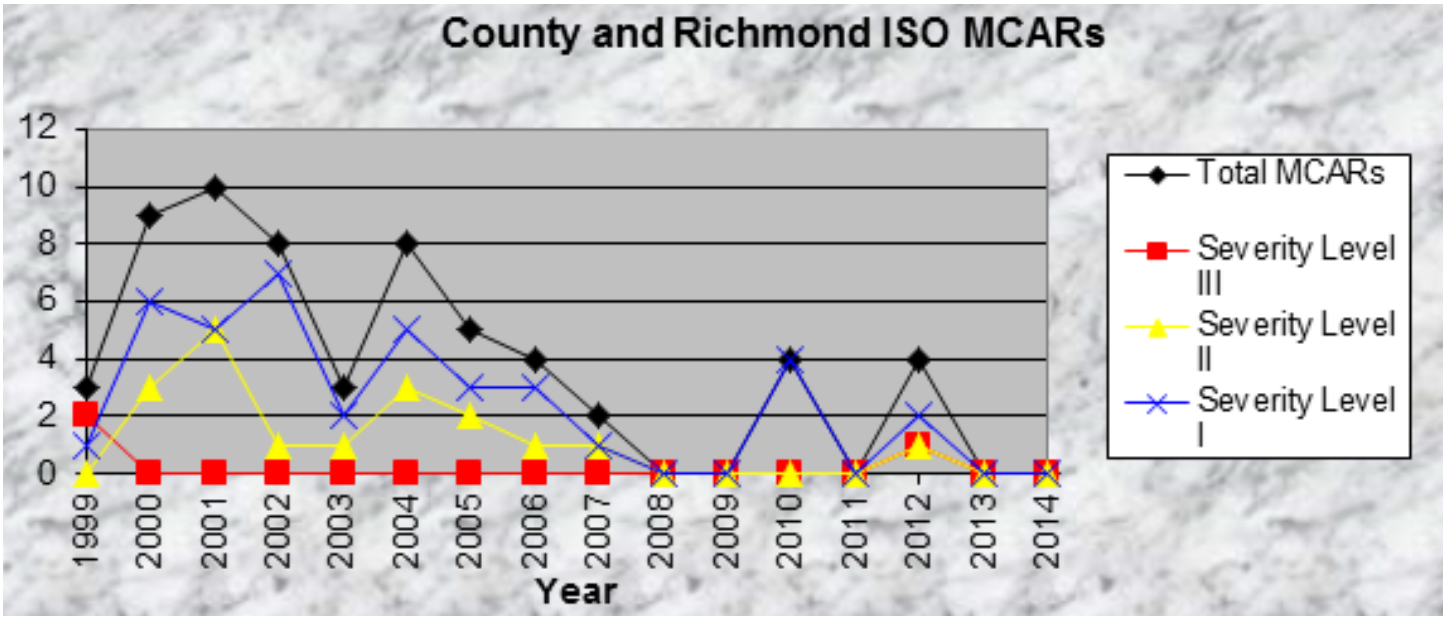
Hazardous Materials Programs analyzed the Major Chemical Accidents or Releases (MCAR) that occurred since the implementation of the Industrial Safety Ordinance. The analysis includes the number of MCARs and the severity of the MCARs. Three different levels of severity were assigned:

- ***Severity Level III***–A fatality, serious injuries or major on-site and/or off-site damage occurred
- ***Severity Level II***–An impact to the community occurred, or if the situation was slightly different the accident may have been considered major, or there is a recurring type of incident at that facility
- ***Severity Level I***–A release where there was no or minor injuries, the release had no or slight impact to the community, or there was no or minor onsite damage

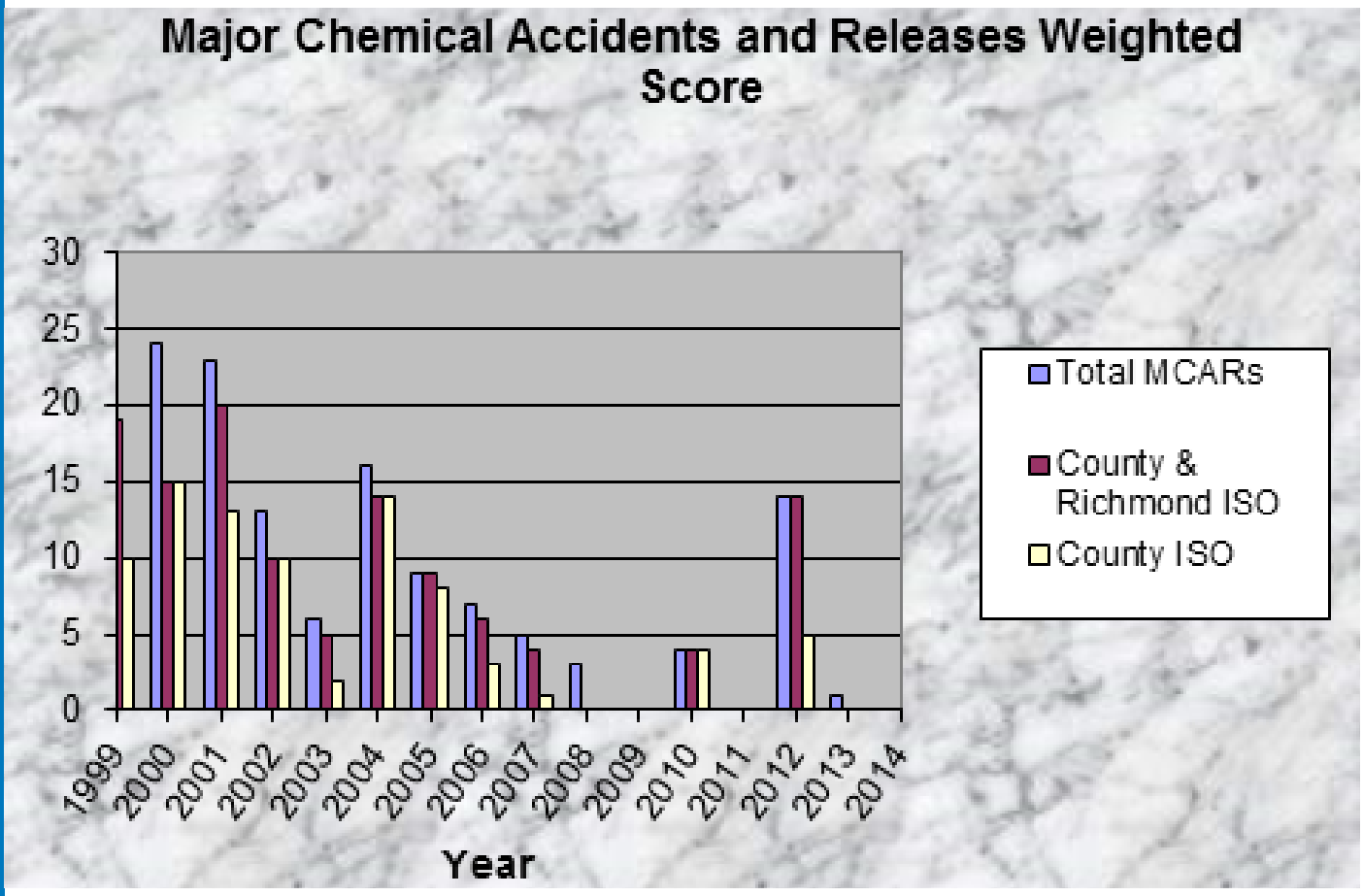
Below are charts showing the number of MCARs from January 1999 through October 2014 for all stationary sources in Contra Costa County, the MCARs that occurred at stationary sources regulated by the County's Industrial Safety Ordinance, and a chart showing the MCARs that have occurred at the County and the City of Richmond's Industrial Safety Ordinance stationary sources. The charts also show the number of severity level I, II and III MCARs for this period. **NOTE: The charts do not include any transportation MCARs that have occurred.**


Major Chemical Accidents and Releases
Number of MCAR's
12
10
8
6
4
2
0
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
Year
Total MCARs
Severity Level III
Severity Level II
Severity Level I


ISO Stationary Sources MCARs
Number of MCAR's
10
9
8
7
6
5
4
3
2
1
0
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
Year
Total MCARs
Severity Level III
Severity Level II
Severity Level I


County and Richmond ISO MCARs
12
10
8
6
4
2
0
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
Year
Total MCARs
Severity Level III
Severity Level II
Severity Level I

A weighted score has been developed giving more weight to the higher severity incidents and a lower weight to the less severe incidents. The purpose is to develop a metric of the overall process safety of facilities in the County, the facilities that are covered by the County and the City of Richmond Industrial Safety Ordinances, and the facilities that are covered by the County's Industrial Safety Ordinance. A severity level III incident is given 9 points, severity level II is given 3 points and severity level I is given 1 point. Below is a graph of this weighted scoring.



Legal Enforcement Actions Initiated by Contra Costa Hazardous Materials Programs

As part of the enforcement of the Industrial Safety Ordinance and the CalARP Program, Hazardous Materials Programs issues Notices of Deficiencies on the Safety and Risk Management Plans and issues Audit Findings on what a stationary source is required to change to come into compliance with the regulations. Table I shows the action that has been taken by Hazardous Materials Programs. Hazardous Materials Programs has not taken any action through the District Attorney's Office for noncompliance with the requirements of the Industrial Safety Ordinance.

Penalties Assessed as a Result of Enforcement

No penalties have been assessed this period for noncompliance with the Industrial Safety Ordinance.

Total Fees, Service Charges and Other Assessments Collected Specifically for the Industrial Safety Ordinance

The fees charged for the Industrial Safety Ordinance are to cover the time that the Accidental Release Prevention Engineers use to enforce the ordinance, the position of the Hazardous Materials

Ombudsperson, outreach material and to cover a portion of the overhead for the Hazardous Materials Programs. The fees charged for administering this ordinance for the fiscal year 2013-14 is $317,823.

Total Personnel and Personnel Years Used by Hazardous Materials Program to Implement the Industrial Safety Ordinance

The Accidental Release Prevention Programs Engineers have reviewed resubmitted Safety Plans, prepared and presented information for public meetings, performed audits of the stationary sources for compliance with both the California Accidental Release Prevention Program and Industrial Safety Ordinance and did follow-up work after a Major Chemical Accident or Release. The following is a breakdown of the time that was spent on the County's and the City of Richmond's Industrial Safety Ordinances:

- Six ISO/CalARP Program facility audits were performed since the last ISO report with four done between October 2013 and October 2014. It takes four to five engineers four weeks to perform the on-site portion of an ISO/CalARP Program audit. The audit process encompasses off-site time that includes a quality assurance process, working with the facility to address any questions, posting public notices, attending a public forum to share audit findings, addressing any questions from the public and issuing the final report. The total time taken to perform these audits in 2014 was 3,600 hours. Approximately one-third of the time was dedicated to the Industrial Safety Ordinance, for a total of 1, 200 hours.
- Reviewing information for the website—50 hours
- Reviewing Safety Plans and following up with the facilities on any deficiencies—205 hours
- Review and participate in investigation, root cause analysis and proposed recommendations— 500 hours
- Health Services Community Education and Information Office or the Accidental Release Prevention Engineers prepare material for presentations and public meetings—total approximately 150 personnel hours.
- Total of 2,105 hours is the approximate personnel time spent on the Industrial Safety Ordinance.
- This is not including the Ombudsperson time spent helping prepare for the public meetings, working with the engineers on questions arising from the Industrial Safety Ordinance, and answering questions from the public on the Industrial Safety Ordinance.

Comments from Interested Parties Regarding the Effectiveness of the Industrial Safety Ordinance

No comments were received on the County's or the City of Richmond's Industrial Safety Ordinances since the last annual report.

The Impact of the Industrial Safety Ordinance on Improving Industrial Safety

Four programs are in place to reduce the potential of an accidental release from a regulated stationary source that could impact the surrounding community. The four programs are the Process Safety Management Program administered by Cal/OSHA, the federal Accidental Release Prevention Program administered by the U.S. EPA, the California Accidental Release Prevention Program administered locally by CCHMP, and the Industrial Safety Ordinance, which is also administered by

CCHMP. Each of the programs is very similar in requirements, with the Industrial Safety Ordinance being the most stringent. The prevention elements of the program level 3 regulated stationary sources under the federal Accidental Release Prevention Program is almost identical to the Process Safety Management Program. CalARP differs from the federal Accidental Release Prevention Program in the following ways:

- The number of chemicals regulated
- The threshold quantity of these chemicals
- An external events analysis, including seismic and security and vulnerability analysis, is required
- Additional information in the Risk Management Plan
- CCHMP is required to audit and inspect stationary sources at least once every three years
- The interaction required between the stationary source and CCHMP
- The ISO differs from CalARP in the following ways:
- Stationary sources are required to include a root cause analysis with the incident investigations for Major Chemical Accidents or Releases
- The stationary sources are required to consider inherently safer systems
- All of the processes at the regulated stationary sources are covered
- Managing changes in the organization for operations, maintenance and emergency response
- The implementation of a Human Factors Program
- Expand the Human Factors section of the Industrial Safety Ordinance to include the following:
  - Maintenance procedures
  - Management of Organizational Changes
    - » Maintenance personnel
    - » A job task analysis for each of the positions that work in operations, maintenance, emergency response and Health and Safety
    - » Include temporary changes in the Management of Organizational Change
- A requirement that the stationary sources perform a Security and Vulnerability Analysis and test the effectiveness of the changes made as a result of the Security and Vulnerability Analysis
- The stationary sources perform a Safety Culture Assessment
- The Board of Supervisors amended the County's Industrial Safety Ordinance to expand the requirements of the ordinance in 2014. These amendments are:
  - Expand the requirement to implement Inherently Safer Systems to existing processes, as part of the Management of Change Process, for new projects and processes, and implementation of recommendations from an incident investigation
  - To develop process safety performance indictors with "common" indicators being made public
  - Require a Safeguard Protection Analysis to determine the effectiveness of safeguards used during a Process Hazard Analysis

The Safety Culture Assessment guidance chapter was finalized in November 2009. The Industrial Safety Ordinance Guidance Document is being updated to include the remaining changes to the ordinance and a draft was issued in September 2010. The Accidental Release Prevention Engineers have participated with the Center for Chemical Process Safety on developing the second edition of ***Inherently Safer Chemical Processes***, a book that is referenced in the ordinance and with the Center for Chemical Process Safety on developing process safety metrics for leading and lagging indicators.

All of these requirements have lowered the probability of an accident occurring.

Contra Costa County was recognized as an alternative model for doing process-safety inspections by the Chemical Safety and Hazard Investigation Board in its report on a 2005 refinery accident in Texas City. The report states, "Contra Costa County and the U.K. Health and Safety Executive conduct frequent scheduled inspections of PSM and major hazard facilities with highly qualified staff." This was done to compare to the number of OSHA process safety management audits. The Chemical Safety and Hazard Investigation Board also mentions Contra Costa County in a DVD, Anatomy of a Disaster: Explosion at BP Texas City Refinery, on the resources given to audit and ensure facilities are complying with regulations.

Carolyn W. Merritt, the Chemical Safety and Hazard Investigation Board Chair at that time, also recognized Contra Costa County in 2007 testimony to the House of Representatives Committee on Education and Labor chaired by U.S. Rep. George Miller. U.S. Sen. Barbara Boxer, during a hearing to consider John Bresland's nomination to the Chemical Safety and Hazard Investigation Board as the Chair (replacing Carolyn Merritt) in December 2007, asked Mr. Bresland about the Contra Costa County program for process safety audits of refineries and chemical companies.

In its final investigation report on an incident that occurred in 2008 at the Bayer Crop Science in Institute, West Virginia, the CSB recommended that regulatory agencies in the area audit their chemical facilities using Contra Costa County's auditing process. CCHMP staff and a representative from the local United Steelworkers Union were part of a panel when the Chemical Safety and Hazard Investigation Board presented this report to the Kanawha Valley community.

Contra Costa Hazardous Materials Programs was asked to give testimony at the hearing on "Work Place Safety and Worker Protections in the Gas and Oil Industry" before the U.S. Senate Committee on Health, Education, Labor, and Pensions Subcommittee on Employment and Workplace Safety. The testimony was on the success of the Accidental Release Prevention Programs that are in place in Contra Costa County. The hearing was specific on two major incidents that occurred in Anacortes, Wash. at a Tesoro Refinery and the Deepwater Horizon incident in the Gulf of Mexico. A link to the testimony is posted on the Health Services website and can be found at *http://help.senate.gov/hearings/hearing/?id=fe34048f-5056-9502-5d69-2609a5d5501a*.

In September 2012, Contra Costa Hazardous Materials Programs was asked to be a presenter at the "Expert Forum on the Use of Performance-based Regulatory Models in the U.S. Oil and Gas Industry: Offshore and Onshore" in Texas City, Texas to share the regulatory experience at Contra Costa County. And give testimony on how local, state and Federal agencies can work together and have an unprecedented alignment on regulations that is required for the same facilities. This informational meeting was spearheaded by Federal Occupational Safety and Health Administration and attended by Bureau of Safety and Environmental Enforcement, United States Coast Guard, United States Environmental Protection Agency, Pipeline and Hazardous Materials Safety Administration, United Steelworkers, American Petroleum Institute, academia and industry representatives.

City of Richmond Industrial Safety Ordinance

The City of Richmond on December 18, 2001 passed its version of the Industrial Safety Ordinance, which became effective January 17, 2002. Richmond's Industrial Safety Ordinance (RISO) mirrors the County's Industrial Safety Ordinance. Richmond's Industrial Safety Ordinance covers two stationary sources: Chevron Richmond Refinery and Chemtrade Richmond Works. CCHMP administers the Richmond ISO.

Chevron and Chemtrade Richmond Works submitted their Safety Plans to Hazardous Materials Programs, which have been reviewed and considered complete. The public comment period for these plans ended in January 2004. Public meetings held in 2004 in North Richmond and Richmond discussed Chevron and Chemtrade Richmond Works audit findings. The second Richmond Industrial Safety Ordinance/CalARP Program audits for these facilities occurred in 2006 and public meetings were held in June 2007 at Hilltop Mall at "Lessons from Katrina," the 2007 Neighbor Works Week Homeownership Faire & Disaster Preparedness Expo.

CCHMP followed up on the January 15, 2007 fire at the Chevron Refinery. The follow-up included a public meeting, City Council meetings, meetings with Chevron on the investigation and the root cause analysis. Chevron Richmond Refinery was audited for the third time for RISO/CalARP program in April 2008 The report was finalized and results were available at the Recycle More Earth Day Event in Richmond in June 2009. Copies of the audit results are available at the Richmond Library and a summary of the audit is also available on Hazardous Materials Programs' website.

CCHMP performed an RISO/CalARP program audit at Chemtrade Richmond Works in January 2012 and is working with Chemtrade on the proposed remedies to the audit actions. The final report from the 2009 audit was shared in a public event in Richmond in September 2010. CCHMP performed the fifth RISO/CalARP program audit at Chevron Richmond Refinery in February 2011. The final audit report was shared at the West County Emergency Preparedness Fair in El Cerrito in September 2011. CCHMP also made presentation to Point Richmond Neighborhood Council at the Point Richmond Firehouse about Chemtrade Richmond Works and Chevron Richmond Refinery's audit history, incidents and general Industrial Safety Ordinance information on January 25, 2012.

Hazard Materials Program followed up with Chevron Richmond Refinery and worked each with U.S. EPA, Cal OSHA, BAAQMD and CSB in their independent investigation of the August 6, 2012 fire at the No. 4 Crude Unit. To date, CCHMP co-hosted two public meetings in conjunction with the City of Richmond to share information regarding this severity level III incident. CCHMP, City of Richmond and representatives of the agencies performing the investigation shared preliminary results and addressed public issues and concerns. Written comments were gathered and are posted on the Health Services' website. CCHMP hired a third party to perform a safety evaluation of the Chevron Richmond Refinery after the August 6, 2012 fire. The evaluation is looking at the safety culture of the refinery, the process safety management systems, and human factors. The final report is almost complete and will go through a public review process including a review from the oversight committee that was selected for this process.

CCHMP presented the 2010 annual RISO report to the Richmond City Council on July 26, 2011. Copies of the 2011 RISO report were submitted to the Richmond City Council and posted on cchealth.org. Select community members were also included in the distribution.

CCHMP staff worked closely with the City of Richmond staff in preparation of the Richmond Industrial Safety Ordinance amendment (adopted in January 2013) that made the Richmond Industrial Safety Ordinance consistent with the Contra Costa County Industrial Safety Ordinance. CCHMP again worked with the City of Richmond staff on the 2014 amendments to the Richmond Industrial Safety Ordinance and the County Industrial Safety Ordinance designed to address recommendations by the US Chemical Safety and Investigation Board following the August 6, 2012 Chevron fire that further improves process safety operations in Contra Costa County refineries and Chemical facilities.

ATTACHMENT A
HAZARDOUS MATERIALS OMBUDSMAN REPORT

Hazardous Materials Ombudsperson Evaluation

October 2013–September 2014

2014

ISO REPORT

www.cchealth.org/hazmat

I. INTRODUCTION

On July 15, 1997 the Contra Costa County Board of Supervisors authorized creation of an Ombudsman position for the County's Hazardous Materials Programs. The first Hazardous Materials Ombudsman began work on May 1, 1998. The Contra Costa County Board of Supervisors adopted an Industrial Safety Ordinance on December 15, 1998. Section 450-8.022 of the Industrial Safety Ordinance requires the Health Services Department to continue to employ an Ombudsman for the Hazardous Materials Programs. Section 450-8.030(B)(vii) of the Industrial Safety Ordinance requires an annual evaluation of the effectiveness of the Hazardous Materials Ombudsman, with the first evaluation to be completed on or before October 31, 2000.

The goals of section 450-8.022 of the Industrial Safety Ordinance for the Hazardous Materials Ombudsman are:

1. To serve as a single point of contact for people who live or work in Contra Costa County regarding environmental health concerns, and questions and complaints about the Hazardous Materials Programs.

2. To investigate concerns and complaints, facilitate their resolution, and assist people in gathering information about programs, procedures, or issues.

3. To provide technical assistance to the public.

The Hazardous Materials Ombudsman currently accomplishes these goals through the following program elements:

1. Continuing an outreach strategy so that the people who live and work in Contra Costa County can know about and utilize the program.

2. Investigating and responding to questions and complaints, and assisting people in gathering information about programs, procedures, or issues.

3. Participating in a network of environmental programs for the purpose of providing technical assistance.

This evaluation covers the period from November, 2013 through October, 2014 for the Hazardous Materials Ombudsman program. The effectiveness of the program shall be demonstrated by showing that the activities of the Hazardous Materials Ombudsman meet the goals established in the Industrial Safety Ordinance.

II. PROGRAM ELEMENTS

1. Continuing an Outreach Strategy

   This period efforts were focused on maintaining the outreach tools currently available. Copies of the Ombudsman Brochure were translated into Spanish and were distributed to the public at meetings, presentations, public events, and through the mail. A contact person was also established in Public Health that could receive calls from the public in Spanish and serve as an interpreter to respond to these calls. In addition to explaining the services provided by the position, the brochure also provides the phone numbers of several other related County and State programs. The web page was maintained for the program as part of Contra Costa Health Services web site. This page contains information about the program, links to other related web sites, and information about upcoming meetings and events. A toll-free phone number is published in all three Contra Costa County phone books in the Government section.

2. Investigating and Responding to Questions and Complaints, and Assisting in Information Gathering

   During this period, the Hazardous Materials Ombudsman received 148 information requests. Over 95 percent of these requests occurred via the telephone, and have been requests for information about environmental issues. Requests via e-mail are slowly increasing, mainly through referrals from Health Services' main web page. Most of these requests concern problems around the home such as asbestos removal, household hazardous waste disposal, pesticide misuse, mold and lead contamination.

   Information requests about environmental issues received via the telephone were generally responded to within one business day of being received. Many of the information requests were answered during the initial call. Some requests required the collection of information or written materials that often took several days to compile. Telephone requests were responded to by telephone unless written materials needed to be sent as part of the response.

   Complaints about the Hazardous Materials Programs can also be received via telephone and in writing. Persons that make complaints via telephone are also asked to provide those complaints in writing. During this period, tThe Hazardous Materials Ombudsman did not receive any complaints about the Hazardous Materials Program this period.

   The Ombudsman facilitated two community meetings during this period on behalf of the State Refinery Safety Task Force concerning their its efforts to improve refinery safety regulations and programs.

The Ombudsman conducted a half-day training session and tour about environmental health issues for 8 students in the joint UC Berkeley/UC San Francisco MPH/MD program.

3. Participating in a Network of Environmental Programs for the Purpose of Providing Technical Assistance.

   Technical assistance means helping the public understand the regulatory, scientific, political, and legal aspects of issues. It also means helping them understand how to effectively communicate their concerns within these different arenas. This year, the Ombudsman continued to staff a number of County programs and participate in other programs to be able to provide technical assistance to the participants and the public.

- **CAER (Community Awareness and Emergency Response)**–This non-profit organization addresses industrial accident prevention, response and communication. The Ombudsman participated in the Emergency Notification subcommittee of CAER.
- Hazardous Materials Commission – In 2001, the Ombudsman took over as staff for the Commission. As staff to the Commission, the Ombudsman conducts research, prepared prepares reports, drafts letters and provides support for 3 monthly Commission meetings.

- In addition, during this period the Ombudsman represented the Commission at meetings of the Contra Costa County Prescription Drug Abuse Prevention Task Force and facilitated a workgroup of local agencies in the development and dissemination of an educational poster concerning proper disposal of unused medication. The Ombudsman also represented the Commission in task force meetings of the Northern Waterfront Revitalization Effort. The Ombudsman also supported the Commission's response to a request from one of the members of the Board of Supervisors about an issue related to pipeline safety. Related to this effort, the Ombudsman assisted a County resident in the application for a grant to conduct outreach and education efforts around pipeline safety issues.

- **Integrated Pest Management Advisory Committee**–During this period the Ombudsman represented the Health Services Department on the County Integrated Pest Management Advisory Committee. This Committee brings Department representatives and members of the public together to help implement the County's Integrated Pest Management policy.

- **Asthma Program**–The Ombudsman participated in the Public Health Department's Division's asthma program as a resource on environmental health issues. The Ombudsman represented the Asthma asthma program in two regional collaboratives related to asthma issues, particularly diesel pollution–the Ditching Dirty Diesel Collaborative and the Bay Area Environmental Health Collaborative. The Ombudsman served on the Technical Advisory Board for RAMP, the Regional Astham Asthma Management Prevention program. Also, the Ombudsman facilitated the coordination of the County's Asthma clinical care program with the efforts of a non-profit organization hired by the Department of Conservation and Development to provide asthma trigger check-ups to homes in West Contra Costa County.

The Ombudsman also worked with the Bay Area Air Quality Management District and the Alameda County Public Health Department to successfully apply for a grant from the National Fish and Wildlife Foundation that will provide $230,000 dollars to Contra Costa County agencies and private entities to replace gas powered lawn equipment with electric powered lawn equipment.

- **Bay Area Air Quality Management District's Community Air Risk Evaluation Program**
  During this period the Ombudsman represented the Public Health Division on the advisory board to this Air District program. This advisory board meets quarterly to discuss implementation of this program that identifies and creates strategies to address health risks in communities with high air pollution emissions in the Bay Area. Three of these areas are in Contra Costa County.

- **Climate Change**
  During this period the Ombudsman worked with other staff in the Public Health Department to prepare a health vulnerability assessment to the impacts of Climate Change as part of a grant the County received from the State California Department of Public Health. The Ombudsman also represented the Public Health DepartmentPublic Health Division in regional, state and national efforts on addressing the impacts of Climate Change. The Ombudsman recently was appointed co-chair of the Bay Area Regional Health Inequities Initiative's Built Environment committee which addresses climate change, and represented Bay Area Health health Departments departments at a National national Conference conference on Climate climate cChange. The Ombudsman also facilitated the development of a panel presentation at a climate change conference sponsored by the Local Government Commission.

- **Bay Delta Stakeholder Advisory Group for Contaminated Fish Consumption**
  The Ombudsman was invited to serve on the California Department of Public Health's Bay Delta Stakeholder Advisory Group for Contaminated Fish Consumption. This is a two y-ear effort to develop updated and effective public messaging for the new fish consumption advisories for the Bay Delta that have been developed by the State.

  The Hazardous Materials Ombudsman also attended workshops, presentations, meetings and trainings on a variety of environmental issues to be better able to provide technical assistance to the public. Topics included Environmental environmental Justicejustice, Cumulative cumulative impacts assessment, emergency management practices, health mitigations for consumption of contaminated fish, and land-use planning for greenhouse gas reduction.

III. PROGRAM MANAGEMENT

The Hazardous Material Ombudsman continued to report to the Public Health Director on a day-to-day basis during this period, while still handling complaints and recommendations about the Hazardous Materials Programs through the Health Services Director. The Ombudsman also

was a member of Health Services' Emergency Management Team and participates on its the department's HEEP management team.

IV. GOALS FOR THE 2014-2015 PERIOD

In this period, the Ombudsman will provide essentially the same services to Contra Costa residents as was provided in the last period. The Ombudsman will continue respond to questions and complaints about the actions of the Hazardous Materials Programs; answer general questions that come from the public and assist them in understanding regulatory programs; staff the Hazardous Materials Commission; represent the Public Health DepartmentPublic Health Division as part of the Ditching Dirty Diesel Collaborative, the Bay Area Regional Health Inequities Initiative and the Bay Area Environmental Health Collaborative; represent the Health Services Department on the Integrated Pest Management Advisory Committee and participate in the CAER Emergency Notification committee. The Ombudsman will also represent the Hazardous Materials Commission in the Northern Shoreline Revitalization effort and the Contra Costa Prescription Abuse Prevention Coalition, and will represent the Public Health DepartmentPublic Health Division in the Bay Delta Stakeholder Advisory Group. The Ombudsman has also applied to be on the Technical Advisory Committee for the Metropolitan Transportation Commission's Goods Movement Plan development.

During this period the Ombudsman will continue to work with the Public Health DepartmentPublic Health Division on Climate climate change issues by working with collaboratives at the regional and state level, and by reaching out to other agencies and interested parties in Contra Costa County, to promote addressing health equity issues in climate change planning efforts.

The Ombudsman will also assist the State Refinery Safety Task Force by assisting the in the development and facilitation of Community community Safety safety Forums forums throughout the County over the course of the next year.

ATTACHMENT B

REGULATED SOURCES ANNUAL PERFORMANCE WITH ACCIDENT HISTORY AND INHERENT SAFETY IMPLEMENTATION

2014

ISO REPORT

www.cchealth.org/hazmat

Annual Performance Review and Evaluation Submittal
June 30, 2014

*Attach additional pages as necessary

1. **Name and address of Stationary Source:** Air Liquide Rodeo Hydrogen Plant, 1391 San Pablo Ave., Rodeo, California 94572

2. **Contact name and telephone number (should CCHMP have questions):** Jared Wittry—(510) 245-7285 x 2204

3. **Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)):** The revised safety plan was submitted in April 2013 as part of the 3 year review and incorporated the NODs received by the county in December 2012. The audit conducted in June of 2013 provided more guidance for the imrpove of the safety program at the Rodeo Facility and progress is being made to address the additional NODs based on all the new programs implimented at the Rodeo SMR.

4. **Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)):** Since the audit in June of 2013, we continue to meet monthly to address recommendations from the audit and improve the safety systems at the Rodeo SMR. As an organization, we have centralized many of the life critical procedures and have begun to introduce the Procedural PHAs at other facilities with success.

5. **List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):** CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Martinez Library; Rodeo Public Library; Crockett Public Library (library closest to the stationary source).

6. **Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(E)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(E)(1) for all major chemical accidents or releases occurring between the last annual performance review report and the current annual performance review and evaluation submittal (12-month history)):** There have been no incidents since the previous annual review.

7. **Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):** There have been no incidents since the previous review.

8. **Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):** There have been no incidents since the previous review. The 2010 ISO audit actions items were incorporated into the revised April 2013 Safety Plan.

9. **Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):** No new inherently safer systems have been implimented at the facility.

10. **Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2)(vii)):** There were no enforcement actions during this period.

11. **Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):** No penalities have been assessed against this facility.

12. **Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the seven County ISO facilities subject to the Industrial Safety Ordinance was $515,347. The total Industrial Safety Ordinance program fees for the seven County ISO facilities was $317,823. (NOTE: These fees do not include the two City of Richmond ISO facilities).

13. **Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** 5518 hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.

14. **Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** None

15. **Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)):** This chapter helps to reinforce the need to maintain and follow our structured safety program to help ensure that safety of our employees and the communities in which we operate.

16. **List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCA's) that significantly decrease the severity or likelihood of accidental releases.** The Human Factors Program that was developed and implemented continues to reduce the potential for injury. In addition, LIVES 102 Training ensures that all essential life critical procedures are communicated and understood. All Life Critical Procedures have been centralized including Hot Work, Confined Space, Safe Work Permit and LOTO procedures. The fall protection procedure has also been revised to include new regulatory requirements additional safety precautions. The SPCC plan was recertified by a Professional Engineer in May of 2014 along with the RMP plan in June of 2014 to incorporate recommendations given in the June 2013 ISO Audit.

17. **Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases:** None

Annual Performance Review and Evaluation Submittal
June 30, 2014

*Attach additional pages as necessary

1. **Name and address of Stationary Source:**
   Chemtrade West US LLC - Bay Point Works (BPW), 501 Nichols Road, Pittsburg, CA 94565

2. **Contact name and telephone number (should CCHMP have questions):**
   Bradford D. Anderson 925-458-7362 or Todd M. Ravazza 925-458-7301

3. **Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)):** BPW Safety Plan and Prevention Programs (e.g. Cal ARP, ISO, RMP, PSM) have recently been revised to reflect recent CCCHMP ISO Audit findings action items, PHA recommendations and Third party Audit, recent acquisition of BPW by Chemtrade West US LLC, current staffing levels, decommissioned processes and emergency response capabilities. Personnel have been trained as to all the aforementioned revisions. Due to significant changes (e.g. process decommissioning, reductions in force, etc.) major overhauls of all of these programs were necessary and have been completed.

4. **Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)):** BPW Safety Plan was recently revised to reflect action items form the past 2 ISO audits, these revisions include the following: Name change from General Chemical to Chemtrade West US LLC as new owner/operator; Section I (C)—updates to remove decommissioned processes in the Chemically Pure process; Section I (D—Updated volumes in Table 1a for CalARP/RMP Regulated Substances on site; updated Table 1b Non-Regulated Substances on site; Section II—Process Hazard Analysis, added Procedural PHA requirement; Section II (O)—Safety Program Management, added Chemtrade goal to become Responsible Care 14001 certified ASAP.

5. **List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):** CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Bay Point 205 Pacifica Ave., Bay Point, CA 94565 (library closest to the stationary source).

6. **Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(E)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(E)(1) for all major chemical accidents or releases occurring between the last annual performance review report and the current annual performance review and evaluation submittal (12-month history)):** There have been no major chemical accidents or releases in the last 12 months.

7. **Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):** NA.

8. **Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):** Since the August 2013 ISO Audit conducted by the department, of the 38 Ensure items 18 have beeen closed; of the 27 Consider items 10 have been closed, these clsoures have been based on the Administrative Draft of the Preliminary Determination Audit Report for Chemtrade West /Bay Point Works—CalARP/ISO Program Audit.

9. **Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):** Continued reduction in diversity and volume of hazardous materials handled on site and of the amount of samples obtained.

10. **Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2)(vii)):** There were no enforcement actions during this period.

11. **Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):** No penalities have been assessed against this facility.

12. **Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the seven County ISO facilities subject to the Industrial Safety Ordinance was $515,347. The total Industrial Safety Ordinance program fees for the seven County ISO facilities was $317,823. (NOTE: These fees do not include the two City of Richmond ISO facilities).

13. **Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** 5518 hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.

14. **Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** None.

15. **Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)):** This chapter has assisted the facility by sharing best practices within the industry and by helping the facility achieve consistency amongst the various programs regulated by the County and other agencies.

16. **List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCA's) that significantly decrease the severity or likelihood of accidental releases.**

    The recent Siting PHA of regulated substances offered recommendations to improve receiving, storing and distribution of regulated and non-regulated hazardous substances.

    The recent Procedural PHA of bulk transfer operations provided actual operating practice improvement recommendations and clarity of the written operating procedures for both regulated and non-regulated substances.

17. **Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases:** No MCAR's occurred during the past 12 months, this question is N/A.

Annual Performance Review and Evaluation Submittal
June 30, 2014

*Attach additional pages as necessary

1. **Name and address of Stationary Source:** Phillips 66 Rodeo Refinery, 1380 San Pablo Avenue, Rodeo, CA 94572

2. **Contact name and telephone number (should CCHMP have questions):** Jim Ferris 510-245-4517

3. **Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)):** The Safety Plan was last revised in August 2012 per the 3 year update cycle required by the County. The plan was made available to the public at the July 21, 2013 Sugartown Festival & Street Fair in Crockett after addressing comments from the CCHMP review.

4. **Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)):** The original Safety Plan for this facility was filed with Contra Costa Health Services on January 14, 2000. A revised plan was filed on April 7, 2000 with the updated recommendations requested by CCHS. A Human Factors Amendment was submitted on January 15, 2001. In conjunction with CCHSs required 2nd public meeting on our plan and audit findings, we submitted a complete revision of the plan to reflect the change in ownership of our facility and to update where needed. We took this opportunity to include Human Factors within the plan instead of having it as an amendment. On August 9, 2002 the plan was resubmitted. Public meetings for our plans were held on June 22, 2004 in Rodeo and July 8, 2004 in Crockett. As required the Plan was fully updated in August 2005 on the 3 year cycle. The Plan was reviewed by CCHS and was revised on July 28, 2006 with recommended changes. The Safety Plan was updated in July 2009 per the 3 year cycle. Recommendations requested by CCHMP were incorporated into the Safety Plan 11-4-2010. Safety Plan was again updated in August 2012 per the 3 year cycle.

5. **List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):** CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Rodeo Public Library; Crockett Public Library (libraries closest to the stationary source).

6. **Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(E)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(E)(1) for all major chemical accidents or releases occurring between the last annual performance review report and the current annual performance review and evaluation submittal (12-month history)):** There have been no major chemical accidents or releases (MCARs) during the current reporting year.

7. **Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):** There have been no MCARs therefore no RCAs were required in the past year.

8. **Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):** There are two remaining action items from the 2011 CalARP audit that will be closed this year with an update to the RMP (October). We expect to receive a preliminary report from CCHMP for an audit that was conducted in May 2014 of the CalARP and ISO programs.

9. **Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):** See Attachment 1 for the listing of Inherently Safer Systems improvements.

10. **Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2)(vii)):** There were no enforcement actions during this period.

11. **Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):** No penalities have been assessed against this facility.

12. **Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the seven County ISO facilities subject to the Industrial Safety Ordinance was $515,347. The total Industrial Safety Ordinance program fees for the seven County ISO facilities was $317823. (NOTE: These fees do not include the two City of Richmond ISO facilities).

13. **Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** 5518 hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.

14. **Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** No comments have been received.

15. **Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)):** In addition to the Phillips 66 Corporate Health Safety Environment Management Systems the ISO provides another tool for the improvement of process safety performance.

16. **List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCA's) that significantly decrease the severity or likelihood of accidental releases.** Units not covered by RMP, CalARP, and PSM are covered under the ISO and PHAs are scheduled and performed on all these units. Recommendations from the PHAs are implemented at an accelerated rate. A list of inherently safer system improvements, required by the ISO for PHA recommendations and projects, are listed in Attachment 1.
17. **Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases:** None have occurred since the last report.

Attachment 1: June 2013—June 2014 ISS improvements

Reference	Approach	ISS Category	MOC Description
M20121605-001	Simplify	Inherent	Remove the FD Fan and ID Fan turbine drivers from service.
M2013381-003	Simplify	Inherent	Decommission Plant 4, including removal of all associated graphics, alarming, logic, yoking/ registry, and documentation.
M2013437-001	Substitute	Passive	Replace the existing asphalt in the Selenium Plant Bin Yard with an engineered concrete slab.
M2013915-001	Simplify	Inherent	Remove the currently installed oversized Biocide injection pumps and install smaller injection pumps to allow continuous injection.
M20132825-001	Substitute	Inherent	Remove insufficient lights at Butane Loading Rack and add additional lights.
M20133345-001	Simplify	Inherent	Eliminate the unused water cooling at the jacket pump and bearing housing
M20132090-001	Substitute	Passive	Upgrade sample station with closed loop at 1D-101 OVHD Naphta Sample off 1G-110 discharge.
M2014607-001	Moderate	Passive	Replace the API view port doors at the Sludge Ejectors and Roll Drum Skimmers in the Afterbays with Plexiglas view panels to prevent personnel exposure.
M2014574-001	Substitute	Passive	Upgrade the spool upstream of 31LV-203 to stainless steel.
M2013682-001	Substitute	Passive	Upgrade G-104A from Packing to Mechanical Seal
M20134614-001	Simplify	Inherent	Rewire control circuit to remove unused klixon switch.
M20134607-001	Substitute	Passive	Replace 500 ft of new carbon steel/HDPE piping to route storm water to Junction Box 1 at Unit 100
M2013458-001	Substitute	Passive	Upgrade 3-inch Resid Piping from G-218 to D-206 with 317L SS
M20134464-001	Substitute	Passive	Upgrade the Unit 200 E-525 shell and shell cover metallurgy from 316L SS clad to Alloy 825 clad CS.
M20134437-001	Substitute	Passive	Replace existing P-503 conveyor system with a new conveyor comprised of corrosion resistant rollers, tensioners, and a stainless steel frame. The new conveyor will include the appropriate roll off bin pad and shelter replacement.
M20134265-001	Simplify	Inherent	Remove abandoned piping and associated supports, re-route other piping, and modify other equipment orientation to improve the access around pumps G-37A/B, G-31, and G-209.
M2013381-002	Simplify	Inherent	Remove all Unicracker Triconex SIS (safety instrumented system) interlock programming associated with out of service Plant 4 equipment.
M2013381-001	Minimize	Inherent	Decommission Unit 240 Plant 4 Hydrogen Plant. Major equipment to be isolated and removed from service; utility and blowdown connections throughout the unit will be separated and blocked-in from the rest of the Unit 240 complex; hazardous waste will be removed and disposed.
M20133307-001	Simplify	Passive	Plug remaining 3 surface drains that are at elevations under 10-feet in U100.
M20132649-001	Simplify	Inherent	Remove Sample Station on Concord Line
M20131742-001	Substitute	Passive	The existing Butane Loading Rack (BLR) vapor arms are mechanically limited from reaching the vent connection of a rail car when the connection is on the far side of the railcar. This limitation is due to interference with the personnel fall protection rails. Phase 1 of this project will replace the last hard piped joint of one vapor recovery arm with a flexible hose.
M20131642-001	Substitute	Passive	Replace the bundle on exchanger 200: E-108B, upgrade the tube metallurgy from 316 SST to Incoloy 825.
M20131641-001	Substitute	Passive	Replace the shell on exchanger 200: E-111A-1, upgrade the metallurgy from CS to Hastelloy Clad CS.
M20131640-001	Substitute	Passive	Replace the shell on exchanger 200: E-111A-2, upgrade the metallurgy from CS to Hastelloy Clad CS.
M20131638-001	Substitute	Passive	Replace the Administration Building Water Heater heat exchanger, E-603U, with an upgraded metallurgy (Duplex 2205).
M2013097-002	Simplify	Inherent	Plant 4 Catacarb Area Demolition: Demolish all equipment, foundation, instrumentation and piping in Plant 4. The Catacarb system will be cleaned from the storage tank and removed from the unit.
M20123996-001	Substitute	Passive	Replace the entire LCGO line from the tower draw to the suction of the G-216/A pumps with new 10” line and upgrade the piping metallurgy to 316L per ME&I recommendation.
M20123819-001	Moderate	Passive	Replace the noisy transformer located in the utility closet in the Unit 80 Control Room. Locate the new transformer outside of the control room.
M20122408-001	Simplify	Passive	Upgrade the butane loading rack and rail car sampling stations on both racks so that samples can be taken without venting any product to atmosphere.
M20121894-001	Substitute	Passive	Replace temporary underground piping with permanent piping routed above ground for Decoking Water Line.
M20112915-002	Substitute	Passive	Replace leaking 10” cement lined firewater pipe with carbon steel
M20101727-003	Moderate	Passive	Upgrade sample station with closed loop for the D-202 effluent stream.

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*Attach additional pages as necessary

1. **Name and address of Stationary Source:** Shell Oil Products U.S. Martinez Refinery, 3485 Pacheco Blvd., Martinez, CA 94553

2. **Contact name and telephone number (should CCHMP have questions):** Mary Kay Nye: 925-313-3358

3. **Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)):** SMR's Safety Plan was last updated in August 2013. SMR's Safety Program was reviewed by the CCHS during the CalARP/ISO audit conducted in February 2012.

4. **Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)):** SMR's Safety Plan was last updated in August 2013. The changes addressed actions from the CCHS 2012 audit. The next update is due August 28, 2016.

5. **List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):** CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Martinez Public Library (library closest to the stationary source).

6. **Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(E)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(E)(1) for all major chemical accidents or releases occurring between the last annual performance review report and the current annual performance review and evaluation submittal (12-month history)):** There were no MCAR's in the current reporting period (July 1, 2013 to June 30, 2014), and therefore no updates to the Accident History.

7. **Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):** There were no MCAR's in the current reporting period (July 1, 2013 to June 30, 2014), and therefore no RCA's were required.

8. **Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):** The status of the recommendations from the February 2012 CalARP/ISO Audit are: 59 of 60 Action items were completed. The last action will be completed in 2015. All of the actions from the December 2013 Unannounced Inspection are complete. There have been no RCA's or Incident Investigations conducted by the Department.

9. **Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):** See Attachment 1, Table 1

10. **Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2)(vii)):** There were no enforcement actions during this period.

11. **Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):** No penalities have been assessed against this facility.

12. **Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the seven County ISO facilities subject to the Industrial Safety Ordinance was $515,347. The total Industrial Safety Ordinance program fees for the seven County ISO facilities was $317823. (NOTE: These fees do not include the two City of Richmond ISO facilities).

13. **Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** 5518 hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.

14. **Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** None received

15. **Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)):** SMR has integrated requirements of the Industrial Safety Ordinance into our Health, Safety, and Environment Management System; in the context of our HSE MS, the ISO requirements drive continual improvement in our HSE performance.

16. **List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCA's) that significantly decrease the severity or likelihood of accidental releases.** See Attachment 1, Table 2

17. **Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases:** There were no MCAR's in the current reporting period (July 1, 2013 to June 30, 2014).

Attachment 1

Table 1. Summary of Implemented ISS			
ISS Item Number	ISS Type	Source/Study	Description
M20132508-001	Passive / Moderate	ISS Review of Existing Units	Apply fireproof insulation to DSHT Feed Cooler Supports
M20132414-001	Passive / Minimize	ISS Review of Existing Units	Modify routing of the RFG fuel piping from king tool filter to heaters F-66 and F-67 to avoid long run first away from heater and then back to heater.
M20131199-001	Inherent / Minimize	ISS Review of Existing Units	Remove Drain Piping from V-485; V-488; V-753; V-755. The drain piping was a dead-led due to lack of use.
M2010936-001	Passive / Simplify	ISS Review of Existing Units	Improve CO Boiler Circulation Pumps Isolation
M20103217-001	Passive / Moderate	ISS Review of Existing Units	Replace CFH Product (C118) Sample Station Cooler with upgraded metallurgy and capacity
M2013461-001	Passive / Moderate	ISS Review of Existing Units	HP1 Replace E809A/B/C bundles, channel, and shells with upgraded materials
M2013813-001	Passive / Moderate	ISS Review of Existing Units	Re-design of E-729 with upgraded materials and anti vibrations bars
M2013455-001	Passive / Moderate	ISS Review of Existing Units	Replace SGP EB604A/B bundles with upgraded materials
M20121392-001	Passive / Moderate	ISS Review of Existing Units	Change From Carbon Steel to Duplex SS Bundle for E-17362
M2012123-001	Passive / Moderate	ISS Review of Existing Units	E-646A-H Exchanger Bundles - Materials Upgrade
M20113404-001	Passive / Moderate	ISS Review of Existing Units	EA-804A/B/C/D - Materials upgrade of header boxes due to leaking plug sheets
M2012646-003	Inherent / Minimize	ISS Review of Existing Units	Remove Caustic Washout Line from Settler, line was a dead-leg
M20122694-001	Active / Moderate	ISS Review from Projects	Install Dimersol High Temperature Shutdown to mitigate the risk of vessel overpressure due to high reactor temperature
M20131049-001	Inherent / Moderate	ISS Review from Projects	Enhanced DHT Processing Project - Reduced Air Cooler pressure drop/backpressure
M20131049-001	Passive / Minimize	ISS Review from Projects	Enhanced DHT Processing Project - Added tandem seal pots for Frac Btms Pumps that vent to flare rather than to atmosphere
M2011147-001	Inherent / Moderate	ISS Review from Projects	New Biotreater and Clarifier - Water treatment chemicals injected into top of tanks rather than into pressurized line
M2011147-001	Inherent / Substitute	ISS Review from Projects	New Biotreater and Clarifier - Chose air injection rather than pure O2
M2011147-001	Passive / Simplify	ISS Review from Projects	New Biotreater and Clarifier - Chose open tank rather than covered tank

Table 1. Summary of Implemented ISS (cont)			
ISS Item Number	ISS Type	Source/Study	Description
M2013227-001	Passive / Moderate	ISS Review from Projects	Recovery LPG from Isom Vent - Routing of Vent Gas to Frac Ovhd Drum rather than WGC 2nd Stage Suction lowers risk of filling KO drum and causing flaring event.
M20123424-001	Active / Moderate	ISS Review from Projects	Install IPF on Columns C-236 and C15602 - Added Instrumented Protective Function Systems shutdown to avoid liquid full column and release through Atmospheric Pressure Relief Valves
M20121479-001	Active / Moderate	ISS Review from Projects	Upgrade COB1 IPF - Added shutoff valves for RFG, a low air flow trip, and a high burner pressure trip.
M20121480-001	Active / Moderate	ISS Review from Projects	Upgrade COB3 IPF Added shutoff valves for RFG, a low air flow trip, and a high burner pressure trip.
M20122502-001	Active / Moderate	ISS Review from Projects	CGP Column Relief Enhancement - Added new PSV to WGC discharge to prevent overpressure
M20122502-001	Passive / Simplify	ISS Review from Projects	CGP Column Relief Enhancement - Replaced EA-746 with higher design pressure rating, rerated design pressure for E-747A/B and various piping,
M20122262-001	Inherent / Moderate	ISS Review from Projects	F-40 Air Preheater - reduces firing required, hence lower heat flux and operating conditions.
M20122262-001	Active / Moderate	ISS Review from Projects	F-40 Air Preheater - project included provisions to enable lead-lag control of fuel-to- air ratio, which assures adequate combustion air is always supplied to firebox, providing an extra degree of safety.
M2013321-004	Active / Moderate	ISS Review from Projects	Review CCU CGP PSV's per PHA - Added 3rd PSV to CCU MF to accommodate new relief scenario
M20121339-001	Inherent / Substitute	ISS Review from Projects	DHT Sight Glass Mitigation - Sight glasses replaced by magnetic level indicators to reduce risk of leakage to atmosphere
M20131790-001	Inherent / Substitute	ISS Review from Projects	Isom Sight Glass Mitigation - Sight glasses replaced by magnetic level indicators to reduce risk of leakage to atmosphere
M2013164-001	Active / Moderate	ISS Review from Projects	Upgrade Alky IPF - Upgrade existing IPF to latest standards
M20121479-001	Active / Moderate	ISS Review from Projects	Upgrade CGH IPF - Upgrade existing IPF to latest standards

Table 2. ISO-only Recommendations Implemented (not required by CalARP)		
Number	Source	Description
R2012046-002	2012 CO Boiler PHA Revalidation	Complete SIFPro project to add ZT positioner input to the COB1 ES-5 and COB3 ES-7 shutdown systems.
R2012046-001	2012 CO Boiler PHA Revalidation	Repair piping for raw or alternate water make-up to the CO Bypass Water seal.
R2012021-007	2012 Flexsorb PHA Revalidation	Add a sign at the tank to warn of presence of N2 blanket on tank.
R2012021-006	2012 Flexsorb PHA Revalidation	Modify PSV SV 15536 and P-17102 to ease the prepping for maintenance
R2012021-006	2012 Flexsorb PHA Revalidation	Add labeling in field to warn that High H2S is present at sample station.
R2012021-004	2012 Flexsorb PHA Revalidation	Add ESP high level alarm on hydrocarbon drain drum; 19LI211.

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*Attach additional pages as necessary

1. **Name and address of Stationary Source:** Tesoro Golden Eagle Refinery, 150 Solano Way, Martinez, CA 94553

2. **Contact name and telephone number (should CCHS have questions):** Claire Spencer at 925-370-3274, Rich Leland at 925-370-3264 or Sabiha Gokcen at 925-370-3620.

3. **Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)):** An updated Safety Plan was submitted to Contra Costa Health Services on June 1, 2012. Contra Costa Health Services has completed six audits on the safety programs. The first audit was in September 2000 on the safety programs. The second audit was in December 2001 and focused on Inherently Safer Systems and Human Factors. CalARP/ISO audits were conducted in August 2003, November—December 2005,

   August—October 2008, April—May 2011 and most recently January, 2014. All safety program elements required by the ISO have been developed and are implemented.

4. **Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2) (ii)):** The original Safety Plan for this facility was filed with Contra Costa Health Services on January 14, 2000. An amended plan, updated to reflect CCHS recommendations and ownership change, was filed on November 30,2000. A Human Factors Amendment was submitted on January 15, 2001. A Power Disruption Plan was submitted, per Board of Supervisor request, on June 1, 2001. An amended Safety Plan, updated to reflect ownership change was submitted on June 17, 2002.

   The Safety Plan for this facility will be updated whenever changes at the facility warrant an update or every three years from June 17, 2002. In addition, the accident history along with other information is updated every year on June 30. Most recently, updated Safety Plan was submitted to Contra Costa Health Services on June 1, 2012.

5. **List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):** CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Martinez Library (library closest to the stationary source)

6. **Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(£)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(£)(1) for all major chemical accidents or releases occurring between the last accident history report submittal (January 15) and the annual performance review and evaluation submittal (June 30)):** There was one incident in 2013 meeting the Major Chemical Accident or Release criteria. The incident was a power outage on November 15, 2013 and was a CWS Level 2 event. Please refer to the attached root cause analysis report.

7. **Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):** Status of Root Cause Analysis Recommendations: The recommended action items from the November 15, 2013 power outage are on schedule for completion in November, 2014.

8. **Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):** "CCHS Information": CCHS completed an audit on September 15, 2000, December, 2001, August, 2003, November/December, 2005, August–October, 2008, April–May 2011 and January, 2014. There are no RCA or Incident Investigations that have been conducted by the Department.

   Facility status of audit recommendations: All recommendations from CCHS audits prior to 2014 are closed. The recommendations from the 2014 audit have not yet been received by the facility at this time.

9. **Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):** Golden Eagle is submitting a list of the Inherently Safer Systems (ISS) that meet the criteria for Inherent or Passive levels only and that were completed within the last year (see attached).

10. **Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2)(vii)):** "CCHS Information": none

11. **Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):** "CCHS information": No penalties have been assessed against this facility.

12. **Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the seven County ISO facilities subject to the Industrial Safety Ordinance was $515,347. The total Industrial Safety Ordinance program fees for the seven County ISO facilities was $317823. (NOTE: These fees do not include the two City of Richmond ISO facilities).

13. **Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** "CCHS Information": 5518 Hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.

14. **Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** This facility has not received any comments to date regarding the effectiveness of the local program.

15. Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)): Chapter 450-8 improves industrial safety by expanding the safety programs to all units in the refmery. In addition, the timeframe is shorter to implement recommendations generated from the Process Hazard Analysis (PHA) safety program than state or federal law. This has resulted in a faster implementation of these recommendations.

Chapter 450-8 also includes requirements for inherently safer systems as part of implementing PHA recommendations and new construction. This facility has developed an aggressive approach to implementing inherently safer systems in these areas.

Chapter 450-8 has requirements to perform root cause analyses on any major chemical accidents or releases (MCAR). This facility has applied that rigorous methodology to investigate any MCARs that have occurred since January, 1999.

Chapter 450-8 requires a human factors program. This facility has developed a comprehensive human factors program and is in the process of implementing the program.

Chapter 450-8 requires a safety culture assessment. This facility has developed a safety culture assessment program that meets the requirements in the ordinance.

16. List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCAs) that significantly decrease the severity or likelihood of accidental releases.
This question was broadly answered under question 15 above. Some examples of changes that have been made due to implementation of the ordinance are as follows. There are some units that were not covered by RMP, CalARP or PSM. Those units are now subject to the same safety programs as the units covered by RMP, CalARP and PSM. They have had PHAs performed on them according to the timeline specified in the ISO and the PHA recommendations have been resolved on the timeline specified in the ISO. A list of inherently safer systems as required by the ISO for PHA recommendations and new construction is attached to this filing as mentioned in the response to question 9. With respect to Compliance Audits, there was a compliance audit performed in April 2012 in addition to the CCHS audits mentioned above. All audit findings are being actively resolved. Root Cause Analysis findings and recommendations for MCARs are listed in the response under question 6.

17. Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases: Please refer to #6 which has the CWS classifications for the major chemical accidents and releases as well as any information regarding emergency responses by agency personnel.

Root Cause Analysis Report Tesoro Golden Eagle Refinery November 15, 2013 Power Outage

Summary of Event:

At approximately 11:29 A.M. on November 15, 2013, the Tesoro Golden Eagle Refinery experienced a brief power outage. The outage resulted in the shutdown of several refinery units and consequent flaring of excess hydrocarbons. Notifications were made to requisite outside agencies including the Contra Costa County Health Department's Hazardous Materials Division (CWS Level 2) and the Bay Area Air Quality Management District. Reportable quantities of Sulfur Dioxide were detected as a result of the flaring, and requisite notifications were made to the Bay Area Air Quality Management District. (Note: to detect Sulfur Dioxide emissions, the Hydrogen Sulfide concentration is measured in the gas going to the flare system; based on this concentration, the amount of Sulfur Dioxide emissions can be calculated.) No community complaints of odors were received, and the ground level monitors at the refinery's perimeter did not indicate any exceedances. Based on odor patrols conducted by Tesoro's contractor Odor Science and Engineering (OS&E), no odors were detectable off site. Visible pluming was detected at the Delayed Coker Unit (DCU) flare. Separately, a hydrocarbon leak and consequent fire occurred at the No. 3 Crude unit. The fire was immediately extinguished. Power was quickly restored and process units were started up in a controlled manner.

The initiating event of the partial power outage occurred at Switching Station #4 (SS#4). SS#4, which is normally fed by two separate power feeds, was only being fed by one power feed due to scheduled project work on the electrical system. Circuit breaker 1420 was feeding power to Bus B while power to Bus A was being fed through tie breaker 1415. A new protection circuit for tie breaker 1415 energized unexpectedly during commissioning of the new equipment. The energized circuit sent a trip signal to open the tie breaker resulting in loss of power on Bus A Tesoro electricians and specialty contractors for the project work were on site when the outage occurred and were able to immediately respond.

A brief primer on electrical systems: Switching stations contain electrical switch gear and are used to distribute electricity. Substations contain both electrical switch gear and transformers. Substations are used to step down the voltage of the electricity to feed equipment. When power comes into the refinery, it is at the 12470 Volt level. The voltage needs to be reduced before the electricity is fed to the process unit equipment; this voltage transformation is the function of the substation. A Bus is an electrical switchgear conductor internal to the switching station or substation. For reliability purposes, switching stations and substations have two parallel feeder cables supplying them electricity. A breaker is a piece of switchgear equipment that can interrupt the electrical current by opening up upon detection of a fault. A tie breaker is a piece of electrical equipment that performs two functions; it ties the two busses together to make them parallel as well as can perform the breaker function to interrupt current when a fault is detected.

A brief timeline follows:

11:29 hrs:	Power failure at Switching Station No. 4
11:40 hrs:	Shut down of seven refinery process units
11:44 hrs:	CWS Level 1 Notification
11:45 hrs:	Power to Switching Station No. 4 restored
11:50 hrs:	BAAQMD Notified. Visible plume detected by BAAQMD inspector
11:56 hrs:	OS&E personnel dispatched to monitor community
12:10 hrs:	CWS Level 2 Notification sent over terminal due to visible plume from DCU flare
12:15 hrs:	DCU Flare cleared, visible plume eliminated
12:20 hrs:	Fire reported at the No. 3 Crude Unit
12:25 hrs:	Fire at the No. 3 Crude Unit extinguished and monitoring commenced
12:27 hrs:	BAAQMD inspector arrives on scene
13:15 hrs:	BAAQMD inspector leaves facility
14:00 hrs:	All Clear notification issued to the refinery

Agency Notification and Response:

The following agencies were immediately notified: Contra Costa Hazardous Materials Program (CCHMP) via the CWS, the Bay Area Air Quality Management District (BAAQMD} via the CWS, Contra Costa Fire Protection District, and the Contra Costa County Office of Emergency Services. The following agencies responded with personnel to the scene: BAAQMD.

[Note: Notifications over the CWS terminal: CWS level 1 notifies CCHMP, Contra Costa OES, and the Contra Costa Sheriff with a specific message. Additional notice informs BAAQMD, Contra Costa Fire Protection District, Martinez Police, Antioch Police, Pinole Police and Richmond Police. CWS level 2 notifies CCHMP, Contra Costa OES, Contra Costa Sheriff and BAAQMD with a specific message. Additional notice informs Contra Costa Fire Protection District, California Highway Patrol, California Dept. of Health, San Ramon Valley Fire, Martinez Police, Antioch Police, Pinole Police and Richmond Police. CWS level 3 notifies CCHMP, Contra Costa OES, Contra Costa Sheriff and BAAQMD with a specific message. Additional notice informs Contra Costa Fire Protection District, California Highway Patrol, California Dept. of Health, San Ramon Valley Fire, Martinez Police, Antioch Police, Pinole Pollee, Richmond Police, EDIS and National Weather Service. CWS level 3 also activates sirens and the news media with a shelter in place message.]

Emergency Response Actions:

Operations personnel shut down the units and worked to restore power. Emergency response crews immediately responded to the scene of the fire at the No. 3 Crude unit and activated the fire water suppression monitors.

Material Released:

Hydrocarbon compounds were routed to the flare system as a result of the emergency shutdown. These compounds were mostly consumed (burned off) during the combustion process, resulting in the release of Carbon Dioxide and other gases present during combustion. The refinery flares have a hydrocarbon destruction efficiency of greater than 98% converting any hydrocarbon to Carbon Dioxide. Hydrogen Sulfide in the flare gas is oxidized to Sulfur Dioxide. The consequent sulfur dioxide emissions exceeded 7,000 lbs.

Meteorological Conditions:

The weather was clear, with wind direction varying from 200 to 330 degrees (wind blowing toward the ESE to ENE). The wind speed varied from 1.5 to 9.5 MPH. The temperature was about 62 degrees F minimum at 11:30 AM and warmed to about 66 degrees F at 2:00 PM.

Injuries:

No injuries were reported on or off site.

Community Impact:

No community complaints were received. The Bay Area Air Quality Management District reported evidence of visible pluming.

Incident Investigation of the event:

This investigation focused mainly on the unexpected trip of tie breaker 1415, causing the breaker to "Open" and subsequent loss of power to process units.

Background:

Under normal conditions, Switching Station #4 (SS#4) is fed by two separate feeders (1107 & 1108) from Foster Wheeler (FW). Each feeder has a breaker at FW and a corresponding breaker at SS#4. Both feeders are joined together via a normally closed tie breaker (1415). Feeder 1107 goes to breaker 1410 then to Bus 4A. Feeder 1108 goes to breaker 1420 then to Bus 4B. Bus 4A and 4B are joined together by the normally closed tie breaker 1415. SS#4 feeds power to a number of other switching stations and substations in the refinery.

There is a protective system consisting of various relays at SS#4. Protective relays act to protect switching station equipment from potentially damaging electrical faults by immediately isolating the equipment if a fault is detected. A Protective relay is a piece of equipment that monitors specific electrical parameters such as current, voltage, temperature and breaker positions. They have pre-programmed alarms and trip values that if exceeded will cause the protective relay to act opening the appropriate breaker. This action occurs automatically upon fault detection and isolates the electrical equipment as close to the fault as possible while continuing to power other devices not affected by the fault.

On November 15, a project was under construction to improve the reliability of the electrical system at the refinery. The objective of the project was to add line differential protection against faults occurring between the FW breakers and Tesoro's breakers on eight feeders and to install an additional level of protection at tie breaker 1415 to increase reliability of the overall protection scheme. Line differential protection is a system to measure the current leaving FW and arriving at the switching station. If there is an electrical short somewhere in this path, a differential in the current will be detected indicating a problem in the system; the line differential protection equipment would then act to open breakers to isolate the electrical issue. In order to Install the new equipment, one feeder to SS#4 had to be isolated and was no longer supplying power to the switching station. (This means during the period of this work, the normal "double ended" switching station becomes "single ended". "Double ended" refers to the switching station having two feeders to it, which decreases the likelihood of a power interruption. "Single ended" refers to the switching station having only one feeder to it supplying power.)

The work on the switching station was expected to last approximately two weeks. Due to the length of time the switching station would be "single ended", an MOC was prepared and a PHA performed for this unusual mode of operation. On November alh, feeder 1107 to Bus 4A was isolated to begin the work.

Partial Power Outage at 55#4:

On Thursday November 15, at approximately 11:18 PST while SS#4 was "single ended", the recently installed protection circuitry for tie breaker 1415 unexpectedly energized. The circuitry energized when the last test switch was closed during the commissioning of the new circuit. This sent a spurious trip signal to breaker 1415, which opened as part of its designed function to protect against detected faults.

The opening of tie breaker 1415 caused a complete loss of power to Bus A at SS#4. As a result of losing power at Bus A, all downstream switching stations and substations lost power. This power loss resulted in the loss of several refinery units including the Fluidized Catalytic Cracking Unit (FCCU), Sulfuric Acid Plant, Sulfur Recovery Unit (SRU), No. 2 Hydrogen Desulfurization Unit (2 HDS), No. 5 Gas Plant, No. 4 Gas Plant, and the No. 3 Crude Unit.

During the investigation, it was found that the newly installed backup protection circuit for the tie breaker 1415 contained a Direct Current (DC) polarity sensitive (+ I -) surge suppressor component, which was not installed correctly. Even through the positive of the new suppressor component was connected to the DC positive voltage as shown on the switchgear manufacturer's drawings, it was determined the reason for the incorrect installation was because the original factory drawings for SS#4 switchgear indicated the opposite (wrong) polarity at the connection point of the new surge suppressor. Note: SS#4 is approximately 30 years old; the drawing was from the original installation of the switching station.

A procedure had been developed to install and commission the line differential protection equipment by a specialty contractor company who is familiar with this type of work. They were given the original factory drawings for SS#4 and developed the procedure from this Information.

The investigation also revealed that the surge suppressor product information from the manufacturer did not clearly describe its behavior in relation to polarity, nor did it describe proper testing procedures for the equipment. The surge suppressor was one of the pieces of equipment being installed as part of the line differential protection. In addition, the investigation team noted that the commissioning procedure failed to recognize that the circuit was polarity sensitive, and therefore did not include steps to verify that the surge suppressor component was installed in the correct position. During the commissioning of the circuit, the trip circuitry energized unexpectedly when the test switch was manually closed. The energized trip circuitry sent a spurious trip signal to breaker 4115 to trip "Open", resulting in complete loss of power on Bus A of SS#4.

Root Causes:

The causal analysis for this incident yielded the following root causes and corrective actions (see table):

Root Cause #1: Existing procedures for working on in-service electrical equipment did not contain adequate requirements to prevent power supply interruptions while work is being performed.
Root Cause #2: The original factory switch gear drawing for SS#4 contained an error regarding the polarity at the point of connection for the new trip circuit. The source of the error was not able to be determined.
Root Cause #3: The electrical installation procedures and manufacturer product information did not adequately address the hazard of the polar sensitivity of new equipment and proper testing to verify correct installation.

Corrective Actions

	Corrective Actions	Anticipated Date of Completion	Root Cause
1	Review refinery Rules and Standing Instructions and electrical procedures regarding working on in- service electrical equipment. As applicable, revise these documents to include the implementation of a workflow process to ensure multi-discipline review prior to performing any work on in-service electrical equipment. Include the requirement that as part of the multi-discipline review, a plan will be developed to prevent power supply interruptions while work is being performed should be developed along with a hazard mitigation plan in the event that power supply is interrupted.	11/30/14	1
2	Correct the original factory switch gear drawings to indicate the correct polarity of the trip circuit (note: this will require polarity testing to obtain the necessary information to correct the drawings)	11/30/14	2
3	Review electrical system installation procedures and schematics and revise as applicable to clearly indicate the hazard of polarity sensitivity of new equipment and account for testing of correct circuit polarity prior to commissioning of equipment	11/30/14	3

Inherently Safer Systems Implemented

Item Identifier	Implementation Categmy	Risk Reduction Categmy	ISS Approach
A055-2009-001	PHA	Passive	Moderate – Incorporation of equipment design features which reduce the potential to release hazardous material.
A055-2009-004	PHA	Inherent	Eliminate – Eliminated the hazard by removal of hazardous material equipment and potential release points.
A068-2009-002	PHA	Passive	Moderate – Incorporation of equipment design features which reduce potential to release hazardous material.
A082-2006-189	PHA	Passive	Moderate – Incorporation of equipment design features which reduce the potential to release hazardous material.
PTS 12524	Project	Passive	Minimize – Reduction of hazardous material inventory.
PTS 12375	Project	Passive	Minimize – Reduction of hazardous material inventory.
MOC 9451	Project	Passive	Moderate – Incorporation of equipment design features which reduce the potential to release hazardous material.
MOC 9681	Project	Passive	Moderate – Incorporation of equipment design features which reduce the potential to release hazardous material.
MOC 9714	Project	Passive	Moderate – Incorporation of equipment design features which reduce the potential to release hazardous material.

ISO REPORT

INDUSTRIAL SAFETY ORDINANCE

Hazardous Materials

4585 Pacheco Blvd. Suite 100
Martinez, CA 94553
ccchazmat@hsd.cccounty.us
925-335-3200

CONTRA COSTA
HEALTH SERVICES

Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 3, 2015

Subject: Property Tax Administrative Cost Recovery

RECOMMENDATION(S):

1. OPEN a public hearing, previously fixed for March 3, 2015 at 9:30 a.m., on implementation of the property tax cost recovery provisions of Revenue and Taxation Code section 95.3; RECEIVE testimony and CLOSE the public hearing; and
2. ADOPT the report of the Auditor-Controller filed on January 20, 2015 of the 2013-2014 fiscal year property tax-related costs of the Assessor, Tax Collector, Auditor, and Assessment Appeals Board, including the proposed charges against each local jurisdiction excepting school entities, for the local jurisdiction's proportionate share of such administrative costs; and
3. ADOPT Resolution No. 2015/36 regarding the implementation of the property tax administrative cost recovery provisions of Revenue and Taxation Code section 95.3 for fiscal year 2014-2015.

FISCAL IMPACT:

The fiscal year 2013-2014 net cost of property tax administration was $14,262,983. This amounts to approximately .66% of all 2013-2014 property taxes levied countywide. This cost is allocated to each taxing entity in the County based on net revenues of each entity as a percentage of total revenues. School districts, community college districts, and the County Office of Education are exempt from cost recovery. As a result, the County absorbs the schools' share, which this year amounts to $6,931,194. The net recovery to the County is $5,600,317.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☑ 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: March 3, 2015

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

By: , Deputy

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

cc:

FISCAL IMPACT: (CONT'D)

>

$14,262,983 = Total cost of property tax administration
-$6,931,194 = Exempt School share
-$1,731,472 = County share
$5,600,317 = Net recovery to the County

BACKGROUND:

In 1997, the Board adopted Resolution No. 97/129, which provides procedures for property tax administrative cost recovery. The recommended actions are necessary for implementation of Resolution No. 97/129 for the current fiscal year.

CONSEQUENCE OF NEGATIVE ACTION:

The County would not recover $5,600,317 in property tax administrative costs.

CHILDREN'S IMPACT STATEMENT:

None.

ATTACHMENTS

Resolution No. 2015/36

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 03/03/2015 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2015/36

and the Auditor-Controller by his following signature.

SUBJECT: Findings and Determination Concerning the Implementation of the Property Tax Administrative Cost Recovery Provisions of Revenue and Taxation Code section 95.3

A public hearing having been held during the Board of Supervisors' meeting of March 3, 2015, on implementation of the property tax cost recovery provisions of Revenue and Taxation Code section 95.3, as provided in Board of Supervisors' Resolution 97/129, the Board of Supervisors, and the Auditor-Controller, hereby make the following findings and determination.

A. Property Tax Administrative Cost Recovery

1. On January 20, 2015, the Auditor-Controller filed with the Clerk of the Board of Supervisors a report of the 2013-2014 fiscal year property tax-related costs of the Assessor, Tax Collector, Auditor and Assessment Appeals Board, including the applicable administrative overhead costs permitted by federal circular A-87 standards, proportionally attributable to each local jurisdiction and Educational Revenue Augmentation Fund (ERAF) in Contra Costa County, in the ratio of property tax revenue received by each local jurisdiction and ERAF divided by the total property tax revenue received by all local jurisdictions and ERAFs in the county for the current fiscal year. The report included proposed charges against each local jurisdiction excepting school entities, for the local jurisdiction's proportionate share of such administrative costs.

2. On March 3, 2015 at the Board of Supervisors' meeting, a public hearing was held on the Auditor-Controller's report, notice of which was given as required by law and by Board of Supervisors' Resolution 97/129.

3. The report of the Auditor-Controller filed on January 20, 2015, is hereby adopted, and the Board of Supervisors and the Auditor-Controller find that amounts expressed in said report do not exceed the actual amount of 2013-2014 fiscal year property tax administrative costs proportionally attributable to local jurisdictions.

4. The additional revenue received by Contra Costa County on account of its 2013-2014 fiscal year property tax administrative costs pursuant to Revenue and Taxation Code section 95.3 shall be used only to fund the actual costs of assessing, equalizing, collecting, and allocating property taxes. An equivalent amount of the revenues budgeted to finance assessing, equalizing, collecting and allocating property taxes in fiscal year 2014-2015 may be reallocated to finance other County services. In the event that the actual 2014-2015 costs for assessing, collecting, equalizing and allocating property taxes plus allowable overhead costs are less than the amounts determined in the January 20, 2015 report by the Auditor-Controller, the difference shall be proportionally allocated to the respective local jurisdictions which paid property tax administration charges.

B. FINDINGS AND DETERMINATION

1. No written objections were received by March 3, 2015 for the public hearing on the Auditor-Controller's report filed on January 20, 2015.

2. The property tax administrative costs proportionately attributable to each local jurisdiction for the 2013-2014 fiscal year are as set forth in the Auditor-Controller's report filed on January 20, 2015, attached hereto as Exhibit A.

3. The amounts expressed in the Auditor-Controller's report are correct.

4. Notice as required by law was given of the public hearing on March 3, 2015.

5. The grounds stated herein to support findings are not exclusive and any findings may be supported on any lawful ground, whether or not expressed herein.

6. If any finding herein is held invalid, such invalidity shall not affect findings which can be given effect without the invalid provision, and to this end, the invalid finding is severable.

So found and determined

Robert Campbell Contra Costa County Auditor-Controller

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown ATTESTED: David Twa, Clerk of the Board of Supervisors and County Administrator BY: _Deputy

Contact: Lisa Driscoll, County Finance Director (925) 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: March 3, 2015

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

By: , Deputy

cc:

Office of the Auditor-Controller
Contra Costa County

Robert R. Campbell
Auditor-Controller

625 Court Street
Martinez, California 94553-1282
Phone (925) 646-2181
Fax (925) 646-2649

Elizabeth A. Verigin
Assistant Auditor-Controller

Harjit S. Nahal
Assistant Auditor-Controller

January 14, 2015

TO: Contra Costa County Board of Supervisors

FROM: Robert Campbell, Auditor-Controller

SUBJECT: **2013-2014 Property Tax Administration Charges**

Commencing with the 1990-91 fiscal year, Revenue and Taxation Code §95.3 (replacing R&T §97.5), provides for the County Auditor-Controller to annually determine property tax administration costs proportionately attributable to incorporated cities and local jurisdictions for fiscal year 1989-90 and thereafter. For purposes of this section, property tax administration costs are the property tax related costs of the Assessor, Tax Collector, County Assessment Appeals Board, and Auditor-Controller, including applicable administrative overhead costs as permitted by Federal OMB Circular A-87 standards.

The following attachments comprise the 2013-14 Property Tax Administration report of the Auditor-Controller pursuant to the County Board of Supervisors' Resolution No. 97/129.

Attachment I summarizes the direct and overhead costs of the Assessor, Tax Collector, Assessment Appeals Board, and Auditor-Controller for the 2013-14 fiscal year. Also included are all offsetting revenues received by the County for providing property tax related services. The 2013-14 net cost of property tax administration was $14,262,983. This amounts to approximately .66% of all 2013-14 property taxes levied countywide.

Attachment II allocates the $14,262,983 net cost to each incorporated city and to each local jurisdiction receiving property tax revenues during the 2014-15 fiscal year. This cost allocation to each entity is based on the net revenues of each entity as a percentage of total revenues. School districts, community college districts, and the County Office of Education are exempt from those provisions authorizing County recovery of their proportionate share of property tax administrative costs. As a result, the County absorbs the Schools' share, which, this year, amounts to $6,931,194.

ATTACHMENT I

CONTRA COSTA COUNTY

AUDITOR-CONTROLLER'S REPORT

on

2014-2015 Property Tax Administration Charges

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9 Revenue Offsets

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CONTRA COSTA COUNTY

2014-2015 Property Tax Administration Charges

SUMMARY CALCULATIONS

NOTE: Per Revenue and Taxation Code Section 95.3, the property tax administration fee to be charged in the 2014-15 Fiscal Year shall be based on the 2013-14 property tax related costs of the Assessor, Tax Collector, Auditor and Assessment Appeals Board including applicable overhead costs as permitted by Federal Circular A-87 standards.

Property Tax Related Cost:

Assessor	$ 14,171,338	
Tax Collector	3,224,241	
Auditor-Controller	1,286,795	
Assessment Appeals Board	132,068	
Total		**$18,814,442**

Overhead Cost per Circular A-87:

Assessor	$ 991,847	
Tax Collector	246,141	
Auditor-Controller	62,706	
Total		**$1,300,694**

Less: Fees Received for Property Tax Related Services:

County General	$ 2,169,270	
Assessor	495,129	
Tax Collector	2,203,817	
Auditor-Controller	983,937	
Total		**$5,852,153**

Net Property Tax Administration Cost, 2014-2015 Fiscal Year	**$14,262,983**

ATTACHMENT I

CONTRA COSTA COUNTY

2014-2015 Property Tax Administration Charges

ASSESSOR'S DEPARTMENT

DIRECT AND INDIRECT DEPARTMENTAL COST		ACTUAL 2013-2014
Salaries & Employee Benefits	$	12,139,803
Services & Supplies		2,219,301
Fixed Assets		0
Other Charges		0
Gross Cost	$	14,359,104
Less:		
* Intrafund Transfers		(187,766)
Fixed Assets		0
TOTAL ASSESSOR COST	**$**	**14,171,338**
LESS: ASSESSOR REVENUE OFFSETS		(495,129)
NET ASSESSOR DEPARTMENT COST		**13,676,209**

ATTACHMENT I

CONTRA COSTA COUNTY

2014-2015 Property Tax Administration Charges

TREASURER-TAX COLLECTOR'S DEPARTMENT

DIRECT AND INDIRECT DEPARTMENTAL COST	ACTUAL 2013-2014
Salaries & Employee Benefits	$ 3,117,413
Services & Supplies	1,431,376
Other Charges	8,034
Fixed Assets	0
Gross Cost	$ 4,556,823
Less:	
* Fixed Assets	0
Intrafund transfers	3,020
Treasury Function Costs	(1,215,109)
Business License Program	(120,493)
TOTAL TAX COLLECTOR COST	**$ 3,224,241**
LESS: TAX COLLECTOR REVENUE OFFSETS	$ (2,203,817)
NET TAX COLLECTOR COST	**$ 1,020,424**

* Fixed asset costs included in the A-87 allocation are excluded from direct costs.

ATTACHMENT I

CONTRA COSTA COUNTY

2014-2015 Property Tax Administration Charges

AUDITOR-CONTROLLER'S DEPARTMENT

PROPERTY TAX FUNCTION - DIRECT AND INDIRECT DEPARTMENTAL COSTS	ACTUAL 2013-2014
Salaries & Employee Benefits	$ 651,202
Information Technology Costs	397,966
Other Services and Supplies	94,309
Accounts Payable - Supplemental & Other Tax Refunds	7,213
Department Overhead Allocation	136,105
GROSS PROPERTY TAX FUNCTION COSTS	**$ 1,286,795**
LESS: TOTAL PROPERTY TAX FUNCTION REVENUE OFFSETS	$ (983,937)
NET AUDITOR-CONTROLLER COST	**$ 302,858**

ATTACHMENT I

CONTRA COSTA COUNTY

2014-2015 Property Tax Administration Charges

ASSESSMENT APPEALS BOARD

DIRECT AND INDIRECT COSTS		ACTUAL 2013-2014
Clerk of the Board	$	67,000
Assessment Appeals Board - allowances and postage		25,908
County Counsel		39,159
TOTAL ASSESSMENT APPEALS BOARD COSTS	**$**	**132,068**

ATTACHMENT I

CONTRA COSTA COUNTY

2014-2015 Property Tax Administration Charges

FEDERAL A-87 OVERHEAD ALLOCATION

Department	A-87 Plan 2013-2014 Actual	Percent Property Tax Related	Net to Allocate
Assessor	$ 991,847	100%	$ 991,847
Tax Collector	346,677	71%	246,141
Auditor-Controller(Tax Division)	62,706	100%	62,706
TOTALS	$ **1,401,230**		$ **1,300,694**

ATTACHMENT I

CONTRA COSTA COUNTY

2014-2015 Property Tax Administration Charges

REVENUE OFFSETS

County General

0005	9608	Supplemental Tax Administration Fees	$ 2,169,270	
				$ 2,169,270

Assessor

0016	1600	Administration	966,025	
	1600	Excludable revenues (Direct credits and non-property tax related revenues)	(730,000)	
0016	1605	Drafting	10,052	
	1610	Appraisal	0	
	1647	Roll Maintenance	249,052	
				$ 495,129

Tax Collector

0015	Tax Collector Revenue	2,967,380	
	Excludable revenues (Direct credits and non-property tax related revenues)	(763,563)	
			$ 2,203,817

Auditor-Controller

0010	1004	Tax & Cost Accounting Division Revenue	1,687,780	
		Excludable revenues (Direct credits and non-property tax related revenues)	(703,843)	
				$ 983,937

TOTAL REVENUE OFFSETS $ **5,852,152**

CONTRA COSTA COUNTY

2014-2015 ADMINISTRATIVE COST ALLOCATION

ATTACHMENT II

Fund No	Jurisdiction	Adjusted 2014-2015 AB 8 Allocation	2014-2015 Unitary Allocation	2014-2015 Pass-thru H&S 33676	Net Revenue	2014-2015 Adj Allocation Factors	14,262,983 to Allocate
		(1)	(2)	(3)	(4)	(5)	(6)
	GENERAL COUNTY JURISDICTION						
1003	County General	191,654,384.38	5,711,489	296,735	197,662,608	0.1213961133823	1,731,472
	COUNTY GOVERNED SPECIAL DISTRICTS						
1206	County Library	21,560,132.33	347,527	30,445	21,938,103	0.0134734663305	192,172
2020	Contra Costa Fire	89,213,457.33	935,432	76,917	90,225,806	0.0554129194160	790,354
2028	Crockett Carquinez Fire	427,588.22	7,932	0	435,520	0.0002674781219	3,815
3060	East Contra Costa Fire	9,947,966.63	69,768	0	10,017,735	0.0061524742565	87,753
2401	Service Area L-100	693,429.93	14,000	29,047	736,477	0.0004523136535	6,451
2470	Service Area M-1	29,762.86	1,045	0	30,808	0.0000189211212	270
2475	Service Area M-29	53,393.24	512	0	53,905	0.0000331060877	472
2488	Service Area M-16 Clyde	23,289.14	176	0	23,465	0.0000144114312	206
2489	Service Area M-17 Montalvir	146,583.15	1,522	0	148,106	0.0000909602271	1,297
2492	Service Area M-20 Rodeo	9,771.18	103	0	9,874	0.0000060641245	86
2494	Svc Area RD4Bethel Isle	6,527.65	90	0	6,617	0.0000040640446	58
2496	Svc Area M23 Blackhawk	1,900,879.44	13,196	0	1,914,076	0.0011755453904	16,767
2505	Flood Control CCC Water	2,693,316.65	43,756	3,572	2,740,645	0.0016831896870	24,007
2520	Flood Control Zone 3B	4,460,991.67	49,421	0	4,510,413	0.0027701070731	39,510
2521	Flood Cont Z1 Marsh Crk	1,475,950.73	13,117	0	1,489,068	0.0009145231153	13,044
2527	Flood Control Zone 7	51,361.87	974	2,180	54,515	0.0000334811234	478
2530	Flood Control Zone 8	16,189.23	366	0	16,555	0.0000101676594	145
2531	Flood Control Zone 8A	20,703.72	305	0	21,009	0.0000129029419	184
2550	Flood Cont Drainage 290	1,670.83	19	0	1,690	0.0000010377431	15
2551	Flood Cont Drainage 300	4,045.68	36	0	4,082	0.0000025069447	36
2552	Flood Cont Drainage A13	265,446.25	2,017	0	267,463	0.0001642648981	2,343
2554	Flood Cont Drainage 10	287,695.68	2,091	0	289,787	0.0001779747825	2,538

CONTRA COSTA COUNTY

2014-2015 ADMINISTRATIVE COST ALLOCATION

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Fund No	Jurisdiction	Adjusted 2014-2015 AB 8 Allocation	2014-2015 Unitary Allocation	2014-2015 Pass-thru H&S 33676	Net Revenue	2014-2015 Adj Allocation Factors	14,262,983 to Allocate
		(1)	(2)	(3)	(4)	(5)	(6)
2563	Flood Cont Drainage 127	10,722.59	168	0	10,890	0.0000066883671	95
2583	Flood Cont Drainage 16	68,021.61	531	0	68,553	0.0000421022772	601
2652	S/A Pl 2 Danville	350.64	67	0	418	0.0000002566260	4
2653	S/A Pl-2 Zone A	127,441.72	863	0	128,305	0.0000787995629	1,124
2655	S/A Pl 5 Round Hill	218,971.90	1,403	0	220,375	0.0001353450662	1,930
2656	S/A Police-6	3,589,920.87	1,030,124	0	4,620,044	0.0028374382018	40,470
2657	S/A Pl-2 Zone B	161,052.24	1,506	0	162,558	0.0000998362319	1,424
2702	S/A Lib-2 El Sobrante	89,851.79	1,770	0	91,621	0.0000562699858	803
2710	S/A Lib-10 Pinole	1,031.58	13	0	1,045	0.0000006415558	9
2712	S/A Lib-12 Moraga	8,990.66	263	0	9,254	0.0000056832113	81
2713	S/A Lib-13 Ygnacio	117,771.98	1,133	0	118,905	0.0000730266109	1,042
2751	Svc Area R-4 Moraga	26,256.04	766	0	27,022	0.0000165956910	237
2758	Svc Area R-7 Zone A	929,423.08	8,196	0	937,619	0.0005758467009	8,213
2825	Co Co Co Water Agency	513,057.31	9,046	922	523,025	0.0003212200114	4,582
							1,242,616
	AUTONOMOUS SPECIAL DISTRICTS						
3005	San Ramon Valley Fire	55,627,919.15	761,130	559,160	56,948,209	0.0349752100261	498,851
3007	Kensington Fire	3,209,830.00	18,421	0	3,228,251	0.0019826567121	28,279
3011	Rodeo-Hercules Fire	2,610,109.35	50,330	0	2,660,440	0.0016339308269	23,305
3074	Moraga-Orinda Fire District	18,878,605.74	137,303	0	19,015,908	0.0116787763067	166,574
3102	Co Co Resource Cons	217,616.31	3,777	1,227	222,620	0.0001367239865	1,950
3255	Kensingtn Community Svc	1,445,089.87	9,118	0	1,454,208	0.0008931136646	12,738
3260	Diablo Community Svc	358,476.35	2,018	0	360,495	0.0002214008470	3,158
3301	CCC Mosquito Abate Dst1	4,029,146.41	75,637	1,612	4,106,395	0.0025219762798	35,971
3406	Central CC Sanitary	13,569,827.99	223,465	68,864	13,862,157	0.0085135573975	121,429

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3409	Mt View Sanitary	317,044.14	6,135	0	323,179	0.0001984833000	2,831
3411	Ironhouse Sanitary	219,962.36	4,388	0	224,350	0.0001377864004	1,965
3414	Rodeo Sanitary	219,574.42	4,043	0	223,618	0.0001373366094	1,959
3416	West Co Wastewater	923,578.47	13,913	5,188	942,679	0.0005789538071	8,258
3418	Stege Sanitary	348,057.13	3,933	0	351,991	0.0002161779289	3,083
3422	Byron Sanitary	30,287.82	599	0	30,887	0.0000189692958	271
3240	Crockett-Valona Sanitary	263,785.43	7,974	0	271,759	0.0001669030515	2,381
3430	Twn of Discovry Bay (Comm	538,124.60	4,265	0	542,389	0.0003331128228	4,751
3480	Delta Diablo Z1 W Pittsburg	317,895.63	11,063	71,695	400,654	0.0002460648142	3,510
3481	Delta Diablo Z2 Pittsburg	424,846.93	4,259	57	429,162	0.0002635734637	3,759
3482	Delta Diablo Z3 Antioch	978,435.45	12,858	0	991,293	0.0006088108013	8,683
3515	Los Medanos Healthcare	692,705.89	88,251	19,240	800,197	0.0004914476303	7,010
3520	Mt Diablo Healthcare	229,266.29	1,414	0	230,681	0.0001416743597	2,021
3525	West CCC Healthcare	3,047,574.36	44,562	0	3,092,137	0.0018990611325	27,086
3601	Alamo-Lafayette Cemetery	260,465.76	2,708	0	263,174	0.0001616304480	2,305
3603	B B K Union Cemetery	454,810.98	5,270	0	460,081	0.0002825624433	4,030
3700	Ambrose Rec & Park	411,384.47	13,086	59,949	484,419	0.0002975101635	4,243
3715	Green Valley Rec & Park	45,245.99	321	0	45,567	0.0000279854515	399
3735	Pleasant Hill Rec & Park	2,797,956.49	35,667	856	2,834,479	0.0017408187128	24,829
3740	Rolling-Willart Rec&Park	23,135.69	290	0	23,426	0.0000143873501	205
3770	Bethel Isle Muni Imp	379,568.20	6,424	0	385,992	0.0002370603398	3,381
3803	Co Co Co Water	2,355,138.47	77,712	4,899	2,437,750	0.0014971639966	21,354
3830	Castle Rock Co Water	12,231.26	90	0	12,321	0.0000075671354	108
4001	East Bay Muni Utility	12,048,586.91	162,453	80,240	12,291,279	0.0075487901280	107,668
4002	EBMUD Special District 1	325,532.87	2,854	0	328,386	0.0002016812402	2,877
4007	A-C Transit Spec Dist 1	7,419,270.19	99,047	0	7,518,317	0.0046174361242	65,858

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		(1)	(2)	(3)	(4)	(5)	(6)
4009	BART	9,707,752.69	155,379	17,523	9,880,655	0.0060682855720	86,552
4010	Bay Area Air Management	2,829,668.35	45,296	0	2,874,964	0.0017656828096	25,184
4025	Dublin San Ramon Svcs	543,358.62	1,032	0	544,391	0.0003343421342	4,769
4026	East Bay Regional Park	41,764,496.46	697,972	40,870	42,503,338	0.0261037741094	372,318
4110	Reclamation Dist 800 Exp	747,306.26	7,005	0	754,311	0.0004632664834	6,608
4111	Discovery Bay Recl/Drng	41,900.49	389	0	42,289	0.0000259722716	370
4180	East Co Co Irrigation	2,416,135.85	21,626	0	2,437,762	0.0014971714771	21,354
4181	Byron-Bethany Irrigation	959,857.96	8,506	0	968,364	0.0005947287248	8,483
							1,732,718
	CITIES & CITY SPECIAL DISTRICTS						
4201	City of Clayton	819,422.21	11,882	54,664	885,969	0.0005441248643	7,761
4202	City of Concord	11,967,040.49	178,826	0	12,145,866	0.0074594833745	106,394
4203	City of Brentwood	7,806,841.50	48,791	21,162	7,876,794	0.0048375978885	68,999
4204	City of San Pablo	325,216.74	11,095	0	336,311	0.0002065484195	2,946
4205	City of El Cerrito	6,146,083.66	66,831	0	6,212,915	0.0038157127326	54,423
4206	City of Walnut Creek	12,732,434.66	175,357	0	12,907,792	0.0079274262489	113,069
4207	City of Pleasant Hill	2,537,851.43	18,712	0	2,556,564	0.0015701346085	22,395
4208	City of Martinez	7,043,520.30	103,751	0	7,147,272	0.0043895556256	62,608
4209	City of Antioch	8,546,490.79	121,752	0	8,668,243	0.0053236724698	75,931
4210	City of Pittsburg	3,176,305.96	47,585	0	3,223,891	0.0019799793754	28,240
4211	City of Hercules	1,007,372.30	29,370	0	1,036,742	0.0006367234874	9,082
4212	City of Pinole	1,944,096.75	23,779	0	1,967,876	0.0012085869915	17,238

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		(1)	(2)	(3)	(4)	(5)	(6)
4213	Richmond Tax District 1	22,493,953.56	414,305	0	22,908,259	0.0140692952706	200,670
4214	City of Lafayette	3,913,965.87	21,335	0	3,935,301	0.0024168973538	34,472
4215	Town of Moraga	1,804,643.31	19,994	0	1,824,638	0.0011206162163	15,983
4216	Town of Danville	7,944,233.40	64,636	0	8,008,870	0.0049187130920	70,156
4217	City of San Ramon	12,786,319.51	268,473	0	13,054,792	0.0080177079417	114,356
4218	City of Orinda	3,968,700.01	40,668	0	4,009,368	0.0024623861915	35,121
4219	City of Oakley	1,948,723.26	11,567	45,094	2,005,384	0.0012316229850	17,567
4227	Richmond Tax District 3	7,262,488.05	90,515	0	7,353,003	0.0045159071433	64,410
4230	Richmond Sewer 1	200,852.26	3,428	0	204,280	0.0001254604171	1,789
4231	Brentwood Rec & Park Dist	1,589,947.59	8,883	0	1,598,831	0.0009819350304	14,005
4232	San Ramon M-29	2,466,917.70	4,619	0	2,471,537	0.0015179145478	21,650
4240	Pleasant Hill Lgt Dist 1	424,519.70	3,524	0	428,043	0.0002628863496	3,750
4241	Svc Area R-8 Walnut Creek	521,166.53	5,291	0	526,457	0.0003233280358	4,612
4248	Clayton Light Mtce 1	30,114.25	323	0	30,437	0.0000186934098	267
4252	Martinez Pine Ridge Mtce	5,994.93	64	0	6,059	0.0000037211109	53
4253	Martinez Parking Dist 1	51,207.04	473	0	51,680	0.0000317396963	453
4263	Lafayette Core Area Mtc	62,408.19	2,317	0	64,725	0.0000397516603	567
4264	Lafayette St Lt Mtce Z1	8,060.00	54	0	8,114	0.0000049832183	71
4271	Concord Vly Terr StLtMtc	2,896.91	31	0	2,928	0.0000017984641	26
4272	Concord Kirkwood Mtce 1	45,455.45	402	0	45,857	0.0000281637417	402
4274	Concord Blhn Terr St Lt	775.01	12	0	787	0.0000004834469	7
4275	Pl Hill-Diablo Vista Wtr	164,015.75	1,227	0	165,243	0.0001014854555	1,447
4280	Antioch Parking Mtce 1A	29,245.12	331	0	29,576	0.0000181643923	259
4285	Moraga St Lt Mtce 1	137,121.67	888	0	138,010	0.0000847599192	1,209
4294	Oakley Police Services	340,376.53	998	0	341,375	0.0002096580499	2,990
							1,175,378

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	REDEVELOPMENT SUCCESSOR AGENCIES						
4701	Antioch	3,954,207.76	123,118	0	4,077,326	.0025041230261	35,716
4702	Antioch Project 2	835,558.33	3,897	0	839,455	.0005155582717	7,353
4703	Antioch Project 3	37,876.33	307	(12,359)	25,824	.0000158601444	226
4704	Antioch Project 4	559,437.69	7,595	(46,586)	520,447	.0003196368406	4,559
4705	Antioch Project 4, Amd 1	470,815.43	2,589	(20,052)	453,353	.0002784301842	3,971
4706	Brentwood Project	1,874,562.13	19,895	0	1,894,457	.0011634965337	16,595
4707	Brentwood Amendment 1	590,963.07	8,517	0	599,480	.0003681757414	5,251
4708	North Brentwood	3,493,534.62	11,417	(22,949)	3,482,003	.0021385004816	30,501
4709	North Brtwd Amnd 2	206,820.18	663	0	207,483	.0001274273755	1,817
4710	Central Concord	13,211,130.88	766,914	0	13,978,045	.0085847311299	122,444
4711	Concord Commerce	544,928.18	8,068	0	552,996	.0003396269840	4,844
4712	Cent Concord RDA Amnd	574,258.88	611	0	574,870	.0003530608350	5,036
4714	Clayton	5,766,574.12	24,122	(104,138)	5,686,559	.0034924465978	49,813
4716	Hercules Dynamite	6,190,133.30	47,198	0	6,237,331	.0038307081238	54,637
4717	Hercules RDA Proj 2	4,124,686.94	13,670	0	4,138,357	.0025416058079	36,251
4718	Hercules Merged Dyn & Pro	0.00	0	0	0	.0000000000000	0
4720	El Cerrito	5,574,844.72	59,909	0	5,634,753	.0034606300949	49,359
4721	El Cerrito Area II	1,705.91	80	0	1,786	.0000010969418	16
4725	Pinole Vista	5,922,630.70	65,644	0	5,988,275	.0036777482324	52,456
4726	Pinole Vista 81	3,639,775.58	31,917	0	3,671,693	.0022550002936	32,163
4728	Oakley RDA Proj 2	108,477.29	368	0	108,845	.0000668481547	953
4730	Pittsburg Marina	1,479.88	1,272	0	2,752	.0000016900590	24
4731	Pittsburg Riverside	400,988.42	5,559	0	406,547	.0002496841652	3,561
4732	Pittsburg Neighborhood I	1,132,470.27	8,965	0	1,141,435	.0007010216572	9,999
4733	Pittsburg Neighborhood II	491,602.05	5,549	0	497,151	.0003053291223	4,355

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4734	Pittsburg/Los Medanos I	23,577,030.52	328,284	0	23,905,315	.0146816452262	209,404
4735	Pittsburg/Los Medanos II	3,135,868.10	58,103	0	3,193,971	.0019616037249	27,978
4736	Pittsburg/Los Medanos III	10,408,586.46	32,420	0	10,441,007	.0064124299169	91,460
4737	Richmd 8A RDA 2000 Amnc	826,224.61	3,699	0	829,924	.0005097046807	7,270
4738	Richmd 10A RDA 2000 Amr	722,126.56	1,247	0	723,373	.0004442655769	6,337
4739	Richmd 1A RDA 2000 Amnc	138,343.29	247	0	138,591	.0000851164994	1,214
4740	Richmond 1A	391,256.49	9,605	0	400,862	.0002461925898	3,511
4741	Richmond 8A	557,169.37	7,587	0	564,757	.0003468498592	4,947
4742	Richmond 10A	731,650.26	19,215	0	750,866	.0004611502478	6,577
4743	Richmond 10B	59,700.38	2,666	0	62,367	.0000383029410	546
4744	Richmond 11A	10,919,525.28	56,044	0	10,975,569	.0067407357725	96,143
4745	Richmond 12A	69,137.42	1,367	0	70,504	.0000433008745	618
4746	Richmond 8A Henley	55,731.14	547	0	56,278	.0000345636817	493
4747	Richmond 1B	110,110.42	595	0	110,706	.0000679909127	970
4748	Richmond 1C-Potrero	950,441.93	5,493	0	955,935	.0005870951129	8,374
4749	Richmond 3A	826,916.81	4,394	0	831,310	.0005105561312	7,282
4750	Walnut Creek-So Broadway	1,140,219.28	8,655	0	1,148,874	.0007055903433	10,064
4751	Walnut Creek-Mt Diablo	0.00	13,207	0	13,207	.0000081114024	116
4752	Richmd 6A RDA 2000 Amnc	53,950.29	63	0	54,013	.0000331728283	473
4753	Richmd 10B RDA 2000 Amr	13,865.66	83	0	13,949	.0000085666533	122
4754	Richmond 6-A Amend 1	77,018.63	904	0	77,923	.0000478570870	683
4755	Richmond 6-A	538,247.60	2,693	0	540,941	.0003322232085	4,738
4756	Danville Downtown	2,752,692.82	25,148	(308,537)	2,469,304	.0015165434089	21,630
4757	Richmd 11A RDA 2000 Amr	377,315.57	249	0	377,565	.0002318846197	3,307
4758	Richmd 10B RDA 2006 Amr	579,578.80	7,976	0	587,555	.0003608517390	5,147
4760	San Pablo-So Entrance	365,230.41	6,192	0	371,422	.0002281120117	3,254

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4761	San Pablo-El Portal	2,237,328.53	38,497	0	2,275,826	.0013977169199	19,936
4762	San Pablo-El Portal 79	2,774,704.86	41,790	0	2,816,495	.0017297732616	24,672
4763	San Pablo-Oak Park	827,385.59	8,332	0	835,718	.0005132630765	7,321
4764	San Pablo-Sheffield	332,138.28	3,953	0	336,091	.0002064129485	2,944
4765	San Pablo-Bayview	1,700,780.92	16,505	0	1,717,286	.0010546853622	15,043
4766	San Pablo-El Portal 80	1,187,358.50	20,649	0	1,208,008	.0007419077845	10,582
4767	San Pablo-Oak Park 79	53,885.55	442	0	54,328	.0000333657784	476
4768	San Pablo-Bayview 80	130,114.90	492	0	130,607	.0000802132384	1,144
4769	San Pablo-Legacy RDA	1,241,120.87	4,526	0	1,245,647	.0007650240791	10,912
4770	Pleasant Hill Commons	3,099,103.95	19,532	0	3,118,636	.0019153360364	27,318
4771	Pleasant Hill Commons 1A	103,931.47	835	0	104,767	.0000643433289	918
4772	Plsnt Hill Schoolyrd Anx	1,041,561.59	5,655	0	1,047,217	.0006431568315	9,173
4773	Plsnt Hill Comm 2001 Amnd	792,769.63	1,680	0	794,449	.0004879174735	6,959
4774	Pleasant Hill Commons 200	0.00	0	0	0	.0000000000000	0
4775	Lafayette RDA	4,683,624.35	9,383	0	4,693,008	.0028822491255	41,109
4777	San Ramon	9,125,378.00	36,368	(1,962,840)	7,198,907	.0044212675742	63,060
4780	CoCoCo Pleasant Hill BART	7,726,585.39	36,900	0	7,763,486	.0047680085799	68,006
4781	CoCoCo West Pittsburg	2,726,278.69	16,746	(751,841)	1,991,184	.0012229018893	17,442
4782	CoCoCo North Richmond	2,070,835.84	9,511	(295,423)	1,784,923	.0010962253960	15,635
4783	CoCoCo Pl H/BART Amnd 1	916,174.58	5,194	(9,483)	911,886	.0005600420518	7,988
4784	Oakley	3,131,205.34	14,961	(111,260)	3,034,907	.0018639129319	26,585
4785	Rodeo	1,990,242.41	8,403	(232,343)	1,766,302	.0010847889041	15,472
4786	CoCoCo Montalvin	267,210.74	1,271	0	268,482	.0001648901971	2,352
							1,449,605

Sub-Total: Recoverable Cost **5,600,317**

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	SCHOOL DISTRICTS - EXEMPT FROM COST ALLOCATION						
4016	Ed Phys Handic'd Elem	4,818.21	1,051	0	5,869	.0000036045130	51
4018	Livermore Jt Unified	230,671.34	49,996	0	280,668	.0001723743413	2,459
4020	Chabt-Las Positas Com Col	279,077.09	6,805	0	285,882	.0001755765807	2,504
4022	Dev Ctr Handi'd Minor	862.54	188	0	1,051	.0000006452592	9
4029	Trainable M.R. Alameda	2,173.42	474	0	2,647	.0000016259409	23
5001	Acalanes Union Hi Gen	35,669,888.35	354,225	0	36,024,113	.0221245048058	315,561
5101	Canyon Elementary Gen	62,630.98	976	0	63,607	.0000390650192	557
5201	Lafayette Elementary Gen	13,677,940.63	120,043	0	13,797,984	.0084741448692	120,867
5301	Moraga Elementary Gen	6,826,714.68	64,925	0	6,891,640	.0042325573615	60,369
5401	Orinda Elementary Gen	8,620,525.54	103,561	0	8,724,086	.0053579691585	76,421
5501	Walnut Creek General	17,328,800.44	173,685	0	17,502,485	.0107492950856	153,317
6001	Liberty Union Hi Gen	21,502,965.32	198,063	0	21,701,028	.0133278644599	190,095
6101	Brentwood Elem Gen	11,524,001.03	89,954	11,496	11,625,451	.0071398662239	101,836
6201	Byron Elementary Gen	3,757,893.16	40,885	6,735	3,805,513	.0023371872031	33,335
6301	Knightsen Elementary Gen	1,176,209.35	18,405	4,805	1,199,420	.0007366334736	10,507
6401	Oakley Elementary Gen	8,873,299.09	83,781	0	8,957,080	.0055010641582	78,462
6901	County Schools Gen	24,475,124.45	397,858	107,519	24,980,501	.0153419799584	218,822
6999	ERAF K - 12	196,121,292.04	0	0	196,121,292	.1204495015272	1,717,969
7101	Antioch Unified Gen	27,028,358.07	728,935	59,781	27,817,074	.0170840842886	243,670
7201	John Swett General	6,165,378.46	128,475	104,785	6,398,639	.0039297766887	56,050
7401	Martinez Unified Gen	15,475,141.23	221,509	0	15,696,650	.0096402267326	137,498
7501	Mt Diablo Unified Gen	94,173,489.01	1,235,578	306,253	95,715,320	.0587843493015	838,440
7601	Pittsburg Unified Gen	4,901,516.87	1,083,006	14,022	5,998,545	.0036840556802	52,546
7701	West Co Co Unified Gen	57,332,705.12	778,606	122,838	58,234,149	.0357649807812	510,115

CONTRA COSTA COUNTY

2014-2015 ADMINISTRATIVE COST ALLOCATION

ATTACHMENT II

Fund No	Jurisdiction	Adjusted 2014-2015 AB 8 Allocation	2014-2015 Unitary Allocation	2014-2015 Pass-thru H&S 33676	Net Revenue	2014-2015 Adj Allocation Factors	14,262,983 to Allocate
		(1)	(2)	(3)	(4)	(5)	(6)
7801	San Ramon Valley Unif	124,701,562.76	1,580,625	1,295,412	127,577,600	.0783528304073	1,117,545
7901	Co Co Comm College Gen	71,168,672.61	1,127,382	352,046	72,648,100	.0446174271717	636,378
7999	ERAF Community College	29,200,409.04	0	0	29,200,409	.0179336709272	255,788
					Sub-Total: Exempt School Share		**6,931,194**
218	TOTALS	**1,604,634,985.81**	**23,609,959**	**0**	**1,628,244,945**	1.000000000000	**14,262,983**

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: Advertise the 2015 On-Call Trucking Services Contract for Aggregate Stockpiling and Transportation

RECOMMENDATION(S):
AUTHORIZE the Public Works Director, or designee, to advertise for the 2015 On-Call Trucking Services Contract for Aggregate Stockpiling and Transportation, for the stockpiling and transportation of chip seal aggregate that will be used for the Public Works Department's 2015 chip seal program, Countywide.

FISCAL IMPACT:
This cost is to be funded by 100% Local Road Funds.

BACKGROUND:
The Public Works Department will use the 2015 On-Call Trucking Services Contract for Aggregate Stockpiling and Transportation to provide trucking services for the transportation of chip seal aggregate from the quarry to various stockpile locations throughout Contra Costa County (County), and also for the transportation of the chip seal aggregate from the stockpile locations to various roads within the County. The aggregate will be used by Public Works Maintenance crews for routine pavement surface treatment activities on various roads within the County.

CONSEQUENCE OF NEGATIVE ACTION:
If this is not approved, the Public Works Department may be unable to complete the 2015 chip seal program.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Henry Finch, 925-313-7004

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: Notice of Completion of Contract for the San Pablo Avenue at Rodeo Creek Bridge Replacement Project, Rodeo area.

RECOMMENDATION(S):
ADOPT Resolution No. 2015/64 accepting as complete the contracted work performed by Granite Rock Company for the San Pablo Avenue at Rodeo Creek Bridge Replacement Project, as recommended by the Public Works Director, Rodeo area. County Project No. 0662-6R4005/Federal Project No. BRLS-5928(067)

FISCAL IMPACT:
Project was funded by 88.53% Federal Highway Bridge Program (HBP) Funds and 11.47% Local Road Funds.

BACKGROUND:
The Public Works Director reports that said work has been inspected and complies with the approved plans, special provisions and standard specifications and recommends its acceptance as complete as of January 30, 2015.

CONSEQUENCE OF NEGATIVE ACTION:
The contractor will not be paid and acceptance notification will not be recorded.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Kevin Emigh, 925-313-2233

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Resolution No. 2015/64

Recorded at the request of: **Clerk of the Board**
Return To: **Janet Dowling**

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

Adopted this Resolution on 03/03/2015 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2015/64

In the Matter of: Accepting and Giving Notice of Completion of Contract for the San Pablo Avenue at Rodeo Creek Bridge Replacement Project, Rodeo area. County Project No. 0662-6R4005/Federal Project No. BRLS-5928(067)

WHEREAS, the Board of Supervisors RESOLVES that on July 8, 2014, the County contracted with Granite Rock Company for the work generally consisted of replacing the existing bridge structure and reconstructing roadway approaches on San Pablo Avenue at Rodeo Creek in the Rodeo area, with Western Surety Company as surety, for work to be performed on the grounds of the County; and

The Public Works Director reports that said work has been inspected and complies with the approved plans, special provisions and standard specifications and recommends its acceptance as complete as of January 30, 2015.

NOW, THEREFORE, BE IT RESOLVED said work is ACCEPTED as complete on said date, and the Clerk shall file with the County Recorder a copy of this resolution and Notice as a Notice of Completion for said contract.

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: Kevin Emigh, 925-313-2233

ATTESTED: March 3, 2015
David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: Approve the third extension of the Subdivision Agreement for subdivision SD04-08820, El Sobrante area. (District I)

RECOMMENDATION(S):
ADOPT Resolution No. 2015/62 approving the third extension of the Subdivision Agreement for subdivision SD04-08820, for a project being developed by Geoghegan Homes, Inc., as recommended by the Public Works Director, El Sobrante area. (District I)

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The Subdivision Agreement needs to be renewed as the improvements are not completed. (Approximately 0% of the work has been completed to date.) The developer has requested additional time to complete improvements. Granting an extension gives the developer an additional year to complete the improvements and keeps the bonding current.

CONSEQUENCE OF NEGATIVE ACTION:
The Subdivision Agreement will not be renewed if the extension is not granted; the developer cannot complete the improvements; the bonds cannot be kept current; and, the County may need to foreclose on the developer's bonds and complete the improvements.

CHILDREN'S IMPACT STATEMENT:
Not applicable.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Jocelyn A. B. LaRocque, 925-313-2315

cc: Engineering Services, Originator, J. A.B. LaRocque, Engineering Services, W. Lai, Engineering Services, J. Capozzo, Design/Construction, Department of Conservation and Development, T - 10-18-15, Geoghegan Homes, Inc. PO Box 1985 Orinda, CA 94563

ATTACHMENTS

Resolution No.
2015/62

Extension

Recorded at the request of: **BOARD OF SUPERVISORS**
Return To: **PUBLIC WORKS DEPARTMENT, ENGINEERING SERVICES**

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

Adopted this Resolution on 03/03/2015 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2015/62

IN THE MATTER OF approving the third extension of the Subdivision Agreement for subdivision SD04-08820, for a project being developed by Geoghegan Homes, Inc., as recommended by the Public Works Director, El Sobrante area. (District I)

WHEREAS, the Public Works Director having recommended that she be authorized to execute the third agreement extension which extends the Subdivision Agreement between Geoghegan Homes, Inc. and the County for construction of certain improvements in subdivision SD04-08820, El Sobrante area, through December 18, 2015;

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 0% ANTICIPATED DATE OF COMPLETION: December 18, 2015
BOND NO.: 721004S Date: November 5, 2007
REASON FOR EXTENSION: Lacks financing to complete the improvements

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

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: Jocelyn A. B. LaRocque, 925-313-2315

ATTESTED: March 3, 2015
David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Engineering Services, Originator, J. A.B. LaRocque, Engineering Services, W. Lai, Engineering Services, J. Capozzo, Design/Construction, Department of Conservation and Development, T - 10-18-15, Geoghegan Homes, Inc. PO Box 1985 Orinda, CA 94563

CONTRA COSTA COUNTY

SUBDIVISION AGREEMENT EXTENSION

Development Number: SD04-08820

Developer: Geoghegan Homes, Inc.
Original Agreement Date: December 18, 2007

Third Extension New Termination Date: December 18, 2015

Improvement Security

SURETY: Indemnity Company of California

BOND No.: 721004S **Date:** November 5, 2007

Security Type	**Security Amount**
Cash:	**$ 1,500.00 (1% cash, $1,000 Min.)**
BOND:	**$ 153,300.00 (Performance)**
	$ 77,400.00 (Labor& Material)

The Developer and the surety desire this Agreement to be extended through the above date; and Contra Costa County and said surety hereby agree thereto and acknowledge same.

Dated: March 3, 2015

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

By: _____

RECOMMENDED FOR APPROVAL:

By: Jocelyn LaPoagne
(Engineering Services Division)

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Dated: 1/7/15

Developer's Signature(s)
PATRICK GEOGHEGAN
Printed

Developer's Signature(s)
Maria Geoghegan
Printed

115 HARDIE DR MORAGA, CA
Address

INDEMNITY COMPANY OF CALIFORNIA
Surety or Financial Institution

2999 OAK RD (1)
Address

Stephen G Roddie
Attorney in Facts Signature

STEPHEN G. RODDIE
Printed

SEE NOTARIZATION ATTACHED EG

(1) WALNUT CREEK, CA 94597

ACKNOWLEDGEMENT

A Notary Public or other official completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF CONTRA COSTA)

On 01/07/2015, before me, EMMA GIBSON, Notary Public, personally appeared PATRICK GEO-GHEGAN AND 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 entity upon behalf of which the person(s) acted, executed the instrument.

MARIA GEOGHEGAN

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

NRO1 EMMA GIBSON
COMM. #1945079
Notary Public - California
Contra Costa County
My Comm. Expires July 22, 2015 NRO1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Contra Costa

On January 12, 2015 (Date) before me, L. Byas-Barnett, Notary Public (Here Insert Name end Title of the Officer)

personally appeared Stephen G. Roddie (Name(s) or Signer(s))

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.

L. BYAS BARNETT
Commission # 2001280
Notary Public - California
Contra Costa County
My Comm. Expires Jan 13, 2017

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature (signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document

Description of Attached Document

Title or Type of Document: Subdivision Extension Agreement for Bond Number 721004S

Document Date: January 12, 2015 Number of Pages: One (01)

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: Stephen G. Roddie
__Individual
__Corporate Officer --Title(s):
Partner __Limited __General
X Attorney in Fact
Trustee
__Guardian or Conservator
Other:
Signer Is Representing: Indemnity Company of California

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name:
__Individual
__Corporate Officer —Title(s):
__Partner __Limited __General
__Attorney in Fact
__Trustee
__Guardian or Conservator
Other:
Signer Is Representing:

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

©2007 National Notary Association • 9350 be Soto Ave.., P.0.20x 2402 ˙Chatsworth, CA. 81313-2402 • www,NatlonalNotary,org Item# 5907 Reorder: Call Toll-Free 1-800-676-6627

POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Stephen G. Roddie, Robin S. Westfall, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this December 1, 2014.

By: Daniel Young
Daniel Young, Senior Vice-President

By: Mark J. Lansdon
Mark J. Lansdon, Vice-President

DEVELOPERS SURETY AND INDEMNITY COMPANY CORPORATE OCT. 10 1936 IOWA

INDEMNITY COMPANY OF CALIFORNIA INCORPORATED OCT. 5 1967 CALIFORNIA

State of California
County of Orange

On December 1, 2014 (Date) before me, Lucille Raymond, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Daniel Young and Mark J. Lansdon (Name(s) of Signer(s))

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 paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lucille Raymond
Lucille Raymond, Notary Public

LUCILLE RAYMOND
Commission # 2081945
Notary Public - California
Orange County
My Comm. Expires Oct 13, 2018

Place Notary Seal Above

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 9th day of January, 2015.

By: Cassie J. Berrisford
Cassie J. Berrisford, Assistant Secretary

ID-1380(Rev.12/14)

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: Accepting Offer of Dedication for Roadway Purposes for road acceptance RA12-01249, San Ramon (Dougherty Valley) area, District II

RECOMMENDATION(S):
ADOPT Resolution No. 2015/59 accepting an Offer of Dedication for Roadway Purposes for recording only, for road acceptance RA12-01249 (cross-reference subdivision SD04-08852), for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The developer is required to construct Dougherty Road. The construction of Dougherty Road requires an Offer of Dedication of Right-of-Way to the County for Roadway Purposes.

CONSEQUENCE OF NEGATIVE ACTION:
The Offer of Dedication for Roadway Purposes will not be recorded.

CHILDREN'S IMPACT STATEMENT:
Not applicable.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

Contact: Jocelyn A. B. LaRocque, 925-313-2315

By: , Deputy

cc: Engineering Services, J. Hernandez, Department of Conservation and Development, Shapell Homes, 6800 Koll Ctr. Pkwy. Ste 320, Pton, 94588, Engineering Services, Originator, J. A.B. LaRocque, Engineering Services, W. Lai, First American Title Company, 6683 Owens Drive, Pleasanton, CA 94588 Attn: B Sal, City of San Ramon, C. Low

ATTACHMENTS

Resolution No.
2015/59

Offer of Dedication

Recorded at the request of: **BOARD OF SUPERVISORS**
Return To: **PUBLIC WORKS DEPARTMENT, ENGINEERING SERVICES**

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

Adopted this Resolution on 03/03/2015 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2015/59

IN THE MATTER OF accepting an Offer of Dedication for Roadway Purposes for road acceptance RA12-01249 (cross-reference subdivision SD04-08852), for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY:

INSTRUMENT: Offer of Dedication for Roadway Purposes REFERENCE: RA12-01249, (cross-reference subdivision SD04-08852)
APN: 222-270-038
GRANTOR: Shapell Industries Inc., a Delaware Corporation
AREA: San Ramon (Dougherty Valley)
DISTRICT: II

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: Jocelyn A. B. LaRocque, 925-313-2315

ATTESTED: March 3, 2015
David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Engineering Services, J. Hernandez, Department of Conservation and Development, Shapell Homes, 6800 Koll Ctr. Pkwy. Ste 320, Pton, 94588, Engineering Services, Originator, J. A.B. LaRocque, Engineering Services, W. Lai, First American Title Company, 6683 Owens Drive, Pleasanton, CA 94588 Attn: B Sal, City of San Ramon, C. Low

Recorded at the request of:
Contra Costa County
Public Works Department
Return to:
Public Works Department
Engineering Services Division
Records Section

Area: San Ramon
Roads: Dougherty Road
Co. Road No.: n/a
Development: RA 12-1249
APN: 222-270-038

OFFER OF DEDICATION – ROAD PURPOSES

Shapell Industries Inc., a Delaware Corporation, the undersigned, being the present title owner of record of the herein described parcel of land, do hereby make an irrevocable offer of dedication to **CONTRA COSTA COUNTY**, a political subdivision of the State of California and its successors or assigns, the fee title to real property for street, highway landscaping and other public purposes, including maintenance thereof, situated in the County of Contra Costa, State of California, as described in Exhibit "A" (written description) and as shown on Exhibit "B" (plat map), attached hereto.

It is understood and agreed that **CONTRA COSTA COUNTY** and its successors or assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein until such offer has been accepted by appropriate action of the Board of Supervisors, or of the local governing bodies of its successors or assigns.

The provisions hereof shall inure to the benefit of **CONTRA COSTA COUNTY** and its successors or assigns and will be binding upon the title owner of record and the owner's heirs, successors, or assigns.

The undersigned executed this instrument on _____.

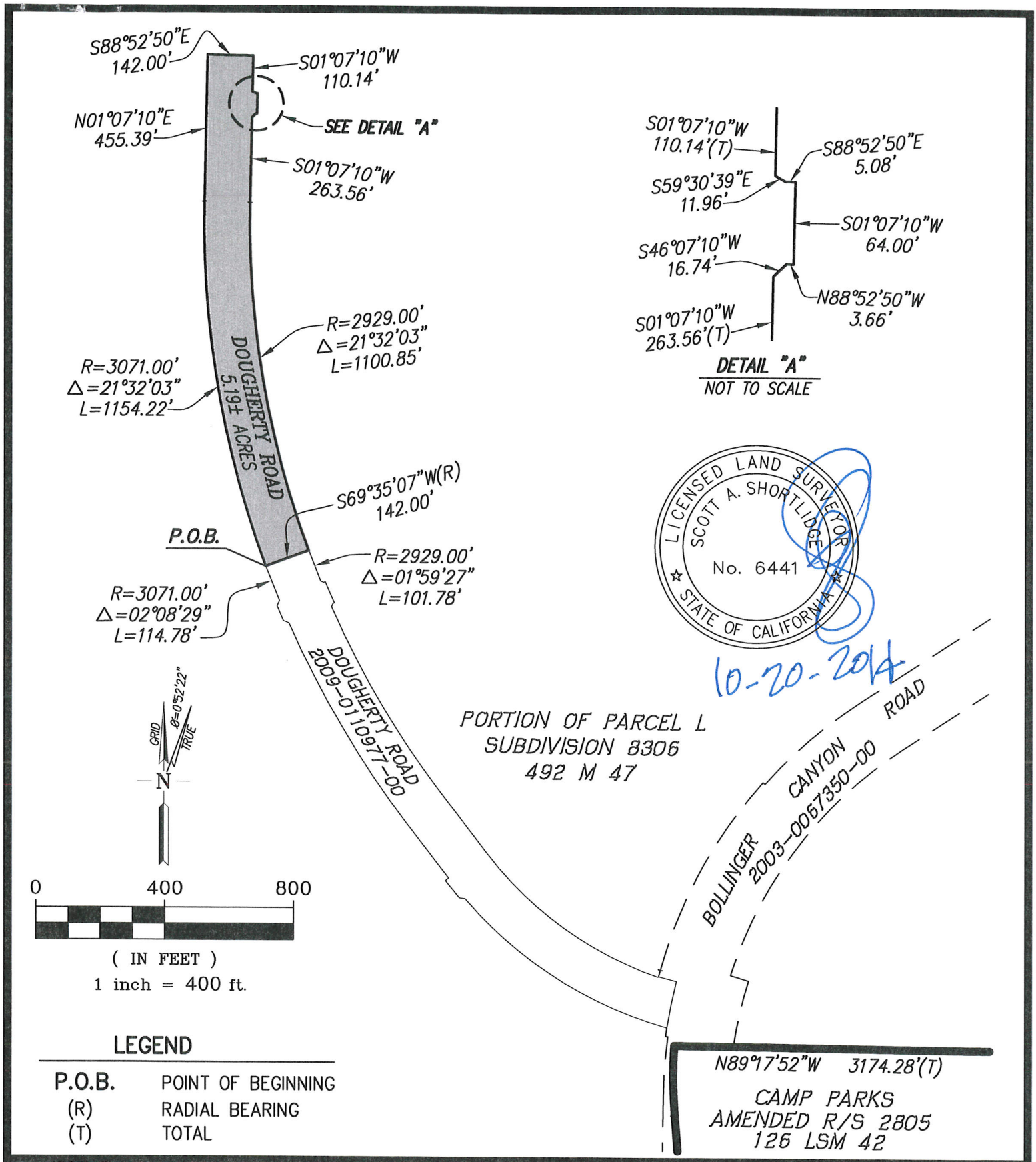
Shapell Industries Inc., a Delaware Corporation

(Signature) _____

(Signature) _____

(see attached notary)

G:\engsvc\Land Dev\RA\RA 12-1249\civil\OF-6 Road Purposes Dougherty.doc



LEGEND

P.O.B.	POINT OF BEGINNING
(R)	RADIAL BEARING
(T)	TOTAL

EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR
RIGHT OF WAY DEDICATION

CONTRA COSTA COUNTY, CALIFORNIA

G:\Galeph4\G4FINALMAPS\Plats\DOUGHERTY ROAD (RA1249).dwg

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS ▪ PLANNERS ▪ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:	DATE:	JOB NO.:
1"=400'	9-30-2014	125009

EXHIBIT "A"

Dougherty Road Right of Way

Land Description of a parcel of land situate in the County of Contra Costa, and State of California; and being a portion of Parcel "L" shown on that certain map entitled "SUBDIVISION 8306 GALE RANCH" filed on August 1, 2006 in Book 492 of Maps, at Pages 47 - 94, Official Records of Contra Costa County, and being more particularly described as follows:

Beginning at the northwest corner of the 6.24 acre Dougherty Road parcel described in the Offer of Dedication for Road Purposes to Contra Costa County described recorded on December 20, 2007 under document number 2007-0343148-00, and accepted by the City of San Ramon per Resolution 2009-074 recorded on May 15, 2009 under document number 2009-0110977-00 Official Records of Contra Costa County, same corner being at the beginning of a curve to the right from which the center bears North 69° 35' 07" East; Thence crossing through the above mentioned Parcel "L" for the following eleven (11) courses: (1) in a northerly direction 1154.22 feet along the arc of said curve to the right, having a radius of 3071.00 feet and through a central angle of 21° 32' 03", (2) North 01° 07' 10" East - 455.39 feet, (3) South 88° 52' 50" East - 142.00 feet, (4) South 01° 07' 10" West – 110.14 feet, (5) South 59° 30' 39" East – 11.96 feet, (6) South 88° 52' 50" East – 5.08 feet, (7) South 01° 07' 10" West – 64.00 feet, (8) North 88° 52' 50" West – 3.66 feet,

(9) South 46° 07' 10" West – 16.74 feet, (10) South 01°07' 10" West – 263.56 feet for the beginning of a curve to the left, and (11) in a southerly direction 1100.85 feet along the arc of said curve to the left, having a radius of 2929.00 feet and through a central angle of 21° 32' 03" to the northeast corner of the said 6.24 acre Dougherty Road parcel; Thence along the north line of the Dougherty Road parcel, South 69° 35' 07" West - 142.00 feet to the **Point of Beginning.**

Containing 5.19 Acres of land area, more or less.

End of Description

Prepared by:

LICENSED LAND SURVEYOR
SCOTT A. SHORTLIDGE
No. 6441
STATE OF CALIFORNIA

10-20-2014

Scott Shortlidge, LS 6441

Date

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California

County of Alameda

On **December 18, 2014,** before me, **Allison L. Gold**, Notary Public personally appeared **Robert D. Moore** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NCC1 ALLISON L. GOLD
Commission No. 1983302
NOTARY PUBLIC-CALIFORNIA
SANTA CLARA COUNTY
My Comm. Expires JULY 2, 2016 NCC1

Allison L Gold

Signature of Notary Public

Title or Type of Document: **Offer of Dedication**

Effective 1/1/08

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California

County of Alameda

On **December 22, 2014,** before me, **Allison L. Gold**, Notary Public personally appeared **Richard M. Nelson** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

NCC1

ALLISON L. GOLD
Commission No. 1983302
NOTARY PUBLIC-CALIFORNIA
SANTA CLARA COUNTY
My Comm. Expires JULY 2, 2016

NCC1

WITNESS my hand and official seal.

Allison L Gold

Signature of Notary Public

Title or Type of Document: **Offer of Dedication**

Effective 1/1/08

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: Accepting Offer of Dedication for Roadway Purposes for road acceptance RA12-01250, San Ramon (Dougherty Valley) area, District II

RECOMMENDATION(S):
ADOPT Resolution No. 2015/60 accepting an Offer of Dedication for Roadway Purposes for recording only, for road acceptance RA12-01250 (cross-reference SD04-08856), for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The developer is required to construct Hibiscus Road, Trumpet Vine Lane, Trefoil Road, and Zinnia Court. The construction of these new roads requires an Offer of Dedication of Right-of-Way to the County for Roadway Purposes.

CONSEQUENCE OF NEGATIVE ACTION:
The Offer of Dedication for Roadway Purposes will not be recorded.

CHILDREN'S IMPACT STATEMENT:
Not applicable.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

Contact: Jocelyn A. B. LaRocque, 925-313-2315

By: , Deputy

cc: Engineering Services, Originator, J. A.B. LaRocque, Engineering Services, W. Lai, Engineering Services, J. Hernandez, Department of Conservation and Development, Shapell Homes, 6800 Koll Ctr. Pkwy. Ste 320, Pton, 94588, First American Title Company, 6683 Owens Drive, Pleasanton, CA 94588 Attn: B Sal, City of San Ramon, C. Low

ATTACHMENTS

Resolution No.
2015/60

Offer of Dedication

Recorded at the request of: **BOARD OF SUPERVISORS**
Return To: **PUBLIC WORKS DEPARTMENT, ENGINEERING SERVICES**

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

Adopted this Resolution on 03/03/2015 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2015/60

IN THE MATTER OF accepting an Offer of Dedication for Roadway Purposes for road acceptance RA12-01250 (cross-reference SD04-08856), for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY:

INSTRUMENT: Offer of Dedication for Roadway Purposes REFERENCE: RA12-01250 (cross-reference SD04-08856)
APN: 222-270-038
GRANTOR: Shapell Industries, Inc., a Delaware Corporation
AREA: San Ramon (Dougherty Valley)
DISTRICT: II

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: Jocelyn A. B. LaRocque, 925-313-2315

ATTESTED: March 3, 2015
David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Engineering Services, Originator, J. A.B. LaRocque, Engineering Services, W. Lai, Engineering Services, J. Hernandez, Department of Conservation and Development, Shapell Homes, 6800 Koll Ctr. Pkwy. Ste 320, Pton, 94588, First American Title Company, 6683 Owens Drive, Pleasanton, CA 94588 Attn: B Sal, City of San Ramon, C. Low

Recorded at the request of:
Contra Costa County
Public Works Department
Return to:
Public Works Department
Engineering Services Division
Records Section

Area: San Ramon
Roads: Hibiscus Rd, Trumpet Vine Ln, Trefoil Rd, Zinnia Ct
Co. Road No.: n/a
Development: RA 12-1250
APN: 222-270-038

OFFER OF DEDICATION – ROAD PURPOSES

Shapell Industries Inc., a Delaware Corporation, the undersigned, being the present title owner of record of the herein described parcel of land, do hereby make an irrevocable offer of dedication to **CONTRA COSTA COUNTY**, a political subdivision of the State of California and its successors or assigns, the fee title to real property for street, highway landscaping and other public purposes, including maintenance thereof, situated in the County of Contra Costa, State of California, as described in Exhibit "A" (written description) and as shown on Exhibit "B" (plat map), attached hereto.

It is understood and agreed that **CONTRA COSTA COUNTY** and its successors or assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein until such offer has been accepted by appropriate action of the Board of Supervisors, or of the local governing bodies of its successors or assigns.

The provisions hereof shall inure to the benefit of **CONTRA COSTA COUNTY** and its successors or assigns and will be binding upon the title owner of record and the owner's heirs, successors, or assigns.

The undersigned executed this instrument on _____.

Shapell Industries Inc., a Delaware Corporation

(Signature) _____

(Signature) _____

(see attached notary)

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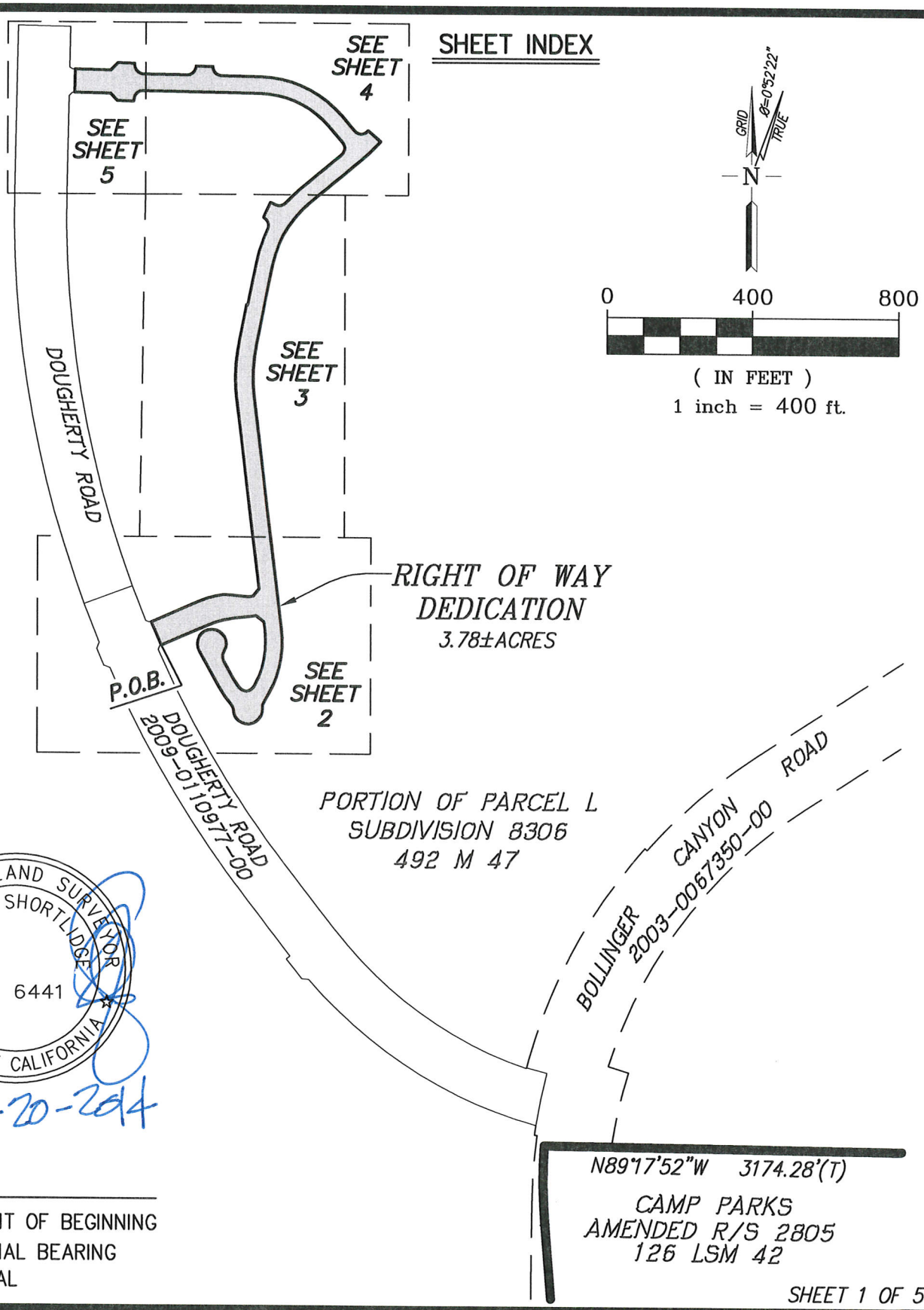

LICENSED LAND SURVEYOR
SCOTT A. SHORTLIDGE
No. 6441
STATE OF CALIFORNIA

10-20-2014

LEGEND

P.O.B.	POINT OF BEGINNING
(R)	RADIAL BEARING
(T)	TOTAL

EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR
RIGHT OF WAY DEDICATION

CONTRA COSTA COUNTY, CALIFORNIA

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RJA
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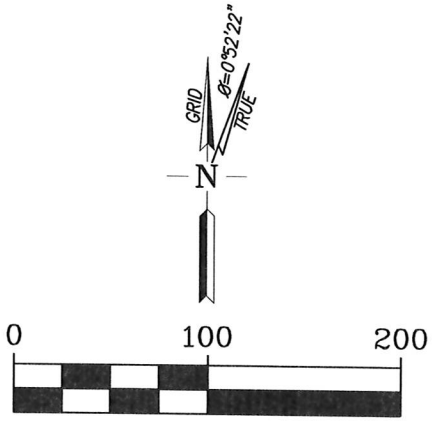
ENGINEERS ▪ PLANNERS ▪ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

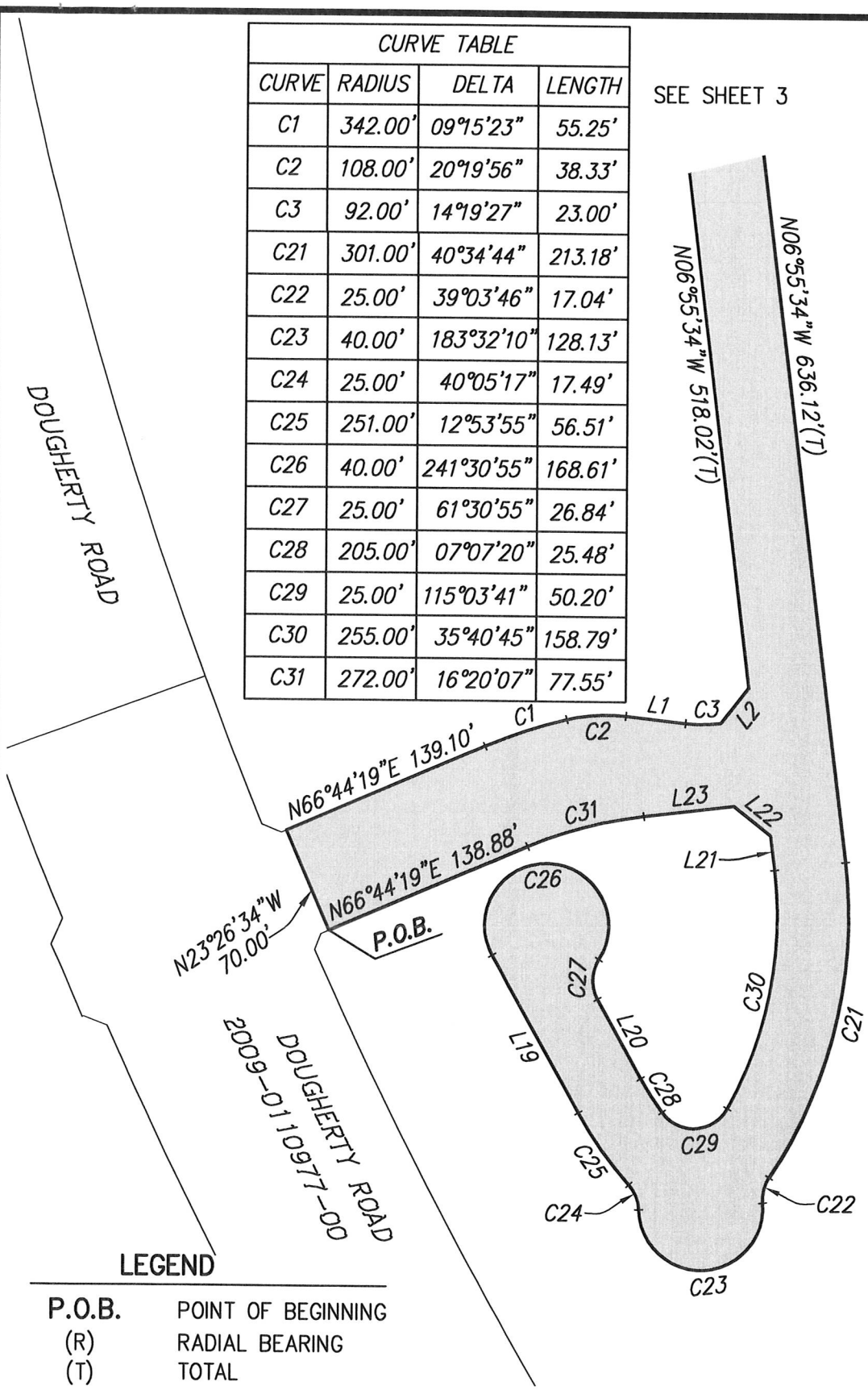
SCALE:	DATE:	JOB NO.:
1"=400'	9-30-2014	125010

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	342.00'	09°15'23"	55.25'
C2	108.00'	20°19'56"	38.33'
C3	92.00'	14°19'27"	23.00'
C21	301.00'	40°34'44"	213.18'
C22	25.00'	39°03'46"	17.04'
C23	40.00'	183°32'10"	128.13'
C24	25.00'	40°05'17"	17.49'
C25	251.00'	12°53'55"	56.51'
C26	40.00'	241°30'55"	168.61'
C27	25.00'	61°30'55"	26.84'
C28	205.00'	07°07'20"	25.48'
C29	25.00'	115°03'41"	50.20'
C30	255.00'	35°40'45"	158.79'
C31	272.00'	16°20'07"	77.55'

SEE SHEET 3



(IN FEET)
1 inch = 100 ft.



LINE TABLE		
LINE	BEARING	LENGTH
L1	N83°40'23"W	38.78'
L2	N38°04'26"E	28.68'
L19	N29°03'50"W	115.23'
L20	N29°03'50"W	58.10'
L21	N06°55'34"W	22.50'
L22	N51°55'34"W	30.12'
L23	N83°04'26"E	58.46'

PORTION OF PARCEL L
SUBDIVISION 8306
492 M 47

LEGEND

P.O.B.	POINT OF BEGINNING
(R)	RADIAL BEARING
(T)	TOTAL

EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR
RIGHT OF WAY DEDICATION

CONTRA COSTA COUNTY, CALIFORNIA

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS ▪ PLANNERS ▪ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:	DATE:	JOB NO.:
1"=100'	9-30-2014	125010

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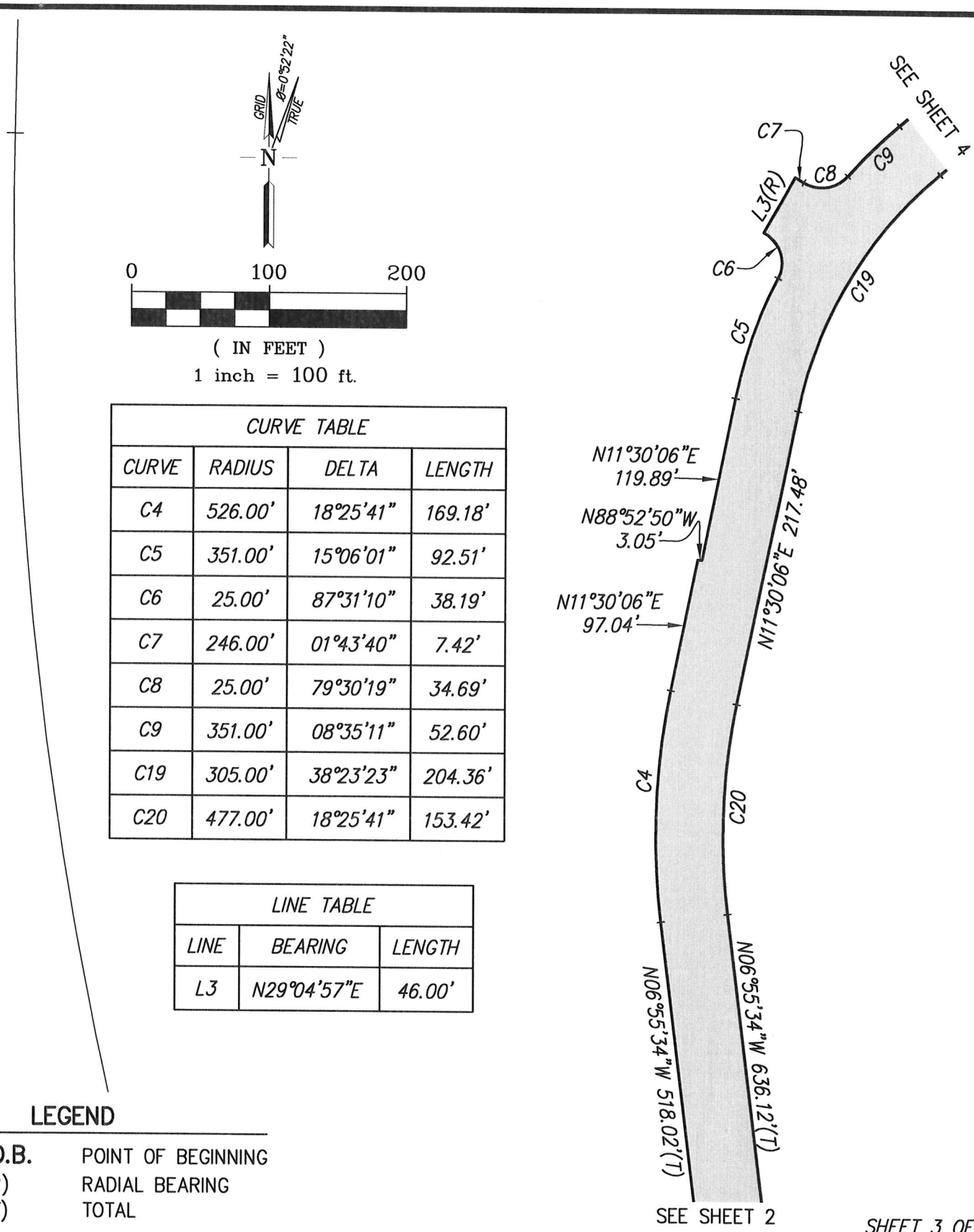

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C4	526.00'	18°25'41"	169.18'
C5	351.00'	15°06'01"	92.51'
C6	25.00'	87°31'10"	38.19'
C7	246.00'	01°43'40"	7.42'
C8	25.00'	79°30'19"	34.69'
C9	351.00'	08°35'11"	52.60'
C19	305.00'	38°23'23"	204.36'
C20	477.00'	18°25'41"	153.42'

LINE TABLE		
LINE	BEARING	LENGTH
L3	N29°04'57"E	46.00'

LEGEND

P.O.B.	POINT OF BEGINNING
(R)	RADIAL BEARING
(T)	TOTAL

SHEET 3 OF 5

EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR

RIGHT OF WAY DEDICATION

CONTRA COSTA COUNTY, CALIFORNIA

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1"=100'	9-30-2014	125010

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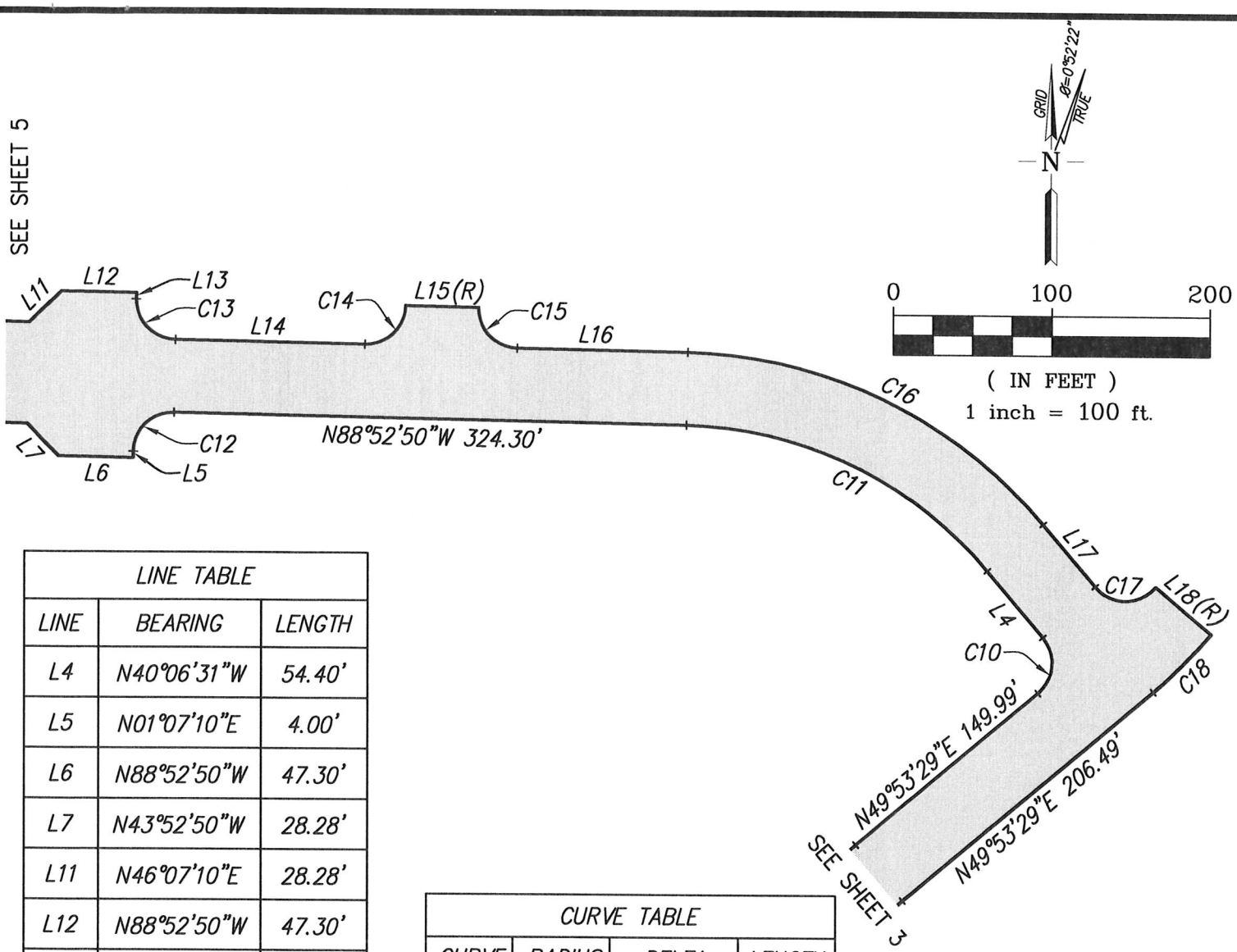

LINE TABLE		
LINE	BEARING	LENGTH
L4	N40°06'31"W	54.40'
L5	N01°07'10"E	4.00'
L6	N88°52'50"W	47.30'
L7	N43°52'50"W	28.28'
L11	N46°07'10"E	28.28'
L12	N88°52'50"W	47.30'
L13	N01°07'10"E	4.00'
L14	N88°52'50"W	120.00'
L15	N88°52'50"W	46.00'
L16	N88°52'50"W	108.30'
L17	N40°06'31"W	50.98'
L18	N49°59'52"W	46.00'

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C10	25.00'	90°00'00"	39.27'
C11	255.00'	48°46'19"	217.06'
C12	25.00'	90°00'00"	39.27'
C13	25.00'	90°00'00"	39.27'
C14	25.00'	90°00'00"	39.27'
C15	25.00'	90°00'00"	39.27'
C16	301.00'	48°46'19"	256.22'
C17	25.00'	99°53'22"	43.58'
C18	301.00'	09°53'22"	51.95'

LEGEND

P.O.B.	POINT OF BEGINNING
(R)	RADIAL BEARING
(T)	TOTAL

EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION
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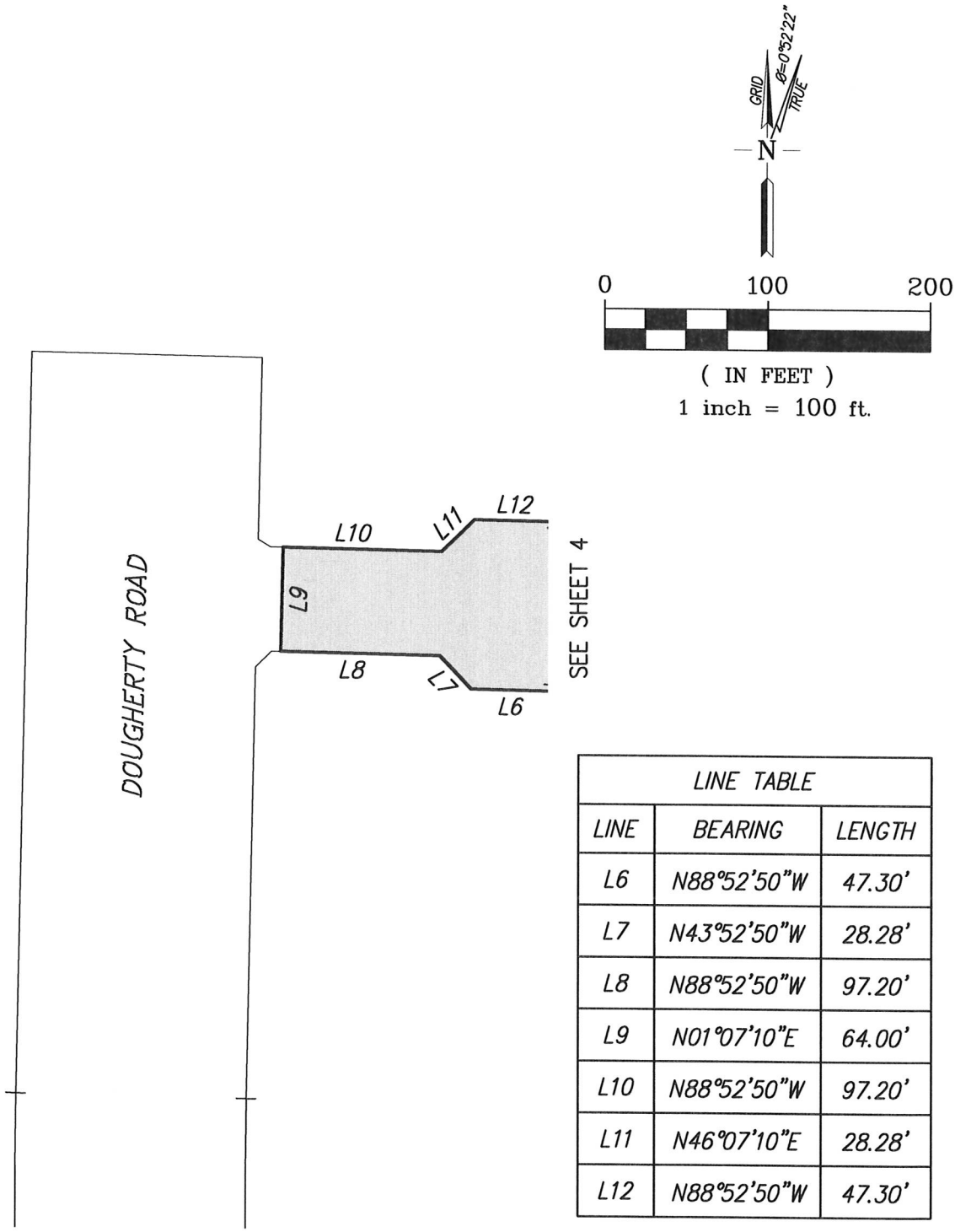

LINE TABLE		
LINE	BEARING	LENGTH
L6	N88°52'50"W	47.30'
L7	N43°52'50"W	28.28'
L8	N88°52'50"W	97.20'
L9	N01°07'10"E	64.00'
L10	N88°52'50"W	97.20'
L11	N46°07'10"E	28.28'
L12	N88°52'50"W	47.30'

LEGEND

P.O.B.	POINT OF BEGINNING
(R)	RADIAL BEARING
(T)	TOTAL

EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR

RIGHT OF WAY DEDICATION

CONTRA COSTA COUNTY, CALIFORNIA

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SCALE:	DATE:	JOB NO.:
1"=100'	9-30-2014	125010

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EXHIBIT "A"

Street Parcel

Land Description of a parcel of land situate in the County of Contra Costa, and State of California, and being a portion of Parcel "L" shown on that certain Tract Map entitled "SUBDIVISION 8306 GALE RANCH" filed on August 1, 2006 in Book 492 of Maps, at Pages 47 - 94, Official Records of Contra Costa County, and being more particularly described as follows:

Beginning at the corner on the east line of the 6.24 acre Dougherty Road parcel described in the Offer of Dedication for Road Purposes to Contra Costa County recorded on December 20, 2007 under document number 2007-0343148-00, and accepted by the City of San Ramon per Resolution 2009-074 recorded on May 15, 2009 under document number 2009-0110977-00 Official Records of Contra Costa County, same corner being at the south terminus of the course labeled "South 23° 26' 34" East – 71.99 feet"; Thence along said east line, North 23° 26' 34" West – 70.00 feet; Thence crossing through the Parcel "L" for the following sixty-five (65) courses: (1) North 66° 44' 19" East – 139.10 feet for the beginning of a curve to the right, (2) in an easterly direction 55.25 feet along the arc of said curve to the right, having a radius of 342.00 feet and through a central angle of 09° 15' 23", to a point of compound curvature, and (3) in a easterly direction 38.33 feet along the arc of said curve to the right, having a radius of 108.00 feet and through a central angle of 20° 19' 56", (4) South 83° 40' 23" East - 38.78 feet for the beginning of a curve to the left, (5) in an easterly direction 23.00 feet along the arc of

said curve to the left, having a radius of 92.00 feet and through a central angle of 14° 19' 27", (6) North 38° 04' 26" East – 28.68 feet, (7) North 06° 55' 34" West – 518.02 feet for the beginning of a curve to the right, (8) in a northerly direction 169.18 feet along the arc of said curve to the right, having a radius of 526.00 feet and through a central angle of 18° 25' 41", (9) North 11° 30' 06" East – 97.04 feet, (10) South 88° 52' 50" East – 3.05 feet, (11) North 11° 30' 06" East – 119.89 feet for the beginning of a curve to the right, (12) in a northeasterly direction 92.51 feet along the arc of said curve to the right, having a radius of 351.00 feet and through a central angle of 15° 06' 01" for the point of reverse curvature, (13) in a northwesterly direction 38.19 feet along the arc of said curve to the left, having a radius of 25.00 feet and through a central angle of 87° 31' 10", (14) North 29° 04' 57" East – 46.00 feet for the beginning of a curve to the left from which the center bears South 29° 04' 57" West, (15) in an southeasterly direction 7.42 feet along the arc of said curve to the left, having a radius of 246.00 feet and through a central angle of 01° 43' 40" for the beginning of a reverse curve to the right, (16) in a northeasterly direction 34.69 feet along the arc of said curve to the right, having a radius of 25.00 feet and through a central angle of 79° 30' 19" for the beginning of a reverse curve to the right, (17) in an northeasterly direction 52.60 feet along the arc of said curve to the right, having a radius of 351.00 feet and through a central angle of 08° 35' 11", (18) North 49° 53' 29" East – 149.99 feet for the beginning of a curve to the left, (19) in a northerly direction 39.27 feet along the arc of said curve to the left, having a radius of 25.00 feet and through a central angle of 90° 00' 00", (20) North 40° 06' 31" West – 54.40 feet for the beginning of a curve to the left, (21) in a northwesterly

direction 217.06 feet along the arc of said curve to the left, having a radius of 255.00 feet and through a central angle of 48° 46' 19", (22) North 88° 52' 50" West – 324.30 feet for the beginning of a curve to the left, (23) in a southwesterly direction 39.27 feet along the arc of said curve to the left, having a radius of 25.00 feet and through a central angle of 90° 00' 00", (24) South 01° 07' 10" West – 4.00 feet, (25) North 88° 52' 50" West – 47.30 feet, (26) North 43° 52' 50" West – 28.28 feet, (27) North 88° 52' 50" West – 97.20 feet, (28) North 01° 07' 10" East – 64.00 feet, (29) South 88° 52' 50" East – 97.20 feet, (30) North 46° 07' 10" East – 28.28 feet, (31) South 88° 52' 50" East – 47.30 feet, (32) South 01° 07' 10" West – 4.00 feet for the beginning of a curve to the left, (33) in a southeasterly direction 39.27 feet along the arc of said curve to the left, having a radius of 25.00 feet and through a central angle of 90° 00' 00", (34) South 88° 52' 50" East – 120.00 feet for the beginning of a curve to the left, from which point the center bears South 88° 52' 30" East, (35) in a northeasterly direction 39.27 feet along the arc of said curve to the left, having a radius of 25.00 feet and through a central angle of 90° 00' 00", (36) South 88° 52' 50" East – 46.00 feet for the beginning of a curve to the left, (37) in a southeasterly direction 39.27 feet along the arc of said curve to the left, having a radius of 25.00 feet and through a central angle of 90° 00' 00", (38) South 88° 52' 50" East – 108.30 feet for the beginning of a curve to the right, (39) in a southeasterly direction 256.22 feet along the arc of said curve to the right, having a radius of 301.00 feet and through a central angle of 48° 46' 19", (40) South 40° 06' 31" East – 50.98 feet for the beginning of a curve to the left, (41) in an easterly direction 43.58 feet along the arc of said curve to the left, having a radius of 25.00 feet and through a central angle of 99° 53'

22", (42) South 49° 59' 52" East – 46.00 feet for the beginning of a curve to the right from which the center bears North 49° 59' 52" West, (43) in a southwesterly direction 51.95 feet along the arc of said curve to the right, having a radius of 301.00 feet and through a central angle of 09° 53' 22", (44) South 49° 53' 29" West – 206.49 feet, for the beginning of a curve to the left, (45) in a southwesterly direction 204.36 feet along the arc of said curve to the left, having a radius of 305.00 feet and through a central angle of 38° 23' 23", (46) South 11° 30' 06" West – 217.48 feet, for the beginning of a curve to the left, (47) in a southerly direction 153.42 feet along the arc of said curve to the right, having a radius of 477.00 feet and through a central angle of 18° 25' 41", (48) South 06° 55' 34" East – 636.12 feet for the beginning of a curve to the right, (49) in a southwesterly direction 213.18 feet along the arc of said curve to the right, having a radius of 301.00 feet and through a central angle of 40° 34' 44" for the point of reverse curvature, (50) in a southerly direction 17.04 feet along the arc of said curve to the left, having a radius of 25.00 feet and through a central angle of 39° 03' 46" for the point of reverse curvature, (51) in a southerly direction 128.13 feet along the arc of said curve to the right, having a radius of 40.00 feet and through a central angle of 183° 32' 10" for the point of reverse curvature, (52) in a northwesterly direction 17.49 feet along the arc of said curve to the left, having a radius of 25.00 feet and through a central angle of 40° 05' 17" for the point of reverse curvature, (53) in a northwesterly direction 56.51 feet along the arc of said curve to the right, having a radius of 251.00 feet and through a central angle of 12° 53' 55", (54) North 29° 03' 50" West – 115.23 feet for the beginning of a curve to the right, (55) in a northeasterly direction 168.61 feet along the arc of said

curve to the right, having a radius of 40.00 feet and through a central angle of 241° 30' 55" for the point of reverse curvature, (56) in a southerly direction 26.84 feet along the arc of said curve to the left, having a radius of 25.00 feet and through a central angle of 61° 30' 55", (57) South 29° 03' 50" East – 58.10 feet for the beginning of a curve to the left, (58) in a southeasterly direction 25.48 feet along the arc of said curve to the left, having a radius of 205.00 feet and through a central angle of 07° 07' 20" for the point of compound curvature, (59) in a northeasterly direction 50.20 feet along the arc of said curve to the left, having a radius of 25.00 feet and through a central angle of 115° 03' 41" for the point of compound curvature, (60) in a northeasterly direction 158.79 feet along the arc of said curve to the left, having a radius of 255.00 feet and through a central angle of 35° 40' 45", (61) North 06° 55' 34" West – 22.50 feet, (62) North 51° 55' 34" West – 30.12 feet, (63) South 83° 04' 26" West – 58.46 feet for the beginning of a curve to the left, (64) in a southwesterly direction 77.55 feet along the arc of said curve to the left, having a radius of 272.00 feet and through a central angle of 16° 20' 07", and (65) South 66° 44' 19" West - 138.88 feet to the **Point of Beginning.**

Containing 3.78 Acres of land area, more or less.

End of Description

Prepared by:

LICENSED LAND SURVEYOR
SCOTT A. SHORTLIDGE
No. 6441
STATE OF CALIFORNIA

Scott Shortlidge, LS 6441

10-20-2014
Date

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California

County of Alameda

On **December 18, 2014,** before me, **Allison L. Gold**, Notary Public personally appeared **Robert D. Moore** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

NCC1 ALLISON L. GOLD
Commission No. 1983302
NOTARY PUBLIC-CALIFORNIA
SANTA CLARA COUNTY
My Comm. Expires JULY 2, 2016 NCC1

WITNESS my hand and official seal.

Allison L Gold
Signature of Notary Public

Title or Type of Document: **Offer of Dedication**

Effective 1/1/08

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California

County of Alameda

On **December 22, 2014,** before me, **Allison L. Gold**, Notary Public personally appeared **Richard M. Nelson** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NCC1 ALLISON L. GOLD
Commission No. 1983302
NOTARY PUBLIC-CALIFORNIA
SANTA CLARA COUNTY
My Comm. Expires JULY 2, 2016 NCC1

Allison L. Gold

Signature of Notary Public

Title or Type of Document: **Offer of Dedication**

Effective 1/1/08

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: Accepting Offer of Dedication for Drainage Purposes for road acceptance RA12-01250, San Ramon (Dougherty Valley) area, District II

RECOMMENDATION(S):
ADOPT Resolution No. 2015/61 accepting an Offer of Dedication for Drainage Purposes for recording only, for road acceptance RA12-01250 (cross-reference SD04-08856), for a project being developed by Shapell Industries Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The developer is required to construct drainage facilities to service Hibiscus Road, Trumpet Vine Lane, Trefoil Road, and Zinnia Court. The construction of drainage facilities along these roadways requires an Offer of Dedication to the County for Drainage Purposes.

CONSEQUENCE OF NEGATIVE ACTION:
The Offer of Dedication for Drainage Purposes will not be recorded.

CHILDREN'S IMPACT STATEMENT:
Not applicable.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Jocelyn A. B. LaRocque, 925-313-2315

cc: Engineering Services, Originator, J. A.B. LaRocque, Engineering Services, W. Lai, Engineering Services, J. Hernandez, Department of Conservation and Development, Shapell Homes, 6800 Koll Ctr. Pkwy. Ste 320, Pton, 94588, First American Title Company, 6683 Owens Drive, Pleasanton, CA 94588 Attn: B Sal, City of San Ramon, C. Low

ATTACHMENTS

Resolution No.
2015/61

Offer of Dedication

Recorded at the request of: **BOARD OF SUPERVISORS**
Return To: **PUBLIC WORKS DEPARTMENT, ENGINEERING SERVICES**

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

Adopted this Resolution on 03/03/2015 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2015/61

IN THE MATTER OF accepting an Offer of Dedication for Drainage Purposes for road acceptance RA12-01250 (cross-reference SD04-08856), for a project being developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY:

INSTRUMENT: an Offer of Dedication for Drainage Purposes REFERENCE: RA12-01250 (cross-reference SD04-08856)
APN 222-270-038
GRANTOR: Shapell Industries Inc., a Delaware Corporation
AREA: San Ramon (Dougherty Valley)
DISTRICT: II

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: Jocelyn A. B. LaRocque, 925-313-2315

ATTESTED: March 3, 2015
David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Engineering Services, Originator, J. A.B. LaRocque, Engineering Services, W. Lai, Engineering Services, J. Hernandez, Department of Conservation and Development, Shapell Homes, 6800 Koll Ctr. Pkwy. Ste 320, Pton, 94588, First American Title Company, 6683 Owens Drive, Pleasanton, CA 94588 Attn: B Sal, City of San Ramon, C. Low

Recorded at the request of:
Contra Costa County
Public Works Department
Return to:
Public Works Department
Engineering Services Division
Records Section

Area: San Ramon
Roads: Dougherty Road
Co. Road No.: n/a
Development: RA 12-1250
APN: 222-270-038

OFFER OF DEDICATION – DRAINAGE PURPOSES

Shapell Industries Inc., a Delaware Corporation, the undersigned, being the present title owner of record of the herein described parcel of land, does hereby make an irrevocable offer of dedication to **CONTRA COSTA COUNTY**, a political subdivision of the State of California, and its successors or assigns, of an easement for storm, flood, and surface water drainage, including construction, access or maintenance of work, improvements and structures, whether covered or open, or the clearing of obstructions and vegetation, upon the real property situated in the County of Contra Costa, State of California, described in Exhibit "A" (written description) and shown on Exhibit "B" (plat map), attached hereto.

It is understood and agreed that **CONTRA COSTA COUNTY** and its successors or assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein until such offer has been accepted by appropriate action of the Board of Supervisors, or of the local governing bodies of its successors or assigns.

The provisions hereof shall inure to the benefit of and be binding upon heirs, successors, assigns, and personal representatives of the respective parties hereto.

The undersigned executed this instrument on _____.

Shapell Industries Inc., a Delaware Corporation

(Signature) _____

(Signature) _____

(see attached notary)

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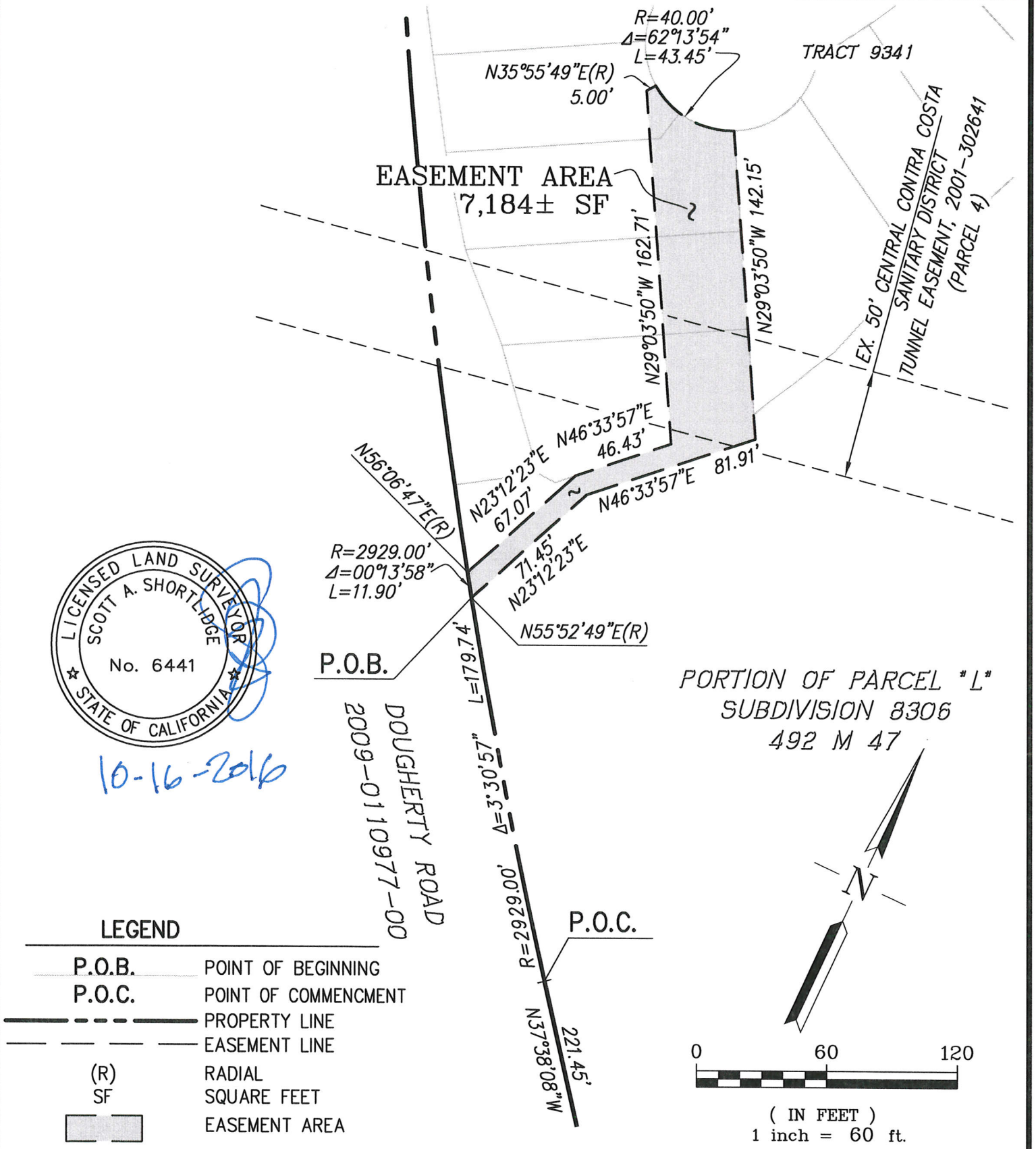

EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR STORM DRAIN EASEMENT

CONTRA COSTA COUNTY, CALIFORNIA

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS ▪ PLANNERS ▪ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:	DATE:	JOB NO.:
1"=60'	10-16-2014	125010

G:\GALEPH4\GAHINALMAPS\PLATS\SJE PARCEL L 9341.DWG 9/23/2014 12:02:17 PM

EXHIBIT "A"

Storm Drain Easement

Land Description of a parcel of land situate in the County of Contra Costa, State of California, same being a portion of "Parcel L" as shown on that certain map entitled "SUBDIVISION 8306 – GALE RANCH", filed on August 1, 2006, in Book 492 of Maps, at Pages 47 - 94, Official Records of Contra Costa County, and being more particularly described as follows:

Commencing at a point on the east line of the 6.24 acre Dougherty Road Easement described in the Offer of Dedication for Road Purposes to Contra Costa County recorded on December 20, 2007 under document number 2007-343148, and accepted by the City of San Ramon per Resolution 2009-074 recorded on May 15, 2009 under document number 2009-110977 Official Records of Contra Costa County, same corner being at the northerly terminus of the course described as "North 37° 38' 08" West – 221.45 feet" and at the beginning of a curve to the right; Thence with said east line in a northwesterly direction 179.74 feet along the arc of said curve to the right, having a radius of 2929.00 feet and through a central angle of 03° 30' 57" for the **Point of Beginning** hereof; Thence continuing with said east line in a northwesterly direction 11.90 feet along said curve to the right, having a radius of 2929.00 feet and through a central angle of 00° 13' 58"; Thence crossing through the "Designated Remainder" for the following eight (8) courses: (1) North 23° 12' 23" East – 67.07 feet, (2) North 46° 33' 57" East – 46.43 feet, (3) North 29° 03' 50" West – 162.71 feet, (4) North 35° 55' 49" East – 5.00 feet for the beginning of a curve to the left, from which the center bears North 35° 55' 49" East, (5) in a

southeasterly direction 43.45 feet along the arc of said curve to the left, having a radius of 40.00 feet and through a central angle of 62° 13' 54", (6) South 29° 03' 50" East – 142.15 feet, (7) South 46° 33' 57" West – 81.91 feet, and (8) South 23° 12' 23" West – 71.45 feet for the **Point of Beginning.**

Containing 7,184 sq.ft. of land area, more or less.

End of Description

Prepared by:

LICENSED LAND SURVEYOR
SCOTT A. SHORTLIDGE
No. 6441
STATE OF CALIFORNIA

Scott A. Shortlidge, LS 6441

10-16-2014

Date

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California

County of Alameda

On **December 18, 2014,** before me, **Allison L. Gold**, Notary Public personally appeared **Robert D. Moore** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

NCC1 ALLISON L. GOLD
Commission No. 1983302
NOTARY PUBLIC-CALIFORNIA
SANTA CLARA COUNTY
My Comm. Expires JULY 2, 2016 NCC1

WITNESS my hand and official seal.

Allison L Gold
Signature of Notary Public

Title or Type of Document: **Offer of Dedication**

Effective 1/1/08

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California

County of Alameda

On **December 22, 2014,** before me, **Allison L. Gold**, Notary Public personally appeared **Richard M. Nelson** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NCC1 ALLISON L. GOLD NCC1
Commission No. 1983302
NOTARY PUBLIC-CALIFORNIA
SANTA CLARA COUNTY
My Comm. Expires JULY 2, 2016

Allison L Gold
Signature of Notary Public

Title or Type of Document: **Offer of Dedication**

Effective 1/1/08

Contra Costa County

To: Board of Supervisors

From: Keith Freitas, Airports Director

Date: March 3, 2015

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 Tom Howell for a T-hangar at Buchanan Field Airport effective January 14, 2015 in the monthly amount of $383.74, Pacheco area.

FISCAL IMPACT:
The Airport Enterprise Fund will realize $4,604.88 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: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Beth Lee (844) 359-8687

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 January 14, 2015 ("**Effective Date**"), the COUNTY OF CONTRA COSTA, a political subdivision of the State of California ("**Airport**"), and Tom Howell ("**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 # A-01 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 January 14, 2015, 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 $383.74 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: March 3, 2015

Subject: Notice of Completion of Contract for the Upper Sand Creek Basin Project, Antioch area.

RECOMMENDATION(S):
ADOPT Resolution No. 2015/65 accepting as complete the contracted work performed by Goodfellow Top Grade Construction, LLC, for the Upper Sand Creek Basin Project, as recommended by the Chief Engineer, Antioch area. Project No. 7562-6D8518-10

FISCAL IMPACT:
Project was funded by 100% Drainage Area 130 Funds.

BACKGROUND:
The Chief Engineer reports that said work has been inspected and complies with the approved plans, special provisions and standard specifications and recommends its acceptance as complete as of April 11, 2014.

CONSEQUENCE OF NEGATIVE ACTION:
The contractor will not be paid and acceptance notification will not be recorded.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Kevin Emigh, 925-313-2233

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Resolution No. 2015/65

Recorded at the request of: **Clerk of the Board**
Return To: **Janet Dowling**

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

Adopted this Resolution on 03/03/2015 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2015/65

In the Matter of: Accepting and Giving Notice of Completion of Contract for the Upper Sand Creek Basin Project, Antioch area. Project No. 7562-6D8518-10

WHEREAS, the Board of Supervisors RESOLVES that on March 19, 2013, the County contracted with Goodfellow Top Grade Construction, LLC, for the work generally consisting of earthwork and grading for the basin and appurtenances, the creek low flow channel, dam construction, inlet and outlet structures, rock slope protection, maintenance access road, and pre-fabricated bridge in the Antioch area, with Travelers Casualty and Surety Company of America as surety, for work to be performed on the grounds of the County; and
The Chief Engineer reports that said work has been inspected and complies with the approved plans, special provisions and standard specifications and recommends its acceptance as complete as of April 11, 2014.

NOW, THEREFORE, BE IT RESOLVED said work is ACCEPTED as complete on said date, and the Clerk shall file with the County Recorder a copy of this resolution and Notice as a Notice of Completion for said contract.

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: Kevin Emigh, 925-313-2233

ATTESTED: March 3, 2015
David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: Adopt Resolution Requesting that the Flood Control District Adopt Annual Parcel Assessments for the County's Watershed Program. Project #7517-6W7091

RECOMMENDATION(S):

ADOPT Resolution No. 2015/66 establishing a rate of $30 per Equivalent Runoff Unit (ERU) for Stormwater Utility Area 17 (Unincorporated County) for Fiscal Year 2015/2016 and requesting that the Contra Costa County Flood Control & Water Conservation District (FC District) adopt annual parcel assessments for drainage maintenance and the National Pollutant Discharge Elimination System Program, Countywide. (100% Stormwater Utility Area 17 Funds)

FISCAL IMPACT:

The 2015/2016 rate per ERU is the same as that set for fiscal year 2014/2015. Therefore, there will be no change in rate for Unincorporated County property owners. The unincorporated area of Contra Costa County will produce approximately $2,700,000, which will be used to implement the Unincorporated County's Watershed Program. All associated costs funded 100% by Stormwater Utility Area 17 Funds.

BACKGROUND:

The Clean Water Program consists of the County, Contra Costa cities, and the FC District working together to prevent, reduce, or eliminate the discharge of pollutants into the storm drain system, including creeks and other natural waterways. The Clean Water Program was established in response to changes in the Federal Clean Water Act. The Program known at the federal level as the National Pollution Discharge Elimination System (NPDES) Program for Municipal Stormwater

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Dan Jordan (925) 313-2023

cc: Richard Seithel, County Administrator's Office, Bob Campbell, County Auditor-Controller's Office, Letitia Waters, County Auditor-Controller's Office , Tim Jensen, Flood Control, Cece Sellgren, County Watershed Program, Dan Jordan, County Watershed Program, Catherine Windham, Flood Control

BACKGROUND: (CONT'D)

Owners is in its fifteenth year. In order to be in compliance with the current NPDES permit, Clean Water Program participants implement a Stormwater Management Plan stipulating a set of activities and a performance or service level. The Stormwater Management Plan is a major component of the Joint Municipal NPDES Stormwater Permit with the California Regional Water Quality Control Boards and is paid for with stormwater utility fee assessments. Adoption of the attached resolution will begin the annual process of assessment adoption.

The Board of Supervisors is being asked to set a rate of $30 for one ERU in the Unincorporated County areas and to request that the FC District adopt the stormwater utility assessment. (The FC District is the only entity under state law with legal authority to assess this particular assessment.)

The Public Works Department coordinates the County Watershed Program for the County. Examples of how the assessment is being spent in the current year include:

1. General drainage maintenance to remove debris and sediment from County storm drain systems, flood control channels, and creeks.

2. Targeted street sweeping throughout the County.

3. Work with County Building Inspection and Public Works inspectors and construction companies/contractors to reduce construction contaminants, such as paint, cement, oil/fuels, and soil erosion from entering storm drains and creeks.

4. Encourage Planners and the development community to use new designs that will reduce contaminated stormwater runoff.

5. Educate the public on the benefits of reducing pesticides and other toxic household product use and their proper disposal.

6. Educate County Engineers and Maintenance staff on flood control design, construction, and maintenance practices that protect water quality and preserve natural watershed habitats.

7. Inspection of industrial and commercial businesses for evidence that spill prevention, equipment maintenance and cleaning, waste handling and disposal, and other business practices are done in a manner that minimizes stormwater contamination.

8. Educate marina operators and their marina users through a marina program.

9. Create an annual Watershed Calendar that is disseminated to all single-family households in the County to educate residents of pollution prevention measures that they can take to protect stormwater runoff and improve the water quality of our receiving waters.

CONSEQUENCE OF NEGATIVE ACTION:

If the rate per ERU is not set for the coming fiscal year, funds will not be available for the County's Watershed Program to comply with the Joint Municipal NPDES Stormwater Permit. The Regional Water Quality Control Boards have the authority to issue fines of up to $10,000 per day against those municipalities that do not comply with the Permit and fail to implement their Stormwater Management Plans.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Resolution No. 2015/66

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/03/2015 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2015/66

In The Matter of: ESTABLISH the rate per equivalent runoff unit for Stormwater Utility Area 17 (Unincorporated County) for Fiscal Year 2015/2016 and request that the Contra Costa County Flood Control & Water Conservation District (FC District) ADOPT an annual parcel assessment for drainage maintenance and the National Pollutant Discharge Elimination System (NPDES) Program, Countywide. (100% Stormwater Utility Area 17 Funds)

The Board of Supervisors of Contra Costa County RESOLVES THAT;

WHEREAS, under the Federal Water Pollution Control Act, prescribed discharges of stormwater require a permit from the appropriate California regional water quality board under the NPDES Program; and

WHEREAS, the COUNTY of CONTRA COSTA (County) did apply for, and did receive, an NPDES permit, which requires the implementation of selected Best Management Practices (BMPs) to minimize or eliminate pollutants from entering stormwaters; and

WHEREAS, it is the intent of the County to utilize funds received from its Stormwater Utility Area (SUA) for implementation of the NPDES Program and drainage maintenance activities; and

WHEREAS, at the request of the County, the FC District has completed the process for formation of an SUA, including the adoption of the Stormwater Utility Assessment Drainage Ordinance NO. 93-47; and

WHEREAS, the SUA and Program Group Costs Payment agreement between the County and the FC District requires that the County determine the rate to be assessed to a single Equivalent Runoff Unit (ERU) for the forthcoming fiscal year in the Unincorporated County; and

NOW, THEREFORE BE IT RESOLVED, that the County Board of Supervisors of the COUNTY of CONTRA COSTA does determine that the rate to be assigned to a single ERU for Fiscal Year 2015/2016 shall be set at $30.

BE IT FURTHER RESOLVED, that the County Board of Supervisors does hereby request the FC District to adopt SUA 17 levies based on said amount.

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: March 3, 2015

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

By: , Deputy

Contact: Dan Jordan (925) 313-2023

cc: Richard Seithel, County Administrator's Office, Bob Campbell, County Auditor-Controller's Office, Letitia Waters, County Auditor-Controller's Office , Tim Jensen, Flood Control, Cece Sellgren, County Watershed Program, Dan Jordan, County Watershed Program, Catherine Windham, Flood Control

Contra Costa County

To: Board of Supervisors

From: Keith Freitas, Airports Director

Date: March 3, 2015

Subject: Buchanan Field Airport East Ramp Taxi Lane Reconstruction Project

RECOMMENDATION(S):
AUTHORIZE the Public Works Director, or designee, to ADVERTISE Buchanan Field Airport East Ramp Hangar Taxi Lane Reconstruction Project. (County File #14-22). Project No. 4853-4651-FAS-6X5323, DCD-CP #14-22

FISCAL IMPACT:
The estimated construction cost is approximately $1,351,000 and it will be funded from the Airport Enterprise Fund.

BACKGROUND:
The Contra Costa County Public Works Department is in process of reconstructing and replacing the existing pavement with new material in the taxi lanes between the East Ramp hangars and the taxilane between the west end of the hangars and the aircraft tie-down area at Buchanan Field Airport. The project will also drainage improvements which include (1) installation of a small retaining wall (maximum height of 3') to replace the existing asphalt berm to prevent further erosion; and (2) replacing the deteriorated concrete channel with a new one to improve water flow.. This pavement is over 29 years old and in deteriorated condition. The proposed project is necessary to maintain the structural integrity of the

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Beth Lee, (925) 681-4200

cc:

BACKGROUND: (CONT'D)

taxi lanes as required by the Federal Aviation Administration for safety and operational purposes. The project is consistent with the Buchanan Field Airport Master Plan.

The Department of Conservation and Development previously determined that this project is a Categorical Exemption, under Section 153012 (Replacement/Reconstruction) of the California Environmental Quality Act (CEQA) Guidelines. The Notice of Exemption (County file CP #14-22) was administratively approved on June 11, 2014. Even though a Categorical Exemption has already been determined, our department still requires that Board of Supervisors to authorize the Public Works Direction, 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 which, depending on the weather, may jeopardize undertaking the project this year.

CHILDREN'S IMPACT STATEMENT:

Not Applicable

Contra
Costa
County

To: Board of Supervisors

From: Sharon L. Anderson, County Counsel

Date: March 3, 2015

Subject: Public report of litigation settlement agreements that became final during the period of December 16, 2014 through January 31, 2015

RECOMMENDATION(S):
RECEIVE public report of litigation settlement agreements that became final during the period of December 16, 2014 through January 31, 2015, as recommended by County Counsel.

FISCAL IMPACT:
Settlement amounts are listed below.

BACKGROUND:
Five agreements to settle pending litigation, as defined in Government Code section 54956.9, became final during the period of December 16, 2014 through January 31, 2015.

Raenette Gonzalez v. Contra Costa Regional Medical Center, et al., CCC Sup. Ct. Case No. C14-01758. On December 16, 2014, the Board of Supervisors authorized settlement of litigation arising out of a medical procedure at Contra Costa Regional Medical Center. Settlement in the amount of $65,000, inclusive of attorney fees and costs, was authorized in closed session by a 5-0 vote. The settlement became final on January 22, 2015. The settlement amount is paid through the Risk Management Medical Malpractice Internal Service Fund.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Thomas Geiger, (925) 335-1800

cc: Thomas Geiger, Assistant County Counsel, Sharon Hymes-Offord, Risk Manager

BACKGROUND: (CONT'D)

Daniel Rodriguez v. County of Contra Costa, et al., U.S.D.C. Case No. C13-2516 JSC (N.D.Cal.). On January 13, 2015, the Board of Supervisors authorized settlement of litigation arising out of a dog bite. Settlement in the amount of $65,000, inclusive of attorney fees and costs, was authorized in closed session by a 4-1 vote, Supervisor Piepho opposed. The settlement became final on January 14, 2015. The settlement amount is paid through the Risk Management Liability Internal Service Fund.

Jerri Curry v. Contra Costa County, U.S.D.C. Case No. C12-03940 WHO (N.D.Cal.). On December 2, 2014, the Board of Supervisors authorized settlement of employment-related litigation. Settlement in the amount of $155,000, inclusive of attorney fees and costs, was authorized in closed session by a 5-0 vote. The settlement became final on January 20, 2015. The settlement amount is paid through the Risk Management Liability Internal Service Fund.

Contra Costa County v. Antioch Parkridge Homeowners Assn., et al., CCC Sup. Ct. Case No. C10-01630. This was an action in eminent domain to acquire property in the Antioch area for the State Route 4 East widening project. It was agreed that the defendants would convey all necessary property interests to the County for $712,500, plus statutory interest and costs. The Board of Supervisors authorized the settlement on July 29, 2014, in closed session by a 5-0 vote. Judgment pursuant to the parties' stipulation was entered on December 18, 2014. The settlement will be paid through Contra Costa Transportation Authority funds.

County of Contra Costa v. Robert McAdam, et al., CCC Sup. Ct. Case No. C14-01387. On December 16, 2014, the Board of Supervisors authorized settlement of a lawsuit involving a defaulted subdivision. The bonding company agreed to pay the County $51,200 in settlement of the lawsuit. The settlement was authorized in closed session by a 5-0 vote. The settlement became final on December 16, 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:

N.A.

Contra
Costa
County

To: Board of Supervisors

From: Sharon Offord Hymes, Risk Manager

Date: March 3, 2015

Subject: Settlement of Claim, Sandra Lopez v. Contra Costa County

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RECOMMENDATION(S):
RECEIVE this report concerning the final settlement of Sandra Lopez and AUTHORIZE payment from the Medical Malpractice Internal Service Fund in an amount not to exceed $375,000.

FISCAL IMPACT:
Medical Malpractice Internal Service Fund payment of $375,000.

BACKGROUND:
Attorney W. David Walker, defense counsel for the County, has advised the County Administrator that within authorization an agreement has been reached settling the medical malpractice claim of Sandra Lopez v. Contra Costa County. The Board's November 4, 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 November 4, 2014 closed session vote of this Board authorizing its negotiated settlement are known publicly.

CONSEQUENCE OF NEGATIVE ACTION:
Case will not be settled.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Sharon Hymes-Offord, (925) 335-1442

cc:

CHILDREN'S IMPACT STATEMENT:

None.

Contra Costa County

To: Board of Supervisors

From: Russell Watts, Treasurer-Tax Collector

Date: March 3, 2015

Subject: Policy for Excess Proceeds Claims

RECOMMENDATION(S):
CONSIDER adopting Resolution No. 2015/68 to ESTABLISH a policy for distribution of excess proceeds from the sale of tax-defaulted property and AUTHORIZE the Treasurer-Tax Collector to implement the policy in accordance with Revenue and Taxation Code section 4675.

FISCAL IMPACT:
No negative financial impact on the County.

BACKGROUND:
Revenue and Taxation Code section 4675 provides for the distribution of monies from the sale of a tax-defaulted property where the sales price exceeds the amount of the property taxes and associated penalties, interest and costs owed on the property plus the costs related to the tax sale. It grants the Board of Supervisors certain powers in distributing these excess proceeds, such as determining the information and proof necessary to make a claim for excess proceeds and a claimant's order of priority to the proceeds. The statute permits the Board of Supervisors to authorize the Treasurer-Tax Collector to exercise the powers granted to the Board. The Board also may adopt rules and procedures relating to the authorization. The Auditor-Controller is required

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Brice Bins, (925) 957-2848

cc: Robert Campbell, Auditor-Controller

BACKGROUND: (CONT'D)

to record each act performed under the authorization.

The attached "Contra Costa County Policy Regarding Claims for Excess Proceeds" ("Policy") provides rules and procedures governing the distribution of excess proceeds. The Board's action will establish a formal policy regulating the distribution of excess proceeds in the County that would guide the Treasurer-Tax Collector in distributing the monies. Authorizing the Treasurer-Tax Collector, or designee, to distribute excess proceeds, rather than requiring the Board to consider these matters, will assist the Treasurer-Tax Collector to more quickly determine the proper distribution of excess proceeds and distribute those monies so the funds can be promptly paid to the persons entitled to them.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to take the recommended action will require the Board of Supervisors to provide guidance and approval concerning the appropriate distribution of monies after each tax sale where the sales price exceeds the costs related to the tax sale and property taxes and associated penalties, interest and costs owed on the property.

ATTACHMENTS

Resolution No. 2015/68

Excess Proceeds Claim Policy

Attachment 2

Attachment 3

Attachment 4

Attachment 5

Attachment 1

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/03/2015 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2015/68

Establishing a Policy for the Distribution of Excess Proceeds from the Sale of Tax-Defaulted Property and Authorizing the Treasurer-Tax Collector to Distribute Excess Proceeds in Accordance with the Policy. [Cal. Rev. & Tax. Code, §§ 4675, 4675.1, 4676].

WHEREAS:

a. Under Revenue and Taxation Code section 4675, the Contra Costa County Board of Supervisors is responsible for determining the distribution of excess proceeds from the sale of a tax-defaulted property;

b. The Contra Costa County Board of Supervisors may establish a policy for the distribution of the excess proceeds;

c. Revenue and Taxation Code section 4675.1 permits the Contra Costa County Board of Supervisors to authorize the County Treasurer-Tax Collector to implement the policy in accordance with Revenue and Taxation Code section 4675; and

d. The County Auditor is required to keep a record of the acts performed by the County Treasurer-Tax Collector under the authorization.

The Board of Supervisors of Contra Costa County RESOLVES THAT:

The attached Contra Costa County Policy Regarding Claims for Excess Proceeds ("Policy"), which establishes a policy for the distribution of excess proceeds from the sale of tax-defaulted property, is adopted. The forms attached to the Policy are provided only as samples and are not part of the Policy.

The Treasurer-Tax Collector, or designee, is authorized to perform acts under Revenue and Taxation Code section 4675 in accordance with the Policy, including any act required or authorized to be performed by the Board of Supervisors under this section. [Cal. Rev. & Tax. Code, § 4675.1.]

The Contra Costa County Auditor-Controller is required by law to keep a proper record of each claim paid under the provisions of this resolution. The Contra Costa County Treasurer-Tax Collector is to notify the Auditor-Controller of any litigation instituted concerning any claim made or paid under California Revenue and Taxation Code section 4675.

Contact: Brice Bins, (925) 957-2848

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: March 3, 2015

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

By: , Deputy

cc: Robert Campbell, Auditor-Controller

County of Contra Costa Policy Regarding Claims for Excess Proceeds

PURPOSE

I. California Revenue and Taxation Code section 4675 describes how excess proceeds from sales of tax-defaulted properties by a county tax collector must be distributed. This statute also identifies the information and proof necessary to establish a claimant's rights to all or any portion of excess proceeds.

II. The Contra Costa County Board of Supervisors through Resolution 15/____ has authorized the Contra Costa County Treasurer-Tax Collector to distribute excess proceeds in accordance with the rules and procedures set forth in this policy. [Cal. Rev. & Tax. Code, § 4675.1.]

RULES AND PROCEDURES

1. **NOTIFICATION**

   a. When excess proceeds from the sale of tax-defaulted property exceed one hundred fifty dollars ($150), the Treasurer-Tax Collector's Office has ninety (90) days to notify potential claimants of the right to claim excess proceeds. (A sample notice, "Notice of Excess Proceeds to Interested Parties", is attached as Attachment 1.)

   b. The law requires the Treasurer-Tax Collector's Office to mail notice to the last known mailing address of interested parties as identified by statute, (e.g., the last named owner on the assessment roll and lienholders). The Treasurer-Tax Collector's Office shall make a reasonable effort to obtain the name and last known mailing address of interested parties. [Cal. Rev. & Tax. Code, §§ 4675, 4676(c).]

   c. If the last known address of an interested party cannot be obtained, the law requires the Treasurer-Tax Collector's Office to publish notice of the right to claim excess proceeds in a newspaper of general circulation in the County, unless the cost to publish is equal to or greater than the amount of the excess proceeds.

2. **CLAIM REQUIREMENTS:** As described below, each claimant must submit a completed Contra Costa County Treasurer-Tax Collector's Excess Proceeds Claim

Form and supporting documentation, which provides information and proof of the claimant's right to all or any portion of excess proceeds.

2.1 CLAIM FORM

a. Along with Notice of Excess Proceeds to Interested Parties, the Treasurer-Tax Collector's Office will mail a Contra Costa County Treasurer-Tax Collector's Excess Proceeds Claim Form ("Claim Form") to the interested parties it has located after making a reasonable search. (A sample Claim Form is attached as Attachment 2.)

b. An interested party or other claimant must use the Claim Form to make a claim for excess proceeds.

c. If an interested party or other claimant does not receive the Claim Form or needs additional copies, the Claim Form may be obtained:
   i. by downloading it from the Contra Costa County website at www.cctax.us; or
   ii. upon request via standard USPS mail (if a claimant provides a self-addressed, stamped envelope for delivery), email or fax.

d. Failure to receive a Claim Form from the Treasurer-Tax Collector's Office is not an excuse for failing to properly and timely submit a claim on a Claim Form and supporting documentation.

2.2 INFORMATION ON FORM

a. The Claim Form must include the following information:
   1. Assessor Parcel Number.
   2. Last assessee/owner of record.
   3. Property address.
   4. Date of tax sale.
   5. Date the tax deed was recorded.
   6. Final date to submit claim for excess proceeds.
   7. The amount or percentage of excess proceeds of the claim (the amount of available excess proceeds from each tax sale is available on the County of Contra Costa Treasurer-Tax Collector's website at www.cctax.us > Gen'l Tax Information > Public Auction Information).
   8. Claimant's filing status, i.e.,:
      i. Person or entity, such as a business, trust or other legal entity, who held title to the tax-defaulted property ("Person with Title of Record");

ii. Lienholder of Record;
iii. Qualified Heir of Person with Title of Record; or
iv. Assignee of an Interested Party.

9. Claimant's name, address, telephone number, email address and signature.

b. The Claim Form must be verified under penalty of perjury and properly notarized. [Cal. Civ. Code, § 1189.]

2.3 **SUPPORTING DOCUMENTATION**

a. In addition to filing a completed, verified Claim Form, the claimant must also fill out and file applicable documentation described in Appendices A and B.
b. In those cases where original documents are required, the Treasurer-Tax Collector's Office will not accept lost document affidavits in place of the original documents.
c. The Treasurer-Tax Collector's Office will return original documents to the claimant(s) upon request if the claimant(s) provides a self-addressed envelope with sufficient postage, along with the completed Claim Form.

3. **SUBMISSION OF CLAIM**

a. **The deadline (the "Deadline") to file a completed claim with the Contra Costa County Treasurer-Tax Collector's Office is one (1) year following the date of the recording of the deed to the purchaser of the tax-defaulted property.**
   i. A claimant may not file or amend a claim after the Deadline. It is the claimant's sole responsibility to timely submit a complete claim, including all necessary supporting documentation.
   ii. A claimant may not rely on the Treasurer-Tax Collector's Office to approve or request information to supplement incomplete claims.
b. The claimant must mail completed claims, including all supporting documentation, to:

Treasurer-Tax Collector
County of Contra Costa
ATTN: EXCESS PROCEEDS
625 Court Street, Suite 100
Martinez, CA 94553

c. Each interested party must file his or her own claim, unless:
   i. the interested party has assigned his or her rights to another party. When the interested party has assigned his or her rights, the claim must include information and documentation establishing the assignment described in Appendices A and B (a sample Assignment of Right to Collect Excess Proceeds Form is attached as Attachment 3); or
   ii. the claim is submitted on behalf of an interested party by an agent, attorney in fact, or person with valid powers of attorney along with the evidence establishing such a relationship with the interested party described in Appendices A and B. In those cases where the Treasurer-Tax Collector's Office determines the claim is valid and there is sufficient excess proceeds, payment will be sent to the address of the attorney, agent, or attorney in fact, but shall only be made payable to the interested party.

d. Generally, each claimant must submit his or her claim in a separate envelope. However, multiple claimants may submit their individual claims (each claim on a separate Claim Form) in a single envelope <u>if</u> they are sharing supporting documentation.

e. For each claim filed on a Claim Form and received by the Deadline, the Treasurer-Tax Collector's Office will send the claimant a letter acknowledging receipt of claim. (A sample "Acknowledgement of Claim for Excess Proceeds Received" is attached as Attachment 4.)

4. <u>PRELIMINARY CLAIM REVIEW</u>

a. The Treasurer-Tax Collector's Office may review claims filed during the eleven (11) months following the recording of the deed to the purchaser for completeness. That preliminary review is intended as an opportunity for the Treasurer-Tax Collector's Office to make an evaluation of the claim for purposes of determining whether additional documentation is needed. However, the Treasurer-Tax Collector's Office does <u>not</u> guarantee any preliminary review of claims. Interested parties may contact the Treasurer-Tax Collector's Office to inquire about the status of the preliminary review and may submit missing documents or information during this period if notified by the Treasurer-Tax Collector's Office to do so. Missing documents or information will not be accepted after the Deadline.

b. The Treasurer-Tax Collector's Office may send a claimant one (1) Preliminary claim Review letter notifying the claimant of the Office's findings, including whether additional information needs to be provided. The Treasurer-Tax Collector's Office will send any such letters to the

address for claimant shown on the Claim Form. The Preliminary Claim Review letter may ask the claimant to submit any additional documentation that the Treasurer-Tax Collector's Office determines is necessary to complete the original claim. The claimant must file any such additional documentation with the Treasurer-Tax Collector's Office before the Deadline. No time extensions will be permitted.

c. The Treasurer-Tax Collector's Office will not perform a preliminary review of claims received during the final thirty (30) days of the one (1) year filing period.

d. The Treasurer-Tax Collector's Office will not accept claims, amendments to claims and supporting documentation after the Deadline.

5. **FINAL CLAIMS REVIEW**

a. After the Deadline, the Treasurer-Tax Collector's Office will perform a final review of the claim.

b. Except as provided in subsection (e) below, the Treasurer-Tax Collector, or designee, will decide, in his or her sole discretion, whether the claim and supporting documentation sufficiently evidence existence of a recorded document supporting claimant's right to excess proceeds.

c. The Treasurer-Tax Collector's Office will either approve or deny the claim, in whole or in part, and notify the claimant of the decision.

d. For each claim approved by the Treasurer-Tax-Collector's Office, the Treasurer-Tax Collector's Office will determine the order of claimant's priority to the excess proceeds. [See Cal. Rev. & Tax. Code, § 4675.]

e. In certain instances, the Treasurer-Tax Collector's Office may choose to file a legal action known as an "interpleader" to ask the Contra Costa County Superior Court to decide who should receive the excess proceeds. For example, this might occur when the validity of a claim or the priority of claimants to excess proceeds is unclear and there is a potential dispute among claimants.

6. **DISTRIBUTION OF EXCESS PROCEEDS**: After the Treasurer-Tax Collector's Office has distributed excess proceeds from a tax sale under Sections 4672, 4672.1, 4672.2, 4672.3, 4673 and 4673.1 of the Revenue and Taxation Code, it will distribute the remaining excess proceeds as follows:

a. The Treasurer-Tax Collector's Office will first deduct from the excess proceeds an amount equal to the costs of obtaining the name and last known mailing address of interested parties and of mailing or publishing required notices and distribute that amount to the Contra Costa County General Fund. [Cal. Rev. & Tax. Code, § 4676(d).]
b. If there are sufficient excess proceeds after the above-described distributions and those claims that have higher priority, a claimant will be paid amount of his or her claim that is approved by the Treasurer-Tax Collector's Office. [Cal. Rev. & Tax. Code, § 4675(e).]
c. The Treasurer-Tax Collector's Office will transfer any remaining excess proceeds that are not claimed by the time to do so under Revenue and Taxation Code section 4675(e) to the Contra Costa County General Fund. [Cal. Rev. & Tax. Code, § 4674.]

APPENDIX A

1. Person(s) with Title of Record 8

2. Qualified Heir or Successor of Person(s) with Title of Record or Other Interested Party 8

3. Lienholder(s) of Record 9

   a. Mortgage Lenders and Deed of Trust Beneficiaries 9
   b. Judgment Creditors 9

4. Assignee(s) of a Interested Party 10

1. **PERSON(S) WITH TITLE OF RECORD:** The person(s) or entity who held record title to the tax-defaulted property must submit the following documents:

   a. Original recorded documents (e.g., deed, court order) supporting claimant's right to excess proceeds as the person(s) or entity that held record title to the tax-defaulted property. Except as stated in (b) below, copies of these documents may be submitted in place of the original recorded document if accompanied by additional documentation sufficient to support the claim (e.g., at least two utility and/or tax bills for the property in the claimant(s)'s name, such as power, television, internet subscriptions, and original tax bills).
   b. If title to the property was in a recorded trust, the original trust document indicating that the claimant(s) is/are the trustee(s) or successor trustee(s) of the trust authorized to file claims on behalf of the trust.
   c. If a business held record title to the tax-defaulted property, the claimant must submit documents that show the business and claimant's right to make a claim. For the documents required of various business entities, please refer to Appendix B.

2. **QUALIFIED HEIR OR SUCCSSSOR OF PERSON(S) OR ENTITY WITH TITLE OF RECORD OR OTHER INTERESTED PARTY:** Qualified heir(s) of a person who held record title to the tax-defaulted property or other interested party must submit the following:

   a. Documentation proving claimant is an heir to a person(s) who held record title to the tax-defaulted property or other interested party (e.g., court order, petition for letters of administration).
   b. If applicable, a notarized probate affidavit. [Cal. Prob. Code, §§ 13100-13116.] A form affidavit is available for download on the Contra Costa County Treasurer-Tax Collector's website at www.cctax.us > Gen'l Tax Information > Public Auction Information and a sample is attached as Attachment 5.
   c. If applicable, the last will and testament and any codicils thereto of a person(s) who held record title to the tax-defaulted property or other interested party.
   d. If the interested party is a business, the claimant must submit documents that show the business and claimant's right to make a claim. For the documents required of various business entities, please refer to Appendix B.

3. **LIENHOLDER(S) OF RECORD**

a. **MORTGAGE LENDERS AND DEED OF TRUST BENEFICIARIES:** Mortgage lenders and deed of trust beneficiaries must submit the following information:

i. The original promissory note and all amendments or other modifications (if any) on the tax-defaulted property.
   a) Copies of any promissory note(s) and/or modifications of the promissory note(s) are unacceptable.
   b) The only alternative to providing an original promissory note is a court order pursuant to California Civil Code section 3415, which establishes the existence and terms of a lost note.

ii. The original or certified copy of the Deed of Trust/Mortgage.

iii. The original or certified copy of assignments (if any).

iv. A statement setting forth:
   a) the original amount of the obligation;
   b) any advances or modifications to the original obligation;
   c) the total amount of payments received and date(s) received; and
   d) the amount still due and payable as of the date of the sale of the tax defaulted property;
   e) if the note was in default according to its terms at the time of the tax sale (other than for defaulted taxes), documentation evidencing all collection efforts by the claimant; and

v. If the mortgage lender or deed of trust beneficiary is a business, the claimant must submit documents that show the business and claimant's right to make a claim. For the documents required of various business entities, please refer to Appendix B.

b. **JUDGMENT CREDITORS:** A judgment creditor must submit the following information:

i. Documents showing the judgment debtor was the person(s) who possessed record ownership of the tax-defaulted property at the time of the tax sale.

ii. A certified copy of the judgment(s).

iii. Any statement or orders setting forth any modification(s) to the judgment.

iv. A statement setting forth:
   a) the total amount of payments received and date(s) received; and

b) the amount still due and payable as of the date of the sale of the tax defaulted property.

v. If the judgment creditor is a business, the claimant must submit documents that show the business and claimant's right to make a claim. For the documents required of various business entities, please refer to Appendix B.

4. **ASSIGNEE(S) OF AN INTERESTED PARTY**: An assignee of an interested party must submit the following information:

a. A completed "Assignment of Right to Collect Excess Proceeds" form. The form is available for download on the Contra Costa County website at www.cctax.us > Gen'l Tax Information > Public Auction Information.

b. The "Assignment of Right to Collect Excess Proceeds" form must be:

i. verified under penalty of perjury;

ii. executed by all parties to the assignment;

iii. notarized [Cal. Civ. Code, § 1189]; and

iv. must contain the following information:

a) proof that the amount and source of excess proceeds was disclosed to the interested party;

b) that the interested party was advised of his or her right to file a claim for excess proceeds on his or her own behalf directly with the County at no cost; and

c) contact information of the interested party, including name, address phone number and email.

c. If the assignee of an interested party is a business, the claimant must submit documents that show the business and claimant's right to make a claim. For the documents required of various business entities, please refer to Appendix B.

Any attempted assignment that does not comply with these requirements shall have no effect and will be disallowed.

APPENDIX B

Claims filed on behalf of a business 12

Corporation 12

Limited Liability Company 13

Limited Partnership 13

General Partnership 13

Sole Proprietorship 14

Merged Business 14

Suspended Business 14

CLAIMS FILED ON BEHALF OF A BUSINESS

1. Each Claim Form filed on behalf of a business must be signed by an individual with corporate authority for the business, such as an officer, general partner, or the sole proprietor, depending on the legal status of the business.
2. Each claim filed on behalf of a business must provide proof of the Federal Employer Identification Number (FEIN) assigned to the business. Suggested documents include:
   i. "Letter of Confirmation" from the IRS showing assignment of the FEIN
   ii. Copy of tax receipt statement, such as:
      a. IRS Form 1098, statement of interest paid; or
      b. IRS Form 1099-INT or 1099-DIV, statement of interest or dividends earned; or
      c. IRS assignment of FEIN interact confirmation page;

   Tax returns, IRS Form SS-4 application or W-9 will not be accepted to verify FEIN.
3. In addition to the above-required information, claimants must also file the following documentation, as applicable:

i. CORPORATION

A claimant making a claim on behalf of a corporation must provide proof that the claimant is an officer of the corporation who has authority to make a claim on behalf of the corporation. The documentation also must show the legal standing of the corporation. Suggested documents include the following:

a. The articles of incorporation.
b. The most recent Statement of Information filed with the California Secretary of State (or equivalent from state in which business operates). If the business e-filed the Statement of Information, provide a copy of the Statement of Information and a copy of the payment receipt provided by the California Secretary of State.
c. A corporation resolution.
d. Certificate of Dissolution.
e. Other documents that prove claimant is a corporate officer who has authority to make a claim on behalf of the corporation.

Please note that a parent corporation, regardless of the percentage of shares owned, is not an interested party of its subsidiary's recorded lien or title of record because the parent corporation is merely a shareholder of its subsidiary corporation; it does not own the corporate property of its subsidiary.

ii. LIMITED LIABILITY COMPANY

A claimant making a claim on behalf of a limited liability company must provide proof claimant is a manager or officer of the limited liability company who has authority to make a claim on behalf of the company. The documentation also must show the legal standing of the limited liability company. Suggested documents include the following:

a. Company's resolution.
b. Company's operating agreement.
c. Articles of Organization.
d. The most recent Statement of Information filed with the Secretary of State (or equivalent from state in which business operates). If the business e-filed the Statement of Information, provide a copy of the Statement of Information and a copy of the payment receipt provided by the Secretary of State.
e. Certificate of Dissolution, if applicable.
f. Other documents that prove claimant is a manager or officer of the limited liability company.

iii. LIMITED PARTNERSHIP

A claimant making a claim on behalf of a limited partnership must provide proof that claimant is a general partner of the limited partnership who has authority to make a claim on behalf of the partnership. The documentation also must show the legal standing of the limited partnership. Suggested documents include the following:

a. Certificate of Limited Partnership filed with the California Secretary of State (or equivalent from state in which business operates). If the business e-filed, provide a copy of the document and a copy of the payment receipt provided by the California Secretary of State.
b. Partnership Agreement.
c. Certificate of Dissolution.
d. Other documents that prove that the claimant is a general partner of the Limited Partnership.

iv. GENERAL PARTNERSHIP

A claimant making a claim on behalf of a general partnership must provide proof that claimant is a general partner of the general partnership who has

authority to make a claim on behalf of the partnership. The documentation also must show the legal standing of the general partnership. Suggested documents include the following:

a. Statement of Partnership Authority.
b. Partnership Agreement.
c. Certificate of Dissolution, if applicable.
d. Other documents if they prove claimant is a general partner of the general partnership.

v. SOLE PROPRIETORSHIP

A claimant making a claim on behalf of a sole proprietorship must provide the following documentation:

a. Current or final federal tax return, including Schedule C.
b. Most current business license or facility permit.
c. Fictitious Business Name filing (filed with County), if applicable.
d. Other documents if they prove that claimant is the sole proprietor of the business.

vi. MERGED BUSINESS

If you are making a claim for a business that has merged with or sold to another business, please provide a copy of the merger or purchase agreement, along with the other required information.

vii. SUSPENDED BUSINESS

If you are claiming for a business that was previously suspended by either the California Secretary of State or the California Franchise Tax Board (FTB), provide proof that the business is no longer suspended, which may include:

a. A Certificate of Good Standing if the business was suspended by the California Secretary of State. You can obtain the certificate by contacting the California Secretary of State Information Services Office at (916) 657-5448, or by following the instructions located on the California Secretary of State's website.
b. A copy of an Entity Status Letter if the business was suspended by the FTB. You can obtain the letter by contacting the FTB at: Franchise Tax Board, P.O. Box 942857, Sacramento, CA 94244-2250, or by visiting the FTB's website.

Russell V. Watts, County Treasurer-Tax Collector
Attn: Excess Proceeds
625 Court St., Ste. 100
Martinez, CA 94553

FOR COUNTY USE ONLY

DATE FORM REC□D BACK

CLAIM FOR EXCESS PROCEEDS

PARCEL NUMBER: «PARCEL_NUMBER» ITEM NUMBER: «ITEM_PA_NO»

SITUS: «SITUS»

ASSESSEES: «ASSESSEES1»

«ASSESSEES11»

DATE PARCEL WAS SOLD: «DATE_SOLD»

DATE DEED TO PURCHASER RECORDED: «DATE_RECORDED

FINAL DATE TO SUBMIT CLAIM: «FINAL_DATE»

I claim excess proceeds as defined under Revenue and Taxation Code Section 4675. My interest in the excess proceeds is the following (check one):

☐ Person with Title of Record
☐ Qualified Heir(s) of Person with Title of Record or Other Interested Party
☐ Lienholder of Record
☐ Assignee of a Party of Interest

Total amount I am claiming: $ _____

☐ I have enclosed documents supporting this claim as provided in the County of Contra Costa Policy Regarding the Submission of Claims for Excess Proceeds, Section 2.3 and Appendices A and B.

I am making this claim (check one): ☐ For myself ☐ On behalf of:_____
(Name of business)

I declare under penalty of perjury under the laws of the State of California that <u>that this claim is due and payable to me</u> and the foregoing is true and correct:

_____
Name of Claimant Signature of Claimant

_____
Mailing Address Daytime Phone and Email Address

A NOTARIZED ACKNOWLEDGMENT MUST BE ATTACHED

INSTRUCTIONS FOR FILING CLAIM
(See Claim Form on Reverse Side)

California Revenue and Taxation Code section 4675 states in part (paraphrased):

Parties of interest and their order of priority are:

a) First, lien holders of record prior to the recordation of the tax deed to the purchaser, in the order of their priority.

b) Then, any person with title of record to all or any portion of the property prior to the recordation of the tax deed to the purchaser. In the event that a person with title of record is deceased at the time of distribution of excess proceeds, the heirs may submit an affidavit pursuant to Chapter 3 (commencing with section 13100) of Part 1 of Division 8 of the Probate Code to support their claim for excess proceeds.

c) A party of interest in the property at the time of the sale may assign his or her right to claim the excess proceeds only by a dated, written instrument that explicitly states that the right to claim the excess proceeds is being assigned, and only after each party to the proposed assignment has disclosed to each other party to the proposed assignment all facts of which he or she is aware relating to the value of the right that is being assigned (§4675).

If you believe you qualify as a party of interest in the sale of tax-defaulted property described on this claim form, please fill out the form stating your status as a party of interest and providing supporting documentation of that status. In completing and submitting your claim, you must follow the instructions in the County of Contra Costa Policy Regarding the Submission of Claims for Excess Proceeds. You have been sent a copy of the Policy with the Claim Form. If you need another copy of the Policy, it is available on the Contra Costa County Treasurer-Tax Collector's website at www.cctax.us or by calling (925) 957-5280 between 9:00 a.m. and 4:00 p.m., weekdays.

PLEASE NOTE: Claims will be processed after one year has passed from the date of the recording of the deed to the purchaser. In order to be considered by the County Treasurer-Tax Collector, completed claims must be received BEFORE THE EXPIRATION OF ONE YEAR following the date of the recording of the deed to the purchaser. Please see the FINAL DATE TO SUBMIT CLAIMS appearing on the enclosed notice. Following the Treasurer-Tax Collector's review, the claim will either be approved or denied. The Treasurer-Tax Collector will notify you of the decision. Should the claim be approved, the County Auditor-Controller will issue a county warrant in payment.

COUNTY OF CONTRA COSTA
ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

I, _____ (the "Assignor"), do hereby assign to _____ (the "Assignee") my right to apply for and collect the excess proceeds from the sale of Assessor's Parcel Number _____ sold at public auction on _____. [Cal. Rev. & Tax. Code, § 4675]. I understand that the Contra Costa County Treasurer-Tax Collector is holding excess proceeds in the total amount of $_____. Although I have a right to all or a portion of the excess proceeds, I am voluntarily giving up my right to file a claim for them. For valuable consideration received, I have sold my right to collect any excess proceeds to the Assignee. I have disclosed to the Assignee all facts of which I am aware relating to the value of this right I am assigning.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

_____	_____
(Signature of Assignor/ Interested Party)	(Interested Party/Assignor Name Printed)
_____	_____
(Date)	(Address)
	_____
	(City/State/Zip)
_____	_____
(Area Code/Telephone Number)	(Email)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA)

On _____ (Date),

before me, _____ (Name and Title of Officer),

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 paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL

_____
Signature of Notary Public

COUNTY OF CONTRA COSTA
ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

I, _____ (the "Assignee"), have disclosed to _____ (the Assignor), pursuant to Section 4675 of the California Revenue and Taxation Code, all facts of which I am aware relating to the value of the right being assigned, that I have disclosed to the Assignor the full amount of excess proceeds available in the amount of $_____, and that I have advised the Assignor of his or her right to file a claim on his or her own without assigning that right.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

_____	_____
(Signature of Assignee)	(Assignee Name Printed)
_____	_____
(Date)	(Address)
	_____
	(City/State/Zip)
_____	_____
(Area Code/Telephone Number)	(Email)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA)

On _____ (Date),

before me, _____ (Name and Title of Officer),

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 paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL

_____
Signature of Notary Public

Contra Costa County
Tax-Collector's Office
625 Court Street
Finance Building, Room 102
Martinez, California 94553-1231
(925) 957-5280
(925) 957-2899 FAX

Russell V. Watts
Treasurer-Tax Collector

Brice E. Bins
Chief Deputy
Treasurer-Tax Collector

ACKNOWLEDGEMENT OF CLAIM FOR EXCESS PROCEEDS RECEIVED

«DATE_OF_LETTERS__FORMS»

«NAME»

«ADDRESS»

«CITYSTATEZIP»

Assessee: **«ASSESSEES1» «ASSESSEES11»**

Situs: **«SITUS»**

Parcel Number: **«PARCEL_NUMBER»**

Date Deed to Purchaser Recorded: **«DATE_RECORDED»**

Date Sold**: «DATE_SOLD»**

Final Date to Submit Claim: **«FINAL_DATE»**

Dear «NAME»:

This letter acknowledges receipt of your claim for excess proceeds by the Contra Costa County Treasurer-Tax Collector's Office. Please refer to the status of your claim as indicated below:

☐ Upon preliminary review, the claim was timely received and contains the required Contra Costa County Treasurer-Tax Collector form(s) and supporting documentation.

☐ The claim was timely received but will not undergo a preliminary review. The instructions for filing a claim are contained in County of Contra Costa Policy Regarding the Submission of Claims for Excess Proceeds, which may be downloaded at www.cctax.us.

☐ The claim was timely received but incomplete. Please refer to the County of Contra Costa Policy Regarding the Submission of Claims for Excess Proceeds, which contains the instructions for filing a claim. The Policy may be downloaded at www.cctax.us.

☐ The claim was received after the final due date to submit a claim for excess proceeds. The claim is denied.

☐ Please contact Eric Moe at (925) 957-2813 for further information.

If you have any questions, please contact Eric Moe at (925) 957-2813 between 9:00 a.m. and 4:00 p.m., weekdays.

Sincerely,

Russell V. Watts

AFFIDAVIT UNDER CALIFORNIA PROBATE CODE SECTION §13101

The undersigned state(s) as follows: _____ (name of decedent) died on

_____(date), in the City of _____, County of _____,

State of _____ and:

1. At least forty days have elapsed since the death of the decedent, as shown by the attached certified copy of decedent's death certificate. (Attach a copy of the death certificate.)

2. Check one of the following, as appropriate:

   ☐ No proceeding is now being or has been conducted in California for administration of the decedent's estate.

   ☐ The decedent's personal representative has consented in writing to the payment, transfer, or delivery to the affiant of the property described in this affidavit.

3. The current gross fair market value of the decedent's real and personal property in California, excluding the property described in the California Probate Code Section 13050, does not exceed $150,000.

4. Check one of the following, as appropriate:

   ☐ An Inventory and Appraisal of the real property in the decedent's estate is attached *(Probate Form DE-160, DE-161)*, or

   ☐ There is no real property in the estate.

5. The following is a description of the property that is to be paid, transferred or delivered to the undersigned under the provisions of California Probate Code section 13100:

   _____

   _____

   _____

   (If more information, please attach additional sheets if necessary.)

6. The successor(s) of the decedent, as defined in Probate Code Section 13006, is/are:

   _____

7. Check one of the following, as appropriate:

   ☐ The undersigned is/are successor(s) of the decedent to the decedent's interest in the described property, or

   ☐ The undersigned is/are authorized under California Probate Code Section 13051 to act on behalf of the successor(s) of the decedent with respect to the decedent's interest in the described property.

8. No other person has a superior right to the interest of the decedent in the described property.

9. The undersigned requests that the described property be paid, delivered or transferred to the undersigned.

I/we declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date	Printed name	Signature

(Attach an additional sheet if necessary.)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA)

On _____ (Date),

before me, _____ (Name and Title of Officer),

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 paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL

_____
Signature of Notary Public

Contra Costa County
Tax-Collector's Office
625 Court Street
Finance Building, Room 102
Martinez, California 94553-1231
(925) 957-5280
(925) 957-2899 FAX

Russell V. Watts
Treasurer-Tax Collector

Brice E. Bins
Chief Deputy
Treasurer-Tax Collector

NOTICE OF EXCESS PROCEEDS TO INTERESTED PARTIES

Date

Name
Address
City, State Zip

Assessee:

Situs:

Parcel Number: Date Deed to Purchaser Recorded:

Date Sold**:** Final Date to Submit Claim:

The property referenced above was declared subject to the tax collector's power of sale for non-payment of taxes and later sold. Interested parties in the excess proceeds from the tax sale (i.e., the last assessee and any lienholders of record) have a right to file a claim for any excess proceeds that remain after taxes and costs of the sale have been satisfied. [Cal. Rev. & Tax. Code, § 4675.]

Our records indicate that you may be an interested party, and we have enclosed a claim form for your convenience, along with instructions for submitting your claim, which are found in the County of Contra Costa Policy Regarding the Submission of Claims for Excess Proceeds. Please note that your claim must be received within one year of the date the deed to the purchaser was recorded (shown above) following the tax sale of the property. By law, claims filed after the one-year period cannot be accepted.

Statute provides that interested parties and their order of priority are:

a) First, lienholders of record prior to the recordation of the tax deed to the purchaser in the order of their priority. [Cal. Rev. & Tax. Code, § 4675(e)(1)(A).]

b) Second, any person with title of record to all or any portion of the property prior to the recordation of the tax deed to the purchaser. [Cal. Rev. & Tax. Code, § 4675(e)(1)(B).]

If you consider yourself to be an interested party in the sale of the above-referenced property, please fill out the enclosed claim form and return it, along with documentation supporting your claim, to:

Contra Costa County Tax Collector
ATTN: Excess Proceeds
625 Court Street, Room 100
Martinez, CA 94553

Additional forms and the County of Contra Costa Policy Regarding the Submission of Claims for Excess Proceeds may be downloaded at www.cctax.us. If you need assistance or have any questions, please email us at taxinfo@tax.cccounty.us, come to our office in person at 625 Court Street, Room 102 in Martinez or call (925) 957-5280 between 9:00 a.m. and 4:00 p.m., weekdays. Claims for excess proceeds may be submitted by interested parties directly to the Contra Costa County Tax Collector at no cost.

Sincerely,

Russell V. Watts

Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 3, 2015

Subject: claims

RECOMMENDATION(S):
DENY claims filed by Kevin Crane, Marc Croke, Cuberto, Eduardo, Elizabeth, Omar and Edgar Ruiz, and Mona Tom. DENY late claim filed by Michael Littman.

FISCAL IMPACT:
None.

BACKGROUND:
*

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Joellen Balbas
925.335.1906

cc:

Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 3, 2015

Subject: ACCEPT Board Members Reports for the month of January 2015.

RECOMMENDATION(S):
ACCEPT Board Members Reports for the month of January 2015.

FISCAL IMPACT:
none.

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

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Joellen Balbas
925.335.1906

cc:

ATTACHMENTS

District II Report

District I

District IV 1-15 report

District III 1-2015
report

Supervisor Candace Andersen – Monthly Meeting Report *January 2015*

Date	Meeting	Location
5	SWAT	Lafayette
6	Board of Supervisors - Reorg	Martinez/Richmond
7	County Connection O & S	Danville
8	Kiwanis Club of Moraga Valley/Speaking Event	Moraga
8	BAYRICS	Dublin
12	Alamo Liaison	Danville
12	Danville Rotary/Speaking Event	Danville
13	Board of Supervisors	Martinez
14	LAFCO	Martinez
14	Street Smarts	Danville
15	CCCTA	Concord
15	Con Fire Graduation	Pleasant Hill
15	East Bay EDA	Richmond
15	ABAG	Oakland
19	MLK, Jr Event	Alamo
20	Board of Supervisors	Martinez
20	TRAFFIX	Danville
20	Rossmoor Speaking Engagemt	Rossmoor
22	East Bay EDA	Danville
22	East Bay Leadership Dinner	Concord
23	CTP Ad Hoc	Walnut Creek
26	CCCSWA	Walnut Creek
26	State of City Mayors' Address	Walnut Creek
26	TVTC	Danville
27	BOS Board Retreat	Pinole
29	CCCSWA Board	Walnut Creek
30	EBRCSA	Alameda
30	EB Leadership State of the East Bay	San Ramon
30	State of City/Businessperson of Yr	Lafayette

Supervisor John Gioia

January - 2015 Monthly Meeting Report

Date	***Meeting***	***Location***
6	BOS Meeting	Martinez
12	Public Protection Committee	Martinez
13	BOS Meeting	Martinez
13	City of Richmond Mayor & City Council Swearing In Ceremony	Richmond
16	Bay Area Joint Policy Committee	Oakland
17	El Sobrante Chamber Board Installation	El Sobrante
19	MLK El Cerrito Program	El Cerrito
20	BOS Meeting	Martinez
23	WCCTAC Board of Directors	El Cerrito
23	Presentation/Richmond Chamber Installation	Richmond
26	Ad Hoc Committee/Warning System & Industrial Safety Ordinance	Martinez
26	Special Public Protection Committee	Martinez
27	BOS Meeting-Retreat	Pinole
28	U.S. Chemical Safety Board Meeting	Richmond
30	State of the East Bay w/Chairs, Contra Costa & Alameda	San Ramon
31	Speak Panel/Annual Bay League of Women Voters Day	Oakland

Supervisor Karen Mitchoff
January 2015

DATE	MEETING NAME	LOCATION	PURPOSE
1/6/2015	Board of Supervisors Meeting	Martinez	Decisions on agenda items
1/10/2015	Skate for Hope CASA Event	Walnut Creek	Community Outreach
1/12/2015	Pleasant Hill Library Task Force Meeting	Pleasant Hill	Decisions on agenda items
1/13/2015	Board of Supervisors Meeting	Martinez	Decisions on agenda items
1/14/2015	CCCERA Board Meeting	Concord	Decisions on agenda items
1/15/2015	Fire Academy Graduation	Concord	Community Outreach
1/15/2015	ABAG Executive Board Meeting	Oakland	Decisions on agenda items
1/20/2015	Board of Supervisors Meeting	Martinez	Decisions on agenda items
1/21/2015	BAAQMD Special Meeting Retreat	South San Francisco	Decisions on agenda items
1/21/2015	CCTA Authority Meeting	Walnut Creek	Decisions on agenda items
1/22/2015	East Bay USA Dinner	Concord	Community Outreach
1/26/2015	Walnut Creek's State of the City	Walnut Creek	Community Outreach
1/27/2015	Board of Supervisors Retreat	Pinole	Decisions on agenda items
1/28/2015	CCCERA Board Meeting	Concord	Decisions on agenda items
1/29/2015	Concord GAC Meeting	Concord	Community Outreach
1/29/2015	CCCSWA Board Meeting	Walnut Creek	Decisions on agenda items
1/29/2015	Pleasant Hill Citizen of the Year Dinner	Pleasant Hill	Community Outreach
1/30/2015	State of the East Bay	San Ramon	Community Outreach
1/31/2015	Re-Opening of Station 11	Clayton	Community Outreach

Supervisor Mary Nejedly Piepho – January 2015 AB1234 Report

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

Date	Meeting Name	Location	Purpose
6-Jan	Board of Supervisors Reorganization Meeting	Martinez	Business Meeting
6-Jan	Board Reorganization Luncheon	Richmond	Business Meeting
7-Jan	Meeting with Aviation Advisory Committee Appointee	Brentwood	Business Meeting
8-Jan	Meeting with Delta Protection Commission Executive Director, Erik Vink	Stockton	Business Meeting
8-Jan	Delta Protection Commission Strategic Planning Subcommittee Meeting	Stockton	Business Meeting
8-Jan	Contra Costa Mayor's Conference	Antioch	Community Outreach
9-Jan	Retirement Celebration for San Joaquin County Supervisor, Larry Ruhstaller	Manteca	Business Meeting
13-Jan	Board of Supervisors Meeting	Martinez	Business Meeting
13-Jan	Housing Authority Meeting	Martinez	Business Meeting
13-Jan	Contra Costa County Fire Protection District	Martinez	Business Meeting
13-Jan	Oakley City Council Meeting - Diane Burgis Recognition	Oakley	Community Outreach
14-Jan	Meeting with Mike Conklin, Sentinels of Freedom	Martinez	Business Meeting
14-Jan	Meeting with Republic Services, Tim Argenti	Martinez	Business Meeting
14-Jan	LAFCO Meeting	Martinez	Business Meeting
15-Jan	Conference Call with Delta Protection Commission, Executive Director Erik Vink	Brentwood	Business Meeting
15-Jan	Meeting with Knightsen CSD Chair, Linda Weekes	Brentwood	Business Meeting
15-Jan	Meeting with Local 1230 President, Vince Wells	Brentwood	Business Meeting
15-Jan	Delta Protection Commission Meeting	Stockton	Business Meeting
16-Jan	Meeting with Assemblywoman Bonilla	Concord	Business Meeting
16-Jan	Conference Call with Sunne McPeak	Brentwood	Business Meeting

17-Jan	Discovery Bay State of Town Event	Discovery Bay	Community Outreach
19-Jan	7th Annual Dr. Martin Luther King Jr. Celebration	Antioch	Community Outreach
20-Jan	Board of Supervisors Meeting	Martinez	Business Meeting
20-Jan	Conference Call with District Attorney, Mark Peterson	Brentwood	Business Meeting
22-Jan	Conference Call with Blackhawk HOA, Mark Goldberg	Brentwood	Business Meeting
23-Jan	Conference Call with Delta Counties Coalition	Brentwood	Business Meeting
27-Jan	Board of Supervisors Meeting/Retreat	Pinole	Business Meeting
28-Jan	* Meeting with Delta Stewardship Council Chair, Randy Fiorini	Sacramento	Business Meeting
28-Jan	* Meeting with Delta Strwardship Council Human Resources Department	Sacramento	Business Meeting
28-Jan	* Delta Stewardship Council Orientation	Sacramento	Business Meeting
28-Jan	* Meeting with Delta Stewardship Council Chair, Randy Fiorini	Sacramento	Business Meeting
28-Jan	Tri Delta Transit Meeting	Antioch	Business Meeting
29-Jan	* Delta Stewardship Council Meeting	Sacramento	Business Meeting
29-Jan	Delta Protection Commission Subcommittee Meeting	Sacramento	Business Meeting
30-Jan	Meeting with County Counsel, Sharon Andersen	Martinez	Business Meeting
30-Jan	Valley Regional Emergency Communication ACE Fire & Medical Accredition Tour	Santa Rosa	Business Meeting

* Reimbursement may come from an agency other than Contra Costa County

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 3, 2015

Subject: In the Matter of Proclaiming March 2015 as National Social Workers' Month

RECOMMENDATION(S):
ADOPT Resolution No. 2015/33 recognizing March 2015 as National Social Workers' Month, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:
None

BACKGROUND:
Child Welfare Social Workers protect children from abuse and neglect; help families resolve problems to reunite children with families; and help families find resources in their community to help families address their children's needs. Because of their tremendous efforts, child welfare workers are hereby recognized for their tremendous efforts in helping children and families in Contra Costa County.

CONSEQUENCE OF NEGATIVE ACTION:
Child Welfare Social Workers will not be recognized.

CHILDREN'S IMPACT STATEMENT:
None

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Earl Maciel
3-1648

cc:

ATTACHMENTS

Resolution No.
2015/33

The Board of Supervisors of Contra Costa County, California

In the matter of: **Resolution No. 2015/33**

In the matter of: Declaring March 2015 as National Child Welfare Social Workers' Month.

WHEREAS, Child Welfare Social Workers strive to protect children from abuse and neglect, help families solve problems and reunite with their children or find loving and adoptive homes for them.
WHEREAS, Child Welfare Social Workers work closely with the community to help families find resources in their community to help families address their children's needs;
WHEREAS, the primary mission of the medical social work profession has been to enhance well-being and help meet the needs of all people, especially the most vulnerable;
WHEREAS, Medical Social Workers support diverse families in every community, understanding that individuals and communities together can bring about change;
WHEREAS, Medical Social Workers help people in every stage of life function better in their environments, improve relationships with others, and solve personal and family problems;
WHEREAS, In Home Supportive Services Social Workers provide comprehensive assessment and intervention activities to recipients so they can remain in the community and in the least restrictive level of care;
WHEREAS, In Home Supportive Services Social Workers also provide support to the care providers of these recipients to ensure the recipient receives the necessary care and supervision at home;
WHEREAS, General Assistance Supplemental Security Income Social Workers provide assessment and advocacy on behalf of disabled clients in order for them to apply and obtain Social Security Disability Benefits which contributes to the improvement of their lives;
WHEREAS, Adult Protective Services Social Workers investigate emotional abuse, sexual abuse, financial exploitation, neglect and isolation of the elderly and disabled adults which helps them remain safe and independent in the community;
WHEREAS, Information and Assistance Social Workers provide valuable information, make referrals to resources and support problem solving to seniors age 60 and older, adults with disabilities and caregivers so they can remain independent and safe at home.
WHEREAS, Assessment and Intensive Services Social Workers determine job readiness, assess barriers to employment for clients in a variety of services programs and assist clients in finding resources to overcome barriers

The Board of Supervisors of Contra Costa County hereby recognize Social Workers for their work providing services to children, families, elderly, and the disabled residents of Contra Costa County.

_____
JOHN GIOIA
Chair,
District I Supervisor

_____
CANDACE ANDERSEN
District II Supervisor

_____
MARY N. PIEPHO
District III Supervisor

_____
KAREN MITCHOFF
District IV 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: March 3, 2015

David J. Twa,

By: _____, Deputy

Contra Costa County

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Date: March 3, 2015

Subject: Resolution Recognizing March 2015 as Prescription Drug Abuse Awareness Month

---

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Lauri (925) 957-8860

cc:

ATTACHMENTS

Resolution No.
2015/57

The Board of Supervisors of Contra Costa County, California

In the matter of: **Resolution No. 2015/57**

recognizing March 2015 as Prescription Drug Abuse Awareness Month.

Whereas, drug overdose was the leading cause of injury death in 2012 among those 25 to 64 years old, causing more deaths than motor vehicle traffic accidents; and

Whereas, in 2011, 1.4 million emergency department (ED) visits were related to the misuse or abuse of pharmaceuticals; of the 22,767 deaths relating to pharmaceutical overdose in 2013, 16,235 involved opioid analgesics and 6,973 involved benzodiazepines; and

Whereas, nonmedical use of prescription painkillers cost health insurers up to $72.5 billion annually in direct health-care cost, and overdose deaths involving opioid pain relievers (OPR) now exceed more deaths than heroin and cocaine combined; and

Whereas, during the nine National Prescription Drug Take Back Days, a total of 4.8 million pounds (2,411 tons) of medication have been removed by the DEA and its state, local, tribal law enforcement and community partners from circulation and potential diversion; and

Whereas, as many as 70% of those who abuse prescription drugs get them from a relative or friend instead of a doctor; and

Whereas, the National Coalition Against Prescription Drug Abuse, RxSafe Contra Costa, the Alcohol and Other Drugs Advisory Board, the Contra Costa County CourAGE Youth Health Coalition in cooperation with the Contra Costa Behavioral Health Division's Alcohol and Other Drugs Services, law enforcement, community based organizations, alcohol and other drugs service providers and civic and business leaders coordinate Prescription Drug Abuse Awareness Month activities in Contra Costa County to engage our citizens in demonstrating their commitment to prevention campaigns and education aimed at raising awareness about the abuse/misuse of prescription drug impacts, promoting prescription drug safe storing and disposal and using medications only as prescribed; and

WHEREAS, families, schools, businesses, faith-based communities, law enforcement, medical professionals, county and local governments, health care practitioners and pharmacists of Contra Costa County and the general public will demonstrate their commitment to the prevention of prescription medication abuse by participating in activities intended to highlight local efforts during the month of March.

Now, Therefore, Be It Resolved that the Board of Supervisors of Contra Costa County does hereby recognize March, 2015 as Prescription Drug Abuse Awareness Month as enacted by state law in April, 2013, and encourages all citizens to actively participate in prevention programs and activities and safely store and dispose of their medications on a continual basis. Be it also resolved that the Contra Costa County Board of Supervisors encourages all community members to pledge,**"Spread the Word…One Pill Can Kill".**

JOHN GIOIA
Chair,
District I Supervisor

CANDACE ANDERSEN
District II Supervisor

MARY N. PIEPHO
District III Supervisor

KAREN MITCHOFF
District IV 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: March 3, 2015

David J. Twa,

By: _____, Deputy

Contra Costa County

To: Board of Supervisors

From: Karen Mitchoff, District IV Supervisor

Date: March 3, 2015

Subject: REAPPOINT Brett Morris to the District IV Seat on the Fish and Wildlife Committee

RECOMMENDATION(S):

REAPPOINT the following individual to the District IV Seat on the Fish and Wildlife Committee to a term ending February 28, 2019, as recommended by Supervisor Karen Mitchoff:

Mr. Brett J. Morris
371 El Divisadero Avenue
Walnut Creek, CA 94598

FISCAL IMPACT:

None.

BACKGROUND:

The Fish and Wildlife Committee advises the Board of Supervisors on fish and wildlife issues in Contra Costa County and makes recommendations to the Board of Supervisors for the expenditure of funds from the Fish and Wildlife Propagation Fund pursuant to Fish and Game Code Section 13103. The committee addresses issues surrounding the enforcement of fish and game laws and regulations in the County. The committee considers other

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Lisa Chow, (925) 521-7100

cc:

BACKGROUND: (CONT'D)

issues which may from time to time be referred to the Committee by the Board of Supervisors. The committee consists of ten members. One appointed by each Supervisor, four appointed by the Internal Operations Committee, and one alternate. The alternate can sit and vote for any At-large seat on the Committee. If a vacancy occurs, the alternate automatically assumes the At-large seat that is vacant.

CONSEQUENCE OF NEGATIVE ACTION:

The District IV seat would become vacant.

CHILDREN'S IMPACT STATEMENT:

n/a

Contra Costa County

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Date: March 3, 2015

Subject: RESIGNATION FROM THE ALCOHOL AND OTHER DRUGS ADVISORY BOARD OF CONTRA COSTA COUNTY

RECOMMENDATION(S):
ACCEPT the resignation from the following person from the District II-A Seat of the Alcohol and Other Drugs Advisory Board of Contra Costa County effective immediately, as recommended by Supervisor Candace Andersen:

Gary Kingsbury
1076 Carol Lane, #23
Lafayette, CA 94549

DECLARE a vacancy of the District II-A Seat on the Alcohol and Other Drugs Advisory Board of Contra Costa County, and DIRECT the Clerk of the Board to post the vacancy.

FISCAL IMPACT:
NONE.

BACKGROUND:
The mission of the Contra Costa County Alcohol and Other Drugs Advisory Board is to assess family and community needs regarding treatment and prevention of alcohol and drug

☑ APPROVE ☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Jill Ray, 925-957-8860

cc: District 2 Supervisor, Maddy Book, AOD, Appointee

BACKGROUND: (CONT'D)

abuse problems. They report their findings and recommendations to the Contra Costa Health Services Department, the Board of Supervisors, and the communities they serve. The Alcohol and Other Drugs Advisory Board works in collaboration with the Alcohol and Other Drugs Services Division of Contra Costa Health Services. They provide input and recommendations as they pertain to alcohol and other drugs prevention, intervention, and treatment services.

CONSEQUENCE OF NEGATIVE ACTION:

The District II-A Seat will remain filled without the benefit of the appointee in attendance.

CHILDREN'S IMPACT STATEMENT:

NONE.

Contra Costa County

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Date: March 3, 2015

Subject: APPOINTMENT TO THE ALAMO-LAFAYETTE CEMETERY DISTRICT BOARD OF DIRECTORS

RECOMMENDATION(S):
REAPPOINT the following person to the Trustee 1 Seat of the Alamo-Lafayette Cemetery District Board of Directors for a four-year term with an expiration date of March 3, 2019, as recommended by Supervisor Candace Andersen:

Ms. Nancy Flood
520 McBride Drive
Lafayette, CA 94549

FISCAL IMPACT:
NONE.

BACKGROUND:
Established by the Board of Supervisors on April 5, 1937, the purpose of the Alamo-Lafayette Cemetery District Board of Directors is to establish rates to be charged for burials within the cemeteries of the district which will allow the grave to be maintained on a self-supporting basis; to prepare and maintain maps detailing information about the lots; to keep records of all remains interred in the cemeteries. (Health and Safety Code, Section 8961.4 and 8963).

☑ APPROVE ☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

Contact: Jill Ray, 925-957-8860

By: , Deputy

cc: District 2 Supervisor, Maddy Book, Alamo-Lafayette CD, Appointee

BACKGROUND: (CONT'D)

Membership is comprised of three trustees who must live in the district. Terms are for four years from the date of appointment. Due to redistricting, all three Trustee Seats fall within District Two, therefore the District Two Supervisor is responsible for the recruitment and recommendations for appointment to the Board of Supervisors for all three seats.

Ms. Flood has been an active member on the Board and Supervisor Andersen would like her to continue.

CONSEQUENCE OF NEGATIVE ACTION:
The seat will become vacant.

CHILDREN'S IMPACT STATEMENT:
NONE.

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 3, 2015

Subject: Appointment to Advisory Council on Aginig

RECOMMENDATION(S):
APPOINT Paul Mikolaj as the Danville/Alamo Local Committee Representative on the Advisory Council on Aging, as recommended by the Danville Town Council and the Employment and Human Services Director.

FISCAL IMPACT:
None

BACKGROUND:
Mr. Mikolaj was recommended for appointed by the Danville Town Council. Mr. Mikolaj's address is 1220 Robyn Drive, Danville, CA 94526, and his term ends September 30, 2016.

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

CONSEQUENCE OF NEGATIVE ACTION:
The Advisory Council on Aging will be unable to conduct routine business.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☑ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Earl Maciel
3-1648

cc:

CHILDREN'S IMPACT STATEMENT:

None

Contra Costa County

To: Board of Supervisors

From: Federal D. Glover, District V Supervisor

Date: March 3, 2015

Subject: RE-APPOINT DANIEL PELLEGRINI TO THE FISH & WILDLIFE COMMITTEE

RECOMMENDATION(S):
RE-APPOINT the following individual as the District V Representative, Regular Seat, to the Fish & Wildlife Committee with a term to expire February 28, 2019, as recommended by Supervisor Federal D. Glover.

Daniel Pellegrini
2207 Boulder Creek Court
Martinez, CA 94553

FISCAL IMPACT:
None.

BACKGROUND:
The Fish & Wildlife Committee advises the Board of Supervisors on fish and wildlife issues in Contra Costa County. Make recommendations to the Board of Supervisors for the expenditure of funds from the Fish and Wildlife Propagation Fund pursuant to Fish and Game Code Section 13103. Address issues surrounding the enforcement of fish and game laws and regulations in the County. Consider other issues which may from time to time be referred to the Committee by the Board of Supervisors.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Vincent Manuel, (925) 427-8138

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Seat would remain vacant.

CHILDREN'S IMPACT STATEMENT:

None.

Contra Costa County

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Date: March 3, 2015

Subject: APPOINTMENT TO THE ALAMO MUNICIPAL ADVISORY COUNCIL

RECOMMENDATION(S):
Appoint the following person to the Youth Representative Seat of the Alamo Municipal Advisory Council for a one-year term, with an expiration date of December 31, 2015, as recommended by Supervisor Candace Andersen:

Rachel Etherington
2716 Miranda Avenue
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 may also provide input and reports to the District Supervisor,

☑ APPROVE ☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Jill Ray, 925-957-8860

cc: District 2 Supervisor, Maddy Book, Alamo MAC, Appointee

BACKGROUND: (CONT'D)

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.

In December 2012, the Board of Supervisors authorized the addition of a Youth Representative seat for the Alamo MAC to allow the youth of Alamo an opportunity to participate in local government The Board set the term for office for the Youth Representative seat to one year, expiring annually on December 31.

On January 14, 2014, the Board of Supervisors approved a general modification to the countywide MAC policy providing the option for a District Supervisor to add, upon Board approval, one youth seat to any MAC and one alternate seat to any 7-member MAC.

CONSEQUENCE OF NEGATIVE ACTION:

The Youth Representative Seat will remain vacant.

CHILDREN'S IMPACT STATEMENT:

NONE.

Contra Costa County

To: Board of Supervisors

From: Federal D. Glover, District V Supervisor

Date: March 3, 2015

Subject: RE-APPOINT ALICIA COLEMAN-CLARK TO THE FAMILY AND CHILDREN'S TRUST COMMITTEE

RECOMMENDATION(S):
Re-appoint the following individual to the District V Member Seat on the Family and Children's Trust Committee for a term to expire in September 2017.

Alicia Coleman-Clark
5467 Benttree Way
Antioch, CA 94531

FISCAL IMPACT:
None.

BACKGROUND:
The Family and Children's Trust Committee conducts a bi-annual needs assessment on family and children's services in the County; recommend the establishment of program priorities to the Employment and Human Services Director and the Board of Supervisors; coordinate with the Employment and Human Services Director monitoring of contracts which are funded by AB 1733, AB 2994 or the Ann Adler Family & Children's Trust Fund; and recommend award of family and children's services contracts pursuant to AB 1733, AB 2994, Ann Adler Family & Children's Trust Fund, Community-Based Family Resource Funds, and Childcare Affordability funds.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Vincent Manuel (925) 335-8200

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Seat would remain vacant.

CHILDREN'S IMPACT STATEMENT:

None.

Contra Costa County

To: Board of Supervisors

From: INTERNAL OPERATIONS COMMITTEE

Date: March 3, 2015

Subject: NOMINATION FOR APPOINTMENT TO THE LAW LIBRARY BOARD OF TRUSTEES

RECOMMENDATION(S):
APPOINT Nolan Armstrong to the Member of the Bar seat on the Law Library Board of Trustees to complete the unexpired term ending on December 31, 2015.

FISCAL IMPACT:
None.

BACKGROUND:
In June, the IOC reviewed Board Resolution Nos. 2011/497 and 2011/498, which stipulate that applicants for At Large/Non Agency-Specific seats on specified bodies are to be interviewed by a Board subcommittee. The Resolutions further permit a Board Committee to select a screening committee to assist in interviewing applicants for appointment. Upon review of the eligible seats, the IOC made a determination that it would conduct interviews for At Large seats on the following bodies: Retirement Board, Fire Advisory Commission, Integrated Pest Management Advisory Committee, Planning Commission, Treasury Oversight Board, Airport Land Use Commission, Aviation Advisory Committee and the Fish & Wildlife Committee; and that screening and nomination fill At Large seats on all other eligible bodies would be delegated each body or a subcommittee thereof.

The Public Law Library Board of Trustees was established by State law and County Ordinance to maintain a law library in Martinez and a branch library in Richmond. The Board of Trustees is the governing body for the Law Library with the authority to determine personnel, fiscal, and administrative policies to fulfill the legal information

☑ APPROVE ☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR ☑ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: JULIE DiMAGGIO ENEA
925.335.1077

cc: Law Library , IOC Staff, Clerk of the Board (Maddy Book)

BACKGROUND: (CONT'D)

needs of the community. The Internal Operations Committee annually reviews the appointment to the Member of the Bar seat, which term expires each December 31.

On February 9, the IOC approved the nomination of Nolan Armstrong to the Member of the Bar seat. The Law Librarian recruited for the seat and received interest only from Mr. Armstrong, whose resume is attached for reference.

CONSEQUENCE OF NEGATIVE ACTION:

Should the Board of Supervisors elect not to approve the nomination, the County will continue to be underrepresented on the Law Library Board of Trustees until a new nomination can be made.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Resume_Nolan Armstrong_Law Library Bd of Trustees

McNamara, Ney, Beatty, Slattery, Borges & Ambacher LLP

ATTORNEYS AT LAW

THOMAS G. BEATTY
ROBERT M. SLATTERY
GUY D. BORGES
MARTIN J. AMBACHER
R. DEWEY WHEELER
PETER J. HIRSIG
WILMA J. GRAY
JAMES V. FITZGERALD, III
ROBERT W. HODGES
PAUL B. WALSH
ANN H. LARSON

RICARDO A. MARTINEZ
DENISE BILLUPS-SLONE
JAMES E. ALLEN
DENISE J. SERRA
NOAH G. BLECHMAN
MICHAEL P. CLARK
PETER W. SEKELICK
NOLAN S. ARMSTRONG
LUANNE RUTHERFORD
NATHANIEL A. SMITH
TIMOTHY J. RYAN

MATTHEW P. SULLIVAN
WILLIAM L. McCASLIN
ARA S. ALIKIAN
JOHN C. ADAMS
ERIC M. FRIEDMAN
JACQUELINE N. PHAM
ERIC A. ORTIZ

HELENAZ MOTEABBED
ADAM G. KHAN
LAURA A. COX
BRENDON L.S. HANSEN
JAMES J. KIM
ZACHARY E. COLBETH

1211 NEWELL AVENUE
WALNUT CREEK, CA 94596-5238

TELEPHONE: (925) 939-5330
FACSIMILE: (925) 939-0203

www.mcnamaralaw.com

SOLANO COUNTY OFFICE
639 KENTUCKY STREET
FAIRFIELD, CA 94533-5530
TELEPHONE: (707) 427-3998
FACSIMILE: (707) 427-0268

PARTNERS EMERITUS
WILLIAM K. HOUSTON, JR.
DOUGLAS C. McCLURE
THOMAS E. PFALZER
MICHAEL J. NEY
(Private Mediator)
DANIEL J. McNAMARA
(1923 - 2011)
RICHARD E. DODGE
(1941 - 2000)

OF COUNSEL
ROBERT W. LAMSON
LISA R. ROBERTS

December 18, 2014

Nolan S. Armstrong
[redacted]

Board of Supervisors
Office of the Clerk of the Board
651 Pine Street
Martinez, CA 94553

Re: Contra Costa County Public Law Library Board of Directors

Dear Members of the Board of Supervisors:

This letters serves as my request for appointment to serve on the Contra Costa County Public Law Library Board of Directors. I was born and raised in Contra Costa County and currently reside in Walnut Creek. Since 2005, I have been employed as an attorney in the Walnut Creek office of McNamara, Ney, Beatty, Slattery, Borges & Ambacher LLP. Enclosed please find a copy of my current curriculum vitae.

As a practitioner in Contra Costa County for more than 9 years, I have a strong interest in the law library. While there has obviously been a shift towards electronic legal research over the past decade, law libraries remain a critical source of legal information for many practitioners, judges, and members of the public given the significant costs associated with services such as Westlaw or LexisNexis. I look forward to the opportunity of working to preserve the vital resources provided by the Contra Costa County Law Library.

Thank you for your time and consideration of my application. If you have any questions, please do not hesitate to call.

Very truly yours,

[redacted]

Nolan S. Armstrong

NSA:klm

NOLAN S. ARMSTRONG

[redacted]

EDUCATION

THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL, WASHINGTON, D.C.
Juris Doctorate, *with honors*, May 2005

- Thurgood Marshall Scholar 2004-2005 (top 16%-35% of class)

UNIVERSITY OF CALIFORNIA, SANTA BARBARA, SANTA BARBARA, CA
Bachelor of Arts, Political Science, Minor in History, May 2001

- Dean's Honor List 2000-2001 (quarterly G.P.A. of 3.75 or higher)

WORK EXPERIENCE

MCNAMARA, NEY, BEATTY, SLATTERY, BORGES & AMBACHER, LLP
Walnut Creek, CA
Associate Attorney, November 2005 – December 2011; *Partner*, January 2012 – present

- Gained substantive experience in all types of civil matters, with specialization in personal injury and property damage defense, real estate litigation, professional negligence, and defense of public entities in personal injury, dangerous condition of public property, and inverse condemnation claims
- Second chair for jury trial in *Johnson v. Pikkarainen*, tried to verdict in Marin County Superior Court in June 2014
- Personally taken over 500 depositions of plaintiffs as well as percipient and expert witnesses
- Argued discovery motions and appeared at pre-trial conferences in California Superior Court and United States District Court
- Handled trial preparation tasks for approximately 50 cases, including preparation of trial briefs, pre-trial Motions in Limine, jury instructions, and voluminous trial exhibits
- Sole defense attorney for multiple arbitrations throughout Northern California

R. JACK CLAPP & ASSOCIATES
Washington, D.C.
Law Clerk, November 2004 – April 2005

- Investigated facts and conducted legal research to evaluate liability in aviation accidents
- Prepared discovery motions and petitions for documents under the Freedom of Information Act

AMERICAN BAR ASSOCIATION, DEATH PENALTY REPRESENTATION PROJECT
Washington, D.C.
Intern, January – April 2004

- Gathered and analyzed statistical data regarding death penalty convictions, for inclusion in *amicus* briefs filed in Federal Circuit Courts of Appeals and the United States Supreme Court

BAR ADMISSIONS

- Admitted to practice in California, 2005
- United States District Court for the Northern District of California, 2005

PROFESSIONAL MEMBERSHIPS/DISTINCTIONS

- Association of Defense Counsel of Northern California and Nevada
- Contra Costa County Bar Association
- Super Lawyers – Young Rising Star, 2012 and 2013.

Contra Costa County

To: Board of Supervisors

From: INTERNAL OPERATIONS COMMITTEE

Date: March 3, 2015

Subject: NOMINATIONS TO THE HAZARDOUS MATERIALS COMMISSION

RECOMMENDATION(S):
APPOINT Paul Seffrood to the Business #1 Alternate seat and RE-APPOINT Henry Alcaraz to the Labor #1 seat on the Hazardous Materials Commission to terms expiring on December 31, 2018.

FISCAL IMPACT:
None.

BACKGROUND:
The Hazardous Materials Commission was established in 1986 to advise the Board, County Staff and the mayor's council members, and staffs of the cities within the County, on issues related to the development, approval and administration of the County Hazardous Waste Management Plan. Specifically, the Board charged the Commission with drafting a Hazardous Materials Storage and Transportation Plan and Ordinance, coordinating the implementation of the Hazardous Materials Release Response Plan and inventory program, and analyzing and developing recommendations regarding hazards materials issues with consideration to broad public input. The IOC reviews nominations made by the Hazardous Materials Commission for appointments all Commission seats except the City seats.

On December 31, 2014, the terms of office for the Business #1 Alternate and Labor #1 seats expired. The bylaws of the Commission provide that the Business #1 Alternate seat be nominated by the Council of Industries and the two labor representatives be named by labor organizations. On February 9, the IOC reviewed and approved the nominations put forth by these organizations for the vacant seats.

- [x] APPROVE
- [ ] OTHER
- [ ] RECOMMENDATION OF CNTY ADMINISTRATOR
- [x] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** [ ] 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: March 3, 2015

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

By: , Deputy

Contact: JULIE DiMAGGIO ENEA
925.335.1077

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Should the Board of Supervisors elect not to approve the nominations, the Council of Industries and labor organizations will continue to be underrepresented on the Commission until such time that new nominations can be put forth.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Ltr_HazMat Commission transmittal of nominations

Candidate Application_Paul Seffrood_HazMat Commission

Council of Industries Nomination of Paul Seffrood

Candidate Application_Henry Alcaraz_HazMat Commission

CONTRA COSTA COUNTY
HAZARDOUS MATERIALS COMMISSION

January 20, 2015

MEMO

To: Internal Operations Committee

From: Michael Kent, Executive Assistant to the Hazardous Materials Commission MK

Re: Appointment Recommendations to the Hazardous Materials Commission

The Hazardous Materials Commission was established in 1986 to advise the Board, County Staff and the mayor's council members, and staffs of the cities within the County, on issues related to the development, approval and administration of the County Hazardous Waste Management Plan. Specifically, the Board charged the Commission with drafting a Hazardous Materials Storage and Transportation Plan and Ordinance, coordinating the implementation of the Hazardous Materials Release Response Plan and inventory program, and to analyze and develop recommendations regarding hazards materials issues with consideration to broad public input, and report back to the Board on Board referrals.

The bylaws of the Commission provide that the Business Seat #1 Alternate be nominated by the Council of Industries, screened by the Internal Operations Committee and appointed by the Board of Supervisors. This seat expired on December 31, 2014. The Council of Industries has nominated Paul Seffrood to fill this seat. Their letter of nomination and Mr. Seffrood's application are attached. The term of this seat expires on December 31, 2018.

The bylaws of the Commission also provide that two labor representatives be named by labor organizations, screened by the Internal Operations Committee and appointed by the Board of Supervisors. Labor seat #1 expired on December 31, 2014. The Contra Costa Building and Construction Trades Council has recommended that Henry Alcaraz be reappointed to this seat. Their letter of nomination and Mr. Alcaraz's application are attached. The term of this seat expires on December 31, 2018.

Members: George Smith, Chair, Rick Alcaraz, Don Bristol, Matthew Buell, Henry Clark, Lara DeLaney, Frank Gordon, Fred Glueck, Steven Linsley, Jim Payne, Ralph Sattler, Leslie Stewart, Don Tatzin

597 Center Ave., Suite 200 Martinez, CA 94501 (925) 313-6712

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 Hazardous Materials Commission
PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

Alternate for Seat #1
PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Seffrood (Last Name) Paul (First Name) Jonathan (Middle Name)

2. **Address:** [redacted] Larkspur, CA 94939
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. **Phones:** [redacted]
(Home No.) (Work No.) (Cell No.)

4. **Email Address:** [redacted]

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 Bachelor of Arts Degree in Chemistry

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Luther College, Decorah, IA	Chemistry	Yes No ☒ ☐			BA	May 1990
B)		Yes No ☐ ☐				
C)		Yes No ☐ ☐				
D) Other schools / training completed:	Course Studied	Hours Completed		Certificate Awarded: Yes No ☐ ☐		

THIS FORM IS A PUBLIC DOCUMENT

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.**

A) Dates (Month, Day, Year)	Title	Duties Performed
From: Sep 2011 To: Current Total: Yrs. 3 Mos. 4 Hrs. per week 60+ . Volunteer ☐	Branch Manager Employer's Name and Address Brenntag Pacific 860 Wharf Street Richmond, CA 94804	P&L Responsibility for a 25 person/$30 MM chemical distribution branch covering Northern California.
B) Dates (Month, Day, Year)	**Title**	**Duties Performed**
From: Jul 2007 To: Sep 2011 Total: Yrs. 4 Mos. 2 Hrs. per week 60+ . Volunteer ☐	Industry Manager - ACES Employer's Name and Address Brenntag Pacific 10747 Patterson Place Santa Fe Springs, CA 90670	Ran the Brenntag Pacific $30 MM ACES business (Adhesives, Coatings, Elastomers, Inks and Sealants).
C) Dates (Month, Day, Year)	**Title**	**Duties Performed**
From: 2005 To: 2006 Total: Yrs. 1 Mos. 6 Hrs. per week 60+ . Volunteer ☐	Vice President Sales & Marketing NA Employer's Name and Address Alberdingk Boley Greensboro, NC	Ran sales, technical service and customer service for this $12 MM business. Grew the business from $5 MM during my tenure.
D) Dates (Month, Day, Year)	**Title**	**Duties Performed**
From: 2004 To: 2005 Total: Yrs. 2 Mos. Hrs. per week . Volunteer ☐	Associate Sales Representative Employer's Name and Address Eastman Chemical Kingsport, TN	Managed a $35 MM California Coatings Territory. Business was sold to Apollo Management and was renamed as Resolution Specialty Materials and then Hexion Specialty Chemicals.

THIS FORM IS A PUBLIC DOCUMENT

7. **How did you learn about this vacancy?**

☐ **CCC Homepage** ☐ **Walk-In** ☐ **Newspaper Advertisement** ☐ **District Supervisor** ☒ **Other** Fred Glueck/Katrinka Ruk

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: Municipal Commodity Chemicals

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: [redacted] **Date:** 01.19.2015

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.

THE COUNCIL OF INDUSTRIES
P.O. BOX 70088
Pt. Richmond, CA 94807
(510)215-9325 office (510)260-4820 cell (510)215-9029 fax
www.councilofindustries.org

January 13, 2015

Michael Kent
Contra Costa Health Services
Hazardous Materials Ombudsman
597 Center Ave., Suite 100
Martinez, CA 94553

RE: Nomination of MR. PAUL SEFFROOD to the Hazardous Materials Commission, Business Seat #1, as Alternate to Mr. Fred Glueck

On behalf of the Council of Industries I would like to request that Mr. Paul Seffrood of Brenntag be nominated to the Contra Costa County Hazardous Materials Commission Business Seat #1 as an Alternate to Mr. Fred Glueck, in representation of the business membership at the Council of Industries.

Please consider our request for Mr. Seffrood's nomination for the Alternate position..

Should you have any questions, contact the undersigned

Regards,

Katrinka Ruk
Executive Director
kpruk@sbcglobal.net

Print Form

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:

Hazardous Material Commission — PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

Member of Commission — PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Alcaraz (Last Name) Henry (First Name) Robert (Middle Name)

2. **Address:** [redacted] Richmond Calif. 94803
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. **Phones:** [redacted]
(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 2 yrs Comunity College

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Contra Costa College San Pablo	Buss	Yes No ☐☐				
B) U.C. Berkley	Labor Law Certs	Yes No ☐☐	Certified			
C)	Medical Gas Pure Water	Yes No ☐☐				
D) Other schools / training completed: Local 393 Safety & Sanity Class's	Course Studied: Certication	Hours Completed:	Certificate Awarded: Yes No ☒☐			

THIS FORM IS A PUBLIC DOCUMENT

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.**

A) Dates (Month, Day, Year) From / To	Title	Duties Performed
Total: Yrs. / Mos.	Contra Costa Bld Trades	Political Director
Hrs. per week ____. Volunteer ☐	Employer's Name and Address: I am a Retired Plumber w/42 yrs Exp.	

B) Dates (Month, Day, Year) From / To	Title	Duties Performed
Total: Yrs. / Mos.		
Hrs. per week ____. Volunteer ☐	Employer's Name and Address	

C) Dates (Month, Day, Year) From / To	Title	Duties Performed
Total: Yrs. / Mos.		
Hrs. per week ____. Volunteer ☐	Employer's Name and Address	

D) Dates (Month, Day, Year) From / To	Title	Duties Performed
Total: Yrs. / Mos.		
Hrs. per week ____. Volunteer ☐	Employer's Name and Address	

THIS FORM IS A PUBLIC DOCUMENT

7. **How did you learn about this vacancy?**

☐ **CCC Homepage** ☐ **Walk-In** ☐ **Newspaper Advertisement** ☑ **District Supervisor** ☐ **Other** John Gioli a

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 Nam [redacted] **Date:** Jan 9th 2015

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 Building and Construction Trades Council

2727 Alhambra Ave. Suite 5
Martinez, CA 94553
FAX (925) 372-7414

Greg Feere
C.E.O.
Phone (925) 228-0900

November 17, 2014

Michael Kent
Contra Costa County Hazardous Materials Commission
50 Douglas Drive, Suite 310-A
Martinez, CA 94553

Dear Mr. Kent:

On behalf of the Contra Costa Building and Construction Trades Council and the thirty trade unions that we represent with approximately 30,000 plus Building Trades men and women. I would like to recommend Rick Alcarez be re-appointed to the Contra Costa County Hazardous Materials Commission.

I have worked with Rick for over 20 years and I have been deeply impressed with his commitment and dedication. He has exhibited the kind of leadership and integrity needed to succeed as a member of the Hazardous Materials Commission. He is a leader, skilled communicator, and a problem solver. I feel he has all of the assets that are needed to create a positive impact on the Commission.

I would hope you would give Rick Alcarez your utmost consideration. I am convinced that his re-appointment will significantly increase the likelihood that this unique panel will successfully resolve the many difficult issues it faces.

Thank you for your time and consideration,

Sincerely,

Greg Feere
Contra Costa Building and
Construction Trades Council

Contra Costa County

To: Board of Supervisors

From: INTERNAL OPERATIONS COMMITTEE

Date: March 3, 2015

Subject: NOMINATION TO THE AFFORDABLE HOUSING FINANCE COMMITTEE

RECOMMENDATION(S):
REAPPOINT Irene Alonzo-Perez to the County #1 seat on the Affordable Housing Finance Committee to a new three-year term expiring on June 30, 2017.

BACKGROUND:
The Affordable Housing Finance Committee was established by the Board of Supervisors in June 1995 to develop recommendations, in consultation with the Conservation and Development Department, to the Board of Supervisors concerning the allocation of Community Development Block Grant and HOME Investment Partnership Act (HOME) funds among eligible affordable housing investment programs and projects.

The IOC reviews nominations made by the Affordable Housing Finance Committee for appointments to all Committee seats except the City seats. On June 30, 2014, the term of office for the County #1 seat expired. Attached is a letter transmitting the Affordable Housing Finance Committee's nomination to reappoint Irene Alonzo-Perez to the County #1 seat. The Internal Operations Committee, at its February 9 meeting, approved Ms. Alonzo-Perez's nomination for reappointment.

CONSEQUENCE OF NEGATIVE ACTION:
Should the Board of Supervisors elect not to approve the recommendation, the seat would remain vacant and the County would remain underrepresented on the Committee until a new recruitment could be completed.

☑ APPROVE ☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR ☑ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: JULIE DiMAGGIO ENEA
925.335.1077

cc: Clerk of the Board (Maddy Book), IOC Staff, DCD

ATTACHMENTS

AHFC Letter and Candidate Application_Irene Alonzo-Perez

CONTRA COSTA COUNTY
Department of Conservation and Development
Community Development Division
30 Muir Road
Martinez, CA 94553
Telephone: 674-7205 Fax; 674-7257

DATE: February 9, 2015

TO: Internal Operations Committee

FROM: Kara Douglas, Affordable Housing Program Manager

SUBJECT: Recommended Appointment to the Affordable Housing Finance Committee

---

The purpose of this memorandum is to forward the following recommendation from the Affordable Housing Finance Committee (AHFC):

Re-appoint Irene Alonzo-Perez to a County representative seat. Ms Perez has been an active member of the AHFC for over 10 years. Her back ground working in community lending with Bank of America brings an important perspective to the committee.

Background
The Affordable Housing Finance Committee advises the Board of Supervisors on the annual allocation of approximately $1.5 million in HOME Investment Partnership Act (HOME) and $1.3 million in Community Development Block Grant (CDBG) funds for affordable housing development in Contra Costa County. These funds are allocated to the County on an annual basis by formula through the U.S. Department of Housing and Urban Development.

The Committee consists of nine members, including:
- three city representatives (one each from East, Central and West County)
- three county representatives; and
- three community representatives.

The three city representatives are nominated by the cities in each subregion of the County and approved by the Board of Supervisors. Nominations for county and community representatives are solicited by the Department of Conservation and Development. All county and community representative appointments to the AHFC are reviewed by the Internal Operations Committee (IOC) and referred to the Board of Supervisors for approval. AHFC terms are for three years. A current AHFC roster is attached for your information (Attachment A).

Current Status of Appointments
With the appointment of the above candidates there will be no vacancies.

Attachments
AHFC roster
Irene Alonzo-Perez 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:

Irene Alonzo-Perez
PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

Advisory Committee Member
PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Alonzo-Perez: (Last Name) Irene (First Name) (Middle Name)

2. **Address:** [redacted] (No.) (Street) (Apt.) Concord, CA (State) 94521 (Zip Code)

3. **Phones:** [redacted] (Home No.) (Work No.) (Cell No.)

4. **Email Address** [redacted]

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 Paralegal Certificate

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) CSUS	Business Administration	Yes No ☐ ☒				
B) DVC	Misc	Yes No ☐ ☒				
C) CSUH	Paralegal	Yes No ☒ ☐				
D) Other schools / training completed:	Course Studied	Hours Completed		Certificate Awarded: Yes No ☐ ☐		

THIS FORM IS A PUBLIC DOCUMENT

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.**

A) Dates (Month, Day, Year)	Title	Duties Performed
From: 1985 To: Present Total: Yrs. 24 Mos. Hrs. per week 40 . Volunteer ☐	Loan Administrator/Vice President Employer's Name and Address Bank of America 2001 Clayton Road, 2nd Floor Concord, CA 94521	Loan administration for Commercial and Affordable Housing construction loans.
B) Dates (Month, Day, Year) From To Total: Yrs. Mos. Hrs. per week_____ . Volunteer ☐	**Title** Employer's Name and Address	**Duties Performed**
C) Dates (Month, Day, Year) From To Total: Yrs. Mos. Hrs. per week_____ . Volunteer ☐	**Title** Employer's Name and Address	**Duties Performed**
D) Dates (Month, Day, Year) From To Total: Yrs. Mos. Hrs. per week_____ . Volunteer ☐	**Title** Employer's Name and Address	**Duties Performed**

7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other Incumbent

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: N/A

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: [redacted] Date: 8-18-14

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.

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: Federal D. Glover, District V Supervisor

Date: March 3, 2015

Subject: APPOINT RONALD MARIA TO THE CROCKETT-CARQUINEZ FIRE PROTECTION DISTRICT FIRE ADVISORY COMMISSION

RECOMMENDATION(S):

APPOINT the following person to the District V - Alternate Seat on the CROCKETT-CARQUINEZ Fire Protection District Fire Advisory Commission for a two-year term with an expiration date of June 30, 2017, as recommended by Supervisor Glover.
Ronald Maria
35 Rolph Park Drive
Crockett, CA 94525

FISCAL IMPACT:

None.

BACKGROUND:

The Crockett-Carquinez Fire Protection District Fire Advisory Commission reviews and advises 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 matters;

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Vincent Manuel (925) 335-8208

cc:

BACKGROUND: (CONT'D)

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.

CONSEQUENCE OF NEGATIVE ACTION:

The seat would remain vacant.

CHILDREN'S IMPACT STATEMENT:

None.

Contra
Costa
County

To: Board of Supervisors

From: Federal D. Glover, District V Supervisor

Date: March 3, 2015

Subject: RE-APPOINT the Following Individuals to the County's Emergency Medical Care Committee

RECOMMENDATION(S):

RE-APPOINT the following individual as the District V Representative, Regular Seat, to the County's Emergency Medical Care Committee (EMCC) with a term to expire September 30, 2017, as recommended by Supervisor Federal Glover.
Deborah Campbell
157 Bluebird Court
Hercules, CA 94547

RE-APPOINT the following individual as the District V Representative, Alternate Seat, to the County's Emergency Medical Care Committee (EMCC) with a term to expire September 30, 2017, as recommended by Supervisor Federal Glover.
William Sugiyama 111 Benedict Court
Martinez, CA 94553

FISCAL IMPACT:

None.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Vincent Manuel (925) 335-8208

cc:

BACKGROUND:

The duties of the EMCC as specified in the California Health and Safety Code Section 1797.274 and 1797.276 are to review the operations of each of the following at least annually: 1. Ambulance services operating within the county. 2. Emergency medical care offered within the county, including programs for training large numbers of people in cardiopulmonary resuscitation and lifesaving first aid techniques. 3. First aid practices in the county. B. The EMCC shall, at least annually, report to the Authority, and the local EMS Agency its observations and recommendations relative to its review of the ambulance services emergency medical care, and first aid practices, and programs for training people in cardiopulmonary resuscitation and lifesaving first aid techniques, and public participation in such programs in the county. The EMCC shall submit its observations and recommendations to the County Board of Supervisors which it serves and shall act in an advisory capacity to the County Board of Supervisors, and to the County EMS Agency, on all matters relating to emergency medical services as directed by the Board.

CONSEQUENCE OF NEGATIVE ACTION:

The seats would remain vacant.

CHILDREN'S IMPACT STATEMENT:

None.

Contra Costa County

To: Board of Supervisors

From: John Kopchik, Interim Director, Conservation & Development Department

Date: March 3, 2015

Subject: Appointment to the East County City 1 seat on the Affordable Housing Finance Committee

RECOMMENDATION(S):
RE-APPOINT Eric Brown to the East County City 1 seat on the Affordable Housing Finance Committee to a new three-year term expiring June 30, 2017, as recommended by the cities in East County.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The Affordable Housing Finance Committee (AHFC) advises the Board of Supervisors on the allocation of approximately $3 million in HOME Investment Partnerships Act, and Community Development Block Grant funds for affordable housing development in Contra Costa County. The Committee consists of nine members, including three Community Representatives, three County Representatives, and three City Representatives. The three City Representatives are nominated by the cities in each subregion of the County. All AHFC members are appointed by the Board of Supervisors to serve staggered three-year terms.

Applicants for the City Representative positions are considered by the appropriate cities and their recommendations are forwarded to the Board of Supervisors for approval.

Eric Brown, a resident of Brentwood, has served on the AHFC since 2008. He is an active and engaged member of the committee. Conservation and Development staff surveyed the cities of Antioch, Brentwood, Oakley and Pittsburg to seek support to re-appoint Mr. Brown

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☑ 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: March 3, 2015

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

By: , Deputy

Contact: Kara Douglas, 674-7880

cc: Clerk of the Board (Maddy Book)

BACKGROUND: (CONT'D)
to the AHFC as the East County Representative. All four jurisdictions indicated support for his reappointment.

CONSEQUENCE OF NEGATIVE ACTION:
If this appointment is not made, the committee will have a vacancy and will continue to advertise for new members.

CHILDREN'S IMPACT STATEMENT:
Not applicable.

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 3, 2015

Subject: Appoint Vinod Maharaj to Low-Income seat No. 2 of the Economic Opportunity Council

RECOMMENDATION(S):
APPOINT Vinod Maharaj to the Low-Income Seat No. 2 on the Economic Opportunity Council, with a term end date of June 30, 2016, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:
None

BACKGROUND:
This board order seeks to appoint Vinod Maharaj to the vacancy in Low Income Sector, seat No. 2 for the remainder of the term that ends June 30, 2016. The Economic Opportunity Council approved the appointment on January 29, 2015. Mr. Maharaj's address is 6937 Ralston Avenue, Richmond, CA 94505

CONSEQUENCE OF NEGATIVE ACTION:
The Economic Opportunity Council will be unable to conduct routine business.

CHILDREN'S IMPACT STATEMENT:
None

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☑ 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: March 3, 2015

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

By: , Deputy

Contact: J. Bhambra, (925) 681-6304

cc: Jagjit Bhambra, Cassandra Youngblood

Contra Costa County

To: Board of Supervisors

From: LEGISLATION COMMITTEE

Date: March 3, 2015

Subject: Support to CSAC Coalition for Stormwater Funding Efforts

RECOMMENDATION(S):
Support the efforts of the California State Association of Counties (CSAC) and the coalition they are working with to provide funding for stormwater services, as recommended by the Legislation Committee.

FISCAL IMPACT:
There is no direct fiscal impact to Contra Costa County of supporting the effort to place a ballot measure before the California voters. However, there will be some staff time involved in working with associations and lobbyists in Sacramento as there is with any legislative effort.

BACKGROUND:
In California, water is divided into 3 separate sectors: drinking water, wastewater, and stormwater. Drinking water and wastewater services are provided by utility districts. Water districts and wastewater districts (or sanitary districts) have the legal authority to establish a rate structure to pay for the construction, operation, maintenance and replacement of their utility system. While drinking water and wastewater are managed by a utility with the resources necessary to provide an efficient and effective service to society, the same is not true for stormwater. A coalition in Sacramento is working on legislation to give stormwater agencies the same authority to raise funding for stormwater services in the manner of water districts and wastewater districts.

The County provides

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☑ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: L. DeLaney, 925-335-1097

cc:

BACKGROUND: (CONT'D)
stormwater services in three different program areas, which are described below:

1. Stormwater Quality Services

Like drinking water and wastewater, the State regulates the quality of stormwater. Stormwater must be treated before it is discharged into a river, Bay, or the Pacific Ocean. For stormwater, treatment to reduce pollutants is usually achieved by infiltration through soil or a vegetated area, such as a wetlands or marsh. Stormwater treatment often starts at drainage inlets that have screens and devices to collect litter. The County has over 8000 drainage inlets in 17 unincorporated communities. Also like drinking water and wastewater, stormwater has an elaborate and complex infrastructure system of pipes that collect stormwater in neighborhoods and take it to a larger river or other body of water to protect homes and businesses from flooding. This same infrastructure system is becoming part of the stormwater treatment process to remove harmful pollutants through "green streets" or "urban greening" projects. All of these treatment facilities dispersed throughout our communities must be maintained. Some stormwater is piped to larger stormwater treatment facilities, such as a bio-retention basin or wetland. Localized treatment of stormwater is now required during the construction of new development and new County projects, however, transporting stormwater to regional facilities for treatment will also be necessary.

2. Community Drainage

The County owns and operates the miles of storm drain pipes that lie below County streets and maintains the ditches and pipes that crisscross and protect our unincorporated neighborhoods. In low-lying areas, the stormwater drainage system includes pumps to protect homes and properties from flooding, such as the North Richmond Pump Station. Community drainage infrastructure is at a community scale and often drains into a regional flood protection facility. Many unincorporated communities have old drainage pipes that are reaching the end of their service life and failing. This infrastructure will require more extensive maintenance and replacement costs than experienced in the past.

3. Flood Protection Services

Watersheds are often bigger than a city and the planning necessary to protect communities from watershed-scale flooding requires a regional effort performed by the County Flood Control District. The Flood Control District provides large, regional facilities into which local drainage systems from cities and unincorporated communities drain. These regional facilities include flood protection channels, detention basins, and other structures. Many of these large facilities provide significant environmental value in addition to protecting communities from serious flooding and have a recreational component. For example, detention basins often have trees and a trail around their perimeter; many creek channels are earthen and support riparian vegetation important to bird and aquatic species, and have a trail along the channel access road or levee. The riparian vegetation also cleanses the stormwater and gives it an opportunity to percolate into the soil.

Funding Stormwater Services

All three of the program areas the County provides stormwater services are inadequately funded. Stormwater quality requirements and the resultant budget to meet those requirements are dictated by Regional Water Quality Control Board permits (clean water permits) issued approximately every five years. In 1992, the County modified the Flood Control District Act to allow the collection of an annual assessment on each parcel in the County to fund stormwater quality services and formed the Clean Water Program. Those clean water assessments, which are $30 per year for a residential parcel, cannot be raised without a vote of the electorate or property owners. Since the first clean water permit was issued in 1993, the program and budget requirements have increased dramatically with each subsequent permit. The next clean water permit from the Regional Board is anticipated to be issued later this year and is expected to increase costs over the current permit. Our stormwater quality program has been funding operations using reserve funds for the last couple of years and is expected to reach deficit funding next year.

Community drainage services is a general County service. Historically this program was funded with County General Fund revenue as there were no restricted or dedicated funds for this service. In 1992 when the County established the

clean water assessments, funding community drainage services was shifted from the General Fund to the clean water assessments. This funding shift was also triggered by the State's new Education Revenue Augmentation Fund (ERAF) requirements. Initially, the stormwater quality program could absorb the additional responsibility, however, today it cannot. The next clean water permit will push the stormwater quality program into deficit spending, and deferred maintenance of community drainage infrastructure coupled with aging facilities results in an underfunded program.

The Flood Control District owns and operates a flood protection system of 79 miles of channels and 29 detention basins throughout the County. The asset value of these facilities is $1 billion (in 2010 dollars), and the replacement cost is estimated at $2.4 billion. These facilities were constructed beginning in the 1950s and designed for a 50 year design life. We have already exceeded the design life for our earliest constructed facilities. Even though we anticipate a service life of 75 years, we must begin planning how to fund their replacement. The District receives a dedicated percentage of property tax that varies with each major watershed. The Marsh Creek and Walnut Creek watersheds have the highest tax rate while all the West County watersheds have the lowest, and in one case zero, tax rate. Despite its best efforts, the District can only manage to invest 0.4% of asset value into system maintenance. The industry standard is to invest 2% of asset value each year towards maintenance. The Flood Control program is considered underfunded because of its inability to meet industry standards for maintenance investment and has no ability to establish a replacement fund for long-term capital needs .

Stormwater Funding Proposal

A coalition of statewide organizations is working in Sacramento on legislation to provide authority to stormwater agencies, such as the County, to establish or raise rates similar to the authority water and wastewater districts currently have. The California State Association of Counties (CSAC) and the County Engineers Association of California (CEAC) are members of the coalition. The coalition is developing a Constitutional Amendment that would place a ballot measure before the California voters. The voters would decide whether stormwater should have the same voting requirements for establishing or raising fees and charges as water and wastewater. Companion legislation is also being developed that would define the term "Stormwater". The coalition is working towards the 2016 election for the ballot measure. If the voters approve the ballot measure, then each city, county or other logical service area will have to go through a political process to establish a rate structure and rate for funding stormwater services. Some communities may decide not to establish a rate for stormwater services.

The legislative effort by CSAC and CEAC to develop the authority for local government to raise revenue for stormwater services is consistent with the County legislative platform.

Each of the three programs the County operates to provide stormwater services is underfunded and new sources of revenue are necessary to provide for public health and safety and environmental protection with regards to our stormwater resources. CSAC and CEAC are working with a coalition of other organizations to provide the County the authority to establish funding for stormwater services similar to water and wastewater districts. It will be up to the County to decide what rate, if any, would be appropriate to fund stormwater services. Alternatively, the County would join/form a Joint Powers Authority or other entity to provide stormwater services, if it is determined that service delivery would be more effective.

At its February 5, 2015 meeting, the Legislation Committee unanimously voted to recommend that the Board of Supervisors supports the efforts of CSAC and CEAC and the coalition they're working with to develop the authority for local government to raise revenue for stormwater services.

CONSEQUENCE OF NEGATIVE ACTION:
CSAC and CEAC would not have County support.

Contra Costa County

To: Board of Supervisors

From: Jessica Hudson, County Librarian

Date: March 3, 2015

Subject: Cancel One (1) Library Assistant-Journey Level Position and Increase the Hours of One (1) Library Assistant-Journey Level Position

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 21596 to cancel one part-time (20/40) Library Assistant- Journey Level (3KVB) (represented) position No. 11665 and increase the hours of one part-time (20/40) Library Assistant-Journey Level (3KVB) (represented) position No. 6077 to full time at salary plan and grade QXX-1030 ($2,988-$3,816) at the Library Department, Pleasant Hill.

FISCAL IMPACT:

Upon approval, this action will result in an annual cost savings to the Library Fund of approximately $14,099. No fiscal impact to the County General Fund. This position is funded in the Library budget.

BACKGROUND:

As part of a budget strategy to reduce benefits costs and to increase our competitive ability to fill vacant positions, the Library carefully evaluated the possibility of merging part time positions into full time positions and determined that it could make these position changes at the Pleasant Hill Library. Canceling one part time Library Assistant-Journey Level position and increasing the hours of another part-time Library Assistant-Journey Level position will result in a net savings of $-14,099 annually.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Michelle McCauley, (925) 927-3202

cc: James Hicks, Michelle McCauley, Eva Barrios

CONSEQUENCE OF NEGATIVE ACTION:

If these position changes are not implemented, the Library will not realize a cost savings and will remain competitively disadvantaged in filling its vacant positions.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

P300 21596 Library Asst

POSITION ADJUSTMENT REQUEST

NO. 21596
DATE 12/17/2014

Department No./
Department County Library Budget Unit No. 0621 Org No. 3754 Agency No. 85

Action Requested: Cancel one part-time (20/40) Library Assisstant-Journey Level (3KVB) (represented) position No. 11665 and increase the hours of one part-time (20/40) Library Assisstant-Journey Level (3KVB) (represented) position No. 6077 to full-time (40/40).

Proposed Effective Date: 2/1/2015

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	($14,099.00)	Net County Cost	$0.00
Total this FY	($5,875.00)	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.

Jessica A. Hudson
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

BR for JE — 12/30/2014
Deputy County Administrator — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE _____

Cancel one (1) part-time (20/40) Library Assisstant-Journey Level (3KVB) (represented) vacant position No. 11665 and increase the hours of one part-time (20/40) Library Assisstant-Journey Level (3KVB) (represented) vacant position No. 6077 to full-time (40/40) .

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 2/23/2015

☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

/s/ Julie DiMaggio Enea
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____ Date 2/23/2015 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: Jessica Hudson, County Librarian

Date: March 3, 2015

Subject: Cancel One (1) Executive Secretary Position and Add One (1) Community Library Manager Position

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 21601 to cancel one (1) full-time Executive Secretary-Exempt (J3T5) (unrepresented) vacant position No. 5998 and add one (1) full-time Community Library Manager (3AGG) (represented) position at salary plan and grade ZAX-1624 ($5,381 - $6,872) at the Library Department, Martinez.

FISCAL IMPACT:
Upon approval, this action will result in an annual savings to the Library Fund of approximately $2,194. No fiscal impact to the County General Fund. This position is funded in the Library budget.

BACKGROUND:
In the formulation of its Strategic Plan, the Library conducted broad outreach to its patrons through a community survey, key informant interviews and town hall meetings. In response to the public's comments, the Library carefully evaluated its staffing and determined that it could better meet service needs, outreach and marketing objectives by adding a full-time Community Library Manager position at the Martinez Library. The Senior Community Library Manager assigned to the Clayton Library currently provides oversight of the Martinez Library in a limited capacity. The addition of a Community Library Manager assigned full-time to the Martinez location will help balance the workload, strengthen infrastructure stability, and add a new promotional opportunity for existing staff. The Library recommends canceling the Executive Secretary-Exempt position as tasks performed are more appropriately distributed among other administrative staff.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Michelle McCauley, (925) 927-3202

cc: Michelle McCauley, James Hicks, Eva Barrios

CONSEQUENCE OF NEGATIVE ACTION:

If these position changes are not implemented, an annual savings will not be recognized and the Martinez Library will continue to operate with limited management oversight and will be unable to meet outreach and marketing objectives.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

P300 01601 Library Add Comm Lib Mgr Cxl Exec Scty

POSITION ADJUSTMENT REQUEST

NO. 21601
DATE 12/23/2014

Department No./
Department County Library Budget Unit No. 0620 Org No. 3702 Agency No. 85

Action Requested: Cancel One Full-time Executive Secretary Position and Add One Full-time Community Library Manager Position at the Martinez Library

Proposed Effective Date: 2/1/2015

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	($2,194.00)	Net County Cost	$0.00
Total this FY	($914.00)	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.

Jessica Hudson
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

BR for JE — Deputy County Administrator
1/8/2015 — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 3/3/2015
Cancel one (1) full-time Executive Secretary-Exempt (J3T5) (unrepresented) vacant position No. 5998 and add one (1) full-time Community Library Manager (3AGG) (represented) position at salary plan and grade ZAX-1624 ($5,381 - $6,872)

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 2/24/2015
☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

/s/ Julie DiMaggio Enea
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____ Date 2/24/2015 No. xxxxx

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: Jessica Hudson, County Librarian

Date: March 3, 2015

Subject: Cancel One (1) Full-time Senior Community Library Manager Position and Add One (1) Departmental Community and Media Relations Coordinator Position

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 21613 to cancel one (1) full-time Senior Community Library Manager (3AGH) (represented) vacant position No. 14625 and add one (1) full-time Departmental Community and Media Relations Coordinator (ADSH) (unrepresented) position at salary plan and grade B85-1649 ($5,532 - $6,725) in the Library Department.

FISCAL IMPACT:
Upon approval, this action will result in an annual cost saving to the Library Fund of approximately $31,893. No fiscal impact to the County General Fund. This position is funded in the Library budget.

BACKGROUND:
In the formulation of its Strategic Plan, the Library conducted broad outreach to its patrons through a community survey, key informant interviews and town hall meetings. In response to the public's comments, the Library carefully evaluated its staffing and determined that by canceling a Senior Community Library Manager position assigned to Public Services and adding a Departmental Community and Media Relations Coordinator position, a reorganization of Library services could be achieved that would be responsive to community input and better serve the Library's business needs. The individual who is hired into this new position is expected to assist the Library in fulfilling its goal of promoting the Library's value, programs and opportunities to the community and will develop and implement a strategic marketing communications plan. The Library recommends canceling the Senior Community Library Manager position assigned to Public Services as tasks performed are more appropriately distributed among other Public Services staff.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Michelle McCauley, (925) 927-3202

cc: Michelle McCauley, James Hicks, Eva Barrios

CONSEQUENCE OF NEGATIVE ACTION:

If these position changes are not implemented, the Library will be restricted in its ability to fulfill its strategic goal of promoting its value, programs and opportunities to the community.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

P300 21613 Cxl Sr Comm Lib Mgr Add Dept Comm Med Relations Coord

POSITION ADJUSTMENT REQUEST

NO. 21613
DATE 12/12/2014

Department No./
Department County Library Budget Unit No. 0620 Org No. 3702 Agency No. 85

Action Requested: Cancel One Full-Time Sr. Community Library Manager 14625 and Add One Full-time Departmental Community and Media Relations Coordinator in the Library Department

Proposed Effective Date: 7/1/2015

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 ($31,893.00) Net County Cost $0.00

Total this FY $0.0 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.

Jessica A. Hudson
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

BR for JE 2/10/15
Deputy County Administrator Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 3/3/2015

Cancel one (1) full-time Senior Community Library Manager (3AGH) (represented) vacant position No. 14625 and add one (1) full-time Departmental Community and Media Relations Coordinator (ADSH) (unrepresented)

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 2/24/2015

☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

/s/ Julie DiMaggio Enea
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____ Date 2/24/2015 No. xxxxx

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: Ed Woo, Chief Information Officer

Date: March 3, 2015

Subject: Reclassify Network Technician II to Network Administrator I

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 21604 to reclassify one (1) Network Technician II (LNVA) (represented) position #77 at salary plan and grade ZB5 1592 ($5,227 - $6,353) and its incumbent to Network Administrator I (LNSA) (represented) at salary plan and grade ZA5 1694 ($5,782 - $7,028) in the Department of Information Technology.

FISCAL IMPACT:
This action would result in a cost to the Department of approximately $6,906 annually, which will be recovered through service fees charged to user departments. The anticipated cost for fiscal year 2014/15 is $2,878 if this reclassification is effective 2/1/2015.

BACKGROUND:
The incumbent is primarily responsible for network, server and desktop administration, maintenance, and support for four county department networks. Combined, these networks are as complex as the Child Support Services network, and larger than the Public Defender or Election/Recorder networks. During the past 18 months, the incumbent has assumed more of the responsibilities and job duties of a Network Administrator by supporting nine offices in the County Administration and Finance buildings with 200 users and computers, 14 Servers, 3 network appliances, and many mobile devices. During the past two years, the incumbent has consistently demonstrated excellent technical and customer service skills in providing network and desktop services to county departments including the CAO, Human Resources, Auditor-Controller, Board of Supervisors and Clerk of the Board.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Edward Woo, CIO
925-383-2688

cc: Joanne Buenger, James Hicks, Marta Goc

BACKGROUND: (CONT'D)

>

The incumbent has frequently been indispensible during urgent situations. His quick response and cooperative effort with other DoIT teams to meet our most demanding customers' IT needs are distinct characteristics of a senior member of the DoIT Network Services Unit.

The incumbent has been given Network Administrator duties such as:

1. Provide technical administration and consultation for the County's new Enterprise Microsoft System Center Configuration Manager, helping county departments to automate and track their computer software updates and deployments.
2. Monitor and enhance complex computer and communications systems, on-site and remote; develop, design and implement problem solutions, using standard analysis techniques; and recommend solutions to correct malfunctions.
3. Maintain system back-ups and control records; create logical directory structure of network shared files and directories; responsible for retention of server backups.
4. Provide plans to the CAO, HR and Auditor-Controller of their network capacity, technology status, backup/recovery, and budgeting required to insure efficient, effective, and reliable networks
5. Responsibility for day-to-day IT operations, scheduling, and performance tuning
6. Monitor daily activity on computer networks, checking for potential problems, resource ability, performance, and network integrity; monitor systems activity and usage to maintain a secure environment; and troubleshoot, repair and provide viable recommendations for resolving problems
7. Notify department staff/customers of changes, updates and new features
8. Evaluate new Microsoft Windows 10 operating system under consideration for adoption
9. Responsibility for interfacing with vendors' sales and field services personnel to coordinate normal periodic maintenance and arrange for and monitor equipment repairs and purchases.

Based on the preponderance of duties and responsibilities assigned to the position, the Human Resources Department recommends reclassification without examination to Network Administrator I (LNSA).

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the incumbent will not be properly compensated for the work he is performing. Additionally, duties and tasks that are essential to the departments he serves will have to be reassigned to avoid potential grievances regarding employees working out of class. Removal of these specialized tasks from this position would impede the daily functions of the departments served.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

P300 21604 Reclass DoIT Network Tech II to Network Admin I

POSITION ADJUSTMENT REQUEST

NO. 21604
DATE 1/20/2015

Department Department of Information Technology Department No./ Budget Unit No. 0147 Org No. 1070 Agency No. A03

Action Requested: Reclassify Position #77 and incumbent from Network Technician II (LNVA) to Network Administrator I (LNSA).

Proposed Effective Date: 2/1/2015

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	$6,906.00	Net County Cost	$0.00
Total this FY	$2,878.00	N.C.C. this FY	$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Network Services Unit approved budget

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

/s/ Ed Woo
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

/s/ Julie DiMaggio Enea — 1/23/2015
Deputy County Administrator — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 2/4/2015

Reclassify one (1) Network Technician II (LNVA) (represented) at salary plan and grade ZB5 1592 ($5227 - $6353) position #77 and its incumbent to a Network Administrator I (LNSA) (represented) at salary plan and grade ZA5 1694 ($5782 - $7028) in the Department of Information Technology.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.
☒ 2/1/2015(Date)

Marta Goc — 2/4/2015
(for) Director of Human Resources — Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE 2/20/2015

☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

/s/ Julie DiMaggio Enea
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

REQUEST FOR PROJECT POSITIONS

Department _____ Date 2/20/2015 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: Robin Lipetzky, Public Defender

Date: March 3, 2015

Subject: Reduce hrs of Public Defender Investigator II from 32/40 to 20/40

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 21607 to decrease the hours of one (1) Public Defender Investigator II (6NVA) (represented) position #3870 from part-time (32/40) to part-time (20/40) in the Office of the Public Defender.

FISCAL IMPACT:
This action has an annual cost savings of approximately $39,843, of which approximately $9,810 is related to employer pension costs.

BACKGROUND:
The Office of the Public Defender is requesting this position adjustment to accommodate an employee request to reduce hours to 50%. This request has been approved at the department level.

CONSEQUENCE OF NEGATIVE ACTION:
If this request is not approved, the department will continue to pay part-time (32/40) retirement costs to an employee working (20/40) capacity.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Donna Broussard (925) 335-8065

cc: James Hicks, Donna Broussard, Anastacia Swift

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

P300 No. 21607

POSITION ADJUSTMENT REQUEST

NO. 21607
DATE 1/28/2015

Department Public Defender

Department No./
Budget Unit No. 0243 Org No. 2905 Agency No. 43

Action Requested: Reduce hours of one Public Defender Investigator II position (pos no. 3870) from 32/40 to 20/40

Proposed Effective Date: 1/19/2015

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	($39,843.00)	Net County Cost	($39,843.00)
Total this FY	($19,922.00)	N.C.C. this FY	($19,922.00)

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.

Donna M. Broussard
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

VT for TE — 1/28/2015
Deputy County Administrator — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 2/16/2015
Reduce hours of one Public Defender Investigator II (6NVA) position (pos no. 3870) from 32/40 to 20/40

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.
☒ 1/19/2015(Date)

K. Ito — 2/16/2015
(for) Director of Human Resources — Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE 2/25/2015
☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

Tim Ewell
(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 (M347) Rev 3/15/01

REQUEST FOR PROJECT POSITIONS

Department _____ Date 2/25/2015 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 Director

Date: March 3, 2015

Subject: Reclassify Public Health Program Specialist I to Health Program Specialist II in the Health Services Department

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 21610 to reclassify one (1) Public Health Program Specialist I (VBSD) (represented) position #10076 at salary plan and grade level ZA5-1602 ($5,279 - $6,416) and its incumbent to Public Health Program Specialist II (VBND) (represented) at salary plan and grade level ZA5-1711 ($5,880 - $7,148) in the Health Services Department.

FISCAL IMPACT:
Upon approval, this action has an annual cost of approximately $12,900 including approximately $3,201 in pension costs, which is fully offset with revenues from service fees.

BACKGROUND:
The Health Services Department is requesting the reclassification of position #10076 and its incumbent from Public Health Program Specialist I to Public Health Program Specialist II. After analysis of job duties and responsibilities, the Department has determined that the position and the incumbent should be reclassified at the Public Health Program Specialist level. The incumbent has primary responsibilities for the County's Immunization Program including county-wide

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Jo-Anne Linares, (925) 957-5246

cc: , , , James Hicks

BACKGROUND: (CONT'D)

planning, administration, coordination and implementation of all Immunization Program activities to assure that all County residents are protected from vaccine-preventable diseases. In addition, he acts as the primary spokesperson for the County's Communicable Disease Program, and is also an active participant in communicable disease investigation and control activities with a large-scare community impact. Further, he serves as a Communicable Disease on-call staff providing direct assistance to the County's Health Officer.

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, the incumbent will not be classified and compensated appropriately.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

P-300 #21610

POSITION ADJUSTMENT REQUEST

NO. 21610
DATE 1/26/2015

Department Health Services

Department No./
Budget Unit No. 0450 Org No. 5841 Agency No. A18

Action Requested: Reclassify Public Health Program Specialist I (VBSD) position #10076 to Public Health Program Specialist II (VBND) in the Health Services Department.

Proposed Effective Date: 3/11/2015

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	$12,900.00	Net County Cost	$0.00
Total this FY	$5,375.00	N.C.C. this FY	$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Third party revenue service fees

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 — 2/3/15
Deputy County Administrator — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 2/9/2015

Reclassify one (1) Public Health Program Specialist I (VBSD) (represented) position #10076 at salary plan and grade level ZA5-1602 ($5,279 - $6,416) and its incumbent to Public Health Program Specialist II (VBND) (represented) at salary plan and grade level ZA5-1711 ($5,880 - $7,148) in the Health Services Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.
☒ 2/1/2015(Date)

Marta Goc — 2/9/2015
(for) Director of Human Resources — Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE 2/23/2015

☒ 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 2/23/2015 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: March 3, 2015

Subject: Add three Health Services Systems Analyst II positions in the Health Services Department

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 21620 to add three (3) permanent full-time Health Services Systems Analyst II (LBVC) positions ($6,321-$8,471) in the Information Technology division of the Health Services Department.

FISCAL IMPACT:
The additional costs associated with this action are approximately $462,466.31 annually with benefits. Costs will be funded by Enterprise Fund I. (100%)

BACKGROUND:
With the implementation of EPIC, Health Services Information Technology is in need of additional staff to support its ccLink activities. This additional staff would be responsible for providing systems support and analysis to Contra Costa Regional Medical Center and Health Clinics. Duties include: implementing applications to support internal/external customers, defining and performing primary testing of enhancement/upgrades before release to users, and developing proposals for system modification/replacement including cost benefit analysis and resource requirements.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Kristen Cunningham, 957-5267

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved and without additional staff, Health Services Information Technology will not have the appropriate staffing levels to meet its obligations to the County.

CHILDREN'S IMPACT STATEMENT:

N/A

ATTACHMENTS

P-300 #21620

POSITION ADJUSTMENT REQUEST

NO. 21620
DATE 2/6/2015

Department No./
Department HEALTH SERVICES-Information Technology Budget Unit No. 0540 Org No. 6555 Agency No. A18

Action Requested: Add three permanent full-time Health Services Systems Analyst II (LBVC) positions in the Information Technology division of the Health Services Department

Proposed Effective Date: 3/4/2015

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	$462,466.31	Net County Cost	$0.00
Total this FY	$192,694.50	N.C.C. this FY	$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Enterprise Fund I

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 — 2/25/2015
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 2/25/2015

☐ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☒ Other: Approve as requested by Department

Dorothy Sansoe
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services

Date: March 3, 2015

Subject: Add and cancel positions in the Health Services Department

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 21617 to add two (2) Public Health Program Specialist I (VBSD) positions at salary level and range ZA5-1602 ($5,279 - $6,416) and cancel vacant positions - Home Economist (V9WE) positions #13894 and #14948 at salary level and range QT5-1376 ($4,220 - $5,130), Public Health Nutritionist (V9WB) position #9754 at salary level and range QT5-1430 ($4,452 - $5,412), and Information System Assistant II (LTVH) position #9656 at salary level and range 3R5-1005 ($3,012 - $3,661) in the Health Services Department. (Represented)

FISCAL IMPACT:
Upon approval, this request has an annual cost savings of approximately $39,563.

BACKGROUND:
The Department is requesting the two positions to be allocated to Public Health Division's Women, Infant and Children (WIC) Program. Currently the WIC Program Director is managing sixty (60) staff members in four sites - Brentwood, Pittsburg, Concord and Richmond, which is not sustainable. The WIC Program provides services to approximately 22,525 participants for

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** [ ] 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: March 3, 2015

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

By: , Deputy

Contact: Jo-Anne Linares, (925) 957-5240

cc:

BACKGROUND: (CONT'D)

fiscal year 2014-2015 countywide, and the added positions will be assigned to the East and West County to provide on-site daily supervision, technical assistance and consultation to program staff. To offset the new positions, the Department is cancelling the vacant positions.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, there is not sufficient management staff to oversee the daily activities of the WIC program.

CHILDREN'S IMPACT STATEMENT:

N/A

ATTACHMENTS

P-300 #21617

POSITION ADJUSTMENT REQUEST

NO. 21617
DATE 2/6/2015

Department Health Services

Department No./
Budget Unit No. 0450 Org No. 5828 Agency No. A18

Action Requested: Add two (2) Public Health Program Specialist (VBSD) positions and cancel vacant Home Economist (V9WE) positions #13894 and #14948, Public Health Nutritionist (V9WB) position #9754, and Information Systems Assistant II (LTVH) position # 9656 in the Health Services Department.

Proposed Effective Date: 3/4/2015

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	($39,563.00)	Net County Cost	$0.00
Total this FY	($16,485.00)	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.

Jo-Anne Linares
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Dorothy Sansoe — Deputy County Administrator
2/23/2015 — 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 2/23/2015

☐ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☒ Other: Approve as requested by Department

Dorothy Sansoe
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services

Date: March 3, 2015

Subject: Add and cancel one position in the Information Technology division of the Health Services Department

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 21619 to add one (1) permanent full-time Automated Call Distribution Coordinator II (LBNA) position ($5,898-$7,169) and cancel vacant Department Personal Computer Coordinator (XQSJ) ($5,782-$7,028) position #9537 in the Information Technology division of the Health Services department.

FISCAL IMPACT:
The additional costs associated with this action are approximately $2,479 annually with benefits. Costs will be funded by Enterprise Fund I. (100%)

BACKGROUND:
Contra Costa Health Services operates 11 call centers supporting the IT Service Desk: Financial Counseling, CCHP Membership Maintenance Unit, CCHP Member Services, Appointment Unit, Advice Nurse, and others. Currently, CCHS has only one person supporting these mission critical systems. CCHS is planning to replace the Automated Call Distribution (ACD) System with new technology. To manage this new technology, perform preventive maintenance, test the redundant systems, troubleshoot routing between AT&T, the PBX, and the ACD requires an Automated Call Distribution Coordinator II position.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Kristen Cunningham, 957-5267

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved and without additional staff, Health Services Information Technology will not have the adequate personnel to manage the call centers in the Health Services department.

CHILDREN'S IMPACT STATEMENT:

N/A

ATTACHMENTS

P-300 #21619

POSITION ADJUSTMENT REQUEST

NO. 21619
DATE 2/9/2015

Department HEALTH SERVICES-Information Technology Department No./ Budget Unit No. 0540 Org No. 6555 Agency No. A18

Action Requested: Add one (1) Automated Call Distribution Coordinator II (LBNA) position and cancel vacant Department Personal Computer Coordinator (XQSJ) position #9537 in the Information Technology division of the Health Services Department.

Proposed Effective Date: 3/4/2015

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	$2,479.83	Net County Cost	$0.00
Total this FY	$1,033.25	N.C.C. this FY	$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Enterprise Fund I

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 — 2/23/2015
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 2/23/2015
☐ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☒ Other: Approve as requested by Department

Dorothy Sansoe
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services

Date: March 3, 2015

Subject: Add and cancel one position in the Contra Costa Health Plan division of the Health Services Department

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 21618 to add one (1) Utilization Review Manager (VWHG) position ($8,058-$9,794)and cancel vacant Utilization Review Coordinator (VWSD) ($7,407-$9,004) position #15193 in the Contra Costa Health Plan division of the Health Services Department. (Represented)

FISCAL IMPACT:
The additional cost associated with this action is approximately $13,946 annually with benefits. Costs will be funded by CCHP Enterprise Fund III (100%).

BACKGROUND:
The Utilization Review Manager in Contra Costa Health Plan's Case Management unit will support the Director of Case Management in both personnel management (currently 23 FTE's) as well as program oversight of various Case Management programs. Duties will include supervision of non-clinical staff, day-to-day management of Good Health Check-up program and State reporting on Community Based Adult Services (CBAS) and Seniors and Persons with Disabilities (SPD) programs. Other program oversight includes the SPD Health-Risk assessment program mandated by the California

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Kristen Cunningham, 957-5267

cc:

BACKGROUND: (CONT'D)

Department of Health Care Services (DHCS). The Utilization Review Manager will also attend In-Home Support Services (IHSS)/CCHP Case Management bimonthly meetings, represent the department at various interdepartmental meetings and other duties as needed to assure consistent quality care and services from the Case Management department at CCHP.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved and without additional staff, Contra Costa Health Plan's Case Management unit will not have the appropriate personnel to meet the mandated requirements of the Plan.

CHILDREN'S IMPACT STATEMENT:

N/A

ATTACHMENTS

P-300 #21618

POSITION ADJUSTMENT REQUEST

NO. 21618
DATE 2/12/2015

Department HEALTH SERVICES-CCHP

Department No./
Budget Unit No. 0860 Org No. 6115 Agency No. A18

Action Requested: Add one permanent full-time Utilization Review Manager (VWHG) position and cancel vacant Utilization Review Coordinator (VWSD) position #15193 in the Contra Costa Health Plan of the Health Services Department

Proposed Effective Date: 3/4/2015

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	$13,946.19	Net County Cost	$0.00
Total this FY	$5,810.90	N.C.C. this FY	$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT CCHP Enterprise Fund III

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 — Deputy County Administrator
2/23/2015 — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS
Exempt from Human Resources review under delegated authority

DATE _____

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:
☐ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☒ Other: Approve as requested by Department

DATE 2/23/2015

Dorothy Sansoe
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services

Date: March 3, 2015

Subject: Increase position hours of four (4) permanent part-time positions in the Health Services Department

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 21616 to increase the hours of four (4) permanent part-time Licensed Vocational Nurse (VT7G) positions #15447 and #7329 from 32/40 to 40/40; #9939 and #7394 from 24/40 to 32/40 at salary level and range QBX-1287 ($3,854 - $4,922) in the Health Services Department. (Represented)

FISCAL IMPACT:
Upon approval, this request has an annual cost of approximately $69,467.00 including pension costs, and fully offset with federally qualified health care revenues.

BACKGROUND:
In accordance with the memorandum of understanding between Contra Costa County and Public Employees Union Local One, the Health Services Department is requesting to increase the hours of four (4) permanent part-time Licensed Vocational Nurse positions #15447 and #7329 from 32/40 to 40/40; #9939 and #7394 from 24/40 to 32/40 allocated to the Concord and Pittsburg Health Centers. The incumbents have consistently worked over their assigned position hours and the Department has determined the need for the additional hours will continue indefinitely

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Jo-Anne Linares, 957-5240

cc:

BACKGROUND: (CONT'D)

in order to meet the patient care services for both health centers.

The cost associated with this action is approximately $69,467.00 per year and is offset by the elimination of the straight time overtime pay already incurred by the incumbents working over their designated position hours, with 100% federally qualified health care revenue.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, there will not be sufficient staff to meet the needs of Concord and Pittsburg Health Centers, which negatively impacts patient care.

CHILDREN'S IMPACT STATEMENT:

N/A

ATTACHMENTS

P-300 #21616

POSITION ADJUSTMENT REQUEST

NO. 21616
DATE 2/12/2015

Department Health Services

Department No./
Budget Unit No. 0540 Org No. 6386 Agency No. A18

Action Requested: Increase the hours of four permanent part-time Licensed Vocation Nurse (VT7G) Positions #15447 and #7329 from 32/40 to 40/40; #7394 and #9939 from 24/40 to 32/40 in the Health Services Department.

Proposed Effective Date: 3/4/15

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	$69,467.00	Net County Cost	$0.00
Total this FY	$28,944.00	N.C.C. this FY	$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% FQHC revenues

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 — 2/23/15
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 2/23/2015

☐ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☒ Other: Approve as requested by Department

Dorothy Sansoe
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

Contra Costa County

To: Board of Supervisors

From: Robin Lipetzky, Public Defender

Date: March 3, 2015

Subject: Add one part-time DPD III for the Edward Byrne Justice Assistance Grant

RECOMMENDATION(S):
ADOPT Position Adjustment Resolution No. 21614 to add one (1) part-time (20/40) Deputy Public Defender III (25TB) (represented) position at salary plan and grade JD5 2146 ($9,006 - $10,946) in the Office of the Public Defender.

FISCAL IMPACT:
This action has an annual cost of approximately $105,324, of which approximately $44,000 is related to employer pension costs. The cost this fiscal year 2014/15 is estimated to be $34,589.

100% of the cost is covered by the federally funded Edward Byrne Justice Assistance Grant.

BACKGROUND:
The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S. Code §3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. The JAG Program provides critical funding necessary to support state and local initiatives, to include: technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Vana Tran, (925) 335-1037

cc: Vana Tran, James Hicks, Anastacia Swift, Donna Broussard

BACKGROUND: (CONT'D)

support, and criminal justice information systems.

Contra Costa County participated in a competitive RFP process with a funding threshold for large counties of up to $1,045,625 annually. The County has been selected for funding for a 34-month cycle beginning on March 1, 2015 and ending on December 31, 2017.

Today's action approves the creation of one part-time (20/40) Deputy Public Defender III position with 100% of its cost covered by the Edward Byrne Justice Assistance Grant.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the department would not be able to provide the services as outlined in the Edward Byrne Justice Assistance Grant.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

P300 No. 21614

POSITION ADJUSTMENT REQUEST

NO. 21614
DATE 2/19/2015

Department Public Defender

Department No./
Budget Unit No. 0243 Org No. 2909 Agency No. 43

Action Requested: Add one (1) part time (20/40) Deputy Public Defender III position (25TB)

Proposed Effective Date: 3/1/2015

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	$105,324.00	Net County Cost	$0.00
Total this FY	$34,589.00	N.C.C. this FY	$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Edward Byrne Justice Assistance Grant

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Vana Tran
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

VT for TE — Deputy County Administrator
2/19/2015 — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 2/24/2015
Add one (1) part-time (20/40) Deputy Public Defender III (25TB) (represented) position at salary plan and grade JD5 2146 ($9,006 - $10,946)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.
☐ _____(Date)

K. Ito — (for) Director of Human Resources
2/24/2015 — Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE 2/25/2015
☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

Tim Ewell
(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 2/25/2015 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: David O. Livingston, Sheriff-Coroner

Date: March 3, 2015

Subject: Concord Jet Service, Inc.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a sub-sublease with Concord Jet Service Incorporated, in an amount not to exceed $350,000 to provide aircraft hangar, office space and helicopter fuel for the period May 1, 2015 through April 30, 2017.

FISCAL IMPACT:
100% General Fund. Budgeted.

BACKGROUND:
Concord Jet Service Incorporated will provide aircraft hangar space at Buchanan Field Airport for the Sheriff's helicopters and office space for staff. Sheriff's Office will pay contractor for hangar rental space $1,500 per month and not to exceed $18,000 annually. For office space, the Sheriff's Office will pay the contractor $2,100 per month with utilities included, and not to exceed $25,200 annually. The sub-sublease allows for the purchase of helicopter fuel.

CONSEQUENCE OF NEGATIVE ACTION:
The sub-lease will not be approved resulting in no hangar or office spaces for the Sheriff's Helicopter Unit.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☑ 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: March 3, 2015

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

By: , Deputy

Contact: Sandra Brown, 925-335-1553

cc:

CHILDREN'S IMPACT STATEMENT:

No impact.

Contra Costa County

To: Board of Supervisors

From: Mark Peterson, District Attorney

Date: March 3, 2015

Subject: APPLY FOR AND ACCEPT THE FEDERAL DEPT. OF JUSTICE "SWIFT, CERTAIN AND FAIR" GRANT

RECOMMENDATION(S):
APPROVE and AUTHORIZE the District Attorney, or designee, to apply for and accept the Federal Department of Justice "Swift, Certain and Fair" grant in an amount up to $400,000 to replicate the concepts behind Hawaii's Opportunity Probation with Enforcement (HOPE) program for the period October 1, 2015 through September 30, 2017.

FISCAL IMPACT:
Up to $400,000, 100% Federal. The grant request for proposals does ask for a voluntary, in-kind or cash match of 25%; however, it is not a requirement.

BACKGROUND:
Hawaii's HOPE program, which started in 2004, was one of the first successful large-scale implementations of swift-and-certain sanctions. The HOPE model was designed by Judge Steven Alm in response to what he considered to be a failure of the

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Tom Kensok, (925) 957-2220

cc:

BACKGROUND: (CONT'D)

status quo to effectively change the behavior of their primarily methamphetamine-using, moderate-to-high risk probationers. Compared to its predecessors, the HOPE program dramatically improved the swiftness and certainty of sanctions delivered by the Hawaii criminal justice system by adding regular random drug tests; delivering sanctions within days of the detected violation; and imposing short-term jail stays as sanctions (sometimes as short as 3 days).

By addressing every violation of program participants and responding quickly, HOPE sent a consistent message to probationers about personal responsibility and accountability. The program reflected the research about deterrence that certain punishment for a probation violation will influence future offending behavior. It also increased the likelihood of compliance by imposing consequences that are relative to the offense and consistently applied. The program's success depended on streamlined judicial processes and careful coordination and collaboration between the courts, probation, law enforcement, and treatment providers. The program minimized delays within the court system by expediting the reporting of dirty tests, the scheduling of court hearings, and the issuance of bench warrants to absconders. In addition, cooperation with law enforcement agencies ensured that bench warrants were prioritized and served within days.

The outcomes of a 2009 evaluation of Hawaii HOPE (Hawken & Kleiman, 2009) showed that close monitoring of probation conditions—coupled with swift and certain responses to detect violations—improved compliance with terms of probation and enhanced desistance from drug use. Specifically, about half of the HOPE probationers never tested positive after their initial warning hearing (and didn't require a sanction). Furthermore, when compared to the control group after one year, HOPE probationers were:

1. 55 percent less likely to be arrested for a new crime
2. 72 percent less likely to use drugs
3. 61 percent less likely to skip appointments with their supervisory officer
4. 53 percent less likely to have their probation revoked

As a result, HOPE probationers served 48 percent fewer days in prison, on average, than the control group (Hawken & Kleiman, 2009).

The District Attorney's Office hopes that we can bring this successful model to Contra Costa County through this grant oppurtunity.

CONSEQUENCE OF NEGATIVE ACTION:

The District Attorney will not be able to apply for and accept the grant.

CHILDREN'S IMPACT STATEMENT:

No impact.

Contra Costa County

To: Board of Supervisors

From: John Kopchik, Interim Director, Conservation & Development Department

Date: March 3, 2015

Subject: ADOPT Res. No. 2015/53 accepting a Grant Deed of Development Rights on a Portion of the Gester Subdivision in the Alamo area. (District II)

RECOMMENDATION(S):

A. FIND that the proposed Grant Deed of Development Rights between Ralf and Candi Gester and Contra Costa County, a copy of which is attached hereto ("Grant Deed"), is categorically exempt from the review requirements of the California Environmental Quality Act (Class 25 - Transfers of Ownership of Interest in Land to Preserve Existing Natural Conditions).

B. APPROVE and AUTHORIZE the Board Chair to execute the Grant Deed.

C. ADOPT Resolution No. 2015/53, accepting the Grant Deed.

D. DIRECT the Conservation and Development Director to have a certified copy of Resolution No. 2015/53 and the Grant Deed recorded in the Office of the Contra Costa County Recorder.

FISCAL IMPACT:

None to General Fund. All costs are absorbed by applicant.

BACKGROUND:

On November 15, 2010, the County Zoning Administrator approved an application by Ralf and Candi Gester, for a 2-lot subdivision in the Alamo area (County File #MS07-0015). Conditions of approval of file #MS07-0015 require the applicant to grant development rights to the County over a portion of the subdivision property that is within the I-680 scenic corridor.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Francisco Avila, (925) 674-7801

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not accept the Grant Deed, the development rights over the identified area will not be conveyed to the County. This may result in the future development of a hillside which has been deemed visually sensitive for structural development.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Resolution No. 2015/53

Grant Deed of Development Rights

Recorded at the request of: **Department of Conservation and Development**
Return To: **Department of Conservation and Development**

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

Adopted this Resolution on 03/03/2015 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2015/53

IN THE MATTER OF
Accepting a Grant Deed of Development Rights on a portion of the Ralf and Candi Gester subdivision (County File #MS07-00015), as recommended by the Conservation and Development Director, Alamo area.

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED:

INSTRUMENT: Grant Deed of Development Rights

REFERENCE: Assessor's Parcel Number: 192-240-007

GRANTOR: Ralf and Candi Gester

AREA: Alamo

.

Contact: Francisco Avila, (925) 674-7801

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: March 3, 2015
David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

RECORDING REQUESTED BY, AND
WHEN RECORDED MAIL TO:

Contra Costa County
Department of Conservation & Development
Community Development Division
30 Muir Road
Martinez, CA 94553

APN: 192-240-007

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GRANT DEED OF DEVELOPMENT RIGHTS
(Gester Property)

This Grant Deed of Development Rights is made by and between the Grantors, Ralf and Candi Gester, and their successors and assigns ("Grantors") and the Grantee, Contra Costa County, a political subdivision of the State of California, and its successors and assigns ("County").

RECITALS

A. On November 15, 2010, the County Zoning Administrator conditionally approved an application by Grantors to subdivide an approximately 2.47-acre site in an unincorporated area of Alamo, County of Contra Costa, State of California, into two parcels, Parcel A and Parcel B. Parcel A and Parcel B are shown on the Tentative Map for Minor Subdivision (MS) 07-0015, a copy of which is attached hereto as Exhibit 1 and incorporated herein by this reference.

B. Condition of Approval #5 for MS 07-0015 requires the development rights to the area on Parcel B not proposed for the residential building site to be conveyed by grant deed to the County. Parcel B will hereafter be referred to as the "Property."

C. Grantors desire to evidence their intent, and to insure that the obligations specified herein are covenants, conditions, and restrictions that run with the land and are for the benefit of the County.

NOW, THEREFORE, for good and valuable consideration, including but not limited to the agreements contained herein, the receipt and sufficiency of which is hereby acknowledged, Grantors hereby grant to County, on the terms and conditions set fourth below, all the Development Rights over the "Restricted Development Area" portion of the Property, as defined below.

1. **Recitals.** The recitals are intended to be and shall be part of this Grant Deed.

2. **Restricted Development Area.** "Restricted Development Area" is defined to mean and refer to the portion of the Property described and depicted as the "Restricted Development Area" in Exhibit 2 attached hereto and incorporated herein by this reference.

3. **Development Rights.** "Development Rights" are defined to mean and refer to the right to divide, develop, or install or construct improvements on, all or any portion of the Restricted Development Area.

4. **Negative Easement.** This Grant Deed is in the form of a negative easement, which shall run with said Property and shall bind the current Grantors and any future owners of all or any portion of said Property. This Grant Deed is an agreement in writing affecting the title or possession of the Property.

5. **Development Restrictions.** Except as provided herein, Grantors shall not divide, develop, or install or construct improvements on, any portion of the Restricted Development Area, and Grantors agree that no building permits or other permits shall be issued for the purpose of constructing improvements on any portion of the Restricted Development Area. Grantors hereby waive and relinquish any rights they might otherwise have to such permits.

5.1 **Plans and Specifications; County Approval.** Any and all improvements proposed for the Restricted Development Area will be performed as directed by County. Grantors shall cause plans and specifications for improvements to be prepared by competent persons legally qualified to do the work and to submit said improvement plans and specifications to County for approval prior to commencement of any work, and shall pay any County improvement plan review and inspection fee. The work shall be done in accordance with County standards in effect at the time improvement plans are submitted for approval or, upon annexation of the Restricted Development Area to any city, in accordance with the applicable city standards. Grantors agree to commence and complete the work within the time specified by County.

5.2 **Development of Restricted Development Area.** Development of the Restricted Development Area may occur only as set forth below, subject to Grantors first obtaining all necessary permits and approvals from the County:

5.2.1 The development of structures on the Restricted Development Area, including but not limited to buildings, obscure fences, swimming pools, tennis courts and other sports courts, is expressly prohibited without exception.

5.2.2 No other development activity, grading or removal of trees may occur on the Restricted Development Area without the prior written approval of the County Zoning Administrator.

5.2.3 A sewer lateral exists within the Restricted Development Area. To the extent that the repair or maintenance of the existing sewer lateral is considered a development activity, notwithstanding Subsection 5.2.2 above, that activity may proceed without the written permission of the County Zoning Administrator.

6. **Covenants Running With Land.** This Grant Deed shall be binding on the parties hereto and the provisions hereof shall be covenants running with the land and shall inure to the benefit of and be binding on the heirs, successors, and assigns of the Grantor, County, and all of the Property and all other parties having or acquiring any right, title, or interest in any part of the real property encumbered by the easement described herein.

7. **Remedies.** Should Grantor violate any of the provisions hereof, County shall be entitled to all rights and remedies available at law or in equity, including without limitation, an order enjoining the activity in violation hereof and an order requiring the removal of the improvements constructed in violation hereof. In addition, County shall be entitled to an award of all expenses incurred by County in pursuing such violation(s), including costs, interest, attorney's fees and other litigation expenses.

IN WITNESS THEREOF, this Grant Deed of Development Rights is signed and executed this 8TH day of AUGUST, 2013.

GRANTEE

CONTRA COSTA COUNTY

By: _____
Chair, Board of Supervisors

Attest: David Twa, Clerk of the Board of Supervisors and County Administrator

By: _____
Deputy

Approved as to Form:

Sharon L. Anderson
County Counsel

By: _____
Deputy County Counsel

GRANTORS

RALF AND CANDI GESTER

_____
Ralf Gester

_____
Candi Gester

Attachments:

Exhibit 1: MS 07-0015 Tentative Map
Exhibit 2: Legal Description and Map
- Exhibit A: Legal Description, dated July 2, 2013
- Exhibit B: Plat to Accompany Legal Description

H:\Final\C D\Grant Deed.Gester.7.24.13.docc

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Contra Costa

On Aug. 8, 2013 before me, BARBARA R THEOBALD Notary Public
(Here insert name and title of the officer)

personally appeared RALF GESTER AND CANDI GESTER,

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 paragraph is true and correct.

WITNESS my hand and official seal.

Barbara R Theobald
Signature of Notary Public

(Notary Seal)

BARBARA R. THEOBALD
Commission # 1902110
Notary Public - California
Contra Costa County
My Comm. Expires Sep 26, 2014

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Grant Deed of Developmental Rights
(Title or description of attached document)
(Title or description of attached document continued)

Number of Pages — Document Date 8/8/13

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other _____

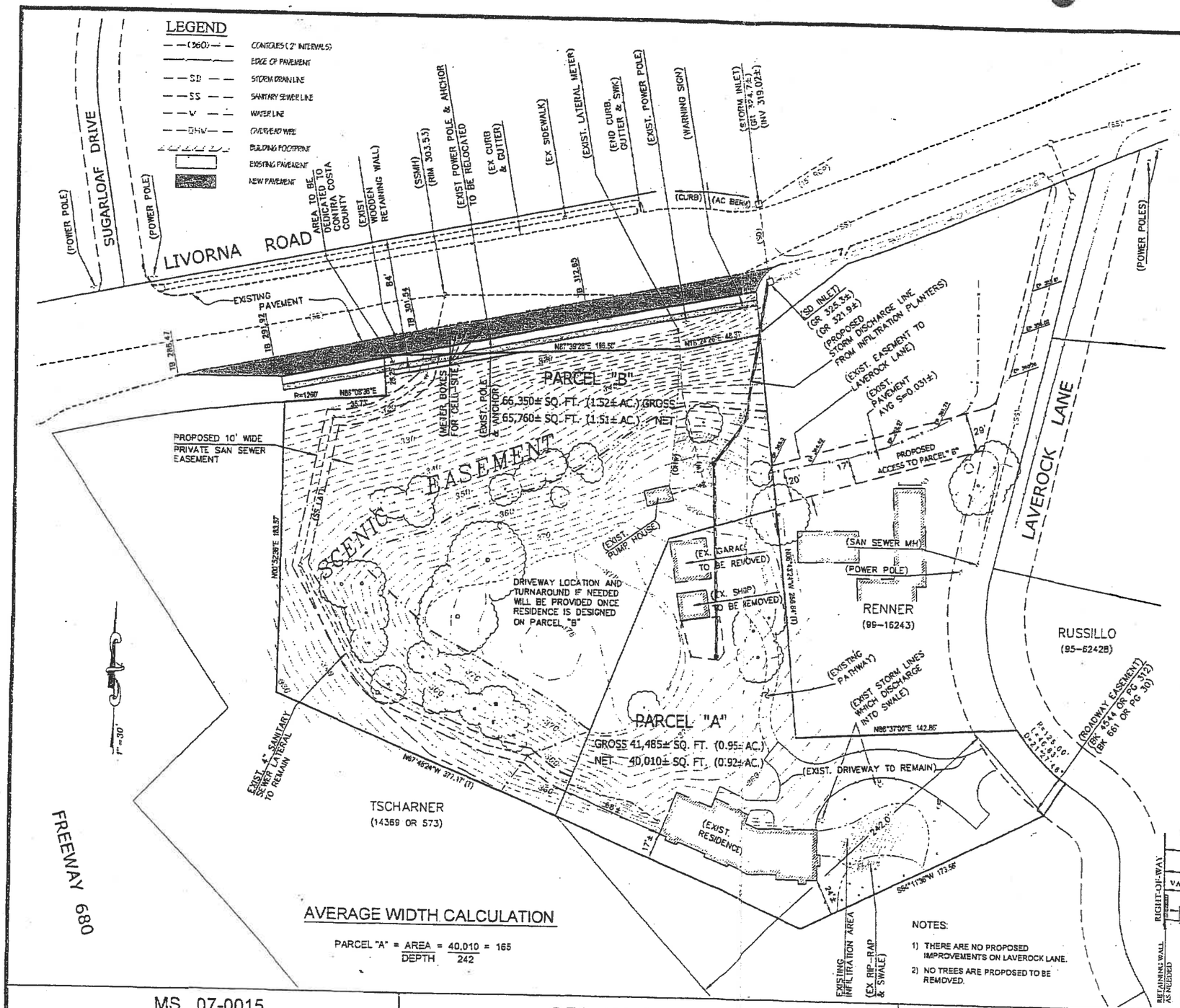
INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they,~~ is /~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

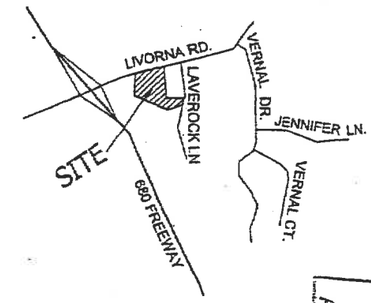
Exhibit 1

MS 07-0015 Tentative Map



AVERAGE WIDTH CALCULATION

PARCEL "A" = $\frac{\text{AREA}}{\text{DEPTH}} = \frac{40{,}010}{242} = 165$



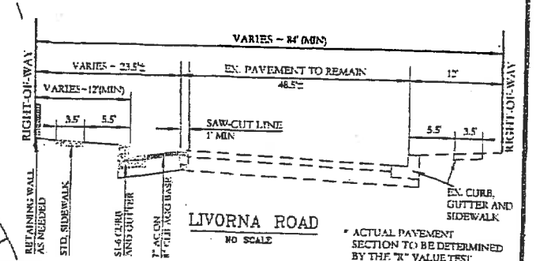
VICINITY MAP

N.T.S.

RECEIVED
FEB 05 2010
CONTRA COSTA COUNTY
APPLICATION & PERMIT CENTER

TENTATIVE MAP NOTES:

OWNER:	RALF & CANDI GESTER 1251 LAVEROCK LANE ALAMO, CA 94507 (925) 944-0838
ENGINEER:	DEBOLT CIVIL ENGINEERING 811 SAN RAMON VALLEY BLVD DANVILLE, CA 94526
ASSESSOR'S PARCEL NUMBER:	192-240-007
AREA:	2.47± ACRES
GENERAL PLAN:	SINGLE FAMILY RESIDENTIAL VERY LOW DENSITY (0.2-0.9 UNITS / AC)
ZONING:	R-40
UTILITIES:	GAS & ELECTRIC - P.G.& E. TELEPHONE - S.B.C. SEWER - C.C.C.S.D. WATER - E.B.M.U.D. UTILITY LOCATIONS SHOWN ARE BASED ON UTILITY COMPANY RECORDS AND ARE APPROXIMATE ONLY.
BASIS OF ELEVATION:	CONTRA COSTA COUNTY BENCHMARK #374 ROUND BOLT HEAD IN CONCRETE MONUMENT AT THE INTERSECTION OF LIVORNA HEIGHTS ROAD AND LIVORNA ROAD, 3' SOUTH OF THE POWER POLE ON THE SOUTH SIDE OF LIVORNA ROAD. ELEVATION: 357.83
SETBACKS:	SIDE YARD - 40 FEET AGGREGATE 20 FEET MINIMUM FRONT - 25 FEET REAR - 15 FEET AVERAGE WIDTH = 140 FEET AVERAGE DEPTH = 140 FEET



MS 07-0015

TENTATIVE MAP

GESTER PROPERTY

1251 LAVEROCK LANE

ALAMO CONTRA COSTA COUNTY CALIFORNIA

#	REVISIONS	DATE

DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378

Date: 7/14/09
Scale: 1"=30'
By: JED / JJ
Job No.: 05105

Exhibit 2

Legal Description and Map

RECEIVED
JUL 3, 2013
Contra Costa County
Community Development

July 2, 2013
Job No. 05105

EXHIBIT 'A'

Restricted Development Area

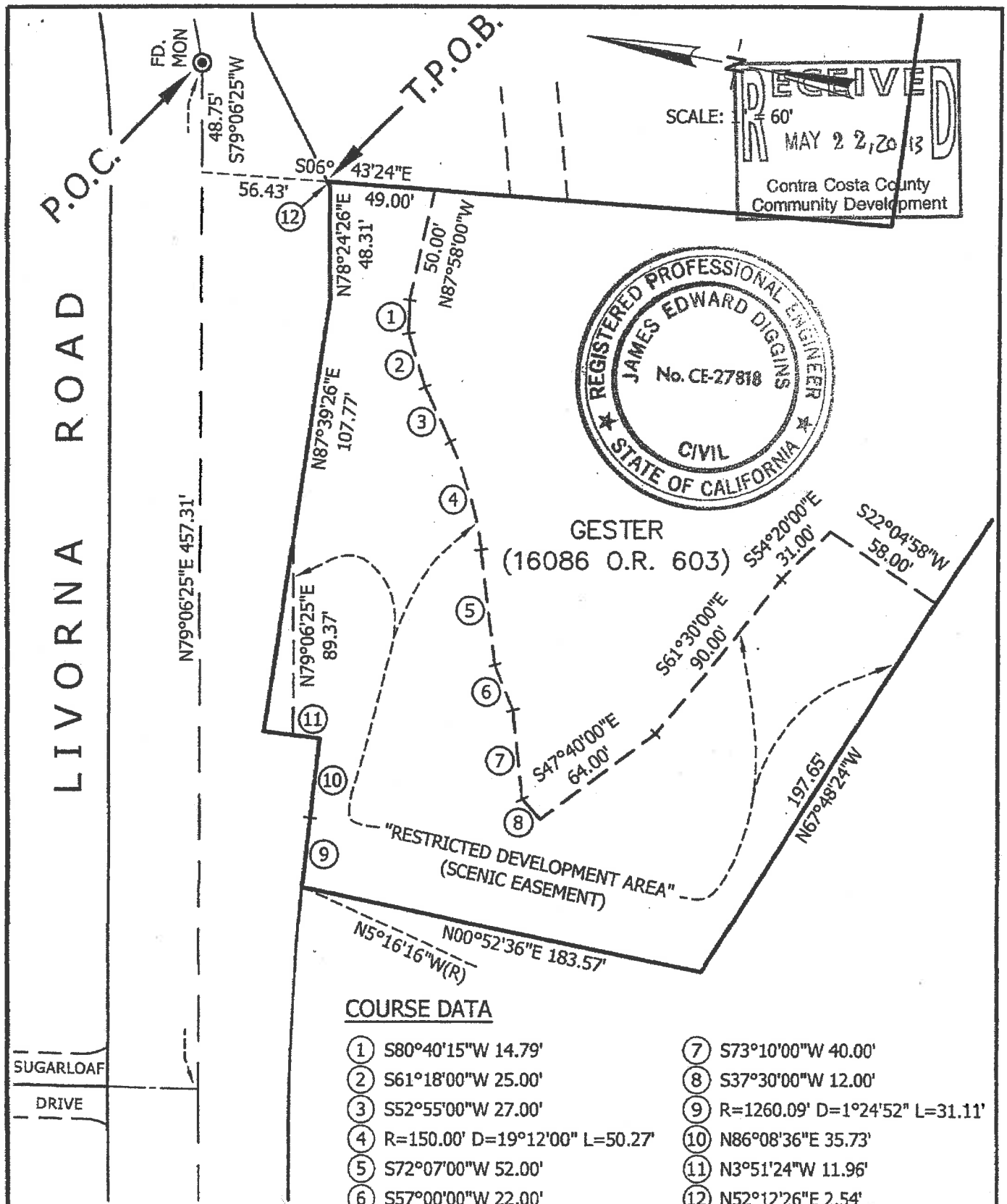
Real property situated in the County of Contra Costa, State of California, further described as follows:

Being a portion of the Rancho San Ramon, further described as follows:

COMMENCING at the street monument in Livorna Road, said monument being North 79°06'25" East, 457.31 feet from the centerline of Sugarloaf Drive as shown on the Map of Subdivision 6468, "Sugarloaf Hill," Recorded in Book 286 of Maps at Page 41, Contra Costa County Records; thence leaving said Point of Commencement along said monument line of Livorna Road, South 79°06'25" West, 48.75 feet; thence leaving said monument line of Livorna Road, South 6°43'24" East, 56.43 feet to the True Point of Beginning of the herein described parcel; thence leaving said True Point of Beginning South 6°43'24" East, 49.00 feet; thence North 87°58'00" West, 50.00 feet; thence South 80°40'15" West, 14.79 feet; thence South 61°18'00" West, 25.00 feet; thence South 52°55'00" West, 27.00 feet; thence along a tangent curve to the right, having a radius of 150.00 feet; through a central angle of 19°12'00" for an arc length of 50.27 feet; thence South 72°07'00" West, 52.00 feet; thence South 57°00'00" West, 22.00 feet; thence South 73°10'00" West, 40.00 feet; thence South 37°30'00" West, 12.00 feet; Thence South 47°40'00" East, 64.00 feet; thence South 61°30'00" East, 90.00 feet; thence South 54°20'00" East, 31.00 feet; thence South 22°04'58" West, 58.00 feet; thence North 67°48'24" West, 197.65 feet; thence North 0°52'36" East, 183.57 feet to a point on the southerly right-of-way line of Livorna Road; thence along said southerly right-of-way line, along a curve to the right, having a radius of 1,260.09 feet, the center of which bears South 5°16'16" East, through a central angle of 1°24'52" for an arc length of 31.11 feet; thence North 86°08'36" East, 35.73 feet; thence North 3°51'24" West, 11.96 feet; thence North 79°06'25" East, 89.37 feet; thence North 87°39'26" East, 107.77 feet; thence North 78°24'26" East, 48.31 feet; thence North 52°12'26" East, 2.54 feet to said True Point of Beginning.

Containing an area of 0.930 acres of land, more or less.

REGISTERED PROFESSIONAL ENGINEER
JAMES EDWARD DIGGINS
No. CE-27818
Exp 3/31/14
CIVIL
STATE OF CALIFORNIA



RECEIVED
MAY 22 2013
Contra Costa County
Community Development

REGISTERED PROFESSIONAL ENGINEER
JAMES EDWARD DIGGINS
No. CE-27818
CIVIL
STATE OF CALIFORNIA

COURSE DATA

1. S80°40'15"W 14.79'
2. S61°18'00"W 25.00'
3. S52°55'00"W 27.00'
4. R=150.00' D=19°12'00" L=50.27'
5. S72°07'00"W 52.00'
6. S57°00'00"W 22.00'
7. S73°10'00"W 40.00'
8. S37°30'00"W 12.00'
9. R=1260.09' D=1°24'52" L=31.11'
10. N86°08'36"E 35.73'
11. N3°51'24"W 11.96'
12. N52°12'26"E 2.54'

EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION SCENIC EASEMENT	DeBolt Civil Engineering 811 San Ramon Valley Boulevard Danville, California 94526 925/837-3780	Date: 5/22/2013 Scale: 1" = 60' By: JED/adv Job No.: 05105

P:\P05105\PLATS\05105-ScenicEsmt.dwg 5/22/13 6:34

JOB 05105
SCENIC EASEMENT

RECEIVED
MAY 22, 2013
Contra Costa County
Community Development

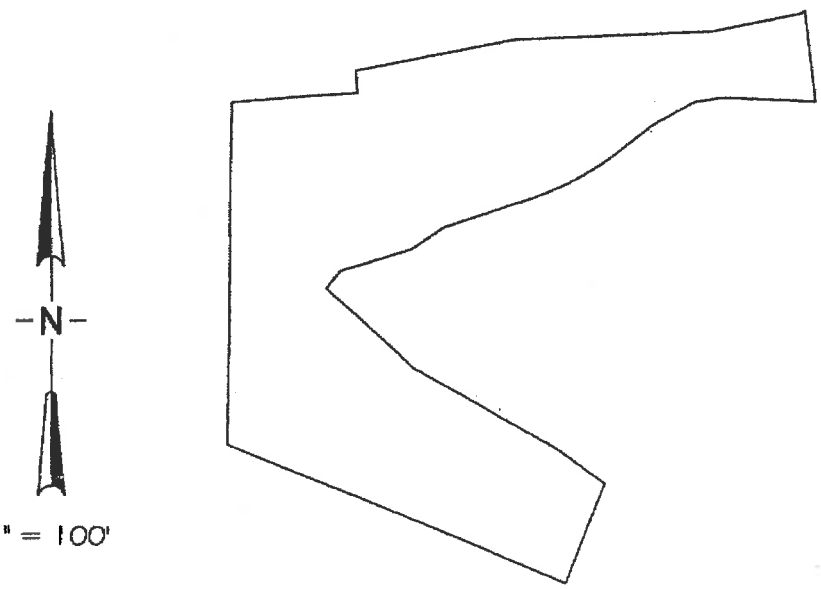
Select figure: Figure Name: <Null>

Course: S 06-43-24 E	Distance: 49.0000
Course: N 87-58-00 W	Distance: 50.0000
Course: S 80-40-15 W	Distance: 14.7900
Course: S 61-18-00 W	Distance: 25.0000
Course: S 52-55-00 W	Distance: 27.0000
R-IN: N 37-05-00 W	R-OUT: S 17-53-00 E
Arc Length: 50.2655	Radius: 150.0000 Delta: 19-12-00
Course: S 72-07-00 W	Distance: 52.0000
Course: S 57-00-00 W	Distance: 22.0000
Course: S 73-10-00 W	Distance: 40.0000
Course: S 37-30-00 W	Distance: 12.0000
Course: S 47-40-00 E	Distance: 64.0000
Course: S 61-30-00 E	Distance: 90.0000
Course: S 54-20-00 E	Distance: 31.0000
Course: S 22-04-58 W	Distance: 58.0000
Course: N 67-48-24 W	Distance: 197.6500
Course: N 00-52-36 E	Distance: 183.5700
R-IN: S 05-16-16 E	R-OUT: N 03-51-24 W
Arc Length: 31.1075	Radius: 1260.0900 Delta: 1-24-52
Course: N 86-08-36 E	Distance: 35.7300
Course: N 03-51-24 W	Distance: 11.9600
Course: N 79-06-25 E	Distance: 89.3700
Course: N 87-39-26 E	Distance: 107.7700
Course: N 78-24-26 E	Distance: 48.3100
Course: N 52-12-26 E	Distance: 2.5400

Perimeter: 1293.0630

Area: 40531.4705 0.9305 acres

Mapcheck Closure - (Uses listed courses & COGO Units)
Error of Closure: 0.00350 Course: N 45-18-56 W
Precision 1: 369386.94



REGISTERED PROFESSIONAL ENGINEER
JAMES EDWARD DIGGINS
No. CE-27818
CIVIL
STATE OF CALIFORNIA

Contra Costa County

To: Board of Supervisors

From: Jason Crapo, County Building Official

Date: March 3, 2015

Subject: Contract with City of San Pablo

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract with the City of San Pablo for inspection and plan check services provided by the County to the City's Engineering and Environmental Divisions for the term February 1, 2015 through June 30, 2017.

FISCAL IMPACT:
None. All costs will be reimbursed by the City of San Pablo.

BACKGROUND:
The City of San Pablo has requested the County's assistance to provide services to the City's Engineering and Environmental Divisions. The City, through its Engineering and Environmental Divisions, may request DCD staff from time to time to provide inspection and plan check services in connection with the enforcement of grading and storm water management regulations, and other applicable codes and regulations, including uniform codes as adopted by the City.The City of San Pablo at its February 2, 2015 meeting authorized the City Manager to execute an agreement with the Contra Costa County Department of Conservation and Development. The agreement has also been approved to form by County Counsel's Office.

CONSEQUENCE OF NEGATIVE ACTION:
If the Board of Supervisors does not approve the agreement, DCD will not be able to provide the services that the City of San Pablo has requested.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Jason Crapo, 925-674-7722

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

City of San Pablo Agreement

AGREEMENT

FOR ENGINEERING AND ENVIRONMENTAL PLAN CHECK AND INSPECTION SERVICES

COPY

This Agreement is entered into between the City of San Pablo ("City") and Contra Costa County ("County") for inspection and plan check services provided by the County to the City's Engineering and Environmental Divisions.

RECITALS:

A. The City desires to utilize County Conservation and Development Department (DCD) staff and other applicable County staff and consultants to provide services to the City, including inspection and plan checking of storm water or drainage systems, National Pollution Discharge Elimination System (NPDES) C.3 compliance, grading, excavation, erosion control, pollution control, hardscape (sidewalk, curb, gutter, driveway), dry utilities, street pavement, landscape, street lighting and traffic control infrastructure improvements to the City's Engineering and Environmental Divisions.

B. The purpose of this Agreement is to set forth the terms and fees for providing inspection and plan check services to the City's Engineering and Environmental Divisions.

NOW, THEREFORE, the parties, for valuable consideration, agree as follows:

Section 1. SERVICES TO BE RENDERED

The City agrees to utilize DCD staff to provide services to the City's Engineering and Environmental Divisions as set forth in Exhibit A, which is incorporated by reference herein. The City will furnish direction to DCD staff as needed through its Engineering and Environmental Divisions in order to accomplish the services listed in this Agreement. County staff shall remain employees of the County. City shall not be responsible for worker's compensation or any employee benefits, other than provided in this Agreement and attached Exhibits A & B.

Section 2. TERM

This Agreement is effective from February 1, 2015 through June 30, 2017; provided, however, that continuation of the agreement beyond the end of City's fiscal year will be contingent upon lawful encumbrance or appropriation of funds for this agreement by the City Council. If the City's governing body fails to appropriate sufficient funds in any fiscal year for payments due under this Agreement, and if other funds are not designated for such payments (a "Non-Appropriation Event"), then the City shall give the County immediate written notice of the Non-Appropriation event. This notice shall not be less than ninety (90) days before the end of the immediately prior fiscal year in which appropriations were made. If the City gives notice of a Non-Appropriation Event, then the County may terminate this agreement, effective as of the last date on which funds were appropriated, by providing written notice to the City, without penalty or expense to the County; provided, that for the period prior to termination, the City shall make all payments hereunder from funds that were appropriated or otherwise designated.

Section 3. PAYMENT OF FEES AND REIMBURSEMENT OF COSTS

COPY

a. The City shall pay the County for services provided based on the hourly billing rates for staff time, set forth in Exhibit B which will be updated periodically, not exceeding $30,000 for each payment. City will not be responsible for travel time to and from the City of San Pablo.

b. DCD staff will submit to the City a monthly report detailing expenditures and charges for inspection and plan check services provided to the City's Engineering and Environmental Divisions. This report shall include reasonable documentation of expenses incurred, including but not limited to invoices and time sheets.

Section 4. HOLD HARMLESS AND INDEMNITY

County agrees to indemnify and hold harmless City from the County's share of liability for damages caused by the negligence or willful misconduct of the County, its officers, agents or employees in the County's performance under this Agreement. County's obligations under this section shall not apply to any claim, cost or liability caused in whole or in part by the negligence or willful misconduct of the City. Under no circumstances shall the County have any liability to City or to any other person or entity, for consequential or special damages, or for any damages based on loss of use, revenues, profits or business opportunities arising from or in any way related to County's performance under this agreement. City shall defend, indemnify and save harmless County, its officers and employees from all claims, suits or actions of every name, kind and description brought by or on account of injuries to or death of any person or damage to property resulting from anything done or omitted to be done by City, its officers, agents or employees under or in connection with this Agreement or with any work, authority or jurisdiction of City.

Section 5. NOTICES

All correspondence regarding this agreement, including invoices, payments, and notices, shall be directed to the following persons at the following addresses and telephone numbers:

COUNTY:
Jason Crapo
Deputy Director, Building Inspection
Conservation and Development Department
Contra Costa County
30 Muir Road, Martinez, CA 94553
(925) 674-7722

CITY:
Matt Rodriguez
City Manager
City of San Pablo
13831 San Pablo Ave.
San Pablo, CA 94806
(510) 251-3001

COPY

Section 6. TERMINATION

a. This Agreement may be terminated by either the City or the County, giving at least 30 days written notice thereof to the other party. The County may terminate this Agreement pursuant to a Non-Appropriation Event under Section 2.

b. Should either party be in default of the terms of this Agreement, the non-defaulting party may give written notice of such default and should such default not be occurred within thirty days after the mailing of said notice, this Agreement may then be terminated by the non-defaulting party by giving ten days written notice thereof.

The parties, by the Deputy Director of the County's Conservation and Development Department, Building Inspection Division as authorized by the County Board of Supervisors, and by the City Manager of the City as authorized by the City Attorney, each hereunto duly authorized, have executed this Agreement on the date appearing below.

CONTRA COSTA COUNTY

By: _____
Jason Crapo
Deputy Director,
Building Inspection

Dated: _____

Approved as to form:

By: _____
Deputy County Counsel

Dated: 2/18/15

CITY OF SAN PABLO

_____
Matt Rodriguez
City Manager
City of San Pablo

Dated: 2/11/15

Approved as to form:

_____
City Attorney

Dated: _____

Attachments:
Exhibit A: County inspection & plan check services provided to the City
Exhibit B: Hourly Billing Rates

COPY

EXHIBIT A

Duties to be performed by County Conservation and Development Department staff for the City of San Pablo's Engineering and Environmental Divisions.

Scope of Duties: The City, through its Engineering and Environmental Divisions, may request DCD staff from time to time to provide inspection and plan check services in connection with the enforcement of applicable codes and regulations, including uniform codes as adopted by the City.

I. Inspection Services

1. At the request of the City, and as directed by the Engineering and Environmental Divisions, DCD staff shall provide inspection services for necessary permits in relation to the approved plan set which involves storm water or drainage systems, National Pollution Discharge Elimination System (NPDES) C.3 compliance, grading, excavation, erosion control, pollution control, hardscape (sidewalk, curb, gutter, driveway), dry utilities, street pavement, landscape, street lighting and traffic control infrastructure improvements, including:
    a. Interpretation of applicable codes and regulations,
    b. Inspection of sites, underground utilities and improvement infrastructures before and during construction or alteration to determine compliance with plans and applicable codes and regulations.
    c. Explanation of required inspections and construction requirements to owners, architects, engineers and contractors; maintenance of records and files of inspections made and actions taken.

II. Plan Checking Services

1. At the request of the City, and as directed by the City's Engineering and Environmental Divisions, DCD with assistance from the County Public Works Department (PWD) staff shall provide review of plans and specifications for construction improvements involving installation, repair, replacement and alteration for compliance with the requirements of the current applicable codes and regulations and with the City's Municipal Code in relation to storm water or drainage systems, National Pollution Discharge Elimination System (NPDES) C.3 compliance, grading, excavation, erosion control, pollution control, hardscape (sidewalk, curb, gutter, driveway), dry utilities, street pavement, landscape, street lighting and traffic control infrastructure improvements.

2. After the plans and specifications are delivered to DCD staff for review, the County staff shall review plans and specifications for compliance with applicable codes. If such plans and specifications are found to be not in full compliance, DCD shall provide written comments to the applicant concerning areas of deficiency. Copies of such comments shall be provided to the City. When necessary, County staff will meet with involved architects or engineers to make a determination of compliance.

3. All plans and specifications to be reviewed will be picked up by DCD staff from City's offices and returned thereto, at County's own expense, or will be transmitted to County in mailing bags provided by the County to City at County's expense.

COPY

EXHIBIT B - Hourly Billing Rates

Position/Title	Hourly Rate February 1 to June 30, 2015 [1]	Hourly Rate FY 2015-2016 [2]	Hourly Rate FY 2016-2017 [3]
Building Inspector II	130.00	137.00	143.00
Senior Building Inspector	145.00	152.00	160.00
Grading Inspector II	130.00	137.00	143.00
Senior Grading Inspector	145.00	152.00	160.00
Plan Checker II	105.00	110.00	116.00
Senior Plan Checker	120.00	126.00	132.00
Senior Structural Engineer	190.00	200.00	210.00
Principal Structural Engineer	210.00	221.00	232.00
Planner I	110.00	116.00	121.00
Planner II	135.00	142.00	149.00
Planner III	175.00	184.00	193.00
Principal Planner	195.00	205.00	215.00
IT Support	165.00	173.00	182.00
Senior Engineering Technician	185.00	195.00	205.00
Engineer	215.00	225.00	240.00
Senior Civil Engineer	270.00	285.00	300.00
Environmental Analyst III	195.00	205.00	215.00
Watershed Planning Specialist	140.00	150.00	160.00
Consultant, Project Director[4]	220.00 - 230.00	220.00 – 230.00	220.00 – 230.00
Consultant, Sr. Project Manager[4]	210.00 – 220.00	210.00 – 220.00	210.00 – 220.00
Consultant, Project Manager[4]	170.00 – 200.00	170.00 – 200.00	170.00 – 200.00
Consultant, Sr. Project Engineer[4]	145.00 – 165.00	145.00 – 165.00	145.00 – 165.00
Consultant, Project Engineer[4]	135.00 – 150.00	135.00 – 150.00	135.00 – 150.00
Consultant, Sr. Plan/Map Examiner[4]	135.00 – 155.00	135.00 – 155.00	135.00 – 155.00
Consultant, Plan/Map Examiner[4]	120.00 – 130.00	120.00 – 130.00	120.00 – 130.00
Consultant, Staff Engineer[4]	100.00 – 120.00	100.00 – 120.00	100.00 – 120.00
Consultant, Technician[4]	80.00 – 130.00	80.00 – 130.00	80.00 – 130.00
Consultant, Adminitrative[4]	75.00 – 100.00	75.00 - 100.00	75.00 – 100.00

[1] These fees shall be charged to the City for services that County provides under this Agreement during the period February 1, 2015 through June 30, 2015

[2] These fees shall be charged to the City for services that County provides under this Agreement during the period July 1, 2015 through June 30, 2016.

[3] These fees shall be charged to the City for services that County provides under this Agreement during the period July 1, 2016 through June 30, 2017.

[4] Rates for consultants are subject to change based on changes to the County's contractual agreements with consultants.

RESOLUTION 2015-019

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE CITY MANAGER TO EXECUTE AN ENGINEERING AND ENVIRONMENTAL PLAN CHECK AND INSPECTIONS SERVICES AGREEMENT WITH THE CONTRA COSTA COUNTY CONSERVATION AND DEVELOPMENT DEPARTMENT IN THE AMOUNT OF $55,000

WHEREAS, the City desires to utilize the services of Contra Costa County Conservation and Development (DCD) for engineering, environmental plan checking and inspection services for select development projects;

WHEREAS, the scope of services included in the agreement are: inspection and plan checking of storm water or drainage systems, National Pollution Discharge Elimination System (NPDES) C.3 compliance, grading excavation, erosion control, pollution control, hardscape, dry utilities, street pavement, landscape, traffic design/control and other infrastructure improvements related to, and plan checks;

WHEREAS, the agreement with Contra Costa County would be for a three-year period - January 2015 through December 31, 2017;

WHEREAS, the fee schedule contained in the agreement allows for the rates being paid by the City to increase over a three-year period to more adequately cover the County's costs;

WHEREAS, the cost of the services is estimated at $55,000 and operationally, the developer would pay an upfront deposit against which the hourly service fees would be charged and the revenue tracked via a task code (e.g. 200-1730-43600-LAQ000 for La Quinta Hotel); and

WHEREAS, because of this arrangement, the cost of the contract will be neutral to the City and no additional appropriation is needed.

NOW, THEREFORE BE IT RESOLVED that the foregoing recitations are true and correct and are included herein by reference as findings.

BE IT FURTHER RESOLVED that the City Council of the City of San Pablo hereby authorizes the City Manager to execute a service agreement, in the amount of $55,000 with Contra Costa County DCD for engineering, environmental plan check and inspection services.

******

I hereby certify that the foregoing is a full, true and correct copy of the original document.

Lehny M. Corbin, Deputy City Clerk

Contra Costa County

To: Board of Supervisors

From: Jessica Hudson, County Librarian

Date: March 3, 2015

Subject: Grant from Asian/Pacific American Librarians Association

RECOMMENDATION(S):
APPROVE and AUTHORIZE the County Librarian, or designee, to apply for and accept a grant in the amount of $600 from Asian/Pacific American Librarians Association to provide materials and services at the Hercules Library for the period April 1 through November 30, 2015.

FISCAL IMPACT:
No Library Fund match.

BACKGROUND:
Founded in 1980, the *Asian Pacific American Librarians Association* (APALA) was incorporated in Illinois in 1981 and formally affiliated with the *American Library Association* (ALA) in 1982. The receipt of this grant will enable the Hercules Library to hire the Raq Filipina vocalist to perform at the Library in celebration of Philippine Independence Day. Portions of the grant funds will also be used to purchase children's Library materials about Asian Pacific culture and traditions.

CHILDREN'S IMPACT STATEMENT:
This program supports outcome number five, "Communities that are Safe and Provide a High Quality of Life for Children and Families". Free cultural events and library materials that inform and entertain families contribute to creating a high quality of life for all.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Gail McPartland, 925-927-3204

cc:

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Grant Award #28-825-4 from the National Association of County and City Health Officials (NACCHO)

RECOMMENDATION(S):

Approve and authorize the Health Services Director or his designee, to accept, on behalf of the County, Grant Award MRC 15 1969, (County #28-825-4) from the National Association of County and City Health Officials (NACCHO), to pay the County an amount not to exceed $3,500, for Contra Costa Medical Reserve Corps (MRC) Non-Competitive Capacity Building Grant Project, for the period from January 7, 2015 through July 31, 2015.

FISCAL IMPACT:

Acceptance of this Grant Award will result in an amount of $3,500 from National Association of County and City Health Officials (NACCHO) for or the County's Medical Reserve Corps Non-Competitive Capacity Building Grant Project. No County match required.

BACKGROUND:

The Contra Costa Medical Reserve Corps (CCMRC) is housed under Contra Costa County's Emergency Medical Services (EMS), which is part of Contra Costa County Health Services Department (HSD). CCMRC is part of the County's emergency planning and response system to address the need for additional medical professionals

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Patricia Frost
335-9548

cc: J Pigg, C Rucker

BACKGROUND: (CONT'D)

to respond to a medical surge event or an event such as those requiring the mass distribution of pharmaceuticals. Additionally, the CCMRC participates in trainings, health fairs, flu clinics, first aid, and community service. The NACCHO award will provide funding to allow CCMRC to acquire medical supply cases and an assistant MRC Coordinator (to manage community/hospital outreach training). On February 25, 2014, the Board of Supervisors approved Grant Award #28-825-3.

Approval of Grant Award #28-825-4 will provide continuous support to County's MRC Non-Competitive Capacity Building Grant Project to enhance the Contra Costa Medical Reserve Corps unit through July 31, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

If this grant Award is not approved, the County's Emergency Medical Services will not receive funding to support its Non-Competitive Capacity Building Grant Project to continue enhancement of the Medical Reserve Corps units.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Amendment Agreement #28-861-1 with the City of San Pablo

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Grant Amendment Agreement #28-861-1 with the City of San Pablo, effective December 9, 2014, to amend Grant Award #28-861, to decrease payment to the County by $5,695 from $39,885 to a new total of $34,190, for the County's Public Health, Community Wellness and Prevention Program, Rumrill Boulevard/13th Street Corridor Mobility Plan Project, with no change in the original term of May 1, 2014 through June 30, 2015.

FISCAL IMPACT:
Approval of this amendment will result in a decrease in the amount payable to County by $5,695 to a new total of $34,190 from the City of San Pablo, through Caltrans, for the County's Public Health, Rumrill Boulevard/13th Street Corridor Mobility Plan Project. No County match required.

BACKGROUND:
On August 12, 2014, the Board of Supervisors approved Grant Award #28-861 with the City of San Pablo to accept funding to support the County's Public Health, Community Wellness and Prevention Program, Rumrill Boulevard/13th Street Corridor Mobility Plan Project, for

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

Contact: Wendel Brunner, M.D. (313-6712)

By: , Deputy

cc: J Pigg , C Rucker

BACKGROUND: (CONT'D)

the period from May 1, 2014 through June 30, 2015, including mutual indemnification to hold harmless both parties for any claims arising out of the performance of this Contract.

Approval of Amendment Agreement #28-861-1 will allow the County's Public Health, Community Wellness and Prevention Program, to continue supporting the Rumrill Boulevard/13th Street Corridor Mobility Plan Project due to a change in deliverables, with no change in the original term of May 1, 2014 through June 30, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

NOT APPLICABLE

CHILDREN'S IMPACT STATEMENT:

NOT APPLICABLE.

Contra Costa County

To: Board of Supervisors

From: Linda Dippel, Child Support Services Director

Date: March 3, 2015

Subject: Approve and Authorize Contract Amendment with Calserve, Inc.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Director of Child Support Services, or designee, to execute a contract amendment with Calserve, Inc., to increase the total payment limit by $4,000 to a new payment limit of $103,000, to provide legal process services with no change in the term of January 1, 2014 through December 31, 2014.

FISCAL IMPACT:
The payment for legal process services will be fully funded by allocations from the Federal Government at 66% and State of California at 34%. There is no cost to the County.

BACKGROUND:
Federal law mandates that the Department of Child Support Services attempt to serve non-custodial parents within 60 days of filing a Summons and Complaint. Calserve, Inc. provides the legal process services which allow Department of Child Support Services to meet the federal requirement.

The final Calserve invoice was received after the contract expiration date. This adjustment will provide full funding for the existing contract obligations.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Sarah Bunnell, 925-313-4433

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action were not approved, DCSS would not be able to adhere to the federal mandate regarding service of process.

CHILDREN'S IMPACT STATEMENT:

Legal process service is an integral part of the process in collecting support for Contra Costa County's children.

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: APPROVE a purchase order amendment with McCain Traffic Supply

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order amendment with McCain Traffic Supply to increase the payment limit by $130,000 to a new payment limit of $225,000 and extend the termination date from April 30, 2015 to April 30, 2016 for traffic signal parts and equipment, Countywide.

FISCAL IMPACT:
This cost is to be funded by 100% Local Road Funds

BACKGROUND:
Public Works Facilities Maintenance, Traffic Signal Division, is responsible for maintaining the traffic signals located at County intersections. Parts and equipment needed for this maintenance were solicited as bid on BidSync No. 1202-001. McCain Traffic Supply was awarded this commodity for a period of two years, with three possible one-year extensions. This request represents the second of the three possible one-year extensions.

CONSEQUENCE OF NEGATIVE ACTION:
If this purchase order amendment is not approved, the purchase of traffic signal parts and equipment through McCain Traffic Supply will discontinue.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Stan Burton, 925-313-7077

cc:

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra Costa County

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Date: March 3, 2015

Subject: Purchase Order - Churchill Navigation ARS-600 Airborne Moving Map System

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order with Churchill Navigation in an amount not to exceed $123,000 for the purchase of a helicopter moving map system for the Office of the Sheriff Emergency Services Division (0362).

FISCAL IMPACT:
$123,000. Budgeted FY 14/15. 100% funded by SHSGP 2014 grant awarded to the Office of the Sheriff. No change in Net County cost.

BACKGROUND:
The Office of the Sheriff's STARR helicopters are deployed to assist patrol deputies, on land and on water, to assist with the protection of lives and property within Contra Costa County.

The acquisition of the Churchill navigation ARS-600 airborne moving mapping system will enhance recovery time and rescue efforts by directing ground, maritime, and air units to the specific location of a terrorist attack or other catastrophic disaster, and as such minimize the loss of lives and destruction of property. It will enhance the ability of law enforcement, EMS, fire, military, and other first responders

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Liz Arbuckle, 925-335-1529

cc: Liz Arbuckle, Heike Anderson, Tim Ewell

BACKGROUND: (CONT'D)

to detect, prevent, respond to, operate and recover from any and all potential threats and environmental disasters in the region and greater Urban Areas Security Initiative (UASI) Jurisdictions.

The Office of the Sheriff's Air Support unit will be able to utilize existing observation, communication, recording, search and rescue, multi-agency coordination, and forward looking infrared (FLIR) capabilities in the most efficient and effective manner. The mapping system includes an 'augmented reality system' (ARS), which enables the tactical flight officer to accurately identify and communicate the exact location of possible or actual incidents within our critical infrastructures and key resources on land or water, prior to or as they occur.

The Churchill ARS System provides a higher level of maturity not found in any other augmented reality mission management system available on the market. Churchill Navigation Augmented Reality Systems are in use in a wide range of airborne platforms across the United States, Canada and Europe.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to procure this mapping system will result in a negative impact to Contra Costa County. The County will lack an ability to accurately identify and communicate the exact location of possible or actual incidents within the County's critical infrastructures and key resources prior to or as they occur.

CHILDREN'S IMPACT STATEMENT:

No impact.

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: APPROVE a purchase order amendment with Royal Wholesale Electric Co.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order amendment with Royal Wholesale Electric Co., to increase the payment limit by $130,000 to a new payment limit of $420,000 and extend the termination date from April 30, 2015 to April 30, 2016 for electrical system parts and equipment, Countywide.

FISCAL IMPACT:
This cost is to be funded through the Public Works Facilities Maintenance budget. (100% General Fund)

BACKGROUND:
Public Works Materials Management is responsible for electrical maintenance. Electrical supply items not stocked at the Waterbird facility in Martinez are available to the County's electrical staff at several electrical parts warehouses in the area. As bid on BidSync No. 1004-001, Royal Electric Wholesale, Platt Electrical and Alameda Electric were awarded this commodity. This commodity was originally bid for one year with four possible one-year extensions. This request represents the fourth possible one-year extension.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Stan Burton, 925-313-7077

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order amendment is not approved, the purchase of electrical system parts and equipment through Royal Wholesale Electric Co. will discontinue.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: APPROVE a purchase order amendment with Lehr Auto Electric, Inc.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute, on behalf of the Public Works Director, a purchase order amendment with Lehr Auto Electric, Inc., to increase the payment limit by $500,000 to a new payment limit of $1,000,000 and extend the termination date from January 31, 2015 to January 31, 2016 for emergency vehicle parts, equipment and accessories, Countywide.

FISCAL IMPACT:
This cost is to be funded through the Public Works Fleet Internal Service Fund budget. (100% Internal Service Fund - Fleet)

BACKGROUND:
Public Works Fleet Services (Fleet) purchases and outfits all emergency vehicles for the County. This includes vehicles from the Sheriff, Public Works, Animal Services, Probation, District Attorney and Health Services. The Sheriff's Department units take up the vast majority of this commodity. Outfitting includes lights, consoles, electrical switching, wiring and other hard parts such as partitions, consoles, and trunk slider trays. The annual cost for emergency vehicle accessories has been $116,000 per year, but with the Sheriff's Office changing vehicle

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Stan Burton, 925-313-7077

cc:

BACKGROUND: (CONT'D)

types from the Ford Crown Victoria to the Ford Interceptor, the annual cost is expected to rise. This commodity was originally bid on BidSync No. 1301-003, and was awarded to Lehr Auto Electric. The original purchase order is at $500,000. Fleet is requesting additional funds to take it through the purchase order's five-year term.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order amendment is not approved, the purchase of emergency vehicle parts from Lehr Auto Electric, Inc., will discontinue.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra Costa County

To: Board of Supervisors

From: Mark Peterson, District Attorney

Date: March 3, 2015

Subject: 2014 summer Training Program for University of Santa Clara Law Students for the Office of the District Attorney

RECOMMENDATION(S):
APPROVE and AUTHORIZE the District Attorney, or designee, to execute an Employment Addendum Agreement with University of Santa Clara, including mutual indemnification between the parties, in an amount not to exceed $4,000.00 per student for stipends for students participating in the District Attorney's office summer training program for the period July 1, 2014, through August 31, 2014.

FISCAL IMPACT:
The compensation of the law students from University of Santa Clara School of Law is divided between the law school and Contra Costa County, with Contra Costa County contributing 40% of their work-study amount, but not exceeding $4,000.00 per student.

BACKGROUND:
The District Attorney wishes to present a summer training program for students having completed their second year of law school. The Office will benefit from giving potential employees an introduction to different areas of the office and giving advanced training in the area of criminal prosecution and providing support for its employees, while the students will gain important work experience and insight into the practice of criminal prosecution.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Cherie Mathisen
925-957-2234

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The District Attorney's Office will not be authorized to pay stipends to certain law students for services rendered as part of the work study program for the period July 1, 2014 through August 31, 2014.

CHILDREN'S IMPACT STATEMENT:

No impact.

Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 3, 2015

Subject: AB 109 Contract amendment with Shelter Inc.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract amendment with SHELTER, Inc. to increase the payment limit by $115,000 to a new payment limit of $615,000 for transitiona housing services for the AB 109 population, for the period July 1, 2014 through June 30, 2015.

FISCAL IMPACT:
$115,000 - 100% State Public Safety Realignment funds

BACKGROUND:
The FY 2013-14 budget for AB 109 Public Safety Realignment in Contra Costa County was approved by the Community Corrections Partnership (CCP) Executive Committee at their May 10, 2013 meeting, by the Public Protection Committee at their May 16, 2013 meeting, and by the Board of Supervisors at their May 21, 2013 meeting. The budget included an allocation in the amount of $500,000 for short and long-term housing access for the County's AB 109 program. Through an RFP process, SHELTER, Inc. was selected as a contractor to provide short and long-term housing for the AB 109 population in the amount of $500,000 for the period June 1, 2013 through June 30, 2014.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☑ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Lara DeLaney, (925) 335-1097

cc:

BACKGROUND: (CONT'D)

The CCP-Executive Committee approved the FY 2014-15 AB 109 Public Safety Realignment budget at their February 14, 2014 meeting and submitted to the Public Protection Committee for review and approval. On February 24, 2014, the Public Protection Committee accepted the recommendations, including the continuation of funding in the amount of $500,000 for short and long-term housing access. On June 24, 2014, the Board of Supervisors approved the contract amendment and extension with SHELTER, Inc to continue providing short and long-term housing access for the AB 109 population in the amount of $500,000 for the period June 1, 2014 through June 30, 2015. The contract was ratified by the Board on September 9, 2014.

The Public Protection Committee, at their January 26, 2015 special meeting, identified $115,000 of AB 109 funds allocated for transitional housing for the AB 109 population in East and Central County for FY 2014-15 that had been unencumbered and unspent as of that date. The Committee directed staff to work with an alternate contractor to continue providing transitional housing for the AB 109 population with those funds. This Board action amends the contract with SHELTER, Inc. to increase their payment limit by $115,000 to a new payment limit of $615,000 to provide additional transitional housing services for the AB 109 population for the period June 1, 2014 through June 30, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action would result in SHELTER, Inc. not being able to provide additional housing for the AB 109 population in need.

Contra Costa County

To: Board of Supervisors

From: Joseph E. Canciamilla, Clerk-Recorder

Date: March 3, 2015

Subject: Increase Payment Limit for Printing, Inserting and Mailing of Ballot Materials

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Clerk Recorder, or designee, to execute a contract amendment with K & H Printing-Lithographers, Inc., to increase the payment limit by $1,000,000 to a new payment limit of $2,200,000 for additional printing, inserting and mailing of ballot materials, with no change in the original term of March 1, 2014 through December 31, 2015.

FISCAL IMPACT:
100% County General Fund, with a portion of the increase to be reimbursed by Districts conducting Elections in 2015. To the extent that the net additional elections costs cannot be absorbed within the current Department budget, a transfer from County reserves will be necessary.

BACKGROUND:
During the term of the contract, the County will be required to conduct previously-unscheduled special vacancy elections and other special elections. A special election was called by the Governor to occur on May 19, 2015 for California State Senate District 7. The vacancy is due to former State Senator Mark DeSaulnier being sworn into Congress, leaving the Senate position vacant midway through the term. Since more than two candidates filed to run for the Senate vacancy, a Primary Election will be held on Tuesday, March 17. If none of the candidates receive a majority of votes in the March election, the top two candidates will face each other during a run-off on May 19. These elections were not budgeted nor were they anticipated in the service contracts that were executed at the beginning of 2014. Consequently, it is necessary to increase the payment limit of the contract in consideration for increased

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

Contact:
925-335-7808

By: , Deputy

cc:

BACKGROUND: (CONT'D)
services.

This is the first multi-year contract for these services with this vendor.

CONSEQUENCE OF NEGATIVE ACTION:
The County will not be able to pay for printing services incurred as a result of state-mandated elections.

CHILDREN'S IMPACT STATEMENT:
None.

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Contract #74-423-4 with Jenan Al-Mufti, M.D.

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-423-4 with Jenan Al-Mufti, M.D., a self-employed individual, in an amount not to exceed $145,600, to provide psychiatric services for the period from April 1, 2015 through March 31, 2016.

FISCAL IMPACT:
This Contract is funded 100% by Mental Health Realignment. (No rate increase)

BACKGROUND:
On March 11, 2014, the Board of Supervisors approved Contract #74-423-3 with Jenan Al-Mufti, M.D. for the period from April 1, 2014 through March 31, 2015, for the provision of outpatient psychiatric services for adults in Contra Costa County. Approval of Contract #74-423-4 will allow Contractor to continue providing psychiatric services for adults in the Adult Mental Health Clinics through March 31, 2016.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, patients requiring psychiatric mental health services will not have access to Contractor's services, which may result in a reduction in the overall level of services to the community.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Cynthia Belon, 925-957-5201

cc: K Cyr, KC Rucker

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: Contract Novation and Amendment Agreement with Cardno Entrix, Inc. d/b/a Cardno Entrix

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract novation and amendment agreement with Entrix, Inc. d/b/a Cardno Entrix and Cardno, Inc., effective February 28, 2015, to change the Contractor's name from Entrix, Inc. d/b/a Cardno Entrix, to Cardno, Inc., and extend the termination date from February 28, 2015 to October 31, 2015, with no change in the original payment limit of $500,000 for on-call environmental services, Countywide. (48% Flood Control Funds; 48% Local Road Funds; and 4% Airport Project Funds), Project No.: Various. (All districts)

FISCAL IMPACT:

48% Flood Control District Funds; 48% Local Road and Transportation Funds; and 4% Airport Project Funds.

BACKGROUND:

On March 13, 2012, the Board of Supervisors approved a three-year, on-call contract with Entrix, Inc. d/b/a Cardno Entrix in an amount not to exceed $500,000 for on-call environmental services. Since the original contract was approved, the Contractor has provided on-call environmental services for multiple projects. Due to the County's need for services beyond the initial contract expiration date of February 28, 2015, the contract termination date needs to be extended to October 31, 2015 to complete existing on-call environmental services for the following projects:

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Trina Torres, 925-313-2176

cc: CAO - D. Twa, Auditor-Controller, Environmental, L. Chavez, Public Works, Finance Division

BACKGROUND: (CONT'D)

1. Routine Maintenance Agreement Training;
2. Jersey Island Bridge Repair-Biological/Cultural Surveys and Wetland Delineation; and
3. Clifton Road Bridge Repair-Biological/Cultural Surveys and Wetland Delineation.

Recently, the Contractor changed its business name to Cardno, Inc. Approval of this contract novation and amendment agreement will allow the Contractor to complete environmental services work as Cardno, Inc. All other terms and conditions in this contract entered into on March 15, 2012 between the County and the Contractor not modified by this contract novation and amendment agreement shall remain in full force and effect.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract novation and amendment agreement is not approved, work will not be completed to obtain necessary environmental clearances, which may jeopardize funding and cause delays in construction.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Novation & Amendment

Contra Costa County

CONTRACT NOVATION AND AMENDMENT AGREEMENT
(Purchase of Services – Long Form)

Contract Number:
Fund/Org #: Various / On-Call
Account #
Other #

1. **Identification of Contract to be Novated and Amended**.

   Number:
   Effective Date: March 15, 2012
   Department: Public Works
   Subject: On-Call Environmental Services, Countywide

2. **Parties**. The County of Contra Costa, California (County), for its Department named above, and the following named new Contractor mutually agree and promise as follows:

   Original Contractor: Entrix Inc. d/b/a Cardno Entrix
   Original Capacity: Delaware Corporation

   New Contractor: Cardno, Inc.
   New Capacity: Delaware Corporation
   Address: 2300 Clayton Road, Suite 100 Concord, CA 94520

3. **Amendment Date**. The effective date of this Contract Novation and Amendment Agreement is February 28, 2015.

4. **Amendment Specifications**. The Contract identified above is hereby novated and amended as set forth in the Amendment Specifications attached hereto which are incorporated herein by reference.

5. **Signatures**. These signatures attest the parties' agreement hereto:

COUNTY OF CONTRA COSTA, CALIFORNIA

BOARD OF SUPERVISORS	ATTEST: Clerk of the Board of Supervisors
By: _____ Chairman/Designee	By: _____ Deputy

CONTRACTOR

ORIGINAL CONTRACTOR:	NEW CONTRACTOR:
Signature A: Entrix Inc. d/b/a Cardno Entrix, a Delaware Corporation. By: _____ (Signature of officer) _____ Print name and title of A Signature B: Entrix Inc. d/b/a Cardno Entrix, a Delaware Corporation. By: _____ (Signature of officer) _____ Print name and title of B	Signature A: **Cardno, Inc.,** a Delaware Corporation By: _____ (Signature of officer) _____ Print name and title of A Signature B: **Cardno, Inc.,** a Delaware Corporation By: _____ (Signature of officer) _____ Print name and title of B

AMENDMENT SPECIFICATIONS
Cardno, Inc.-Amendment No. 3

RECITALS

1. On the Effective Date set forth in the Contract identified in Section 1 of this Contract Novation and Amendment Agreement (the "Contract"), Entrix, Inc., d/b/a Cardno Entrix, a Delaware Corporation ("Original Contractor") and County, on behalf of its Public Works Department, entered into the Contract.

2. Original Contractor changed the name of its firm from Entrix, Inc., d/b/a Cardno Entrix to Cardno, Inc..

3. County and Original Contractor desire to substitute Cardno, Inc. as a party to the Contract in place of Original Contractor, and desire that Cardno, Inc. perform the obligations of Original Contractor under the Contract.

NOVATION AND AMENDMENT

1. Cardno, Inc. shall perform the obligations of Original Contractor in the Contract and Cardno, Inc. agrees to be bound by all the terms of the Contract in every way as if an original party to the Contract.

2. County accepts the liability of Cardno, Inc. in place of the liability of Original Contractor. County agrees to be bound by the terms of the Contract as if Cardno, Inc. were named therein in place of Original Contractor.

3. Section 3 (Term) of the Contract is hereby amended by extending the termination date from February 28, 2015 to October 31, 2015, unless sooner terminated.

4. The Service Plan of the Contract is amended by adding a new Section VIII (Limited Scope) immediately following Section VII (Non-Exclusive Agreement) as follows:

"VIII. LIMITED SCOPE

County and Contractor agree that notwithstanding the extension of the term of this Contract effected by Amendment No. 3, the only work to be performed by Contractor under this Contract is the completion of Contractor's work on: 1) Routine Maintenance Agreement (RMA) Training, 2) Jersey Island Bridge Repair-Biological/Cultural Surveys & Wetland Delineation, and 3) Clifton Road Bridge Repair-Biological/Cultural Surveys & Wetland Delineation."

All other terms and conditions of the Contract entered into on March 15, 2012 between the County and Contractor not modified by this Amendment remain in full force and effect.

Contra Costa County
Standard Form L-2
Revised 2014.2

ACKNOWLEDGMENT/APPROVALS
(Purchase of Services – Long Form)

Number:

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF CONTRA COSTA)

On _____ (Date),

before me, _____ (Name and Title of the Officer),

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 paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL.

_____
Signature of Notary Public

Place Seal Above

ACKNOWLEDGMENT (by Corporation, Partnership, or Individual)
(Civil Code §1189)

APPROVALS

RECOMMENDED BY DEPARTMENT

By: _____
Designee

FORM APPROVED BY COUNTY COUNSEL

By: _____
Deputy County Counsel

APPROVED: COUNTY ADMINISTRATOR

By: _____
Designee

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: Contract amendment with ICF Jones & Stokes, Inc. to extend the termination date.

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with ICF Jones & Stokes, Inc., effective February 28, 2015, to extend the termination date from February 28, 2015 to August 31, 2016, with no change in the original payment limit of $500,000 for on-call environmental services, Countywide. (48% Contra Costa County Flood Control & Water Conservation District Funds, 48% Local Road and Transportation Funds, and 4% Airport Project Funds) [Project No.: Various] (All Districts)

FISCAL IMPACT:
48% Flood Control District Funds, 48% Local Road and Transportation Funds, and 4% Airport Project Funds.

BACKGROUND:
On March 13, 2012, the Board of Supervisors approved a three-year, on-call contract with ICF Jones and Stokes (Contractor) in an amount not to exceed $500,000 for on-call environmental services. Since the original contract was approved, the Contractor has provided on-call environmental services for multiple projects. Due to the County's need for services beyond the initial contract expiration date of February 28, 2015, the contract termination date needs to be extended to August 31, 2016 to complete on-call environmental services for the following:

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Trina Torres, 925-313-2176

cc: CAO - D. Twa, Auditor-Controller, Environmental, L. Chavez, Public Works, Finance Division

BACKGROUND: (CONT'D)

1) County Old Downtown Jail Facility, Martinez CA; and
2) West County Detention Facility Expansion.

All other terms and conditions in this contract entered into on March 15, 2012 between the County and the Contractor not modified by this contract amendment shall remain in full force and effect.

CONSEQUENCE OF NEGATIVE ACTION:

If the amendment is not approved, work will not be completed to obtain necessary environmental clearances which may jeopardize funding and cause delays with construction.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Amendment

Contra Costa County
Standard Form L-7
Revised 2014

CONTRACT AMENDMENT AGREEMENT
(Purchase of Services – Long Form)

Number:
Fund/Org:
Account:
Other: Various/On-Call

1. **Identification of Contract to be Amended**.

   Number:

   Effective Date: March 15, 2012

   Department: Public Works Department

   Subject: On-Call Environmental Services, Countywide

2. **Parties.** The County of Contra Costa, California (County), for its Department named above, and the following named Contractor mutually agree and promise as follows:

   Contractor: ICF Jones & Stokes, Inc.

   Capacity: Delaware Corporation

   Address: 620 Folsom Street, Suite 200 San Francisco, CA 94017

3. **Amendment Date.** The effective date of this Contract Amendment Agreement is February 28, 2015.

4. **Amendment Specifications.** The Contract identified above is hereby amended as set forth in the "Amendment Specifications" attached hereto which are incorporated herein by reference.

5. **Signatures**. These signatures attest the parties' agreement hereto:

COUNTY OF CONTRA COSTA, CALIFORNIA

BOARD OF SUPERVISORS	ATTEST: Clerk of the Board of Supervisors
By: _____ Chair/Designee	By: _____ Deputy

CONTRACTOR

Signature A Name of business entity: ICF Jones & Stokes, Inc., a Delaware Corporation	Signature B Name of business entity: ICF Jones & Stokes, Inc., a Delaware Corporation
By: _____ (Signature of individual or officer)	By: _____ (Signature of individual or officer)
_____ (Print name and title A, if applicable)	_____ (Print name and title B, if applicable)

Note to Contractor: For corporations (profit or nonprofit) and limited liability companies, the contract must be signed by two officers. Signature A must be that of the chairman of the board, president, or vice-president; and Signature B must be that of the secretary, any assistant secretary, chief financial officer or any assistant treasurer (Civil Code Section 1190 and Corporations Code Section 313). All signatures must be acknowledged as set forth on Form L-2.

Contra Costa County
Standard Form L-2
Revised 2014.2

ACKNOWLEDGMENT/APPROVALS
(Purchase of Services – Long Form)

Number:

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF CONTRA COSTA)

On _____ (Date),

before me, _____ (Name and Title of the Officer),

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 paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL.

_____
Signature of Notary Public

Place Seal Above

ACKNOWLEDGMENT (by Corporation, Partnership, or Individual)
(Civil Code §1189)

APPROVALS

RECOMMENDED BY DEPARTMENT

By: _____
Designee

FORM APPROVED BY COUNTY COUNSEL

By: _____
Deputy County Counsel

APPROVED: COUNTY ADMINISTRATOR

By: _____
Designee

AMENDMENT SPECIFICATIONS

ICF Jones & Stokes Inc.-Amendment No. 1

Due to the County's need for services beyond the initial contract expiration date, in exchange for the mutual promises set forth in this Amendment No. 1, County and Contractor agree to amend the Contract as follows:

1. Section 3 (Term) of the Agreement is hereby amended by extending the termination date from February 28, 2015 to August 31, 2016.

2. The Service Plan of the Contract is amended by adding a new Section VIII (Limited Scope) immediately following Section VII (Non-Exclusive Agreement) as follows:

   "VIII. LIMITED SCOPE
   County and Contractor agree that notwithstanding the extension of the term of this Contract effected by Amendment No. 1, the only work to be performed by Contractor under this Contract is the completion of Contractor's work on 1) County Old Downtown Jail Facility, Martinez CA and 2) West County Detention Facility Expansion."

3. All other terms and conditions in the Contract entered into on March 15, 2012 between the County and Contractor remain in full force and effect.

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Contract #24-681-73(16) with LTP CarePro, Inc., (dba Pleasant Hill Manor)

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #24-681-73(16) with LTP CarePro, Inc., (dba Pleasant Hill Manor), a non-profit corporation, in an amount not to exceed $252,000, to provide Augmented Board and Care Services, for the period from February 1, 2015 through January 31, 2016.

FISCAL IMPACT:

This Contract is funded 64% by Mental Health Realignment funds and 36% by Mental Health Services Act (MHSA) Housing funds. (Rate increased)

BACKGROUND:

This Contract meets the social needs of the County's population by augmenting room and board and providing twenty-four hour emergency residential care and supervision to eligible mentally disordered clients, who are

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Cynthia Belon, 957-5201

cc: D Morgan, C Rucker

BACKGROUND: (CONT'D)

specifically referred by the Mental Health Program Staff and who are served by County Mental Health Services.

On February 25, 2014, the Board of Supervisors approved Contract #24-681-73(14) [as amended by Contract Amendments #24-681-73(15)] with LTP CarePro, Inc., (dba Pleasant Hill Manor), for the period February 1, 2014 through January 31, 2015, for the provision of augmented board and care services for County-referred mentally disordered clients.

Approval of Contract #24-681-73(16) will allow the Contractor to continue to provide augmented board and care services, through January 31, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County residents will not receive services provided by this contractor.

CHILDREN'S IMPACT STATEMENT:

Not Applicable

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Contract #26-604-11 with Michael Gynn, M.D.

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-604-11 with Michael Gynn, M.D., a self-employed individual, in an amount not to exceed $1,830,000, for the provision of general surgery services for patients at Contra Costa Regional Medical Center and Contra Costa Health Centers, for the period from January 1, 2015 through December 31, 2017.

FISCAL IMPACT:
This Contract is funded by Enterprise Fund I. Cost to the County depends upon utilization. As appropriate, patients and/or third party payors will be billed for services. (Rate increase)

BACKGROUND:
On January 7, 2014, the Board of Supervisors approved Contract #26-604-9 (as amended by Amendment Agreement #26-604-10) with Michael Gynn, M.D., to provide general surgery services including consultation, training, on-call, medical and/or surgical procedures, for patients at Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC), for the period from January 1, 2014 through December 31, 2014. Approval of Contract #26-604-11 will allow the Contractor to continue to provide general surgery services, through December 31, 2017.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: David Goldstein, M.D., 925-370-5525

cc: K Cyr, C Rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County's clients will not have access to Contractor's general surgery 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: March 3, 2015

Subject: Novation Contract #24-723-74 with Neighborhood House of North Richmond

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #24-723-74 with Neighborhood House of North Richmond, a non-profit corporation, in an amount not to exceed $364,512, to provide substance abuse residential treatment and detoxification ser-vices, for the period from July 1, 2014 through June 30, 2015.

FISCAL IMPACT:
This Contract is funded 82% by Federal Substance Abuse Prevention and Treatment (SAPT) Block Grant, 13% 2nd Chance Act Assembly Bill 1 and 5% Substance Abuse and Mental Health Services Administration SAMHSA Addiction Technology Transfer Center (ATTC) grant. (No rate increase)

BACKGROUND:
This Contract meets the social needs of the County's population by providing specialized substance abuse treatment services in a residential setting so that men a women are provided an opportunity to achieve so-briety and recover from the effects of alcohol and other drug use, become self-sufficient and return to their families and community as productive individuals.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: Cynthia Belon (925) 957 5201

cc: A Floyd, C Rucker

BACKGROUND: (CONT'D)

On December 10, 2013, the Board of Supervisors approved Novation Contract #24-723-71 (as amended by Contract Amendment Agreements #24-723-72 and #24-723-73) with Neighborhood House of North Richmond for the provision of substance abuse residential treatment and detoxification services for offenders and adults from Richmond and other communities of West County, for the period July 1, 2013 through June 30, 2014, which included a six-month automatic extension through December 31, 2014. Approval of Novation Contract #24-723-74 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, County residents will not receive the substance abuse residential treatment and detoxification services that they need.

CHILDREN'S IMPACT STATEMENT:

NOT APPLICABLE

Contra Costa County

To: Successor to the Contra Costa County Redevelopment Agency

From: John Kopchik, Director, Conservation & Development Department

Date: March 3, 2015

Subject: Independent Registered Municipal Financial Advisor Contract

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract with Montague DeRose & Associates, LLC, in an amount not to exceed $85,000 for Independent Registered Municipal Financial Advisor services for the period March 1, 2015 through June 30, 2016.

FISCAL IMPACT:
The cost of financial advisory services is covered in the cost of issuance included in each bond issue. Fees are negotiated for each borrowing transaction based upon the size and complexity of the transaction. Non-issuance and Special Project services are billed hourly and will be funded by Redevelopment Property Tax Trust Fund monies.

BACKGROUND:
On July 18, 2014, the County issued a Request for Proposals (RFP) for Independent Registered Municipal Financial Advisor (IRMA) services. After review by members of the County's Debt Affordability Advisory Committee and firm interviews, Montague DeRose and Associates, LLC (MDA) was unanimously recommended to provide IRMA services to the County and the Successor Agency for the next contract period. The contract terms specified in the RFP indicated an initial contract agreement through June 30, 2016 with a two year renewal option. Tax Allocation Bonds (TABs) issued by the former Contra Costa County Redevelopment Agency were included in the RFP. The Successor Agency to the former Redevelopment Agency is responsible for the ongoing management of the outstanding TABs. Because the Successor Agency is a separate entity from the County, a separate contract with MDA is required to provide advisory services for TABs.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

Contact: Kristen Lackey, 4-7888

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

MDA, a small business financial advisory firm, has nearly 20 years of experience assisting municipal issuers by advising on the sale of short and longer-term issues. The County team will be led by Frank Perdue, Principal, who will be responsible for the overall performance of MDA fulfilling the requirement of the County. Mr. Perdue has been with MDA since 2007 following 25 years of experience in financial strategy development, capital allocation and valuation. MDA is fully compliant with all Securities and Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB) regulations applicable to municipal financial advisors and is registered with both the SEC and the MSRB as an IRMA.

CONSEQUENCE OF NEGATIVE ACTION:

The County, in its capacity as Successor Agency to the former Contra Costa County Redevelopment Agency, would not have the necessary expertise of an Independent Registered Municipal Financial Advisor.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Contract #27-826-2 with Diablo Valley Perinatal Associates, Inc.

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #27-826-2 with Diablo Valley Perinatal Associates, Inc., a corporation, in an amount not to exceed $410,000, to provide perinatology services for Contra Costa Health Plan members for the period from January 1, 2015 through December 31, 2016.

FISCAL IMPACT:
This Contract is funded 100% by Contra Costa Health Plan Enterprise Fund III. (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 March 12, 2013 the Board of Supervisors approved Contract #27-826-1 with Diablo Valley Perinatal Associates to provide perinatology services for Contra Costa Health Plan members for the period from January 1, 2013 through December 31, 2014.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: Patricia Tanquary
313-6004

cc: E Suisala , C Rucker

BACKGROUND: (CONT'D)

Approval of Contract #27-826-2 will allow the Contractor to continue to provide professional perinatology services through December 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.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Contract Extension Agreement #23-333-9 with Fitch & Associates, LLC

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Extension Agreement #23-333-9, effective June 30, 2015, with Fitch & Associates, LLC, a limited liability company, to amend Contract #23-333-3 (as amended by Contract Amendments #23-333-4 through #23-333-8), with no change in the original payment limit of $540,000 and to extend the term from June 30, 2015 through December 31, 2015.

FISCAL IMPACT:
No change in the original Payment Limit of $540,000 and is funded 94% by Measure H and 6% by County General funds.

BACKGROUND:
In November 2011, the County Administrator approved and Purchasing Services Manager executed Contract #23-333-3 (as amended by subsequent Amendment Agreements #23-333-4 through #23-333-8), with Fitch & Associates, LLC, to conduct an independent study and an evaluation of the County's Emergency Medical Services (EMS) Modernization Project, including an evaluation of fire services related to EMS, for the period from October 24, 2011 through June 30, 2015.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: Patricia Frost, 646-4690

cc: T Scott, C Rucker

BACKGROUND: (CONT'D)

Approval of Contract Extension Agreement #23-333-9 will allow the Contractor to provide additional services to complete the study, with no change in the Payment Limit, through December 31, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, procurement of emergency ambulance services deadlines for completion will not be met placing the county's ambulance exclusive operating areas at risk of losing state immunity.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: AT&T Purchase Order

RECOMMENDATION(S):
Approve and authorize the Purchasing Agent on behalf of the Health Services Department, to execute a Purchase Order with AT&T in the amount of $155,000, for network equipment and installation for Contra Costa Regional Medical Center and Health Centers, for the period January 15, 2015 through January 14, 2016.

FISCAL IMPACT:
100% funding is included in the Enterprise I Fund budget.

BACKGROUND:
AT&T provides network connectivity between the Contra Costa Regional Medical Center (CCRMC) and the Data Centers in Martinez and Pittsburg, CA. This purchase will provide the necessary equipment and installation to provide a higher level of network redundancy between these three locations.

CONSEQUENCE OF NEGATIVE ACTION:
Failure to purchase this equipment would negatively impact physicians and other healthcare providers during a disaster by not having access to the ccLink electronic health record (EHR).

CHILDREN'S IMPACT STATEMENT:
Not applicable.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

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ATTESTED: March 3, 2015

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

Contact: David Runt, 313-6228

By: , Deputy

cc: T Scott, C Rucker, David Runt

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: McKesson Health Solutions, LLC Purchase Order

RECOMMENDATION(S):
Approve and authorize the Purchasing Agent on behalf of the Health Services Department, to execute a purchase order with McKesson Health Solutions, LLC, in an amount not to exceed $180,000 for purchase of InterQual software maintenance for the Contra Costa Health Plan (CCHP) and the Contra Costa Regional Medical Center (CCRMC) for the period from September 1, 2014 through January 21, 2016..

FISCAL IMPACT:
Funds are included in the Health Services Department budget - 100% Enterprise Fund I.

BACKGROUND:
McKesson Health Solutions, LLC will provide the InterQual Software required to implement electronic submission of the Treatment Authorization Requests, (TARs) to the State of California. Currently Contra Costa Health Plan and Contra Costa Regional Medical Center was mandated to submit paper Treatment Authorization Requests to the State until a strongly recommended electronic system was in place. The electronic submitted TARs will ultimately save time for Contra Costa Health Plan and Contra Costa Regional Medical Center by receiving a faster response from the State

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: David Runt, 313-6228

cc: T Scott, C Rucker, David Runt

BACKGROUND: (CONT'D)

of California. The electronic submitted TARs will go directly to appropriate Field Office for processing. Within the software the required components and fields will be clearly labeled to reduce processing errors and extended time for review and approval. Online TAR submission is free to the state and required attachments can be submitted electronically with the TAR instead of making a copy and sending separately. Ultimately, the McKesson InterQual software can also be used for other Medical and Insurances for compliance audits which will reduce time and money in the research and submission of the appropriate forms.

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase Order is not approved, Contra Costa Health Plan and Contra Costa Regional Medical Center will not be able to implement the required McKesson InterQual software and would be required to purchase a license for the McKesson InterQual Books to perform paper submissions of the TARs to the state. This will place a burden on current resources with the time it will take to manually submit the paper submissions of the TARs to the state.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra
Costa
County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Agreement #26-790 with the Regents of the University of California, on behalf of the University of California, San Francisco

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Agreement #26-790 with the Regents of the University of California, a California Constitutional corporation, on behalf of the University of California, San Francisco (UCSF), in an amount not to exceed $25,000, for the provision of endocrinology services for patients at Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC), for the period from February 1, 2015 through January 31, 2016 including mutual indemnification to hold harmless both parties for any claims arising out of the performance of this Contract.

FISCAL IMPACT:
100% Funding is included in the Enterprise Fund I Budget.

BACKGROUND:
Under this Agreement #26-790, UCSF will provide, twenty-four hour a day, seven days a week over the phone consultation and in-person consultation during clinic hours, for the Endocrinology Unit at CCRMC, including mutual indemnification to hold harmless both parties for any claims arising out of the performance of this Contract, though January 31, 2016.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: Anna Roth, 370-5101

cc: T Scott, C Rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the Endocrinology Unit at CCRMC would not be able to provide these services to its patients.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Agfa Healthcare Corp. Purchase Order

RECOMMENDATION(S):
Approve and authorize the Purchasing Agent on behalf of the Health Services Department, to execute a Purchase Order with AGFA Healthcare Corp., in an amount not to exceed $151,000 for a hardware and software upgrade to the Heartlab system for the period from February 14, 2015 through February 13, 2016.

FISCAL IMPACT:
100% Funding is included in the Enterprise Fund I Budget.

BACKGROUND:
The Heartlab cardiology system is a critical component of our ccLink enterprise-wide electronic health record (EHR). This upgrade will allow the Health Department to upgrade to new software and hardware technologies, increase image quality, and significantly expand the disk space used to store images. The software upgrade will provide increased capabilities for remote cardiologists.

CONSEQUENCE OF NEGATIVE ACTION:
Failure to upgrade the system will not give our cardiologists access to new diagnostic features and capabilities and the continued use of non-supported hardware and software will pose a risk of system failure.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: Anna Roth, 370-5101

cc: T Scott, C Rucker, David Runt

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Cleansource, Inc. Blanket Purchase Order

RECOMMENDATION(S):
Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute a blanket purchase order with Cleansource, Inc., in the amount of $1,500,000 for the purchase of janitorial supplies at Contra Costa Regional Medical Center and Contra Costa Health Centers, for the period February 1, 2015 through January 31, 2016.

FISCAL IMPACT:
100% funding is included in Enterprise Fund I Budget.

BACKGROUND:
Health Services has been purchasing janitorial supplies from Cleansource, Inc. since 2007. Cleansource provides all disinfecting and cleaning supplies to the Environmental Services Department. Purchasing went out to bid on janitorial supplies in 2007 and Cleansource Inc. was one of the vendors selected. The bid is good through 2015.

CONSEQUENCE OF NEGATIVE ACTION:
If this Purchase Order is not approved, the hospital and clinics will not be able to order cleaning supplies needed by the Environmental Services Department causing more infections to occur and spread.

CHILDREN'S IMPACT STATEMENT:
Not applicable.

- [x] APPROVE
- [x] RECOMMENDATION OF CNTY ADMINISTRATOR
- [ ] OTHER
- [ ] RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** [ ] APPROVED AS RECOMMENDED [ ] OTHER

Clerks Notes:

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: Anna Roth, 370-5101

cc: T Scott, C Rucker, Crystal Grayson

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Purchase Order Amendment to UHS Surgical Services, Inc.

RECOMMENDATION(S):
Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute an amendment to Purchase Order #43339 with UHS Surgical Services, Inc., to add $15,000 for a new total of $265,000 for Laser and VTI Instatrak guide to be used at the Contra Costa Regional Medical Center, with no change in the original term of April 1, 2012 through March 31, 2015.

FISCAL IMPACT:
100% funding is included in the Enterprise Fund I Budget.

BACKGROUND:
UHS Surgical Services, Inc. offers Medical Laser and Surgical Equipment rental that provides Contra Costa Regional Medical Center with Laser equipment and VTI Instatrak Guide for the Operating Room.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, the County will not be able to take care of the patient population requiring this service from the Contractor at Contra Costa Regional Medical Center.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 3, 2015

Contact: Anna Roth, 370-5101

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

By: , Deputy

cc: T Scott, C Rucker, Crystal Grayson

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Application #28-694-12 for City of Concord CDBG funding for Fiscal years 2014-2015 and 2015-2016

RECOMMENDATION(S):

A. Approve and Authorize the Health Services Director, or his designee, to develop and transmit an application #28-694-12 along with the necessary certification and assurances to the City of Concord Community Development Block Grant (CDBG) for the operation of the Adult Interim Housing Program, for fiscal years 2014-2015 and 2015-2016, and

B. Authorize the Health Services Director, or his designee to accept, if awarded, **up to** $30,000 each year in City of Concord CDBG funding and if awarded, enter into a contract with the City of Concord Community Development Department for the County to operate the Adult Interim Housing Program and to perform all responsibilities in relationship to receipt of the funding, including agreeing to indemnify and hold harmless the City from any claims arising out of the performance of this Agreement.

FISCAL IMPACT:

The funds requested of the City of Concord CDBG are for two-years and are essential to providing adequate emergency housing and supportive services to individuals year-round. No additional County funds required

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: Cynthia Belon (957-5201)

cc: J Pigg, C Rucker

BACKGROUND:

The Health Services Department seeks funding to operate the emergency shelter program at full capacity on a year-round basis. Each year, the shelters provide interim housing and support services to over 900 individuals per year. The Community Development Block Grant program, funded by the U.S. Department of Housing and Urban Development, is a source of public funding providing valuable housing and service benefits to homeless persons of Contra Costa County. Without such funding, the emergency shelter program may have to operate at a reduced capacity.

Approval of Application #28-694-12 will allow the County to submit application of CDBG funding to the City of Concord for continuous services and operation of the Adult Interim Housing Program and to perform all responsibilities in relationship to receipt of the funding through June 30, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this application is not approved, County will not receive funding and without such funding, the emergency shelter program may have to operate at a reduced capacity.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Amendment #26-767-1 with Yu-Ming Chang, M.D.

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #26-767-1 with Yu-Ming Chang, M.D., a sole proprietor, effective February 1, 2015, to amend Contract #26-767, to modify the Service Plan and Payment Provisions to include administrative duties at Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC) with no change in the contract payment limit and no change in the original term of August 1, 2014 through July 31, 2015.

FISCAL IMPACT:
This amendment is funded 100% by Enterprise Fund I. (Rate increase)

BACKGROUND:
On June 3, 2014, the Board of Supervisors approved Contract #26-767 with Yu-Ming Chang, M.D. for the provision of gastroenterology services at CCRMC, including but not limited to; clinic coverage, gastrointestinal laboratory sessions, consultation, training, on-call coverage, and medical and/or surgical procedures for the period from August 1, 2014 through July 31, 2015. Approval of Contract Amendment Agreement #26-767-1 will allow the Contractor to provide an additional level of services to include administrative duties as requested by the County through July 31, 2015.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: David Goldstein, M.D., 925-370-5525

cc: K Cyr, C Rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, patients requiring additional gastroenterology services at CCRMC 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: March 3, 2015

Subject: Contract #74-394-6 with Ronald L. Leon, M.D.

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-394-6 with Ronald L. Leon, M.D, a self-employed individual, in an amount not to exceed $174,720, to provide outpatient psychiatric services to mentally ill adults in East County, for the period from April 1, 2015 through March 31, 2016.

FISCAL IMPACT:
This Contract is funded 100% by Mental Health Realignment Fund. (No rate increase)

BACKGROUND:
On February 25, 2014, the Board of Supervisors approved Contract #74-394-5 with Ronald L. Leon, M.D., for the period from April 1, 2014 through March 31, 2015 for the provision of outpatient psychiatric services for mentally ill adults in East County.

Approval of Contract #74-394-6 will allow Contractor to continue providing outpatient psychiatric services to mentally ill adults in East County, through March 31, 2016.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Cynthia Belon, 925-957-5201

cc: K Cyr, C Rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, adult patients in East County requiring outpatient psychiatric 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: March 3, 2015

Subject: Submission of Grant Application #28-759-13 to the California Department of Resources Recycling and Recovery (CalRecycle)

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, (the Director of Environmental Health), to submit Grant Application #28-759-13 (TEA-22), to the California Department of Resources Recycling and Recovery (CalRecycle), to pay the County in an amount not to exceed $450,000, for the Environmental Health Waste Tire Enforcement Program, for the period from June 29, 2015 through September 30, 2016.

FISCAL IMPACT:
Approval of this application will result in an amount not to exceed $450,000 from CalRecycle for the Environmental Health Waste Tire Enforcement Program. The funds are allocated and available from CalRecycle for grants to solid waste Local Enforcement Agencies (LEA) and cities and counties with regulatory authority within the city and county government to perform enforcement/compliance and surveillance activities at waste tire facilities. No County match required.

BACKGROUND:
Contra Costa Environmental Health/General Programs is the solid waste LEA for the entire county, including all incorporated cities except for the City of Pittsburg. CalRecycle

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: Marilyn Underwood (925 692-2521)

cc: J Pigg, C Rucker

BACKGROUND: (CONT'D)

has been delegated the responsibility for the administration of the program within the state, setting up necessary procedures governing application by cities and counties under the program. The applicant (Contra Costa County) demonstrates it has sufficient staff resources, technical expertise, and/or experience with similar projects to carry out the proposed program.

Approval of application #28-759-13 will allow Contra Costa County Environmental Health services to apply for funds to implementation the waste tire enforcement program through September 30, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will not be able to monitor and reduce illegal waste tire practices, educate and enforce proper waste tire management throughout the County, assist in reducing potential vector problems and prevent tire fires, nor protect public health and safety.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Application #28-663-9 for City of Pittsburg CDBG funding for the operation of the Adult Interim Housing Program for Adults

RECOMMENDATION(S):

A. Approve and Authorize the Health Services Director, or his designee, to develop and transmit an application #28-663-9 along with the necessary certification and assurances to the City of Pittsburg Community Department Block Grant (CDBG) for the operation of the Adult Interim Housing Program, for fiscal years 2014-2015 and 2015-2016; and

B. Authorize the Health Services Director, or his designee to accept, if awarded, up to $10,000 each year in City of Pittsburg CDBG funding and if awarded, enter into a contract with the City of Pittsburg Community Access Department, for the County to operate the Adult Interim Housing Program and to perform all responsibilities in relationship to receipt of the funding, including agreeing to indemnify and hold harmless the City from any claims arising out of the performance of this Agreement.

FISCAL IMPACT:

The funds requested of the Pittsburg CDBG are for two-years and are essential to providing adequate emergency housing and supportive services to individuals year-round. No additional County match required.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Cynthia Belon (957-5201)

cc: J Pigg, C Rucker

BACKGROUND:

The Health Services Department operates an emergency shelter program at full capacity on a year-round basis. Each year, the shelters provide interim housing and support services to over 900 individuals per year. The Community Development Block Grant program, funded by the U.S. Department of Housing and Urban Development, is a source of public funding for the operation of the County's Adult Interim Housing Program.

Approval of Application #28-663-9 will allow the County to submit application of CDBG funding to the City of Pittsburg, for operation of the County's Adult Interim Housing Program.

CONSEQUENCE OF NEGATIVE ACTION:

If this application is not approved, County will not receive funding and without such funding, the emergency shelter program may have to operate at a reduced capacity.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra
Costa
County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Contract #74-277-13 with Jackson & Coker LocumTenens, LLC

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #74-277-13 with Jackson & Coker LocumTenens, LLC, a limited liability company, in an amount not to exceed $774,400, to provide temporary psychiatric services for the Mental Health Outpatient Clinics, for the period from January 1, 2015 through December 31, 2015.

FISCAL IMPACT:
This Contract is funded 100% by Mental Health Realignment. (No rate increase)

BACKGROUND:
For several years, the County has contracted with registries to provide temporary licensed personnel to assist during peak loads, temporary absences, and emergency situations.

On February 4, 2014, the Board of Supervisors approved Contract #74-277-12 with Jackson & Coker LocumTenens, LLC to provide temporary psychiatric services for the Mental Health Outpatient Clinics, to cover vacations, sick and extended leaves and emergency situations, for the period from January 1, 2014 through December 31,

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: David Goldstein, MD, 370-5101

cc: T Scott, C Rucker

BACKGROUND: (CONT'D)
2014.

Approval of Contract #74-277-13 will allow the Contractor to continue to provide services, through December 31, 2015. The Contract contains modifications to Paragraph 18. (Indemnification) of the General Conditions.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, the County's Mental Health Outpatient Clinics would need to engage an alternate vendor potentially creating a lack of appropriate psychiatric coverage during temporary staff absences and therefore patients would go untreated.

CHILDREN'S IMPACT STATEMENT:
Not applicable.

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Contract #26-766-1 with Danny Wu, M.D.

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #26-766-1 with Danny Wu, M.D., a self-employed individual, in an amount not to exceed $150,000, to provide gastroenterology services at Contra Costa Regional Medical Center and Contra Costa Health Centers (CCRMC) for the period from January 1, 2015 through December 31, 2017.

FISCAL IMPACT:
This Contract is funded 100% by Enterprise Fund I. (No rate increase)

BACKGROUND:
In June 2014, the County Administrator approved and the Purchasing Services Manager executed Contract #26-766 with Danny Wu, M.D. for the provision of gastroenterology services at services including, but not limited to, clinic coverage, gastrointestinal laboratory sessions, consultation, training, on-call coverage, and medical and/or surgical procedures, at CCRMC, for the period from January 1, 2014 through December 31, 2014.

Approval of Contract #26-766-1 will allow the Contractor to continue to provide gastroenterology services at CCRMC through December 31, 2017.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: David Goldstein, M.D., 925-370-5525

cc: K Cyr, C Rucker

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring gastroenterology services at CCRMC 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: March 3, 2015

Subject: Cancellation Agreement #23-553-2 and Contract # 23-553-3 with Aspira Technologies, Inc.

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, as follows: (1) Cancellation Agreement #23-553-2, with Aspira Technologies, Inc., a corporation, effective on the close of business on November 30, 2014; and (2) Contract #23-553-3 in an amount not to exceed $408,500, to provide consultation and technical assistance to the Department's Information Systems Unit on information technology analytics, for the period from December 1, 2014 through June 30, 2016.

FISCAL IMPACT:
This Contract is funded 100% by Enterprise Fund I. (Rate Increase)

BACKGROUND:
On January 14, 2014, the Board of Supervisors approved Contract #23-553 (as amended by Amendment Agreement #23-553-1) with Aspira Technologies, Inc. for the provision of consultation and technical assistance to the Department's Information Systems Unit on information technology analytics, for the period from December 1, 2013 through June 30, 2016.

The Division experienced a delay in finalizing

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: David Runt, 925-335-8700

cc: K Cyr, C Rucker

BACKGROUND: (CONT'D)

the contract due to lengthy negotiations requiring more time than anticipated. The County requested, and the Contractor agreed to continue providing services with no break in service. In consideration of Contractor's agreement to continue providing services, both parties have agreed to re-negotiate the Contract Payment Provisions and the term, to reflect the intent of the parties. Therefore, in accordance with General Conditions Paragraph 5 (Termination), of the Contract, the Department and Contractor have agreed to a mutual cancellation of this Contract. Approval of Cancellation Agreement #23-553-2 will accomplish this termination.

Approval of Contract #23-553-3 will allow the Contractor to continue providing consultation and technical assistance to the Department's Information Systems Unit, through June 30, 2016.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will not have management oversight of the Information Technology Analytics Unit.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: Contract #25-070 with Rubicon Programs, Inc.

RECOMMENDATION(S):
Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #25-070 with Rubicon Programs, Inc., a non-profit corporation, in an amount not to exceed $176,000, to provide money management and support services to eligible adults with chronic homelessness and mental health diagnosis, in west and east counties for the period from July 1, 2014 through June 30, 2015.

FISCAL IMPACT:
This Contract is funded 100% by Housing Authority of Contra Costa County (HUD).

BACKGROUND:
This Contract meets the social needs of County's population by providing support services to County residents that are homeless and have a diagnosis of mental illness or a dual-diagnosis of mental illness and substance

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: CYNTHIA BELON
957-5201

cc: D Morgan, C Rucker

BACKGROUND: (CONT'D)

abuse.

The Division received notification from HUD that the application for funding was successful in April 2014. The division made a verbal commitment to the contractor to provide services, effective July 2014. The initial contract was not processed in a timely manner.

Under Contract #25-070, the Contractor will provide money management services to eligible permanent supportive housing participants in West and East counties and support services to adults diagnosed with chronic homelessness and mental health diagnosis, for the period from July 1, 2014 through June 30, 2015.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the chronic homeless with a mental health diagnosis in Contra Costa County will not receive services provided by this Contractor.

CHILDREN'S IMPACT STATEMENT:

Not Applicable

Contra Costa County

To: Board of Supervisors

From: David O. Livingston, Office of the Sheriff

Date: March 3, 2015

Subject: Purchase Order - Buchanan Food Service

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute a purchase order on behalf of the Sheriff-Coroner with Buchanan Food Service in the amount of $165,000 to provide bread loaves, rolls and all related bakery items as needed for the West County, Martinez and Marsh Creek detention facilities for the period of 01/01/2015 through 12/31/2015.

FISCAL IMPACT:
$165,000 maximum. 100% County General Fund; Budgeted in fiscal year 2014/15.

BACKGROUND:
This replaced the previous bread vendor (IBC Sales Corp) for the West County, Martinez and Marsh Creek detention facilities. Buchanan Food Service is a GSD-solicited bid that provides lower pricing for the bread loaves, rolls and other related bakery items as needed to support the inmate feeding program requirements of the three (3) county detention facilities.

CONSEQUENCE OF NEGATIVE ACTION:
The Sheriff's Office will be unable to enter into a contract with Buchanan Food Service.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☑ 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: March 3, 2015

Contact: Liz Arbuckle, (925) 335-1529

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

By: , Deputy

cc: Liz Arbuckle, Heike Anderson, Tim Ewell

CHILDREN'S IMPACT STATEMENT:

No impact.

Contra Costa County

To: Board of Supervisors

From: Ed Woo, Chief Information Officer

Date: March 3, 2015

Subject: E3 Systems Professional Services Contract Amendment/Extension

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract amendment with E-3 Systems, to extend the term expiration from May 31, 2015 to May 31, 2016 and increase the payment limit by $700,000 to a new payment limit of $1,200,000 to continue to provide, on an as-needed basis, installation and maintenance of telecommunications cabling.

FISCAL IMPACT:
$700,000 increase. The costs incurred by the Department of Information Technology for services rendered by this contractor are reimbursed by departments or agencies receiving the services.

BACKGROUND:
This contractor provides installation and maintenance of telecommunications cabling on an as-needed basis. These services are outside the scope of the normal duties of the Department of Information Technology requiring the retention of a specialized services contractor. E-3 Systems was selected in DoIT's 2012 RFP bid #1208-003.

CONSEQUENCE OF NEGATIVE ACTION:
If the request is not approved, Information Technology may be unable to maintain the countywide telecommunications network should an issue emerge requiring maintenance or installation of telecommunication cabling.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☑ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: Ed Woo (925) 383-2688

cc:

CHILDREN'S IMPACT STATEMENT:

No impact.

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 3, 2015

Subject: Issue Family and Children's Trust (FACT) Committee Request for Proposal

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to issue Request for Proposal (RFP) #1143, Family and Children's Trust (FACT) Committee, for prevention and intervention services to abused and neglected children or children at risk of abuse or neglect and their families in an amount not to exceed $675,000 for the period July 1, 2015 through June 30, 2016.

FISCAL IMPACT:
$675,000 Funding from State Child Abuse Prevention, Intervention and Treatment (CAPIT) funds - 45%; State Community Based Family Resource (CBCAP) funds - 5%; Birth Certificate funds (AB 2994)- 30%; and donations to the Anne Adler, Family and Children's Trust fund - 20%.

BACKGROUND:
The Family and Children's Trust (FACT) Committee developed Request for Proposal (RFP) #1143 following an extensive needs assessment process. The process included web-based surveys to service providers and consumers, meetings with key stakeholders, and a review of current needs assessment data and literature. The service categories for the use of FACT funds for the fiscal

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

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ATTESTED: March 3, 2015

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

By: , Deputy

Contact: Elaine Burres, 313-1717

cc:

BACKGROUND: (CONT'D)

year 2015-2016, which emerged from the needs assessment process, are to be solicited through the open bid process, RFP 1143, include:

1) Support for children with special needs and/or mental health needs and their families.

2) Parenting education services including information and referral support services.

3) Evidence-based or evidence informed afterschool programs and early intervention services that focus on one or more of the following:
a. Prevention and early intervention, family violence services including child abuse and domestic violence services, and/or,
b. Bullying/gang violence awareness and prevention.

The period of funding for the resulting contracts will be July 1. 2015 through June 30, 2016 with the option for a one-year renewal, pending service need, availability of funds, and provision of quality services with successful outcomes as determined by the FACT Committee's ongoing monitoring and evaluation process.

All funded programs must support culturally and linguistically appropriate services. All programs must include services for families involved with or at risk of becoming involved with child welfare.

CONSEQUENCE OF NEGATIVE ACTION:

Without authorization for the release of the Request for Proposals #1143, Family and Children's Trust (FACT) Committee, funding for prevention and intervention services to abused and neglected children and children at risk of abuse and neglect and their families could not be provided to organizations, thereby, eliminating programs supported by FACT dollars.

CHILDREN'S IMPACT STATEMENT:

Contracts resulting from the RFP will support 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 reducing the occurrence of child abuse and neglect, and providing support services and guidance to strengthen the family unit.

Contra Costa County

To: Board of Supervisors

From: Federal D. Glover, District V Supervisor

Date: March 3, 2015

Subject: 2014 Annual Report from Pacheco Municipal Advisory Council

RECOMMENDATION(S):
RECEIVE the 2014 Annual Report submitted by the Pacheco Municipal Advisory Council, as recommended by Supervisor Glover.

FISCAL IMPACT:
None.

BACKGROUND:
On June 12, 2002, the Board of Supervisors adopted Resolution No. 2002/377, which requires that each regular and ongoing board, commission, or committee shall annually report to the Board of Supervisors on its activities, accomplishments, membership attendance, required training/certification (if any), and the proposed work plan or objectives for the following year.

The attached report fulfills this requirement for the Pacheco Municipal Advisory Council.

CONSEQUENCE OF NEGATIVE ACTION:
The Pacheco Municipal Advisory Council will not be able to fulfill the annual reporting requirement of Resolution No. 2002/377.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

Contact: Lynn Enea (925) 335-8138

By: , Deputy

cc:

ATTACHMENTS

2014 Report
PMAC

Pacheco Municipal Advisory Council

Olivier Fontana, Chairman

Supervisor Federal D. Glover, District V

Shawn Garcia, Secretary of the Pacheco MAC
5800 Pacheco Boulevard
Pacheco, CA 94553

The Pacheco Municipal Advisory Committee serves as an advisory body to the Contra Costa County Board of Supervisors and the County Planning Agency.

2014 Annual Report to the Board of Supervisors

Submitted by:
Olivier Fontana, Chairperson

Activities and Accomplishments

The primary goals of the MAC in 2014 were to increase community awareness and participation at the monthly MAC meetings and to represent the community's interests, concerns and voice for the Board of Supervisor's.

The MAC board's activities and efforts have resulted in improvements and changes in 2014:

- Received funding from the Supervisor for greater outreach efforts

- Continual maintenance and upkeep of Pacheco Community Park
- Continual maintenance and upkeep of median on Pacheco Blvd.
- Improved community participation as a result of outreach efforts to the community of Pacheco

The MAC received informative presentations and provided thoughtful feedback on matters that impact Pacheco and look forward to receiving additional updates in 2015:

- 2014 Housing Element Update
- Pacheco Area of Benefit Study Update

The MAC greatly appreciates the support of the Sherriff and Highway Patrol in the Pacheco community. Pacheco has had a dedicated Deputy Sheriff for the majority of the year who kept the MAC informed of crime and incidences; listens and responds to community concerns; and works to find solutions to concerns raised by the MAC and community members.

Similarly a CHP Officer was assigned to Pacheco to keep the MAC informed of crime and incidences surrounding Pacheco.

Membership

The current MAC board is dedicated and hard working. We feel that we have made some positive changes in our community.

Pacheco Municipal Advisory Council

Olivier Fontana, Chairman

Supervisor Federal D. Glover, District V

Shawn Garcia, Secretary of the Pacheco MAC
5800 Pacheco Boulevard
Pacheco, CA 94553

The Pacheco Municipal Advisory Committee serves as an advisory body to the Contra Costa County Board of Supervisors and the County Planning Agency.

In June 2014 an appointment was made to Seat 3; the alternate seat remains vacant.

Members in 2014

- Chair, Olivier Fontana
- Secretary, Shawn Garcia
- Member, Kay Perry-Thayer
- Member, Joanne Boyle
- Member, Nam Trinh
- Vacant, Alternate Member

Attendance—2014

January	All Present
February	All Present
March	All Present
April	All Present
May	Boyle Absent
June	Trinh Absent
July	Fontana Absent
August	No meeting by design
September	All Present
October	Trinh, Boyle Absent
November	Trinh Absent
December	No meeting by design

MAC Work Plan and Objectives for 2015

A main priority for the MAC in 2015 will continue to be to increase community awareness of the MAC and increase community involvement.

We are working with County entities to coordinate a creek clean up event. We would like the event to take place on Earth Day. This would include the cost of food, rental and other charges related to the creek clean up.

Pacheco Municipal Advisory Council

Olivier Fontana, Chairman

Supervisor Federal D. Glover, District V

Shawn Garcia, Secretary of the Pacheco MAC
5800 Pacheco Boulevard
Pacheco, CA 94553

The Pacheco Municipal Advisory Committee serves as an advisory body to the Contra Costa County Board of Supervisors and the County Planning Agency.

We would like to outreach to other MACs and CACs to discuss common interests and ideas, and learn from one another. That would include the cost of food, rental and other charges related to the to the outreach.

We will continue our work on:

1. Community involvement
2. Community awareness of events taking place at the Community Center
3. Beautification of the medians along Pacheco Blvd.
4. Continued upkeep and development of the Pacheco Creekside Park

Pacheco MAC meetings are held on the 2nd Wednesday of every month at 6:30 p.m. at the Pacheco Community Center, 5800 Pacheco Blvd., Pacheco.

Chair:	Olivier Fontana
Secretary:	Shawn Garcia
Staff District V:	Lynn Reichard-Enea

Contra Costa County

To: Board of Supervisors

From: Federal D. Glover, District V Supervisor

Date: March 3, 2015

Subject: 2014 Annual Report From Bay Point Municipal Advisory Council

RECOMMENDATION(S):
RECEIVE the 2014 Annual Report submitted by the Bay Point Municipal Advisory Council, as recommended by Supervisor Glover.

FISCAL IMPACT:
None.

BACKGROUND:
On June 12, 2002, the Board of Supervisors adopted Resolution No. 2002/377, which requires that each regular and ongoing board, commission, or committee shall annually report to the Board of Supervisors on its activities, accomplishments, membership attendance, required truing/certification (if any), and the proposed work plan or objectives for the following year.

The attached report fulfills this requirement for the Bay Point Municipal Advisory Council.

CONSEQUENCE OF NEGATIVE ACTION:
The Bay Point Municipal Advisory Council will not be able to fulfill the annual report requirement of Resolution No. 2002/377.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Lynn Enea (925) 335-8138

cc:

ATTACHMENTS

2014 Annual Report
BPMAC

Bay Point Municipal Advisory Council

Debra Mason, 2014 Chair

Federal Glover, District Supervisor, District V

Debra Giles, Administrative Support
3105 Willow Pass Road
Bay Point, CA 94565
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The Bay Point Municipal Advisory Committee serves as an advisory body to the Contra Costa County Board of Supervisors and the County Planning Agency.

2014 Annual Board Report – Bay Point Municipal Advisory Council

We started 2014 honoring past Municipal Advisory member, Gloria Magleby, by establishing the Gloria Magleby Community Service Award to recognize people who have made meaningful contributions to the Bay Point Community. We also mourned the passing of Anna Bachman who had been the Habitat for Humanity representative to the Bay Point community. Her work had an impact on the entire community and she enriched the lives of all those she worked with during her time here.

The Contra Costa Sheriff and the California Highway Patrol continued to provide outstanding coverage to the Bay Point community resulting in the lowest crime rate in eight years. Lt. O'Mary and Deputy Briggs continue to regularly attend our meetings and Deputy Katie Rowe is our new resident deputy. Their tireless efforts resulted in an outstanding Bike Rodeo and bike giveaway in the Spring that saw many kids with smiling faces riding down Pacifica Avenue safely with their helmets on. And of course another successful Sheriff's Christmas Dinner and Toy Giveaway that brightened the holidays for many Bay Point residents.

The Supervisor continued to keep the community abreast of the Waterfront Plan and once again sponsored grant writing workshops and the annual Youth Summit both very well attended and successful events.

PG&E and Craig Communications have kept us updated on plans and progress on the PG&E/Shell pond clean-up. They have also provided many educational opportunities for the Bay Point youth. We look forward to a long partnership with them which we all hope will result in a revitalized wetlands area.

Contra Costa County Public Works gave us updates on the Pacifica Sidewalk Project and the State Route 4 Interchange project. Bob Calkins the Program Manager from Conservation and Development gave us information and an opportunity to give input on the 2015-2020 Consolidated Plan that will help determine how Community

Development Block funds will be awarded over the next 5 years. Patrick Roche a Principle Planner for the Conservation and Development Planning Department gave us an update and overview of the 2014 Housing Element in Contra Costa County.

We had many informative and engaging presentations this year;

- Thania Balcotta and the Friday Nite Live kids from Riverview Middle School have put Bay Point on the map with their outstanding work regarding the availability of Alcopops. Their work is influencing local ordinances regarding this issue. We are very proud of them.
- Carol Louisell of Meals on Wheels made a presentation about all the many services they provide and how community members can get involved as voluteers.
- Rick King the General Manager of Keller Canyon Landfill gave us an overview of the facility and how their policies and procedures are in place to keep the community safe.
- Elaine Prendergast gave us an overview of the many services that the Center for Human Development offers to the community.
- Betty Geishirt-Cantrell gave us a summary of all the many services offered by Sparkpoint.

At every MAC meeting we have regular reports from;

- California Highway Patrol – Donnie Thomas
- Contra Costa Sheriff's – Lt. Paul O'Mary
- Code Enforcement – Joe Losado
- Golden State Water – Tina Gonzelez
- Contra Costa Fire – Ed Gonzales
- Supervisor Glover – Ed Diokno

The MAC has become a place where residents can come and get updated on what services are available in Bay Point and get answers to questions they may have about those services.

Proposed 2015 Work Plan:

1.) Promote more community involvement and pride.
2.) Coordinate various volunteer groups for a synergistic outcome.
3.) Town Hall meetings.
4.) National Night Out.
5.) Outstanding Citizens of the Month.

6.) Unity in the Community
7.) County annual training for MAC members.
8.) Encourage greater community involvement in MAC meetings
9.) Sheriff's Christmas Party
10.) Gloria Magleby Community Service Award

Contra Costa County

To: Board of Supervisors

From: Robert Campbell, Auditor-Controller

Date: March 3, 2015

Subject: County of Contra Costa Community Facilities District No. 2001-1 (Norris Canyon)

RECOMMENDATION(S):
ACCEPT the Fiscal Year 2014/15 Community Facilities District Administration Report on County of Contra Costa Community Facilities District No. 2001-1 (Norris Canyon) as required by Sections 50075.3 and 53411 of the California Government Code.

FISCAL IMPACT:
None. The report relates to Special Taxes approved by voters and bonds issued and secured by said Special Taxes.

BACKGROUND:
On June 5, 2001 the Contra Costa County Board of Supervisors (Board) authorized the establishment of Community Facilities District No. 2001-1 (Norris Canyon). The creation of the Community Facilities District (CFD) authorized the levy of a Mello-Roos Special Tax on the Norris Canyon Estates subdivision in the San Ramon area. The action of the Board also authorized the issuance of bonded indebtedness secured by the approved Special Tax in the amount of $7,220,000. The (CFD) bonds were issued on June 14, 2001.

On December 11, 2012, the Board authorized the refinancing of the 2001 Special Tax Bonds in order to lower the annual debt service on the bonds. The 2013 Special Tax Refunding Bonds were issued on January 24, 2013.

The California Government Code Sections 50075.3 and 53411 require that specified information be provided to the Board of Supervisors on an annual basis. The report requirements include information on Mello-Roos CFD Special Taxes collected and CFD Bond issued. The attached CFD Administration Report fulfills the requirement of the Government Code. The reporting requirements are summarized below:

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Kristen Lackey, (925) 674-7888

cc:

BACKGROUND: (CONT'D)

Section 50075.3

Item (a): Identify amount of special taxes that have been collected and expended.

Response to Item (a): The fiscal year 2013-14 special tax levy was $428,685. Since the CFD is on the County Teeter Plan, the full amount of the tax levy was remitted to the CFD. The total levy was used to pay debt services in March and September 2013 on the CFD bonds as well as administrative costs for the CFD.

Item (b): Identify the status of any project required or authorized to be funded by the special taxes.

Response to Item (b): All CFD No. 2001-1 improvements have been completed and accepted by the Public Works Department of the County.

Section 53411

Item (a): Identify the amount of bonds that have been collected and expended.

Response to Item (a): A total of $7,220,000 in special tax bonds was issued by the County on June 14, 2001. Upon issuance of the bonds, $6,000,000 from bond proceeds was deposited into the Improvement Fund and has been used to acquire the CFD No. 2001-1 improvements from the developer. An additional $170,000 was used to pay the costs of issuing the bonds. Approximately $417,000 was deposited in the Reserve Fund, and the remaining $487,000 was deposited in the Bond Fund to be used for capitalized interest.

The Series 2001 Bonds were refunded and defeased on January 24, 2013 by the issuance of $5,605,000 in special tax refunding bonds. An Original Issue Premium of $20,460, together with available moneys from the Series 2001 Bonds in the amount of $767,049, left a total of $6,392,508 in bond proceeds to be expended. Upon issuance of the bonds, $5,947,529 from bond proceeds was deposited into the Refunding Fund, to be used to redeem all of the outstanding Series 2001 Bonds. An additional $207,063 was deposited into the Reserve Fund. The remaining $237,917 was used to pay the costs of issuing the Series 2013 Special Tax Refunding Bonds.

Item (b): Identify the status of any project required or authorized to be funded from bond proceeds:

Response to Item (b): All CFD No. 2001-1 improvements have been completed and accepted by the Public Works Department of the County.

Not part of the Government Code required report, but provided as a matter of information is the following information on the incidence of delinquencies within the District. The total amount collected by the County for the fiscal year 2013-14 CFD special tax levy was $428,685 pursuant to the Teeter Plan. The property owner of one parcel was delinquent a total of $734 in payments of the fiscal year 2013-14 CFD special tax levy. The delinquency percentage in the District is 0.17%, which is below the threshold for which the County is obligated to take affirmative action to remedy.

ATTACHMENTS

2014-15 Admin Report

GOODWIN CONSULTING GROUP

COUNTY OF CONTRA COSTA
COMMUNITY FACILITIES DISTRICT NO. 2001-1
(NORRIS CANYON)

CFD TAX ADMINISTRATION REPORT
FISCAL YEAR 2014-15

December 17, 2014

555 UNIVERSITY AVE, SUITE 280 • SACRAMENTO, CA 95825
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Community Facilities District No. 2001-1
CFD Tax Administration Report

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EXECUTIVE SUMMARY

The following summary provides a brief overview of the main points from this report regarding the County of Contra Costa Community Facilities District No. 2001-1 (Norris Canyon) ("CFD No. 2001-1" or the "CFD"):

Fiscal Year 2014-15 Special Tax Levy

Number of Taxed Parcels	Total Special Tax Levy
324	$423,176

For further detail regarding the special tax levy, or special tax rates, please refer to Section IV of this report.

Development Status for Fiscal Year 2014-15

Land Use Category	Parcels or Acres
Residential Property	324 parcels *
Other Property	0 parcels
Undeveloped Property	16.3 acres

** Does not include eight parcels that have prepaid their special tax obligation.*

For more information regarding the status of development in CFD No. 2001-1, please see Section V of this report.

Delinquency Summary

Delinquent Amount for FY 2013-14 (as of October 14, 2014)	Total Levy for FY 2013-14	Delinquency Rate
$734	$428,685	0.17%

For additional delinquency information, including historical delinquency rates, please see Section IX of this report.

Outstanding Bonds Summary

2013 Special Tax Refunding Bonds

Issuance Date	Original Principal	Amount Retired	Current Amount Outstanding
January 2013	$5,605,000	$405,000*	$5,200,000*

** As of the date of this report.*

I. INTRODUCTION

Community Facilities District No. 2001-1

On June 5, 2001, the County of Contra Costa (the "County") Board of Supervisors established CFD No. 2001-1. In a landowner election held on the same day, the sole owner of property within the CFD voted to authorize the levy of a Mello-Roos special tax on property within CFD No. 2001-1. The landowner also voted to incur bonded indebtedness, secured by special taxes levied on property within the CFD, in an amount not to exceed $7,220,000. On June 14, 2001, special tax bonds (the "Series 2001 Bonds") in the principal amount of $7,220,000 were issued on behalf of CFD No. 2001-1. In January 2013, the outstanding Series 2001 Bonds were refunded and defeased with the issuance of $5,605,000 in bonds (the "Series 2013 Special Tax Refunding Bonds" or the "Bonds"). A special tax will be levied on property within the CFD in fiscal year 2014-15 in order to pay debt service obligations in calendar year 2015.

The CFD boundary encompasses a 389-acre site that is proposed for the Norris Canyon Estates residential community. The CFD is located in an unincorporated area of the County just west of the City of San Ramon. At build out, the project was originally expected to include 361 single family detached homes. As of June 1, 2014, 332 building permits have been issued, 32 of which were issued during the past fiscal year for new residential home construction.

The Mello-Roos Community Facilities Act of 1982

The reduction in property tax revenues that resulted from the passage of Proposition 13 in 1978 required public agencies and real estate developers to look for other means to generate funding for public infrastructure. The funding available from traditional assessment districts was limited by certain requirements of the assessment acts, and it became clear that a more flexible funding tool was needed. In response, the California State Legislature (the "Legislature") approved the Mello-Roos Community Facilities Act of 1982 (the "Act") which provides for the levy of a special tax within a defined geographic area (i.e., a community facilities district) if such levy is approved by two-thirds of the qualified electors in the area. The Act can generate funding for a broad range of facilities and special taxes can be allocated to property in any reasonable manner other than on an ad valorem basis.

A community facilities district is authorized to issue tax-exempt bonds that are secured by land within the district. If a parcel does not pay the special tax levied on it, a public agency can foreclose on the parcel and use the proceeds of the foreclosure to ensure that bondholders receive interest and principal payments on the bonds. Because bonds issued by a community facilities district are land-secured, there is no risk to a public agency's general fund or taxing capacity. In addition, because the bonds are tax-exempt, they typically carry an interest rate that is lower than conventional construction financing.

II. PURPOSE OF REPORT

This CFD Tax Administration Report (the "Report") presents findings from research and financial analysis performed by Goodwin Consulting Group, Inc. to determine the fiscal year 2014-15 special tax levy for CFD No. 2001-1. The Report is intended to provide information to interested parties regarding the current financial obligations of the CFD, special taxes levied in fiscal year 2014-15, and information on the public facilities authorized to be funded by the CFD. The Report also summarizes development activity as well as other pertinent information (e.g., prepayments, delinquencies, and foreclosures) on property within the CFD. In addition, the Report provides all of the information that must be filed with the County Board of Supervisors pursuant to the requirements of Senate Bill 165.

The remainder of the Report is organized as follows:

- **Section III** identifies the financial obligations of CFD No. 2001-1 for fiscal year 2014-15.

- **Section IV** provides a summary of the special tax categories and the methodology that is used to apportion the special tax among parcels in the CFD. The maximum special tax rates for fiscal year 2014-15 are also identified in this section.

- **Section V** provides an update of the development activity occurring within CFD No. 2001-1, including new building permit activity.

- **Section VI** provides information on the public improvements authorized to be funded by CFD No. 2001-1.

- **Section VII** provides information regarding funds established for the Bonds, including current balances in such funds.

- **Section VIII** identifies parcels, if any, that have prepaid their special tax obligation.

- **Section IX** provides information regarding special tax delinquencies in CFD No. 2001-1.

- **Section X** provides information on covenants regarding foreclosure on delinquent parcels.

- **Section XI** provides a summary of the reporting requirements set forth in Senate Bill 165, the Local Agency Special Tax and Bond Accountability Act, and the information needed for the County to respond to these requirements.

III. SPECIAL TAX REQUIREMENT

Pursuant to the Rate and Method of Apportionment of Special Tax (the "RMA") for CFD No. 2001-1, which was adopted as an exhibit to the Resolution of Formation of CFD No. 2001-1, the Special Tax Requirement means the total amount needed each fiscal year to (i) pay principal and interest on bonds, (ii) create or replenish reserve funds, (iii) cure any delinquencies in the payment of principal or interest on indebtedness of CFD No. 2001-1 which have occurred in the prior fiscal year or (based on delinquencies in the payment of special taxes which have already taken place) are expected to occur in the fiscal year in which the tax will be collected, and (iv) pay administrative expenses. For fiscal year 2014-15, the Special Tax Requirement is $423,171 and is calculated as follows:

Community Facilities District No. 2001-1
Special Tax Requirement for Fiscal Year 2014-15*

Debt Service		**$409,225**
Interest Payment on Bonds Due March 1, 2015	$82,113	
Interest Payment on Bonds Due Sept. 1, 2015	$82,113	
Principal Payment on Bonds Due Sept. 1, 2015	$245,000	
Administrative Expenses		**$13,946**
Surplus Funds to Reduce Special Tax Requirement		**$0**
Fiscal Year 2014-15 Special Tax Requirement		**$423,171**

*Total may not sum due to rounding.

IV. SPECIAL TAX LEVY

Special Tax Categories

Special taxes within CFD No. 2001-1 are levied pursuant to the methodology set forth in the RMA. The RMA establishes various special tax categories against which the special tax can be levied each fiscal year, including Residential Property, Other Property, and Undeveloped Property. *(Capitalized terms are defined in the RMA in Appendix C of this Report.)*

Residential Property is defined as any parcel within the CFD for which a building permit for construction of a residential structure was issued prior to June 1 of the preceding fiscal year. Other Property means all taxable parcels in the CFD for which a building permit was issued prior to June 1 of the preceding fiscal year for a structure that is not used for residential purposes and is not owned by a homeowners' association or public agency. Undeveloped Property is defined as all taxable parcels in the CFD for which a building permit has not been issued prior to June 1 of the preceding fiscal year.

Maximum Special Tax Rates

The maximum special tax rates applicable to each category of property in CFD No. 2001-1 are set forth in Section C of the RMA. The actual amount of the maximum special tax which will be levied on each land use category in fiscal year 2014-15, is determined by the method of apportionment included in Section E of the RMA. The following table identifies the maximum special taxes that can be levied on property in CFD No. 2001-1.

Community Facilities District No. 2001-1
Maximum Special Tax Rates

Tax Category	Description	Maximum Special Tax
1	Residential Property	$2,100 per parcel
2	Other Property	$2,100 per residential unit planned on the parcel before it became Other Property
3	Undeveloped Property	$3,360 per acre

Changes to Norris Canyon Tentative Map

The maximum special tax rates shown above assume that a particular number of residential units will be developed within Norris Canyon consistent with the tentative map approved by the County Board of Supervisors in August 1997. To the extent changes are proposed to the tentative map in future years that would reduce the number of residential units within the project, the County must either deny the revision to the tentative map or require a prepayment of special taxes by the developer proposing the tentative map change. Such prepayment would be in an amount sufficient to retire a portion of the bonds and maintain 110% debt service coverage with the reduced special tax revenues that will result after the tentative map revision. To date, development in Norris Canyon has been consistent with the approved tentative map.

Apportionment of Special Taxes

The amount of special tax levied on each parcel in the CFD each fiscal year will be determined by application of Section E of the RMA. Pursuant to this section, the Special Tax Requirement will be allocated as follows:

The first step requires special taxes to be levied on each parcel of Residential Property and Other Property up to 100% of the applicable maximum special tax rate. If additional revenue is needed after the first step is completed, and after applying capitalized interest to the Special Tax Requirement, then a special tax will be levied on each parcel of Undeveloped Property up to 100% of the applicable maximum special tax. If additional revenues are still needed to pay annual obligations of the CFD after the maximum special tax is levied on Residential Property, Other Property, and Undeveloped Property, a special tax will be levied on Homeowners' Association Property and parcels of Public Property that originally had planned units, as defined in the RMA.

Application of the maximum special tax rate to the 324 Residential Property parcels for fiscal year 2014-15 will generate special tax revenue of $680,400. Since the Special Tax Requirement for fiscal year 2014-15 is only $423,171, Residential Property will be taxed at approximately 62.2% of the maximum, or $1,306 per parcel. The resulting special tax on Residential Property will fully fund the Special Tax Requirement for fiscal year 2014-15, assuming no delinquencies. No special tax will be levied on Undeveloped Property in fiscal year 2014-15.

The actual special tax rates and the number of units and/or acres of taxable property on which those rates are levied for fiscal year 2014-15 are shown in the table on the following page.

Community Facilities District No. 2001-1
Fiscal Year 2014-15 Special Tax Levy

Land Use Category	Maximum Special Tax Rates	Fiscal Year 2014-15 Actual Special Tax Rates	Parcels/Acres Taxed	Total Special Tax Levy
Residential Property	$2,100 per parcel	$1,306 per parcel	324 parcels *	$423,176
Undeveloped Property	$3,360 per acre	$0 per acre	0 acres	$0
Total Special Tax Levy for Fiscal Year 2014-15				**$423,176**

** Total does not include eight parcels that have had their special tax obligation prepaid and therefore are no longer subject to the annual tax.*

V. DEVELOPMENT UPDATE

From June 1, 2013, to May 31, 2014, 32 building permits have been issued to construct single family homes within CFD No. 2001-1. In total, 332 building permits have been issued and no Other Property currently exists within CFD No. 2001-1.

Based on the current status of development in CFD No. 2001-1, the following table summarizes the allocation of parcels to the special tax categories defined in the RMA:

Community Facilities District No. 2001-1
Allocation to Special Tax Categories
Fiscal Year 2014-15

Tax Category	Description	Number of Parcels
1	Residential Property	324*
2	Other Property	0
3	Undeveloped Property	29

** Total does not include eight parcels that have had their special tax obligation prepaid and therefore are no longer subject to the annual tax.*

VI. STATUS OF PUBLIC IMPROVEMENTS

CFD No. 2001-1 was formed to finance the widening of Norris Canyon Road, starting at the intersection of Bollinger Canyon Road and continuing a distance of 7,700 feet. Improvements to Norris Canyon Road include: (1) grading, pavement, curbs and gutters, rock shoulder, traffic signing and striping, and street lights; (2) construction of sanitary sewer mains, structures, fittings, and appurtenances; (3) construction of water distribution facilities and appurtenances; (4) construction of joint utility distribution facilities for electrical, telephone, gas, cable and television, including trenching, conduit and cable installation, pull and splice boxes, fittings and appurtenances, and relocation of overhead facilities; (5) construction of landscaping and irrigation facilities, including soil preparation, landscape materials, irrigation pipes, fittings, and appurtenances; (6) required attendant public fees and design and construction engineering fees; and (7) acquisition of all necessary interests in real property.

The developer entered into an Acquisition Agreement with the County that contains provisions that set forth the process by which completed improvements will be acquired with bond proceeds that are on deposit in the Improvement Fund for the CFD. The Acquisition Agreement obligates the developer to pay any costs of the improvements that are not covered by funds available in the Improvement Fund.

All Norris Canyon Road improvements have been completed and accepted by the Public Works division of the County. Per the Acquisition Agreement with the County, the balance in the CFD Improvement Fund was used to acquire the completed improvements from the developer.

VII. CFD FUNDS

Six funds were established pursuant to the Fiscal Agent Agreement between the County and the Bank of New York Mellon Trust Company (the "Fiscal Agent"). Following is a brief description of the purpose of each fund.

The **Improvement Fund** was created exclusively to pay the cost of improvements until all authorized facilities have been paid. The Improvement Fund, due to completion of all improvements, has been closed.

The **Reserve Fund** was established as a reserve for the payment of principal and interest on the bonds in the event the balance in the Special Tax Fund is insufficient to make debt service payments. The Fiscal Agent will maintain the Reserve Fund. The Reserve Requirement is $207,063 as of June 30, 2014.

The **Bond Fund** was created exclusively to pay principal and interest on CFD indebtedness. The Bond Fund will be held by the Fiscal Agent; twice each year, the fiscal agent will use proceeds in this account to pay interest and/or principal on the bonds. If, on any interest payment date, amounts in the Bond Fund are insufficient to pay debt service that is due on such date, the Fiscal Agent must withdraw from the Reserve Fund to cover the shortfall.

The **Special Tax Fund** was established as a fund to be held by the County Auditor-Controller (the "Auditor") into which special tax revenues collected by the County will be deposited. Not later than three business days prior to each interest payment date on the bonds, the Auditor will transfer money from the Special Tax Fund to the Fiscal Agent to pay interest and principal due on the bonds, as well as any amount needed to bring the Reserve Fund up to the required reserve amount. Any remaining balance in the Special Tax Fund will be transferred to the Administrative Expense Fund.

The **Administrative Expense Fund** will be held by the Auditor and used to pay CFD administrative expenses. Each year, the Auditor will transfer any excess amount in the Administrative Expense Fund to the Special Tax Fund.

The **Costs of Issuance Fund** will be held by the Fiscal Agent and will be disbursed to pay costs associated with formation of CFD No. 2001-1 and issuance of the Bonds. This fund has been closed.

Money held in any of the aforementioned funds can be invested by the Fiscal Agent at the direction of the County and in conformance with limitations set forth in the Fiscal Agent Agreement. Investment interest earnings, if any, will generally be applied to the fund for which the investment is made.

Fund Balances

As of June 30, 2014, the various funds had the following balances:

Community Facilities District No. 2001-1
Fund Balances as of June 30, 2014

Reserve Fund	$207,065
Bond Fund	$2
Special Tax Fund*	$332,386
Administrative Expense Fund*	$9,643

** Fund balances shown for these accounts are as of July 25, 2014.*

VIII. PREPAYMENTS

The special tax lien for eight properties in CFD No. 2001-1 have been fully prepaid and are no longer subject to the annual special tax levy. The eight parcels that have fully prepaid their special tax obligation are as follows:

211-260-011-5
211-310-009-9
211-370-025-2
211-370-026-0
211-370-033-6
211-370-037-7
211-370-038-5
211-370-055-9

IX. DELINQUENCIES

As of October 14, 2014, the Contra Costa County Auditor's Office reports the following delinquency amounts for CFD No. 2001-1:

Community Facilities District No. 2001-1
Delinquencies as of October 14, 2014

Fiscal Year	Parcels Delinquent	Delinquent Amount	CFD Tax Levied	Percent Delinquent
2013-14	1	$734	$428,685	0.17%

X. FORECLOSURE COVENANT

Covenants of the County

The County may order the institution of a court action to foreclose the lien on a parcel within specified time limits if any payment of the special tax is delinquent. In such an action, the real property subject to the unpaid amount may be sold at a judicial foreclosure sale. Pursuant to the Bonds' covenants, the County shall review its records in connection with the collection of the special tax on or about March 30 and June 30 of each year to compare the amount of special tax levied in the CFD to the amount of special tax collected, and proceed as follows:

> Individual Delinquencies. If the Auditor determines that any single parcel subject to the special tax in the CFD is delinquent in the payment of special taxes in the aggregate amount of (i) $7,500 or more if all the property within the CFD is on the Teeter Plan, or (ii) $3,000 or more if any of the property in the CFD is not on the Teeter Plan, then the Auditor shall send or cause to be sent a notice of delinquency (and a demand for immediate payment thereof) to the property owner within 60 days of such determination, and (if the delinquency remains uncured) foreclosure proceedings shall be commenced by the County within 120 days of such determination.
>
> Aggregate Delinquencies. If the Auditor determines that the total amount of delinquent special tax for the prior fiscal year for the entire CFD, (including the total of delinquencies under the preceding paragraph), exceeds 5% of the total special tax due and payable for the prior fiscal year, the County shall notify or cause to be notified property owners who are then delinquent in the payment of special taxes (and demand immediate payment of the delinquency) within 60 days of such determination, and shall commence foreclosure proceedings within 120 days of such determination against each parcel of land in the CFD with a special tax delinquency.

Since the CFD's special tax delinquency rate for fiscal year 2013-14 is below 5%, the County has not been required to initiate foreclosure proceedings on property in CFD No. 2001-1.

XI. SENATE BILL 165 REPORTING REQUIREMENTS

On September 18, 2000, former Governor Gray Davis approved Senate Bill 165 which enacted the Local Agency Special Tax and Bond Accountability Act. In approving the bill, the Legislature pointed out that local agencies need to demonstrate to the voters that special taxes and bond proceeds are being spent on the facilities and services for which they were intended. To further this objective, the Legislature added Sections 50075.3 and 53411 to the California Government Code setting forth annual reporting requirements relative to special taxes collected and bonds issued by a local public agency. A response to each of the reporting requirements in SB 165 is provided below. Pursuant to Sections 50075.3 and 53411, the chief fiscal officer of the County will, by January 1, 2002, and at least once a year thereafter, file a report with the Board of Supervisors (which may be this CFD Tax Administration Report) setting forth the following information.

Section 50075.3

Item (a): Identify amount of special taxes that have been collected and expended.

The fiscal year 2013-14 special tax levy was $428,685. Since the CFD is on the County Teeter Plan, the full amount of the tax levy was remitted to the CFD. The total levy was used to pay debt service in March and September 2014 on the CFD bonds as well as administrative costs for the CFD.

Item (b): Identify the status of any project required or authorized to be funded by the special taxes.

All CFD No. 2001-1 improvements have been completed and accepted by the Public Works division of the County.

Section 53411

Item (a): Identify the amount of bonds that have been collected and expended.

A total of $7,220,000 in special tax bonds was issued by the County on June 14, 2001. Upon issuance of the bonds, $6,000,000 from bond proceeds was deposited into the Improvement Fund and has been used to acquire the CFD No. 2001-1 improvements from the developer. An additional $170,000 was used to pay the costs of issuing the bonds. Approximately $417,000 was deposited in the Reserve Fund, and the remaining $487,000 was deposited in the Bond Fund to be used for capitalized interest.

The Series 2001 Bonds were refunded and defeased on January 24, 2013 by the issuance of $5,605,000 in special tax refunding bonds. An Original Issue Premium of $20,460, together with available moneys from the Series 2001 Bonds in the amount of $767,049, left a total of $6,392,508 in bond proceeds to be expended. Upon issuance of the bonds, $5,947,529 from bond proceeds was deposited into the Refunding Fund, to be used to redeem all of the outstanding Series 2001 Bonds. An additional $207,063 was deposited into the Reserve Fund. The remaining $237,917 was used to pay the costs of issuing the Series 2013 Special Tax Refunding Bonds.

Item (b): Identify the status of any project required or authorized to be funded from bond proceeds.

All CFD No. 2001-1 improvements have been completed and accepted by the Public Works division of the County.

APPENDIX A

Summary of Fiscal Year 2014-15
Special Tax Levy

County of Contra Costa
Community Facilities District No. 2001-1
(Norris Canyon)
Special Tax Levy Summary for Fiscal Year 2014-15

Land Use Category	Fiscal Year 2014-15 Maximum Special Tax Rates	Fiscal Year 2014-15 Actual Special Tax Rates	Parcels/Acres Taxed	Total Special Tax Levy
Residential Property	$2,100.00 per parcel	$1,306.10 per parcel	324 parcels	$423,176.40
Undeveloped Property	$3,360.00 per acre	$0.00 per acre	16.3 acres	$0.00
Total Fiscal Year 2014-15 Special Tax Levy				**$423,176.40**

Goodwin Consulting Group, Inc.

APPENDIX B

Fiscal Year 2014-15 Special Tax Levy
for Individual Assessor's Parcels

County of Contra Costa
Community Facilities District No. 2001-1
(Norris Canyon)
Special Tax Levy for Fiscal Year 2014-15

Assessor's Parcel Number	Type of Property	Status of Development	Taxable Acres	Special Tax
211-210-045-4	HOA	HOA		$0.00
211-210-063-7	HOA	HOA		$0.00
211-210-074-4	HOA	HOA		$0.00
211-210-081-9	HOA	HOA		$0.00
211-210-082-7	HOA	HOA		$0.00
211-210-083-5	HOA	HOA		$0.00
211-210-084-0	HOA	HOA		$0.00
211-240-001-1	Residential	Developed		$1,306.10
211-240-003-7	Residential	Developed		$1,306.10
211-240-004-5	Residential	Developed		$1,306.10
211-240-005-2	Residential	Developed		$1,306.10
211-240-006-0	Residential	Developed		$1,306.10
211-240-007-8	Residential	Developed		$1,306.10
211-240-008-6	Residential	Developed		$1,306.10
211-240-009-4	Undeveloped	Undeveloped		$0.00
211-240-010-2	Undeveloped	Undeveloped		$0.00
211-240-011-0	Residential	Developed		$1,306.10
211-240-012-8	Undeveloped	Undeveloped		$0.00
211-240-013-6	Residential	Developed		$1,306.10
211-240-014-4	Residential	Developed		$1,306.10
211-240-015-1	Residential	Developed		$1,306.10
211-240-016-9	Residential	Developed		$1,306.10
211-240-017-7	HOA	HOA		$0.00
211-240-019-3	HOA	HOA		$0.00
211-250-001-8	Residential	Developed		$1,306.10
211-250-002-6	Undeveloped	Undeveloped		$0.00
211-250-003-4	Residential	Developed		$1,306.10
211-250-004-2	Residential	Developed		$1,306.10
211-250-005-9	Residential	Developed		$1,306.10
211-250-006-7	Residential	Developed		$1,306.10
211-250-007-5	Residential	Developed		$1,306.10
211-250-008-3	Residential	Developed		$1,306.10
211-250-009-1	Residential	Developed		$1,306.10
211-250-010-9	Residential	Developed		$1,306.10
211-250-011-7	Residential	Developed		$1,306.10
211-250-012-5	Residential	Developed		$1,306.10
211-250-013-3	Residential	Developed		$1,306.10
211-250-014-1	Residential	Developed		$1,306.10
211-250-015-8	Residential	Developed		$1,306.10
211-250-016-6	Residential	Developed		$1,306.10
211-250-017-4	Residential	Developed		$1,306.10
211-250-018-2	Residential	Developed		$1,306.10

County of Contra Costa
Community Facilities District No. 2001-1
(Norris Canyon)
Special Tax Levy for Fiscal Year 2014-15

Assessor's Parcel Number	Type of Property	Status of Development	Taxable Acres	Special Tax
211-250-019-0	Residential	Developed		$1,306.10
211-250-020-8	HOA	HOA		$0.00
211-250-021-6	HOA	HOA		$0.00
211-250-023-2	HOA	HOA		$0.00
211-260-001-6	Residential	Developed		$1,306.10
211-260-002-4	Residential	Developed		$1,306.10
211-260-003-2	Residential	Developed		$1,306.10
211-260-004-0	Residential	Developed		$1,306.10
211-260-005-7	Residential	Developed		$1,306.10
211-260-006-5	Residential	Developed		$1,306.10
211-260-007-3	Residential	Developed		$1,306.10
211-260-008-1	Residential	Developed		$1,306.10
211-260-009-9	Residential	Developed		$1,306.10
211-260-010-7	Residential	Developed		$1,306.10
211-260-011-5	Prepaid	Prepaid		$0.00 /1
211-260-012-3	Residential	Developed		$1,306.10
211-260-013-1	Residential	Developed		$1,306.10
211-260-014-9	Residential	Developed		$1,306.10
211-260-015-6	Residential	Developed		$1,306.10
211-260-016-4	Residential	Developed		$1,306.10
211-260-017-2	Residential	Developed		$1,306.10
211-260-018-0	Residential	Developed		$1,306.10
211-260-025-5	HOA	HOA		$0.00
211-270-001-4	Residential	Developed		$1,306.10
211-270-002-2	Residential	Developed		$1,306.10
211-270-003-0	Residential	Developed		$1,306.10
211-270-004-8	Residential	Developed		$1,306.10
211-270-005-5	Residential	Developed		$1,306.10
211-270-006-3	Residential	Developed		$1,306.10
211-270-007-1	Residential	Developed		$1,306.10
211-270-008-9	Residential	Developed		$1,306.10
211-270-009-7	Residential	Developed		$1,306.10
211-270-010-5	Residential	Developed		$1,306.10
211-270-011-3	Residential	Developed		$1,306.10
211-270-012-1	HOA	HOA		$0.00
211-280-001-2	Residential	Developed		$1,306.10
211-280-002-0	Residential	Developed		$1,306.10
211-280-003-8	Residential	Developed		$1,306.10
211-280-004-6	Residential	Developed		$1,306.10
211-280-005-3	Residential	Developed		$1,306.10
211-280-006-1	Residential	Developed		$1,306.10
211-280-007-9	Residential	Developed		$1,306.10

County of Contra Costa
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(Norris Canyon)
Special Tax Levy for Fiscal Year 2014-15

Assessor's Parcel Number	Type of Property	Status of Development	Taxable Acres	Special Tax
211-280-008-7	Residential	Developed		$1,306.10
211-280-009-5	Residential	Developed		$1,306.10
211-280-010-3	Residential	Developed		$1,306.10
211-280-011-1	Residential	Developed		$1,306.10
211-280-012-9	Residential	Developed		$1,306.10
211-280-013-7	Residential	Developed		$1,306.10
211-280-014-5	Residential	Developed		$1,306.10
211-280-015-2	Residential	Developed		$1,306.10
211-280-016-0	Residential	Developed		$1,306.10
211-280-017-8	Residential	Developed		$1,306.10
211-280-018-6	Residential	Developed		$1,306.10
211-280-019-4	Residential	Developed		$1,306.10
211-280-020-2	Residential	Developed		$1,306.10
211-280-021-0	Residential	Developed		$1,306.10
211-280-022-8	Residential	Developed		$1,306.10
211-280-023-6	Residential	Developed		$1,306.10
211-280-024-4	Residential	Developed		$1,306.10
211-280-025-1	Residential	Developed		$1,306.10
211-280-026-9	Residential	Developed		$1,306.10
211-280-027-7	Residential	Developed		$1,306.10
211-280-028-5	Residential	Developed		$1,306.10
211-280-029-3	Residential	Developed		$1,306.10
211-280-030-1	Residential	Developed		$1,306.10
211-280-031-9	Residential	Developed		$1,306.10
211-280-032-7	Residential	Developed		$1,306.10
211-280-033-5	Residential	Developed		$1,306.10
211-280-034-3	Residential	Developed		$1,306.10
211-280-035-0	Residential	Developed		$1,306.10
211-280-036-8	Residential	Developed		$1,306.10
211-280-037-6	Residential	Developed		$1,306.10
211-280-038-4	Residential	Developed		$1,306.10
211-280-039-2	Residential	Developed		$1,306.10
211-290-001-0	Residential	Developed		$1,306.10
211-290-002-8	Residential	Developed		$1,306.10
211-290-003-6	Residential	Developed		$1,306.10
211-290-004-4	Residential	Developed		$1,306.10
211-290-005-1	Residential	Developed		$1,306.10
211-290-006-9	Residential	Developed		$1,306.10
211-290-007-7	Residential	Developed		$1,306.10
211-290-008-5	Residential	Developed		$1,306.10
211-290-009-3	Residential	Developed		$1,306.10
211-290-010-1	Residential	Developed		$1,306.10

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Assessor's Parcel Number	Type of Property	Status of Development	Taxable Acres	Special Tax
211-290-011-9	Residential	Developed		$1,306.10
211-290-012-7	Residential	Developed		$1,306.10
211-290-013-5	Residential	Developed		$1,306.10
211-290-014-3	Residential	Developed		$1,306.10
211-290-015-0	Residential	Developed		$1,306.10
211-290-016-8	Residential	Developed		$1,306.10
211-290-017-6	Residential	Developed		$1,306.10
211-290-018-4	Residential	Developed		$1,306.10
211-290-019-2	Residential	Developed		$1,306.10
211-290-020-0	Residential	Developed		$1,306.10
211-300-001-8	Residential	Developed		$1,306.10
211-300-002-6	Residential	Developed		$1,306.10
211-300-003-4	Residential	Developed		$1,306.10
211-300-004-2	Undeveloped	Undeveloped		$0.00
211-300-005-9	Undeveloped	Undeveloped		$0.00
211-300-006-7	Residential	Developed		$1,306.10
211-300-007-5	Undeveloped	Undeveloped		$0.00
211-300-008-3	Undeveloped	Undeveloped		$0.00
211-300-009-1	Residential	Developed		$1,306.10
211-300-010-9	Residential	Developed		$1,306.10
211-300-011-7	Residential	Developed		$1,306.10
211-300-012-5	Residential	Developed		$1,306.10
211-300-013-3	Residential	Developed		$1,306.10
211-300-014-1	Residential	Developed		$1,306.10
211-300-015-8	Residential	Developed		$1,306.10
211-300-016-6	Residential	Developed		$1,306.10
211-300-017-4	Residential	Developed		$1,306.10
211-300-018-2	Residential	Developed		$1,306.10
211-300-019-0	Residential	Developed		$1,306.10
211-300-020-8	Residential	Developed		$1,306.10
211-300-021-6	Residential	Developed		$1,306.10
211-300-022-4	Residential	Developed		$1,306.10
211-300-023-2	Residential	Developed		$1,306.10
211-300-024-0	Residential	Developed		$1,306.10
211-300-025-7	Residential	Developed		$1,306.10
211-300-026-5	Residential	Developed		$1,306.10
211-300-027-3	Residential	Developed		$1,306.10
211-310-001-6	Residential	Developed		$1,306.10
211-310-002-4	Residential	Developed		$1,306.10
211-310-003-2	Residential	Developed		$1,306.10
211-310-004-0	Residential	Developed		$1,306.10
211-310-005-7	Residential	Developed		$1,306.10

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Assessor's Parcel Number	Type of Property	Status of Development	Taxable Acres	Special Tax
211-310-006-5	Residential	Developed		$1,306.10
211-310-007-3	Residential	Developed		$1,306.10
211-310-008-1	Residential	Developed		$1,306.10
211-310-009-9	Prepaid	Prepaid		$0.00 /1
211-310-010-7	Residential	Developed		$1,306.10
211-310-011-5	Residential	Developed		$1,306.10
211-310-012-3	Residential	Developed		$1,306.10
211-310-013-1	Residential	Developed		$1,306.10
211-310-014-9	Residential	Developed		$1,306.10
211-310-015-6	Residential	Developed		$1,306.10
211-310-016-4	Residential	Developed		$1,306.10
211-310-017-2	Residential	Developed		$1,306.10
211-310-018-0	Residential	Developed		$1,306.10
211-310-019-8	Residential	Developed		$1,306.10
211-310-020-6	Residential	Developed		$1,306.10
211-310-021-4	Residential	Developed		$1,306.10
211-310-024-8	HOA	HOA		$0.00
211-320-001-4	Residential	Developed		$1,306.10
211-320-002-2	Residential	Developed		$1,306.10
211-320-003-0	Residential	Developed		$1,306.10
211-320-004-8	Residential	Developed		$1,306.10
211-320-005-5	Residential	Developed		$1,306.10
211-320-006-3	Residential	Developed		$1,306.10
211-320-007-1	Residential	Developed		$1,306.10
211-320-008-9	Residential	Developed		$1,306.10
211-320-009-7	Residential	Developed		$1,306.10
211-320-010-5	Residential	Developed		$1,306.10
211-320-011-3	Residential	Developed		$1,306.10
211-320-012-1	Residential	Developed		$1,306.10
211-320-013-9	Residential	Developed		$1,306.10
211-320-014-7	Residential	Developed		$1,306.10
211-320-015-4	Residential	Developed		$1,306.10
211-320-016-2	Residential	Developed		$1,306.10
211-320-017-0	Residential	Developed		$1,306.10
211-320-018-8	Residential	Developed		$1,306.10
211-320-019-6	HOA	HOA		$0.00
211-330-001-2	Residential	Developed		$1,306.10
211-330-002-0	Residential	Developed		$1,306.10
211-330-003-8	Undeveloped	Undeveloped		$0.00
211-330-004-6	Undeveloped	Undeveloped		$0.00
211-330-005-3	Residential	Developed		$1,306.10
211-330-006-1	Residential	Developed		$1,306.10

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Assessor's Parcel Number	Type of Property	Status of Development	Taxable Acres	Special Tax
211-330-007-9	Residential	Developed		$1,306.10
211-330-008-7	Undeveloped	Undeveloped		$0.00
211-330-009-5	Undeveloped	Undeveloped		$0.00
211-330-012-9	HOA	HOA		$0.00
211-340-001-0	Residential	Developed		$1,306.10
211-340-002-8	Residential	Developed		$1,306.10
211-340-003-6	Residential	Developed		$1,306.10
211-340-004-4	Residential	Developed		$1,306.10
211-340-005-1	Residential	Developed		$1,306.10
211-340-006-9	Residential	Developed		$1,306.10
211-340-007-7	Residential	Developed		$1,306.10
211-340-011-9	Undeveloped	Public		$0.00
211-340-012-7	Undeveloped	Public		$0.00
211-350-001-7	Undeveloped	Undeveloped		$0.00
211-350-002-5	Undeveloped	Undeveloped		$0.00
211-350-003-3	Undeveloped	Undeveloped		$0.00
211-350-004-1	Residential	Developed		$1,306.10
211-350-005-8	Residential	Developed		$1,306.10
211-350-006-6	Residential	Developed		$1,306.10
211-350-007-4	Undeveloped	Undeveloped		$0.00
211-350-008-2	Residential	Developed		$1,306.10
211-350-009-0	Residential	Developed		$1,306.10
211-350-010-8	Residential	Developed		$1,306.10
211-350-011-6	Residential	Developed		$1,306.10
211-350-012-4	Residential	Developed		$1,306.10
211-350-013-2	Residential	Developed		$1,306.10
211-350-014-0	Undeveloped	Undeveloped		$0.00
211-350-015-7	Undeveloped	Undeveloped		$0.00
211-350-016-5	Residential	Developed		$1,306.10
211-350-017-3	Residential	Developed		$1,306.10
211-360-001-5	Residential	Developed		$1,306.10
211-360-002-3	Residential	Developed		$1,306.10
211-360-003-1	Residential	Developed		$1,306.10
211-360-004-9	Residential	Developed		$1,306.10
211-360-005-6	Residential	Developed		$1,306.10
211-360-006-4	Residential	Developed		$1,306.10
211-360-007-2	Residential	Developed		$1,306.10
211-360-008-0	Residential	Developed		$1,306.10
211-360-009-8	Residential	Developed		$1,306.10
211-360-010-6	Residential	Developed		$1,306.10
211-360-011-4	Residential	Developed		$1,306.10
211-360-012-2	Residential	Developed		$1,306.10

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Assessor's Parcel Number	Type of Property	Status of Development	Taxable Acres	Special Tax
211-360-013-0	Residential	Developed		$1,306.10
211-360-014-8	Residential	Developed		$1,306.10
211-360-015-5	Residential	Developed		$1,306.10
211-360-016-3	Residential	Developed		$1,306.10
211-360-017-1	Residential	Developed		$1,306.10
211-360-018-9	Residential	Developed		$1,306.10
211-360-019-7	Residential	Developed		$1,306.10
211-360-020-5	Residential	Developed		$1,306.10
211-360-021-3	Residential	Developed		$1,306.10
211-360-022-1	Residential	Developed		$1,306.10
211-360-023-9	Residential	Developed		$1,306.10
211-360-024-7	Residential	Developed		$1,306.10
211-360-025-4	Residential	Developed		$1,306.10
211-360-026-2	Residential	Developed		$1,306.10
211-360-027-0	Residential	Developed		$1,306.10
211-360-028-8	Residential	Developed		$1,306.10
211-360-029-6	Residential	Developed		$1,306.10
211-360-030-4	Residential	Developed		$1,306.10
211-360-031-2	Residential	Developed		$1,306.10
211-360-032-0	Residential	Developed		$1,306.10
211-360-033-8	Residential	Developed		$1,306.10
211-360-034-6	Residential	Developed		$1,306.10
211-360-035-3	Residential	Developed		$1,306.10
211-360-036-1	Residential	Developed		$1,306.10
211-360-037-9	Residential	Developed		$1,306.10
211-360-038-7	Residential	Developed		$1,306.10
211-360-039-5	Residential	Developed		$1,306.10
211-360-040-3	Residential	Developed		$1,306.10
211-360-041-1	Residential	Developed		$1,306.10
211-360-042-9	Residential	Developed		$1,306.10
211-360-043-7	Residential	Developed		$1,306.10
211-360-051-0	HOA	HOA		$0.00
211-360-052-8	HOA	HOA		$0.00
211-370-001-3	Residential	Developed		$1,306.10
211-370-002-1	Residential	Developed		$1,306.10
211-370-003-9	Residential	Developed		$1,306.10
211-370-004-7	Residential	Developed		$1,306.10
211-370-005-4	Residential	Developed		$1,306.10
211-370-006-2	Residential	Developed		$1,306.10
211-370-007-0	Residential	Developed		$1,306.10
211-370-008-8	Residential	Developed		$1,306.10
211-370-009-6	Residential	Developed		$1,306.10

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Assessor's Parcel Number	Type of Property	Status of Development	Taxable Acres	Special Tax	
211-370-010-4	Residential	Developed		$1,306.10	
211-370-011-2	Residential	Developed		$1,306.10	
211-370-012-0	Residential	Developed		$1,306.10	
211-370-013-8	Residential	Developed		$1,306.10	
211-370-014-6	Residential	Developed		$1,306.10	
211-370-015-3	Residential	Developed		$1,306.10	
211-370-016-1	Residential	Developed		$1,306.10	
211-370-017-9	Residential	Developed		$1,306.10	
211-370-018-7	Residential	Developed		$1,306.10	
211-370-019-5	Residential	Developed		$1,306.10	
211-370-020-3	Residential	Developed		$1,306.10	
211-370-021-1	Residential	Developed		$1,306.10	
211-370-022-9	Residential	Developed		$1,306.10	
211-370-023-7	Residential	Developed		$1,306.10	
211-370-024-5	Residential	Developed		$1,306.10	
211-370-025-2	Prepaid	Prepaid		$0.00	/1
211-370-026-0	Prepaid	Prepaid		$0.00	/1
211-370-027-8	Residential	Developed		$1,306.10	
211-370-028-6	Residential	Developed		$1,306.10	
211-370-029-4	Residential	Developed		$1,306.10	
211-370-030-2	Residential	Developed		$1,306.10	
211-370-031-0	Residential	Developed		$1,306.10	
211-370-032-8	Residential	Developed		$1,306.10	
211-370-033-6	Prepaid	Prepaid		$0.00	/1
211-370-034-4	Residential	Developed		$1,306.10	
211-370-035-1	Residential	Developed		$1,306.10	
211-370-036-9	Residential	Developed		$1,306.10	
211-370-037-7	Prepaid	Prepaid		$0.00	/1
211-370-038-5	Prepaid	Prepaid		$0.00	/1
211-370-039-3	Residential	Developed		$1,306.10	
211-370-040-1	Residential	Developed		$1,306.10	
211-370-041-9	Residential	Developed		$1,306.10	
211-370-042-7	Residential	Developed		$1,306.10	
211-370-043-5	Residential	Developed		$1,306.10	
211-370-044-3	Undeveloped	Undeveloped		$0.00	
211-370-045-0	Residential	Developed		$1,306.10	
211-370-046-8	Residential	Developed		$1,306.10	
211-370-047-6	Residential	Developed		$1,306.10	
211-370-048-4	Residential	Developed		$1,306.10	
211-370-049-2	Residential	Developed		$1,306.10	
211-370-050-0	Residential	Developed		$1,306.10	
211-370-051-8	Residential	Developed		$1,306.10	

County of Contra Costa
Community Facilities District No. 2001-1
(Norris Canyon)
Special Tax Levy for Fiscal Year 2014-15

Assessor's Parcel Number	Type of Property	Status of Development	Taxable Acres	Special Tax
211-370-052-6	Residential	Developed		$1,306.10
211-370-053-4	Residential	Developed		$1,306.10
211-370-054-2	Residential	Developed		$1,306.10
211-370-055-9	Prepaid	Prepaid		$0.00 /1
211-370-056-7	Residential	Developed		$1,306.10
211-370-057-5	Residential	Developed		$1,306.10
211-370-058-3	Residential	Developed		$1,306.10
211-370-062-5	HOA	HOA		$0.00
211-370-063-3	HOA	HOA		$0.00
211-370-069-0	HOA	HOA		$0.00
211-380-001-1	Residential	Developed		$1,306.10
211-380-002-9	Residential	Developed		$1,306.10
211-380-003-7	Residential	Developed		$1,306.10
211-380-004-5	Residential	Developed		$1,306.10
211-380-005-2	Residential	Developed		$1,306.10
211-380-006-0	Residential	Developed		$1,306.10
211-380-007-8	Residential	Developed		$1,306.10
211-380-008-6	Residential	Developed		$1,306.10
211-380-009-4	Residential	Developed		$1,306.10
211-380-010-2	Residential	Developed		$1,306.10
211-380-011-0	Residential	Developed		$1,306.10
211-380-012-8	Residential	Developed		$1,306.10
211-380-013-6	Residential	Developed		$1,306.10
211-380-014-4	Residential	Developed		$1,306.10
211-380-015-1	Residential	Developed		$1,306.10
211-380-016-9	Residential	Developed		$1,306.10
211-380-017-7	Residential	Developed		$1,306.10
211-380-018-5	Residential	Developed		$1,306.10
211-380-019-3	Residential	Developed		$1,306.10
211-380-020-1	Residential	Developed		$1,306.10
211-380-021-9	Residential	Developed		$1,306.10
211-380-022-7	Residential	Developed		$1,306.10
211-380-023-5	Residential	Developed		$1,306.10
211-380-024-3	Residential	Developed		$1,306.10
211-380-025-0	Residential	Developed		$1,306.10
211-380-026-8	Undeveloped	Undeveloped		$0.00
211-380-027-6	Undeveloped	Undeveloped		$0.00
211-380-028-4	Undeveloped	Undeveloped		$0.00
211-380-029-2	Undeveloped	Undeveloped		$0.00
211-380-030-0	Undeveloped	Undeveloped		$0.00
211-380-031-8	Residential	Developed		$1,306.10
211-380-032-6	Undeveloped	Undeveloped		$0.00

County of Contra Costa
Community Facilities District No. 2001-1
(Norris Canyon)
Special Tax Levy for Fiscal Year 2014-15

Assessor's Parcel Number	Type of Property	Status of Development	Taxable Acres	Special Tax
211-380-033-4	Undeveloped	Undeveloped		$0.00
211-380-034-2	Residential	Developed		$1,306.10
211-380-035-9	Undeveloped	Undeveloped		$0.00
211-380-036-7	Residential	Developed		$1,306.10
211-380-037-5	Residential	Developed		$1,306.10
211-380-038-3	Undeveloped	Undeveloped		$0.00
211-380-039-1	Undeveloped	Undeveloped		$0.00
211-380-049-0	Undeveloped	Public		$0.00
211-410-001-5	HOA	HOA		$0.00
Total Special Tax Levy				**$423,176.40**

/1 This parcel has prepaid its special tax obligation and is no longer subject to the special tax.

Goodwin Consulting Group, Inc.

APPENDIX C

Rate and Method of Apportionment of Special Tax

COUNTY OF CONTRA COSTA
COMMUNITY FACILITIES DISTRICT NO. 2001-1
(NORRIS CANYON)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in Community Facilities District No. 2001-1 (herein "CFD No. 2001-1") shall be levied and collected according to the tax liability determined by the Board of Supervisors of the County of Contra Costa or its designee, as described below. All of the property in CFD No. 2001-1, unless exempted by law or by the provisions of Section G below, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final map, parcel map, or other recorded County parcel map.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, (commencing with Section 53311), Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means any or all of the following: the fees and expenses of any fiscal agent or trustee (including any fees and expenses of its counsel) employed in connection with any Bonds; any costs associated with the marketing or remarketing of the Bonds; the expenses of the Administrator and the County in carrying out their respective duties under any fiscal agent agreement, indenture or resolution with respect to the Bonds or CFD No. 2001-1, including, but not limited to, the levy and collection of the Special Tax, the fees and expenses of legal counsel, charges levied by the County or any division or office thereof in connection with the levy and collection of Special Taxes, audits, continuing disclosure or other amounts needed to pay arbitrage rebate to the federal government with respect to Bonds; costs associated with complying with continuing disclosure requirements; costs associated with responding to public inquiries regarding Special Tax levies and appeals; attorneys' fees and other costs associated with commencement or pursuit of foreclosure for delinquent Special Taxes; costs associated with overhead expense allocations to CFD No. 2001-1; and all other costs and expenses of the County, the Administrator, and any fiscal agent, escrow agent or trustee related to the administration of CFD No. 2001-1.

"Administrator" shall mean the person or firm designated by the Board to administer the Special Tax according to this Rate and Method of Apportionment of Special Tax.

"Annual Interest Component" means the total amount of interest on Bonds in the calendar year commencing in such Fiscal Year.

"Assessor's Parcel" or **"Parcel"** means a lot or parcel shown in an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the County Assessor of the County of Contra Costa designating parcels by Assessor's Parcel Number.

"Bonds" means any bonds or other debt (as defined in Section 53317(d) of the Act), whether in one or more series, issued by CFD No. 2001-1 under the Act.

"Board" means the Board of Supervisors of the County of Contra Costa.

"Capitalized Interest" means funds in any capitalized interest account available to pay debt service on Bonds issued by CFD No. 2001-1.

"Capitalized Interest Requirement" means the least of: i) the Annual Interest Component, ii) the difference between the Special Tax Requirement and the amount determined pursuant to Step 1 of Section E hereof, or iii) the amount of Capitalized Interest available.

"County" means the County of Contra Costa.

"Developed Property" means Taxable Property for which a building permit for construction was issued prior to June 1 of the preceding Fiscal Year.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Homeowners' Association Property" means any property within the boundaries of CFD No. 2001-1 which is owned by a homeowners' or property owners' association.

"Land Use Class" means one of the defined land use categories for which a specific Maximum Special Tax is identified in Table 1 in Section C below.

"Maximum Special Tax" means the maximum amount of Special Tax, determined in accordance with Section C below, that can be levied in any Fiscal Year.

"Other Property" means Developed Property which is not Residential Property, Public Property, or Homeowners' Association Property.

"Planned Units" means the number of individual residential units that were expected to be constructed on property within CFD No. 2001-1 as shown in Attachment 1.

"Proportionately" means, for Residential Property and Other Property, that the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that

Fiscal Year is equal for all Assessor's Parcels of Residential Property and Other Property. For Undeveloped Property, "Proportionately" means that the ratio of the actual Special Tax to the Maximum Special Tax is equal for all Assessor's Parcels of Undeveloped Property. For Homeowners' Association Property and nonexempt Public Property, "Proportionately" means that the ratio of the actual Special Tax to the Maximum Special Tax is equal for all Assessor's Parcels of Homeowners' Association Property and Public Property.

"Public Property" means any property within the boundaries of CFD No. 2001-1 that is owned by or irrevocably offered for dedication to the federal government, State of California or other local governments or public agencies.

"Residential Property" means, in any Fiscal Year, any Parcel of Developed Property for the construction of a residential structure which is not Homeowners' Association Property or Public Property.

"Special Tax" means a special tax levied in any Fiscal Year that will be used to pay the Special Tax Requirement, as defined below.

"Special Tax Requirement" means the total amount needed each Fiscal Year to (i) pay principal and interest on Bonds in the calender year commencing in such Fiscal Year, (ii) create or replenish reserve funds, (iii) cure any delinquencies in the payment of principal or interest on indebtedness of CFD No. 2001-1 which have occurred in the prior Fiscal Year or (based on delinquencies in the payment of Special Taxes which have already taken place) are expected to occur in the Fiscal Year in which the tax will be collected, (iv) pay Administrative Expenses.

"Taxable Property" means all of the Assessor's Parcels within the boundary of CFD No. 2001-1 which are not exempt from the Special Tax pursuant to law or Section G below.

"Tentative Map" means the tentative map for Norris Canyon Estates approved by the Board in August 1997.

"Undeveloped Property" means any Parcel of Taxable Property within CFD No. 2001-1 for which a building permit has not been issued prior to June 1 of the preceding Fiscal Year.

B. ASSIGNMENT TO LAND USE CLASS

Each Fiscal Year, the Administrator shall categorize each parcel of property in CFD No. 2001-1 as Developed Property or Undeveloped Property, and Parcels of Developed Property shall be further identified as either Residential Property, Other Property, Homeowners' Association Property or Public Property. For each Parcel of Other Property within the CFD, the Administrator shall determine how many Planned Units had been expected on the Parcel in order to assign the Maximum Special Tax pursuant to Section C below.

C. MAXIMUM SPECIAL TAX

Pursuant to Section 53321 (d) of the Act, a Maximum Special Tax must be established as a specific dollar amount before a Parcel is first subject to the tax when in private residential use. The following maximum rates shall apply to all Parcels of Taxable Property within CFD No. 2001-1 for each Fiscal Year in which the Special Tax is collected:

TABLE 1
MAXIMUM SPECIAL TAX
(Fiscal Year 2001-02)

Land Use Class	Description	Maximum Special Tax (Fiscal Year 2001-02)
1	Residential Property	$2,100 per Parcel
2	Other Property	$2,100 per Planned Unit of the Parcel before it became Other Property
3	Undeveloped Property	$3,360 per Acre

Pursuant to Section 53321 (d) of the Act, the Special Tax levied against a Parcel used for private residential purposes shall under no circumstances increase more than ten percent (10%) as a consequence of delinquency or default by the owner of any other Parcel or Parcels and shall, in no event, exceed the Maximum Special Tax in effect for the Fiscal Year in which the Special Tax is being levied.

D. MANDATORY PREPAYMENT OF SPECIAL TAX RESULTING FROM TENTATIVE MAP REVISIONS

It is possible that a revision in the Tentative Map could result in less Special Tax revenue being available from the CFD. To preclude this result, after CFD No. 2001-1 has been formed, the County shall apply the following steps for every proposed Tentative Map revision:

Step 1: The County or its designee shall calculate the Maximum Special Tax revenues that could be collected from the property affected by the proposed Tentative Map revision (the "Affected Property") prior to the revision being approved;

Step 2: The County or its designee shall calculate the Maximum Special Tax revenues that could be collected from the Affected Property if the Tentative Map revision is approved;

Step 3: If the amount determined in Step 2 is higher than that calculated in Step 1, the Tentative Map revision may be approved without prepayment of the Special Tax. If the revenues calculated in Step 2 are less than those calculated in Step 1, the County may not approve the Tentative Map revision unless the landowner requesting the Tentative Map revision prepays a portion of the Special Tax obligation that would have applied to the Affected Property prior to approval of the revision in an amount sufficient to retire a portion of the Bonds and maintain 110% coverage on the Bonds' debt service with the reduced Maximum Special Tax revenues that will result after the Tentative Map revision is approved. The required prepayment shall be calculated using the formula set forth in Section H below. Property owners wishing to prepay the Special Tax as a result of a Tentative Map revision cannot be delinquent on past Special Taxes on the Affected Property.

E. METHOD OF LEVY AND COLLECTION OF THE SPECIAL TAX

Commencing with Fiscal Year 2001-02 and for each following Fiscal Year, the Administrator shall determine the Special Tax Requirement for that Fiscal Year. The Special Tax shall then be levied as follows:

Step 1: The Special Tax shall be levied Proportionately on each Parcel of Residential Property and Other Property up to 100% of the Maximum Special Tax up to the Special Tax Requirement for each Land Use Class for such Fiscal Year as determined pursuant to Section C. The Maximum Special Tax for a Parcel of Other Property shall be the total Maximum Special Taxes for the Planned Units that the Other Property replaced, as determined by the Administrator;

Step 2: Determine the Capitalized Interest Requirement, if any, and add it to the amount levied under Step 1;

Step 3: If the total of the Capitalized Interest Requirement and the amount levied under Step 1 is less than the Special Tax Requirement, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property within the CFD, up to 100% of the Maximum Special Tax for Undeveloped Property for such Fiscal Year determined pursuant to Section C;

Step 4: If additional monies are needed after applying the first three steps, the Special Tax shall be levied Proportionately on each Parcel of Homeowners' Association Property and Public Property which originally had Planned Units, up to 100% of the Maximum Special Tax for Undeveloped Property for such Fiscal Year determined pursuant to Section C.

F. MANNER OF COLLECTION

The Special Taxes for CFD No. 2001-1 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that prepayments are permitted as set forth in Section H below (and may be required in the case of Tentative Map revisions) and provided further that the County may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner, and may collect delinquent Special Taxes through foreclosure or other available methods.

The Special Tax shall be levied and collected until principal and interest on Bonds have been repaid and authorized facilities to be constructed directly from Special Taxes proceeds have been completed. However, in no event shall a Special Taxes be levied after Fiscal Year 2039-2040.

G. EXEMPTIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Taxes shall be levied on Public Property, except as otherwise provided in Sections 53317.3 and 53317.5 of the Act.

H. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section H:

"Future Facilities Costs" means the Public Facilities Requirements (as defined below) minus public facility costs funded by Previously Issued Bonds, interest earnings on the construction fund actually earned prior to the date of prepayment, Special Taxes, developer equity, and/or any other source of funding.

"Outstanding Bonds" means all Previously Issued Bonds which remain outstanding, with the following exception: if a Special Tax has been levied against, or already paid by, an Assessor's Parcel making a prepayment, and a portion of the Special Tax will be used to pay a portion of the next principal payment on the Bonds that remain outstanding (as determined by the Administrator), that next principal payment shall be subtracted from the total Bond principal that remains outstanding, and the difference shall be used as the amount of **"Outstanding Bonds"** for purposes of this prepayment formula.

"Previously Issued Bonds" means all Bonds that have been issued by CFD No. 2001-1 prior to the date of prepayment.

"Public Facilities Requirements" means either $5,900,000 in 2001 dollars, which shall increase by three percent (3%) on January 1, 2002, and on each January 1 thereafter, or such lower number as shall be determined by the County as sufficient to fund public facilities to be provided by CFD No. 2001-1 under the authorized bonding program for CFD No. 2001-1.

The Special Tax obligation applicable to an Assessor's Parcel in CFD No. 2001-1 may be prepaid and the obligation of the Assessor's Parcel to pay the Special Tax permanently satisfied as described herein, provided that a prepayment may be made only if there are no delinquent Special Taxes with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Special Tax obligation shall provide the County with written notice of intent to prepay. Within 30 days of receipt of such written notice, the County shall notify such owner of the prepayment amount of such Assessor's Parcel. Prepayment must be made not less than 75 days prior to any interest payment date for Bonds to be redeemed with the proceeds of such prepaid Special Taxes.

The Prepayment Amount shall be calculated as follows (capitalized terms as defined below):

Bond Redemption Amount	
plus	Future Facilities Amount
plus	Redemption Premium
plus	Defeasance
plus	Administrative Fees and Expenses
less	Reserve Fund Credit
equals	Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount shall be determined by application of the following steps:

Step 1: Compute the total Maximum Special Tax that could be collected from the Assessor's Parcel prepaying the Special Tax in the Fiscal Year in which prepayment would be received by the County.

Step 2: Divide the Maximum Special Tax computed pursuant to Step 1 for such Assessor's Parcel by the lesser of (i) the Maximum Special Tax revenues that could be collected in that Fiscal Year from property in the entire CFD, or (ii) the Maximum Special Tax revenues that could be generated at buildout of property in the CFD based on anticipated land uses at the time the prepayment is calculated.

Step 3: Multiply the quotient computed pursuant to Step 2 by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid. (*the **"Bond Redemption Amount"***).

Step 4: Compute the current Future Facilities Costs.

Step 5: Multiply the quotient computed pursuant to Step 2 by the amount determined pursuant to Step 4 to compute the amount of Future Facilities Costs to be prepaid (*the **"Future Facilities Amount"***).

Step 6: Multiply the Bond Redemption Amount computed pursuant to Step 3 by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed (*the "**Redemption Premium**"*).

Step 7: Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment has been received until the earliest redemption date for the Outstanding Bonds. However, if Bonds are callable at the first interest payment date after the prepayment has been received, Steps 7, 8 and 9 of this prepayment formula will not apply.

Step 8: Compute the amount of interest the County reasonably expects to derive from reinvestment of the Bond Redemption Amount plus the Redemption Premium from the first Bond interest payment date after which the prepayment has been received until the redemption date for the Outstanding Bonds.

Step 9: Take the amount computed pursuant to Step 7 and subtract the amount computed pursuant to Step 8 (*the "**Defeasance**"*).

Step 10: The administrative fees and expenses of CFD No. 2001-1 are as calculated by the County and include the costs of computation of the prepayment, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption (*the "**Administrative Fees and Expenses**"*).

Step 11: A reserve fund credit shall be calculated as the reduction, if any, in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the "***Reserve Fund Credit***").

Step 12: The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Steps 3, 5, 6, 9, and 10, less the amount computed pursuant to Step 11 *(the "**Prepayment Amount**")*.

Attachment 1

Tentative Map for Norris Canyon Estates

APPENDIX D

Boundary Map of
Community Facilities District No. 2001-1

EXHIBIT "A"
PROPOSED BOUNDARIES OF COUNTY OF CONTRA COSTA COMMUNITY FACILITIES DISTRICT NO. 2001-1
(NORRIS CANYON)

CONTRA COSTA COUNTY, CALIFORNIA

APRIL, 2001 SCALE 1"=500'

ENGINEERING MANAGEMENT CONSULTANTS

DMC

1. FILED IN THE OFFICE OF THE CLERK OF THE BOARD OF SUPERVISORS THIS _____ DAY OF _____, 2001.

CLERK OF THE BOARD OF SUPERVISORS

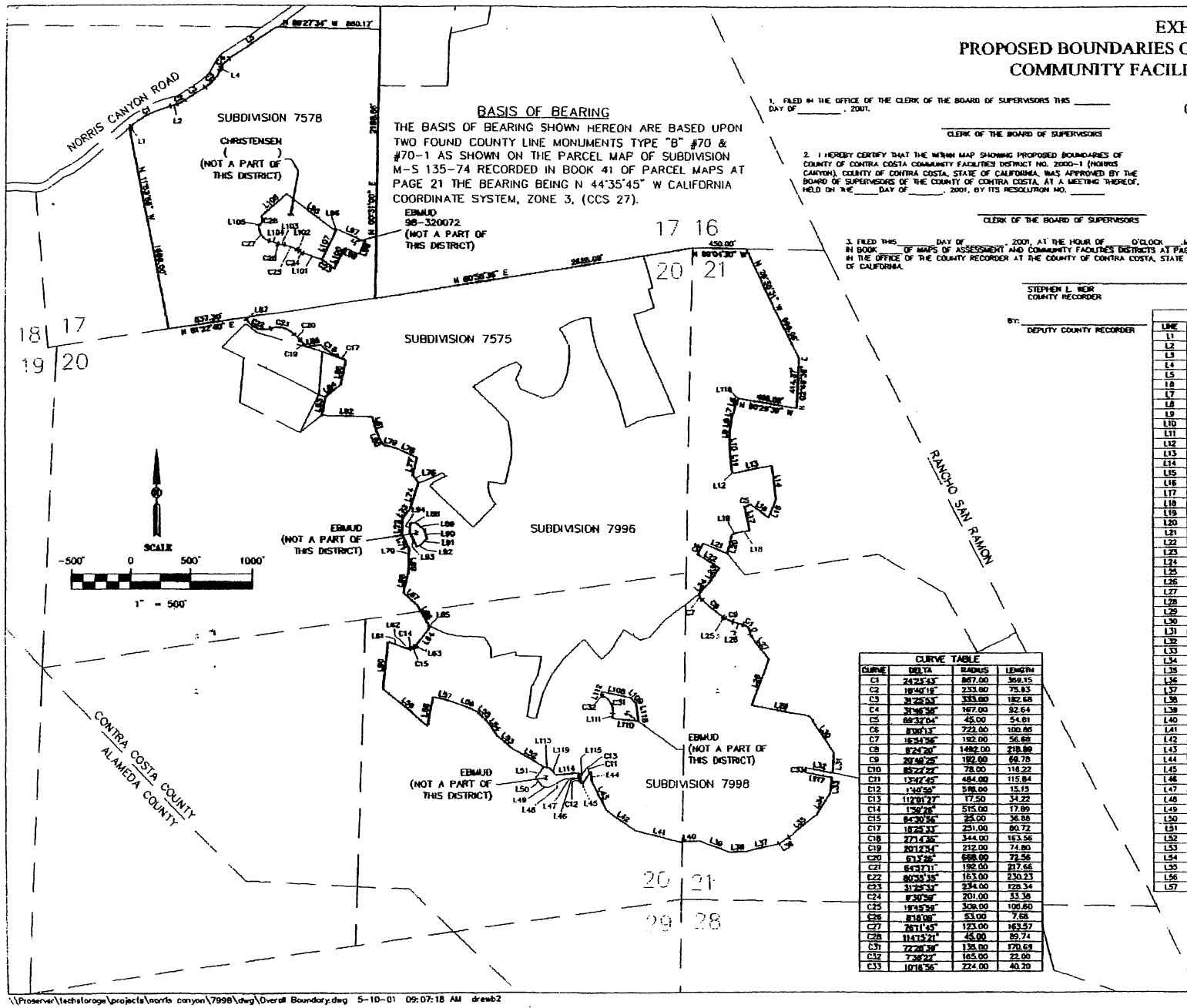
2. I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF COUNTY OF CONTRA COSTA COMMUNITY FACILITIES DISTRICT NO. 2000-1 (NORRIS CANYON), COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA, AT A MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2001, BY ITS RESOLUTION NO. _____

CLERK OF THE BOARD OF SUPERVISORS

3. FILED THIS _____ DAY OF _____, 2001, AT THE HOUR OF _____ O'CLOCK ___M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER AT THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

STEPHEN L. WOR
COUNTY RECORDER

BY: _____
DEPUTY COUNTY RECORDER



BASIS OF BEARING

THE BASIS OF BEARING SHOWN HEREON ARE BASED UPON TWO FOUND COUNTY LINE MONUMENTS TYPE "B" #70 & #70-1 AS SHOWN ON THE PARCEL MAP OF SUBDIVISION M-S 135-74 RECORDED IN BOOK 41 OF PARCEL MAPS AT PAGE 21 THE BEARING BEING N 44°35'45" W CALIFORNIA COORDINATE SYSTEM, ZONE 3, (CCS 27).

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	24°25'43"	867.00	369.15
C2	18°40'19"	233.00	75.83
C3	31°25'53"	333.00	182.68
C4	31°46'38"	167.00	92.64
C5	69°37'04"	45.00	54.61
C6	8°08'13"	722.00	100.65
C7	16°34'36"	192.00	56.68
C8	8°24'20"	1492.00	219.89
C9	20°46'25"	192.00	69.78
C10	85°22'22"	78.00	116.22
C11	13°47'45"	484.00	115.84
C12	1°40'59"	518.00	15.15
C13	112°01'27"	17.50	34.22
C14	1°56'26"	515.00	17.89
C15	84°30'56"	25.00	36.88
C17	18°25'33"	251.00	80.72
C18	27°14'36"	344.00	163.56
C19	20°12'34"	212.00	74.80
C20	61°3'26"	688.00	72.56
C21	64°37'11"	192.00	217.66
C22	80°33'35"	163.00	230.23
C23	31°25'37"	234.00	128.34
C24	8°30'56"	201.00	33.38
C25	18°45'59"	309.00	106.60
C26	8°10'08"	53.00	7.68
C27	76°11'45"	123.00	163.57
C28	114°15'21"	45.00	89.74
C31	72°28'38"	138.00	170.69
C32	7°38'22"	165.00	22.00
C33	10°18'36"	224.00	40.30

LINE TABLE		
LINE	LENGTH	BEARING
L1	17.34	N50°23'07"E
L2	54.46	N74°46'30"E
L3	198.33	N59°08'31"E
L4	27.80	N24°40'30"E
L5	457.37	N58°27'36"E
L6	85.18	N21°28'19"E
L7	98.27	N15°41'36"E
L8	87.11	N06°45'47"E
L9	86.62	N03°48'07"E
L10	85.25	N02°18'04"W
L11	165.75	N05°48'40"W
L12	27.31	N55°18'00"W
L13	322.68	N79°10'48"E
L14	279.18	N07°10'27"W
L15	157.61	N24°03'34"E
L16	180.10	N55°13'28"W
L17	203.10	N17°39'55"W
L18	98.45	N65°15'30"E
L19	56.43	N70°18'45"E
L20	157.23	N13°41'29"E
L21	219.97	N67°40'17"W
L22	211.01	N59°40'04"W
L23	138.44	N34°57'26"E
L24	140.85	N42°44'04"E
L25	22.87	N55°41'40"W
L26	90.27	N76°31'05"W
L27	249.13	N39°30'58"W
L28	406.20	N21°25'01"E
L29	494.72	N80°26'14"W
L30	365.03	N33°55'58"W
L31	155.78	N03°30'54"E
L32	228.14	N78°55'28"W
L33	125.69	N08°49'13"E
L34	209.94	N32°50'40"E
L35	293.97	N51°27'48"E
L36	97.40	N58°23'17"E
L37	286.77	N77°28'09"E
L38	135.87	N87°22'30"E
L39	270.86	N69°49'11"W
L40	161.29	N87°01'20"E
L41	376.42	N75°36'25"W
L42	291.86	N54°31'11"W
L43	285.41	N27°48'38"W
L44	76.03	N04°32'06"W
L45	32.00	N64°09'28"W
L46	7.41	N65°30'00"E
L47	111.98	N85°13'51"E
L48	151.26	N62°40'23"E
L49	54.81	N76°56'47"W
L50	83.47	N38°11'29"W
L51	111.69	N38°58'19"E
L52	290.51	N81°24'19"W
L53	179.06	N50°15'40"W
L54	143.17	N33°42'20"W
L55	106.58	N48°22'59"W
L56	103.48	N68°21'49"W
L57	186.61	N74°28'19"W

LINE TABLE		
LINE	LENGTH	BEARING
L58	234.73	N10°54'22"E
L59	468.57	N50°54'38"W
L60	382.32	N06°13'21"E
L61	178.30	N70°43'02"W
L62	19.00	N24°21'50"E
L63	15.00	N30°37'48"E
L64	183.66	N38°38'44"E
L65	13.78	N83°58'24"W
L66	183.77	N28°58'11"W
L67	148.47	N48°24'43"W
L68	181.90	N13°43'36"E
L69	96.45	N01°00'28"W
L70	79.10	N05°59'21"E
L71	134.35	N28°04'56"W
L72	130.88	N03°06'13"E
L73	83.14	N38°38'31"E
L74	224.05	N11°25'40"E
L75	83.36	N34°03'27"W
L77	139.46	N14°42'57"E
L78	185.19	N84°38'13"W
L79	115.62	N75°25'08"W
L80	113.50	N24°47'26"W
L81	128.71	N16°29'52"W
L82	408.27	N88°22'45"W
L83	151.76	N11°18'56"E
L84	156.23	N52°11'21"E
L85	211.60	N17°21'00"E
L86	121.23	N81°44'06"E
L87	15.67	N15°40'33"W
L88	53.28	N87°37'54"W
L89	80.25	N54°00'00"W
L90	78.51	N16°31'18"W
L91	66.31	N14°04'21"E
L92	33.88	N81°51'43"E
L93	125.58	N70°04'36"W
L94	79.77	N03°38'15"E
L95	502.86	N53°08'13"W
L96	17.73	N25°13'03"E
L97	251.78	N66°31'43"W
L98	115.52	N24°38'13"E
L99	128.13	N84°57'20"W
L100	191.51	N25°13'03"E
L101	162.73	N70°11'56"W
L102	28.31	N64°41'00"W
L103	56.05	N80°26'50"W
L104	73.91	N72°08'50"W
L105	4.31	N04°02'30"E
L106	281.09	N49°31'19"E
L107	258.36	N25°13'03"E
L108	236.03	N77°41'43"W
L109	83.00	N46°50'28"W
L110	215.40	N64°46'55"W
L111	36.77	N05°50'26"E
L112	32.00	N21°31'57"E
L113	48.00	N79°25'22"W
L114	181.28	N84°41'48"E
L115	34.37	N05°30'00"E
L116	2.39	S27°20'26"W
L117	229.80	S79°35'28"E
L118	142.00	S09°33'24"E
L119	75.00	S41°58'17"E

SHEET 1 OF 1 SHEETS

\\Proserver\techstorage\projects\norris canyon\7998\dwg\Overall Boundary.dwg 5-10-01 09:07:18 AM drewb2

APPENDIX E

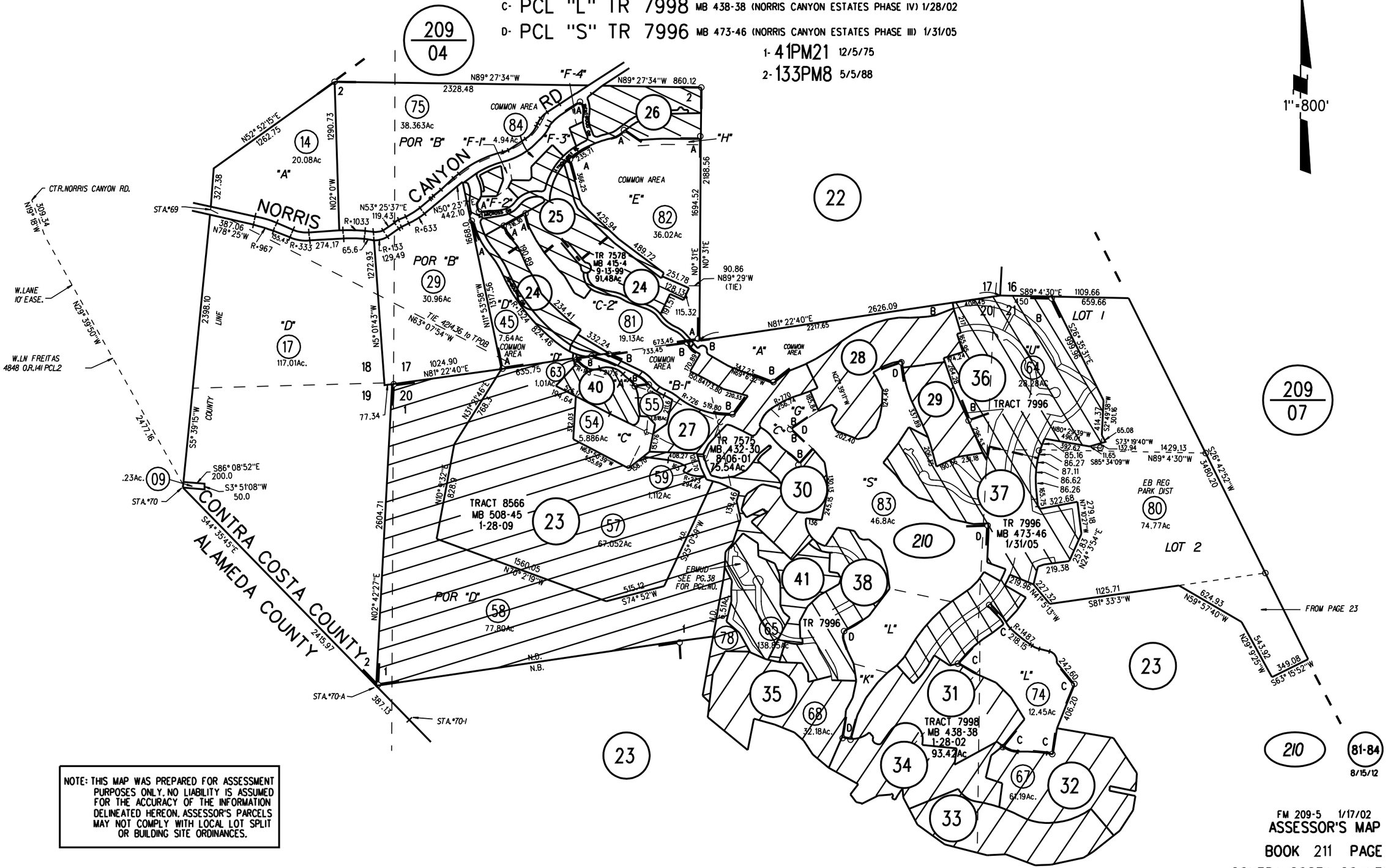
Assessor's Parcel Maps for
Fiscal Year 2014-15

POR SEC 17,18,19,20&21 T2S R1W MDBM

A- POR TRACT 7578 MB 415-4 (NORRIS CANYON ESTATES) 9/13/99
B- POR TRACT 7575 MB 432-30 (NORRIS CANYON ESTATES) 8/6/01
C- PCL "L" TR 7998 MB 438-38 (NORRIS CANYON ESTATES PHASE IV) 1/28/02
D- PCL "S" TR 7996 MB 473-46 (NORRIS CANYON ESTATES PHASE III) 1/31/05

1- 41PM21 12/5/75
2- 133PM8 5/5/88

1"=800'



NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION DELINEATED HEREON. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT SPLIT OR BUILDING SITE ORDINANCES.

FM 209-5 1/17/02

ASSESSOR'S MAP

BOOK 211 PAGE 21

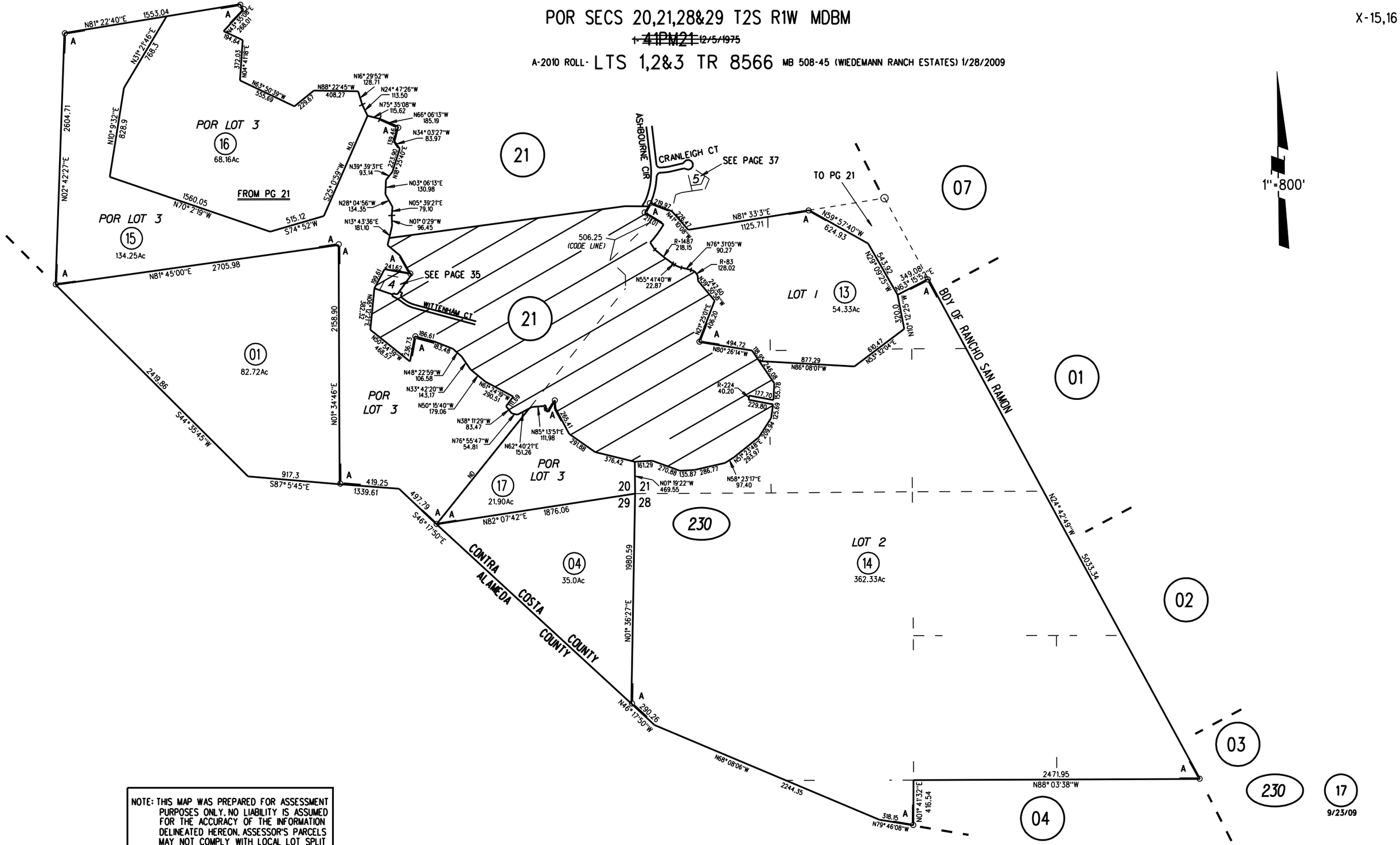
CONTRA COSTA COUNTY, CALIF.

POR SECS 20,21,28&29 T2S R1W MDBM

~~1-41PM21 12/5/1975~~

A-2010 ROLL- LTS 1,2&3 TR 8566 MB 508-45 (WIEDEMANN RANCH ESTATES) 1/28/2009

X-15,16



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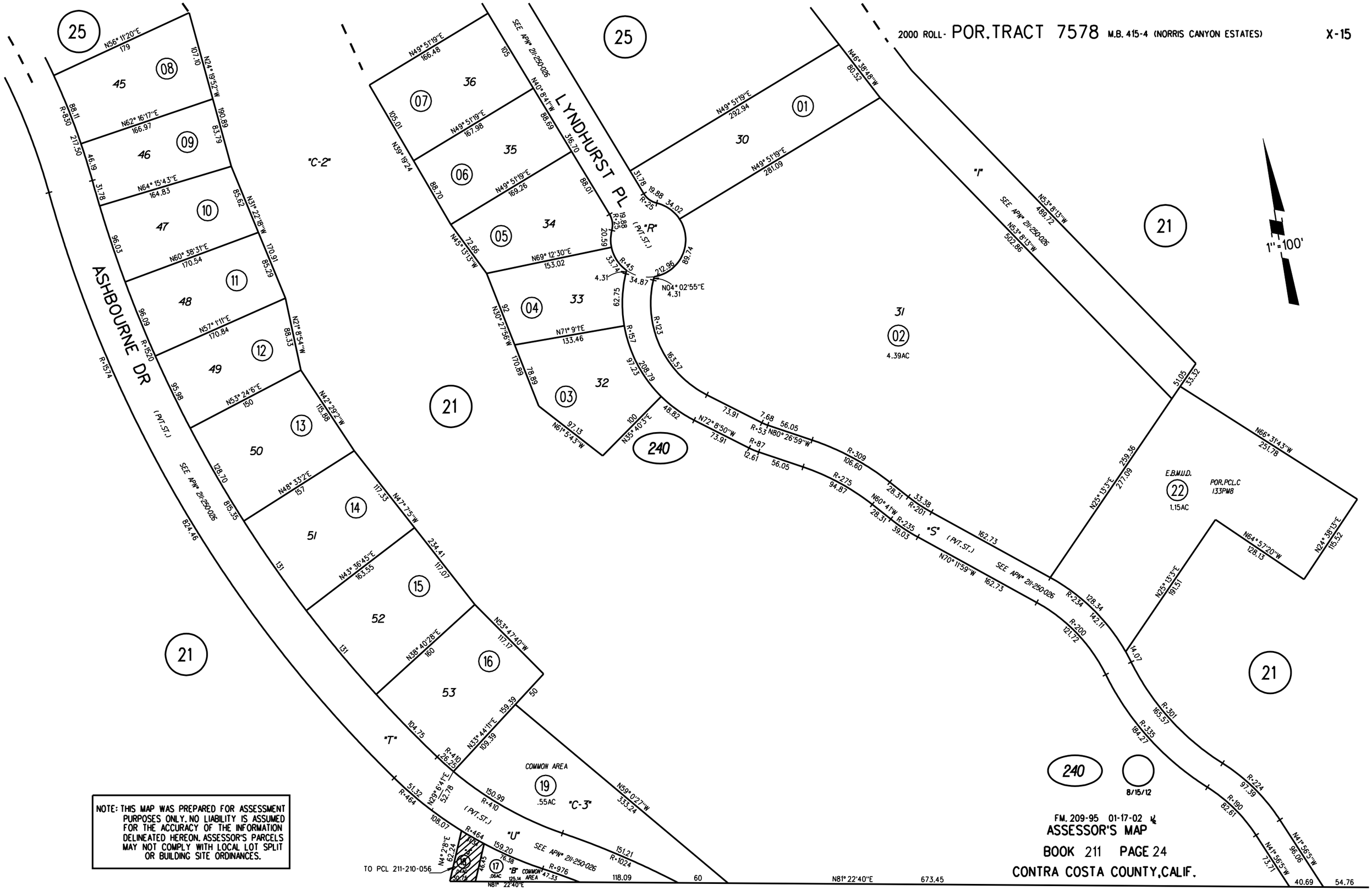
FM 209-6 1/17/02 37-8

ASSESSOR'S MAP

BOOK 211 PAGE 23

CONTRA COSTA COUNTY, CALIF.



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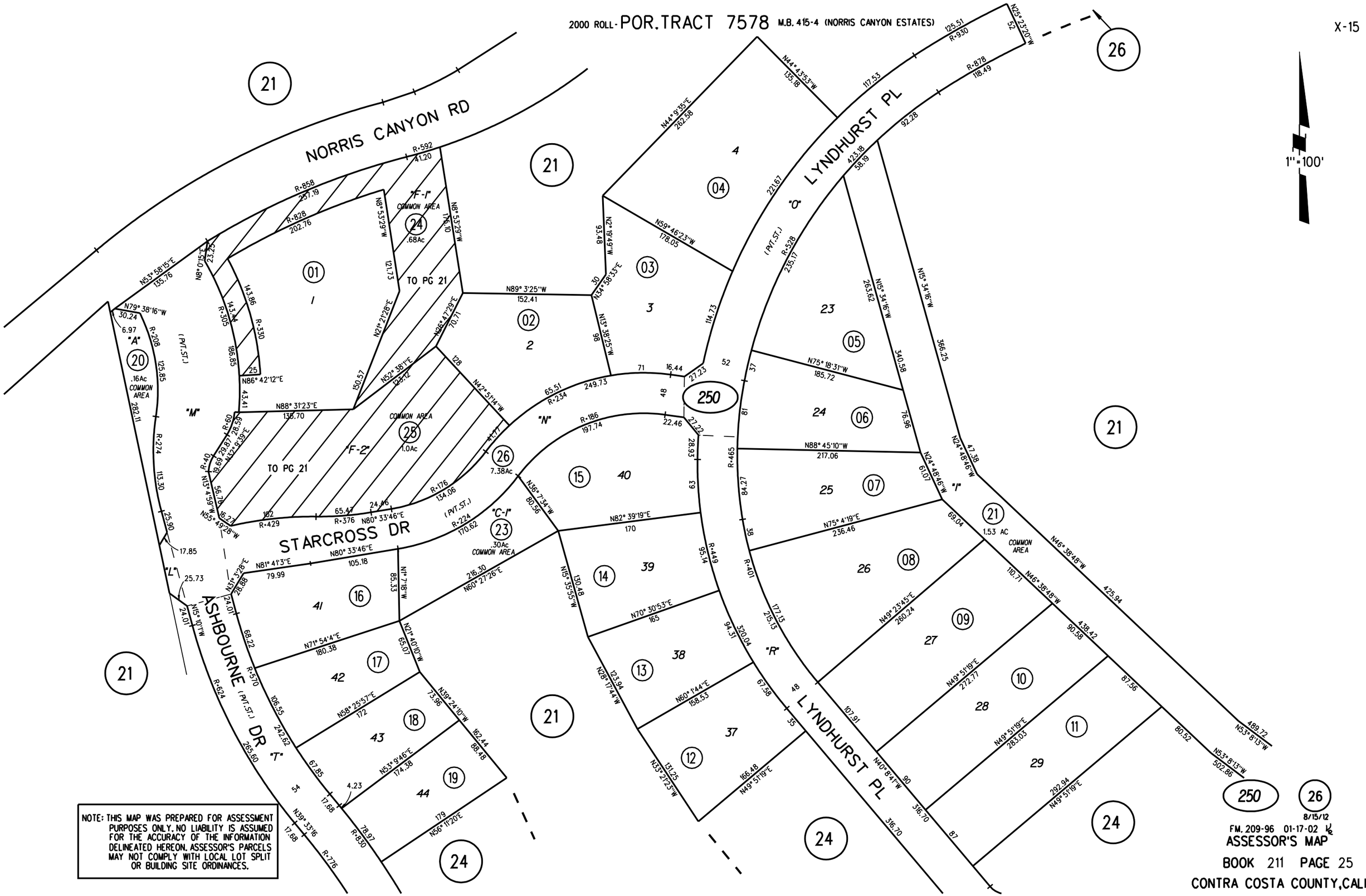

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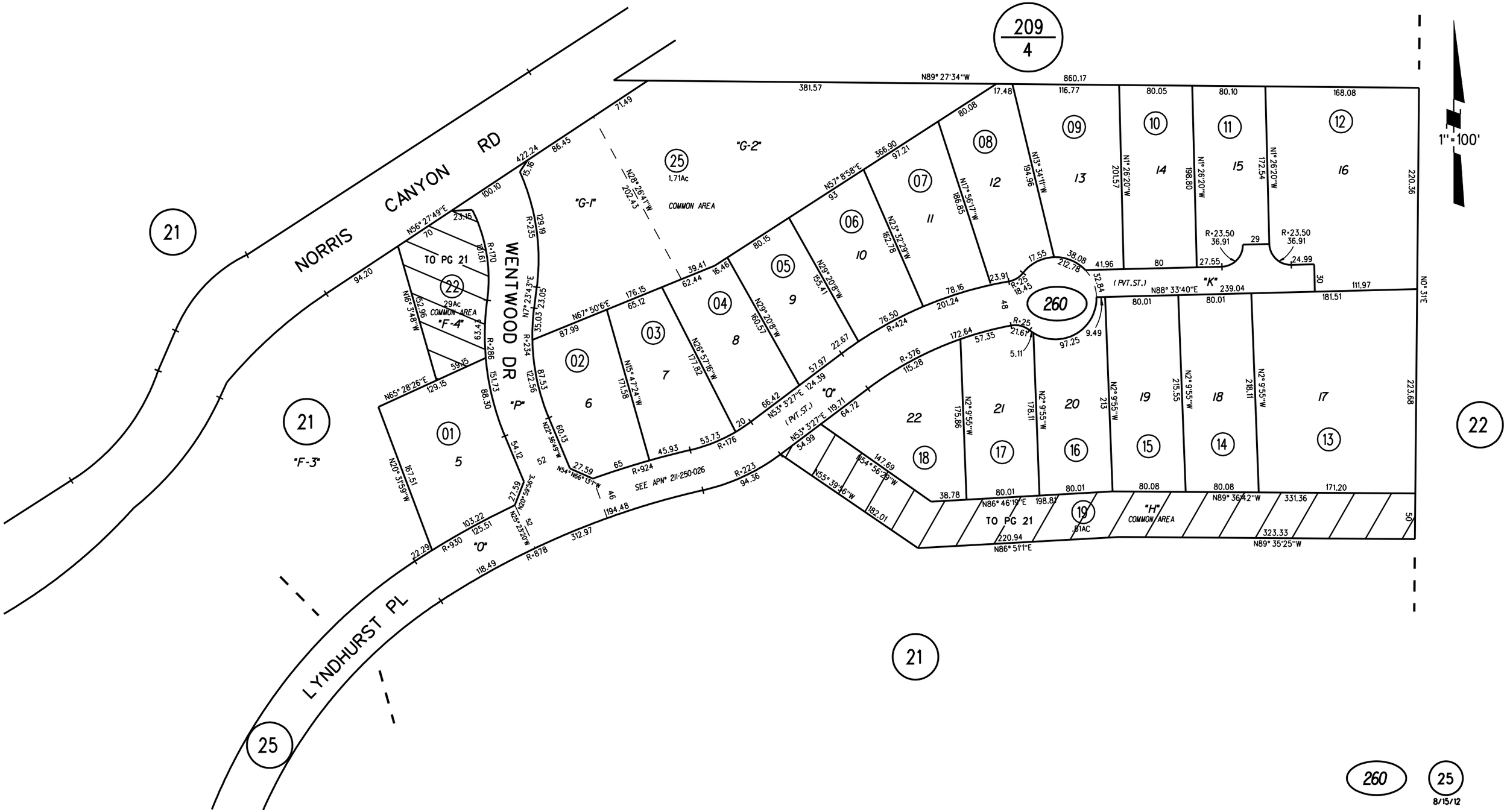
FM. 209-96 01-17-02 8/15/12

ASSESSOR'S MAP

BOOK 211 PAGE 25

CONTRA COSTA COUNTY, CALIF.

2000 ROLL- POR. TRACT 7578 M.B. 415-4 (NORRIS CANYON ESTATES)



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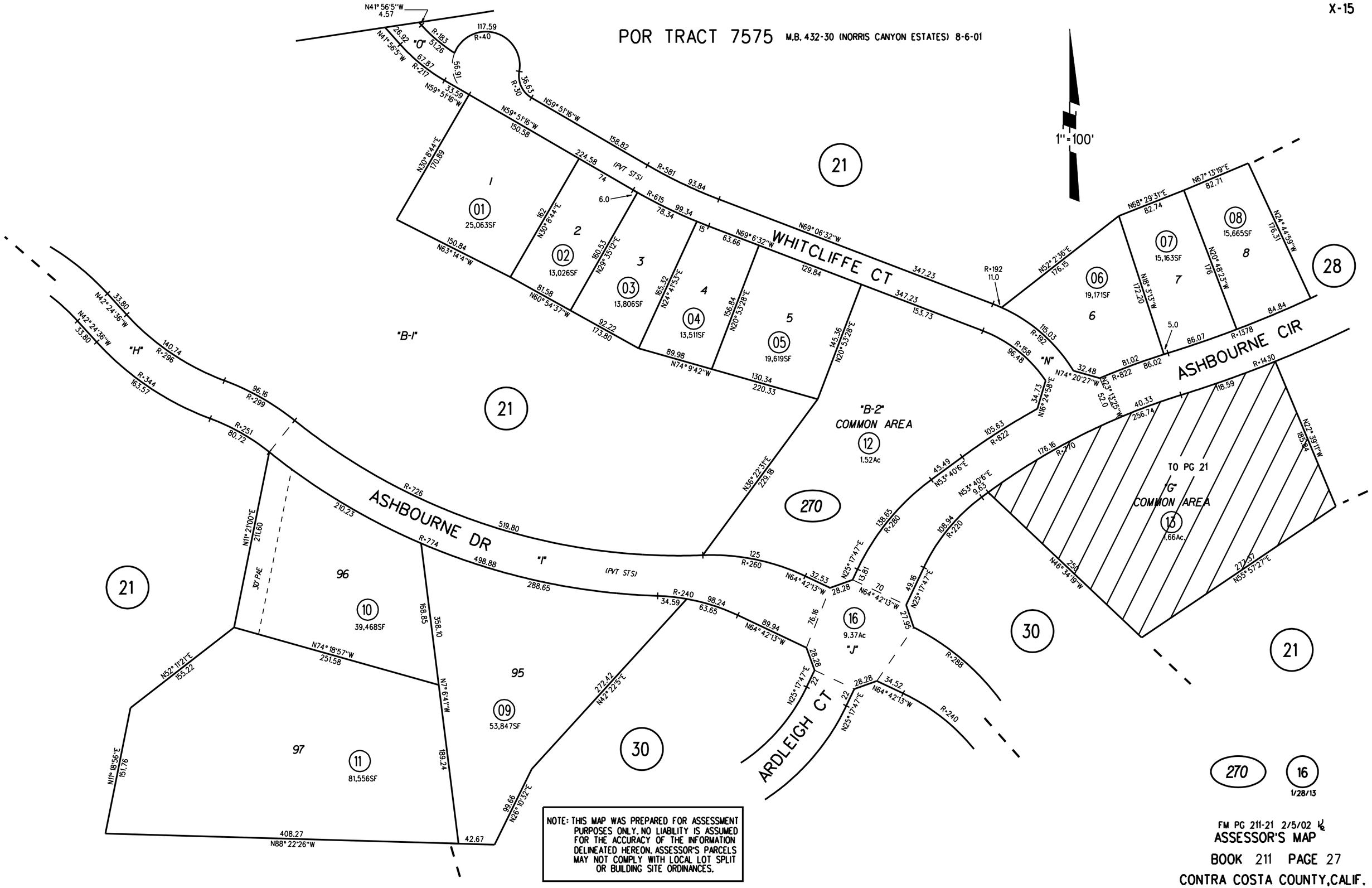
FM. 209-97 01-17-02 KR

ASSESSOR'S MAP

BOOK 211 PAGE 26

CONTRA COSTA COUNTY, CALIF.

POR TRACT 7575 M.B. 432-30 (NORRIS CANYON ESTATES) 8-6-01



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270 16
1/28/13

FM PG 211-21 2/5/02

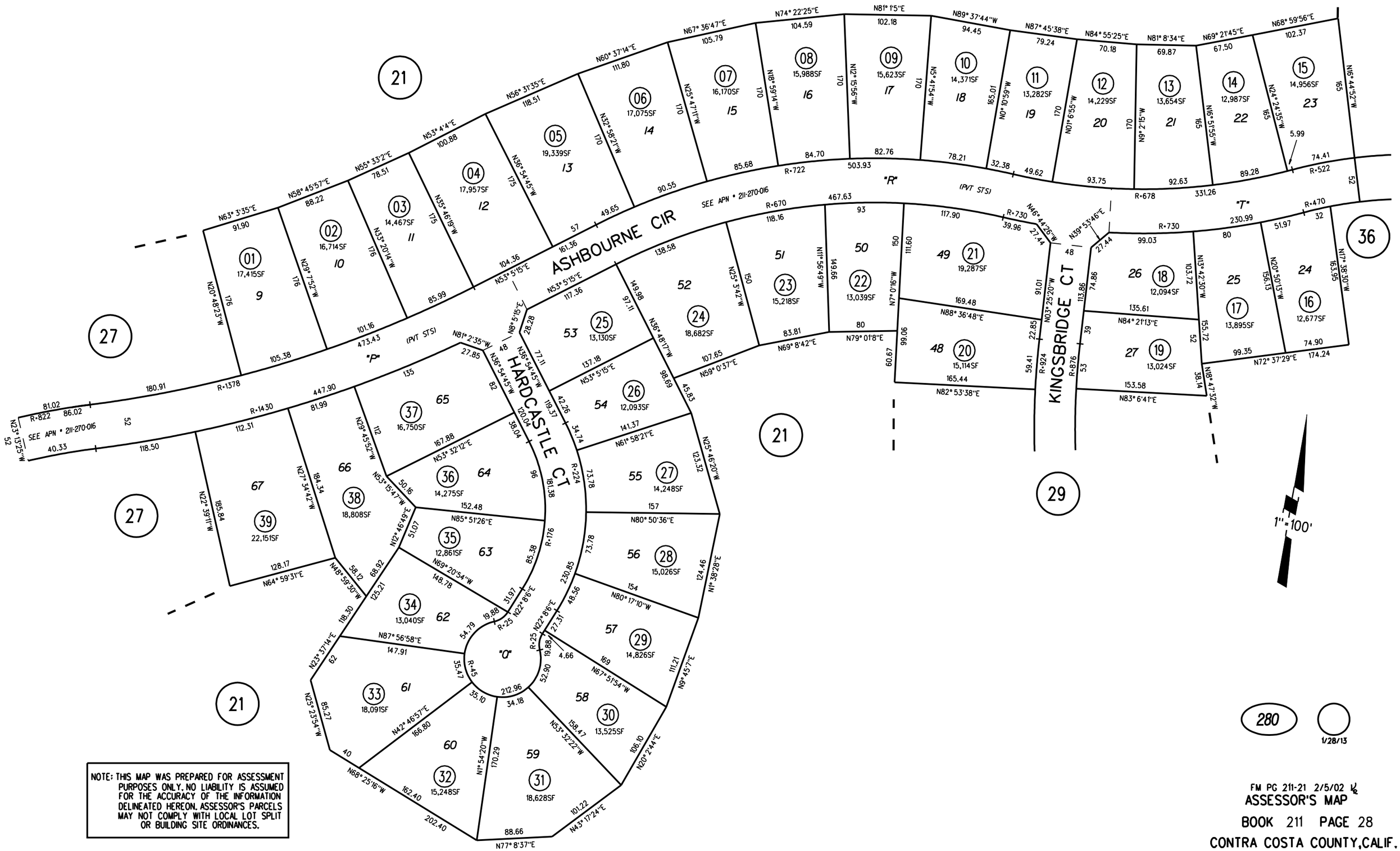
ASSESSOR'S MAP

BOOK 211 PAGE 27

CONTRA COSTA COUNTY, CALIF.

POR TRACT 7575 M.B. 432-30 (NORRIS CANYON ESTATES) 8-6-01

X-15



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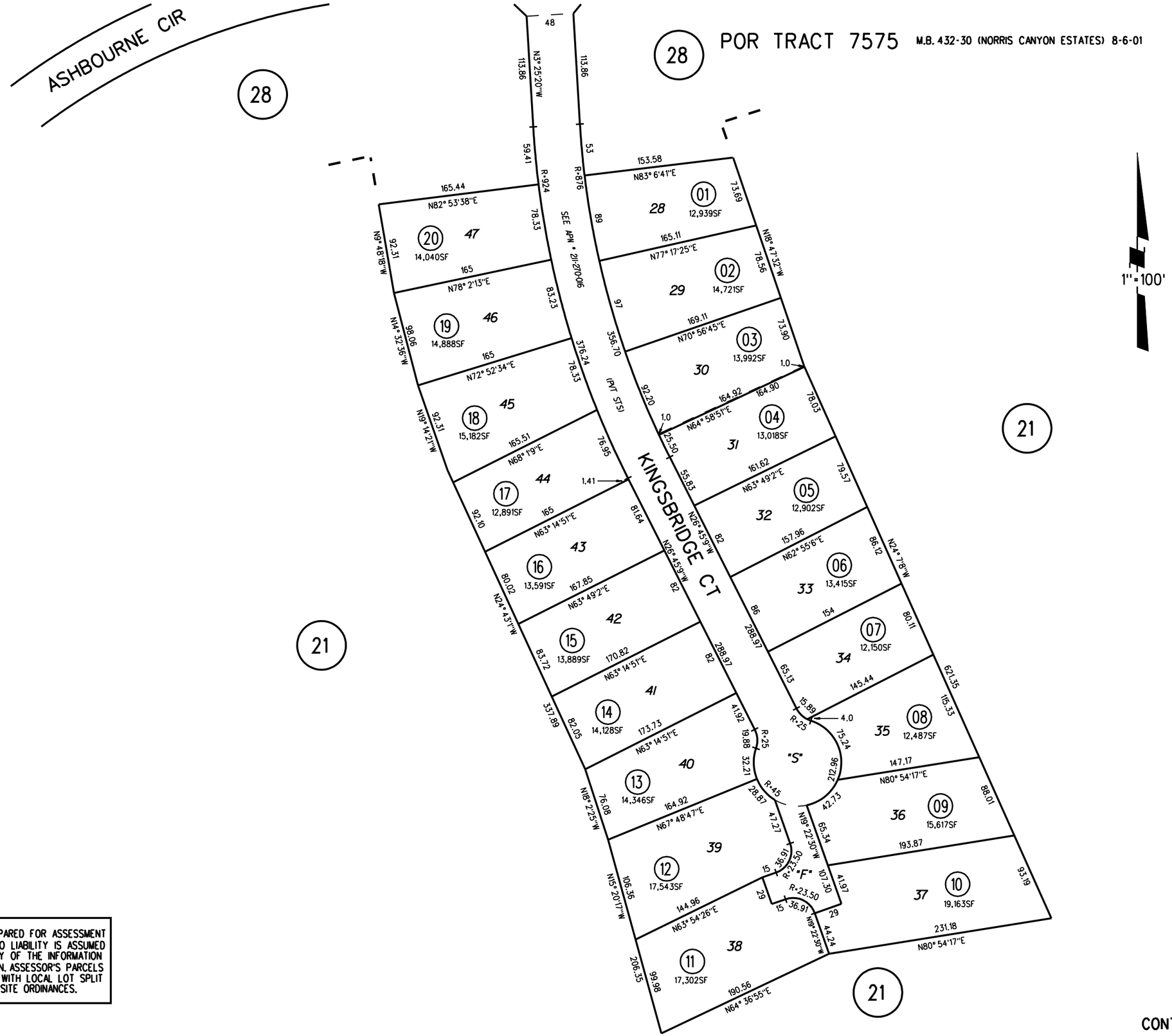
FM PG 211-21 2/5/02 ½

ASSESSOR'S MAP

BOOK 211 PAGE 28

CONTRA COSTA COUNTY, CALIF.



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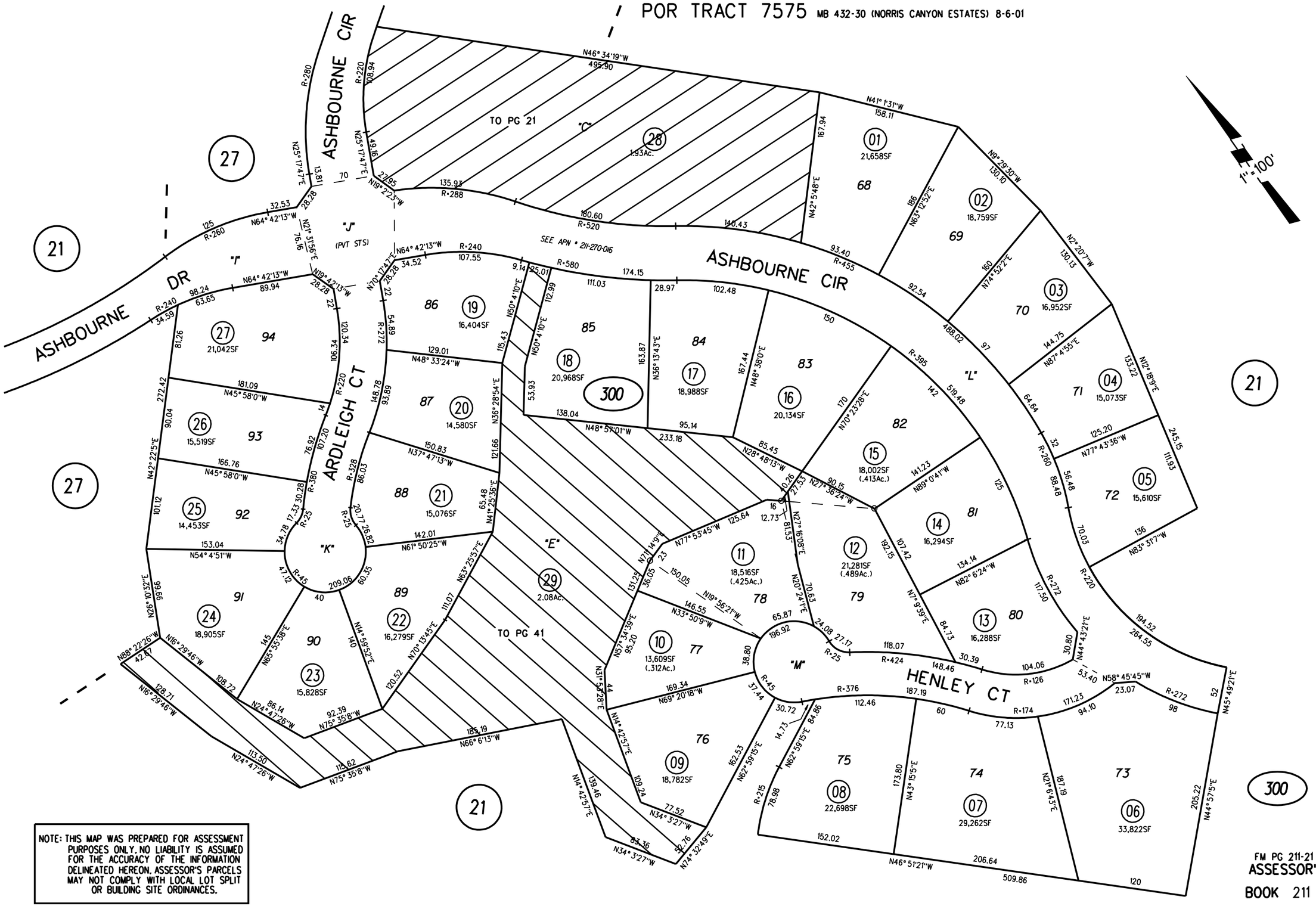
FM PG 211-21 2/5/02 KE

ASSESSOR'S MAP

BOOK 211 PAGE 29

CONTRA COSTA COUNTY, CALIF.



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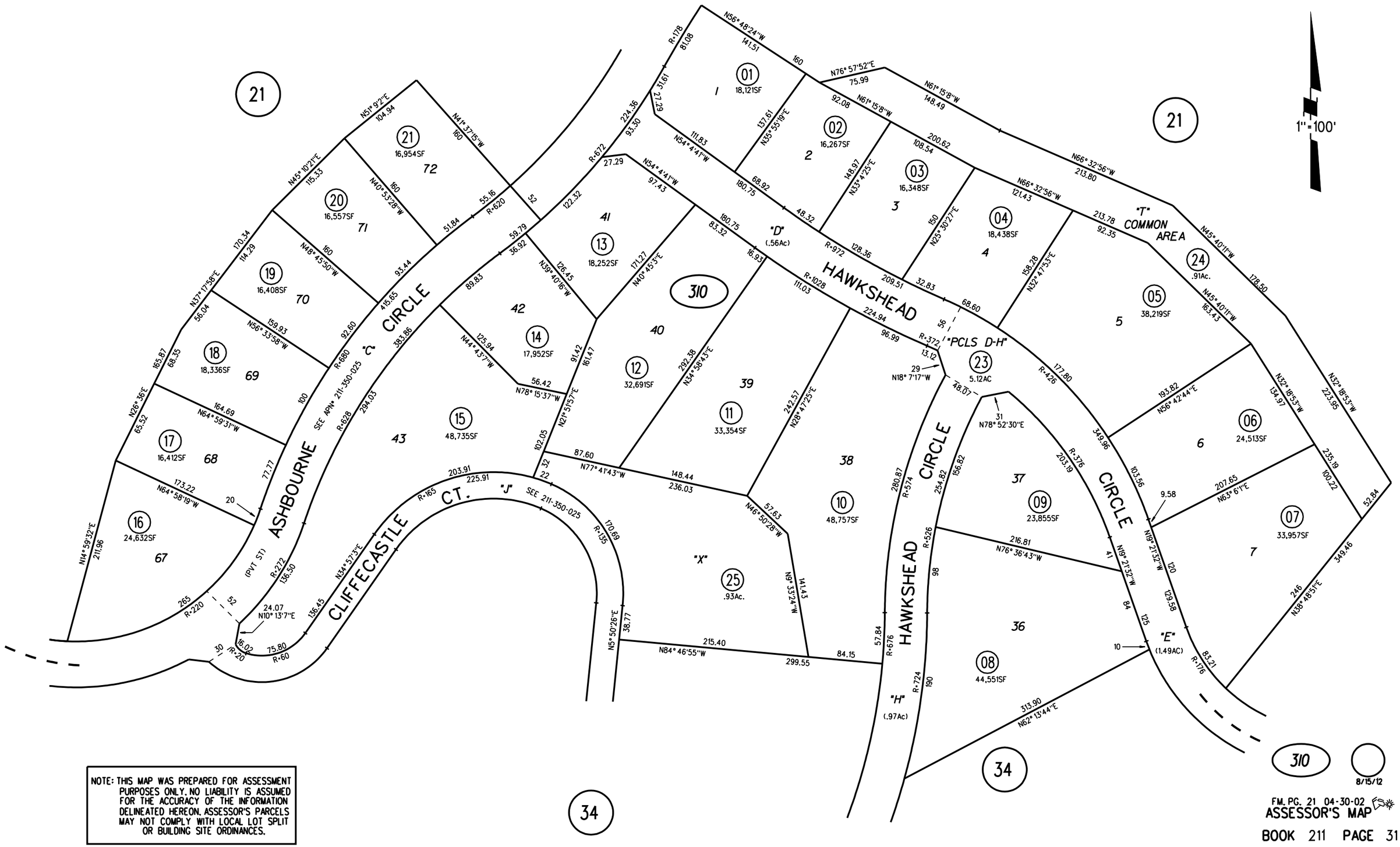
FM PG 211-21 2/5/02

ASSESSOR'S MAP

BOOK 211 PAGE 30

CONTRA COSTA COUNTY, CALIF.



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310

8/15/12

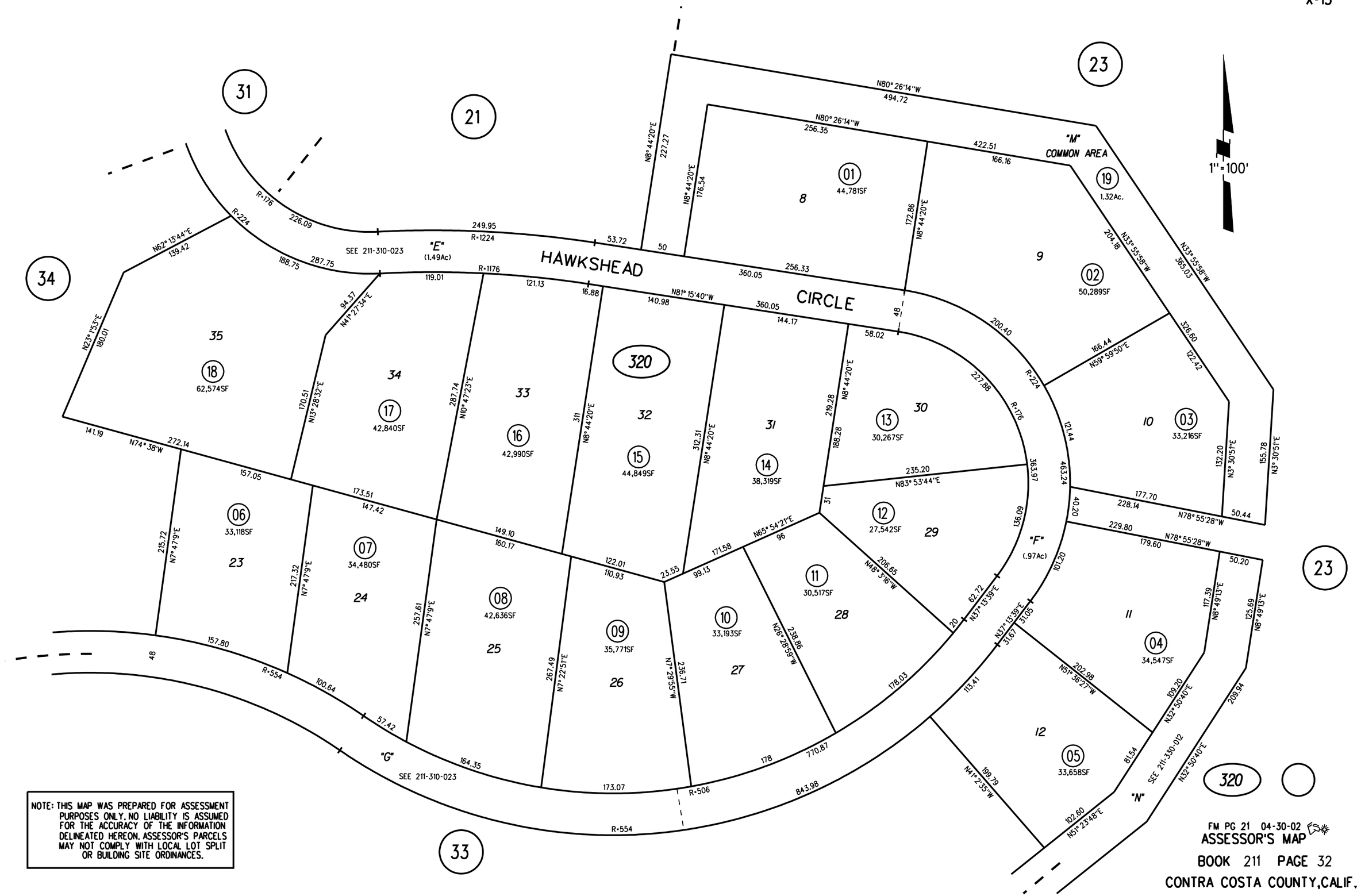
FM. PG. 21 04-30-02

ASSESSOR'S MAP

BOOK 211 PAGE 31

CONTRA COSTA COUNTY, CALIF.

2003 ROLL- POR. TRACT 7998 M.B. 438-38 (NORRIS CANYON ESTATES PHASE IV)



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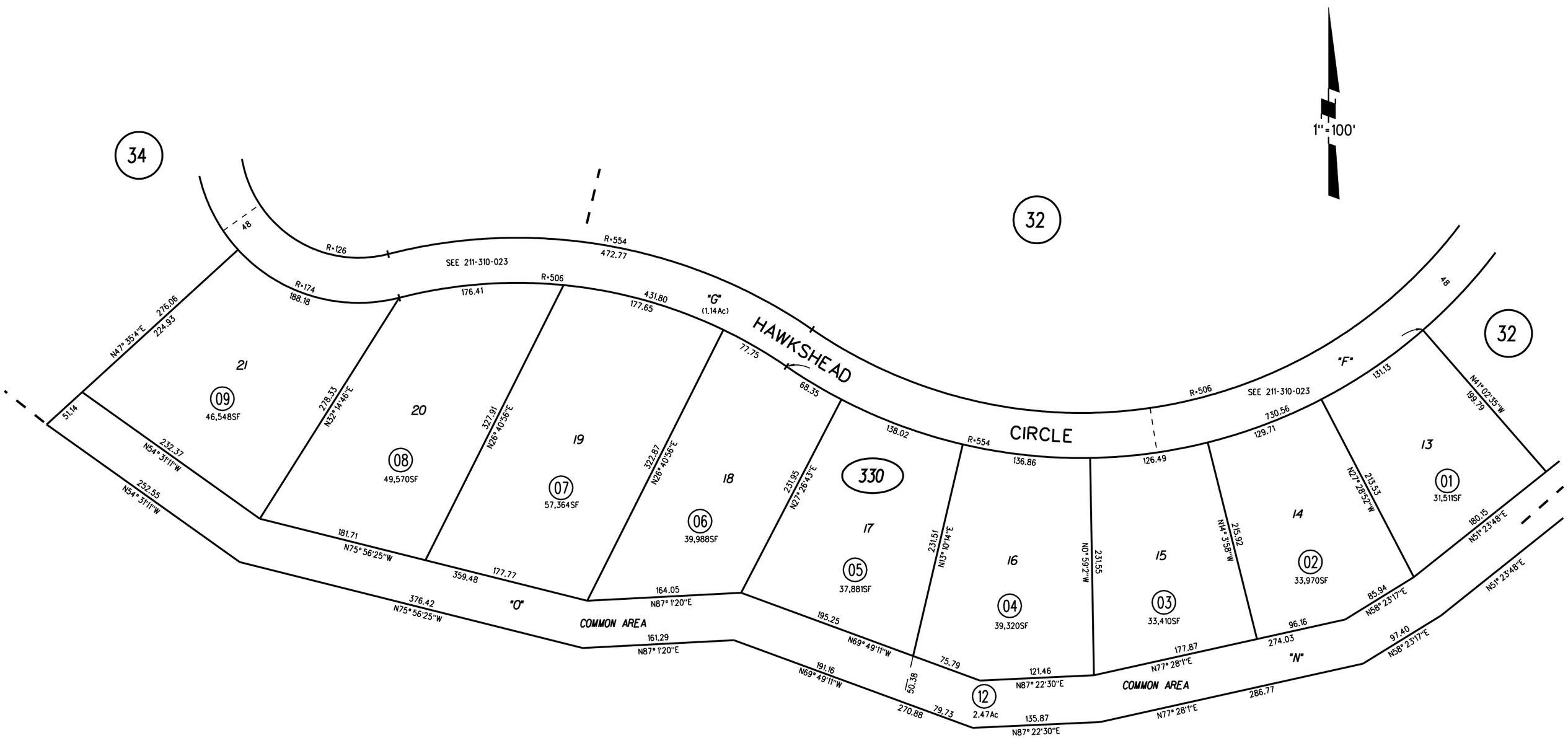
POR TRACT 7998 M.B. 438-38 (NORRIS CANYON ESTATES PHASE IV) 01-28-02



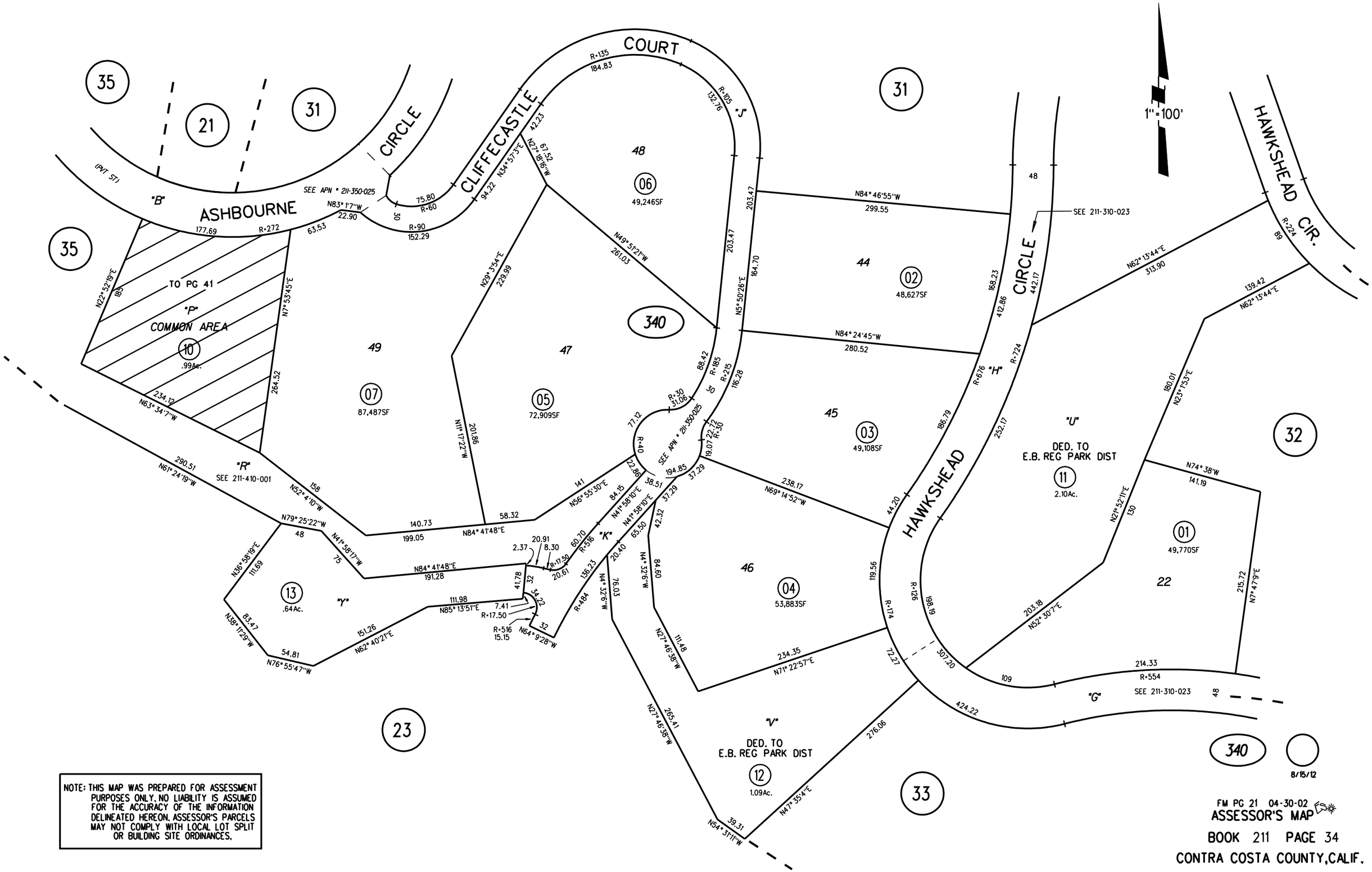
330 12
8/14/12

NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION DELINEATED HEREON. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT SPLIT OR BUILDING SITE ORDINANCES.

FM PG 21 04-30-02
ASSESSOR'S MAP

BOOK 211 PAGE 33

CONTRA COSTA COUNTY, CALIF.



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8/15/12

FM PG 21 04-30-02

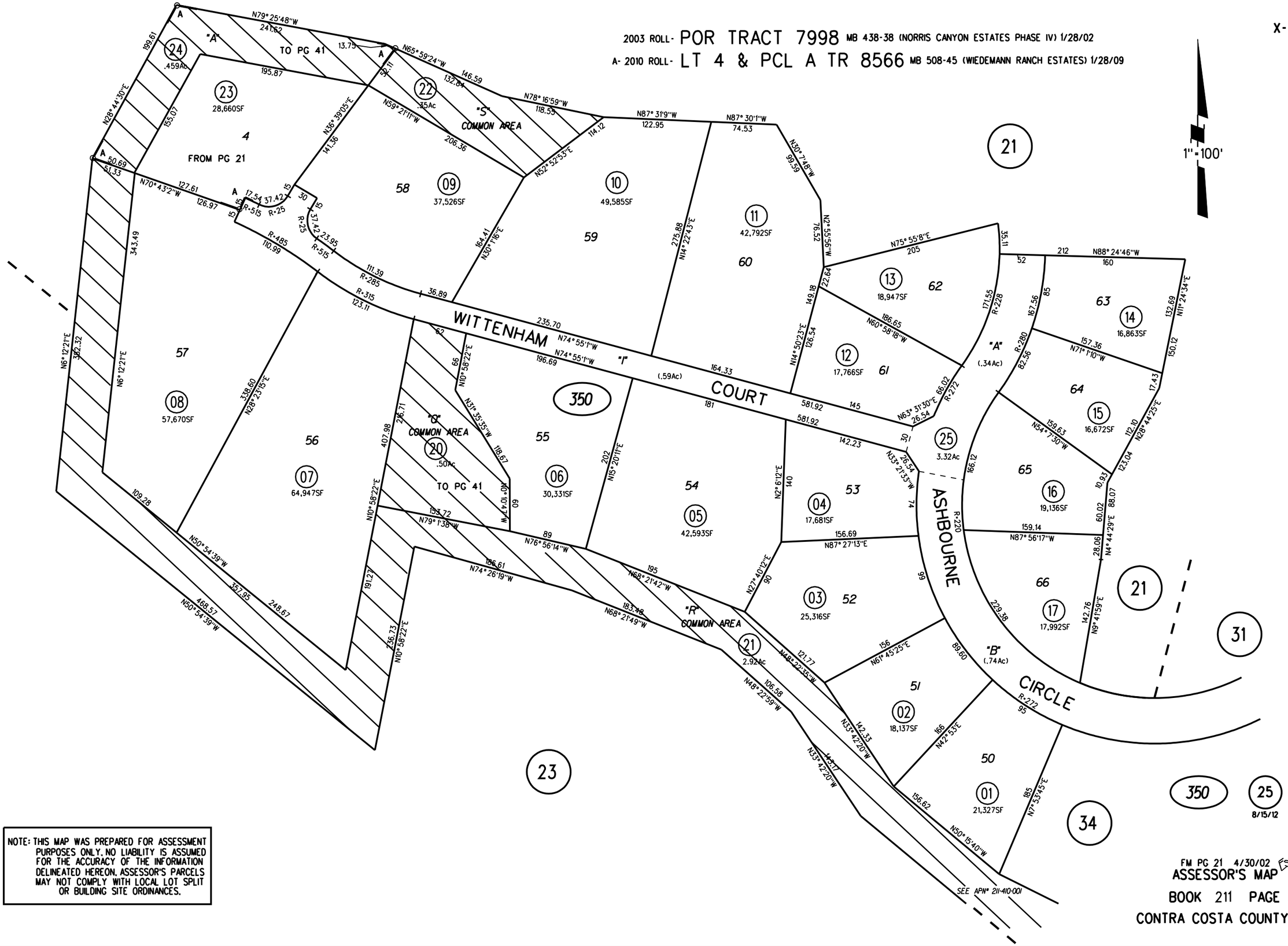
ASSESSOR'S MAP

BOOK 211 PAGE 34

CONTRA COSTA COUNTY, CALIF.

2003 ROLL- POR TRACT 7998 MB 438-38 (NORRIS CANYON ESTATES PHASE IV) 1/28/02

A- 2010 ROLL- LT 4 & PCL A TR 8566 MB 508-45 (WIEDEMANN RANCH ESTATES) 1/28/09



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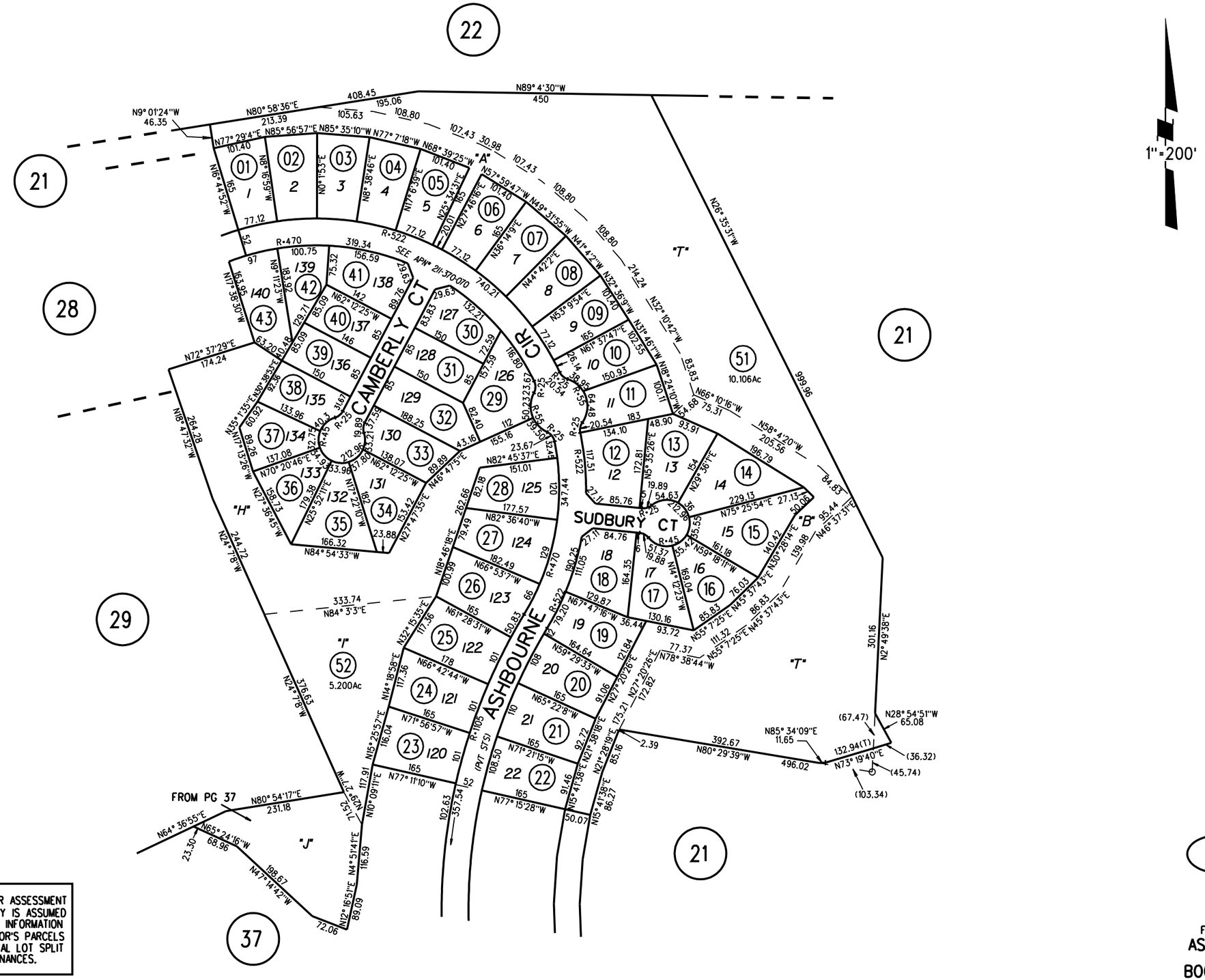
2006 ROLL- POR TRACT 7996 MB 473-46 1/31/05 (NORRIS CANYON ESTATES PHASE III)



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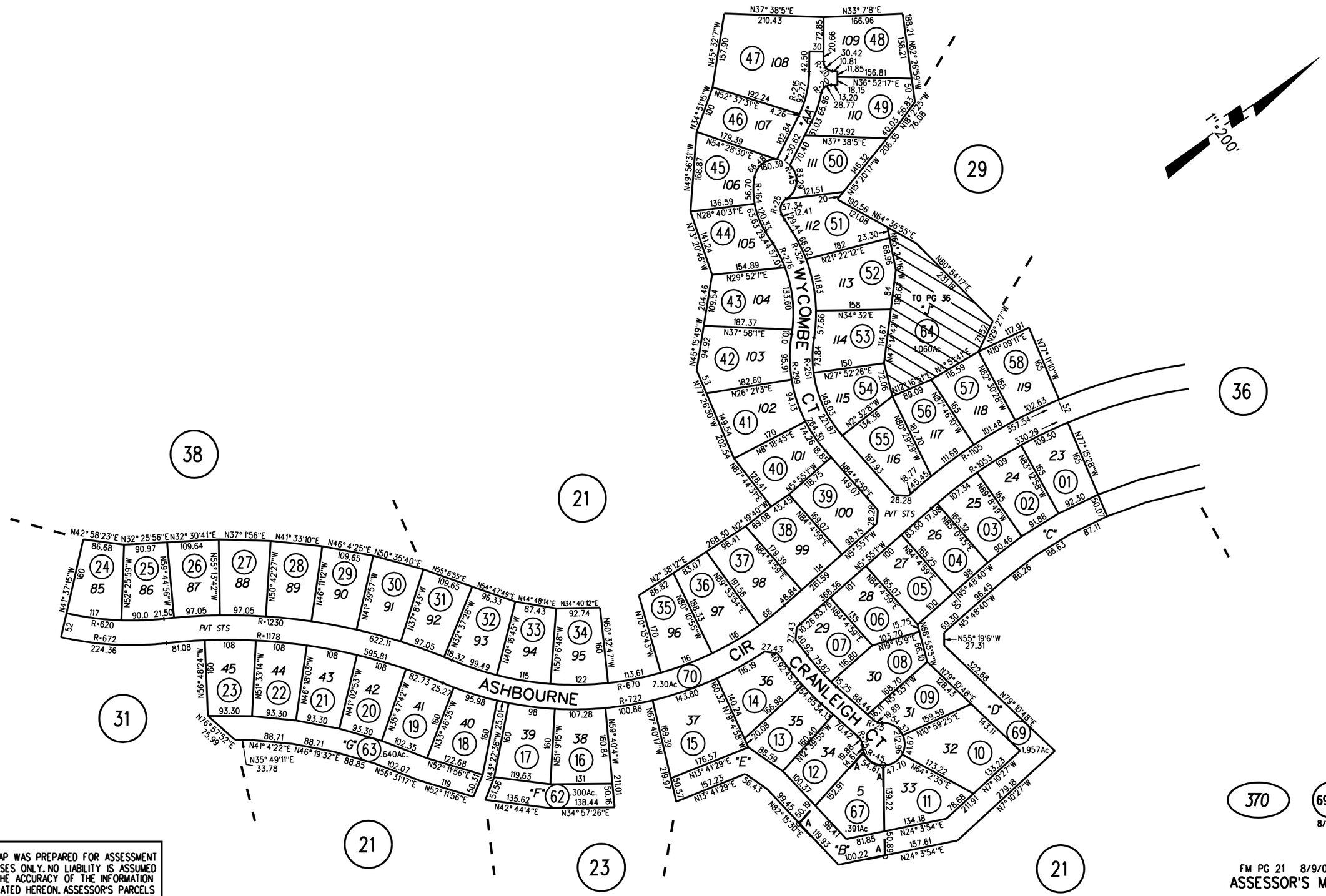
360 51,52
8/15/12

FM PG 21 8/9/05
ASSESSOR'S MAP
BOOK 211 PAGE 36
CONTRA COSTA COUNTY, CALIF.

2006 ROLL- POR TRACT 7996 MB 473-46 (NORRIS CANYON ESTATES PHASE III) 1/31/05

A-2010 ROLL- LT 5 & PCL B TR 8566 MB 508-45 (WIEDEMANN RANCH ESTATES) 1/28/09



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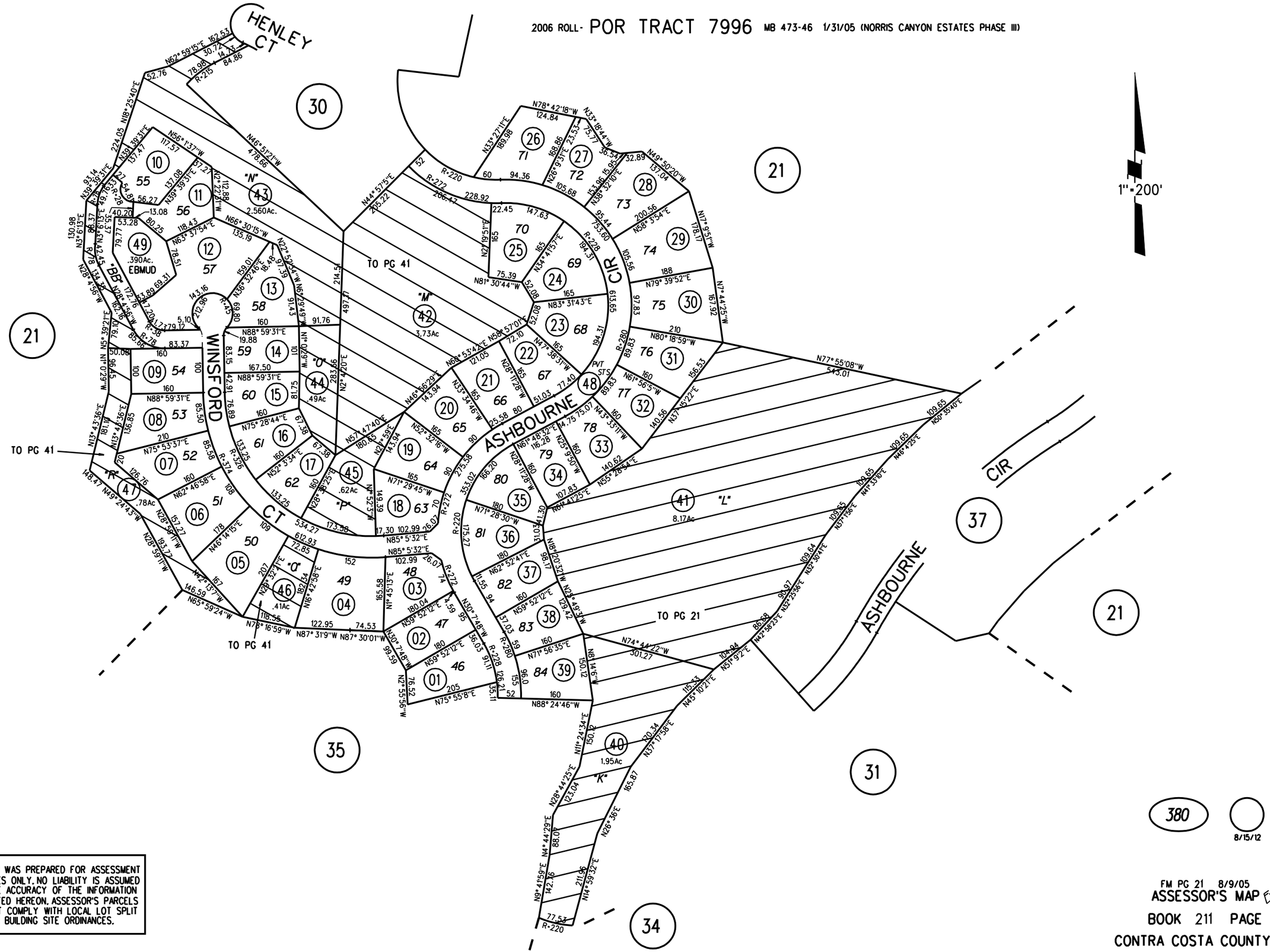
FM PG 21 8/9/05

ASSESSOR'S MAP

BOOK 211 PAGE 37

CONTRA COSTA COUNTY, CALIF.

2006 ROLL- POR TRACT 7996 MB 473-46 1/31/05 (NORRIS CANYON ESTATES PHASE III)



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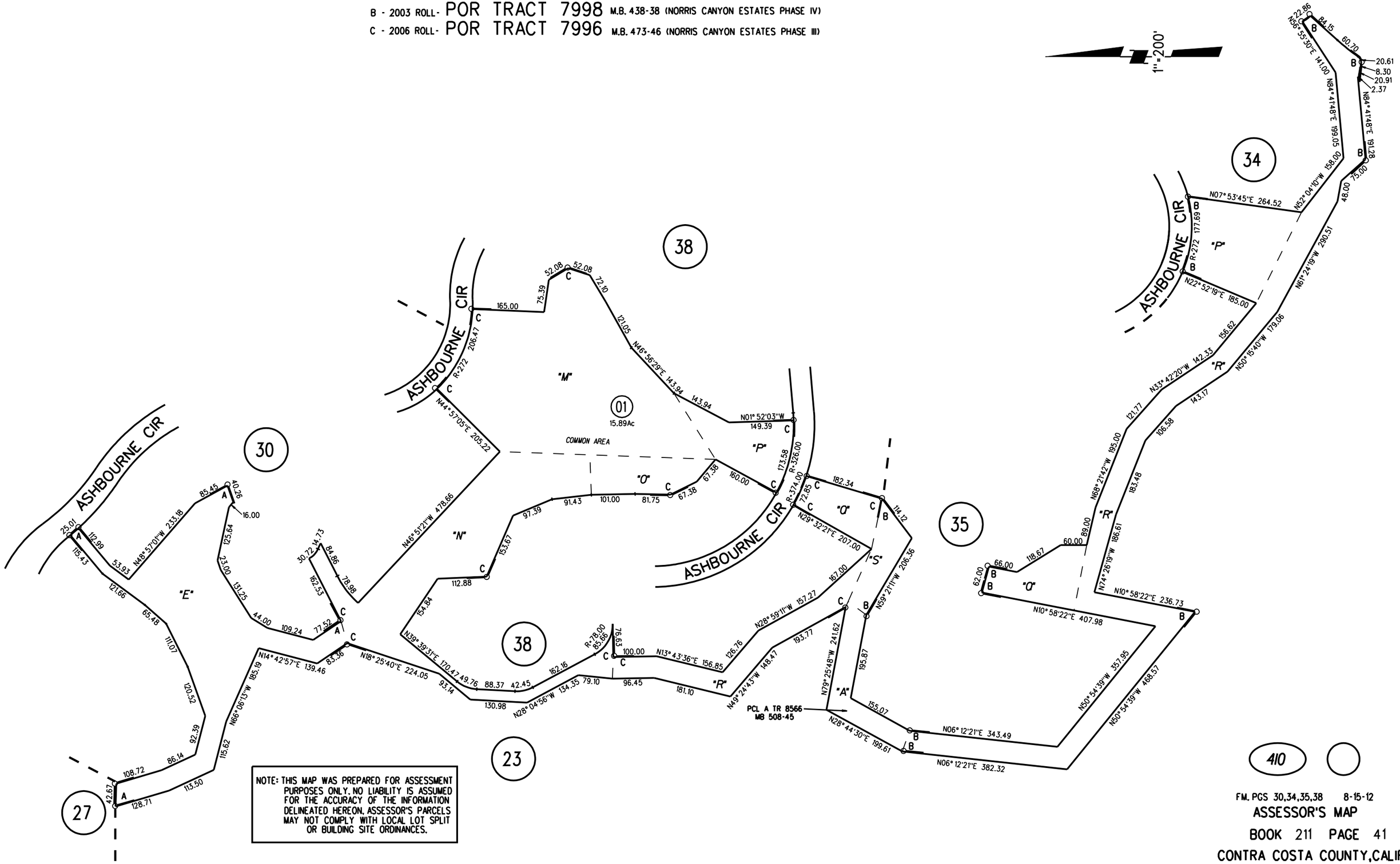
FM PG 21 8/9/05

ASSESSOR'S MAP

BOOK 211 PAGE 38

CONTRA COSTA COUNTY, CALIF.

A - 2002 ROLL- POR TRACT 7575 M.B. 432-30 (NORRIS CANYON ESTATES)
B - 2003 ROLL- POR TRACT 7998 M.B. 438-38 (NORRIS CANYON ESTATES PHASE IV)
C - 2006 ROLL- POR TRACT 7996 M.B. 473-46 (NORRIS CANYON ESTATES PHASE III)



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FM. PGS 30,34,35,38 8-15-12

ASSESSOR'S MAP

BOOK 211 PAGE 41

CONTRA COSTA COUNTY, CALIF.

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Employment & Human Services Director

Date: March 3, 2015

Subject: Operations Update of the Employment and Human Services Department, Community Services Bureau

RECOMMENDATION(S):
ACCEPT the January 2015 update on 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 Stat 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: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Elaine Burres, 313-1717

cc:

ATTACHMENTS

CSB Jan 2015 CAO Report

CSB Jan 2015 HS Fiscal report

CSB Jan 2015 EHS Fiscal report

CSB Jan 2015 Credit Card report

CSB Jan 2015 CACFP Nov report

CSB Jan 2015 CACFP Dec report

CSB Jan 2015 Dec Liheap report

CSB Jan 2015 Nov Liheap report

CSB Jan 2015 Goals and Objectives

CSB Jan 2015 Danya International Environmental Health and Safety Review

CSB Jan 2015 Danya International Classroom Assessment Scoring System Review

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU

To:	David Twa, Contra Costa County Administrator
From:	Kathy Gallagher, EHSD Director
Subject:	Monthly Report
Date:	February 2015

Camilla Rand, M.S.
Director

TOP WORK PLACES 2010

I. Good News Update/Accomplishments:

- Community Services' received its letter from Danya International confirming the week of February 23rd as the date for the Environmental Health and Safety review and the week of March 9th as the Class Assessment Scoring System (CLASS) review. All CSB, partner and delegate classrooms will be visited these weeks by a handful of reviewers (see attached). CSB staff eagerly anticipates this review.
- On January 15th, Community Service Bureau (CSB) participated in the "Parent Power" early literacy program. This event was organized by various community agencies, such as Brentwood Unified School District (BUSD), First 5 California, Child Care Council, and Contra Costa County Libraries, to enrich literacy in Brentwood and surrounding communities. Families were invited to the evening event for dinner and a presentation by Reading Advantage, which highlighted the importance of reading to and with children each day. Families were provided with resources from local organizations along with their own library card.
- Nineteen Community Services Bureau parents participated in the "Cooking Matters Store Tours" to support improved health and nutrition among CSB families The parents were empowered with four key food skills: reading food labels, comparing unit prices, finding whole grain foods, and identifying three ways to purchase produce.
- CSB's Home Based families are participating in the Expanded Food Nutrition Education Program (EFNEP), which is funded through the UC Cooperative Extension. There will be eight lessons offered to the families focusing on: healthy foods, proper diets, food preparation, storing food, and information on sugary and fatty foods along with how to shop economically. Additionally, parents received sample recipes on their monthly calendars. Both programs have been well received by parents.
- CSB, in partnership with Contra Costas Health Services department, scheduled workshops to promote nutrition and physical activities in the classrooms.
- Staff received Asthma Training through ***BreathMobile***. The teachers learned about the definition of asthma, common triggers, symptoms to look for, seriousness of asthma attacks, and medication usage.
- CSB's Reading Advantage Program has been facilitating literacy workshops to encourage reading at home and providing free books for all CSB and partner parents to read to their children.
- The Male Involvement meeting takes place the last Tuesday of each month. Male role models from enrolled families are encouraged to participate. The activities planned during the meetings are based on the survey completed by the participants, and include positive guidance, men's health, father and children at play, positive parent-child relationships, and family picnics.

1470 Civic Court, Suite 200
Concord, CA 94520
Tel 925 681 6300
Fax 925 313 8301
www.cccounty.us/ehsd

- Three Managers from CSB attended "Creating a Comprehensive Community Action Plan" which was sponsored by California Community Action Partnership Association and jointly presented by California Department of Community Services and Development and National Association for State Community Services Program.

II. Status Updates:

a. Caseloads, workload (all programs)

- January 2015 Head Start enrollment: 100.2%
- January 2015 Early Head Start enrollment: 102.6%
- December 2014 Head Start Enrollment: 99.47%
- December 2014 Early Head Start Enrollment: 101.93%
- December 2014 Average Daily Attendance: 69.63% (primarily due to excused absences, including family vacation days during the holidays)
- Stage 2: 367 families and 616 children
- CAPP: 61 families and 87 children
- In total: 421 families and 703 children
- Incoming cases from Stage 1: 13 families and 23 children
- LIHEAP: 200 households have been assisted
- Weatherization: 35 units

b. Staffing:

- CSB conducted interviews to permanently fill vacant positions across various management and line staff classifications. The Bureau hired eleven new employees: Pre-school and Infant/Toddler Teachers, Associate Teachers, Intermediate Clerk-Project, and Comprehensive Services Manager – Project. The Bureau continues to interview to fill vacant site supervisor and clerical positions.

c. Legal/lawsuits

- N/A

d. Union Issues:

- Skelly Conference with PEU Local 1 and CSB Site Supervisor Unit was canceled and will be rescheduled for a later date, per Local 1's request.

III. Hot Topics/Concerns/Issues:

- The Contra Costa County Economic Opportunity Council (EOC) and the Community Action Agency will be jointly conducting public hearings – one each in West, Central, & East Contra Costa County during March, April, and May 2015 to gather information and data on community needs assessment to establish the Community Action Plan FY 2016-17. The Contra Costa County Community Action Plan is required to be submitted to the Community Services and Development by June 30, 2015.
- EOC reviewed 20 applicants and recommended eight subcontractors to be awarded for the 2015 Community Service Block Grant funding.

IV. Emerging Issues/New Challenges:

- N/A

cc: Policy Council Chair
Family & Human Services Committee
Shirley Karrer, ACF

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
2014 HEAD START PROGRAM
December 2014 Expenditures

1 DESCRIPTION	2 YTD Actual	3 Total Budget	4 Remaining	5 % YTD
a. PERSONNEL	$ 3,811,936	$ 3,764,361	$ (47,575)	101%
b. FRINGE BENEFITS	2,447,292	2,452,556	5,264	100%
c. TRAVEL	1,398	1,600	202	87%
d. EQUIPMENT	-	-	-	0%
e. SUPPLIES	364,122	335,000	(29,122)	109%
f. CONTRACTUAL	5,307,725	6,689,194	1,381,469	79%
g. CONSTRUCTION	-	-	-	0%
h. OTHER	1,372,906	1,657,531	284,625	83%
I. TOTAL DIRECT CHARGES	$ 13,305,380	$ 14,900,242	$ 1,594,862	89%
j. INDIRECT COSTS	794,281	789,488	(4,793)	101%
k. TOTAL-ALL BUDGET CATEGORIES	**$ 14,099,661**	**$ 15,689,730**	**$ 1,590,069**	**90%**
In-Kind (Non-Federal Share)	*$ 1,530,322*	*$ 3,922,432*	*$ 2,392,109*	*39%*

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
2014 HEAD START PROGRAM
December 2014 Expenditures

1	2 Jan-14 thru Mar-14	3 Apr-14 thru Jun-14	4 Jul-14 thru Sep-14	5 Oct-14 thru Dec-14	6 Total YTD Actual	7 Total Budget	8 Remaining Budget	9 % YTD
a. PERSONNEL (Object class 6a)	**978,021**	**883,048**	**912,745**	**1,038,123**	**3,811,936**	**3,764,361**	**(47,575)**	**101%**
b. FRINGE (Object Class 6b)	**606,432**	**567,086**	**628,141**	**645,633**	**2,447,292**	**2,452,556**	**5,264**	**100%**
c. TRAVEL (Object Class 6c)	**-**	**-**	**-**	**1,398**	**1,398**	**1,600**	**202**	**87%**
e. SUPPLIES (Object Class 6e)								
1. Office Supplies	18,327	23,034	25,090	12,338	78,790	72,000	(6,790)	**109%**
2. Child and Family Services Supplies (Includesclassroom Supplies)	3,364	6,201	10,354	29,845	49,765	41,500	(8,265)	**120%**
4. Other Supplies	-	-	-	-	-	-	-	
Computer Supplies, Software Upgrades, Computer Replacement	38,669	34,168	131,498	13,814	218,149	205,000	(13,149)	**106%**
Health/Safety Supplies	791	2,875	1,737	459	5,862	6,000	138	**98%**
Mental helath/Diasabilities Supplies	413	-	362	122	897	1,000	103	**90%**
Miscellaneous Supplies	2,514	2,297	2,394	1,524	8,728	8,000	(728)	**109%**
Household Supplies	344	698	358	530	1,930	1,500	(430)	**129%**
TOTAL SUPPLIES (6e)	**64,422**	**69,274**	**171,794**	**58,632**	**364,122**	**335,000**	**(29,122)**	**109%**
f. CONTRACTUAL (Object Class 6f)		-	-	-	-			
1. Adm Svcs (e.g., Legal, Accounting, Temporary Contracts)	1,395	17,892	11,496	19,149	49,932	35,400	(14,532)	**141%**
2. Health/Disabilities Services	-	-	-	-	-	-	-	
Estimated Medical Revenue from Medi-Cal (Org 1432 - credit)	-	(35,467)	-	-	(35,467)	(230,000)	(194,533)	**15%**
Health Consultant	11,480	10,791	11,939	11,250	45,461	32,001	(13,460)	**142%**
3. Food Services	-	-	-	-	-	-	-	
5. Training & Technical Assistance - PA11	3,450	-	48,844	36,851	89,145	55,662	(33,483)	**160%**
7. Delegate Agency Costs	-	-	-	-	-	-	-	
First Baptist Church Head Start PA22	294,185	463,591	429,424	609,384	1,796,585	2,044,356	247,771	**88%**
First Baptist Church Head Start PA20	-	-	-	-	-	8,000	8,000	**0%**
8. Other Contracts		-	-	-	-			
Antioch Partnership	21,600	43,200	21,600	31,950	118,350	129,600	11,250	**91%**
FB-Fairgrounds Partnership (Wrap)	10,643	22,416	11,010	18,721	62,790	68,812	6,022	**91%**
FB-Fairgrounds Partnership	28,350	56,700	28,350	42,525	155,925	170,100	14,175	**92%**
FB-E. Leland/Mercy Housing Partnership	9,000	18,000	9,000	13,500	49,500	54,000	4,500	**92%**
Martinez ECC (18 HS slots x $225/mo x 12/mo)	18,000	36,075	17,280	27,000	98,355	108,000	9,645	**91%**
Richmond Foundation (78 HS slots x $15.27/day x 215/days)	20,767	35,839	-	-	56,606	56,606	0	**100%**
YMCA of the East Bay (20 HS slots x $225/mo x 12/mo)	9,000	18,000	4,500	18,000	49,500	54,000	4,500	**92%**
Child Outcome Planning and Administration (COPA/Nulinx)	4,228	2,591	-	2,008	8,827	10,100	1,273	**87%**
Enhancement/wrap-around HS slots with State CD Program	383,691	762,415	404,444	1,211,667	2,762,217	4,092,557	1,330,340	**67%**
f. CONTRACTUAL (Object Class 6f)	**815,790**	**1,452,043**	**997,887**	**2,042,005**	**5,307,725**	**6,689,194**	**1,381,469**	**79%**
h. OTHER (Object Class 6h)	-	-	-	-	-			
2. Bldg Occupancy Costs/Rents & Leases	57,318	79,606	61,352	159,904	358,180	365,000	6,820	**98%**
(Rents & Leases/Other Income)	(81)	-	-	-	(81)	(1,000)	(919)	**8%**
4. Utilities, Telephone	46,713	41,991	40,557	40,354	169,616	170,300	684	**100%**
5. Building and Child Liability Insurance	3,293	-	-	-	3,293	6,500	3,207	**51%**
6. Bldg. Maintenance/Repair and Other Occupancy	1,822	6,468	18,288	16,260	42,838	37,600	(5,238)	**114%**
8. Local Travel (55.5 cents per mile effective 1/1/2012)	6,256	12,506	4,947	9,844	33,553	53,532	19,979	**63%**
9. Nutrition Services	-	-	-	-	-	-	-	
Child Nutrition Costs	89,733	130,753	11,428	105,604	337,518	557,300	219,782	**61%**
(CCFP & USDA Reimbursements)	(87,978)	(75,759)	-	-	(163,737)	(256,400)	(92,663)	**64%**
13. Parent Services	-	-	-	-	-	-	-	
Parent Conference Registration - PA11	1,099	-	1,852	2,579	5,530	4,466	(1,064)	**124%**
Parent Resources (Parenting Books, Videos, etc.) - PA11	-	-	-	3,074	3,074	2,000	(1,074)	
PC Orientation, Trainings, Materials & Translation - PA11	4,983	65	1,524	2,221	8,793	8,800	7	**100%**
Policy Council Activities	-	-	150	-	150	200	50	**75%**
Parent Activities (Sites, PC, BOS luncheon) & Appreciation	770	366	3,825	3,174	8,135	8,500	365	**96%**
Child Care/Mileage Reimbursement	2,680	3,051	2,934	3,573	12,237	9,100	(3,137)	**134%**
14. Accounting & Legal Services	-	-	-	-	-	-	-	**0%**
Auditor Controllers	-	1,598	-	825	2,422	5,635	3,213	**43%**
Data Processing/Other Services & Supplies	3,360	2,654	3,155	6,804	15,973	16,000	27	**100%**
15. Publications/Advertising/Printing	-	-	-	-	-	-	-	
Outreach/Printing	-	75	-	460	535	1,000	465	**54%**
Recruitment Advertising (Newspaper, Brochures)	-	-	31	-	31	4,500	4,469	**1%**
16. Training or Staff Development	-	-	-	-	-	-	-	
Agency Memberships (WIPFLI, Meeting Fees, NHSA, NAEYC, etc.)	1,806	6,507	19,317	(346)	27,284	14,175	(13,109)	**192%**
Staff Trainings/Dev. Conf. Registrations/Memberships - PA11	14,052	17,840	6,866	8,130	46,887	45,956	(931)	**102%**
17. Other	-	-	-	-	-	-	-	
Site Security Guards	4,852	11,144	7,162	4,328	27,486	28,000	514	**98%**
Dental/Medical Services	-	-	-	-	-	200	200	**0%**
Vehicle Operating/Maintenance & Repair	26,476	22,253	12,721	47,258	108,707	117,600	8,893	**92%**
Equipment Maintenance Repair & Rental	9,417	25,962	26,542	30,059	91,980	90,000	(1,980)	**102%**
Dept. of Health and Human Services-data Base (CORD)	1,679	2,518	3,431	1,679	9,307	10,100	793	**92%**
Field Trips	-	-	-	-	-	1,000	1,000	**0%**
Other Operating Expenses (Facs Admin/Other admin)	-	-	-	-	-	-	-	
CSD Admin Costs/Facs Mgt Allocation	104,414	55,315	32,597	30,870	223,195	357,467	134,272	**0%**
h. OTHER (6h)	**292,663**	**344,911**	**258,679**	**476,654**	**1,372,906**	**1,657,531**	**284,625**	**83%**
I. TOTAL DIRECT CHARGES (6a-6h)	**2,757,328**	**3,316,361**	**2,969,246**	**4,262,445**	**13,305,380**	**14,900,242**	**1,594,862**	**89%**
j. INDIRECT COSTS	**128,498**	**338,673**	**108,323**	**218,787**	**794,281**	**789,488**	**(4,793)**	**101%**
k. TOTALS (ALL BUDGET CATEGORIES)	**2,885,826**	**3,655,034**	**3,077,569**	**4,481,232**	**14,099,661**	**15,689,730**	**1,590,069**	**90%**
Non-Federal match (In-Kind)	***280,802***	***492,860***	***387,209***	***369,452***	***1,530,322***	***3,922,432***	***2,392,109***	***39%***

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
2014 EARLY HEAD START PROGRAM
December 2014 Expenditures

1 DESCRIPTION	2 YTD Actual	3 Total Budget	4 Remaining Budget	5 % YTD
a. PERSONNEL	$ 506,540	$ 824,266	$ 317,726	61%
b. FRINGE BENEFITS	335,478	561,919	226,441	60%
c. TRAVEL	1,059	800	(259)	132%
d. EQUIPMENT			-	0%
e. SUPPLIES	33,773	60,121	26,348	56%
f. CONTRACTUAL	1,906,696	1,638,144	(268,552)	116%
g. CONSTRUCTION			-	0%
h. OTHER	86,536	185,588	99,052	47%
I. TOTAL DIRECT CHARGES	$ 2,870,082	$ 3,270,838	$ 400,756	88%
j. INDIRECT COSTS	121,787	172,996	51,209	70%
k. TOTAL-ALL BUDGET CATEGORIES	**$ 2,991,869**	**$ 3,443,834**	**$ 451,965**	**87%**
In-Kind (Non-Federal Share)	*$ 176,951*	*$ 860,958*	*$ 684,007*	*21%*

CONTRA COSTA COUNTY
COMMUNITY SERVICES BUREAU
2014 EARLY HEAD START PROGRAM
December 2014 Expenditures

1	2	3	4	5	6	7	8	9
	Jan-14 thru Mar-14	Apr-14 thru Jun-14	Jul-14 thru Sep-14	Oct-14 thru Dec-14	Total YTD Actual	Total Budget	Remaining Budget	% YTD
Expenditures								
a. Salaries & Wages (Object Class 6a)								
Permanent 1011	111,597	116,021	112,511	118,727	458,857	693,746	234,889	**66%**
Temporary 1013	14,918	10,538	11,008	11,219	47,683	130,520	82,837	**37%**
a. PERSONNEL (Object class 6a)	**126,515**	**126,559**	**123,520**	**129,946**	**506,540**	**824,266**	**317,726**	**61%**
b. FRINGE BENEFITS (Object Class 6b)			-	-				
Fringe Benefits	80,510	83,689	81,265	90,015	335,478	561,919	226,441	**60%**
b. FRINGE (Object Class 6b)	**80,510**	**83,689**	**81,265**	**90,015**	**335,478**	**561,919**	**226,441**	**60%**
c. TRAVEL (Object Class 6c)	**-**	-	-	1,059	**1,059**	**800**	**(259)**	**132%**
e. SUPPLIES (Object Class 6e)								
1. Office Supplies	1,726	708	1,390	82	3,907	4,300	393	**91%**
2. Child and Family Serv. Supplies/classroom Supplies	4,273	368	1,381	9,477	15,499	15,618	119	**99%**
4. Other Supplies	-	-	-	-	-			
Computer Supplies, Software Upgrades, Comp Replacemnt	1,436	4,875	3,844	2,326	12,481	37,503	25,022	**33%**
Health/Safety Supplies	-	-	-	-	-	-	-	**0%**
Mental helath/Diasabilities Supplies	-	-	-	-	-	-	-	**0%**
Miscellaneous Supplies	38	842	14	814	1,708	2,000	292	**85%**
Emergency Supplies	-	-	-	-	-	-	-	**0%**
Household Supplies	18	74	17	68	178	700	522	**25%**
e. SUPPLIES (Object Class 6e)	**7,492**	**6,867**	**6,646**	**12,767**	**33,773**	**60,121**	**26,348**	**56%**
f. CONTRACTUAL (Object Class 6f)				-				
1. Adm Svcs (Legal, Accounting, Temporary Contracts)	349	4,196	2,874	2,640	10,059	10,500	441	**96%**
Health Consultant	4,920	4,625	5,117	4,822	19,483	32,001	12,518	**61%**
5. Training & Technical Assistance - PA11	-	-	-	4,180	4,180	-	(4,180)	
8. Other Contracts	-	-	-	-	-			
FB-Fairgrounds Partnership	9,800	14,700	9,800	14,700	49,000	58,800	9,800	**83%**
FB-E. Leland/Mercy Housing Partnership	11,200	22,400	11,200	16,800	61,600	67,200	5,600	**92%**
Brighter Beginnings	-	34,000	16,000	16,000	66,000	81,600	15,600	**81%**
Cameron School	9,800	23,450	9,800	13,650	56,700	58,800	2,100	**96%**
Crossroads	14,000	21,000	-	35,000	70,000	77,000	7,000	**91%**
Martinez ECC	16,800	33,600	16,450	25,200	92,050	100,800	8,750	**91%**
Apiranet	-	-	-	102,000	102,000	122,400	20,400	**83%**
Child Outcome Planning & Admini. (COPA/Nulinx)	490	262	-	948	1,700	1,868	168	**91%**
Enhancement/wrap-around HS slots with State CD Prog.	165,189	489,327	173,887	545,521	1,373,924	1,027,175	(346,749)	**134%**
f. CONTRACTUAL (Object Class 6f)	**232,548**	**647,560**	**245,128**	**781,460**	**1,906,696**	**1,638,144**	**(268,552)**	**116%**
h. OTHER (Object Class 6h)								
2. Bldg Occupancy Costs/Rents & Leases	724	730	3,354	846	5,654	8,500	2,846	**67%**
4. Utilities, Telephone	527	534	418	361	1,841	10,000	8,159	**18%**
5. Building and Child Liability Insurance	-	-	-	-	-	-	-	
6. Bldg. Maintenance/Repair and Other Occupancy	65	13	1,981	(103)	1,957	3,600	1,643	**54%**
8. Local Travel (55.5 cents per mile)	686	1,015	748	2,177	4,625	6,700	2,075	**69%**
9. Nutrition Services	-	-	-	-	-			
Child Nutrition Costs	198	-	-	-	198	600	402	**33%**
(CCFP & USDA Reimbursements)	(194)	-	-	-	(194)	(400)	(206)	**48%**
13. Parent Services	-	-	-	-	-			
Parent Conference Registration - PA11	-	-	105	-	105	913	808	**0%**
Parent Resources (Parenting Books, Videos, etc.) - PA11	60	-	-	-	60	100	40	**0%**
PC Orientation, Trainings, Materials & Translation - PA11	1,375	617	558	15	2,564	2,530	(34)	**101%**
Policy Council Activities	181	745	-	-	926	4,500	3,574	**21%**
Parent Activities (Sites, PC, BOS luncheon) & Appreciation	-	-	2,400	806	3,207	15,400	12,193	**21%**
Child Care/Mileage Reimbursement	401	160	361	360	1,283	3,200	1,917	**40%**
14. Accounting & Legal Services	-	-	-	-	-			
Auditor Controllers	-	-	-	-	-	3,000	3,000	**0%**
Data Processing/Other Services & Supplies	340	328	477	484	1,629	3,000	1,371	**54%**
15. Publications/Advertising/Printing	-	-	-	-	-			
Outreach/Printing	-	-	5	41	46	100	54	**0%**
16. Training or Staff Development	-	-	-	-	-			
Agency Memberships (WIPFLI, Meeting Fees, NHSA, NAE	525	395	282	7,554	8,755	16,457	7,702	**53%**
Staff Trainings/Dev. Conf. Registrations/Memberships - PA1	3,665	5,589	7,188	18,888	35,329	30,943	(4,386)	**114%**
17. Other	-	-	-	-	-			
Site Security Guards	-	-	-	-	-	-	-	**0%**
Vehicle Operating/Maintenance & Repair	4,097	3,733	1,505	1,459	10,794	20,150	9,356	**54%**
Equipment Maintenance Repair & Rental	26	49	159	1,817	2,051	1,400	(651)	**147%**
Dept. of Health and Human Services-data Base (CORD)	-	-	-	-	-	-	-	**0%**
Other Operating Expenses (Facs Admin/Other admin)	-	-	-	-	-	5,000	5,000	**0%**
County Indirect Cost (A-87)	1,364	1,729	1,725	887	5,706	49,895	44,189	**11%**
h. OTHER (6h)	**14,041**	**15,637**	**21,266**	**35,592**	**86,536**	**185,588**	**99,052**	**47%**
I. TOTAL DIRECT CHARGES (6a-6h)	**461,106**	**880,312**	**477,825**	**1,050,839**	**2,870,082**	**3,270,838**	**400,756**	**88%**
j. INDIRECT COSTS	**18,800**	**57,981**	**17,614**	**27,392**	**121,787**	**172,996**	**51,209**	**70%**
k. TOTALS - ALL BUDGET CATEGORIES	**479,906**	**938,294**	**495,439**	**1,078,231**	**2,991,869**	**3,443,834**	**451,965**	**87%**
Non-Federal Match (In-Kind)	***65,587***	***38,919***	**44,248**	**28,196**	***176,951***	***860,958***	***684,007***	***21%***

SUMMARY CREDIT CARD EXPENDITURE

Agency: Community Services Bureau

Month: December 2014

Credit Card: Visa/US 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

12/22/14	xxxx8798	709.02	Child Care Services ADMIN	Books, Periodicals
12/22/14	xxxx8798	(138.53)	Child Care Services ADMIN	Books, Periodicals
		570.49		
12/22/14	xxxx8855	495.00	HS Basic Grant	Educational Supplies
12/22/14	xxxx3838	69.00	Home Base HS	Educational Supplies
12/22/14	xxxx3838	226.06	Las Deltas Site Costs	Educational Supplies
12/22/14	xxxx0746	891.43	GM Concord Site Costs	Educational Supplies
12/22/14	xxxx0746	90.40	HS Basic Grant	Educational Supplies
12/22/14	xxxx0746	1,510.60	Bayo Vista Site Costs	Educational Supplies
		3,282.49		
12/22/14	xxxx8798	77.50	Head Start T & TA	Membership
12/22/14	xxxx8798	77.50	EHS T & TA	Membership
		155.00		
12/22/14	xxxx1907	330.00	Child Care Svs Program	Misc Services/Supplies
12/22/14	xxxx8855	100.00	HS Basic Grant	Misc Services/Supplies
12/22/14	xxxx8855	471.61	Literacy Support Contract (CPKS)	Misc Services/Supplies
12/22/14	xxxx8855	628.82	CSB Misc Grants	Misc Services/Supplies
12/22/14	xxxx8855	471.62	EHS Basis Grant	Misc Services/Supplies
12/22/14	xxxx0746	691.29	HS Basic Grant	Misc Services/Supplies
12/22/14	xxxx0746	100.00	Los Arboles Site Costs	Misc Services/Supplies
		2,793.34		
12/22/14	xxxx1907	1,968.73	Indirect Admin Costs	Office Exp
12/22/14	xxxx1907	4,209.58	Child Care Svs Program	Office Exp
12/22/14	xxxx8798	129.58	Child Care Svs Program	Office Exp
12/22/14	xxxx8798	15.19	Child Care Services ADMIN	Office Exp
12/22/14	xxxx1899	150.00	Indirect Admin Costs	Office Exp
		6,473.08		
12/22/14	xxxx7843	260.40	Head Start T & TA	Other Travel Employees
12/22/14	xxxx8855	234.36	EHS T & TA	Other Travel Employees
12/22/14	xxxx8855	26.04	Head Start T & TA	Other Travel Employees
12/22/14	xxxx1899	1,344.60	EHS T & TA	Other Travel Employees
12/22/14	xxxx7843	2,343.60	EHS T & TA	Other Travel Employees
12/22/14	xxxx1899	149.40	Head Start T & TA	Other Travel Employees
		4,358.40		
12/22/14	xxxx7843	1,153.80	EHS T & TA	Training & Registration
12/22/14	xxxx7843	128.20	Head Start T & TA	Training & Registration
		1,282.00		
12/22/14	xxxx7843	936.00	HS Parent Services	Transportation & Travel
12/22/14	xxxx7843	104.00	EHS Parent Services	Transportation & Travel
12/22/14	xxxx8855	2,271.24	HS Parent Services	Transportation & Travel
12/22/14	xxxx8855	252.36	EHS Parent Services	Transportation & Travel
		3,563.60		
Total		**22,478.40**		

EMPLOYMENT & HUMAN SERVICES DEPARTMENT
COMMUNITY SERVICES BUREAU
CHILD NUTRITION FOOD SERVICES
CHILD and ADULT CARE FOOD PROGRAM MEALS SERVED
FY 2014-2015

Month covered	2014 November
Approved sites operated this month	15
Number of days meals served this month	17
Average daily participation	825
Child Care Center Meals Served:	
Breakfast	10,616
Lunch	14,025
Supplements	10,153
Total Number of Meals Served	34,794

fldr/fn:2014 CAO Monthly Reports

EMPLOYMENT & HUMAN SERVICES DEPARTMENT
COMMUNITY SERVICES BUREAU
CHILD NUTRITION FOOD SERVICES
CHILD and ADULT CARE FOOD PROGRAM MEALS SERVED
FY 2014-2015

Month covered	2014 December
Approved sites operated this month	15
Number of days meals served this month	22
Average daily participation	616
Child Care Center Meals Served:	
Breakfast	10,070
Lunch	13,541
Supplements	10,023
Total Number of Meals Served	33,634

fldr/fn:2014 CAO Monthly Reports

CAO Monthly Report
CSBG and Weatherization Programs
Year-to-Date Expenditures
As of December 31, 2014

1. 2014 LIHEAP WX

Contract # 14B-5005
Term: Jan. 1, 2014 - Jan. 31, 2015
Amount: WX $ 921,106

Total Contract	$	921,106
Expenditures		(902,042)
Balance	$	19,064
Expended		98%

2. 2014 LIHEAP ECIP/EHA 16

Contract # 14B-5005
Term: Jan. 1, 2014 - Jan. 31, 2015
Amount: EHA 16 $ 915,417

Total Contract	$	915,417
Expenditures		(844,409)
Balance	$	71,008
Expended		92%

3. 2014 DEPARTMENT OF ENERGY (DOE WAP)

Contract # 14C-1805
Term: Aug 1, 2014 - June 30, 2015
Amount: $ 128,758

Total Contract	$	128,758
Expenditures		(72,795)
Balance	$	55,963
Expended		57%

4. 2014 COMMUNITY SERVICES BLOCK GRANT (CSBG)

Contract # 14F-3007
Term: Jan. 1, 2014 - December 31, 2014
Amount: $ 790,619

Total Contract	$	790,619
Expenditures		(739,957)
Balance	$	50,662
Expended		94%

CAO Monthly Report
CSBG and Weatherization Programs
Year-to-Date Expenditures
As of November 30, 2014

1. 2014 LIHEAP WX

Contract # 14B-5005
Term: Jan. 1, 2014 - Jan. 31, 2015
Amount: WX $ 921,106

Total Contract	$	921,106
Expenditures		(841,528)
Balance	$	79,578
Expended		91%

2. 2014 LIHEAP ECIP/EHA 16

Contract # 14B-5005
Term: Jan. 1, 2014 - Jan. 31, 2015
Amount: EHA 16 $ 915,417

Total Contract	$	915,417
Expenditures		(772,166)
Balance	$	143,251
Expended		84%

3. 2014 DEPARTMENT OF ENERGY (DOE WAP)

Contract # 14C-1805
Term: Aug 1, 2014 - June 30, 2015
Amount: $ 128,758

Total Contract	$	128,758
Expenditures		(35,741)
Balance	$	93,017
Expended		28%

4. 2014 COMMUNITY SERVICES BLOCK GRANT (CSBG)

Contract # 14F-3007
Term: Jan. 1, 2014 - December 31, 2014
Amount: $ 790,619

Total Contract	$	790,619
Expenditures		(739,957)
Balance	$	50,662
Expended		94%

EHSD, COMMUNITY SERVICES BUREAU
2014-2018 GOALS & OBJECTIVES
JANUARY 2015 UPDATES

Goal 1: Poor health and nutrition are significantly correlated to children and families living in poverty. CSB will address the need to improve indicators of nutritional health through increased education and physical activity.

✓ ***Objective 1***: By July 2015, CSB will engage in an obesity prevention and early intervention program which will focus on physical activity and healthy eating habits.

January 2015 update

- *Continued to educate CSB and partner agency families through the distribution of resources on healthy lifestyle. Resources included: Families Grow Healthy with WIC; What are You Feeding Your Child? Low-fat Milk; and A WIC Guide to Breastfeeding.*
- *CSB celebrated Food Day on October 24th by distributing fresh produce donated by the Contra Costa and Solano County Food Bank to all CSB centers. Food Day is a national movement with priorities addressing overarching concerns within the food system promoting healthier diets; supporting sustainable and organic farms; improving food access; and reforming factory farms to protect the environment and farm animals.*
- *First 5 conducted the training: Self-Regulation via Movement and Mindfulness at two of our centers. Parents and children learned basic health lessons and self-regulation techniques so that they can better manage emotions and overcome obstacles. Through self-regulation, the children learned to cultivate executive function, emotional intelligence, and social competence.*
- *Contra Costa Health Services conducted two Nutrition and Physical Activity Workshops this fall. Workshops topics included: Healthy Eating on a Budget and a hands-on presentation titled Healthy Cooking Projects for Young Children.*

✓ ***Objective 2:*** By July 2015, CSB will implement a family education component to its curriculum that focuses on the importance of being physically active and eating nutritious meals and snacks.

January 2015 update

- *20 parents participated in three Cooking Matters at the Store grocery store tours in November and December. The grocery store tour covers four main points: reading food labels, comparing unit prices, finding whole grains, and identifying three ways to purchase produce.*
- *The Rethink Your Drink travelling display has been utilized at seven of our centers and will continue to be displayed at the remaining centers throughout the year. This travelling display board encourages consumption of water instead of sugar-sweetened beverages.*
- *Early Childhood Home Educators received training though The UC Cooperative Extension on the Expanded Food and Nutrition Education Program (EFNEP), a federally- funded program that offers nutrition education to limited-resource families. Participants learn how to: plan nutritious meals, increase physical activity, stretch their food dollar, practice safe food handling, and prevent obesity through healthy lifestyles. The home-based educators will present this program to their enrolled families.*
- *Continued to educate CSB and partner agency families through the distribution of resources on eating nutritious meals. Resources included: Fiber is Your Friend and Nutritious Breakfast.*

Goal 2: Disabilities and mental health needs continue to trend upwards. CSB will expand mental health and disabilities assessment, treatment and case management linkage opportunities for children and families.

✓ ***Objective 1:*** By July 2015, CSB will collaborate with community partners to provide classroom-based support in understanding and supporting the social-emotional development of children.

January 2015 update

- *Completed 13 ASQ-3 (Ages and Stages) screening on children referred to the CSB Mental Health Unit to help identify developmental concerns. Worked in collaboration with Lynn Center, We Care, ECMH, Care Parent Network and pediatricians to coordinate and provide services needed regarding developmental concerns.*
- *Completed 8 ASQ-SE (Ages and Stages-Social Emotional) screening on children referred to the CSB Mental Health Unit to help identify social-emotional and behavioral concerns. Worked in collaboration with We Care, ECMH and Lynn Center to coordinate referrals and resources for children with multiple- service needs to provide support for children and their families.*
- *A new CSB Mental Health Clinician Level 2 (MHC2) was hired to help identify additional support from outside agencies needed for teachers and parents of enrolled children.*

✓ ***Objective 2:*** By December 2014, CSB will implement the use of Otoacoustic Emissions (OAE) screenings for all infants/toddlers and preschool-age children who are non-responsive to audiometric screenings.

January 2015 update

- *CSB purchased a Madsen Alpha OAE+ machine; Health and Disabilities Managers were provided technical training and practicum support through Audiology Systems, a new national partnership of industry professionals, audiologists, local instrument experts and Otometrics.*
- *CSB Health Manager participated in a two-day Early Childhood Hearing Outreach (ECHO) Initiative Train-the-Trainer Workshop in Salt Lake City, Utah.*
- *Protocols have been developed for the OAE pilot program to ensure annual hearing screening for all children 0-3 years of age and those with disabilities/suspected disabilities that are unable to screen through the use of an Audiometer. Trained staff has started implementation of this pilot screening.*

✓ ***Objective 3:*** By July 2016, CSB will implement an autism screening in an effort to link children and families to the appropriate interventions.

January 2015 update

- *A team has been developed to continue planning the implementation of the Modified Checklist for Autism in Toddlers (M-CHAT). The M-CHAT is a validated developmental screening tool for toddlers between 16 and 30 months of age. It is designed to identify children who may benefit from a more thorough developmental and autism evaluation.*
- *Comprehensive Services Assistant Managers have been trained on the tool and parent training will be conducted by February 2015;*

- *21 children have been identified to receive the screening by March 2015.*

Goal 3: Exposure to violence has a lasting impact on children's development including their emotional, mental and physical health. CSB will promote positive and enduring adult-child relationships that increase a child's level of secure attachments by providing services to promote the safety and well-being of children and families.

✓ ***Objective 1***: By December 2014, CSB will implement an in-reach program at the Contra Costa County Detention Facilities in partnership with Contra Costa County Probation and the County Office of Education.

January 2015 update

- *Key staff leading implementation of the in-reach program transitioned out of CSB early fall 2014 which slightly delayed implementation planning. A new lead has been identified and communication has resumed with Probation Department staff regarding: funding and extension of program dates, and tracking outcomes.*
- *Two clearances for new individuals assigned to the program, along with a waiver of detention rules regarding bringing in books, and program equipment are in progress.*

✓ ***Objective 2:*** By July, 2016, CSB will enhance its violence prevention and safety program for children, families, and staff.

January 2015 update

- *Training tools are being identified to address staff requests such as: addressing handling domestic violence disclosures from a child or parent and following up on staff encounters with families struggling with domestic violence.*
- *Resources are being compiled for staff to provide families struggling with domestic violence.*

Goal 4: CSB will provide ongoing learning opportunities to enhance employees' career development and assist in meeting new job requirements.

January 2015 update

- *All sixteen Family Development Credential participants passed the final examination. Family Development Credential and congratulations letter were sent to each participant.*
- *The second cohort remains to begin in the fall of 2015.*

✓ ***Objective 2*:** Through September 30, 2018, CSB will continue to support teaching staff in pursuit of their degrees through leveraging of resources and ongoing partnerships with community colleges.

January 2015 update

- *CSB continues to partner with Contra Costa County Office of Education and First 5 in offering workshops/classes supporting staff's educational needs. Costa County Office of Education's Professional Development Program staff has been visiting CSB centers and meeting with staff to provide guidance on attaining their degree and/or higher level of permit.*
- *Six additional CSB staff received their Associate of Arts Degree in the past year. CSB continues to monitor staff's progress in completing required courses for achieving their degree at local community colleges and universities.*

DANYA INTERNATIONAL, INC.
SHAPING HEALTHY FUTURES

A Health Communications and Technology Company

January 16, 2015

Ms. Camilla Rand
Contra Costa County / 09CH9115
1470 Civic Ct
Ste 200
Concord, CA 94520-5242

Dear Ms. Camilla Rand:

This letter is to inform you that the office of Head Start (OHS) will conduct a Environmental Health and Safety (EnvHS) review of Contra Costa County / 09CH9115 during the week of 2/23/15. You have been assigned an Off-site Review Field Lead (RFL) who will oversee the onsite review process. Your RFL, Ms. Corliss Starks, will contact you prior to the start of your review to confirm the schedule for on-site activities and discuss any pertinent issues.

The FY2015 Head Start Monitoring Protocol, the tool that guides the On-Site Monitoring Review, is a resource that will assist you in preparing for your upcoming review. This Protocol is available at http://eclkc.ohs.acf.hhs.gov/hslc/grants/monitoring.

The Office of Head Start is committed to provide a uniform, comprehensive, and objective monitoring process in order to ensure quality for all Head Start and Early Head Start programs. Thank you for your contribution to that effort. If you have questions or require assistance, please contact Danya's Review Scheduling Team at OHSmonitoring2015@danya.com or (800) 518-1932 (Option 2).

Sincerely,

Director, Review Scheduling and Planning
Head Start Monitoring Support Contract
Danya International, Inc.

cc: Mr. John Gioia
cc: Ms. Kathy Gallagher

8737 Colesville Road, Suite 1100 Silver Spring, Maryland 20910
Phone (301) 565-2142 Fax (301) 565-3710 www.danya.com

DANYA INTERNATIONAL, INC.
SHAPING HEALTHY FUTURES

A Health Communications and Technology Company

January 30, 2015

Ms. Camilla Rand
Contra Costa County / 09CH9115
1470 Civic Ct
Ste 200
Concord , CA 94520-5242

Dear Ms. Camilla Rand:

This letter is to inform you that the Office of Head Start (OHS) will conduct a Classroom Assessment Scoring System (CLASS™) Review of Contra Costa County / 09CH9115 during the week of 3/9/15. You have been assigned an Off-site Review Field Lead (RFL), Ms. Jestine Pryor, who will oversee the on-site review process. Your RFL will contact you prior to the start of your review to confirm the schedule for on-site activities and discuss any pertinent issues.

The Office of Head Start is committed to providing a uniform, comprehensive, and objective monitoring process in order to ensure quality for all Head Start programs. Thank you for your contribution to that effort. If you have questions or require assistance, please contact Danya at (800) 518-1932 (Option 2) or OHSmonitoring2015@danya.com.

Sincerely,

Cynthia Northington
Sr. Director, Review Scheduling and Planning
Head Start Monitoring Support Contract
Danya International, Inc.

cc: Ms. Kathy Gallagher
cc: Mr. John Gioia

8737 Colesville Road, Suite 1100 Silver Spring, Maryland 20910
Phone (301) 565-2142 Fax (301) 565-3710 www.danya.com

Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 3, 2015

Subject: Stipend for Poetry Out Loud Student Winner

RECOMMENDATION(S):
APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay Arielle Hermann a stipend in the amount of $150 for expenses related to representing Contra Costa County at the Statewide Poetry Out Loud competition in Sacramento.

FISCAL IMPACT:
The $150 stipend has been included in the Poetry Out Loud grant from the State of California specifically for this purpose. 100% State

BACKGROUND:
The State of California provides grant funds to counties each year to conduct 2015 Poetry Out Loud Competition. The winner of the competition in each County competes in a statewide competition held in Sacramento. This year, Arielle Herman, a senior from Monte Vista High School in Danville, was awarded First Place in Contra Costa County competition. She will be representing Contra Costa County at the statewide competition.

The State of California provides grant funding to counties for the cost of the competition. Included in this grant is $150 to be paid directly to the student to offset the cost of traveling to Sacramento for the statewide competition.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Dorothy Sansoe, (925) 335-1009

cc:

BACKGROUND: (CONT'D)

Approval of the recommendation will allow the Auditor-Controller to issue payment to Ms. Herman as required in the grant.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not be in compliance with the requirements of the grant.

CHILDREN'S IMPACT STATEMENT:

This program helps to meet the County's children and family services outcomes, specifically outcome # 1. Children Ready for and Succeeding in School.

Contra Costa County

To: Board of Supervisors

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

Date: March 3, 2015

Subject: APPROVE the Conveyance of Real Property to East Contra Costa Fire Protection District.

RECOMMENDATION(S):

APPROVE the conveyance of real property consisting of five fire station sites from Contra Costa County (County) to East Contra Costa Fire Protection District (District) described in Attachment "A" attached hereto, for fire station purposes, pursuant to Government Code Section 25365. (Project No.:1200-6G5815)

DECLARE that this Board on February 10, 2015, approved a Notice of Intention fixing March 3, 2015 at 9:00 a.m., or thereafter, in its Chambers, County Administration Building, 651 Pine Street, Martinez, California, as the time and place where it would meet to convey the real property described therein to the District. Said Notice was duly published in the Contra Costa Times in compliance with Government Code Section 6061.

DETERMINE said property is no longer necessary for County purposes but is required by the District for fire station purposes.

AUTHORIZE the Chair, Board of Supervisors, to execute a Grant Deed to the District on behalf of the County.

DIRECT the Real Estate Division of the Public Works Department to cause said Grant Deed to be delivered to the District for recording in the office of the County Recorder.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Angela Bell (925) 313-2337

cc:

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

In 2002, the Bethel Island, East Diablo and Oakley-Knightsen Fire Districts merged to form the East Contra Costa Fire Protection District (District) under Board of Supervisor's Resolution No. 2002/358.

Prior to the merger and dissolution of the above mentioned fire districts, several fire stations were conveyed by Deed to Contra Costa County. The District is requesting that those fire stations previously conveyed to the County be transferred to the District.

This is a conveyance of title only, the use and operation of the property will remain the same.

CONSEQUENCE OF NEGATIVE ACTION:

Without approval from the Board of Supervisors, title of the fire stations will not be in the name of the appropriate jurisdiction.

CHILDREN'S IMPACT STATEMENT:

Not applicable

ATTACHMENTS

Attachment A

Grant Deed

Attachment "A"

STATION NUMBER	ASSESSOR'S PARCEL NUMBER	ADDRESS
Station 54	013-091-001	739 First Street, Brentwood
Station 57	002-130-002	3024 First Street, Byron
Station 58	008-200-010	1535 Discovery Bay Blvd, Discovery Bay
Station 94	020-072-001	15 A First Street, Knightsen
Station 95	031-033-002	3045 Ranch Lane, Bethel Island

AB:mr
g:\realprop\board orders\2015\03-march\march 3\fire station\attachmenta.docx

Recorded at the request of:
East Contra Costa County Fire Protection District

Return to:
East Contra Costa County Fire Protection District
134 Oak Street
Brentwood, CA 94513
Attn: Hugh Henderson

Assessor's Parcel No. 020-072-001, 002-130-002, 031-033-002, 008-200-010
And portion of 013-091-001

GRANT DEED

For valuable consideration, receipt of which is hereby acknowledged,

CONTRA COSTA COUNTY, a political subdivision of the State of California,

Grants to EAST CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT, a special district, the following described real property in the County of Contra Costa, State of California,

FOR DESCRIPTIONS SEE EXHIBITS "A" and EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

CONTRA COSTA COUNTY

Dated_____ By_____
John Gioia
Chair, Board of Supervisors

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On _____ before me, _____ Clerk of the Board of Supervisors, Contra Costa County, 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 paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____
Stacey M. Boyd, Deputy Clerk

EXHIBIT "A"

Real property in an unincorporated area of the County of Contra Costa, State of California, being a portion of the southwest one-quarter of Section 25, Township 1 North, Range 3 East, Mount Diablo Meridian, described as follows:

Parcel 1 – Fee Title: APN 008-200-010, 1535 Discovery Bay Blvd, DB

All that property conveyed in the Grant Deed from New Discovery Bay Yacht Club & Country Club, Inc. to Contra Costa County, a political subdivision of the State of California, as part of a Contra Costa County Board of Supervisors' Resolution recorded on July 3, 1980, Book 9900 at Page 809, in the office of the County Recorder of Contra Costa County, more particularly described as follows:

> "Commencing at the intersection of the eastern boundary line of Discovery Bay Boulevard and the southern boundary line of Lot 173, as said Boulevard and said Lot are shown and delineated on the map entitled "Subdivision 4086 Discovery Bay Unit Four, Contra Costa County, California", filed July 25, 1974 in the Office of the Recorder of the County of Contra Costa, State of California, in Book 171 of Maps at page 36; thence from said Point of Commencement southerly along the eastern boundary line of said Discovery Bay Boulevard, along the arc of a curve to the left with a radius of 2,403.00 feet, from a tangent (line) bearing south 1°19′08″ west, through a central angle of 0°22′53″ an arc distance of 16.00 feet; thence continuing along said eastern boundary line of Discovery Bay Boulevard, tangent to the preceding course, south 0°56′15″ west, 59.37 feet to the prolongation westerly of the southern line of land described in the deed to Contra Costa County Sanitation District No. 19, recorded June 20, 1972 in Book 6678, Official Records, page 365, Contra Costa County, being the true Point of Beginning; thence leaving said easterly line of Discovery Bay Boulevard along the prolongation, and along said southern line south 89°03′45″ east, 95.00 feet (6698 OR 365); thence south 0°56′15″ west, 95.00 feet; thence north 89°03′45″ west, 95.00 feet to said easterly line of Discovery Bay Boulevard; thence along said easterly line north 0°56′15″ east, 95.00 feet to the point of beginning.

Containing 0.21 acres of land, more or less.

Together with all that property conveyed in the Grant Deed from Pilati Farms to Byron Fire Protection District, a political subdivision of the State of California as part of a Contra Costa County Board of Supervisors' Resolution No. 90/383, recorded on July 18, 1990 as Document No. 90-145283 (Book 15991 at Page 423), in the office of the County Recorder of Contra Costa County, more particularly described as follows:

> "Beginning at the intersection of the eastern line of Discovery Bay Boulevard as shown on the map of Subdivision 4687 filed May 24, 1978 in Book 211 of Maps, at Page 5, with the southern line of that parcel of land described in the deed to Contra Costa County recorded July 3, 1980 in Book 9900 of Official Records, at Page 809; thence along the last named line as follows: South 89°03'45" East, 95.00 feet; North 0°56'15" East, 95.00 feet and North 89°03'45" West, 29.00 feet to the eastern line of that parcel of land described in that deed to Contra Costa County Sanitation District No. 19 recorded January 2, 1981, in Book 10153 of Official Records at Page 624; thence along said eastern line (10153 O.R. 624) North 0°56'15" East, 64.80 feet to the southern line of Lot 172 as said lot is shown on the map of Subdivision 4086 filed December 15, 1971 in Book 142 of Maps, at Page 45; thence along said southern line of Lots 172 and 171, southeasterly along a curve having a radius of 4012.00 feet, concave to the south, the center of said curve bears South 10°30'49" West, through a central angle of 1°17'29" [*sic* 10°17'29"], an arc length of 90.43 feet; thence leaving said southern line as follows: South 0°56'15" West, 193.75 feet and North [*sic* South] 89°03'45" West, 155.00 feet to the eastern line of said Discovery Bay Boulevard; thence along said eastern line North 0°56'15" East, 50.00 feet to the point of beginning."

Containing 0.42 acres of land, more or less.

The above described two parcels containing a total of 0.63 acres of land, more or less.

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

Signature: _____

Licensed Land Surveyor
Contra Costa County Public Works

LICENSED LAND SURVEYOR
JANINE L. HAMPTON
No. LS 7634
Exp. 12-31-16
STATE OF CALIFORNIA

Date: JAN 22, 2015

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jlh January 22, 2015

Fire Station Property Transfer
Contra Costa County to East Contra Costa Fire District
15 "A" Street, Knightsen
APN 020-072-001

EXHIBIT "A"

Real property in an unincorporated area of the County of Contra Costa, State of California, being a portion of the southeast one-quarter of Section 32, Township 2 North, Range 3 East, Mount Diablo Meridian, described as follows:

Parcel 1 – Fee Title: APN 020-072-001, 15 "A" Street, Knightsen

All that land conveyed in the Grant Deed from Addie F. Duff and Walter A. Duff to Contra Costa County, a political subdivision of the State of California, as part of a Contra Costa County Board of Supervisors Resolution recorded on October 23, 1959 in Book 3480 at Page 171, in the office of the County Recorder of Contra Costa County, more particularly described as follows:

> Lots 13 and 14 in Block 2, as designated on the map entitled "Map of Knightsen Townsite", which map was filed in the office of the Recorder of the County of Contra Costa, State of California, on August 10, 1921, in Volume 17 of Maps, at Page 381.

Containing an area of 0.29 acres of land, more or less.

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

Signature: _____
Licensed Land Surveyor
Contra Costa County Public Works

Date: Jan 20, 2015

LICENSED LAND SURVEYOR
JANINE L. HAMPTON
No. LS 7634
Exp. 12-31-16
STATE OF CALIFORNIA

H:\Projects\2014\East CC Fire\020-072-001 Knightsen\FireStations Legal - Copy.docx
jlh January 20, 2015

Fire Station Property Transfer
Contra Costa County to East Contra Costa Fire Protection District
739 First Street, Brentwood
APN 013-091-001

EXHIBIT "A"

Real property in the City of Brentwood, County of Contra Costa, State of California, being a portion of the property conveyed in the Deed from R. J. Wallace to Contra Costa County, a political subdivision of the State of California, as part of a Contra Costa County Board of Supervisors Resolution recorded on May 25, 1923, Book 438 of Deeds at Page 321, in the office of the County Recorder of Contra Costa County, described as follows:

Parcel One – Fee Title: APN 013-091-001, 739 First Street, Brentwood

All that portion of the property conveyed to Contra Costa County (438 Deeds 321) described as follows:

> Lots Numbers Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32) and northerly ten (10) feet of Lot Numbered twenty-five (25) in Block "C" as said lots and Block are so laid down, designated and described on that certain map entitled "Map of Town of Brentwood" and recorded in the office of the County Recorder of County of Contra Costa, State of California, on September 1, 1881 in Book 'A' of Maps, at Page 11.

Excluding therefrom the following described parcel of land:

> Beginning at the northerly corner of Lot 32, Block 'C', as said lot and Block are shown on said Map of Town of Brentwood ('A' M 11), said point also being the northerly corner of said deed (438 D 321); thence from said Point of Beginning along the northeasterly line of Block 'C' south 35°37'00" east (the bearing south 35°37'00" east being taken for purposes of this description), 80.00 feet; thence leaving said northeasterly line of Block 'C' south 54°23'00" west, 47.65 feet; thence south 35°37'00" east, 48.00 feet; thence south 54°23'00" west, 32.35 feet; thence south 35°37'00" east, 13 feet more or less to a point being on the northeasterly extension of the northwesterly building face of a garage structure, as said structure exists in December, 2014; thence along said extension line south 54°23'00" west, 70.00 feet to the southwesterly line of Lot 27, Block 'C', ('A' M 11); thence along the southwesterly line of said Block 'C' north 35°37'00" west, 141 feet more or less, to the westerly corner of Lot 32, Block 'C' ('A' M 11); thence along the northwesterly line of said Lot 32 north 54°23'00" east,

150.00 feet to the northeasterly line of Lot 25 to the Point of Beginning.

Containing an area of 9,906 square feet of land, more or less.

Exhibit "B" a plat is attached hereto and by this reference made a part hereof.

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

Signature: _____
Licensed Land Surveyor
Contra Costa County Public Works

Date: Jan 22, 2015

LICENSED LAND SURVEYOR
JANINE L. HAMPTON
No. LS 7634
Exp. 12·31·16
STATE OF CALIFORNIA

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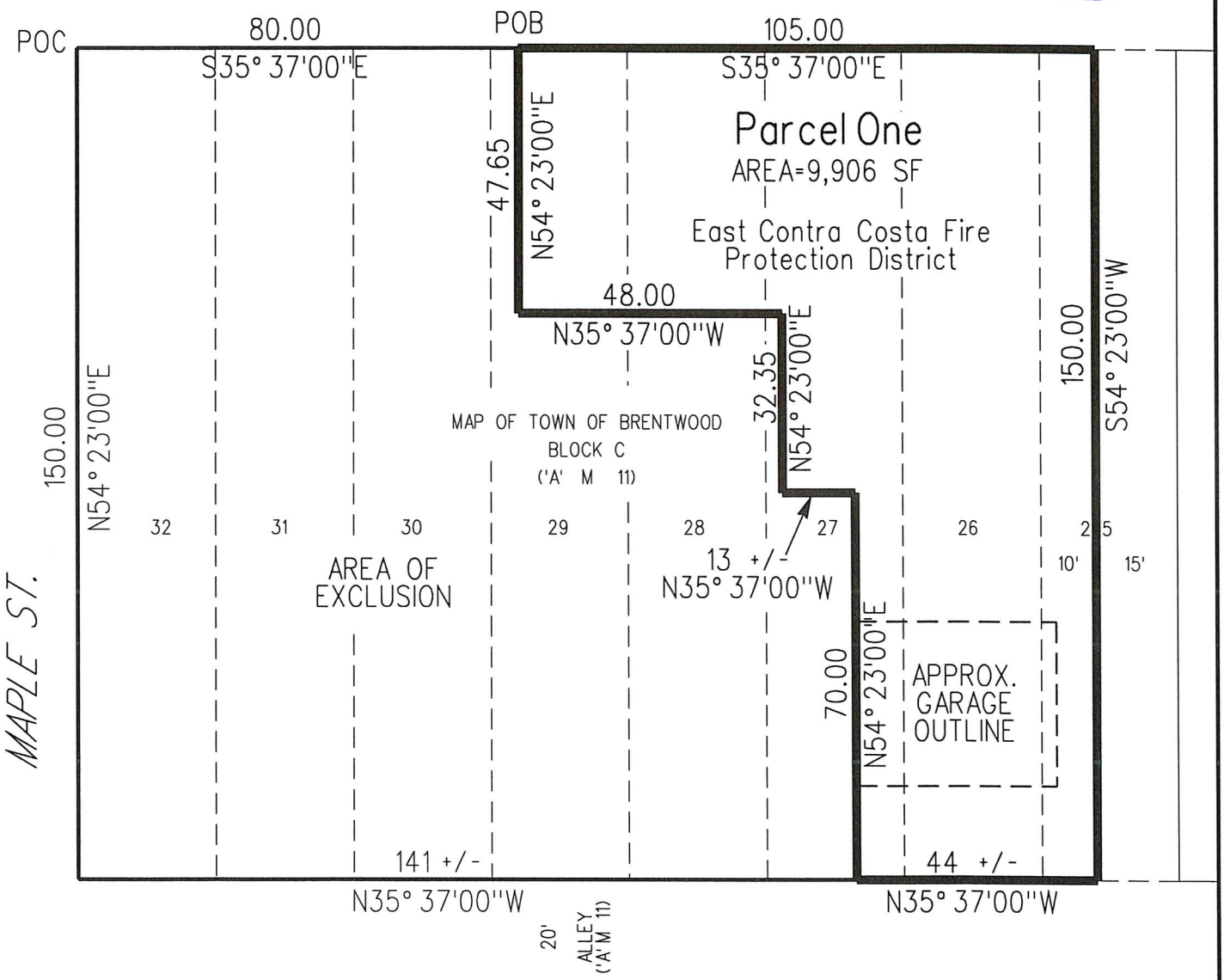
jlh January 22, 2015

EXHIBIT "B"

PLAT TO ACCOMPANY EXHIBIT "A"

LICENSED LAND SURVEYOR
JANINE L. HAMPTON
No LS 7634
Exp 12-31-16
STATE OF CALIFORNIA



SCALE 1"=30'

REFERENCE: 438 Deeds 321,
May 25, 1923

NOTE Bearings shown
are per Map of Town of
Brentwood ('A' M 11)

EAST CONTRA COSTA FIRE PROTECTION DISTRICT
Brentwood Parcel Split

Instrument: GRANT DEED	APN 013-091-001	Scale: 1"=30'	Date: DEC 14
Series No.:	Recorded:	Drawn By: AR	File No.: MA237-2014
		Checked By: JLH	Cad File: ECCFPD Brentwood.dgn

EXHIBIT "A"

Real property in an unincorporated area of the County of Contra Costa, State of California, being a portion of the northwest one-quarter of the northwest one-quarter of Section 10, Township 1 South, Range 3 East, Mount Diablo Meridian, described as follows:

Parcel 1 – Fee Title: APN 002-130-002, 3024 First Street, Byron

All that property that was conveyed in the Grant Deed from Louis B. Souza and Josephine P. Souza to Contra Costa County, a political subdivision of the State of California, as part of the Contra Costa County Board of Supervisors Resolution recorded on February 27, 1958, in Liber 3126 at page 591, in the office of the County Recorder of Contra Costa County, more particularly described as follows:

> "Commencing on the west line of said Section 10, distant thereon south 0°14′30″ east, 390 feet from the corner common to Sections 3, 4, 9 and 10 in said Township 1 South, Range 3 East; thence from said point of commencement north 89°52′30″ east, along the south line of a 60 feet in width road known as Second Street, 30 feet to an iron pipe and the actual point of beginning of the herein described parcel of land; thence from said point of beginning north 89°52′30″ east, continuing along said south line 150 feet to an iron pipe; thence south 0°14′30″ east, 150 feet to a hub and tack; thence south 89°52′30″ west, 150 feet to a hub and tack which bears south 0°14′30″east from the point of beginning; thence north 0°14′30″ west, 150 feet to the point of beginning."

(The name of the above stated Second Street changed to First Street by County Board Resolution #3291, passed on August 25, 1964).

Containing 22,500 square feet of land (0.52 acres), more or less.

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

Signature: _____

Licensed Land Surveyor
Contra Costa County Public Works

LICENSED LAND SURVEYOR
JANINE L. HAMPTON
No. LS 7634
Exp. 12-31-16
STATE OF CALIFORNIA

Date: Jan 22, 2015

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jlh January 20, 2015

Fire Station Property Transfer
Contra Costa County to East County Fire District
3045 Ranch Lane, Bethel Island
APN 031-033-002

EXHIBIT "A"

Real property in an unincorporated area of the County of Contra Costa, State of California, being a portion of the southwest one-quarter of Section 15, Township 2 North, Range 3 East, Mount Diablo Meridian, described as follows:

Parcel 1 – Fee Title: APN 031-033-022, 3045 Ranch Lane

All that property conveyed in the Deed from Leroy B. Thomas and Jean G. Thomas to Contra Costa County, a political subdivision of the State of California, as part of a Contra Costa County Board of Supervisors Resolution recorded on September 12, 1946, Book 842 at Page 383, in the office of the County Recorder of Contra Costa County, more particularly described as follows:

> Commencing at a point on the west line of said Section distant thereon south 0°37′ east, 1594 feet from the west quarter corner of said section, being a point on the center of the County Road ("Bethel Island Road"), said point being distant north 0°37′ west 150 feet from the north line of "FARRAR PARK", Contra Coast County, California, filed April 1, 1944, in Map Book 27, pages 17 and 18, said County Recorder's office; thence parallel to said north line of "FARRAR PARK" east 230 feet to the true point of beginning; thence from said point of beginning north 0°37′ west, 150 feet; thence parallel to the north line of "FARRAR PARK" east 75 feet to a point; thence south 0°37′ east, 150 feet to the north line of a right-of-way described in a deed from Thomas to Diablo Lumber Company; thence along said right-of-way and parallel to the north line of "FARRAR PARK" west 75 feet to the point of beginning.

Containing an area of 0.26 acres of land, more or less.

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

Signature: _____
Licensed Land Surveyor
Contra Costa County Public Works

Date: Jan 20, 2015

LICENSED LAND SURVEYOR
JANINE L. HAMPTON
No LS 7634
Exp 12·31·16
STATE OF CALIFORNIA

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jlh January 20, 2015

Contra
Costa
County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: New and Recredentialing Providers and New Organizational Provider 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 December 18, 2014 and January 13, 2015, 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:
Not applicable.

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: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Patricia Tanquary, 313-6004

cc: T Scott, C Rucker, L Maria Perez

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

January List

December List

Contra Costa Health Plan
Providers Approved by Peer Review and Credentialing Committee
January 13, 2015

CREDENTIALING PROVIDERS JANUARY 2015	
Name	**Specialty**
Abe, Shoko, M.D.	Surgery – General
Bambrah, Ramandeep, M.D.	Medical Oncology
Barker, Andrea, BCBA	Behavior Analysis
Beban, Marylou, LCSW	Mental Health Services
Berces-Mardenly, Monique, N.P.	Primary Care Family Medicine
Block, Alison, M.D.	Family Planning
Broderick-Villa, Gregory, M.D.	Surgery – General
Bunzel, Mary M., N.P.	Primary Care Family Medicine
Castellanos, Jose, BCBA	Behavior Analysis
Connelly, Rachel, MFT	Mental Health Services
Gandhir, Garima, D.O.	Primary Care Internal Medicine
Grant, Philip, BCBA	Behavior Analysis
Jew, Jenny, M.D.	Gastroenterology
Kalivoda, Stephanie, P.T.	Physical Therapy
Koo, Kevin W., BCBA	Behavior Analysis
Lippi, Kelly, N.P.	Mid-Level Family Planning
McAlear, Matthew, BCBA	Behavior Analysis
Narain, Priscilla, P.A.	Mid-Level Cardiovascular Disease
O'Leary, Rosanne, P.T.	Physical Therapy
Pellowski, Colette, N.P.	Mid-Level OB/GYN
Raffety, Kimika, P.T.	Physical Therapy
Sallee, Jenee, N.P.	Mid-Level Family Planning
Stapleton, Stacy, BCBA	Behavior Analysis
Takao, Kevin, P.T.	Physical Therapy
Tarder, Gerald L., M.D.	Gastroenterology
Thompson, Melissa, BCBA	Behavior Analysis
Tracy, Erin, BCBA	Behavior Analysis
Trautman-Eslinger, Sarah, BCBA	Behavior Analysis

RECREDENTIALING PROVIDERS JANUARY 2015	
Name	**Specialty**
Breen, Lydia, M.D.	Psychiatry
Bry, John, M.D.	Surgery – Vascular
Cloutier, Steven, PhD	Mental Health Services
Crumpler, Faith, M.D.	Primary Care Family Medicine
Dudler, Jack, M.D.	Primary Care Family Medicine
Ferguson, Susan, M.D.	Primary Care Internal Medicine
Hamilton, Robert, DC	Chiropractic Medicine
Kassels, Michael, D.O.	Primary Care Internal Medicine
Kumar, Pradeep, M.D.	Psychiatry
Mill, Philip, O.D.	Optometry
Mortazavi, Anousheh, O.D.	Optometry
Nelson, Butler, PhD	Mental Health Services
O'Meany, Juan, P.A.	Primary Care Family Medicine
Ong, Frances, O.D.	Optometry
Shetti, Madhu, M.D.	Radiation Oncology
Siu, Arthur, O.D.	Optometry
Tam, David, O.D.	Optometry
Tsai, Ho Chie, M.D.	Pediatric Urgent Care
Upshaw, Bradley, O.D.	Optometry
Weil, Lawrence, M.D.	Pain Management
Widroe, Harvey, M.D.	Psychiatry
Williamson, Mary, N.P.	Mid-Level Family Planning
Yeoh, Beahwa, N.P.	Mid-Level Perinatology
Zeng, Bao Ping, L.Ac.	Acupuncture
Zimmerman, J. Gene, M.D.	Primary Care Family Medicine
Zylker, Kenneth, DC	Chiropractic Medicine

CREDENTIALING ORGANIZATIONAL PROVIDER JANUARY 2015		
Provider Name	**Provide the Following Services**	**Location**
Dolly Thomas dba: Nova Care Home Health Services, Inc.	Home Health	Brentwood

bopl-January 13, 2015

Contra Costa Health Plan
Providers Approved by Medical Director
December 18, 2014

CREDENTIALING PROVIDERS DECEMBER 2014	
Name	**Specialty**
Anesoir, Haylene A., M.D.	Primary Care Pediatrician
Chung, Mai X., BCBA	Behavior Analysis
Fenn, Nirupa, BCBA	Behavior Analysis
Gavrilis, Gina, BCBA	Behavior Analysis
Godsy, Tyler, BCBA	Behavior Analysis
Goss, Spencer W., N.P.	Primary Care Internal Medicine
Johnson, Amanda, BCBA	Behavior Analysis
Kern, Anna L., MFT	Behavior Analysis
Kim, Teresa H., M.D.	Surgery – General
Kirman, Christian N., M.D.	Surgery – Plastic
Manfredi, Rachel E., BCBA	Behavior Analysis
Modrich, Michelle, BCBA	Behavior Analysis
Morgan-Thompson, Joyce V., N.P.	Primary Care Internal Medicine
Omotoso, Omoniyi, M.D.	Primary Care Pediatrician
Schenkkan, Penelope, BCBA	Behavior Analysis
Shafovaloff, Anna, BCBA	Behavior Analysis
Singh, Kulwinder, M.D.	Psychiatry
Stanten, Steven A., M.D.	Surgery – General
Stong-Hicks, Natasha, BCBA	Behavior Analysis
Theis, Jacqueline M., O.D.	Optometry
Word, Tiffany, BCBA	Behavior Analysis

RECREDENTIALING PROVIDERS DECEMBER 2014	
Name	**Specialty**
Addes, Shirley, DPM	Podiatry
Cecchi, Gary, M.D.	Hematology/Medical Oncology
Chung, Christine, M.D.	Radiation Oncology
Dea, Doris, MFT	Mental Health Services
Doud, Robert, M.D.	Nephrology
Farinas, Ingrid, O.D.	Optometry
Hoh, David, O.D.	Optometry
Hom, Charles, O.D.	Optometry
Levine, Michael L., M.D.	Therapeutic Radiology

Marinoff, David, M.D.	Perinatology
Marlow, Patricia, LCSW	Mental Health Services
Quismorio, William, M.D.	Primary Care Internal Medicine
Tuan, David, M.D.	OB/GYN
Tuan, Karen, M.D.	OB/GYN
Verne, Allen, M.D.	Ophthalmology
Warden, Billie, MFT	Mental Health Services

CREDENTIALING ORGANIZATIONAL PROVIDERS
DECEMBER 2014

Provider Name	Provide the Following Services	Location
Ace Home Health Care and Hospice, Inc. dba: Ace Home Health Care and Hospice, Inc.	Home Health and Hospice	Orinda
American Hospice and Home Health Care Services, Inc. dba: American Hospice and Home Health Care Services, Inc.	Home Health and Hospice	Brentwood

RECREDENTIALING ORGANIZATIONAL PROVIDER
DECEMBER 2014

Provider Name	Provide the Following Services	Location
Fresenius Medical Care Diablo Nephrology Clinics, LLC dba: Fresenius Medical Care Diablo East Antioch	Dialysis	Antioch

Contra Costa County

To: Board of Supervisors

From: William Walker, M.D., Health Services Director

Date: March 3, 2015

Subject: AOD BOARD 2014 ANNUAL REPORT

RECOMMENDATION(S):
ACCEPT Alcohol and Other Drugs Advisory Board 2014 Annual Report.

FISCAL IMPACT:
Not applicable.

BACKGROUND:
On June 18, 2002, the Board of Supervisors adopted Resolution No. 2002/377, which requires that each regular and ongoing board, commission, or committee shall annually report to the Board of Supervisors on its activities, accomplishments, membership attendance, required training/certification (if any), and proposed work plan or objectives for the following year, on the second Tuesday in December.

Annual reports shall follow the following format and shall not exceed two typewritten pages:
Advisory Body Name: Contra Costa County Alcohol and Other Drugs Advisory Board
Advisory Body Meeting Time/Location: Martinez 4:00 to 6:15PM, but it varies to different locations.
Chair (during the reporting period): Guita Bahramipour
Staff person (during the reporting period):

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Fatima Matal Sol, 335-3307

cc: T Scott, C Rucker, Fatima Matol Sol

BACKGROUND: (CONT'D)

Fatima Matal Sol
Reporting Period: January 1, 2014 to December 31, 2014

I. Activities (1/2 page)
II. Accomplishments (1/2 page)
III. Attendance/Representation (1/4 page)
IV. Training/Certification (1/4 page)
V. Proposed Work Plan/Objectives for Next Year (1/2 page)

CONSEQUENCE OF NEGATIVE ACTION:

The report would not be accepted by the Board of Supervisors.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Report

Contra Costa County
Alcohol and Other Drugs Advisory Board

2014 ANNUAL REPORT

Meeting Time and Location: Generally on the fourth Wednesday of each month from 4:00 to 6:15 pm in Martinez; except when the Board meets within each supervisorial district to outreach to those residents.
Board: 18 members; 3 from each supervisorial district plus 3 at large. Each member is appointed by the Board of Supervisors.
Chair: Guita Bahramipour **Staff**: Fatima Matal Sol

Mission (as approved by the Board of Supervisors on August 28, 2012)**:** *The mission of the Contra Costa County Alcohol and Other Drugs Advisory Board is to assess family and community needs regarding prevention and treatment of alcohol and other drug-related problems. Resultant findings and recommendations are forwarded to the Health Services Department and the Board of Supervisors. The Board also serves as an advocate for these findings and recommendations to the communities that we serve.*

Activities:
During this calendar year, our Board identified the following goals and priorities of (1) Reduce Youth Use and Access of Alcohol and Marijuana, (2) Assess AOD Related Reentry Resources and Needs, and (3) Increase Awareness of Prescription Drug Abuse (PDA). We also selected the following Priority Areas: (1) Understand Alcohol and Other Drug (AOD) Related Services for 55+; and (2) Promote and support more interaction between the Board and its constituents.

As in previous years, we sponsored annual campaigns to celebrate recovery and recognize those who combat substance abuse. We supported Support4Recovery's resolution from the BOS recognizing September as National Recovery Month and staffed a booth at the 10th Annual Recovery Walk. For the very first time, the Youth and Family Committee conducted the 1st Recovery Walk in West County. The Recovery Month activities concluded with our Board recognizing Fredrick Von Stieff, M.D. as this year's "Recovery Champion." We joined local youth prevention efforts in support of April as Alcohol Awareness Month and partnered with the Department of Conservation and Development to clearly identify the presence of "alcopops" in the retail environment. On June 3rd, the BOS recognized five individuals, one organization and Youth Leadership efforts with our "People Who Make a Difference Awards." In August, we held our regular Board monthly meeting at the Richmond Brookside Shelter to help us understand the needs of the clients at the Shelter and participated in Homeless Connect. The Public Policy Committee prepared recommendations for the Board of Supervisors' 2014 State and Federal Legislative Platforms as they relate to AOD, reviewing and analyzing bills that were consistent with the BOS Adopted Platforms. Of the 24 State bills tracked (including two we opposed), 10 were chaptered, 13 died, and one was vetoed.

Accomplishments:
Goal 1. **Reduce Youth Use and Access of Alcohol and Marijuana.** We continued to monitor alcohol density. Last February, following recommendations of a local coalition, we recommended the issuing of an alcohol license in the Brentwood area for a winery. In October, we received the annual Red Ribbon Week Proclamation from the BOS, in

recognition of on-going prevention efforts focusing on the dangers inherent to Alcopops, Marijuana and Prescription Drug Abuse. The Public Policy Committee submitted various recommendation letters regarding legislation and the committee chair has represented the AODAB at the Legislative and Public Protection Committees of the BOS to provide input regarding the revisions to the Deemed Approved Ordinance and alcopop-type products. The AOD Board also monitors State and Local legislation intended to support the needs of youth, such as AB12.

Goal 2. Assess AOD Related Re-entry Resources and Needs. According to a study commissioned by Californians for Safety and Justice, Contra Costa already had so many cultural and institutional elements in line that is has risen above other California counties and serves as a model for how realignment should be implemented. We received regular updates regarding Re-entry efforts through staff, the public, or other Board members involved in assisting AB109 individuals. The Youth and Family Committee invited a former AB109 consumer to attend our October Board meeting. Despite a few challenges, she is now successfully employed and a contributing member of her community, thanks to the support and services funded under Realignment.

Goal 3. Increase Awareness of Prescription Drug Abuse (PDA). Prescription drug abuse has become a matter of increasing concern across the nation because deaths by prescription drugs now exceed deaths by illegal drugs. Concerted activities to increase awareness regarding prescription drugs abuse included: sponsoring RxSafe Contra Costa monthly coalitions meetings, and making presentations by the Community Awareness Committee along with RxSafe Contra Costa to the Concord City Council and the BOS regarding prescription drugs. In March, our members participated in the showing of "***Behind the Orange Curtain,"*** a film which heightens awareness about the prescription drug abuse epidemic. In 2014, we participated in the DEA's semi-annual National Take Back Initiative event. In addition, the AODAB recommended supporting Proposition 46, Drug and Alcohol Testing of Doctors.

Understand AOD-Related Services for 55+. During the year, the Board has also supported local, state and federal legislation intended to curb prescription drugs abuse among older adults.

Advisory Board Challenges: We met during eleven months in 2014 and canceled one meeting due to lack of quorum. Keeping Board and Committee seats filled remains a challenge. We worked with County staff to ensure that the Maddy Book reflects accurate membership and expiration dates of appointments. We remain concerned about the inconsistency of the length of the appointed terms.

Training and Certification: Upon appointment, new members received an orientation, which included internal functioning of the Board, the Brown Act and Better Government Ordinance, confidentiality laws, and AOD services, etc.

Proposed Work Plan/Objectives for 2015: We plan to proactively pursue our current goals and priorities under guidance provided by the Board of Supervisors. The members of AOD Advisory Board are grateful to be of service to the Board of Supervisors and the people of Contra Costa County.

Contra Costa County

To: Board of Supervisors

From: INTERNAL OPERATIONS COMMITTEE

Date: March 3, 2015

Subject: PROPOSED 2015 FINANCIAL AUDIT SCHEDULE

RECOMMENDATION(S):
ACCEPT report on the Auditor-Controller's audit activities for 2014 and APPROVE the proposed schedule of financial audits for 2015 with the following modification:

- REQUEST the Auditor-Controller to examine the Inmate Welfare Fund as soon as possible and to broaden the examination of the Public Works Department to include an examination of compliance with the vehicle acquisition policy.

FISCAL IMPACT:
There is no fiscal impact related to providing input into the annual audit schedule. The financial auditing process may result in positive and negative fiscal impacts, depending on the audit findings.

BACKGROUND:
The Internal Operations Committee was asked by the Board in 2000 to review the process for establishing the annual schedule of audits, and to establish a mechanism for the Board to have input in the development of the annual audit schedule and request studies of departments, programs or procedures. The IOC recommended a process that was adopted by the Board on June 27, 2000, which called for the IOC to review the schedule of audits proposed by the Auditor-Controller and the County Administrator each December. However, due to the preeminent need during December for the Auditor to complete the Comprehensive Annual Financial Report, the IOC, some years ago, rescheduled consideration of the Auditor's report to February of each year.

☑ APPROVE ☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR ☑ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

Contact: Joanne Bohren
925-646-2233

cc: Asst. Auditor, Chief Auditor, CAO Staff

BACKGROUND: (CONT'D)
>

Attached is a report from the Auditor-Controller reviewing the department's audit activities for 2014 and transmitting the proposed schedule of financial audits for 2015, which are already in progress. At the February 9 IOC meeting, the Auditor reported that all but one of the projects originally scheduled for 2014 are now completed and one special project (EHSD trust funds) was rescheduled to 2015. The Auditor highlighted some areas of noncompliance that have been revealed as a result of the 2014 audits, including issuance of gift cards, segregation of duties, asset inventory control, and procurement card usage and explained that the Auditor's office now makes a practice of following up with County departments six months post audit to verify that the Auditor's corrective recommendations have been addressed. Follow-up on the 2013 audits indicated that departments implemented 81% of the corrective actions that had been recommended. In some cases, departments do not have the capacity to implement a recommended correction. Depending upon the severity or potential risk associated with a finding, the Auditor may report issues of noncompliance to the County Administrator.

The Auditor believes that misuse of the procurement card stems from an ignorance of the County's policies and suggested that County procurement card training should be reinstituted. The Committee concurred and thought this could be accomplished with a short video training and also with the development of a "cheat sheet" to provide quick reference regarding allowable vs. unallowable charges.

The Committee approved the proposed financial audit schedule for 2014 and requested the Auditor-Controller to examine the Inmate Welfare Fund as soon as possible and to broaden the examination of the Public Works Department to include an examination of compliance with the vehicle acquisition policy.

CONSEQUENCE OF NEGATIVE ACTION:
The purpose of the report is to inform and provide the Board an opportunity for input on the new year financial audit plan and schedule, which is determined by the Auditor-Controller. Absent any specific input by the Board, the Auditor would proceed in accordance with the plan, as presented.

CHILDREN'S IMPACT STATEMENT:
Not applicable.

ATTACHMENTS

Auditor Report on 2015 Audit Plan

2014 Audit Status

2015 Audit Plan

2015 Master Audit Cycle

Office of the Auditor-Controller
Contra Costa County

Robert R. Campbell
Auditor-Controller

625 Court Street
Martinez, California 94553-1282
Phone (925) 646-2181
Fax (925) 646-2649

Elizabeth A. Verigin
Assistant Auditor-Controller

Harjit S. Nahal
Assistant Auditor-Controller

February 9, 2015

TO: Internal Operations Committee

FROM: Robert R. Campbell, Auditor-Controller
By: Joanne M. Bohren, CPA

SUBJECT: Internal Audit – Annual Report

The Board of Supervisors adopted a policy on June 27, 2000, directing the Auditor-Controller to annually report to the Internal Operations Committee on the proposed schedule of Internal Audit examinations for the following calendar year. The attached *"Schedule of Internal Audit Examinations"* provides the proposed schedule for 2015 and the attached *"Schedule of Internal Audit Examinations for 2014"* summarizes the status of the 2014 examinations.

In 2014, the Internal Audit division completed twenty-seven (27) of the twenty-eight (28) scheduled examinations. The remaining examination will be completed by the end of February, 2015.

General Findings:

<u>Departmental Examinations</u>

There is an overall lack of adherence to several of the County's Administrative Bulletins, which results in many of our departmental examination findings as follows:

- comply with the Administrative Bulletins established for the cash collection process, issuance of gift cards, and other incentives;
- segregate duties;
- certify equipment; and
- reconcile variances between inventory records and the Finance System.

Approximately twenty-five percent (25%) of the 2014 examination findings were repeated findings from previous examinations. In order to timely correct issues and mitigate repetitive findings, the Internal Audit division conducts a follow-up with auditees six months after the issuance of the final examination report to determine if the recommendations were implemented. Since that follow-up process occurs mostly in the beginning three (3) months of the calendar year, there is no data currently available on the status of the 2014 findings. For calendar year 2013, eighty-one percent (81%) of the finding recommendations had been implemented.

Procurement Card

The quarterly procurement card review continues to reflect compliance issues in the use of the card for recurring payments and meal payments. Per the Procurement Card Manual, Section III.H., the use of a procurement card for recurring payments, such as FastTrack deposits, and for meal payments is prohibited. Additionally, the required supporting documentation for payments often is missing or inadequate. The Internal Audit staff believes this is directly related to the discontinuation of the procurement card training program that was previously in existence.

2015 Scheduled Examinations

The Chief Auditor and the Assistant Auditor-Controller performed a thorough review of existing and recurring examinations as well as identifying potential new examinations that should be incorporated in the 2015 schedule. The emphasis and priority in scheduling examinations is based on the perceived risk to the County. The schedule is composed of legally required examinations, such as the Treasury cash counts, reoccurring examinations, and new examinations.

Legally required examinations have their basis in government code. Reoccurring examinations have a preferred cycle attached to them based on their perceived amount of inherent risk. If a concern comes to the attention of the Chief Auditor or the Assistant Auditor-Controller, a reoccurring examination may be planned prior to it being due based on the preferred cycle. For example, an examination of the Health Services department's "Mental Health" contracts is included in the 2015 schedule based on the Board of Supervisor's input.

The County's financial operations are subject to audit by a firm of independent external auditors, Macias Gini & O'Connell, LLP, Certified Public Accountants (MGO). The external auditors are responsible for performing an annual audit of the general-purpose financial statements of the County and the Public Financing Authority. The external auditors also perform an annual "Single Audit" of the County's federal financial-assistance programs. Other independent auditors perform annual audits of the Contra Costa County Employees' Retirement Association, the County Housing Authority, state grant programs, and the FIRST 5 Contra Costa Children and Families Commission.

Other Projects

In addition to performing departmental examinations, the Internal Audit division is responsible for preparing the County's Comprehensive Annual Financial Report (CAFR) and providing assistance to other County departments and the County's external auditors. The CAFR process consumes approximately four months of staff time.

One of the reasons the preparation of the CAFR is so time consuming is due to the complexity of the annual implementation of new Governmental Accounting Standards Board (GASB) statements. In 2014, the most significant change in accounting statements was the implementation of GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities*, which added two new categories of "deferred outflows of resources" and "deferred inflows of resources" to the County's financial statements.

In 2015, GASB Statement No. 68, *Accounting and Financial Reporting for Pensions – an amendment of GASB Statement No. 27*, will be implemented. The significance of this statement will be the inclusion of the County's net pension liability (the total pension liability less plan assets) in the financial statements of the CAFR. The Contra Costa County Employees' Retirement System (CCCERA) accompanied by its auditors and actuary are working with CCCERA members and the County to provide numerical data to aid in the implementation of this statement. An estimate of the County's net pension liability at June 30, 2015, is not yet available.

Attachments

Schedule of Internal Audit Examinations
Calendar Year 2014

	Department Examination Description	Last Done Through	Preferred Cycle (yrs)	Scheduled For 2014	Estimated Hours 2014	Total Examination Hours
	Completed Examinations					
	Board of Supervisors					
1102	District 2 General Department (Including MACs)	6/13	4	X	10	115
	Risk Management					
0043	General Department	5/14	2	X	300	211
	Auditor-Controller					
0105	Revolving/Cash Diff. Fund & Shortage Report (fiscal year)	6/14	1 (Law)	X	60	80
0116	Medical & Dental Premium Payments	4/14	2	X	240	222
0037	Misc A-C duties (ie Petty Cash ICQ;Relief of Shortage;Increase/New Petty Cash; Recons)		1	X	60	-
	Treasurer-Tax Collector					
0151	Treasury Cash & Investments - 1st qtr	3/14	1/4 (Law)	X	100	89
0151	Treasury Cash & Investments - 2nd qtr	5/14	1/4 (Law)	X	100	89
0151	Treasury Cash & Investments - July 1	7/1/14	1/4 (Law)	X	100	88
0151	Treasury Cash & Investments - 3rd qtr (Auditor recommendation) - 2013	8/13	1/4 (Law)	X	100	88
0151	Treasury Cash & Investments - 3rd qtr (Auditor recommendation) - 2014	9/14	1/4 (Law)	X	100	88
0151	Treasury Cash & Investments - 4th qtr	12/13	1/4 (Law)	X	100	88
0153	Tax Collector's Special Trust (8314)	4/14	4	X	60	161
0154	Supplemental Tax Collection	12/13	2	X	180	211
0155	Duplicate payment trust (8315)	4/14	4	X	75	288
0172	Treasury Oversight Committee (calendar year)	12/13	1 (Law)	X	175	267
	Purchasing					
1491	Purchasing	3/14	4	X	175	160
1493	Procurement Card Program - 3rd qtr	9/14	1/4 (CAO)	X	40	112
1493	Procurement Card Program - 4th qtr	12/13	1/4 (CAO)	X	40	131
1493	Procurement Card Program - 1st qtr	3/14	1/4 (CAO)	X	40	111
1493	Procurement Card Program - 2nd qtr	6/14	1/4 (CAO)	X	40	61
	Department of Information Technology					
0147	General Department	4/14	3	X	100	107
	Sheriff-Coroner					
3005	Inmates'cash	12/13	2	X	500	385.5
	Probation					
3081	General Department	12/13	2(Law)	X	220	424
	Health Services					
4501	Public Health	12/13	2	X	275	388
5408	CCHP Vendor Payments	5/14	3	X	160	304

Schedule of Internal Audit Examinations
Calendar Year 2014

	Department Examination Description	Last Done Through	Preferred Cycle (yrs)	Scheduled For 2014	Estimated Hours 2014	Total Examination Hours
	Public Works					
0791	Craft inventories and Custodial Supplies Inventory (combined)	6/14	3	X	150	121.5
1481	Print and Mail (Central Services) Inventory	6/14	3	X	120	132
	Contra Costa Fire Protection District					
9502	General Department	3/14	2	X	310	240
	Examination in Progress					
	Employment and Human Services Department					
	Trust Funds	Special		X	100	Not Complete

Schedule of Internal Audit Examinations
Calendar Year 2015

	Department Examination Description	Last Done Through	Preferred Cycle (yrs)	Scheduled For 2015	Estimated Hours 2015
	Auditor-Controller				
0105	Revolving/Cash Diff. Fund & Shortage Report (fiscal year)	6/14	1 (Law)	X	60
0037	Misc A-C duties (ie Petty Cash ICQ;Relief of Shortage;Increase/New Petty Cash; Recons)		1	X	60
	Treasurer-Tax Collector				
0151	Treasury Cash & Investments - 1st qtr	3/14	1/4 (Law)	X	100
0151	Treasury Cash & Investments - 2nd qtr	5/14	1/4 (Law)	X	100
0151	Treasury Cash & Investments - July 1	7/1/14	1/4 (Law)	X	100
0151	Treasury Cash & Investments - 3rd qtr (Auditor recommendation)	9/14	1/4 (Law)	X	100
0151	Treasury Cash & Investments - 4th qtr	12/13	1/4 (Law)	X	100
0156	Tax redemptions	12/05	3	X	240
0172	Treasury Oversight Committee (calendar year)	12/13	1 (Law)	X	180
	Purchasing				
1493	Procurement Card Program - 3rd qtr	9/14	1/4 (CAO)	X	40
1493	Procurement Card Program - 4th qtr	12/13	1/4 (CAO)	X	40
1493	Procurement Card Program - 1st qtr	3/14	1/4 (CAO)	X	40
1493	Procurement Card Program - 2nd qtr	6/14	1/4 (CAO)	X	40
	Various Departments / Office of Revenue Collections A/R				
	Continuation of examination of ORC A/R that was returned to depts *(special)*	(special)		X	400
	Clerk-Recorder				
3551	General Department	6/08	2	X	475
	Sheriff-Coroner				
3002	Inmate Welfare Fund *(2 yr law repealed)*	6/07	2	X	200
3003	Custody Alternative Programs	12/04	4	X	350
	Conservation and Development (DCD)				
	Keller Canyon - follow up to 2010 examination	2010		X	120

Schedule of Internal Audit Examinations
Calendar Year 2015

				Scheduled	Estimated
	Department	**Last Done**	**Preferred**	**For**	**Hours**
	Examination Description	**Through**	**Cycle (yrs)**	**2015**	**2015**
	Health Services				
4671	Mental Health Contracts *(special)*	(special)		X	200
5402	Hospital and Clinics (Collections and Petty Cash)	1/09	2	X	200
4510	Conservatorships/Guardianships	12/08	2	X	275
5401	Year End Inventory Control (Pharmacy)	6/09	3	X	115
5401	Year End Inventory Control (General Stores and Materials)	6/09	3	X	115
	Employment & Human Services				
	Trust Funds	Special		X	100
5005	In Home Supportive Services (IHSS)	12/08	3	X	175
GASB 68 Implementation (40 X 2 employees)					80
Single Audit assistance/wrap up (40 X 2 employees)					80
					4,085

	Department Project Description	Historical Estimated Hours	Last Done Through	Preferred Cycle (yrs)	Scheduled For 2015	Estimated Hours 2015
	Board of Supervisors					
1101	District 1 General Department (Including MACs)	60	1/07	4		
1102	District 2 General Department (Including MACs)	60	6/13	4		
1103	District 3 General Department (Including MACs)	60	4/06	4		
1104	District 4 General Department (Including MACs)	60	3/11	4		
1105	District 5 General Department (Including MACs)	60	1/07	4		
	County Administrator					
0031	General Department	150	12/05	4		
	Risk Management					
0043	General Department	250	5/14	2		
	Assessor					
0016	General Department	150	1/07	4		
	Auditor-Controller					
0105	Revolving/Cash Diff. Fund & Shortage Report (fiscal year)	60	6/14	1 (Law)	X	60
0007	General Department	200	12/10	4		
	Fixed Assets Process	120	2013	5		
	Contracts Process	120	3/12	Special		
0112	Fund 8109	100	1/10	5		
0113	Miscellaneous Trust Funds	300	1/10	4		
0116	Medical & Dental Premium Payments	200	4/14	2		
0037	Misc A-C duties (ie Petty Cash ICQ;Relief of Shortage;Increase/New Petty Cash; Recons)	60		1	X	60

	Department Project Description	Historical Estimated Hours	Last Done Through	Preferred Cycle (yrs)	Scheduled For 2015	Estimated Hours 2015
	Treasurer-Tax Collector					
0151	Treasury Cash & Investments - 1st qtr	100	3/14	1/4 (Law)	X	100
0151	Treasury Cash & Investments - 2nd qtr	100	5/14	1/4 (Law)	X	100
0151	Treasury Cash & Investments - July 1	100	7/1/14	1/4 (Law)	X	100
0151	Treasury Cash & Investments - 3rd qtr (Auditor recommendation)	100	9/14	1/4 (Law)	X	100
0151	Treasury Cash & Investments - 4th qtr	100	12/13	1/4 (Law)	X	100
0152	State of California trust (8011)	40	4/13	4		
0158	Partial Payments Trust (8313)	50	2/08	4		
0153	Tax Collector's Special Trust (8314)	50	4/14	4		
0154	Supplemental Tax Collection	150	12/13	2		
0155	Duplicate payment trust (8315)	65	4/14	4		
0156	Tax redemptions	200	12/05	3	X	240
0157	Secured Tax Collection	200	3/09	2		
	Unsecured Payment Trust	60	2/08	4		
0159	Unsecured Tax Collection	200	2/08	2		
0172	Treasury Oversight Committee (calendar year)	120	12/13	1 (Law)	X	180
0173	Transient Occupancy Tax	120	12/07	NEW		
	Purchasing					
0202	Sale of surplus equipment	120	12/04	4		
1491	Purchasing	175	3/14	4		
1493	Procurement Card Program - 3rd qtr	30	9/14	1/4 (CAO)	X	40
1493	Procurement Card Program - 4th qtr	30	12/13	1/4 (CAO)	X	40
1493	Procurement Card Program - 1st qtr	30	3/14	1/4 (CAO)	X	40
1493	Procurement Card Program - 2nd qtr	30	6/14	1/4 (CAO)	X	40
	Department of Information Technology					
0147	General Department	100	4/14	3		
0258	Communications equipment inventory	100	6/12	3		
	Office of Revenue Collections					
	Wrap up of Tom's audit of ORC A/R that was forwarded to depts (esp HSD who outsourced) *(special)*		(special)		X	400
	County Counsel					
	General Department	100	NEW?	5		
	Human Resources					
0351	General Department	150	4/06	5		

	Department Project Description	Historical Estimated Hours	Last Done Through	Preferred Cycle (yrs)	Scheduled For 2015	Estimated Hours 2015
	Child Support Services					
2401	General Department	175	3/10	3		
	Clerk-Recorder					
3551	General Departmental	400	6/08	2	X	475
	GC27361(d)(4) project re: SSN truncation - Required to be performed by **12/2013** and **12/2017** **(between 6/1/17 and 12/31/17)**		2013	4		
	District Attorney					
2421	General Department	175	3/11	3		
3641	Public Administrator	100	3/10	2		
	Public Defender					
2431	General Department	100	4/09	5		
	Sheriff-Coroner					
2551	Escrow Fund (aka Sheriff's Civil)	300	12/10	2		
2552	Revolving Fund/Employee Compensation	100	5/12	2		
2553	Seized & Forfeited Property *including fund 836000 (CASE Asset Forfeitures)*	100	12/12	5		
3002	Inmate Welfare Fund *(2 yr law repealed)*	140	6/07	2	X	200
3003	Custody Alternative Programs	300	12/04	4	X	350
3005	Inmates'cash	400	12/13	2		
3591	Coroner	100	1/10	5		
2555	Sheriff Training Center	200	12/07	2		
	Probation					
3081	General Department	200	12/13	2(Law)		
	Agriculture					
3351	General Department	100	3/13	4		

	Department Project Description	Historical Estimated Hours	Last Done Through	Preferred Cycle (yrs)	Scheduled For 2015	Estimated Hours 2015
	Conservation and Development (DCD)	split below	4/12	2		
	Keller Canyon - follow up to 2010 exam		2010		X	120
	Building Inspection (now part of Cons & Dev Dept)					
3401	General Department	350	4/12			
???	Inventories		6/07	3		
	Community Development (now part of Cons & Dev Dept)					
3571	General Department	400	4/12			
3572	Weatherization Division Business Process Review		6/10			
	Animal Services					
3661	General Department	300	4/10	2		
	Health Services					
4501	Public Health	250	12/13	2		
4521	Environmental Health-Hazardous Materials Div	250	3/10	2		
4671	Alcohol and Other Drugs	175	2/10	2		
4671	Mental Health	175	2/10	2		
4671	Mental Health Contracts *(special)*		(special)		X	200
5402	Hospital Timekeeping	100	12/08	2		
5402	Hospital and Clinics (Collections and Petty Cash)	150	1/09	2	X	200
4510	Conservatorships/Guardianships	250	12/08	2	X	275
5406	Patients Trust & Valuables	50	3/09	4		
	Materials Management		3/13	3		
5408	CCHP Vendor Payments	150	5/14	3		
5401	Year End Inventory Control (Pharmacy)	110	6/09	3	X	115
5401	Year End Inventory Control (General Stores and Materials)	110	6/09	3	X	115
	Employment & Human Services					
5001	General Department	700	1/09	2		
	Trust Funds	100	Special		X	100
5005	In Home Supportive Services (IHSS)	175	12/08	3	X	175
0111	Welfare Accounting (formerly w/Auditor Controller)	240	7/12	3		
	Community Services (EHSD)					
5883	General Department	400	5/11	2		
5882	Weatherization Projects Inventory *SEE DCD ABOVE*	←	6/07	3		
	County Libraries					
6201	General Department	200	12/12	4		

	Department Project Description	Historical Estimated Hours	Last Done Through	Preferred Cycle (yrs)	Scheduled For 2015	Estimated Hours 2015
	Public Works					
6501	General Department (incl County Special Dist)	400	3/10	2		
6521	Inventories	50	6/12	3		
	(OLD) General Services:					
0631	Fleet Services Inventory	100	6/11	3		
0791	Craft inventories and Custodial Supplies Inventory (combined)	100	6/14	3		
1481	Print and Mail (Central Services) Inventory	120	6/14	3		
1492	Capital Leases	240	6/13	3		
0632	Vehicle Inventory	150	6/13	3		
	Veterans Affairs					
0580	General Department		NEW			
	Contra Costa Fire Protection District					
9502	General Department	300	3/14	2		
	Fleet Parts and Fuel Inventories	100	6/10	3		
	Other Supplies Inventory	80	6/13	3		
	Crockett-Carquinez FPD					
	General Department	100	12/09	5		

Contra Costa County

To: Board of Supervisors

From: Karen Mitchoff, District IV Supervisor

Date: March 3, 2015

Subject: Consider Including Hotels in Unincorporated Contra Costa Centre in Walnut Creek TBID

RECOMMENDATION(S):
ADOPT Resolution No. 2015/70 to consent to a change in the boundaries of the Walnut Creek Tourism Business Improvement District to include unincorporated territory.

FISCAL IMPACT:
No impact to the County General Fund.

BACKGROUND:
In December 2010, the City of Walnut Creek established the Walnut Creek Tourism Business Improvement District (TBID), with boundaries coextensive with that of the city. Under contract with the City, the Walnut Creek Chamber of Commerce & Visitors Bureau (Chamber) performs management services for the District. The Chamber submitted the Annual Assessment Report of the TBID to the Walnut Creek City Council and on February 3, 2015, the Walnut Creek City Council approved the report. The report provided an overview of the current year's program (2015) and the projections proposed for the next year (2016). It includes a budget, a proposed assessment amount, and a list of the hotels that comprise the TBID. In all respects except one the Annual Assessment Report is similar to the report for the current fiscal year. The Annual Report includes a proposal that would add two hotels to the TBID by changing the district's boundaries. Both of these hotels- the Embassy Suites Walnut Creek and Renaissance Club Sport Walnut Creek- are located within the unincorporated area of Contra Costa County in the Contra Costa Centre. A map showing the proposed boundary change is attached.

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☐ 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: March 3, 2015

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

By: , Deputy

Contact: Lia Bristol, (925) 521-7100

cc: Robert Campbell, Auditor-Controller

BACKGROUND: (CONT'D)

>

The proposal to include the Embassy Suites Walnut Creek and the Renaissance Club Sport Walnut Creek to the TBID is the desire of the existing members and supported by the two new hotels seeking inclusion. Because these two hotels are located within the unincorporated area of the County, the consent of the County Board of Supervisors to a change in the boundaries of the TBID is required before the City Council can take final action on an assessment that includes the Embassy Suites Walnut Creek and the Renaissance Club Sport Walnut Creek to the TBID.

The TBID is funded from assessments collected quarterly by the City from the hotels comprising the TBID and these assessments are then remitted to the Chamber. The assessment is currently derived from the four hotels in the TBID within Walnut Creek, respectively Diablo Mountain Inn, Holiday Inn Express, Motel 6, and Walnut Creek Marriott. The assessment structure is based on a rate of $2.00 per room, per day of occupancy for properties with 75 or more sleeping rooms; properties with fewer than 75 sleeping rooms are assessed $1.50 per room per day. This fiscal year's assessments are proposed to be levied at the current rate structure noted above. Walnut Creek city staff and the Chamber are not proposing any changes to these formulas.

The TBID funds the Chamber's efforts in promotion of the City of Walnut Creek and the hotels in the area as a tourist destination and local area of attraction. Promotional activities include targeted marketing, advertising, public relations, promoting visitor activities and attractions, and other related activities. Ordinarily, because the primary purpose of the TBID is promotion of tourism, the Walnut Creek City Council can adopt a resolution confirming the Assessment Report as submitted by TBID's advisory board, or adopt a resolution continuing the program and assessments without change, and thereby levy the assessment for the applicable fiscal year without a public hearing. (Sts. & Highways Code, 36535, subd. (d). However, because of the proposed boundary change to the TBID and the required consent of the Board of Supervisors, the levy process this year requires additional steps. They are:

1. The City Council must adopt a resolution of intention setting a public hearing on the proposed boundary change. The City Council completed this step on February 3, 2015. On the same day, the City Council also adopted a resolution seeking the consent of the Board of Supervisors to the proposed boundary change. Copies of the resolutions are attached.
2. The City Council must hold the public hearing. The hearing was scheduled for February 17, 2015.
3. The Board of Supervisors must consider whether to consent to the change in boundaries of the TBID to include certain unincorporated territory in the TBID. This is the matter before the Board of Supervisors today.
4. If the Board consents to the change in the boundaries, the City Council may change the boundaries and levy the assessment.

CONSEQUENCE OF NEGATIVE ACTION:

The Embassy Suites Walnut Creek and the Renaissance Club Sport Walnut Creek will not be included in the Walnut Creek TBID.

ATTACHMENTS

Resolution No. 2015/70

Exhibit A

City of Walnut Creek Resolution No. 1505, requesting the Board of Supervisors to consent to the TBID boundary change

City of Walnut Creek Resolution No. 1504, declaring its intention to change the boundaries of the TBID

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 03/03/2015 by the following vote:

AYE:	
NO:	
ABSENT:	
ABSTAIN:	
RECUSE:	

Resolution No. 2015/70

In the Matter of: Consenting to a change in the boundaries of the Walnut Creek Tourism Business Improvement District to include unincorporated territory.

WHEREAS, in December 2010 the City of Walnut Creek established the Walnut Creek Tourism Business Improvement District (TBID) with boundaries coextensive with that of the city; and

WHEREAS, the TBID funds the Walnut Creek Chamber of Commerce's efforts in promotion of the City of Walnut Creek and hotels in the area as a tourist destination and local area of attraction; and

WHEREAS, promotional activities include targeted marketing, advertising, public relations, promoting visitor activities and attractions, and other related activities; and

WHEREAS, the TBID is funded from assessments collected quarterly by the City from the hotels comprising the TBID. The assessment is currently derived from the four hotels in the TBID within Walnut Creek, respectively Diablo Mountain Inn, Holiday Inn Express, Motel 6, and Walnut Creek Marriott; and

WHEREAS, a portion of the territory proposed to be included in the TBID lies within an unincorporated area of Contra Costa County; and

WHEREAS, the City of Walnut Creek proposes to add two hotels, the Embassy Suites Walnut Creek and Renaissance Club Sport Walnut Creek, to the TBID by changing the district's boundaries; and

WHEREAS, both of these hotels are located within the unincorporated area of Contra Costa County in the Contra Costa Centre; and

WHEREAS, the proposal to include the Embassy Suites Walnut Creek and the Renaissance Club Sport Walnut Creek to the TBID is the desire of the existing members and supported by the two new hotels seeking inclusion; and

WHEREAS, because these two hotels are located within the unincorporated area of the County, the consent of the County Board of Supervisors to a change in the boundaries of the TBID is required before the City Council can take final action on an assessment that includes the Embassy Suites Walnut Creek and the Renaissance Club Sport Walnut Creek to the TBID; and

WHEREAS, the TBID is funded from assessments collected quarterly by the City from the hotels comprising the TBID and these assessments are then remitted to the Walnut Creek Chamber of Commerce; and

WHEREAS, the assessment structure is based on a rate of $2.00 per room, per day of occupancy for properties with 75 or more sleeping rooms; properties with fewer than 75 sleeping rooms are assessed $1.50 per room per day; and

WHEREAS, with adoption of Walnut Creek City Council Resolution No. 1504 on February 3, 2015, the City Council of the City of Walnut Creek has requested the consent of the Board of Supervisors to a change in the boundaries of the Walnut Creek Tourism Business Improvement District (TBID) to include unincorporated territory.

NOW, THEREFORE, BE IT RESOLVED, that the Contra Costa County Board of Supervisors hereby consents to the City of Walnut Creek to change the boundaries of the Walnut Creek Tourism Business Improvement District (TBID), which District shall have the boundaries depicted in the map attached hereto as Exhibit A and unincorporated herein by reference.

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.

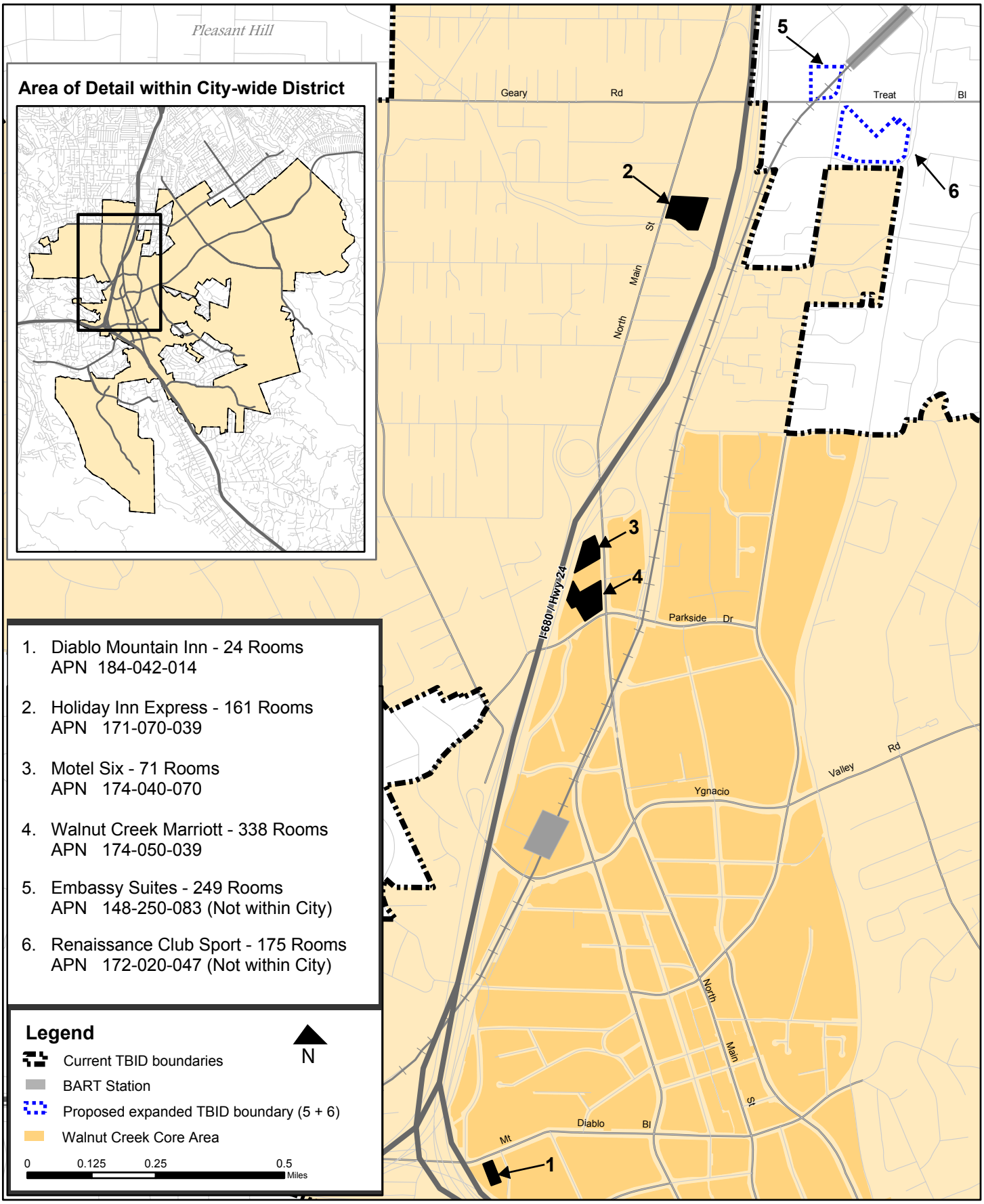
Contact: Lia Bristol, (925) 521-7100

ATTESTED: March 3, 2015
David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: Robert Campbell, Auditor-Controller

Walnut Creek Tourism Business Improvement District Boundaries



Data Source: WC GIS 2014
Map Source: CED Planning

CITY OF WALNUT CREEK
RESOLUTION NO. 15-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALNUT CREEK REQUESTING THE CONSENT OF THE COUNTY BOARD OF SUPERVISORS TO INCLUDE CERTAIN UNINCORPORATED TERRITORY IN THE WALNUT CREEK TOURISM BUSINESS IMPROVEMENT DISTRICT

WHEREAS, the City of Walnut Creek has created the Walnut Creek Tourism Business Improvement District ("the District"), the boundaries of which includes all of the boundaries of the City of Walnut Creek; and

WHEREAS, the District's participating business owners have requested that the City of Walnut Creek (the "City") expand the boundaries of the District to include two hotels (the Embassy Suites and the Renaissance ClubSport) that are outside of but adjacent to the City limits; and

WHEREAS, the owners of the two hotels proposed to be included in the District support the hotels' inclusion in the District; and

WHEREAS, the additional territory proposed to be included in the District lies within the boundaries of the County of Contra Costa (the "County"), as shown on the map attached hereto as Exhibit A and incorporated herein by such attachment; and

WHEREAS, the area of the County proposed to be added to the boundaries of the District will, in the opinion of the City Council, be benefited by the improvements and activities, and the purpose sought to be accomplished by the District can best be accomplished be a single comprehensive scheme.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WALNUT CREEK DOES RESOLVE AS FOLLOWS:

Section 1: The above recitals are true and correct.

Section 2: Consent of the County, through its Board of Supervisors, is hereby requested to expand the boundaries of the District as depicted in Exhibit A, and to grant to the Council jurisdiction for all purposes in connection with creation and operation of the District.

Section 3: The City Clerk is hereby directed to transmit a certified copy of this Resolution to the Clerk of the Board of Supervisors of the County of Contra Costa.

PASSED AND ADOPTED by the City Council of the City of Walnut Creek at a regular meeting thereof held on the 3rd day of February, 2015 by the following called vote:

AYES:	Councilmembers:	Carlston, Haskew, Silva, Wedel, Mayor Simmons
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

Walnut Creek City Council
15-05

Resolution No.

Bob Simmons
Mayor of the City of Walnut Creek

Attest:

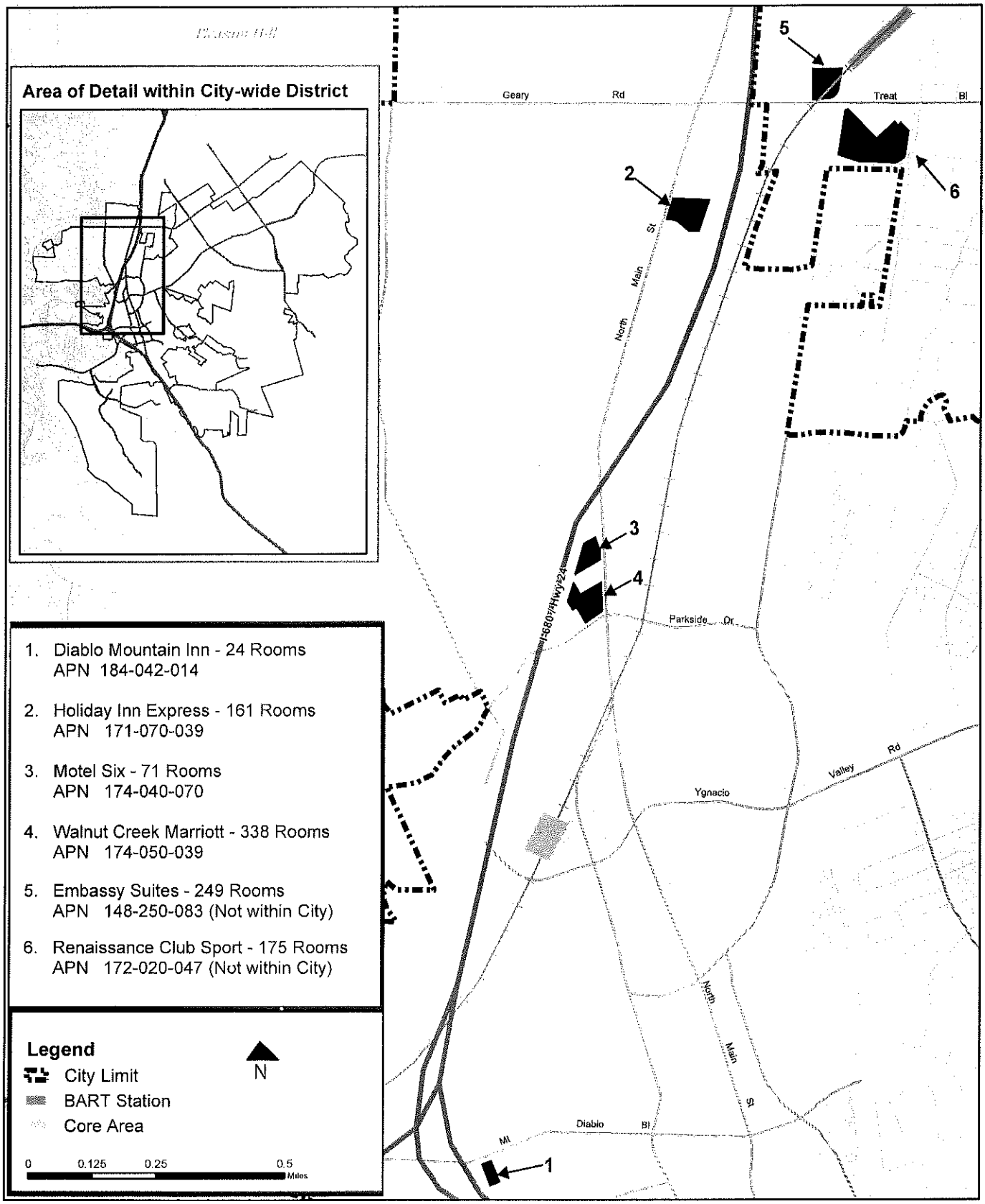
Suzie Martinez, CMC
City Clerk of the City of Walnut Creek

I HEREBY CERTIFY the foregoing to be a true and correct copy of Resolution No. 15-05 duly passed and adopted by the City Council of Walnut Creek, County of Contra Costa, State of California, at a regular meeting of said Council held on the 3rd day of February, 2015.

Suzie Martinez, CMC
City Clerk of the City of Walnut Creek

EXHIBIT A

Hotel & Motel Parcels Comprising the Walnut Creek Tourism Business Improvement District 2015-2016



1. Diablo Mountain Inn - 24 Rooms
   APN 184-042-014
2. Holiday Inn Express - 161 Rooms
   APN 171-070-039
3. Motel Six - 71 Rooms
   APN 174-040-070
4. Walnut Creek Marriott - 338 Rooms
   APN 174-050-039
5. Embassy Suites - 249 Rooms
   APN 148-250-083 (Not within City)
6. Renaissance Club Sport - 175 Rooms
   APN 172-020-047 (Not within City)

Data Source: WC GIS 2014
Map Source: CED Planning

CITY OF WALNUT CREEK
RESOLUTION NO. 15-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALNUT CREEK DECLARING ITS INTENTION TO CHANGE THE BOUNDARIES OF AND LEVY AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2015–2016 FOR THE WALNUT CREEK TOURISM BUSINESS IMPROVEMENT DISTRICT

WHEREAS, pursuant to the Parking and Business Improvement Area Law of 1989 (California Streets and Highway Code § 36500 et seq.) (the "1989 BID Law"), the City Council has established the Walnut Creek Tourism Business Improvement District; and

WHEREAS, the City Council has, pursuant to section 36533(c) of the 1989 BID Law, approved the Annual Assessment Report for Fiscal Year 2015-2016, which proposes to expand the boundaries of the District to include two hotels outside of the boundaries of the City of Walnut Creek; and now proposes to give notice of its intention to levy an assessment for that fiscal year; and

WHEREAS, in order to include unincorporated territory within the boundaries of the TBID, the City must obtain the consent of the County Board of Supervisors, which the City Council has requested by separate resolution; and

WHEREAS, this resolution sets forth the City Council's intent to change the boundaries of and levy an annual assessment for the fiscal year 2015-2016 for the Walnut Creek Tourism Business Improvement District and schedules a public hearing therefore for February 17, 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WALNUT CREEK AS FOLLOWS:

Section 1. Pursuant to section 36534 of the 1989 BID Law, the City Council declares its intention to (a) change, with the consent of the County Board of Supervisors, the boundaries of the Walnut Creek Tourism Business Improvement District (the "District") to include certain territory outside of the City's boundaries so as to include two hotels outside of, but adjacent to, the boundaries of the City of Walnut Creek and (b) to levy and collect assessments within the District for fiscal year 2015-2016.

Section 2. The improvements and activities proposed for the District that shall be funded by the levy of assessments on hotels/motels that comprise the District may include, but are not limited to, marketing, advertising, public relations, publicizing visitor activities and attractions, and other related activities, such as acquisition, construction, installation, or maintenance of improvements identified in section 36510 of the 1989 BID Law.

Section 3. A map of the hotels comprising the Walnut Creek Tourism Business Improvement District is set forth in Exhibit "A," which is attached hereto and incorporated herein by reference.

Section 4. A full and detailed description of the improvements and activities for the fiscal year, a list of the hotels that comprise the district, and the proposed assessments for the fiscal year are found in The Annual Assessment Report for Fiscal Year 2015-2016 prepared by the Walnut Creek Chamber of Commerce on behalf of the TBID Advisory Board, which is on file with the City Clerk, Third Floor, City Hall, 1666 North Main Street, Walnut Creek, California.

Section 5. Businesses commenced during the fiscal year 2015-2016 shall be exempt from such assessments during that year, but shall be assessed the appropriate amounts as listed in the Assessment Report in subsequent years for which an assessment is levied.

Section 6. A public hearing is hereby called to be held before the City Council on the 17th day of February, 2015, at 7:00 PM, or as soon thereafter as this matter may be heard, in the Council Chambers at 1666 North Main Street, Walnut Creek, California 94596. The Council will hold the public hearing to consider the levy of the proposed assessments for fiscal year 2015-2016.

Written protests shall be filed with the City Clerk, Walnut Creek City Hall, at 1666 North Main Street, Walnut Creek, California 94596, at or before the time fixed for the hearing and shall contain a description of the hotel/motel business sufficient to identify the business, and if the person so protesting is not listed on City records as the owner of the hotel/motel business, the protest shall be accompanied by written evidence that the person subscripting the protest is the owner of the hotel /motel business. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made. If written protests are received from the owners of the hotel/motel businesses in the District which will pay fifty percent (50%) or more of the assessment proposed to be levied, no further proceedings to levy the assessment shall be taken for a period of one year from the date of the finding of a majority protest by the City Council. If the majority protest is only against the furnishing of a specified type or types of improvements or activities within the District, those types of improvements or activities shall be eliminated. Any person having a question regarding the hearing proceedings or the operation of the District may contact Ron Gerber, Economic Development Manager at (925) 256-3514.

Section 7. The City Clerk is directed to give notice of the public hearing by causing this resolution of intention to be published once not less than seven days before the public hearing.

PASSED AND ADOPTED by the City Council of the City of Walnut Creek at a regular meeting thereof held on the 3rd day of February, 2015 by the following called vote:

AYES:	Councilmembers:	Carlston, Haskew, Silva, Wedel, Mayor Simmons
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

Bob Simmons

Bob Simmons
Mayor of the City of Walnut Creek

Attest:

Suzie Martinez

Suzie Martinez, CMC
City Clerk of the City of Walnut Creek

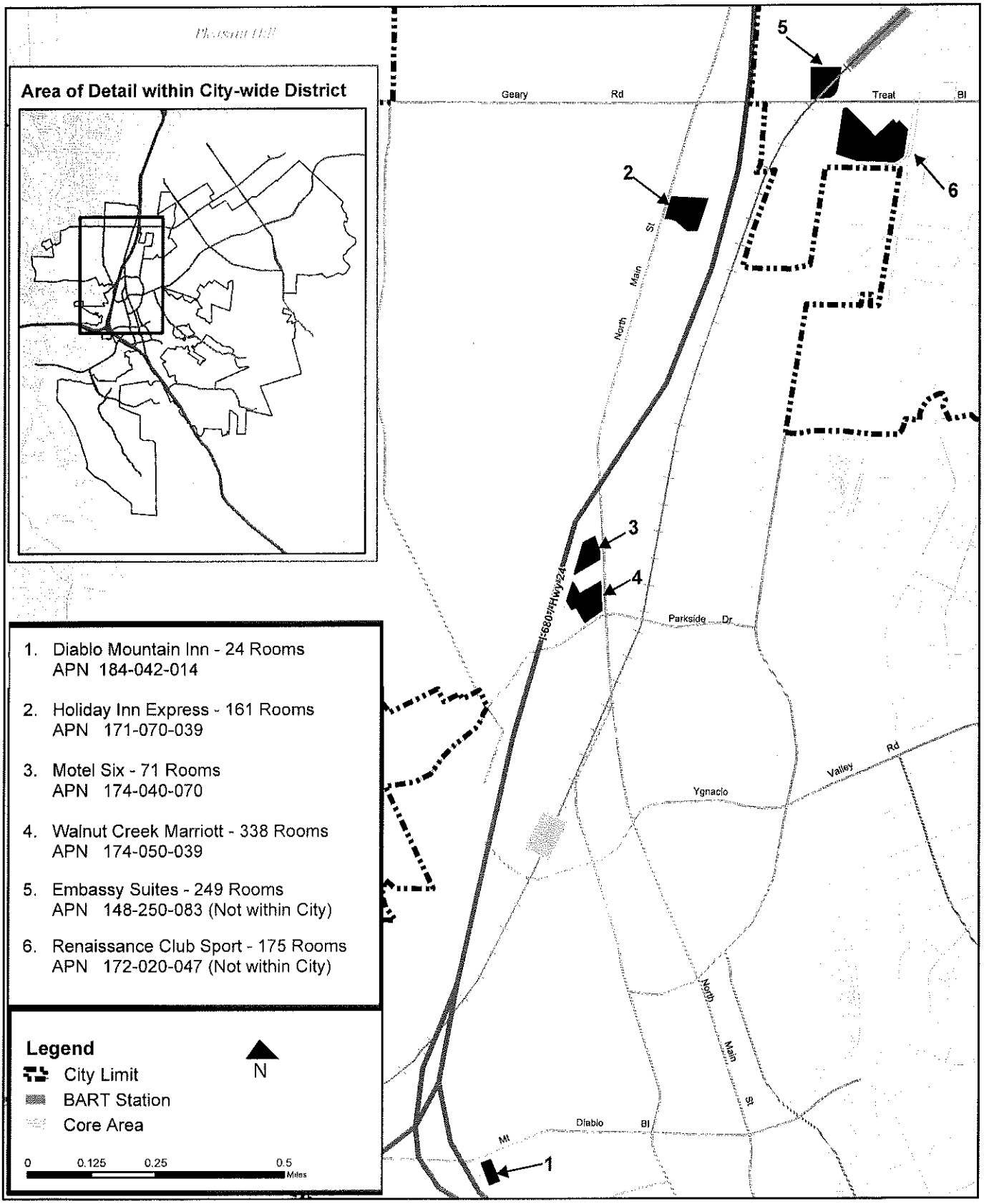
I HEREBY CERTIFY the foregoing to be a true and correct copy of Resolution No. 15-04 duly passed and adopted by the City Council of Walnut Creek, County of Contra Costa, State of California, at a regular meeting of said Council held on the 3rd day of February, 2015.

Suzie Martinez

Suzie Martinez, CMC
City Clerk of the City of Walnut Creek

EXHIBIT A

Hotel & Motel Parcels Comprising the Walnut Creek Tourism Business Improvement District 2015-2016



Data Source: WC GIS 2014
Map Source: CED Planning

Contra Costa County

To: Board of Supervisors

From: John Kopchik, Interim Director, Conservation & Development Department

Date: March 3, 2015

Subject: 2014 Advisory Body Annual Report for the Affordable Housing Finance Committee (AHFC)

RECOMMENDATION(S):

ACCEPT the 2014 Advisory Body Annual Report for the Affordable Housing Finance Committee (AHFC), as recommended by the Conservation and Development Director.

FISCAL IMPACT:

No General Fund impact. Costs to staff the committee were paid by Community Development Block Grant, and HOME Investment Partnerships Act funds.

BACKGROUND:

Board policy requires that regular and ongoing board, commission, or committees shall annually report on its activities, accomplishments, membership attendance, required training/certification, and proposed work plan or objectives for the following year.

ANNUAL REPORT

1. Activities: The AHFC met in February of 2014 to consider seven applications for $8.5 million in Community Development Block Grant (CDBG), and HOME Investment Partnerships Act (HOME) funds. Projects recommended for funding included construction of three multifamily apartment projects located in Antioch, El Cerrito, and Walnut Creek; and a homeownerships project located in Martinez. The committee also recommended funds for

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☑ 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: March 3, 2015

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

By: , Deputy

Contact: Kara Douglas
674-7880

cc:

BACKGROUND: (CONT'D)

the Neighborhood Preservation Program, Healthy Homes, and Home Repair, which provide rehabilitation loans and grants to low income homeowners. The AHFC met again in September and recommended HOME and CDBG funds be awarded to Resources for Community Development to rehabilitate the 32 unit Church Lane apartment project in San Pablo.

2. Accomplishments: The AHFC reviewed eight applications and provided funding recommendations for 300 units of affordable housing to the Board of Supervisors through the Department of Conservation and Development. Committee members provide a critical review of the projects which ensures substantial leverage of CDBG and HOME funds.

3. Attendance/Representation: The AHFC committee achieved a quorum at both meetings. There are no current vacancies. The current members primarily represent West and Central County. The AHFC strives to have a diverse committee. Kara Douglas staffed the committee.

4. Training/Certification: There has not been any special training in the past year. Staff provides information to committee members on webinars that provide information on related topics.

5. Proposed Work Plan/Objectives for Next Year: In 2015, the AHFC will meet at least twice. They met on January 21 for a study session, and are scheduled to meet again on March 16. Additional meetings will be held if applications are received during the year.

CONSEQUENCE OF NEGATIVE ACTION:

The Board would not have a 2014 report on the Affordable Housing Finance Committee.

CHILDREN'S IMPACT STATEMENT:

The AHFC reviews and makes recommendations on many types of affordable housing projects. Some of these meet Goal 3 on the Children’s Report Card: Families are Economically Self Sufficient.

Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 3, 2015

Subject: CONTINUE Extension of Emergency Declaration Regarding Homelessness

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.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☑ 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: March 3, 2015

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

Contact: Lavonna Martin, 925-313-6736

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors would not be in compliance with Government Code Section 8630.

CHILDREN'S IMPACT STATEMENT:

None.

Contra Costa County

To: Board of Supervisors

From: Supervisors John Gioia and Federal D. Glover

Date: March 3, 2015

Subject: 2014 YEAR-END REPORT ON ACCOMPLISHMENTS AND DISPOSITION OF REMAINING REFERRALS TO THE PUBLIC PROTECTION COMMITTEE

RECOMMENDATION(S):

1. ACKNOWLEDGE that the Board of Supervisors referred ten issues to the Public Protection Committee (PPC) for its review and consideration during 2014.

2. FIND that the 2014 PPC convened nine meetings, worked through and provided an opportunity for public input on a number of significant Countywide issues.

3. RECOGNIZE the excellent work of the County department staff who provided the requisite information to the PPC in a timely and professional manner, and members of the Contra Costa community and other public agencies who, through their interest in improving the quality of life in Contra Costa County, provided valuable insight into our discussions, and feedback that helped us to formulate our policy recommendations.

4. ACCEPT year-end productivity report and APPROVE recommended disposition of PPC referrals described at the end of this report.

FISCAL IMPACT:

No fiscal impact. This is an informational report only.

☑ APPROVE ☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR ☑ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☑ 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: March 3, 2015

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

By: , Deputy

Contact: Timothy Ewell, (925) 335-1036

cc:

BACKGROUND:

The Public Protection Committee (PPC) was established on January 8, 2008 to study criminal justice and public protection issues and formulate recommendations for consideration by the Board of Supervisors. At the February 2015 regular meeting, the Committee discussed all issues currently on referral and has made the following recommendations to the Board of Supervisors for the 2015 PPC work-plan:

1. Opportunities to Improve Coordination of Response to Disasters and Other Public Emergencies. Approximately three weeks following the November 2007 Cosco Busan oil spill, the Sheriff's Office of Emergency Services (OES) presented to the Board of Supervisors its assessment of the emergency response efforts, including what worked well and didn't work well, and what lessons were learned through those experiences. At the conclusion of the Board discussion, Supervisor Gioia introduced five recommendations that were approved by the Board.

On February 5, 2008 the Board of Supervisors referred this matter to the PPC for continuing development and oversight. PPC received a status report from the Office of the Sheriff and Health Services Department in February 2009 and requested the Hazardous Materials Program Manager to report back to the PPC on the development of mutual aid agreements from local oil refineries. Following a second briefing to the PPC by the Office of the Sheriff, the PPC reported out to the Board of Supervisors on May 6, 2009 with recommendations for follow-up by the Sheriff and Human Resources departments. The Health Services Department made a report to the PPC on April 19, 2010 regarding the resources and connections available to respond to hazardous materials emergencies and, again, on October 18, 2010 regarding who determines which local official participates in incident command if an event is in Contra Costa County. On December 5, 2011, Health Services reported to our Committee regarding training and deployment of community volunteers.

In January 2008, the Board of Supervisors referred to the PPC the matter of improving public response to emergency instructions and protocols through broader and better education, which had previously been on referral to the IOC. The Board suggested that the PPC work with the Office of the Sheriff, the Health Services Department, and the CAER (Community Awareness & Emergency Response) Program to determine what educational efforts are being made and what additional efforts may be undertaken to improve public response and safety during an emergency. In April 2011, the PPC met with CAER (Community Awareness Emergency Response) Executive Director Tony Semenza and staff from the Office of the Sheriff and Health Services to discuss what has been done to better inform the public and what more can be done to improve public response to emergency warnings. CAER provided a thorough report on its countywide community fairs, and programs targeted at the education system and non-English speaking populations. The PPC asked CAER to provide a written outreach strategy that describes how new homeowners are educated about emergency awareness. As the matter has not been brought back to the PPC since the April 2011 discussion, we recommend that this matter be continued to the 2015 PPC. The current draft work plan for CY2015 has scheduled this discussion for the April 2015 regular meeting.

Recommendation: REFER to the 2015 PPC

2. Welfare Fraud Investigation and Prosecution. In September 2006, the Employment and Human Services (EHS) Department updated the Internal Operations Committee (IOC) on its efforts to improve internal security and loss prevention activities. The IOC had requested the department to report back in nine months on any tools and procedures that have been developed and implemented to detect changes in income eligibility for welfare benefits.

The EHS Director made follow-up reports to IOC in May and October 2007, describing what policies, procedures, and practices are employed by the Department to ensure that public benefits are provided only to those who continue to meet income eligibility requirements, explaining the complaint and follow-through process, and providing statistical data for 2005/06, 2006/07, and for the first quarter of 2007/08.

Upon creation of the PPC in January 2008, this matter was reassigned from the IOC to the PPC. PPC has received status reports on this referral in October 2008, June and October 2010, November 2011, November 2012 and, most recently, in December 2013. The Committee has reviewed the transition of welfare fraud collections from the former Office of Revenue Collection to the Employment and Human Services Department; the fraud caseload and percentage of fraud findings; fraud prosecutions and the number of convictions; and the amounts recovered.

As the PPC wishes to monitor performance of the welfare fraud program, it is recommended that this matter be retained on referral.

Recommendation: REFER to the 2015 PPC

3. Multi-Language Capability of the Telephone Emergency Notification System. This matter had been on referral to the IOC since 2000 and was reassigned to the PPC in January 2008. The PPC met with Sheriff and Health Services Department staff in March 2008 to receive an update on the County's efforts to implement multilingual emergency telephone messaging. The Committee learned that the Federal Communications Commission has before it two rulemaking proceedings that may directly affect practices and technology for multilingual alerting and public notification. Additionally, the federally-funded Bay Area "Super Urban Area Safety Initiative" (SUASI) has selected a contractor undertake an assessment and develop a five-year strategic plan on notification of public emergencies, with an emphasis on special needs populations. The Sheriff's Office of Emergency Services reported to the PPC in April 2009 that little has changed since the March 2008 report.

On October 18, 2010, the PPC received a report from the Sheriff's Office of Emergency Services on the Community Warning and Telephone Emergency Notification systems, and on developments at the federal level that impact those systems and related technology. Sheriff staff concluded that multi-lingual public emergency messaging is too complex to be implemented at the local level and should be initiated at the state and federal levels. New federal protocols are now being established to provide the framework within which the technological industries and local agencies can work to develop these capabilities.

In 2011, the Office of the Sheriff has advised staff that a recent conference on emergency notification systems unveiled nothing extraordinary in terms of language translation. The SUASI project had just commenced and Sheriff staff have been on the contact list for a workgroup that will be developing a gap analysis, needs assessment, and five-year strategic plan. This matter has been on committee referral for more than ten years and technology has yet to provide a feasible solution for multilingual public emergency messaging.

On September 18, 2012, following the Richmond Chevron refinery fire, the Board of Supervisors established an *ad hoc* committee to discuss the Community Warning System and Industrial Safety Ordinance. Since that committee is *ad hoc* in nature, we recommend that this issue remain on referral to the PPC. The current draft work plan for CY 2015 has scheduled this discussion for the April 2015 regular meeting.

Recommendation: REFER to the 2015 PPC

4. County support and coordination of non-profit organization resources to provide prisoner re-entry services, implementation of AB 109 Public Safety Realignment, and appointment recommendations to the Community Corrections Partnership . On August 25, 2009, the Board of Supervisors referred to the PPC a presentation by the Urban Strategies Council on how the County might support and coordinate County and local non-profit organization resources to create a network of re-entry services for individuals who are leaving jail or prison and are re-integrating in local communities. On September 14, 2009, the PPC invited the Sheriff-Coroner, County Probation Officer, District Attorney, Public Defender, Health Services Director, and Employment and Human Services Director to hear a presentation by the Urban Strategies Council. The PPC encouraged County departments to participate convene a task force to work develop a network for prisoner re-entry services, which has been meeting independently from the PPC.

The PPC received a status report from County departments in April 2010. The Employment and Human Services department reported on its efforts to weave together a network of services, utilizing ARRA funding for the New Start Program and on the role of One-Stop Centers in finding jobs for state parolees. Probation reported on the impacts of the anticipated flood of state parolees into the county. The Sheriff reported on the costs for expanding local jail capacity and possible expanded use of GPS (global positioning systems) use in monitoring state parolees released back to our county. The Health Services Department reported on its Healthcare for the Homeless Program as a means to get parolees into the healthcare system and on its development of cross-divisional teams on anti-violence. The Public Defender reported on its Clean State Program, which has since been discontinued.

Supervisors Glover and Gioia indicated that their staff would continue to coordinate this local initiative when the Urban Strategies Council exhausts its grant funding from the California Endowment. The PPC continued to monitor progress on the initiative and, on February 7, 2011, received a presentation of the completed strategic plan and recommendations. In response to public testimony at the PPC meeting regarding concerns over the "Ban the Box" element of the plan, the plan recommendations were modified to exclude from the "Ban the Box" requirement certain identified sensitive positions in public safety and children's services or as determined by the agency.

On March 22, 2011, representatives from the Urban Strategies Council presented the completed Contra Costa County Re-entry Strategic Plan (100 pages), an Executive Summary (6 pages) of the plan, and a slide show to the Board of Supervisors, which approved the strategic plan and implementation recommendations with one modification: rather than adopt a 'Ban the Box' policy as recommended, which would have removed the question about criminal records from county employment applications during the initial application, the Board agreed to consider adopting such a policy at a future date. The Board directed the County Administrator to work with the offices of Supervisors Glover and Gioia to identify the resources needed to implement the strategic plan and to report back to the Board with his findings and recommendations.

Later in 2011, the California Legislature passed the Public Safety Realignment Act (Assembly Bills 109), which transfers responsibility for supervising specific low-level inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to counties. Assembly Bill 109 (AB 109) takes effect October 1, 2011 and realigns three major areas of the criminal justice system. On a prospective basis, the legislation:

• Transfers the location of incarceration for lower-level offenders (specified non-violent, non-serious, non-sex offenders) from state prison to local county jail and provides for an expanded role for post-release supervision for these offenders;
• Transfers responsibility for post-release supervision of lower-level offenders (those released from prison after having served a sentence for a non-violent, non-serious, and non-sex offense) from the state to the county level by creating a new category of supervision called Post-Release Community Supervision (PRCS);
• Transfers the housing responsibility for parole and PRCS revocations to local jail custody

AB 109 also tasked the local Community Corrections Partnership (CCP) with recommending to the County Board of Supervisors a plan for implementing the criminal justice realignment, which shall be deemed accepted by the Board unless rejected by a 4/5th vote. The Executive Committee of the CCP is composed of the County Probation Officer (Chair), Sheriff-Coroner, a Chief of Police (represented by the Concord Police Chief in 2014), District Attorney, Public Defender, Presiding Judge of the Superior Court or designee, and the Behavioral Health Director.

On October 4, 2011, the Board of Supervisors approved the CCP Realignment Implementation Plan, including budget recommendations for fiscal year 2011/12. Throughout 2012, the PPC received regular status updated from county staff on the implementation of public safety realignment, including recommendations from the CCP-Executive Committee for 2012/13 budget planning. On January 15, 2013 the Board of Supervisors approved a 2012/13 budget for continuing implementation of public safety realignment programming.

The Committee received several reentry/AB 109 related presentations and updates throughout 2014, including program updates, review of the proposed fiscal year 2014/15 AB 109 Public Safety Realignment budget and made appointment recommendations to the Board of Supervisors for the CY 2015 Community Corrections Partnership. In addition, the Committee evaluated the feasibility of submitting a grant proposal for the 2014 Byrne Justice Assistance Grant (JAG) released by the California Board of State and Community Corrections.

As public safety realignment is a work in progress and at the early stages of implementation, it is recommended that this matter be referred to the 2015 PPC.

Recommendation: REFER to the 2015 PPC

5. Countywide 9-1-1 Wireless Capability. On December 14, 2010, the Board of Supervisors referred to the PPC a letter from the Emergency Medical Care Committee regarding the transmission of 9-1-1 emergency calls from

cellular phones to the appropriate Public Safety Answering Point (PSAP). Our Committee met with representatives from the Office of the Sheriff on April 4 to discuss the status of establishing Sheriff's Dispatch as the PSAP for county unincorporated area wireless emergency calls.

Sheriff Department staff advised that the County is not accepting wireless 9-1-1 calls at this time. Staff explained that the GPS (global positioning system) technology exists to enable Sheriff's Dispatch to receive 9-1-1 system emergency calls from cellular phones and to locate the emergency location within some degree of precision. However, due to several years of tight budgets, Sheriff's Dispatch is not currently staffed at a level that is adequate to respond to the call volume associated with the wireless 9-1-1 calls, which are currently routed to the appropriate PSAP by the California Highway Patrol (CHP).

While our committee believes that transferring responsibility for handling wireless 9-1-1 calls from the CHP to Sheriff's Dispatch would be more efficient and would improve response time, it is unlikely that the County will be in a position, fiscally, to assume this responsibility in the next year. The PPC reported on April 12, 2011 to the Board of Supervisors and requested the Office of the Sheriff to provide a status report to the PPC in the spring of 2012 to advise if any outside funding becomes available to support such a transition of responsibility.

On April 2, 2012, the PPC (Supervisor Glover only; Supervisor Uilkema was absent) received a status report prepared by the Office of the Sheriff on the process that has been initiated to make the partial or full transition of 9-1-1 dispatching from the CHP to the Sheriff a reality within funding constraints. The Sheriff reports that if fully implemented, the call volume for Sheriff's Dispatch is projected to nearly double (from 56,000 calls to about 100,000 calls annually). Since the County can expect no additional outside revenue or other resources to support the increased call volume, the Sheriff is planning a phased implementation at a rate and call volume that current resources will permit. The phased implementation beginning with smaller carriers will provide the necessary experience and feedback to inform future implementation phases. New carriers will not be added unless the previous carrier can be effectively managed.

On April 17, 2012, the PPC provided an update to the Board of Supervisors on this topic and recommended continued monitoring of this referral. For this reason, we recommend referring to the 2015 PPC. For scheduling purposes, the current draft work plan for CY 2015 has identified an update on this topic for discussion at the September 2015 regular meeting should the Sheriff's Office find that there is a need to discuss the issue.

Recommendation: REFER to the 2015 PPC but only schedule at the request of the Sheriff

6. Civil gang injunctions. This matter was referred to the PPC on May 12, 2011 at the request of the District Attorney, who suggested under Public Comment at the April 4, 2011 PPC meeting that the Committee consider the use of gang injunctions to help prevent gang violence. The District Attorney has advised committee staff that he is currently focusing on implementing a Ceasefire Program with Richmond Police Department and has requested that this referral be postponed until further notice. For scheduling purposes, the current draft work plan for CY 2015 has identified an update on this topic for discussion at the June 2015 regular meeting should the District Attorney find that there is a need to discuss the issue.

Recommendation: REFER to the 2015 PPC, but schedule only upon the request of the District Attorney

7. Report on Emergency Gas Shut Off Valves for various structures in Unincorporated Contra Costa County. On September 25, during a presentation on Emergency Preparedness within Contra Costa County, the Board of Supervisors referred to the Public Protection Committee a report on the county Gas Shut-Off valve ordinance (Ordinance Code § 718-8 et seq.). Originally, the former Building Inspection Department was responsible for regulation related to the Ordinance, now the Department of Conservation and Development (DCD) provides oversight through its Building Inspection Division. On November 5, 2012, the Conservation and Development Department provided a review of the program. The Committee requested additional information from staff at the February 2013 regular meeting.

The Department returned to the Committee in February 2013 and presented the requested information. The Committee accepted the staff report and recommended no further action. The implementation of the gas shut off

valve ordinance continues to present issues. For this reason, we believe that this issue should remain on referral to the PPC. The current draft work plan for CY 2015 has identified an update on this topic for discussion at the May 2015 regular meeting.

Recommendation: REFER TO 2015 PPC

8. Inmate Welfare Fund/Telecommunications/Visitation Issues. On July 16, 2013, the Board of Supervisors referred a review of the Inmate Welfare Fund (IWF) and inmate visitation policies to the Public Protection Committee for review. The Inmate Welfare Fund is authorized by Penal Code § 4025 for the "…benefit, education, and welfare of the inmates confined within the jail." The statute also mandates that an itemized accounting of IWF expenditures must be submitted annually to the County Board of Supervisors.

The Sheriff's Office has made several reports to the Committee throughout 2013 and 2014 regarding funding of IWF programs, visitation/communication policies and an upcoming RFP for inmate telecommunications services. There continues to be discussion at the state and federal level that could curtail the collection of telephone commissions individuals contacting inmates and wards housed in county adult and juvenile detention facilities normally pay, which could potentially impact programming provided within the County's detention facilities. For this reason, we recommend referring this issue to the 2015 PPC. For scheduling purposes, the current draft work plan for CY 2015 has identified an update on this topic for discussion at the May 2015 regular meeting.

Recommendation: REFER to the 2015 PPC

9. Alcoholic Beverage Commercial Activities Ordinance Review. In 2002, the Board of Supervisors adopted Ordinance No. 2002-33, which established Chapter 82-38 of the County Ordinance Code. The Ordinance regulates Alcoholic Beverage Sales Commercial Activities, which are locations where the retail sale of alcoholic beverages occur. The ordinance requires land use permits for newly established Alcoholic Beverage Sales Commercial Activities, confers Deemed Approved ("grandfathered") Status on existing Alcoholic Beverage Sales Commercial Activities, and provides standards and an administrative hearing process to review violations of those standards, in order to protect the general health and welfare of the residents of the County and to prevent nuisance activities where alcoholic beverage sales occur. Since 2002, there have been additional alcoholic beverage products released and marketed within the unincorporated area that could be contributing to nuisance activities, but are not included in the County Ordinance Code.

On June 13, 2014, the Board of Supervisors referred to the PPC a review of the Ordinance to determine if relevant changes can or need to be made in order to better regulate the sale of alcopops by liquor stores, as well as reviewing the entire Ordinance to make any needed changes that would improve its overall effectiveness relating the sale of alcohol in the unincorporated areas. A 4-phase work plan was approved by the Committee on June 23, 2014. Following that meeting, DCD and Public Health department staff worked together on this project and ultimately presented findings and recommendations related to the Ordinance at the October 27, 2014 PPC meeting. The Committee approved the findings and recommendations and directed staff to forward to the Board of Supervisors. The Board of Supervisors received the report at the December 16, 2014 meeting and directed staff to return in one-year to the full Board of Supervisors with an update. Since the Committee has completed its work on this issue and the Board will be receiving an update directly, we recommend that the referral be discontinued to the PPC.

Recommendation: TERMINATE REFERRAL

10. Implementation of "Ban the Box" in Contra Costa County. On June 17, 2014, the Board of Supervisors made a joint referral to the Public Protection Committee and the Internal Operations Committee to review the County's implementation of Assembly Bill 218 (California Labor Code Sec. 432.9), colloquially referred to as "Ban the Box". The Ban the Box bill was signed by Governor Brown on October 10, 2013 and became operative July 1, 2014. The law prohibits state and local agencies from inquiring about criminal convictions during the employment application process until the agency has determined that the applicant meets the minimum employment qualifications as stated in any notice issued for the position.

On July 28, 2014, the PPC received a report from the Human Resources Department on recommended

implementation policies and procedures for the County. The Committee provided direction to staff who returned to the full Board of Supervisors on September 9, 2014. The Board of Supervisors approved staff recommendations for implementation of "Ban the Box". For this reason, we are recommending that this referral be discontinued.

Recommendation: TERMINATE REFERRAL

11. Review of County Service Area (CSA) P-6 Zones. On June 2, 1987, the Board of Supervisors authorized the County Administrator to develop a plan to fund additional Police Services in the unincorporated areas of Contra Costa County. Subsequent to that decision, various Zones within the existing County Service Area P-6 were authorized. According to the Ordinances, each July the Board of Supervisors shall determine the amount of taxes to be levied upon the parcels in each Zone. That amount is, also according to the Ordinances, to be adjusted annually based upon the consumer price index. As of July 2014, there are 116 authorized Zones in County Service Area P-6.

On October 7, 2014, the Board of Supervisors referred to the PPC a review of CSA P-6 zones. Since that time, staff has been collecting data in preparation for an initial report to the Committee. For this reason, we recommend that this referral be continued to the 2015 PPC.

Recommendation: REFER to the 2015 PPC

LIST OF REFERRALS TO BE TERMINATED

- Implementation of "Ban the Box" in Contra Costa County
- Alcoholic Beverage Commercial Activities Ordinance Review

LIST OF ITEMS TO BE REFERRED TO THE 2015 PUBLIC PROTECTION COMMITTEE

- Welfare fraud investigation and prosecution
- Multilingual capabilities of the telephone emergency notification system
- County support and coordination of non-profit organization resources to provide prisoner re-entry services and implementation of AB109 public safety realignment
- Directing 9-1-1 emergency calls to the appropriate Public Safety Answering Point *(schedule at the request of the Sheriff)*
- Civil gang injunctions *(schedule at the request of the District Attorney)*
- Inmate Welfare Fund/Telecommunications/Visitation Issues
- Opportunities to improve coordination of response to disasters and other public emergencies
- Report on Emergency Gas Shut Off Valves for various structures in unincorporated Contra Costa County
- Report on County Service Area P-6 Zones

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors will not receive the annual report from the 2014 Public Protection Committee.

CHILDREN'S IMPACT STATEMENT:

No impact.

Contra Costa County

To: Board of Supervisors

From: Kathy Gallagher, Director

Date: March 3, 2015

Subject: 2015-16 Head Start Recruitment / Enrollment Plan and Admissions Priority Criteria

RECOMMENDATION(S):
APPROVE the 2015-16 Head Start Recruitment and Enrollment Plan and the Community Services Bureau Admissions Priority Criteria for the early care and education programs of the Community Services Bureau of the Employment & Human Services Department.

FISCAL IMPACT:
None

BACKGROUND:
Head Start Performance Standard 1305.3 (c) (6) mandates that the Head Start grantee set criteria, based on a community assessment, that defines the types of children and families who will be given Head Start priority for recruitment and selection. This board order accepts the Employment and Human Services Department (EHSD), Community Services Bureau (CSB) Selection Criteria and Recruitment Plan for the 2015-16 program year. Due to the community need for full-day, full-year services, and the mandate that Head Start & Early Head Start programs collaborate for full-day services, EHSD CSB has adopted selection criteria, organized by priorities, which meet the State Department of Education regulations. The plan is set forth in the 2015-16 CSB Admissions Priorities

☑ APPROVE

☑ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ OTHER

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☑ 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: March 3, 2015

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

By: , Deputy

Contact: CSB, (925) 681-6344

cc: Ingrid Persson, Christina Reich

BACKGROUND: (CONT'D)
/ Selection Criteria .

To meet Head Start and Early Head Start enrollment goals, plans must be developed and set in place for adequate marketing and recruitment strategies. CSB utilizes community assessment to identify populations to be served by the Head Start program and to recruit those eligible to receive services. The recruitment and enrollment plan is set forth in the 2015-16 Head Start / Early Head Start / Early Education and Support Program Recruitment and Enrollment Plan.

The documents were reviewed and approved by the Head Start Policy Council on February 18, 2015.

CONSEQUENCE OF NEGATIVE ACTION:
If not approved, Department will not be in compliance with Head Start regulations.

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.

ATTACHMENTS

2015 CSB Admissions

2015 Head Start Recruitment

CONTRA COSTA COUNTY
CSB Admissions Priorities / Selection Criteria
2015-2016 Program Year

Head Start Performance Standard 1305.3 (c)(6) mandates that the program set criteria, based on our Community Assessment, that define the types of children and families who will be given priority for recruitment and selection. Kindergarten is available in all communities that we serve. Due to the community need for full-day, full-year services, and the mandate that the Head Start & Early Head Start Program collaborate for full-day services, CSB has adopted the following selection criteria presented in order of priority, which also meets the regulations of our partner, the State Department of Education, with one exception as noted below*:

INFANTS & TODDLERS **(Aged 0-3, including pregnant women)**	**PRE-SCHOOL** **(Aged 3-5)**
1. Transfers 2. CPS, Foster Child♦ & Child At Risk 3. Eligible infant/toddler with disabilities (IEP or IFSP) 4. Sibling of a child already enrolled in the program 5. Current TANF Recipient♦ or within 24 months 6. Eligible infant/toddler who is homeless♦ 7. Lowest income infant/toddler **Exception* **Contra Costa College**: On October 3, 2008, the California Department of Education granted CSB an enrollment waiver to give first priority to children of college students at our Contra Costa College Children's Center.	1. Transfers 2. CPS, Foster Child♦, & Child At Risk 3. Eligible 4 yr old with disabilities (IEP or IFSP) 4. Sibling of a child already enrolled in the program 5. Eligible 4 yr old with special circumstances ▪ Families experiencing domestic violence ▪ Limited English ▪ Families Needing Full Day services ▪ Currently Homeless♦ or Homeless within the last 18 months ▪ Current TANF♦ recipient or within the last 24 months ▪ Health Impairments ▪ Teen Parents ▪ Grandparent caregivers ▪ Children with current or former incarcerated parent(s) 6. Lowest income 4 yr old 7. Eligible 3 yr olds disabilities (IEP or IFSP) 8. Eligible 3 yr old with special circumstances ▪ Families experiencing domestic violence ▪ Limited English ▪ Families Needing Full Day services ▪ Currently Homeless♦ or Homeless within the last 18 months ▪ Current TANF♦ recipient or within the last 24 months ▪ Health Impairments ▪ Teen Parents ▪ Grandparent caregivers ▪ Children with current or former incarcerated parent(s) 9. Lowest income 3 yr old

♦ Denotes categorical eligibility.

As per Head Start Performance Standard 1305.3 (c), at least 10 percent of the enrollment will be made available to children who meet the definition for children with disabilities.

2015-16 Head Start/Early Head Start/Early Education and Support Programs Recruitment and Enrollment Plan

Contra Costa County Employment and Human Services Department - Community Services Bureau

DESIRED OUTCOME: To inform the public about services available through the Contra Costa County Community Services Bureau, particularly those populations identified in our Community Assessment, and to recruit and enroll eligible children and their families into the Head Start, Early Head Start and Early Education and Support Programs.

Goal #1: To recruit eligible pregnant women, infants, toddlers, and children.
Goal #2: To recruit children with disabilities.
Goal #3: To recruit special populations as per our community assessment and selection criteria: CPS/At-Risk, Domestic Violence, Limited English, Need for Full Day Care, Homeless, TANF/CalWorks Recipient, Children with Health Impairments, Teen Parents, Grandparent Caregivers, and children of currently or formerly incarcerated parents.

ACTIVITIES	PERSON (S) RESPONSIBLE	TIMELINE	LOCATION	INFORMATION TO INCLUDE	DISTRIBUTION	COMPLETION
Mobilize Parents – Word of Mouth, our best strategy	CSM FCP & CSM ERSEA	March 2015	Policy Council, Parent Meetings, Family Newsletter, Tables in entryways	▪ Reproducible Flyers and Pre-App Screening Forms ▪ Contest – parent with most screening forms wins prize	▪ All CSB and Delegate and Partner sites	
Pamphlets/flyers distributed: a) General info on CSB services b) Enrollment flyers c) Home-based services	Teachers, Site Supervisors, Comprehensive Services Staff, Home Educators	Ongoing	Laundromats WIC offices Grocery Stores Classrooms Elementary Schools Clinics Community-Based Organizations County Agencies Local churches Education Offices Libraries Hospitals Community Events Check Cashing Agencies High Schools One-Stop Locations Housing site offices *(inc. 9 housing sites in San Ramon)* Homeless Programs Community Centers (Richmond, San Pablo, Oakley, Willow Pass) Parks & Rec centers (Ambrose) LiHEAP office Stage II & Alternative Payment Plans	▪ Pictures ▪ Short paragraph describing program options ▪ Who is eligible ▪ Explanation of services available ▪ List Health, Nutrition, Education, Family Services, Family Wellness, Parent Engagement, Disabilities Services ▪ Home base ▪ Contact numbers and/or persons	▪ HEAP mailings ▪ Food Stamp Offices ▪ Parent Meetings ▪ Doctors' Offices ▪ EHSD Child Care Offices ▪ Volunteer Bureaus ▪ One-Stop Centers ▪ Parents ▪ Farmers Markets (Richmond Main Street, San Pablo, Concord)	

DRAFT

ACTIVITIES	PERSON (S) RESPONSIBLE	TIMELINE	LOCATION	INFORMATION TO INCLUDE	DISTRIBUTION	COMPLETION
Family Newsletter	*CSAMs*	*Quarterly*	*Distribute to all parents / partners*	▪ *Who is eligible* ▪ *Who to Contact* ▪ *Program Activities* ▪ *Events, Educational opportunities*	*Early Intervention Programs* *Community Partners* *Elementary Schools in the District*	
Contact Agencies Serving Children	ERSEA Analyst, Comprehensive Services Managers	Spring and Fall and as needed	WIC offices SELPAs Child Care Centers School Districts Private Providers Community-Based Organizations Community Recreation Sites PTAs Human Service Department Partner Sites Family Child Care Networks Resource and Referral Agencies Stage II & Alternative Payment Plans First Five Offices & Centers Homeless Shelter OB/GYN Offices LiHEAP office	▪ Initial letter containing description of Head Start and Agency services and program options ▪ Personal visit to discuss coordination services, share program and curriculum information, plan referrals.	Community	Contact Agencies Serving Children
Coordinate Transition Activities with Elementary Schools	MH/Disabilities Manager; Site Supervisors Education Managers	Spring/ Summer and throughout the year as needed	Childcare Centers Elementary Schools Other agencies for intake for special needs children High School/IT	Any pertinent information on child, ▪ authorized by parent	Elementary School staff meetings/ parent meetings; Site based staff meetings/ parent meetings; Policy Council Meetings	Coordinate Transition Activities with Elementary Schools
Speak at local organizations	Directors, Assistant Directors, Comprehensive Services Mgrs., Male Involvement Coordinator	All Year	Union Meetings Faith Based Organizations SHARE County Malls Fairs Clubs Community Events Other Government Agencies Non-Profit Agencies Businesses, Corporations and Foundations	▪ Make Head Start staff or Policy Council rep. available ▪ Describe advantageous services ▪ Distribute pamphlets ▪ List of centers with contact information ▪ Set up information table with posters and pictures ▪ Application packages	Civic Organizations PTA meetings Church groups Community events	Speak at local organizations

DRAFT

ACTIVITIES	PERSON (S) RESPONSIBLE	TIMELINE	LOCATION	INFORMATION TO INCLUDE	DISTRIBUTION	COMPLETION
"Staff Walks in the Community"	Site Supervisors	May - August	Neighborhoods Other Agencies	▪ Brief description of services ▪ Magnets or other marketing aids with contact info ▪ Flyers	Community	
Any opportunity for free ads in local media	Assistant Directors; Analysts	Spring-Fall	Local newspaper agencies, Penny Saver, Grapevine, etc.	▪ Short information on program, in English and Spanish ▪ Main phone number in Concord	Newspapers	
Community Events	ALL STAFF	All year	Contra Costa County	• Information on employment for teachers ▪ Informational Flyers ▪ Magnets, etc. with brief information	Community	
Maintain supply of free Head Start pamphlets (order from ACF)	Site Supervisors, Managers for HB and Partners Comp. Services Asst. Managers	All year	All CSB Centers All Partner/Delegate centers One Stop Career Centers Human Services Department SS of WIC SparkPoint Family Justice Center LiHEAP office	▪ Description of Head Start program and sample activities ▪ Sites could add local contact information (stamp local info on back), if desired	Community	
Implement streamlined referral processes per MOUs	ERSEA Analyst	Annually	CFS BBK RCEB Health Services CalWorks	▪ Protocol and Procures ▪ Forms ▪ Tracking of special referrals	Organizations noted in "Location" section.	

DRAFT

Contra Costa County

To: Board of Supervisors

From: David Twa, County Administrator

Date: March 3, 2015

Subject: Request for Relief of Cash Shortage

RECOMMENDATION(S):
AUTHORIZE relief of cash shortage in Health Services Department, Public Health Divisions' Petty Cash Fund, in the amount of $415.00, as recommended by the Auditor-Controller.

FISCAL IMPACT:
Cash shortage in the amount of $415.00 will be funded with 100% General Fund.

BACKGROUND:
In accordance with provisions of Administrative Bulletin 207.7, the Auditor-Controller has verified and concurs with the report of a cash shortage in the amount of $415.00 in the Public Health Divisions Petty Cash Fund.

The shortage was discovered during an audit of the Petty Cash Fund and relates to a postage due account. The Department has been unsuccessful in attempts to determine how and when the shortfall occurred. The postage account is no long included in the petty cash balance and annual, unannounced audits of the fund will be conducted.

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/03/2015** ☑ 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: March 3, 2015

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

Contact: Dorothy Sansoe, 925-335-1009

By: , Deputy

cc:

BACKGROUND: (CONT'D)

The Department has no reason to believe that this was caused by fraud or gross negligence.

CONSEQUENCE OF NEGATIVE ACTION:

The shortage will not be relieved, cash will not be in balance.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Auditor-Controller Letter

Office of the Auditor-Controller
Contra Costa County

Robert R. Campbell
Auditor-Controller

625 Court Street
Martinez, California 94553-1282
Phone (925) 646-2181
Fax (925) 646-2649

Elizabeth A. Verigin
Assistant Auditor-Controller

Harjit S. Nahal
Assistant Auditor-Controller

February 11, 2015

TO: David Twa, County Administrator

FROM: Robert R. Campbell, Auditor-Controller

SUBJECT: Health Services Department-Public Health Division's Report of $415.00 Shortage in the Petty Cash Fund

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In accordance with Administrative Bulletin 207.7, Section VI.C *Relief of Shortages and Account Collections – For Shortages Greater than $250,* the attached copy of the subject report is being forwarded for your review and presentation to the Board of Supervisors for action.

The Office of the Auditor-Controller has verified and concurs with the contents of the report. Upon the Board's approval, the requested relief shall be authorized.

RRC/mm

Cc: Bud De Cesare, Health Services Department Controller
Sherry Martija, Health Services Accountant

WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR

WENDEL BRUNNER, M.D.
PUBLIC HEALTH DIRECTOR

CONTRA COSTA
HEALTH SERVICES

PUBLIC HEALTH
FINANCE

50 Douglas Drive, Suite 320-B
Martinez, CA 94553

Phone (925) 957-5400
Fax (925) 957-5483

To: Robert Campbell, Auditor-Controller

From: Bud De Cesare, Health Services Department Controller
BY: Sherry Martija, Health Services Accountant

Date: January 22, 2015

Subject: Public Health Petty Cash

CC: Bill Sorrell, Public Health Administrator

This is a request for a relief of shortage of $415 from the Public Health Petty Cash fund.

The shortage was discovered during an internal audit conducted January/February 2014. The shortage relates to a postage due account that was originally included in the petty cash fund inherited from prior Public Health Finance managers. We have unsuccessfully tried to locate documentation to support the original transaction, so we're unable to determine how and when this occurred. We have also been unsuccessful in obtaining any information from the Martinez Post Office related to the history and original balance of this postage account.

This is an isolated issue, and we will no longer include the postage account in the petty cash balance.

As part of our corrective action plan, we will conduct unannounced audits of the Public Health Petty Cash fund at least annually.

We have no reason to believe this was caused by fraud or gross negligence. Please approve the requested relief of $415.

Thank you.

2015 JAN 26 PM 3:00